

**DISTRICT COURT, WATER DIVISION 1, COLORADO  
NOVEMBER 2021 WATER RESUME PUBLICATION**

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**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 **NOVEMBER 2021** for each County affected.

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**21CW23 JOSHUA S DILL AND KRISTI Y ESCH, 29777 CR 9, Elizabeth, CO 80107, 303-503-7907/303-907-2587 [jandkdill@gmail.com](mailto:jandkdill@gmail.com) APPLICATION FOR UNDERGROUND WATER RIGHTS IN THE DENVER BASIN AQUIFERS IN ELBERT COUNTY.** Name of Structure: Dill and Esch Well located SW 1/4, NE 1/4, S2, T9S, R65W of the 6<sup>th</sup> PM in Elbert County, distances from section line 1980 Ft from North Section line 1620 Ft from E Line. One well located on property; Parcel of land consists of 35 acres of land; Well Permit 160108.

**21CW3200 APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE CONDITIONAL WATER RIGHT STORAGE RIGHT ABSOLUTE IN PART, IN DOUGLAS AND JEFFERSON COUNTIES.**

I. Name, Address, E-mail Address, Telephone Number of Applicant. **CENTER OF COLORADO WATER CONSERVANCY DISTRICT**, P.O. Box 1747, Fairplay, Colorado 80440, (719) 836-2120. II. **Summary of Application.** Applicant seek a finding of reasonable diligence towards the conditional water storage right decreed in Case No. 13CW3148 District Court, Water Division 1 (“Decree”). III. **Description of Conditional Water Storage Right.** a. Name of Storage Water Right. Chatfield Reservoir. b. Legal Description of Location of Dam Centerline. The right abutment of Chatfield Dam is in Section 7, Township 6 South, Range 68 West of the 6th P.M., Douglas County, Colorado. The left abutment of Chatfield Dam is in Section 1, Township 6 South, Range 69 West of the 6th P.M., Jefferson County, Colorado. c. Date of Original Decree. The date of the original decree is November 5, 2015. D. Case Number. The case number of the original decree is 13CW3148, District Court, Water Division 1. e. Source. The source of water for Chatfield Reservoir is the South Platte River and Plum Creek. f. Appropriation Date. May, 9, 2013. g. Decreed Amount. 131.0 acre-feet, conditional, with one refill annually. h. Decreed Uses. Municipal, augmentation, domestic, industrial, commercial, irrigation, stock watering, recreation, fish and wildlife preservation and propagation, fire protection, aquifer recharge, substitution, exchange, and replacement. Recreation and fish and wildlife preservation and propagation uses will occur below the high water line of Chatfield Reservoir. IV. **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:** Chatfield Reservoir is a component part of the Applicant’s integrated water supply systems, which consist of storage water rights, plans for augmentation, appropriative rights of exchange, and surface water rights. Pursuant to §37-92-301(4)(b), C.R.S., work on one component of an integrated system shall be considered in finding that reasonable diligence has been shown for all components of the integrated system. During the subject diligence period, the Applicant has outlaid the following expenditures or completed the following work related to Chatfield Reservoir and its integrated water system: a. Participated as a member in the Chatfield Reservoir Mitigation Company and the Chatfield Storage Reallocation Project. b. Acquired 131 acre feet of water in Chatfield Storage Reallocation Project and corresponding units in the Chatfield Reservoir Mitigation Company. C. Employed the services of a consulting engineering firm to coordinate the information gathering, and annual reporting of Chatfield Reservoir, which accounting has been approved by the Division Engineer. d. The total cost of the above listed actions was approximately \$700,000.00. e. Since 2020, Applicant has stored approximately 42 acre feet of fully consumable water in Chatfield Reservoir. f. Applicant has continued to file statements of opposition to numerous Water Court applications to protect Applicants’ water rights, including water rights subject of this Application. g. Applicant has also pursued an Application for Approval for Plan for Augmentation including Appropriative Rights of Exchanges in Case No. 12CW50, District Court, Water Division 1 (“Case No. 12CW50”). Case No. 12CW50 was decreed on July 7, 2015. Case No. 12CW50 is an additional blanket augmentation plan for Applicant and its water authority, the Headwater Authority of the South Platte (“HASP”), jointly created with the Upper South Platte Water

Conservancy District (“USPWCD”), utilizing the water right subject of this Application together with other water rights in order to provide augmentation water throughout Applicant’s and HASP’s service areas. **V. Claim to Make Absolute.** Applicant does not seek to make any portion of the water right absolute in this Application. VI. Names and addresses of owners or reputed owners of the land upon which any new diversion structure or storage structure, or modification to an 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: U.S. Army Corps of Engineers, Omaha District, 9307 South Wadsworth, Littleton, CO. 80128.

**21CW3201 MACON REAL ESTATE, LLC AND THE LOWER PLATTE AND BEAVER CANAL COMPANY** c/o Peter Ampe, Hill & Robbins, P.C., 1660 Lincoln St., Suite 2720, Denver, CO 80264, ph. 303-296-8100, fax 303-296-2388; P. Andrew Jones, Law Office of P. Andrew Jones, 1213 Founders Circle, Windsor, CO. 80550, Phone: (970) 235-0252. **APPLICATION FOR CONDITIONAL UNDERGROUND WATER RIGHT AND APPLICATION TO ADD WELL TO LOWER PLATTE & BEAVER PLAN FOR AUGMENTATION DECREED IN CASE NO. 03CW443 IN MORGAN AND WASHINGTON COUNTIES.** INTRODUCTION: The well that is the subject of this application

does not currently exist. Applicants have not yet applied for any permits to drill the well that is the subject of this application. A well permit will be applied for prior to the construction of the well. Applicants request that the Court require the State Engineer to issue well permits for any such well in accordance with the decree to be entered herein. Applicants further request a determination that failure to construct this well within the period of time specified in a well permit will not be deemed to affect or extinguish the underlying water rights as decreed by this Court. Applicants will operate the requested well under the terms and conditions of the plan for augmentation decreed in Case No. 03CW443 when the Court enters a final decree in this case. 1. The name and address of the Applicants: Macon Real Estate, LLC, 1911 West Oak Avenue, Jonesboro, Arkansas. 72401, Lower Platte & Beaver Canal Company, P.O. Box 190, Hillrose, CO 80733.

**PART I: APPLICATION FOR CONDITIONAL GROUNDWATER RIGHT** 2. Name of water right: Macon Acres Well (LP&B ID 70.5). 3. Owners: Macon Acres, LLC. 4. Permit No.: None, applicants will obtain a permit. 5. Location: The well will be located in the NE1/4 of the NE1/4 of Section 31, T05N, R54W, 6<sup>th</sup> P.M., Washington County, Colorado at approximately UTM coordinates Easting 631603.09379 Northing 4469216.34269. Acres to be irrigated are located in the NE1/4 of the NE1/4 of Section 31, T05N, R54W, 6<sup>th</sup> P.M., Washington County, Colorado. 6. Appropriation Date: Date of Application. 7. Amount Claimed: 4.0 c.f.s., for the irrigation of up to 31 acres, CONDITIONAL. 8. Source: Groundwater tributary to the South Platte River. 9. Use: Irrigation, Domestic, and Livestock. 10. Name and Address of Owners of Land on which Structure Will be Located: Macon Real Estate LLC, 1911 West Oak Road, Jonesboro, Arkansas 72401. **PART III: APPLICATION TO ADD WELL TO AUGMENTATION PLAN.** 11. Augmentation Plan: Paragraph 14.6 of the Decree for the Lower Platte & Beaver Canal Company (“LPB”) Plan for Augmentation (District Court, in and for Water Division No. 1, Case No. 03CW443) allows the addition of wells to the plan subject to notice and terms and conditions. Applicant LPB seeks to add the Macon Acres Well described in paragraphs 2 through 9, above, to the 03CW443 LPB plan for augmentation. 12. 03CW443 Terms and Conditions: 12.1

Any well added to the 03CW443 plan shall be located on, and be used on lands within, the service area of the LPB Canal. The Macon Acres Well will be located on and be used on lands within the LPB service area. 12.2. A well added to the plan shall use the applicable wellhead depletion (consumptive use) factors set out in paragraph 17.2.2 and shall use the methods for determining the time and location of depletions set out in paragraph 17.1, or such other method as is approved by the Court. Applicants will comply with these conditions. 12.3. Out-of-priority depletions resulting from use of any well which Applicant or a well owner requests the Court to add to this plan shall be replaced in accordance with the following: Out-of-priority depletions from use of the well that has occurred prior to the date the Court allows the well to be added to the plan shall be replaced by the Applicant or well owner in compliance with an applicable Water Court decree or substitute water supply

plan approved by the State Engineer while said request is pending before the Court; out-of-priority depletions from use of the well that will occur after the Court decree adding the well to the plan, whether or not the depletions result from pumping before or after the date the Court allows the well to be added to the plan, shall be replaced by the Applicant or well owner under the terms and conditions of this decree and any additional terms and conditions ordered by the Court in connection with adding the well. As the Macon Acres Well does not exist, there have been no prior pumping, in the future the Macon Acres Well will operate only pursuant to an approved substitute water supply plan or the 03CW443 Decree after to Water Court adds the well to that decree as part of this matter. 12. The Macon Acres Well will be operated, and depletions calculated, in accord with Paragraph 17 of the 03CW443 decree, including but not limited to the required accounting and reporting. 12.5. LPB will replace all depletions resulting from the operation of the Macon Acres Well in time, location, and amount as required by the 03CW443 Decree in accordance with paragraph 18 of the 03CW443 Decree. 12.6. LPB will comply with all other terms and conditions of the plan for augmentation decreed in Case No. 03CW443. (5 Pages).

**21CW3202 APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND FOR APPROVAL OF PLAN FOR AUGMENTATION, IN EL PASO COUNTY.** I. Name and Address of Applicants: Mark E. McDonald and Amanda M. Enloe, 5775 Mountain Shadow View, Colorado Springs, CO 80908. Name and Address of Attorneys: Chris D. Cummins, #35154, Emilie B. Polley, #51296, MONSON, CUMMINS & SHOHET, LLC, 13511 Northgate Estates Dr., Ste. 250, Colorado Springs, Colorado 80921, (719) 471-1212, E-mail:[cdc@cowaterlaw.com](mailto:cdc@cowaterlaw.com); [ebp@cowaterlaw.com](mailto:ebp@cowaterlaw.com). II. Summary of Application. Applicants seek to construct up to two non-exempt wells in addition to an existing well to the not-nontributary Dawson aquifer for a total of three (3) non-exempt wells to provide water service to an equivalent number of lots, based on an anticipated subdivision of Applicants' 36-acre parcel. Applicants therefore seek to quantify the Denver Basin groundwater underlying the Applicants' Property, and approval of a plan for augmentation for the use thereof. III. Application for Underground Water Rights. A. Legal Description of Wells. 1. Property Description. All wells will be located on Applicants' approximately 36-acre property ("Applicants' Property") anticipated to be subdivided into three lots, with current schedule number 6124000013. Applicants' Property is depicted on the attached **Exhibit A** map, located in the E1/2 SE1/4 of Section 24, Township 11 South, Range 66 West of the 6<sup>th</sup> P.M., and more particularly described as 5775 Mountain Shadow View, Colorado Springs, CO 80908, El Paso County, Colorado. 2. Existing Well. There is an existing domestic well with Division of Water Resources Permit No. 209839 ("McDonald Well No. 1), permit attached as **Exhibit B**. It is drilled to a total depth of 357 feet to the Dawson aquifer, and located 300 feet from the East Section Line, and 1500 feet from the South Section Line. Upon approval of this plan for augmentation, this well will be re-permitted. 3. Proposed Wells. Applicants propose that two additional wells will be located on the Applicants' Property at specific locations not yet determined ("McDonald Wells Nos. 2 and 3"), to be constructed to the Dawson aquifer, for a total of three wells (one well per lot). B. Water Source. 1. Not-Nontributary. The ground water to be withdrawn from the Dawson aquifers underlying the Applicants' Property is not-nontributary. Pursuant to C.R.S. §37-90-137(9)(c.5), the augmentation requirements for wells in the Dawson aquifer will require the replacement of actual stream depletions. 2. Nontributary. The groundwater that will be withdrawn from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicants' Property is nontributary. C. Estimated Rates of Withdrawal and Ground Water Available. 1. Estimated Rates of Withdrawal. Pumping from the wells will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicants request the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. 2. Estimated Average Annual Amounts of Ground Water Available. Applicants request a vested right for the withdrawal of all legally available ground water in the Denver Basin aquifers underlying the Applicants' Property. Said amounts may be withdrawn over the 300-year life of the aquifers as required by El Paso County, Colorado Land Development Code §8.4.7(C)(1) which is more stringent than the State of Colorado's 100-year life

requirement pursuant to C.R.S. §37-90-137(4). Applicants estimate that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicants' Property:

<b>AQUIFER</b>	<b>NET SAND (Feet)</b>	<b>Total Appropriation (Acre Feet)</b>	<b>Annual Avg. Withdrawal 100 Years (Acre Feet)</b>	<b>Annual Avg. Withdrawal 300 Years (Acre Feet)</b>
Dawson (NNT)	488.2	3514	35.14	11.71
Denver (NT)	521.3	3181	31.81	10.60
Arapahoe (NT)	237.0	1461	14.61	4.87
Laramie Fox Hills (NT)	197.8	1072	10.72	3.57

Decreed amounts may vary from the above to conform with the State's Determination of Facts. Pursuant to C.R.S. §37-92-305(11), the Applicants further request that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. D. Requested Uses. The Applicants request the right to use the ground water for beneficial uses upon the Applicants' Property consisting of domestic, irrigation, domestic animal and stock watering, equestrian facilities, agricultural, commercial, fire protection, recreation, and also for storage and augmentation purposes associated with such uses. The Applicants also request that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicants' Property subject, however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicants may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicants shall only be entitled to construct wells or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of such not-nontributary aquifers in accordance with C.R.S. §37-90-137(9)(c.5). E. Well Fields. Applicants request that they be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying Applicants' Property through any combination of wells. Applicants request that these wells be treated as a well field. F. Averaging of Withdrawals. Applicants request that they be entitled to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Applicants' Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicants are entitled to withdraw from the aquifers underlying the Applicants' Property. G. Owner of Land Upon Which Wells are to Be Located. The land upon which the wells are and will be located as well as the underlying groundwater is owned by the Applicants. IV. APPLICATION FOR PLAN FOR AUGMENTATION. A. Structures to be Augmented. The structures to be augmented are the McDonald Wells Nos. 1 through 3, along with any replacement or additional wells associated therewith, as likewise may be constructed to the Dawson aquifer of the Denver Basin underlying the Applicants' Property as requested and described herein. B. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from the McDonald Wells Nos. 1 through 3, together with water rights from the nontributary Laramie-Fox Hills aquifer for any injurious post pumping depletions. C. Statement of Plan for Augmentation. Applicants wish to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by three wells as constructed and proposed herein for three lots. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: 1. Uses. i. Household Use Only: 0.30 acre-feet annually within a single-

family dwelling and guest house on up to three lots, with a maximum of ten percent consumptive use based on non-evaporative septic leach field disposal systems. The annual consumptive use for each lot will therefore be 0.03 acre-feet, with return flows of 0.27 acre-feet per lot, or 0.81 acre-feet per year. ii. Landscape Irrigation: 0.05 acre-feet annually per 1,000 square feet (2.18 acre feet per acre) per year, with an 85% assumed consumptive use rate. The annual consumptive use for each 1,000 square feet of lawn and garden irrigated is therefore 0.042 acre-feet. iii. Horses (or equivalent livestock): 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. iv. Commercial/Equestrian Facility: 1.0 acre-foot annually within a commercial equestrian facility for washing, cleaning and animal bathing, dust control, and other sanitary needs for the facility, with a maximum of fifty percent consumptive use based on use of a non-evaporative septic system. The annual consumptive use for the facility will therefore be 0.50 acre-feet, with return flows of 0.50 acre-feet per year.

