

SUBSTITUTE WATER SUPPLY PLAN AND PRODUCED NONTRIBUTARY GROUNDWATER NOTIFICATION LIST

Section 37-92-308(6), C.R.S. directs the State Engineer to establish a notification list for each water division for the purpose of notifying interested parties of requests for the State Engineer's approval of substitute water supply plans ("SWSPs") filed in that water division pursuant to section 37-92-308, C.R.S. The SWSP Notification List is also used to provide notice of proposed water right loans to the Colorado Water Conservation Board for use as instream flows under section 37-83-105(2)(b)(II), C.R.S., notice of applications for the State Engineer's approval of interruptible water supply agreements under section 37-92-309(3)(a), C.R.S., notice of applications for fallowing and leasing pilot projects under section 37-60-115(8)(e)(II), C.R.S., notice of fire suppression ponds under section 37-80-124(10)(a)(II)(E), C.R.S., and notice of storm water detention and infiltration facilities under section 37-92-602(8)(d), C.R.S.

Pursuant to Rule 17.5(B)(2) of the Rules and Regulations for the Determination of the Nontributary Nature of Ground Water Produced Through Wells in Conjunction with the Mining of Minerals, at 2 CCR 402-17 ("Rules"), the State Engineer is publishing this invitation to persons to be included on the Produced Nontributary Ground Water Notification List. According to Rule 17.5(B)(2) of the Rules, the State Engineer must establish a Produced Nontributary Ground Water Notification List for each water division within the State of Colorado for the purposes of ensuring that water users within each water division receive adequate notice of proceedings held pursuant to the Rules. In order to establish such notification list, the State Engineer is directed, in January of each year, to cause to have published in the water court resume for each water division this invitation to be included on the Produced Nontributary Ground Water Notification List for the applicable water division.

This notice is an invitation to be included on the SWSP and/or Produced Nontributary Groundwater Notification Lists. Sign up for these or other notification lists maintained by the State Engineer at: <https://dwr.colorado.gov/public-information/notification-lists>. Additional information is available on the Division of Water Resources' website at: <https://dwr.colorado.gov/>.

DISTRICT COURT, WATER DIVISION 1, COLORADO DECEMBER 2023 WATER RESUME PUBLICATION

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

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications, and certain amendments filed in the Office of the Water Clerk during the month of **DECEMBER 2023** for each County affected. (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us)

23CW3162 People of The State of Colorado, et al V. Korby Sod LLC., et al. Complaint for Injunctive Relief, Costs and Penalties.

2023CW3163 (17CW3085, 10CW291, 04CW040, 97CW066, 89CW035, 85CW085, 81CW108, W-7484-73) **CITY OF ARVADA** ("Arvada") c/o Amy Willhite, 8101 Ralston Rd., Arvada, CO 80002; awillhite@arvada.org, (720) 898-7766. Please send pleadings to: Steven P. Jeffers, Madoline Wallace-Gross, Casey J. Weaver, Lyons Gaddis, PC, 950 Spruce St, Unit 1B, Louisville, CO 80027; sjeffers@lyonsgaddis.com; mwg@lyonsgaddis.com; cweaver@lyonsgaddis.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN JEFFERSON COUNTY.** 2. **Name of structure:** Arvada Reservoir (formerly known as Blunn Reservoir). 3. **Describe conditional water right from the previous decrees:** A) **Original decree:** The District Court, Water Division No. 1 ("Court") entered the original decree in Case No. W-7484-73 on April 18, 1977. B) **Subsequent decrees:** The Court entered decrees awarding findings of reasonable diligence and/or confirming that Arvada made portions of the