2. Amounts. The McDonald Wells Nos. 2 and 3 will each pump a maximum of 1.0 acre-feet per year per lot, and the McDonald Well No. 1 will pump a maximum of up to 3.8 acre-feet per year, for a maximum total of 5.8 acre-feet being withdrawn from the Dawson aquifer annually. Such use shall be a combination of household use inside a single-family dwelling and guest house, irrigation of lawn, garden, and greenhouse, and the watering of horses or equivalent livestock, and other permitted uses described in paragraph III.D., above. i. McDonald Well No. 1. An example breakdown of the combination of use for the McDonald Well No. 1 on the third lot, utilizing the factors described above, is in-house use inside a single-family dwelling and guest house of 0.30 acre-feet of water annually, and 1.3 acre-feet available for irrigation of lawn, garden, pasture, and greenhouse, and the watering of domestic animals and livestock on the lot. Upon completion of construction of the commercial equestrian facility, the McDonald Well No. 1 will pump an additional 2.3 acre-feet (for a total of 3.8 acre-feet) annually, of which 1.0 acre-feet will be dedicated to those commercial equestrian facility uses described in paragraph IV.C.iii, above, with the remaining 1.3 acre-feet available for other permitted uses detailed in paragraph III.D., including irrigation and stock watering. ii. McDonald Wells Nos. 2 and 3. Utilizing the factors described above, an example breakdown of the combination of use for two of the lots is in-house use inside a single-family dwelling and guest house of 0.30 acre-feet of water per year per lot, with the additional 0.70 acre-feet per year per lot available for irrigation of lawn, garden, and greenhouse, and the watering of up to four horses and eight chickens or equivalent livestock and poultry on each. 3. Depletions. Applicants' consultant has determined that maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 22.31% of pumping. Prior to completion of the equestrian facility construction, maximum annual depletions for total pumping from the McDonald Wells Nos. 1 through 3 will amount to 0.80 acre-feet in year 300 (i.e. 22.31% of pumping 3.6 annual acre-feet). Following construction of the commercial equestrian facility, maximum annual depletions for total pumping from all wells are 1.29 acre-feet in year 300 (i.e. 22.31% of pumping 5.8 annual acre-feet). Applicants are required to replace a maximum of 1.29 acre-feet annually as a result of pumping a total of 5.8 annual acre-feet from the McDonald Wells Nos. 1 through 3, assuming the commercial equestrian facility has been constructed. Should the commercial equestrian facility not be constructed, or should the Applicants' pumping otherwise be less than the 5.8 acre-feet total, which represents a maximum of 2.0 acre-feet for two wells/lots, and 3.8 acre-feet for a third well/lot, per year, as described herein, resulting depletions and required replacements will be correspondingly reduced. 4. Augmentation of Depletions During Pumping. Pursuant to C.R.S. §37-90-137(9)(c.5), Applicants are required to replace actual stream depletions attributable to pumping of the three wells. Applicants' consultant has determined that depletions during pumping will be effectively replaced by return flows from non-evaporative septic systems, both before and after completion of the commercial equestrian facility. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. At in-house use rates of 0.30 acre-feet per lot per year, total of 0.9 acre-feet, 0.81 acre-feet is replaced to the stream system per year, utilizing residential non-evaporative septic systems, adequately replacing maximum depletions of 0.80 acre-feet from pumping a combined total of 3.6 acre-feet from the McDonald Wells Nos. 1 through 3. The annual consumptive use of the equestrian facility utilizing a non-evaporative septic system is 50% per year. At an annual use rate of 1.0 acre-foot for the equestrian facility, 0.50 acre-feet is replaced to the stream system per year, resulting in total replacements from all non-

evaporative septic systems of 1.58 acre-feet annually. Thus, during pumping from the McDonald Wells Nos. 1 through 3 of up to 5.8 annual acre-feet, stream depletions will be more than adequately augmented. Applicant does not at this time claim return flows from irrigation uses as a source of augmentation supply, but retains the right to amend this plan in the future to make such claims. 5. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the McDonald Wells Nos. 1 through 3, Applicants will reserve up to 690 acre-feet of the nontributary Arapahoe aquifer, and the entirety of the Laramie Fox Hills aquifer, accounting for actual stream depletions replaced during the plan pumping period, as necessary to replace any injurious post pumping depletions. Applicants also reserve the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicants reserve the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Arapahoe and Laramie-Fox Hills groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicants will be entitled to apply for and receive a new well permit for the McDonald Wells Nos. 1 through 3 for the uses in accordance with this Application and otherwise in compliance with C.R.S. §37-90-137. V. Remarks. A. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the Dawson aquifer may occur in both the South Platte and the Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system where the majority of such depletions will occur, and it is Applicants' intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicants request that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte River as set forth herein, and for a finding that those replacements are sufficient. B. The Applicants request a finding that they have complied with C.R.S. §37-90-137(4), and that the ground water requested herein is legally available for withdrawal by the requested not-nontributary wells upon the entry of a decree approving an augmentation plan pursuant to C.R.S. §37-90-137(9)(c.5). C. The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. D. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of ground water withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. E. The Applicants request a finding that vested water rights of others will not be materially injured by the withdrawals of ground water and the proposed plan for augmentation. F. The wells shall be installed and metered as reasonably required by the State Engineer. Each well must be equipped with a totalizing flow meter and Applicants shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer, including those diversion records for the equestrian facility, if any. The Applicants shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this plan of augmentation. G. The Applicants intend to waive the 600 feet well spacing requirement for any wells to be located upon the Applicants' Property. H. Applicants will comply with any lienholder notice provisions set forth in C.R.S. §37-92-302(2)(b) and §37-90-137(4)(b.5)(I), and such notice will be sent within 14 days of the filing of this application.

**21CW3203 APPLICATION FOR REVISION OF PLAN FOR AUGMENTATION IN EL PASO COUNTY. I. Name and Address of Applicants.** Douglas E. Hill and Katherine L. Hill, 13985 Silverton Road, Colorado Springs, CO 80921 ("Applicants"). **Name and Address of Attorneys.** Chris D. Cummins, #35154, Emilie B. Polley, #51296, MONSON, CUMMINS & SHOHEIT, LLC, 13511 Northgate Estates Dr., Ste. 250, Colorado Springs, Colorado 80921, (719) 471-1212, E-mail: [cdc@cowaterlaw.com](mailto:cdc@cowaterlaw.com); [ebp@cowaterlaw.com](mailto:ebp@cowaterlaw.com). **II. Background and Summary of Application.** A. Applicants seek to revise a portion of an existing augmentation plan concerning groundwater supplies underlying an approximately 16.47 acre parcel of land located in El Paso County, Colorado. Applicants own a lot within the C&H Estates subdivision, as depicted on attached **Exhibit A**, specifically described as Lot 1 and Tract A of C&H Estates,

also known as 6910 Alpaca Heights, Colorado Springs, CO 80908 (“Applicants’ Property”). B. Underground water rights within the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers, along with a plan for augmentation, were decreed in Case No. 05CW37 (consolidated with Water Court Division 2 Case No. 05CW13), District Court, Water Division 1 (“05CW37 Decree”). The 05CW37 Decree established an augmentation plan for approximately 36.47 acres of land located in part of the NW1/4 of Section 29, Township 11 South, Range 65 West of the 6<sup>th</sup> P.M., known as the C&H Estates, consisting of Lot 1 and Tract A (16.47 acres, the Applicants’ Property), Lot 2 (8.95 acres), and Lot 3 (8.84 acres). Approximately 2.21 acres of land owned by the developer of C&H Estates at the time of adjudication of the water rights was dedicated to El Paso County as a right of way at the time of subdivision, though no underlying groundwater was conveyed to the County as part of that process, and such groundwater remains in the ownership of the owners of Lots 1 (and Tract A), 2, and 3, pro rata to their overlying land ownership, consistent with the water covenants executed at the time of platting of the C&H Estates subdivision. The augmentation plan decreed in the 05CW37 Decree provided for withdrawals of a combined 3.9 acre-feet of water per year from the not-nontributary Dawson aquifer from individual wells on each of the lots at a rate not to exceed 15 gpm, with 2.0 acre-feet of pumping allocated by covenants and well permit to the Applicants; and 0.95 acre-feet allocated to each of Lots 2 and 3. The 05CW37 Decree set forth the consumptive factors for the subject water uses as in-house use (0.314 acre-feet), irrigation (0.65 acre-feet/limited to irrigation of 11,000 square feet), and stockwatering of four large domestic animals (0.05 acre-feet). These uses were to be augmented by return flows from the individual non-evaporative septic systems on each lot during the pumping life of the wells. Post-pumping augmentation obligations were met by the reservation of 1,019 acre-feet of water in the Laramie-Fox Hills aquifer (a 300-year aquifer life/plan for augmentation). C. Applicants are the current owners of Lot 1 and Tract A, the Applicants’ Property, with existing Well Permit No. 63600-F (“Hill Well No. 1”), attached as **Exhibit B**. Based upon the allocation of Denver Basin supplies adjudicated in Case No. 05CW37 and the water covenants allocation *pro rata* to the overlying landowner, Applicants own the following water in the Denver Basin aquifers underlying Lot 1 and Tract A, as described on the attached **Exhibit C** Deed, and **Exhibit D** Water Covenants, being 48.1% of the quantities previously adjudicated:

<b>Aquifer</b>	<b>Annual Amount – 300 years (Acre-Feet)</b>	<b>Total (Acre-Feet)</b>
Dawson (NNT)	5.87	1,760.46
Denver (NT)	4.77	1,431.46
Arapahoe (NT)	2.43	730.16
Laramie-Fox Hills (NT)	1.71	512.26 <sup>1</sup>

**III. Proposed Revision.** Applicants are the owners of Applicants’ Property, and the water subject to the plan for augmentation approved and decreed by the Division 1 Water Court in the 05CW37 Decree underlying Lot 1 and Tract A, *pro rata*, as described above. Applicants do not seek any changes or revisions as to the 05CW37 Decree as would affect the rights and entitlements of the owners of Lots 2 and 3 of the C&H Estates subdivision. Applicants intend to further subdivide the Applicants’ Property into a maximum of four (4) total lots, requiring up to four (4) individual wells. By this application, Applicants request the following revisions to the plan for augmentation set forth in the 05CW37 Decree, only as pertains to the Applicants’ Property, as follows: 1. Structures to be Augmented: The structures to be augmented are the Hill Wells Nos. 1 through 4, as proposed or as currently constructed to the not-nontributary Dawson aquifer, including any future replacement or substitute wells as may be constructed to the not-nontributary Dawson aquifer formation underlying the Applicants’ Property. 1. Existing Well. The Hill Well No. 1, with existing Division of Water Resources Well Permit No. 63600-F, is located approximately 2,000 feet from the north

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1 The entirety of this entitlement has been reserved for post pumping depletions pursuant to the 05CW37 Decree, and by this application is intended to remain so dedicated.

section line and 500 feet from the west section line in the SW1/4 NW1/4 of Section 29, Township 11 South, Range 65 West of the 6<sup>th</sup> P.M. and is completed to the Dawson aquifer. 2. Proposed Additional Wells: Applicants will construct up to three additional wells on Applicants' Property, or one on each lot based on the anticipated subdivision into up to four lots. All such additional and/or replacement wells shall be constructed to the Dawson aquifer. B. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the septic return flows resulting from pumping of the non-tributary Dawson aquifer by the Hill Wells Nos. 1 through 4, as well as return flows from any replacement/substitute wells, as set forth in this plan for augmentation, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifers for any injurious post pumping depletions. C. Statement of Plan for Augmentation. Applicants wish to provide for the augmentation of stream depletions caused by pumping the not-nontributary Dawson aquifer wells proposed for up to four residential lots on Applicants' Property. Applicants therefore seek revision of the use factors as applicable only to the Applicants' Property by this application, so as to support subdivision of Applicants' Property in El Paso County consistent with the El Paso County Land Development Code requirements. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows, though Applicants may utilize water in excess of that utilized within each single family dwelling for any beneficial use as previously decreed in the 05CW37 decree, with septic return flows from in-house use providing sufficient augmentation for replacement of depletions from all pumping: 1. Uses. i. Household Use Only: 0.26 acre-feet annually within single family dwellings on up to 4 lots, with a maximum of ten percent consumptive use based on a non-evaporative septic leach field disposal systems. The annual consumptive use for each lot will therefore be 0.026 acre-feet per well, with return flows of 0.234 acre-feet per lot, or 0.936 acre-feet per year, assuming four lots are developed. ii. Landscape Irrigation: 0.05 acre-feet annually per 1,000 square feet (2.18 acre-feet per acre) per year, with an 85% assumed consumptive use rate. The annual consumptive use for each 1,000 square feet of lawn and garden irrigated is therefore 0.042 acre-feet. iii. Horses (or equivalent livestock): 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. 2. Hill Wells Nos. 1 through 4 will each pump a maximum of 1.0 acre-feet of water per year per residence, for a maximum total of 4.0 acre-feet being withdrawn from the Dawson aquifer per year. Such use shall be any combination of beneficial uses, as previously decreed in the 05CW37 Decree. An example breakdown of this combination of use, utilizing the factors described above, for one residential lot is household use of 0.26 acre-feet of water per year, with the additional 0.74 acre-feet per year available for irrigation of lawn and garden, the watering of perhaps four horses or equivalent livestock, use in a hot tub, and other permitted uses consistent with the 05CW37 decree and as described herein. D. Depletions. Pursuant to C.R.S. §37-90-137(9)(c.5), replacement of actual stream depletions attributable to pumping of the Hill Well Nos. 1 through 4 will be required to the extent necessary to prevent injurious effect, such wells being constructed to the Dawson aquifer. As previously decreed in the 05CW37 Decree, maximum stream depletions over the 300-year pumping period required by El Paso County Land Use Code for the Dawson aquifer amounts to 21.01% of pumping. Maximum annual depletions for total residential pumping from all wells are therefore 0.84 acre-feet in year 300, or 0.21 acre-feet per well (*i.e.* 21.01% of pumping). Should Applicants' pumping be less than the 4.0 total, which represents a maximum of 1.0 acre-feet for four wells/lots per year, as described herein, resulting depletions and required replacements will be correspondingly reduced. E. Augmentation of Depletions During Pumping. Applicants will replace depletions resulting from the pumping of Hill Well Nos. 1 through 4 during the pumping life of such wells utilizing residential return flows from non-evaporative septic systems from in house uses of the lots served by the Hill Well Nos. 1 through 4. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. At a household use rate of 0.26 acre-feet per residence per year, total of 1.04 acre-feet for four lots, 0.936 acre-feet is replaced to the stream system per year, utilizing the non-evaporative septic systems. Thus, during pumping, stream depletions will be more than adequately augmented thereby preventing injury to other vested water rights. F. Augmentation for Post Pumping Depletions. Applicants seek to reserve additional groundwater from the not-nontributary Arapahoe aquifer underlying the Applicants' Property, in addition to the prior reservation in the 05CW37 Decree of the nontributary Laramie-Fox Hills aquifer, for replacement of any



injurious post-pumping depletions as to Applicants' Property. Applicant shall reserve an additional 600 acre-feet of the underlying Arapahoe aquifer in order to adequately replace post-pumping depletions from the proposed additional 600 acre-feet of pumping beyond that amount anticipated in the 05CW37 Decree. Applicants reserve the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicants reserve the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Arapahoe and Laramie-Fox Hills groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicants will be entitled to apply for and receive a new well permit for the existing Hill Well No. 1 and new permits for the Hill Wells Nos. 2 through 4 for the uses in accordance with this Application and otherwise in compliance with C.R.S. §37-90-137. G. Other Remarks. 1. This Application is being filed in Water Divisions 1 and 2 because depletions may occur to both divisions. The return flows set forth above will accrue to the South Platte River system where the majority of depletions occur, and it is Applicants' intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicants request that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte River as set forth herein, and for a finding that those replacements are sufficient. 2. Applicants note that no revision of the decreed plan for augmentation is requested as affects Lots 2 and 3 of the C&H Estates subdivision in Case No. 05CW37, but rather only replacement as to uses and amounts for Applicants Property, being Lot 1 and Tract A, and to add augmented structures to the plan for augmentation thereon. 3. Applicants request a finding that they have complied with C.R.S. §37-90-137(4), and that the ground water requested herein is legally available for withdrawal by the requested wells upon the entry of a decree approving an augmentation plan pursuant to C.R.S. §37-90-137(9)(c). 4. The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. 5. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of ground water withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. **IV. Remarks.** A. The Applicants request a finding that vested water rights of others will not be materially injured by the additional use requested herein. B. Upon entry of a decree in this case, the Applicants shall be entitled to apply for and receive new well permits in accordance with the provisions of any decree entered in this case. C. The Water Court has jurisdiction over the subject matter of this application pursuant to §§ 37-90-137(6) and 37-92-302, C.R.S. D. The Applicants intend to waive the 600 feet well spacing requirement for any wells to be located upon the Applicants' Property. E. The wells shall be installed and metered as reasonably required by the State Engineer. Each well will be equipped with a totalizing flow meter and Applicants shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. The Applicants shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this plan of augmentation. F. There are no lienholder interests in the Applicants' Property, Applicants own the property free and clear of all encumbrances. As such, no notifications pursuant to § 37-92-302(2)(b), C.R.S., are required.

**21CW3204 THE NORTHERN COLORADO WATER ASSOCIATION**, P.O. Box 415 Wellington, CO 80549 (970) 568-3975. Please send all future correspondence and pleadings to Brent A. Bartlett, Esq., and Whitney Phillips Coulter, Esq. Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 E. Prospect Road Fort Collins, CO 80525, (970)407-9000. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES** 2. Name of Structure. NCWA Well 3. 3. Description of Conditional Water Right. 3.1 Date of Original Decree: Case No. 14CW3008, District Court, Water Division No. 1, dated November 30, 2015. 3.2 Registration Information: NCWA Well No. 3 is registered with the State Engineer under Permit No. 60767-F. 3.3 Legal Description/Location of Well: NW 1/4 of the NE 1/4 of Section 24, Township 11 North, Range 68 West, 6<sup>th</sup> P.M. in Larimer County, Colorado, at a point approximately 1,000 feet south of the north section line and 2,400 feet west of the east section

line of said Section 24. 3.4 Source: Ground water. 3.5 Date of appropriation: January 16, 2003. 3.6 How appropriation was initiated: By actual construction, completion and testing of the well on January 16, 2003. 3.7 Date water applied to beneficial use: June 6, 2005. 3.8 Amount: 425 g.p.m., of which 368 g.p.m. is ABSOLUTE, and 57 g.p.m is CONDITIONAL. 3.9 Uses: Domestic and municipal purposes, including, without limitation, irrigation (including lawns and gardens), industrial, commercial, livestock, domestic, fire protection, by current or future members of NCWA. Except that it is not decreed for use for any mineral extraction or processing purposes, including but not limited to, oil and gas exploration, production, and/or refining, fracking operations, and uranium exploration, mining, and processing. NCWA Well No. 3 shall be used only as an emergency backup supply in the event that any of the other NCWA Wells are not operational, and pumping from NCWA Well No. 3 for such purpose shall be limited to no more than 12 consecutive months, and to no more than 14 total months during any running 5-yr period. In the event that NCWA utilizes NCWA Well No. 3 as an emergency backup well in any given year, pumping of this well shall be limited to no more than 204 acre-feet for that year, and all pumping from said well shall count against NCWA's allowable pumping from NCWA Well Nos. 1 and 2 for that year. 4. Claim for Findings of Reasonable Diligence. NCWA Well No. 3 is part of NCWA's integrated water supply system. This well serves as a backup to operate when other wells are not able to pump water and as such plays a vital role in NCWA's water supply system. During the diligence period, NCWA has pumped the well for its decreed purposes and in accordance with the plan for augmentation decreed in Case No. 14CW3008, District Court, Water Division No. 1. NCWA 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 57 g.p.m. conditional water right can and will occur. Also, during this diligence period, NCWA has taken action and expended funds, including but not limited to attorney fees and other fees, to protect and improve its water supply system, including filing a water court application to add a well to the augmentation plan decreed in Case No. 14CW3008, filing a petition in condemnation to add a new water transmission pipeline, and beginning construction on that new water transmission line. 5. Right to Supplement. Applicant reserves the right to supplement this Application with additional information on Applicant's work and expenses related to its continued diligence toward making absolute the conditional rights described herein. 6. Notice Requirement, Section 37-92-302(2)(b). Each of the wells are located on lands owned by NCWA, address and telephone number provided above. WHEREFORE, NCWA respectfully requests a ruling and decree finding that NCWA has exercised due and reasonable diligence during the six years following entry of the decree in Case No. 14CW3008, towards completion of the conditional water right and has further demonstrated that the requirement has satisfied the requirements of "can and will." NCWA further prays that this Court continue in full force and effect all such conditional water rights for an additional six-year period, and for such other relief as the Court may deem proper. (4 pages)

**21CW3205 (13CW3169), THE CITY OF AURORA, COLORADO, ACTING BY AND THROUGH ITS UTILITY ENTERPRISE**, c/o Attorneys John M. Dingess, Esq. and Teri L. Pettit, Esq. Hamre, Rodriguez, Ostrander & Dingess, P.C., 3600 S. Yosemite Street, Suite 500, Denver, CO 80237-1829, 303-779-0200. **APPLICATION TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE, FOR A FINDING OF REASONABLE DILIGENCE, AND TO CONTINUE CONDITIONAL WATER RIGHTS in ARAPAHOE AND ADAMS COUNTIES**. Applicant the City of Aurora, by and through its undersigned counsel, hereby submits the following application to make a portion of its conditional water rights absolute, for a finding of reasonable diligence, and to continue its conditional water rights initially decreed in Water Division 1, Case No. 13CW3169. 1. **NAME, ADDRESS AND TELEPHONE NUMBER OF APPLICANT**. The City of Aurora, Colorado, acting by and through its Utility Enterprise ("Aurora" and "Applicant"), 15151 East Alameda Parkway, Suite 3600, Aurora, Colorado 80012-1555, Telephone: 303-739-7370, Email: [AuroraWater@auroragov.org](mailto:AuroraWater@auroragov.org). 2. **DESCRIPTION OF CONDITIONAL WATER RIGHTS**. 2.1. **Conditional Groundwater Rights** (shown on **Exhibit A**, attached hereto). 2.1.1. Date of Original Decree: November 27, 2015. 2.1.2. Dates of Subsequent Decrees: None. 2.1.3. Legal Descriptions of Triple Creek Park Ponds. 2.1.3.1. Triple Creek Park Pond A: The Centroid of Pond A is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a

point 2,631 feet from the East section line and 1,721 feet from the North section line of said Section 11, Arapahoe County, Colorado. 2.1.3.2. Triple Creek Park Pond B: The Centroid of Pond B is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 2,513 feet from the East section line and 1,556 feet from the North section line of said Section 11, Arapahoe County, Colorado. 2.1.3.3. Triple Creek Park Pond C: The Centroid of Pond C is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 2,391 feet from the East section line and 1,717 feet from the North section line of said Section 11, Arapahoe County, Colorado. 2.1.3.4. Triple Creek Park Pond D: The Centroid of Pond D is located in the SW 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 1,640 feet from the East section line and 1,631 feet from the North section line of said Section 11, Arapahoe County, Colorado. 2.1.3.5. Triple Creek Park Pond E: The Centroid of Pond E is located in the SE 1/4 of the NE 1/4 of Section 11, Township 4 South, Range 66 West of the 6th P.M., at a point 743 feet from the East section line and 1,965 feet from the North section line of said Section 11, Arapahoe County, Colorado. 2.1.4. Source: Groundwater tributary to Coal Creek, Murphy Creek, and/or Sand Creek, tributary to the South Platte River. 2.1.5. Amounts: The maximum estimated stream depletion from the Triple Creek Park Ponds is 0.18 cfs. The volumetric amount of such depletion is as follows: 2.1.5.1. Triple Creek Park Pond A: 0.18 acre feet per year. 2.1.5.2. Triple Creek Park Pond B: 0.66 acre feet per year. 2.1.5.3. Triple Creek Park Pond C: 2.69 acre feet per year. 2.1.5.4. Triple Creek Park Pond D: 26.61 acre feet per year. 2.1.5.5. Triple Creek Park Pond E: 13.02 acre feet per year. 2.1.6. Appropriation Date: December 16, 2013. 2.1.7. Uses: All uses necessary and incident to use of the Triple Creek Park Ponds for park and recreational purposes, which uses include but are not limited to aesthetic, fire protection, fish and wildlife propagation, other piscatorial uses, wildlife and waterfowl habitat, incidental irrigation, and recreation. 2.2. **Conditional Appropriative Right of Exchange** (shown on **Exhibit B**, attached hereto). 2.2.1. Exchange-From Points: 2.2.1.1. Confluence of Sand Creek and the South Platte River: The confluence is generally located in the SE1/4 of the SW1/4 of Section 1, T3S, R68W, of the 6<sup>th</sup> P.M., Adams County, Colorado. 2.2.1.2. The Outfall of the Aurora Sand Creek Wastewater Treatment Plant, also known as the Sand Creek Water Reuse Facility (“SCWRF”), located on Sand Creek in the NW1/4 of SE1/4 of Section 26, T3S, R67W, 6<sup>th</sup> P.M, Adams County, Colorado. 2.2.1.3. The quantification point for Aurora’s reusable LIRFs as decreed in Case No. 02CW341, Water Division 1. This quantification point is located at the USGS Sand Creek gauge, (Gauge SANCOMCO. 394839104570300) on Sand Creek approximately 1,400 feet upstream of the confluence of Sand Creek and the South Platte River, in the NE1/4 of the NW 1/4 of Section 12, T3S, R68W, or a location at which such gauge may be relocated in the future. 2.2.1.4. The confluence of Tollgate Creek and Sand Creek, located in the SE 1/4 of the SW 1/4 of Section 25, T3S, R67W, 6th P.M., in Adams County, Colorado. 2.2.2. Exchange-To Point: 2.2.2.1. The uppermost point of depletions for Triple Creek Park Ponds described in paragraph 2 above. 2.2.2.2. In addition to the specific Exchange-To point described above, Aurora may operate the subject exchange from any of the Exchange-From points described above to any intermediate point within the subject exchange reach. 2.2.3. Sources of substitute supply for exchange: 2.2.3.1. The water derived from the exercise of all water rights owned by Aurora at the time of the Original Decree in WD-1, Case No. 13CW3169, that is fully consumable or reusable from water sources diverted from the Colorado River Basin, the Arkansas River Basin, and the South Platte River Basin, or withdrawn from the Denver Basin Aquifers, as well as reusable municipal effluent and quantified lawn irrigation return flows. The list of the water rights then owned by Aurora as appended to the Original Application in WD-1, 13CW3169, is attached hereto as **Exhibit C**. 2.2.3.2. Other water that is reusable, fully consumable, transmountain or historical consumptive use, or decreed for exchange or augmentation purposes, that Aurora develops adjudicates, buys, leases, or otherwise acquires in the future, said rights being situated in the Colorado, Arkansas, and/or South Platte River basins. 2.2.4. Exchange Rate: 0.18 c.f.s., conditional. 2.2.5. Appropriation Date: December 16, 2013. 2.2.6. Uses: All uses necessary and incident to use of the Triple Creek Park Ponds for park and recreational purposes, which uses include but are not limited to aesthetic, fire protection, fish and wildlife propagation, other piscatorial uses, wildlife and waterfowl habitat, incidental irrigation, and recreation. 3. **DETAILED OUTLINE OF WHAT HAS BEEN DONE TOWARD COMPLETION OR FOR COMPLETION OF THE APPROPRIATIONS**

## **AND APPLICATION OF WATER TO A BENEFICIAL USE AS CONDITIONALLY DECREED.**

The water rights that are the subject of this application are part of Aurora's trans-basin municipal water supply system that is an integrated system of water rights and structures under C.R.S. § 37-92-301(4)(b). During the diligence period of November 28, 2015 through November 30, 2021, Aurora performed the following work and made the following expenditures toward completion of the appropriations and application of the water rights decreed in the Original Decree to beneficial use (expenditure numbers are rounded to the nearest \$1,000).

**3.1. Project Specific Efforts.** During the diligence period, Aurora has done at least the following project specific work toward completion of the appropriations and application of the conditional water rights decreed in Case No. 13CW3169 to beneficial use:

**3.1.1. Triple Creek Park Ponds Expenses.** During the diligence period, Aurora has spent approximately \$98,000 working to close out the mining permits and to further develop aesthetic features to support the beneficial uses of the Triple Creek Park Ponds.

**3.1.2. Sand Creek Water Reuse Plant Improvements.** Aurora operates the Sand Creek Water Reuse Plant, a 5-million-gallon per day facility, which provides treated water used for irrigation throughout the City and for discharge into Sand Creek for use as a replacement source for the exchanges herein. Aurora expended approximately \$7,552,000 for improvements to and operating costs for the Sand Creek plant during the diligence period. This work is necessary for reuse within the South Platte River Basin of the water that is the subject of the exchanges herein and also to comply with water reuse requirements.

**3.1.3. Legal Activities.** During the subject diligence period, Aurora spent in excess of \$1,600 on legal activities directly related to the conditional groundwater rights and exchanges herein.

**3.2. System-wide Efforts.** During the diligence period, Aurora has accomplished at least the following systemwide efforts that will be used to operate or benefit the conditional rights.

**3.2.1. South Platte River Basin.** Aurora made the following diligent efforts with regard its water supply system components in the South Platte River Basin which are necessary for continuation of its reusable supplies from the South Platte River Basin which are the source of the water for the exchanges sought herein.

**3.2.1.1. Spinney Mountain Reservoir.** Aurora expended substantial sums for facility upgrades during the diligence period, including internal outlet works inspections, applications of protective coatings on outlet pipes, assessment, design and extension of the storm drainage systems below the dam, installation of filter trench drains, measurement devices, and installation of heater jackets over valve operators.

**3.2.1.2. Metro Wastewater Reclamation District Charges.** Aurora expended approximately \$157,092,000 during this diligence period for fees for wastewater treatment of its water at the Metro Wastewater Reclamation facility. Such treatment is necessary for reuse of the water that is the subject of the exchanges herein within the South Platte River Basin and to comply with water reuse requirements.

**3.2.1.3. Griswold Water Treatment Plant Renovations.** This facility treats a portion of the raw water exchanged under the Original Decree before it is delivered to Aurora's customers. Approximately \$29,530,000 was spent by Aurora for improvements to this facility necessary to accommodate the water that is the subject of the exchanges herein. This includes expenditures directly by Aurora for renovation of the facility.

**3.2.1.4. Wemlinger Water Treatment Plant Expansion.** Aurora spent approximately \$55,094,000 for expansion of the Wemlinger Water Treatment Plant. This facility treats a portion of the raw water exchanged under the Original Decree before it is delivered to Aurora's customers.

**3.2.1.5. Improvements to Extend and Improve Water Service in and to Aurora.** Approximately \$155,210,000 was spent by Aurora for extension and upgrade of its water transmission system necessary to deliver the water that is the subject of the exchange herein to Aurora's customers.

**3.2.1.6. Automated Meter Reading System.** Aurora spent approximately \$6,052,000 for updates to its automated utility reading system. This is needed for efficient operation of Aurora's water supply and delivery system, including use of the water that is the subject of the exchange herein.

**3.2.1.7. Improvements to Sanitary Sewer System.** Approximately \$61,155,000 was spent by Aurora for extension and upgrade of its sanitary sewer system necessary for wastewater treatment and reuse within the South Platte River Basin of the water that is the subject of the exchange herein.

**3.2.1.8. Prairie Waters Project.** The Prairie Waters Project is a large comprehensive water supply, storage and treatment project in which return flows to the South Platte River from Aurora's water sources, including the water that is the subject of the exchange herein, may be rediverted for subsequent reuse. To facilitate this project Aurora obtained various decrees in Case Nos. 06CW104, 03CW414, and 03CW415, Water Division 1. This project allows further reuse of much of the water decreed to Aurora. During the diligence period, Aurora obtained a decree in Case No. 15CW3064, finding reasonable diligence for the water

rights originally decreed in Case No. 06CW104 (decreed December 1, 2017). On November 23, 2021 in Case No. 21CW3006 Aurora obtained a decree finding reasonable diligence for the Aurora-Everist No. 2 water rights originally decreed in Case No. 03CW414. On November 4, 2020, Aurora was granted a decree in Case No. 20CW3058 for findings of reasonable diligence for conditional storage rights for the Aquifer Recharge and Recovery Facility B (ARR-B) and the Tucson South Reservoir, originally decreed in Case No. 03CW414. On March 27, 2021, Aurora filed an application in Case No. 21CW3028 seeking diligence on the conditional rights originally decreed in 03CW415. On May 28, 2021 in Case No. 21CW3077 Aurora filed an application for a finding of diligence for the PWP InFill Wells originally decreed in Case No. 13CW3042, Water Division 1. Aurora has expended at least \$2,301,000 on several elements of the Prairie Waters Project during this diligence period.

3.2.1.9. Lawn Irrigation Return Flows (LIRFs) Credits. Aurora obtained a decree in Case No. 02CW341, Water Division 1, on September 25, 2008, quantifying LIRFs from its municipal system (and subsequent requantifications as required by the Decree in 02CW341), generated as a result of use of transmountain water rights, fully consumable in-basin water rights, decreed and permitted non-tributary sources and any other fully consumable water available to Aurora. Aurora also installed seventeen new monitoring wells and expends manpower to monitor these wells every three months. Water that is transported under the exchanges herein and used in Aurora's service area can be reused under the decree in Case No. 02CW341. On April 15, 2018 the Court granted an Aurora motion to approve revised deep percolation percentages, revised unit response factors, and revised accounting forms. During this diligence period, Aurora has expended significant sums for engineering and legal costs required to requantify the LIRFs adjudicated in Case No. 02CW341 available for reuse.

3.2.1.10. Rampart Reservoir and Delivery System. Approximately \$12,516,000 was spent by Aurora during this diligence period for improvements to the Rampart Reservoir delivery system. This reservoir is used to store the water that is the subject of the exchanges herein before it is transported through parallel 54" and 40" pipelines to Aurora. Rampart Reservoir is important for regulation of the flow through these parallel pipelines.

3.2.1.11. Binney Water Purification Facility. This state-of-the-art water purification and recycling plant owned and operated by Aurora treats water for use throughout the City. Approximately \$17,260,000 was spent by Aurora during the diligence period for improvements to this facility.

3.2.1.12. Aurora Know Your Flow Program. During the diligence period, Aurora Water Conservation developed its voluntary *Know Your Flow Program* designed to help customers understand how efficiently they are using water. Through the program, Aurora Water Conservation estimates what a customer's water use could be for a given billing cycle if the customer were using water efficiently. The customer receives a monthly e-mail from Aurora Water Conservation showing the property's actual water use versus the customized recommended indoor and outdoor water use. Customers also receive weekly watering recommendations and tips during the irrigation season. The *Know Your Flow Program* was designed by Aurora to encourage more efficient use of the water that is the subject of this application.

3.2.2. Arkansas River Basin. Aurora made the following diligent efforts with regard to maintaining and enlarging its water supply system components in the Arkansas River Basin which are necessary for continuation of its reuseable supplies from the Arkansas River Basin and are the source of the water for the exchanges sought herein.

3.2.2.1. Payment for Rocky Ford Ditch shares. Aurora spent approximately \$395,000 during this diligence period for repayment of bonds and payments to note sellers, including principal and interest that were issued or refunded for purchase of Applicant's share of the Subject Rocky Ford Ditch Company shares.

3.2.2.2. Otero IGA. Aurora and Otero County entered into an Intergovernmental Agreement on February 22, 1994, and amended that Agreement on October 29, 2001 under which Amendment Aurora agreed to make annual payments to Otero County concerning the Rocky Ford Ditch shares that are the source for the subject conditional water right. During this diligence period, Aurora made payments of approximately \$267,000.

3.2.2.3. Pueblo Reservoir Storage. During this diligence period, Aurora paid the Bureau of Reclamation approximately \$5,234,000 for storage use of Pueblo Reservoir, for long-term storage as well as for consultants and legal fees for the long-term storage contract.

3.2.2.4. Assessments Paid for Use of Twin Lakes, Lake Henry/Lake Meredith, Rocky Ford Ditch. During this diligence period, Aurora paid approximately the following in annual assessments: approximately \$374,000 for Twin Lakes Company (necessary for storage); at least \$928,000 for the Colorado Canal/Lake Henry/Lake Meredith (necessary for storage); and approximately \$1,449,000 for the Rocky Ford Ditch for the shares attributable to the Subject Rocky Ford Ditch Water Right.

3.2.2.5. Intergovernmental Agreement with

SECWCD. On October 3, 2003, Aurora entered into an Intergovernmental Agreement with the Southeastern Colorado Water Conservancy District (“SECWCD”), replacing an agreement between the parties dated December 7, 2001. Under this new IGA, Aurora and SECWCD agree to support proposed federal legislation relating to the Fryingpan-Arkansas Project to include, among other things, re-operations of the existing water storage facilities, studies for enlargements to Pueblo and Turquoise Reservoirs, and confirming the authority of the Bureau of Reclamation to enter into contracts with Aurora for use of the facilities including long-term contracts. Aurora’s ability to use Fryingpan-Arkansas facilities is expanded under this IGA and Aurora is obligated to make certain payments to SECWCD in consideration for the expanded use. Under this IGA, SECWCD also agrees not to oppose Aurora’s attempts to contract with the Bureau of Reclamation for use of the Fryingpan-Arkansas Project facilities, to facilitate delivery of Aurora’s water, and to settle opposition to each other’s water court applications, including this case. During this diligence period, Aurora made payments of approximately \$913,000 to SECWCD under this IGA. 3.2.2.6. Intergovernmental Agreement with LAVWCD. Pursuant to an Intergovernmental Agreement with the Lower Arkansas Valley Water Conservation District (“LAVWCD”), Aurora paid approximately \$1,000,000 to LAVWCD for the identification and implementation of infrastructure improvements, research, and investigations designed to assist in the permitting or implementation of water leasing programs in the Lower Arkansas Valley, as well as remediation and restoration efforts in the Fountain Creek Corridor. 3.2.2.7. Agreements for Use of the Holbrook System Facilities. On March 1, 2005, Aurora entered into two agreements pertaining to the use of the diversion, conveyance and storage facilities of the Holbrook Mutual Irrigating Company (“Holbrook”). Aurora and Holbrook extended this agreement on February 2, 2010. These agreements implement a program to recapture and store yield from foregone diversions of senior water rights. Aurora completed structural modifications to the Holbrook system facilities and filed a Substitute Water Supply Plan necessary to implement the program. An Amended Agreement was entered into on April 21, 2016. Further, Aurora initiated a study to examine enlargement of the Holbrook Reservoir to further facilitate operations. During this diligence period, Aurora made payments of approximately \$401,000 to Holbrook under this agreement. 3.2.2.8. Recovery of Yield (“ROY”). On August 17, 2016, Aurora, along with Colorado Springs, the Pueblo Board of Water Works, the City of Fountain, and the Southeastern Colorado Water Conservancy District, obtained a decree in WD-2, Case No. 06CW120 adjudicating exchanges necessary as a result of the 2004 Regional Intergovernmental Agreement (“IGA”) between the various water providers and the City of Pueblo, whereby the water providers agreed to allow certain of their senior flows to pass through Pueblo’s RICD reaches on the condition those flows could be removed downstream and exchanged back upstream. In addition, the ROY participants, including Aurora, have made significant efforts to secure the Arkansas Gravel Pit Reservoir (“AGPR”) or a comparable facility. Aurora entered into a purchase Option Agreement with LaFarge West, Inc. in 2003 for development of the LaFarge Rich Pit for use by Aurora as the AGPR storage facility upon completion of gravel mining/mineral extraction by LaFarge. This Agreement has been extended several times. The ROY participants have also made efforts to investigate and negotiate alternative storage facilities for the AGPR. Recent negotiations include with Stonewall Springs Ranch, Southwest Sod Farms, and the Pueblo Board of Waterworks. Aurora has expended approximately \$22,000 on these efforts during the diligence period. 3.2.2.9. Revegetation. Aurora has expended approximately \$1,955,000 during this diligence period for revegetation, including expenditures for expert revegetation classifications and reports, actual revegetation and weed control costs, as well as farm equipment purchases, office overhead and personnel costs, under Case No. 83CW18. Aurora also expended additional sums for revegetation and continued farming of historically irrigated lands pursuant to the decree in Case No. 99CW169(A). On June 3, 2014, Aurora entered into an Intergovernmental Agreement with Otero County to clarify between the parties certain terms contained in the 99CW169(A) decree regarding revegetation. 3.2.3. Colorado River Basin. Aurora made the following diligent efforts with regard to its water supply system components in the Colorado River Basin that are necessary for continuation of its reusable supplies from the Colorado River Basin and are the source of the water for the exchanges sought herein. 3.2.3.1. Homestake Project. Once water is transported over the Continental Divide through the Otero Pump Station and Homestake Pipeline, Aurora transports its share to Spinney Mountain Reservoir in the South Platte Basin. Aurora has spent approximately \$19,285,000 toward further development of the Homestake Project’s conditional water rights. 3.2.3.2. During this diligence period, Aurora prosecuted

Case No. 16CW3022, Water Division 5. On September 17, 2017, the Division 5 Water Court entered a decree confirming diligence and continuing in effect the conditional water rights originally decreed in Case 88CW449, which comprise part of the Homestake Project. 3.2.3.3. During this diligence period, Aurora prosecuted Case No. 16CW3131, Water Division 5. On June 18, 2017, the Division 5 Water Court entered a decree confirming diligence and continuing in effect the conditional water rights originally decreed in Case 98CW270, which comprise part of the Homestake Project. 3.2.3.4. During this diligence period, Aurora prosecuted Case No. 17CW3064, Water Division 5. On June 10, 2018, the Division 5 Water Court entered a decree confirming diligence and continuing in effect the conditional water rights originally decreed in Case 95CW272-A, which comprise part of the Homestake Project. 3.2.3.5. During this diligence period, Aurora assisted in the filing of an application and litigation of Case No. 20CW3024, Water Division 5, seeking a decree making conditional water rights absolute in part, confirming diligence and continuing in effect the remainder of the conditional water rights originally decreed in Case CA1193, which comprise part of the Homestake Project. 3.2.3.6. During this diligence period, Aurora entered into an Agreement and Intergovernmental Agreement with Colorado River Water Conservation District, Basalt Water Conservancy District, Board of County Commissioners of Eagle County, Board of County Commissioners of Pitkin County, Grand Valley Water Users Association, Orchard Mesa Irrigation District, and the Ute Water Conservancy District, effective date August 1, 2018 (the “Settlement Agreement”). *Inter alia*, the Settlement Agreement addressed resolution of 09CW142, Water Division 2, amongst certain parties thereto, and is filed in the Court’s file for Case No. 09CW142. As contemplated and limited by the terms of the Settlement Agreement, Aurora filed an application in Case No. 19CW3159, Water Division 5, seeking judicial determination of appropriative rights of exchange by which 900 acre feet of water of the Twin Lakes Reservoir and Canal Company (“Twin Lakes”), available to Aurora via its share ownership and over which Aurora has maintained dominion and control in any one year will be moved as follows. Water from Grizzly Reservoir will be placed into Lincoln Gulch, a tributary of Lincoln Creek, or bypassed from the Twin Lakes system’s Roaring Fork River basin facilities into other tributaries of the Roaring Fork River, and then exchanged from the confluence of the Roaring Fork and Fryingpan Rivers upstream on the Fryingpan River to Ruedi Reservoir and an additional exchange, as a component subset of the 900 acre feet, up to 450 acre feet in any one year from Ruedi Reservoir upstream to Ivanhoe Reservoir located upon Ivanhoe Creek for subsequent movement into Water Division 2.

**3.3. Non-Basin Specific Efforts.** 3.3.1. Study of Aurora’s Water Needs. Aurora spent approximately \$1,077,000 toward engineering and planning studies to assist in determining the City’s future water needs and a plan to meet those needs, including treatment and distribution studies, various conservation studies and developing its Non-Potable System Master Plan. This study will increase the overall efficiency of Aurora’s operations. 3.3.2. Aurora Raw Water System Model. Aurora spent additional sums for consultant fees to develop and support a computer model of Aurora’s raw water system. These costs are in addition to the modeling efforts included in the engineering and planning studies identified in paragraph 3.3.1, above. 3.3.3. Protection Efforts. Aurora spent approximately \$500,000 for legal services for participation in Water Division 1 cases to protect the rights and interests of Aurora with regard to its water supply system, including the subject groundwater and exchange rights.

**3.4. Other.** Aurora reserves the right to identify additional relevant efforts that may be later discovered or to make upward adjustments to amounts expended on certain projects. Aurora has an extensive water rights portfolio, an extensive and complex water supply, collection, treatment and reuse system, and an extensive number of agreements, contracts, leases, etc. related to its facilities and the use, reuse and storage of its water rights. It is involved in many legal actions related to the collection, treatment, reuse and protection of its water rights. Further, the management, protection, and operation of the water rights and the facilities system involve numerous City of Aurora departments and staff members throughout the state. Aurora made diligent efforts with regard to this application to determine and quantify all efforts made by the City toward completion of the appropriations and application of the water rights decreed in Case No. 13CW3169 to beneficial use. However, it is reasonably possible that relevant efforts or expenditures may have been overlooked or need further upward adjustment.

**4. CLAIM TO MAKE ABSOLUTE.** Applicant has made absolute the following portions of the conditional groundwater right (see **Exhibit D** attached hereto):

4.1. **Date Water Applied to Beneficial Use:** December 1, 2019 to February 29, 2020.

4.1.1. Amount: 0.18 cfs. 4.1.2. Use: See paragraph 2.1.7, above.

4.1.3. Description of place of use where water was applied to beneficial use: Triple Creek Park Ponds. 5.

**NAMES AND ADDRESSES OF OWNERS OR REPUTED OWNERS OF THE LAND UPON WHICH ANY NEW DIVERSION OR STORAGE STRUCTURE OR MODIFICATION TO ANY EXISTING DIVERSION OR STORAGE STRUCTURE OR EXISTING STORAGE POOL IS OR WILL BE CONSTRUCTED OR UPON WHICH WATER IS OR WILL BE STORED:** 5.1. **Triple Creek Park Ponds and Triple Creek Park Well:** Aurora. 5.2. **Sand Creek Wastewater Treatment Plant:** Aurora. 5.3. **Sand Creek Gauge described in paragraph 2.2.1.3 above:** U.S. Geological Survey, Box 25046, Denver Federal Center, Denver, CO 80225. (The Sand Creek Gauge is included as an exchange-from point. No water is diverted or stored at this location.) WHEREFORE, the Applicant respectfully requests his Court enter a decree (1) finding the Applicant has executed reasonable diligence in the development of the above-referenced conditional water rights, (2) awarding the above-described absolute water rights in the amounts described above, (3) continuing the remaining conditional water rights in full force as decreed, and for such other and further relief as this Court deems just and proper. (39 pages, including Exhibits)

**21CW3206 WILLIAM AND SUSAN BADRENA, MOUNTAIN MUTUAL RESERVOIR COMPANY, AND NORTH FORK ASSOCIATES, LLC;** William and Susan Badrena, P.O. Box 96, Conifer, CO 80433; Email: [esperanazapasos@hotmail.com](mailto:esperanazapasos@hotmail.com); Telephone: (303) 512-3522; Mountain Mutual Reservoir Company, 6949 Highway 73, Suite 15, Evergreen, CO 80439; Email: [norm@hch20.com](mailto:norm@hch20.com); Telephone: (303) 989-6932; and North Fork Associates, LLC, 2686 S. Yukon Ct., Denver, CO 80227; Email: [613blatch@gmail.com](mailto:613blatch@gmail.com); Telephone: (303) 988-7111. Please direct all correspondence concerning this Application to: Aaron Ladd, Esq. and Kunal A. Parikh, Esq., Vranesh and Raisch, LLP, 5303 Spine Road, Suite 202, Boulder, CO 80301; Email: [asl@vrlaw.com](mailto:asl@vrlaw.com); [kap@vrlaw.com](mailto:kap@vrlaw.com); Telephone: (303) 443-6151. **APPLICATION FOR PLAN FOR AUGMENTATION INCLUDING EXCHANGE IN JEFFERSON COUNTY. APPLICATION FOR APPROVAL OF A PLAN FOR AUGMENTATION INCLUDING EXCHANGE** 2. Names of Structures to be Augmented: Esperanza Lot 2 Well. The Esperanza Lot 2 Well will be located on a 10-acre parcel lying in the NE1/4 SW1/4, Section 5, Township 6 South, Range 70 West of the 6th P.M., Jefferson County, Colorado, also known as Lot 2, Esperanza Ranch (“Lot 2 Property”). The Lot 2 Property is in the drainage of Turkey Creek, tributary to Bear Creek, tributary to the South Platte River. The rate of diversion for the well will not exceed 15 gallons per minute. The Lot 2 Property on which Esperanza Lot 2 Well will be located is shown on the map attached as **Exhibit A**. The present and future water supply will be provided by the Esperanza Lot 2 Well to be located on the Lot 2 Property. 3. Water Rights to be Used for Augmentation Purposes: The Badrenas have entered into a contract with North Fork Associates, LLC to purchase 2.8 shares of Mountain Mutual Reservoir Company (“MMRC”) stock, which represents a firm annual yield of 0.088 of an acre-foot to satisfy the present and anticipated future replacements needs, attached as **Exhibit B**. Said shares were removed from Water Court Case No. 18CW3140, which application was dismissed with prejudice. 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
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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. 4. Statement of Plan for Augmentation: The Badrenas are the owners of the Lot 2 Property in the drainage of Turkey Creek, tributary to Bear Creek, tributary to the South Platte River. Esperanza Lot 2 Well is intended to provide water to the Lot 2 Property for in-house domestic uses for one single family residence, watering of horses, turf and garden irrigation, and hot tub level maintenance. This augmentation plan will replace out-of-priority depletions associated with the Esperanza Lot 2 Well, for both indoor and outdoor uses, as described below. a. The water requirements for the Esperanza Lot 2 Well are for one single family dwelling, with an average occupancy of 3.5 persons per house (“Indoor Use”). The estimated water requirements for Indoor Use for the Esperanza Lot 2 Well is 80 gallons per capita per day (gpcd) with 10% consumption based on subsurface discharge from individual septic tank-soil absorption system. In addition, the “Outdoor Uses” consist of three horses (or equivalent animal) using 10 gal per head per day with 100% consumption, up to 1,000 square feet of turf irrigation based on the application of 1.25 af/ac with 80% consumption or up to 2,500 square feet of garden irrigation based on the application of 0.5 af/ac with 80% consumption, and up to one hot tub using five gallons per day with 100% consumption. The total requirements are shown in Table 1 below.

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	0.3140	10%	0.0314	0.0157	0.0157
*†Turf irrig. 1,000 sq. ft.	1.25 af/ac	0.023	0.029	80%	0.023	0.023	0.0000
†Horses	10 gl/hd/dy	3	0.034	100%	0.034	0.017	0.017
<b>Total</b>			<b>0.377</b>		<b>0.088</b>	<b>0.0557</b>	<b>0.0327</b>
*†Alt. Garden Irrig. 2,500 sq. ft.	0.5 af/ac	0.154	0.029	80%	0.023	0.023	0.0000
†Alt. Hot Tub	5 gl/dy	1	0.005	100%	0.005	0.0025	0.0025

†It is proposed that the Outdoor Uses as stated in the table above can be varied as long as the total Outdoor Uses do not exceed 0.057 of an acre-foot. The monthly depletions are as follows in acre-feet:

Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct
0.005	0.005	0.005	0.005	0.006	0.006	0.009	0.010	0.010	0.009	0.009	0.009

This equates to a maximum stream depletion of 0.08 of a gallon per minute. b. The required volume of augmentation water will be provided from the sources described in Paragraph No. 3, 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 releases from storage of short duration. c. The total consumptive use water requirement will be 0.088 of an acre-foot of the annual firm yield of 23.8 acre-feet of the Turkey Creek water rights. These requirements are needed at the point of depletion in the NE1/4 SW1/4, Section 5, Township 6 South, Range 70 West. This is upstream of the points of replacement at the confluence of Bear Creek and Turkey Creek in the NE1/4 NW1/4, Section 5, Township 5 South, Range 69 West of the 6th P.M. 5. Water Exchange Project: Since the point of depletion associated with the Esperanza Lot 2 Well is 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. The point of depletion to Turkey Creek that is associated with water usage from the Esperanza Lot 2 Well is within the absolute exchange reach described in the decrees entered in Case No. 01CW293. Therefore, no separate priority is required for the operation of this augmentation plan regarding such depletion that occur within the reach described in that case. However, since depletions will also impact an unnamed stream, tributary to South Turkey Creek that is located in the SE1/4 SW1/4, Section 5, Township 6 South, Range 70 West, the reach of said new exchange project right shall extend from the confluence of South Turkey Creek and an unnamed creek in the NW1/4 SE1/4, Section 8, Township 6 South, Range 70 West, thence up an unnamed creek to the point of depletion in the SE1/4 SW1/4, Section 5, Township 6 South, Range 70 West, all in the 6th P.M. In the event there is a senior call between the source of the replacement 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 or release water from an onsite container. 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 November 30, 2021, at a maximum flow rate of 0.001 cfs and a maximum depletion in all reaches. 6. 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. 7. 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 Badrenas (co-Applicants). WHEREFORE, Applicants request the entry of a decree approving this application, specifically (1) granting the appropriation 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 the Esperanza Lot 2 Well consistent with the final decree entered in this case. (10 pgs., 2 Exhibits)

**21CW3207 (W-8568-77, 82CW203 and 89CW068) CHATFIELD EAST PROPERTY OWNERS ASSOCIATION, INC.** (“Chatfield East POA”) Janice Wiskamp, President [rtcwoman@gmail.com](mailto:rtcwoman@gmail.com), P.O. Box 192 Littleton, Colorado 80160 (303) 242-7122. Please send all correspondence and pleadings to: Steven P. Jeffers, Matthew Machado, Lyons Gaddis Kahn Hall Jeffers Dworak & Grant, PC, 950 Spruce Street, Suite 1B, Louisville, CO 80027; [sjeffers@lyonsgaddis.com](mailto:sjeffers@lyonsgaddis.com); [mmachado@lyonsgaddis.com](mailto:mmachado@lyonsgaddis.com) (720) 726-3671. **APPLICATION TO AMEND DECREED AUGMENTATION PLAN IN DOUGLAS COUNTY.** 2. **General Description of Application:** The Chatfield East Subdivision consists of approximately 600 acres of land approved for construction of individual homes on 103 lots located generally in Section 21 and a portion of the North ½ NW 1/4 of Section 28, T6S, R68W, 6<sup>th</sup> P.M. in Douglas County, Colorado (the “Subdivision”). The original proposed water supply for the lots in the Subdivision was individual wells constructed in the Denver aquifer on 103 individual lots pursuant to a decreed augmentation plan obtained by the original developer, and subsequently amended by Applicant. Although 80 Denver wells were completed, only one remained in use in 2021 for domestic purposes and 33 for outdoor uses. Chatfield East POA is a Colorado nonprofit corporation authorized to obtain decrees for augmentation plans on behalf of its individual members. Based on development of new sources of water supply for the Subdivision lots, and the need for flexibility to provide alternative sources of replacement

water, Chatfield East POA seeks to amend the existing Denver aquifer augmentation plan as described below. **3. Description of Existing Augmentation Plan Decrees:** 3.1. **Case No. W-8568-77.** The original augmentation plan for the Subdivision was decreed in Case No. W-8568-77 on May 15, 1978. It authorized construction of individual wells on 100 lots to be used for indoor domestic uses and irrigation of 1,300 square-feet of lawn and garden on each lot. The decree required annual replacement of 13 acre-feet of depletions based on maximum decreed use on all 100 lots, including 8.055 acre-feet of the Guiraud 3T Ditch water right (“Guiraud 3T”) and 4.945 acre-feet from a proposed nontributary Arapahoe aquifer well. The Guiraud 3T was originally decreed for diversion of 20 cfs from the North Fork of the South Platte River with headgate located on the right bank of the stream at a point in the NE 1/4 NE 1/4 of Section 8, T11S, R76W 6<sup>th</sup> P.M. for irrigation purposes, with an appropriation date of July 1, 1867, by decree of the Park County District Court on October 18, 1889. Applicant’s portion of the water right was changed to augmentation use in Case No. W-7590 on March 12, 1975. Applicant owns the full 0.386 cfs and 8.43 acre-feet of the Guiraud 3T water right included in Case No. W-8568-77 that is used to deliver 8.055 acre-feet per year for replacement at Chatfield Reservoir after deduction for transit losses. 3.2. **Case No. 82CW203.** The decree in Case No. 82CW203, entered on March 21, 1986, approved the use of up to 15 acre-feet per year of nontributary groundwater from the Chatfield East LFH Well No. 1-26751-F (“the LFH Well”), at a rate up to 100 gpm, as a source of replacement water in Case No. W-8568-77 in place of the proposed Arapahoe well to the extent needed for augmentation. The LFH Well is Permit No. 26751 and WDID No. 0808200. Applicant owns the full 15 acre-feet decreed in that case. The LFH Well is located in the NE 1/4 SW 1/4 of Section 21, T6S, R68W, 6<sup>th</sup> P.M. in Douglas County, 2,500 feet from the south line and 2,350 feet from the west line of Section 21. A map showing the location of the Subdivision and the LFH Well is attached as **EXHIBIT A.** 3.3. **Case No. 89CW068.** The decree in Case No. 89CW068, entered on April 26, 1991, approved the use of three (3) new wells under the prior decrees, confirmed all 103 individual wells were approved for diversion from the not nontributary Denver aquifer, and approved the use of all 103 wells for irrigation of up to an additional 2,600 square-feet of lawns and gardens and watering up to 4 horses on each lot. Although the Decree in Case No. 89CW068 found that total annual depletion to the stream would not exceed 1.3 acre-feet from the new uses based on maximum annual use of 103 wells, the decree required delivery of 16.1 acre-feet of replacement water per year. The approved sources of replacement water are 3.3 acre-feet per year from the LFH Well decreed in Case No. 82CW203 and 13 acre-feet per year from the LFH Well decreed in Case No. 83CW32, at a rate up to 88 gpm. 3.4. The combined decrees are referred to as the “CEPOA Denver Aug Plan” or the “Decrees”. Copies of the Decrees are included with this application as **EXHIBIT B.** The total annual replacement obligation under the Decrees for maximum use of 103 wells is 29.1 acre-feet per year, of which 8.055 acre-feet is from the Guiraud 3T and 21.045 is from the LFH Well. **4. Purpose and Need for Amendments:** 4.1. Although the Decrees assumed that all 103 Denver aquifer wells would be completed and used for residential purposes, three lots are still vacant, and twenty lot owners drilled Arapahoe aquifer wells that are augmented under the decree in Case No. 99CW198 instead of Denver wells. 4.2. Beginning in 2017, Centennial Water and Sanitation District extended its water delivery system into the Subdivision to provide municipal water to all lots in the Subdivision pursuant to agreement between Roxborough Park Water and Sanitation District and Centennial. Only one lot in the Subdivision with a home is not connected to and using the municipal water system for indoor domestic purposes. There are two other lots that are not connected that do not have existing homes. 4.3. Only 33 lot owners used a Denver well for outdoor use on their lots in 2021, none of which were used to the maximum extent. 4.4. In the summer of 2021, the pump in the LFH Well failed and could not be repaired before the end of the water year. Applicant delivered 18.06 acre-feet of replacement water, resulting in under-delivery of 11.037 acre-feet based on 29.1 acre-feet required by the Decrees for assumed maximum pumping from 103 wells. Maximum pumping by 33 wells would have only required delivery of 9.32 acre-feet of water, half of the amount actually delivered. Applicant may not be able to replace the pump during 2022 because of supply problems. Applicant would like to reduce or eliminate certain uses of the Denver wells to reduce the Subdivision’s reliance on the LFH Well. 4.5. Applicant notified the water commissioner and Division Engineer of these problems and discussed the process to obtain approval of a substitute water supply plan to deliver replacement water from a lease of

reusable effluent owned by the Town of Castle Rock, which is not one of the sources approved by the Decrees. 4.6. Applicant entered into a lease with the Town of Castle Rock dated November 16, 2021 to deliver a total of 32.082 acre-feet of reusable water in Chatfield Reservoir between January and October 2022 to replace 11.037 acre-feet owed in 2021 and the full 21.045 acre-feet that will be required in 2022 in place of the water normally delivered by the LFH Well. A copy of the lease is attached as **EXHIBIT C**. The rest of the replacement water required by the Decrees in 2022 will come from Applicant's ownership in the Guiraud 3T Ditch as required by the Decrees. 4.7. Applicant cannot obtain approval of the substitute water supply plan to deliver this leased water without filing an application in water court to amend the Decrees. 4.8. Based on the availability of municipal water and the cost to maintaining the LFH Well, only 22 lot owners wish to continue using their Denver aquifer wells for outdoor purposes under the Decrees if the court approves these amendments. One lot owner has stated a desire to continue using a well for domestic purposes, but that use may end soon. **5. Proposed Amendments to Augmentation Plan:** 5.1. Applicant requests a reduction in the total number of Denver aquifer wells allowed by the Decrees from 103 to 22 wells, with one well used for all decreed purposes and 21 wells used only for maximum irrigation and stock watering purposes. Applicant requests the right to discontinue domestic use from all wells with notice to the court and all parties. 5.2. Applicant requests the maximum annual replacement obligation be reduced from 29.1 acre-feet per year to approximately 4.745 acre-feet per year based on maximum decreed use of 1 well for all decreed purposes, and 21 wells for irrigation and stock watering uses only under the Decrees. If all 22 wells discontinue indoor uses, the annual replacement obligation would be reduced to 4.675 acre-feet. 5.3. Applicant requests amendment of the Decrees to allow use of leased water from the Town of Castle Rock dated November 16, 2021. 5.4. Applicant requests amendment of the Decrees to include procedures to allow Applicant to provide additional or alternative sources of replacement water pursuant to §37-92-305(8), C.R.S., including, but not limited to, other nontributary groundwater and surface water rights owned or acquired by Applicant or leased by Applicant in the future if the use of that water is part of a substitute water supply plan approved pursuant to section 37-92-308, C.R.S. or if such sources are decreed for such uses. **6.** Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant owns the Guiraud 3T Ditch water rights and Chatfield East LFH Well used in this plan. The Town of Castle Rock owns the water rights leased by Applicant. Its address is 100 N. Wilcox Street, Castle Rock, CO 80104. The US Army Corps of Engineers owns Chatfield Reservoir. Its address is U.S. Army Corps of Engineers, Omaha District, Denver Office, 9307 South Wadsworth Blvd., Littleton, CO 80128. Number of pages in application: 6, excluding exhibits.

**\*\*\*AMENDED\*\*\* 20CW3166. LOGAN WELL USERS, INC.** (“Logan” or “Applicant”), P.O. Box 1172, Sterling, Colorado, 80751, c/o Ryan M. Donovan, Rebecca E. Spence, Lawrence Custer Grasmick Jones & Donovan, LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO, 80534, (970)622-8181. **THIRD AMENDED APPLICATION FOR GROUNDWATER RIGHTS; TO ADD WELLS TO APPLICANT’S PLAN FOR AUGMENTATION DECREED IN 03CW195; TO TRANSFER AUGMENTATION SUPPLIES FROM THE PLANS FOR AUGMENTATION DECREED IN 04CW110 AND 05CW52 TO THE PLAN FOR AUGMENTATION DECREED IN 03CW195, AND TO ADD NEW RECHARGE WATER RIGHTS TO THE PLAN OF AUGMENTATION DECREED IN 03CW195 in LOGAN, MORGAN & WASHINGTON COUNTIES.** **2. Summary of Application.** Logan is a Colorado nonprofit corporation which operates plans for augmentation decreed in Case No. 03CW195 (referred to in this Application as the “03CW195 Decree or the “Logan Augmentation Plan”) and Case No. 07CW300. This Application includes four claims by Logan. The first includes claims for 45 new groundwater rights on behalf of certain members of Logan who have authorized Logan to claim such rights in this Application on their behalf. The owners of the claimed new groundwater rights are identified later in this Application. The second claim seeks to add these new groundwater rights, as well as other decreed water rights described in this Application, to the Logan Augmentation Plan. The third claim

requests approval to transfer augmentation supplies from the plan for augmentation operated by the South Platte Ditch Well Users, Inc. and decreed in Case No. 04CW110 (“SPD Augmentation Plan”) to the Logan Augmentation Plan. This claim arises because out of priority depletions resulting from the withdrawal of groundwater by two of the previously decreed water rights which are sought to be added to the Logan Augmentation Plan by this Application are currently replaced pursuant to the SPD Augmentation Plan. As described below, the owners of these two previously decreed water rights are, in addition to being Logan members, are shareholders in the South Platte Ditch Company, entitling them to a pro rata portion of certain augmentation supplies in the SPD Augmentation Plan. The third claim also includes a claim to transfer recharge credits associated with 17.5 shares of the Schneider Ditch Company, which credits are generated pursuant to the Schneider Ditch Recharge Project decreed in the 03CW195 Decree. The 17.5 Schneider Ditch Company shares were purchased by an existing Logan member. The last claim is to add new recharge rights to the Logan Augmentation Plan. **APPLICATION FOR GROUNDWATER RIGHTS**

**3. Name of Structure: Shirley Kurth Well (LWU ID No. 517).** 3.1 Owner: Shirley Kurth and Sharilyn Gartin, 16500 Hwy 14, Sterling, CO 80751. 3.2 Permit No.: 124297. 3.3 Location: In the NE1/4 NW1/4 of Section 35, Township 8 North, Range 53 West of the 6th P.M., Logan County, Colorado, 660 ft from the North section line and 2,460 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 646452, Northing 4498214. 3.4 Appropriation Date: November 6, 2020. 3.5 Amount Claimed: 15 g.p.m., conditional. 3.6 Source: Groundwater tributary to South Platte River. 3.7 Use: Residential (Domestic, 1 acre of home lawn and garden irrigation, domestic animal and livestock watering). 4. **Name of Structure: Alpha Cattle Company, LLC Well No. 1 (LWU ID No. 518).** 4.1 Owner: Alpha Cattle Company, LLC, P.O. Box 663, Windsor, CO 80550. 4.2 Permit No.: 85190-F. 4.3 Location: In the NE1/4NE1/4 of Section 20, Township 8 North, Range 53 West of the 6th P.M., Logan County, Colorado, 90 ft from the North section line and 1,210 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 642031, Northing 4501568. 4.4 Appropriation Date: November 6, 2020. 4.5 Amount Claimed: 200 g.p.m., conditional. 4.6 Source: Groundwater tributary to South Platte River. 4.7 Use: Feedlot, stock watering, and commercial use associated with feedlot operations. 5. **Name of Structure: Alpha Cattle Company, LLC Well No. 2 (LWU ID No. 519).** 5.1 Owner: Alpha Cattle Company, LLC, P.O. Box 663, Windsor, CO 80550. 5.2 Permit No.: 85191-F. 5.3 Location: In the NE1/4NW1/4 of Section 20, Township 8 North, Range 53 West of the 6th P.M., Logan County, Colorado, 180 feet from the North section line and 2,045 feet from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641414, Northing 4501529. 5.4 Appropriation Date: November 6, 2020. 5.5 Amount Claimed: 200 g.p.m., conditional. 5.6 Source: Groundwater tributary to South Platte River. 5.7 Use: Feedlot, stock watering, and commercial use associated with feedlot operations. 6. **Name of Structure: Champaign Land and Cattle Inc. Well No. 1 (LWU ID No. 520).** 6.1 Owner: Champaign Land and Cattle Inc., 11905 CR 5, Merino, CO 80741. 6.2 Permit No.: 85120-F. 6.3 Location: In the SE1/4NE1/4 of Section 5, Township 7 North, Range 55 West of the 6th P.M., Logan County, Colorado, 2,515 ft from the North section line and 790 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 622957, Northing 4495808. 6.4 Appropriation Date: November 6, 2020. 6.5 Amount Claimed: 50 g.p.m., conditional. 6.6 Source: Groundwater tributary to South Platte River. 6.7 Use: Feedlot, stock watering, and commercial use associated with feedlot operations. 7. **Name of Structure: Champaign Land and Cattle Inc. Well No. 2 (LWU ID No. 521).** 7.1 Owner: Champaign Land and Cattle Inc., 11905 CR 5, Merino, CO, 80741. 7.2 Permit No.: 85119-F. 7.3 Location: In the SW1/4NW1/4 of Section 5, Township 7 North, Range 55 West of the 6th P.M., Logan County, Colorado, 2,245 ft from the North section line and 965 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 621898, Northing 4495882. 7.4 Appropriation Date: November 6, 2020. 7.5 Amount Claimed: 50 g.p.m., conditional. 7.6 Source: Groundwater tributary to South Platte River. 7.7 Use: Feedlot, stock watering, and commercial use associated with feedlot operations. 8. **Name of Structure: Champaign Land and Cattle Inc. Well No. 3 (LWU ID No. 522).** 8.1 Owner: Champaign Land and Cattle Inc., 111905 CR 5, Merino, CO, 80741. 8.2 Permit No.: 85118-F. 8.3 Location: In the SW1/4NE1/4 of Section 5, Township 7 North, Range 55 West of the 6th P.M., Logan County, Colorado, 1,600 ft from the North section line and 2,550 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 622417, Northing 4496080. 8.4 Appropriation Date: November 6, 2020. 8.5 Amount

Claimed: 50 g.p.m., conditional. 8.6 Source: Groundwater tributary to South Platte River. 8.7 Use: Feedlot, stock watering, and commercial use associated with feedlot operation. 9. **Name of Structure: Garry Shino Well No. 1 (LWU ID No. 523)**. 9.1. Owner: Garry Shino, 4550 CR 23, Merino, CO 80741. 9.2. Permit No.: 316654. 9.3. Location: In the SW1/4NW1/4 of Section 12, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 2,280 ft from the North section line and 400 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 638231, Northing 4484688. 9.4. Appropriation Date: November 6, 2020. 9.5. Amount Claimed: 15 g.p.m., conditional. 9.6. Source: Groundwater tributary to South Platte River. 9.7. Use: Residential (Domestic, 1 acre of home lawn and garden irrigation, domestic animal and livestock watering). 10. **Name of Structure: Garry Shino Well No. 2 (LWU ID No. 524)**. 10.1. Owner: Garry Shino, 4550 CR 23, Merino, CO 80741. 10.2. Permit No.: 316655. 10.3. Location: In the SE1/4NW1/4 of Section 12, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 2,320 ft from the North section line and 2,150 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 638767, Northing 4484692. 10.4. Appropriation Date: November 6, 2020. 10.5. Amount Claimed: 15 g.p.m., conditional. 10.6. Source: Groundwater tributary to South Platte River. 10.7. Use: Residential (Domestic, 1 acre of home lawn and garden irrigation, domestic animal and livestock watering). 11. **Name of Structure: Propst Farms Inc. Well No. 1 (LWU ID No. 525)**. 11.1. Owner: Propst Farms, Inc., P.O. Box 991, Sterling, CO, 80751. 11.2. Permit No.: 85213-F. 11.3. Location: In the NW1/4NE1/4 of Section 11, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 170 ft from the North section line and 2,275 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 647053, Northing 4485640. 11.4. Appropriation Date: November 6, 2020. 11.5. Amount Claimed: 2,500 g.p.m., conditional. 11.6. Source: Groundwater tributary to South Platte River. 11.7. Use: Irrigation of 135 acres located in the SW1/4 of Section 1, SE1/4 Section 2, NE1/4 of Section 11, and NW1/4 of Section 12, Township 6 North, Range 53 West of the 6th P.M. 12. **Name of Structure: Propst Farms, Inc. Well 04428-F (LWU ID No. 223, 2nd LWU ID No. 526)**. 12.1. Owner: Propst Farms Inc., PO Box 991, Sterling, CO 80751. 12.2. Permit No.: 4428-F. 12.3. Location: In the SW1/4 SE 1/4, Section 2, T6N, R53W of the 6<sup>th</sup> P.M. Logan County, Colorado, and bears N 5° 36' E, 642 feet from the south quarter corner of said Section 2. UTM Coordinates (NAD 83 Zone 13) Easting 6446950, Northing 4485901. 12.4. Appropriation Date: November 6, 2020. 12.5. Amount Claimed: 2,500 g.p.m., conditional. 12.6. Source: Groundwater tributary to South Platte River. 12.7. Use: Irrigation of 258 acres located in the E1/2 of Section 2 and W1/2 of Section 1, Township 6 North, Range 53 West of the 6th P.M. 12.8. Remarks: A water right for the Propst Farms, Inc. Well 04428-F was previously decreed on September 17, 1971 in Case No. W-795, with an appropriation date of July 20, 1963 for 5.55 c.f.s. to be used for irrigation of land in the SW 1/4 of Section 2, Township 6 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the July 20, 1963 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 223). Nothing in this Application modifies the terms of the W-795 decree. 13. **Name of Structure: TVBAR, LLC Well No. 1 (LWU ID No. 528)**. 13.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 13.2. Permit No.: 85180-F. 13.3. Location: In the SW1/4NE1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,930 ft from the North section line and 2,550 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 647062, Northing 4483469. 13.4. Appropriation Date: November 6, 2020. 13.5. Amount Claimed: 1,000 g.p.m., conditional. 13.6. Source: Groundwater tributary to South Platte River. 13.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 14. **Name of Structure: TVBAR, LLC Well No. 2 (LWU ID No. 529)**. 14.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 14.2. Permit No.: 85179-F. 14.3. Location: In the NW1/4SW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,830 ft from the South section line and 445 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 646356, Northing 4483004. 14.4. Appropriation Date: November 6, 2020. 14.5. Amount Claimed: 1,000 g.p.m., conditional. 14.6. Source: Groundwater tributary to South Platte River. 14.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 15. **Name of**

**Structure: TVBAR, LLC Well No. 3 (LWU ID No. 530).** 15.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 15.2. Permit No.: 85178-F. 15.3. Location: In the NW1/4SE1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,975 ft from the South section line and 1,935 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 647268, Northing 4483037. 15.4. Appropriation Date: November 6, 2020. 15.5. Amount Claimed: 1,000 g.p.m., conditional. 15.6. Source: Groundwater tributary to South Platte River. 15.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 16. **Name of Structure: TVBAR, LLC Well No. 4 (LWU ID No. 531).** 16.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 16.2. Permit No.: 85176-F. 16.3. Location: In the NE1/4NW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 740 ft from the North section line and 2,115 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 646834, Northing 4483838. 16.4. Appropriation Date: November 6, 2020. 16.5. Amount Claimed: 1,000 g.p.m., conditional. 16.6. Source: Groundwater tributary to South Platte River. 16.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 17. **Name of Structure: TVBAR, LLC Well No. 5 (LWU ID No. 532).** 17.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO, 80722. 17.2. Permit No.: 85175-F. 17.3. Location: In the SW1/4NW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,015 ft from the North section line and 1,210 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 646575, Northing 4483455. 17.4. Appropriation Date: November 6, 2020. 17.5. Amount Claimed: 1,200 g.p.m., conditional. 17.6. Source: Groundwater tributary to South Platte River. 17.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 18. **Name of Structure: TVBAR, LLC Well No. 6 (LWU ID No. 533).** 18.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO, 80722. 18.2. Permit No.: 85174-F. 18.3. Location: In the NW1/4NE1/4 of Section 22, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 575 ft from the North section line and 1,620 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 645750, Northing 4482257. 18.4. Appropriation Date: November 6, 2020. 18.5. Amount Claimed: 1,000 g.p.m., conditional. 18.6. Source: Groundwater tributary to South Platte River. 18.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 190 acres located in Section 22, Township 6 North, Range 53 West of the 6th P.M. 19. **Name of Structure: TVBAR, LLC Well No. 7 (LWU ID No. 534).** 19.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 19.2. Permit No.: 85173-F. 19.3. Location: In the SW1/4SE1/4 of Section 11, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 680 ft from the South section line and 2,275 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 647118, Northing 4484267. 19.4. Appropriation Date: November 6, 2020. 19.5. Amount Claimed: 1,000 g.p.m., conditional. 19.6. Source: Groundwater tributary to South Platte River. 19.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 20. **Name of Structure: TVBAR, LLC Well No. 8 (LWU ID No. 535).** 20.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 20.2. Permit No.: 85172-F. 20.3. Location: In the NW1/4SW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,540 ft from the South section line and 870 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 646479, Northing 4483217. 20.4. Appropriation Date: November 6, 2020. 20.5. Amount Claimed: 1,200 g.p.m., conditional. 20.6. Source: Groundwater tributary to South Platte River. 20.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 305 acres located in the SE1/4 of Section 11 and Section 14, Township 6 North, Range 53 West of the 6th P.M. 21. **Name of Structure: Robert Mari (Karg No. 1) Well (LWU ID No. 162, 2nd LWU ID No. 538).** 21.1. Owner: Robert Mari, 2383 CR 29, Merino, CO 80741. 21.2. Permit No.: 12794-F and 85149-F. 21.3. Location: In the SE1/4SE1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 500 ft from the South section line and 35 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 643034, Northing 4480885. 21.4. Appropriation Date: November 6, 2020. 21.5. Amount



Claimed: 3.775 c.f.s., conditional. 21.6. Source: Groundwater tributary to South Platte River. 21.7. Use: Irrigation of 72 acres in the N1/4 of Section 28, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M. 21.8. Remarks: A water right for the Robert Mari (Karg No. 1) Well was previously decreed on September 11, 1975 in Case No. W-1559, with an appropriation date of December 31, 1935, for 3.775 c.f.s. to be used for irrigation of 80 acres in the E1/2 of the SE1/4 of Section 20, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the December 31, 1935 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 162). Nothing in this Application modifies the terms of the W-1559 decree. 22. **Name of Structure: Bret and Tina McEndaffer Well No. 1 (LWU ID No. 540)**. 22.1. Owner: Bret and Tina McEndaffer, 412 Highland Dr., Sterling, CO 80751. 22.2. Permit No.: 317373. 22.3. Location: In the SW1/4NE1/4 of Section 5, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado, 1,160 ft from the North section line and 2,605 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 642067, Northing 4486709. 22.4. Appropriation Date: November 6, 2020. 22.5. Amount Claimed: 200 g.p.m., conditional. 22.6. Source: Groundwater tributary to South Platte River. 22.7. Use: Feedlot, stock watering, and commercial use associated with feedlot operation. 23. **Name of Structure: Bret and Tina McEndaffer Well No. 2 (LWU ID No. 541)**. 23.1. Owner: Bret and Tina McEndaffer, 412 Highland Dr., Sterling, CO 80751. 23.2. Permit No.: 317775. 23.3. Location: In the NW1/4NE1/4 of Section 5, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado, 1,060 ft from the North section line and 2,610 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 642066, Northing 4486742. 23.4. Appropriation Date: November 6, 2020. 23.5. Amount Claimed: 200 g.p.m., conditional. 23.6. Source: Groundwater tributary to South Platte River. 23.7. Use: Feedlot, stock watering, and commercial use associated with feedlot operation. 24. **Name of Structure: Bret and Tina McEndaffer Well No. 3 (LWU ID No. 67, 2nd LWU ID No. 542)**. 24.1. Owner: Bret and Tina McEndaffer, 412 Highland Dr., Sterling, CO 80751. 24.2. Permit No.: 11064-R. 24.3. Location: In the SW1/4SW1/4 of Section 5, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado, 52 ft from the South section line and 948 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641555, Northing 448551. 24.4. Appropriation Date: November 6, 2020. 24.5. Amount Claimed: 4.7 c.f.s., conditional. 24.6. Source: Groundwater tributary to South Platte River. 24.7. Use: Feedlot, stock watering, and commercial use associated with feedlot operations. 24.8. Remarks: A water right for the Bret and Tina McEndaffer Well was previously decreed on March 20, 1974 in Case No. W-3290, with an appropriation date of July 6, 1956, for 4.7 c.f.s. to be used for irrigation of 150 acres in the SW1/4 of Section 5, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the July 6, 1956 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 67). Nothing in this Application modifies the terms of the W-3290 decree. 25. **Name of Structure: Bret and Tina McEndaffer Well No. 4 (LWU ID No. 543)**. 25.1. Owner: Bret and Tina McEndaffer, 412 Highland Dr., Sterling, CO 80751. 25.2. Permit No.: 85103-F. 25.3. Location: In the SW1/4SE1/4 of Section 6, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado, 120 ft from the South section line and 2,470 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 640516, Northing 4485498. 25.4. Appropriation Date: November 6, 2020. 25.5. Amount Claimed: 1,200 g.p.m., conditional. 25.6. Source: Groundwater tributary to South Platte River. 25.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 130 acres located in the S1/2 of Section 6, Township 6 North, Range 53 West of the 6<sup>th</sup> P.M. 26. **Name of Structure: Guenzi (Amen) Well (LWU ID No. 544)**. 26.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling, CO 80751. 26.2. Permit No.: 85242-F. 26.3. Location: In the NW1/4NW1/4 of Section 19, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado, 545 ft from the North section line and 1,490 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 639828, Northing 4491689. 26.4. Appropriation Date: November 6, 2020. 26.5. Amount Claimed: 500 g.p.m., conditional. 26.6. Source: Groundwater tributary to South Platte River. 26.7. Use: Irrigation of 120 acres located in the SW1/4 of Section 19, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M. 27. **Name of Structure: Guenzi (Van Gundy 1) Well (LWU ID No. 545)**. 27.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling, CO 80751. 27.2. Permit No.: 85240-F. 27.3. Location:

In the SE1/4NE1/4 of Section 11, Township 7 North, Range 54 West of the 6th P.M., Logan County, Colorado, 2,645 ft from the North section line and 1,130 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 637308, Northing 4494246. 27.4. Appropriation Date: November 6, 2020. 27.5. Amount Claimed: 300 g.p.m., conditional. 27.6. Source: Groundwater tributary to South Platte River. 27.7. Use: Irrigation of 27 acres in the SW1/4, 32 acres in the SE1/4 all in Section 2, 130 acres in the NE1/4 and 47 acres in the NW1/4 all in Section 11, Township 7 North, Range 54 West of the 6th P.M. 28. **Name of Structure: Guenzi (Van Gundy 2) Well (LWU ID No. 546)**. 28.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling, CO 80751. 28.2. Permit No.: 85239-F. 28.3. Location: In the SW1/4NE1/4 of Section 11, Township 7 North, Range 54 West of the 6th P.M., Logan County, Colorado, 1,145 ft from the North section line and 1,190 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 637046, Northing 4494614. 28.4. Appropriation Date: November 6, 2020. 28.5. Amount Claimed: 500 g.p.m., conditional. 28.6. Source: Groundwater tributary to South Platte River. 28.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, and irrigation of 27 acres in the SW1/4, 32 acres in the SE1/4 all in Section 2, 130 acres in the NE1/4 and 47 acres in the NW1/4 all in Section 11, Township 7 North, Range 54 West of the 6th P.M. 29. **Name of Structure: Guenzi (Brunkhardt) Well (LWU ID No. 547)**. 29.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling, CO 80751. 29.2. Permit No.: 85241-F. 29.3. Location: In the SE1/4SE1/4 of Section 18, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,195 ft from the South section line and 950 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 640713, Northing 4492243. 29.4. Appropriation Date: November 6, 2020. 29.5. Amount Claimed: 700 g.p.m., conditional. 29.6. Source: Groundwater tributary to South Platte River. 29.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, wildlife, recreation, recharge, and irrigation of 200 acres in the S1/2 of Section 18 and N1/2 of Section 19, Township 7 North, Range 53 West of the 6th P.M. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in paragraph 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 30. **Name of Structure: Guenzi (Hettinger No. 3) Well (LWU ID No. 130, 2nd LWU ID No. 548)**. 30.1. Owner: John Guenzi, 916 Fairhurst St., Sterling CO 80751. 30.2. Permit No.: 14094-R. 30.3. Location: The decreed location of the Guenzi (Hettinger No. 3) well is in the SW1/4SW1/4 of Section 8, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 330 ft North and 990 ft East of the SW corner of said Section 8. The physical location of the Guenzi (Hettinger No. 3) Well is in the SW1/4SW1/4 of Section 8, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 890 ft from the South section line and 490 ft from the West section line at the following UTM Coordinates (NAD 83 Zone 13) Easting 641466, Northing 4484155, which is 750 ft from the decreed location. Prior to operating the Guenzi (Hettinger No. 3) Well for the uses described in ¶ 30.7 below, the owner shall obtain a decree correcting the established but erroneously described location of the well. 30.4. Appropriation Date: November 6, 2020. 30.5. Amount Claimed: 2.662 c.f.s., conditional. 30.6. Source: Groundwater tributary to South Platte River. 30.7. Use: Add commercial, feedlot, stock watering, industrial, wildlife, recreation, and recharge to existing decreed use. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in ¶ 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 30.8. Remarks: A water right for the Guenzi (Hettinger No. 3) Well was previously decreed on June 15, 1975 in Case No. W-1425, with an appropriation date of December 31, 1950, for 2.662 c.f.s. to be used for irrigation of 80 acres in the NW1/4 of the NE1/4 of the NW1/4 of Section 17, Township 6 North, Range 53 West of the 6th P.M. in Logan County, Colorado and other lands described in ¶ 7 of the W-1425 decree. In Case No. 82CW273, the Guenzi (Hettinger No. 3) Well, along with the Hettinger Wells No. 1 and No. 2 were approved as alternate points of diversion for each other for the irrigation of a total of 137.4 acres in Logan County, Colorado as further described in ¶ 7 of the 82CW273 decree. Out of priority depletions resulting from groundwater withdrawals pursuant to the December 31, 1950 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 130). Nothing in this Application modifies the terms of the W-1425 decree or the 82CW273 decree. 31. **Name of Structure: Guenzi**

**(Brunkhardt No. 1) Well (LWU ID No. 259, 2nd LWU ID No. 549).** 31.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling CO 80751. 31.2. Permit No.: 12959-R-R. 31.3. Location: In the NW1/4SW1/4 of Section 18, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,150 ft from the South section line and 150 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 639376, Northing 4492492. 31.4. Appropriation Date: November 30, 2021. 31.5. Amount Claimed: 1.87 c.f.s., conditional. 31.6. Source: Groundwater tributary to South Platte River. 31.7. Use: Add feedlot, stock watering, commercial use associated with a feedlot, wildlife, recreation, and recharge to the existing decreed use. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in paragraph 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 31.8. Remarks: A water right for the Guenzi (Brunkhardt No. 1) Well was previously decreed on November 4, 1974 in Case No. W-3814, with an appropriation date of July 31, 1948, for 1.78 c.f.s. to be used, along with other water rights decreed in W-3814 for irrigation of 320 acres in the SW1/4 of Section 18 and the NW1/4 of Section 19, all in Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. In Case No. 02CW095, the decreed point of diversion was changed to the location to the location listed in ¶ 31.3 above. Out of priority depletions resulting from groundwater withdrawals pursuant to the July 31, 1948 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 259). Nothing in this Application modifies the terms of the W-3814 or 02CW095 decrees. 32. **Name of Structure: Guenzi Farms, Inc. Well No. 1 (LWU ID No. 452, 2nd LWU ID No. 550).** 32.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling CO 80751. 32.2. Permit No.: 75028-F. 32.3. Location: In the NE1/4NW1/4 of Section 19, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 50 ft from the North section line and 1,750 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 639908, Northing 4491847. 32.4. Appropriation Date: November 6, 2020. 32.5. Amount Claimed: 2.23 c.f.s., conditional. 32.6. Source: Groundwater tributary to South Platte River. 32.7. Use: Add feedlot, stock watering, commercial use associated with a feedlot, wildlife, recreation, and recharge to the existing decreed use. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in paragraph 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 32.8. Remarks: A water right for the Guenzi Farms, Inc. Well No. 1 was previously decreed on April 15, 2011 in Case No. 07CW300, with an appropriation date of February 2, 2010, for 2.23 c.f.s. for irrigation of 120 acres in the SW1/4 of Section 19, Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the February 2, 2010 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree and the 07CW300 decree (as LWU ID No. 452). Nothing in this Application modifies the terms of the 07CW300 decree. 33. **Name of Structure: Guenzi Farms, Inc. Well No. 2 (LWU ID No. 453, 2nd LWU ID No. 551).** 33.1. Owner: John and Laura Guenzi, 12967 Hwy 6, Merino, CO 80741. 33.2. Permit No.: 75029-F. 33.3. Location: In the SW1/4SW1/4 of Section 20, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 150 ft from the South section line and 785 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641313, Northing 4490315. 33.4. Appropriation Date: November 6, 2020. 33.5. Amount Claimed: 2.23 c.f.s., conditional. 33.6. Source: Groundwater tributary to South Platte River. 33.7. Use: Add feedlot, stock watering, commercial use associated with a feedlot, wildlife, recreation, and recharge to the existing decreed use. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in paragraph 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 33.8. Remarks: A water right for the Guenzi Farms, Inc. Well No. 2 was previously decreed on April 15, 2011 in Case No. 07CW300, with an appropriation date of February 2, 2010, for 2.23 c.f.s. for irrigation of 160 acres in the SE1/4 of Section 19 and 220 acres located in the W1/2 of Section 20, all in Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the February 2, 2010 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree

and the 07CW300 decree (as LWU ID No. 453). Nothing in this Application modifies the terms of the 07CW300 decree. 34. **Name of Structure: Guenzi Farms, Inc. Well No. 3 (LWU ID No. 454, 2nd LWU ID No. 552).** 34.1. Owner: John and Laura Guenzi, 12967 Hwy 6, Merino, CO 80741. 34.2. Permit No.: 75030-F. 34.3. Location: In the SE1/4SW1/4 of Section 20, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 210 ft from the South section line and 1,600 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641584, Northing 4490359. 34.4. Appropriation Date: November 6, 2020. 34.5. Amount Claimed: 2.23 c.f.s., conditional. 34.6. Source: Groundwater tributary to South Platte River. 34.7. Use: Add feedlot, stock watering, commercial use associated with a feedlot, wildlife, recreation, and recharge. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in paragraph 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 34.8. Remarks: A water right for the Guenzi Farms, Inc. Well No. 3 was previously decreed on April 15, 2011 in Case No. 07CW300, with an appropriation date of February 2, 2010, for 2.23 c.f.s. for irrigation of 220 acres in the W1/2 of Section 20, Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the February 2, 2010 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree and the 07CW300 decree (as LWU ID No. 454). Nothing in this Application modifies the terms of the 07CW300 decree. 35. **Name of Structure: JAM Investments LLC Well (LWU ID No. 553).** 35.1. Owner: JAM Investments LLC, PO Box, 766 Windsor, CO 80550. 35.2. Permit No.: 85105-F. 35.3. Location: In the SE1/4SE1/4 of Section 13, Township 7 North, Range 54 West of the 6th P.M., Logan County, Colorado, 45 ft from the South section line and 1,140 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 639017, Northing 4491855. 35.4. Appropriation Date: November 6, 2020. 35.5. Amount Claimed: 1,000 g.p.m., conditional. 35.6. Source: Groundwater tributary to South Platte River. 35.7. Use: Irrigation of 173 acres east of the North Sterling Canal in the E1/2 of Section 24, Township 7 North, Range 54 West of the 6th P.M. 36. **Name of Structure: Atwood Conservation Group, LLC Well (LWU ID No. 554).** 36.1. Owner: Atwood Conservation Group, LLC, 608 E Harmony Rd., Suite 203, Fort Collins, CO 80525. 36.2. Permit No.: 85109-F. 36.3. Location: In the NW1/4SW1/4 of Section 35, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,460 ft from the South section line and 1,545 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 646415, Northing 4487607. 36.4. Appropriation Date: November 6, 2020. 36.5. Amount Claimed: 2,500 g.p.m., conditional. 36.6. Source: Groundwater tributary to South Platte River. 36.7. Use: Irrigation of 54 acres in the NW1/4SW1/4, SW1/4NW1/4, and S1/2SE1/4NW1/4 of Section 35, Township 7 North, Range 53 West of the 6th P.M. 37. **Name of Structure: Timmerman Feedyards LLC Well (LWU ID No. 555).** 37.1. Owner: Timmerman Feedyards LLC, PO Box 1826, Sterling, CO 80751. 37.2. Permit No.: 85104-F. 37.3. Location: In the NE1/4SE1/4 of Section 8, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,900 ft from the South section line and 120 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 642500, Northing 4494047. 37.4. Appropriation Date: November 6, 2020. 37.5. Amount Claimed: 1,000 g.p.m., conditional. 37.6. Source: Groundwater tributary to South Platte River. 37.7. Use: Irrigation of 218 acres east of the North Sterling Canal in the E1/2 of Section 8 and NE1/4 of Section 17, Township 7 North, Range 53 West of the 6th P.M. 38. **Name of Structure: Gregg and Charlene Archer Well (LWU ID No. 556).** 38.1. Owner: Gregg and Charlene Archer, 10517 CR 6, Merino, CO 80741. 38.2. Permit No.: 214345. 38.3. Location: In the NE1/4SW1/4 of Section 23, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 1,453 ft from the South section line and 1,745 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 637139, Northing 4481023. 38.4. Appropriation Date: November 6, 2020. 38.5. Amount Claimed: 50 g.p.m., conditional. 38.6. Source: Groundwater tributary to South Platte River. 38.7. Use: Residential (Domestic, 1 acre of home lawn and garden irrigation, domestic animal and livestock watering), feedlot, stock watering, commercial use associated with a feedlot. 39. **Name of Structure: Jerry Miller Well (LWU ID No. 558).** 39.1. Owner: Jerry Miller, 521 Elwood St., Sterling, CO 80751. 39.2. Permit No.: 319587. 39.3. Location: In the SW1/4NW1/4 of Section 17, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,400 ft from the South section line and 1,180 ft from the

West section line. UTM Coordinates (NAD 83 Zone 13) Easting 650651, Northing 4503126. 39.4. Appropriation Date: November 6, 2020. 39.5. Amount Claimed: 15 g.p.m., conditional. 39.6. Source: Groundwater tributary to South Platte River. 39.7. Use: Residential (Domestic, 1 acre of home lawn and garden irrigation, domestic animal and livestock watering), feedlot, and stock watering. 40. **Name of Structure**: **L J Monheiser LLC Well (LWU ID No. 559)**. 40.1. Owner: LJ Monheiser LLC, 13215 CR 31.5, Sterling, CO 80751. 40.2. Permit No.: Pending. 40.3. Location: In the NE1/4 NE1/4 of Section 33, Township 8 North, Range 53 West of the 6th P.M., Logan County, Colorado, 150 ft from the North section line and 800 ft from the West section line. 40.4. Appropriation Date: November 6, 2020. 40.5. Amount Claimed: 50 g.p.m., conditional. 40.6. Source: Groundwater tributary to South Platte River. 40.7. Use: Commercial uses associated with an existing mobile home park with up to 25 lots. 41. **Name of Structure**: **Keller Farms, Inc. Well (LWU ID No. 560)**. 41.1. Owner: Keller Farms Inc., 16509 CR 22, Sterling, CO 80751. 41.2. Permit No.: 85776-F. 41.3. Location: In the NW1/4 SW1/4 of Section 10, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,400 ft from the South section line and 30 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 644164, Northing 4493960. 41.4. Appropriation Date: November 6, 2020. 41.5. Amount Claimed: 1,200 g.p.m., conditional. 41.6. Source: Groundwater tributary to South Platte River. 41.7. Use: Irrigation of 275 acres in the S1/2 of Section 10, Township 7 North, Range 53 West of the 6th P.M. 42. **Name of Structure**: **Keller Farms, Inc. (Berhost) Well (LWU ID No. 43, 2nd LWU ID No. 561)**. 42.1. Owner: Keller Farms Inc., 16509 CR 22, Sterling, CO 80751. 42.2. Permit No.: 12246-RF and 85775-F. 42.3. Location: In the SW1/4 SW1/4 of Section 10, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, at a point 1,210 ft North and 1,320 ft East of the SE corner of said Section 10. UTM Coordinates (NAD 83 Zone 13) Easting 644548, Northing 4493888. 42.4. Appropriation Date: November 6, 2020. 42.5. Amount Claimed: 2.22 c.f.s., conditional. 42.6. Source: Groundwater tributary to South Platte River. 42.7. Use: Add irrigation of 161 acres in the S1/2 of Section 10, Township 7 North, Range 53 West of the 6th P.M. to the existing decreed use for a total of 275 acres. 42.8. Remarks: A water right for the Keller Farms (Berhost) Well was previously decreed on February 28, 1974 in Case No. W-3649, with an appropriation date of May 1, 1941, for 2.22 c.f.s. to be used for irrigation of 114 acres in the SW1/4 of Section 10, Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the May 1, 1941 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 43). Nothing in this Application modifies the terms of the W-3649 decree. 43. **Name of Structure**: **RE-1 Valley School District Sterling High School Well (LWU ID No. 564)**. 43.1. Owner: RE-1 Valley School District, 301 Hagen St., Sterling, CO 80751. 43.2. Permit No.: 85406-F. 43.3. Location: In the SW1/4 NW1/4 of Section 29, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,875 ft from the North section line and 395 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 650569, Northing 4499719. 43.4. Appropriation Date: February 25, 2020. 43.5. Amount Claimed: 450 g.p.m., conditional. 43.6. Source: Groundwater tributary to South Platte River. 43.7. Use: Irrigation of 25 acres of school lands in the NW1/4 of Section 29, Township 8 North, Range 52 West of the 6th P.M. 44. **Name of Structure**: **RE-1 Valley School District Sterling Middle School Well (LWU ID No. 565)**. 44.1. Owner: RE-1 Valley School District, 301 Hagen St., Sterling, CO 80751. 44.2. Permit No.: 85407-F. 44.3. Location: In the NW1/4 NW1/4 of Section 29, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1,065 ft from the North section line and 355 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 650546, Northing 4499963. 44.4. Appropriation Date: February 25, 2020. 44.5. Amount Claimed: 450 g.p.m., conditional. 44.6. Source: Groundwater tributary to South Platte River. 44.7. Use: Irrigation of 20 acres of school lands in the NW1/4 of Section 29, Township 8 North, Range 52 West of the 6th P.M. 45. **Name of Structure**: **RE-1 Valley School District Campbell Elementary Well (LWU ID No. 319, 2nd LWU ID No. 566)**. 45.1. Owner: RE-1 Valley School District, 301 Hagen St., Sterling, CO 80751. 45.2. Permit No.: 23690-F. 45.3. Location: In the NE1/4 SE1/4 of Section 30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2,220 ft from the South section line and 530 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 650298, Northing 4499336. 45.4. Appropriation Date: February 25, 2020. 45.5. Amount Claimed: 300 g.p.m., conditional. 45.6. Source: Groundwater tributary

to South Platte River. 45.7. Use: Irrigation of 4.5 acres of school lands in the SE1/4 of Section 30, Township 8 North, Range 52 West of the 6th P.M. 45.8. Remarks: RE-1 Valley School District Campbell Elementary Well was previously decreed as an alternate point of diversion on May 18, 1981 in Case No. W-9358, for 1.333 c.f.s. to be used for irrigation of land in the SE 1/4 of Section 30, Township 8 North, Range 52 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant alternate point of diversion are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 319). Nothing in this Application modifies the terms of the W-9358 decree. 46. **Name of Structure: Guenzi (Brunkhardt No. 3) Well (LWU ID No. 260, 2<sup>nd</sup> LWU ID No. 567)**. 46.1. Owner: Kenneth J. Guenzi Trust, 916 Fairhurst St., Sterling CO 80751. 46.2. Permit No.: Pending. 46.3. Location: In the NW1/4SW1/4 of Section 18, Township 7 North, Range 54 West of the 6th P.M., Logan County, Colorado, at a point 2,448 ft North and 1,020 ft East of the SW Corner of said Section 18. UTM Coordinates (NAD 83 Zone 13) Easting 639656, Northing 4492574. 46.4. Appropriation Date: November 30, 2021. 46.5. Amount Claimed: 2.30 c.f.s., conditional. 46.6. Source: Groundwater tributary to South Platte River. 46.7. Use: Irrigation of 80 acres in the SE1/4 of Section 18, Township 7 North, Range 54 West of the 6th P.M. 46.8. Remarks: A water right for the Guenzi (Brunkhardt No. 3) Well was previously decreed on November 4, 1974 in Case No. W-3814, with an appropriation date of May 31, 1955, for 2.30 c.f.s. to be used, along with other water rights decreed in W-3814 for irrigation of 320 acres in the SW1/4 of Section 18 and the NW1/4 of Section 19, all in Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the May 31, 1955 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 260). Nothing in this Application modifies the terms of the W-3814 decree. 47. **Name of Structure: Guenzi (Brunkhardt No. 6) Well (LWU ID No. 271, 2<sup>nd</sup> LWU ID No. 568)**. 47.1. Owner: John Guenzi, 12967 Hwy 6, Merino, CO 80741. 47.2. Permit No.: Pending. 47.3. Location: In the NW1/4SW1/4 of Section 13, Township 7 North, Range 54 West of the 6th P.M., Logan County, Colorado, 1,656 ft North and 60 ft East of the SW Corner of said Section 13. UTM Coordinates (NAD 83 Zone 13) Easting 637710, Northing 4492339. 47.4. Appropriation Date: November 30, 2021. 47.5. Amount Claimed: 2.15 c.f.s., conditional. 47.6. Source: Groundwater tributary to South Platte River. 47.7. Use: Feedlot, stock watering, commercial use associated with a feedlot, wildlife, recreation, and recharge to the existing decreed use. The place of recharge will be the Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, the recharge sites described in paragraph 57.6 below, and additional recharge sites approved by a future water court decree. The wildlife and recreation use will occur within the recharge sites and areas proximate thereto. 47.8. Remarks: A water right for the Guenzi (Brunkhardt No. 6) Well was previously decreed on November 4, 1974 in Case No. W-3814, with an appropriation date of May 31, 1965, for 2.15 c.f.s. to be used, along with other water rights decreed in W-3814 for irrigation of 320 acres in the SW1/4 of Section 13 and the SE1/4 of Section 14, all in Township 7 North, Range 53 West of the 6th P.M. in Logan County, Colorado. Out of priority depletions resulting from groundwater withdrawals pursuant to the May 31, 1965 appropriation date are currently replaced pursuant to the terms of the 03CW195 Decree (as LWU ID No. 271). Nothing in this Application modifies the terms of the W-3814 decree. **APPLICATION TO ADD WELLS TO LOGAN AUGMENTATION PLAN** 48. **Augmentation Plan**. ¶ 49.6 of the 03CW195 Decree allows the addition of wells to the plan subject to notice and terms and conditions. Applicant seeks to add the wells (individually a “Well” and collectively the “Wells”) described in ¶¶ 3-47 above, as well as the wells described in ¶ 48.1 below. **Exhibit 1**, attached, shows the location of the Wells. The 03CW195 Decree at ¶ 49.6 provides that “Any well added to the plan for augmentation shall be located in Logan County.” The Thomas Gill Well described in 48.1.5 below is located in Washington County, and Applicant seeks an exception to said term and condition to add the Thomas Gill Well to the Logan Augmentation Plan due to the well’s close proximity to Logan County. A table of all of the member wells covered by the Logan Augmentation Plan is attached hereto as **Exhibit 3**. 48.1. Wells with previously decreed water rights to be added to the Logan Augmentation Plan: 48.1.1. Name of Structure: TVBAR, LLC (Helmut) Well (LWU ID No. 536). 48.1.1.1. Owner: TVBAR, LLC, 3254 CR 31, Atwood, CO 80722. 48.1.1.2. Permit No.: 15278-RR. 48.1.1.3. Location: In the SW1/4SE1/4 of Section 30, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, located at a point 1,115 ft East and 185 ft North

from the S1/4 corner of Section 30. UTM Coordinates (NAD 83 Zone 13) Easting 641011, Northing 4479123. 48.1.1.4. Appropriation Dates: July 16, 1954 and August 31, 1966. 48.1.1.5. Amount: 2.68 c.f.s., absolute (1954 appropriation date) and 2.32 c.f.s., absolute (1966 appropriation date). 48.1.1.6. Source: Groundwater tributary to South Platte River. 48.1.1.7. Use: Livestock watering and irrigation of 120 acres in the SE1/4 of Section 30, Township 6 North, Range 53 West of the 6th P.M. 48.1.1.8. Prior Decree: W-1758, 04CW110. 48.1.1.9. Remarks: Out of priority depletions resulting from groundwater withdrawals from the TVBAR, LLC (Helmut) Well are currently replaced pursuant to the augmentation plan operated by the South Platte Ditch Well Users, Inc. decreed in Case No. 04CW110 (“SPD Augmentation Plan”). This Application adds the TVBAR, LLC (Helmut) Well to the Logan Augmentation Plan. Beginning June 28, 2021, Applicant will replace all out of priority depletions resulting from pumping of this well, including post-pumping depletions. Otherwise, nothing herein is intended to modify the terms of the W-1758 Decree.

48.1.2. Name of Structure: Robert Mari (Propst Well 6 / Bollers) Well (LWU ID No. 537). 48.1.2.1. Owner: Robert Mari, 2383 CR 29, Merino, CO 80741. 48.1.2.2. Permit No.: 6660-F. 48.1.2.3. Location: The decreed location of the Robert Mari (Propst Well 6 / Bollers) Well is in the SW1/4SE1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,777 ft West of the East section line and 997 ft North of the South section line of said Section 20. The physical location of the Robert Mari (Propst Well 6 / Bollers) Well is in the SW1/4SE1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,055 ft from the South section line and 2,030 ft from the East section line at the following UTM Coordinates (NAD 83 Zone 13) Easting 642430, Northing 4481023, which is 260 ft from the decreed location. The owner will obtain a decree correcting the established but erroneously described location of the well. 48.1.2.4. Appropriation Date: April 15, 1965. 48.1.2.5. Amount: 5.0 c.f.s., absolute. 48.1.2.6. Source: Groundwater tributary to South Platte River. 48.1.2.7. Use: Irrigation of approximately 320 acres in Logan County, Colorado as follows: 160 acres in SW1/4 of Section 20, 80 acres in E1/2 SE1/4 of Section 19, and 80 acres in W1/2 SE1/4 of Section 20 all in Township 6 North, Range 54 West of the 6th P.M. 48.1.2.8. Prior Decree: W-1750, 04CW110. 48.1.2.9. Remarks: Out of priority depletions resulting from groundwater withdrawals from the Robert Mari (Bollers) Well are currently replaced pursuant to SPD Augmentation Plan. This Application adds the Robert Mari (Bollers) Well to the Logan Augmentation Plan. Beginning June 28, 2021, Applicant will replace all out of priority depletions resulting from pumping of this well, including post-pumping depletions. Otherwise, nothing herein is intended to modify the terms of the W-1750 Decree.

48.1.3. Name of Structure: Alberta Smart Revocable Trust Well (LWU ID No. 527). 48.1.3.1. Owner: Alberta Smart Revocable Trust, 812 Mindy Cir. Unit A, Sterling, CO 80751. 48.1.3.2. Permit No.: 5962-R. 48.1.3.3. Location: In the SW1/4SE1/4, Section 35, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado at a point 948 ft North and 2,580 ft West of the SE Corner of said Section 35. UTM Coordinates (NAD 83 Zone 13) Easting 6469098, Northing 4487516. 48.1.3.4. Appropriation Date: August 18, 1955. 48.1.3.5. Amount: 4.70 c.f.s., absolute. 48.1.3.6. Source: Groundwater tributary to South Platte River. 48.1.3.7. Use: Irrigation of 90 acres in the S1/2SE1/4 and the S1/2NE1/4SE1/4, all in Section 35, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. 48.1.3.8. Prior Decree: W-3492.

48.1.4. Name of Structure: Quint Brothers LLP Well (LWU ID No. 539). 48.1.4.1. Owner: Quint Brothers LLP, 14601 CR 16.5, Atwood, CO 80722. 48.1.4.2. Permit No.: 19901-R. 48.1.4.3. Location: In the SE1/4SW1/4, Section 2, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado north 82° East 1,388 ft from the SW corner of Section 2. UTM Coordinates (NAD 83 Zone 13) Easting 646534, Northing 4485768. 48.1.4.4. Appropriation Date: July 31, 1954. 48.1.4.5. Amount: 4.9 c.f.s., absolute. 48.1.4.6. Source: Groundwater tributary to South Platte River. 48.1.4.7. Use: Irrigation of 142 acres in the E1/2W1/2, Section 2, Township 6 North, Range 53 West of the 6th P.M. 48.1.4.8. Prior Decree: W-799.

48.1.5. Name of Structure: Thomas Gill Well (LWU ID No. 557). 48.1.5.1. Owner: Carol, Thomas, and Ann Gill, 2324 Stonecrest Dr., Fort Collins, CO 80521. 48.1.5.2. Permit No.: 7224-RR (a.k.a. FR727). 48.1.5.3. Location: In the SE1/4NW1/4, Section 16, Township 5 North, Range 54 West of the 6th P.M., Washington County, Colorado, being located 2,620 ft South of the North section line, and 2,620 ft East of the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 634294, Northing 4473403. 48.1.5.4. Appropriation Date: May 31, 1934. 48.1.5.5. Amount: 8.11 c.f.s., absolute. 48.1.5.6. Source: Groundwater tributary to South Platte River. 48.1.5.7. Use:

Irrigation of approximately 340 acres of land in the NE1/4, W1/2SE1/4, S1/2N1/2SW1/4, Section 10, and the N1/2NW1/4, NE1/4NE1/4, Section 15, and S1/2NE1/4, Section 16, all located in Township 5 North, Range 54 West of the 6th P.M., Washington County, Colorado. 48.1.5.8. Prior Decree: W-1469; W-4298. 48.1.5.9. Remarks: The Thomas Gill Well is an alternate point of diversion for the Johnson and Edwards Ditch decreed in W-4298 and is included in a plan for augmentation decreed to the Lower Platte and Beaver Canal in Case No. 03CW443 (“LP&B Plan”). Out of priority depletions resulting from the withdrawal of groundwater from the Thomas Gill Well are replaced pursuant to the terms and conditions of the LP&B Plan. The Logan Augmentation Plan will serve as a supplemental augmentation supply to replace out of priority depletions caused by withdrawals at the Thomas Gill Well that exceed those replaced by the Lower Platte and Beaver Canal pursuant to the plan for augmentation in 03CW443. The Logan Augmentation Plan and the LP&B Plan will operate independently. For the Thomas Gill Well, the volume of monthly pumping under the Logan Augmentation Plan shall be equal to the total out-of-priority pumped after the application of the Johnson and Edwards Ditch alternate point of diversion less any pumping allotment under the LP&B Plan until the pumping allotments under the LP&B Plan are fully used. Out-of-priority depletions resulting from pumping under the LP&B Plan will be determined and replaced under the terms and conditions of that plan. In the event that the LP&B Plan is not fully replacing out-of-priority depletions associated with pumping of the Thomas Gill Well pursuant to the 03CW443 Decree, Logan shall replace any unreplaced out-of-priority depletions associated with the Thomas Gill Well. 48.1.6. Name of Structure: B and L, LLC Well (Accomasso No. 1) (LWU ID No. 562). 48.1.6.1. Owner: B and L, LLC, 17401 CR 14, Atwood, CO 80722. 48.1.6.2. Permit Nos.: 59462-F and 66490-F. 48.1.6.3. Location: In the SE1/4NE1/4, Section 9, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, at a point 2,630 ft. South and 1,320 ft. West of the Northeast corner of said Section 9. UTM Coordinates (NAD 83 Zone 13) Easting 644051, Northing 4484826. 48.1.6.4. Appropriation Date: June 30, 1954. 48.1.6.5. Amount: 6.66 c.f.s., absolute. 48.1.6.6. Source: Groundwater tributary to South Platte River. 48.1.6.7. Use: Irrigation of approximately 150 acres in the SE1/4 NE1/4 and part of the SW1/4 and the NE1/4 of Section 9; 80 acres in the W1/2 NW1/4 of Section 10, and 25 acres in the S1/2 SW1/4 SW1/4 of Section 3, all located in Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. 48.1.6.8. Prior Decrees: Case Nos.: W-3278, 98CW339, 05CW52. 48.1.6.9. Remarks: The Accomasso No. 1 Well was decreed in Case No. W-3278 to irrigate 225 acres and decreed as an alternate point of diversion in the Davis Brothers Ditch and an alternate place of use, by exchange, for 23 acre rights of the Logan-Prewitt Irrigation District in Case No. 98CW339. The well was augmented under the Accomasso Brothers Augmentation Plan in Case No. 05CW52 (“Accomasso Augmentation Plan”). This Decree and the 03CW195 Decree satisfy the requirements of Paragraph 20 of the decree in Case No. 98CW339 and cover depletions that may occur when the Davis Brothers Ditch is not in priority and/or in excess of the pumping allocation set forth in Paragraph 13 of the 98CW399 Decree. Applicant seeks approval to move this well, its associated depletions and the pro rata portion of recharge credits associated with 17.5 Schneider Ditch Company shares from the Accomasso Augmentation Plan to the Logan Augmentation Plan. All out of priority depletions from pumping of the Accomasso No. 1 Well shall be replaced pursuant to the Logan Augmentation Plan, whether such pumping occurred before or after entry of the Decree in this case. 48.1.7. Name of Structure: B and L, LLC Well (Accomasso No. 2) (LWU ID No. 563). 48.1.7.1. Owner: B and L, LLC, 17401 CR 14, Atwood, CO 80722. 48.1.7.2. Permit No.: 59463-F. 48.1.7.3. Location: In the SE1/4NW1/4, Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, at a point 2,630 ft South of and 1,330 ft East of the Northwest corner of said Section 10. UTM Coordinates (NAD 83 Zone 13) Easting 644942, Northing 4484852. 48.1.7.4. Appropriation Date: August 10, 1960. 48.1.7.5. Amount: 4.58 c.f.s., absolute. 48.1.7.6. Source: Groundwater tributary to South Platte River. 48.1.7.7. Use: Irrigation of approximately 80 acres of land in the E1/2 NW1/4 of Section 10 and 40 acres in the SE1/4 SW1/4 of Section 3, all located in Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. 48.1.7.8. Prior Decrees: Case Nos.: W-3278, 98CW339, 05CW52. 48.1.7.9. Remarks: The Accomasso No. 2 Well was decreed in Case No. W-3278 to irrigate 120 acres and decreed as an alternate point of diversion for 30 shares in the Davis Brothers Ditch and an alternate place of use, by exchange, for 23 acre rights in the Logan-Prewitt Irrigation District in Case No. 98CW339. The well was augmented under the Accomasso



Augmentation Plan. This Decree and the 03CW195 Decree satisfy the requirements of paragraph 20 of Case No. 98CW339 and cover depletions that may occur when the Davis Brothers Ditch is not in priority and/or in excess of the pumping allocation set forth in paragraph 13 of the 98CW399 Decree. Applicant seeks approval to move this well, its associated depletions, and the pro rata portion of recharge credits associated with 17.5 Schneider Ditch Company shares from the Accomasso Augmentation Plan to the Logan Augmentation Plan. All out-of-priority depletions from pumping of the Accomasso No. 2 Well shall be replaced pursuant to the Logan Augmentation Plan, whether such pumping occurred before or after entry of the Decree in this case.

49. **Aquifer Parameters.** The aquifer parameters and other information required by the 03CW195 Decree for each Well are set out in **Exhibit 2**.

50. **Consumptive Use and Depletions.** The consumptive use factors for each Well will be those set out in the 03CW195 Decree at ¶ 52.3.4. The consumptive use of the Monheiser LLC Well will be 100% consumptive. The current consumptive use factors for each well added herein are set forth in Exhibit 2. Out of priority depletions from use of the Wells that have occurred prior to and after the date the Wells are added to the plan will be replaced by Applicant pursuant to the Decree in this case.

51. **Well Permits.** Pursuant to ¶ 49.7 of the 03CW195 Decree, Applicant shall ensure that all member and recharge well permit files are complete, valid, and the uses proposed for the member or recharge wells in this Application are consistent with their decreed and permitted uses. If well permits for any of the member or recharge wells do not meet this standard, valid well permits must be obtained by the well owners identified in this Application. Applicant must obtain a valid well permit prior to constructing any well or prior to use of any existing well for new uses, pursuant to 37-90-137, *C.R.S.*

52. **Well Pumping Measurement.**

52.1. Measurement of Well Pumping for Wells with the Same Uses and Different Priority Dates. Applicant shall account for the different priorities by apportioning the total metered pumping to each of the two priorities according to the decreed acreage or pumping rate for each priority.

52.2. Measurement of Well Pumping from Wells with Multiple Uses and Different Priority Dates. Pumping from Wells that have decreed multiple uses and different priority dates will be metered separately when water is diverted simultaneously for multiple purposes and the appropriate consumptive use factors set out in ¶ 52.3.4 of the 03CW195 Decree will be applied to the separate uses.

52.3. Measurement of all other Wells Added Pursuant to this Application. Each Well added to the augmentation plan shall be equipped with a totalizing flow meter to determine the flow rate(s) and monthly volume of water pumped, and shall not be pumped until such flow meters are installed. The flow meters shall be installed and maintained to provide accurate measurement and recording of diversions by the Wells.

53. **Water Rights to be used for Augmentation.** All water rights decreed for augmentation, either directly or by exchange, recharge, and replacement in Case No. 03CW195, 07CW300, and 13CW3162, or otherwise available to Logan and added to the Logan Augmentation Plan, the new recharge rights described below in this Application, the pro rata recharge credits of the SPDWU decreed in Case Nos. W-7839 and ¶ 9 of the 03CW195 Decree, to which TVBAR, LLC and Robert Mari, are entitled by virtue of their ownership of shares in the South Platte Ditch Company as described in ¶ 54 below, and the recharge credits attributable to the 17.5 Schneider Ditch Company shares derived by delivery of said shares for recharge under the Schneider Ditch Recharge Project decreed in the 03CW195 Decree. See Exhibit 4 for a list of all replacement supplies currently available to LWU for replacement of out-of-priority depletions resulting from groundwater withdrawal by the Wells.

**APPLICATION TO TRANSFER AUGMENTATION SUPPLY FROM THE PLANS OF AUGMENTATION DECREED IN CASE NOS. 04CW110 AND 05CW52 AND INCLUDE SAID AUGMENTATION SUPPLY IN APPLICANT'S PLAN OF AUGMENTATION DECREED IN CASE NO. 03CW195.**

54. **Transfer of Augmentation Supply from 04CW110 to 03CW195.** TVBAR, LLC and Robert Mari are the pro rata owners of recharge credits from recharge water rights decreed in Case No. W-7839 (“South Platte Ditch Recharge Project”) and decreed in the 03CW195 Decree, particularly that recharge right described in Paragraph 9 of said decree (“South Platte Ditch Recharge Project No. 2”). The South Platte Ditch Recharge Project No. 2 was deeded to the South Platte Ditch Company by deed dated July 8, 2006. TVBAR, LLC and Robert Mari own 6 shares and 3 shares, respectively, in the South Platte Ditch Company, entitling them to totals of 2.9 (%) and 1.4 (%), respectively, of recharge credits generated pursuant to the South Platte Ditch Recharge Project and the South Platte Ditch Recharge Project No. 2, collectively referred to herein as the “South Platte Recharge

Credits.” As of June 28, 2021, South Platte Recharge Credits in the percentages listed above will not be used under the 04CW110 Decree, and upon entry of the decree in this case, shall be used for augmentation under the Logan Augmentation Plan decreed in the 03CW195 case, pursuant to the terms of such decree, including, but not limited to, the W-7839 Decree, Paragraphs 50.3 and 50.4 of the 03CW195 Decree, and the terms and conditions of the decree entered in this case. Prior to use of the South Platte Recharge Credits under the decree in this case and the 03CW195 Decree, notice of removal of the recharge credits shall be filed pursuant to the terms of the 04CW110 Decree. 54.1. Terms applicable to Applicant’s Use and Accounting of South Platte Recharge Credits. Applicant shall claim credit for the South Platte Recharge Credits in its augmentation plan decreed in the 03CW195 Decree in an amount equal to the total of TVBAR, LLC and Robert Mari’s pro rata interests in the total amount of recharge credits generated in the South Platte Recharge Project and South Platte Recharge Project No. 2 attributable to TVBAR, LLC and Robert Mari’s ownership of 6 shares and 3 shares, respectively, in the South Platte Ditch Company not to exceed South Platte Ditch Company’s volumetric limit described in ¶ 5 of the decree in Case No. W-7839. Applicant shall include in its accounting the pro rata amount attributed to TVBAR, LLC and Robert Mari’s ownership of 6 shares and 3 shares, respectively, as well as a reference to the South Platte Ditch Company diversions which is, at the time of this Decree, publicly available from the Division of Water Resources which provides the total diversions by the South Platte Recharge Project and South Platte Recharge Project No. 2. 55. **Transfer of Augmentation Supply from 05CW52 to 03CW195.** The Accomasso Augmentation Plan provides augmentation water to replace out of priority depletions from two (2) wells. Ownership of those two wells has been transferred to B and L, LLC, and are described in ¶¶ 48.1.6 and 48.1.7 above. Also transferred to B and L, LLC were the 17.5 shares in the Schneider Ditch Company, which entitles B and L, LLC to 14% of the recharge credits derived from the Schneider Ditch Recharge Project decreed in the 03CW195 Decree. Applicant seeks approval to transfer the recharge credits associated with the 17.5 Schneider Ditch Company shares to be used as an augmentation source in the Logan Augmentation Plan. B and L, LLC filed an application in Case No. 21CW3164 to terminate the Accomasso Augmentation Plan. A decree approving such termination has not been entered as of the date of this Application. **APPLICATION FOR RECHARGE WATER RIGHTS.** 56. **Name of New Recharge Right: TVBAR, LLC 2020 Recharge Right.** 56.1. Points of Diversion: 56.1.1. *TVBAR, LLC Recharge Well R-19*, located in the SW1/4NE1/4 of Section 3, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,475 ft from the North section line and 2,610 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 645298, Northing 4486678. 56.1.2. *TVBAR, LLC Recharge Well R-20*, located in the SW1/4NE1/4 of Section 3, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,185 ft from the North section line and 2,425 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 645354, Northing 4486769. 56.2. Appropriation Date: November 6, 2020. 56.3. Amount Claimed: 4,000 g.p.m., conditional, at each point of diversion described above. 56.4. Source: Groundwater tributary to South Platte River. 56.5. Use: Recharge for augmentation, directly or by exchange of water rights used for irrigation, municipal, commercial, livestock, and fire protection under the 03CW195 Decree, as well as wildlife, and recreation use within the recharge sites and areas proximate thereto. 56.6. Location of Recharge: Hessler Farms Inc. Recharge Well Project sites described in ¶ 17.4 of the 03CW195 Decree, recharge sites that have been added to the Hessler Farms Inc. Recharge Project pursuant to the 03CW195 Decree (Smart Pond No. 7 and Smart Pond No. 8), and other recharge sites approved by a future water court decree. 57. **Name of New Recharge Right: Guenzi 2020 Recharge Right.** 57.1. Points of Diversion: 57.1.1. *Guenzi (Brunkhardt) Recharge Well R-21*, located in the SE1/4SE1/4 of Section 18, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1,195 ft from the South section line and 950 ft from the East section line. UTM Coordinates (NAD 83 Zone 13) Easting 640713, Northing 4492243. 57.1.2. *Guenzi (Hettinger No. 3) Recharge Well R-22*, located in the SW1/4SW1/4 of Section 8, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 890 ft from the South section line and 490 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641466, Northing 4484155. See ¶ 30 of this Application. 57.1.3. *Guenzi (Brunkhardt No. 1) Recharge Well R-23*, located in the NW1/4SW1/4 of Section 18, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2,150 ft from the South section line and 150 ft from the West section

line. UTM Coordinates (NAD 83 Zone 13) Easting 639376, Northing 4492492. 57.1.4. *Guenzi (Guenzi Farm 1) Recharge Well R-24*, located in the NE1/4NW1/4 of Section 19, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 50 ft from the North section line and 1,750 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 639908, Northing 4491847. 57.1.5. *Guenzi (Guenzi Farm 2) Recharge Well R-25*, located in In the SW1/4SW1/4 of Section 20, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 150 ft from the South section line and 785 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641313, Northing 4490315. 57.1.6. *Guenzi (Guenzi Farm 3) Recharge Well R-26*, located in the SE1/4SW1/4 of Section 20, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 210 ft from the South section line and 1,600 ft from the West section line. UTM Coordinates (NAD 83 Zone 13) Easting 641584, Northing 4490359. 57.1.7. *Guenzi (Brunkhardt No. 6) Recharge Well R-27*, located in the NW1/4SW1/4 of Section 13, Township 7 North, Range 54 West of the 6<sup>th</sup> P.M., Logan County, Colorado, 1,656 ft from North and 60 ft East of the SW Corner of said Section 13. UTM Coordinates (NAD 83 Zone 13) Easting 637710, Northing 4492339. 57.2. Appropriation Dates: 57.2.1. *Guenzi (Brunkhardt) Recharge Well R-21*: November 6, 2020. 57.2.2. *Guenzi (Hettinger No. 3) Recharge Well R-22*: November 6, 2020. 57.2.3. *Guenzi (Brunkhardt No. 1) Recharge Well R-23*: November 30, 2021. 57.2.4. *Guenzi (Amen West) Recharge Well R-24*: November 6, 2020. 57.2.5. *Guenzi (Amen VFD) Recharge Well R-25*: November 6, 2020. 57.2.6. *Guenzi (Amen East) Recharge Well R-26*: November 6, 2020. 57.2.7. *Guenzi (Brunkhardt No. 6) Recharge Well R-27*: November 30, 2021. 57.3. Amount Claimed: 57.3.1. *Guenzi (Brunkhardt) Recharge Well R-21*: 1.56 c.f.s. 57.3.2. *Guenzi (Hettinger No. 3) Recharge Well R-22*: 2.662 c.f.s. 57.3.3. *Guenzi (Brunkhardt No. 1) Recharge Well R-23*: 1.87 c.f.s. 57.3.4. *Guenzi (Guenzi Farm 1) Recharge Well R-24*: 2.23 c.f.s. 57.3.5. *Guenzi (Guenzi Farm 2) Recharge Well R-25*: 2.23 c.f.s. 57.3.6. *Guenzi (Guenzi Farm 3) Recharge Well R-26*: 2.23 c.f.s. 57.3.7. *Guenzi (Brunkhardt No. 6) Recharge Well R-27*: 2.15 c.f.s. 57.4. Source: Groundwater tributary to South Platte River. 57.5. Use: Recharge for augmentation, directly or by exchange of water rights used for irrigation, municipal, commercial, livestock, and fire protection under the 03CW195 Decree, as well as wildlife, and recreation use within the recharge sites and area proximate thereto. 57.6. Location of Recharge: Guenzi Well Recharge Project sites described ¶ 16.4 of the 03CW195 Decree, Guenzi Pond No. 8 described in Exhibit H of the North Sterling Irrigation District decree in Case No. 96CW1034, the recharge ponds described in this paragraph 57.6 or other sites to be added to the Guenzi Well Recharge Project pursuant to a future water court decree. 57.6.1. GWRP Pond No. 4. In the NENW of Section 20, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 28,190 ft, X = 21,075 ft, Harmonic Transmissivity = 208,700 gpd/ft. 57.6.2. GWRP Pond No. 5. In the SENW of Section 19, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 28,150 ft, X = 26,050 ft, Harmonic Transmissivity = 105,900 gpd/ft. 57.6.3. GWRP Pond No. 6. In the SESE of Section 18, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 29,945 ft, X = 24,240 ft, Harmonic Transmissivity = 150,700 gpd/ft. 57.6.4. GWRP Pond No. 7. In the SWSE of Section 18, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 30,389 ft, X = 25,460 ft, Harmonic Transmissivity = 133,200 gpd/ft. 57.6.5. GWRP Pond No. 8. In the NWNE of Section 19, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 32,610 ft, X = 25,570 ft, Harmonic Transmissivity = 119,300 gpd/ft. 57.6.6. GWRP Pond No. 9. In the SENW of Section 19, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 33,670 ft, X = 25,830 ft, Harmonic Transmissivity = 109,200 gpd/ft. 57.6.7. GWRP Pond No. 10. In the SESW of Section 18, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 30,680 ft, X = 25,160 ft, Harmonic Transmissivity = 121,400

gpd/ft. 57.6.8. GWRP Pond No. 11. In the NWSW of Section 19, Township 7 North, Range 53 West of the 6<sup>th</sup> P.M., Logan County, Colorado. Surface are of high water line. 5.0 acres. Total active capacity. 15.0 a.f. with 0 dead storage. Aquifer parameters. W = 28,010 ft, X = 23,690 ft, Harmonic Transmissivity = 113,500 gpd/ft. 58. **Names and Address of Owners of the Structures**. The names and addresses of the owners of the structures are set out above. The names and addresses of owners of other structures included in this Application include: 58.1. South Platte Ditch Company: 15099 County Road 59.5, Merino, CO 80741. 58.2. South Platte Ditch Well Users, Inc.: 825 CR 25, Merino, CO 80741. 58.3. Schneider Ditch Company: P.O. Box 1811, Sterling, CO 80751. 58.4. Lower Platte and Beaver Canal Company: P.O. Box 190, Hillrose, CO 80733-0190. This Application consists of forty-one (41) pages.

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

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of **JANUARY 2022** (forms available on [www.courts.state.co.us](http://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.