water right absolute in the following cases: Case No. 81CW108 on June 24, 1985; Case No. 85CW085 on June 29, 1988; Case No 89CW035 on January 17, 1991; Case No. 97CW066 entered on March 26, 1998; Case No. 04CW040 on December 22, 2004; Case No. 10CW291 on June 28, 2011; and Case No. 17CW3085 on December 13, 2017. C) **Legal description:** The centerline of the dam of Arvada Reservoir is described as follows: Commencing at the NE Corner of Section 3, Township 3 South, Range 70 West of the 6th P.M., Jefferson County, Colorado; thence at an angle to the right of 17°34'59" from the East line of said Section 3, a distance of 200.75 feet to the True Point of Beginning. Thence at a deflection angle to the right of 4°52'48", a distance of 1683.374 feet to a point of curvature; thence along a curve to the right, having a radius of 2585.813 feet, and a delta of 26°07'37", a distance of 1179.134 feet to point of tangency; thence along the tangent of the before-described curve, a distance of 819.242 feet to the point of ending. The left dam abutment is located in the NE 1/4 of NE 1/4 of Section 3, Township 3 South, Range 70 West, approximately 200 feet from the North section line and 0 feet from the East section line. D) **Sources of water:** Ralston Creek and Clear Creek, tributaries of the South Platte River. E) **Appropriation:** i) *Date:* October 23, 1959. ii) *Amount:* The original decreed amount was 7,300 acre-feet, conditional, of which 1,838 acre-feet remains conditional. This Court confirmed that Arvada made 5,462 acre-feet absolute, including 3,964 acre-feet in Case No 89CW035 and 1,498 acre-feet in Case No. 97CW066. F) **Uses:** Municipal, irrigation, recreation, and other beneficial uses. G) **Map:** A map showing the location of the reservoir is included as **EXHIBIT A**. H) **Claim to Make Absolute:** Not applicable. 4. **Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** Arvada Reservoir is part of an integrated water system for the City of Arvada. The dam and reservoir are located on Ralston Creek, and Arvada may divert water from Clear Creek to storage through the Croke Canal. During the subject diligence period, Arvada conducted work on Arvada Reservoir and components on its integrated water system in furtherance of the subject conditional water right at a cost in excess of \$12.6 million. A) Worked with Division Engineer to revise the Arvada Reservoir accounting forms in 2020 and 2021. B) Conducted a seismic study of Arvada Reservoir in a dam safety evaluation in 2020 at a cost of approximately \$37,000. C) Conducted a bathymetric survey of Arvada Reservoir in 2020 at a cost of approximately \$10,000. D) Constructed pump station and pipeline to deliver water from Arvada Reservoir to the Ralston Water Treatment Plant in 2021 at a cost of approximately \$11 million. E) Repaired Arvada Reservoir spillway at a cost of approximately \$43,000. F) Constructed and installed a bypass structure in Ralston Creek at a cost of approximately \$42,000. G) Hired consultants to conduct a water treatment plant siting study at a cost of approximately \$448,000. H) Hired consultants to update the Raw Water Master Plan at a cost of approximately \$48,000. I) Evaluated raw water infrastructure from supply points to water treatment plants. J) Entered into an agreement with the City of Black Hawk for use of its augmentation station on the Church Ditch in 2020. K) Diverted the water right in priority, but not in excess of already decreed amounts, from 2018 to 2023. L) Adjudicated water court cases including Case Nos.: 17CW3210 for change of water rights, exchanges, and plans for augmentation including Arvada Reservoir; 18CW3165 for diligence on Highway 93 Lakes; 20CW3064 for diligence on the Arvada Reservoir Refill; 20CW3119 for diligence on exchanges involving Arvada Reservoir; 21CW3069 for diligence on Tucker Lake exchanges; 21CW3136 for diligence on exchanges involving Arvada Reservoir; 22CW3132 for diligence on and absolute water rights for exchanges involving Arvada Reservoir; and 22CW3133 for diligence on and absolute water rights for exchanges involving Arvada Reservoir. M) Opposed numerous water court cases filed by other water users to protect from injury Arvada's water rights, including the subject conditional water right, and incurred legal and engineering expenses in defense of Arvada's water rights. N) Incurred approximately \$1.13 million in legal and engineering fees since January of 2018. 5. **Name and address of owner of land on which any new structure or modification is or will be constructed or upon which water is or will be stored:** Applicant. WHEREFORE, Arvada requests that this Court enter a decree finding and determining that: 1. Arvada has exercised reasonable diligence in the development of the conditional storage water right; and 2. The remaining portion of conditional water right should be continued in full force and effect for an additional six years following entry of the decree in this case. (6 pages + exhibit)

2023CW3164 THE REBECCA W. MACSOVITS GIFT TRUST, c/o Rebecca Wilson Macsovits and Rebecca Webb Wilson, Co-Trustees, 34 Cherry Hills Farm Drive, Englewood, CO 80113, rmacsovits@kwilson.com. Mailing address for purposes of this application: David L. Kueter, #26136, Kent Holsinger, #33907, Holsinger Law, LLC, 1800 Glenarm Place, Suite 500, Denver, Colorado 80202, Telephone: (303) 722-2828, dkueter@holsingerlaw.com, kholsinger@holsingerlaw.com. **APPLICATION FOR CONDITIONAL WATER STORAGE RIGHTS IN GILPIN COUNTY. 2. NAMES OF WATER RIGHTS:** Sea of Storms Reservoir. **3. DESCRIPTION OF CONDITIONAL WATER STORAGE RIGHTS:** Sea of Storms Reservoir. 3.a. **Legal Description of Reservoir:** Sea of Storms Reservoir consists of two reservoirs located in the SE1/4, Section 20, Township 2 South, Range 72 West, 6th P.M., Gilpin County, beginning at a point whence the E1/4 Corner, Section 20, Township 2 South, Range 72 West, 6th P.M. bears North 29° 20' East, 1895.0 feet. See **Exhibit A** hereto. 3.b. **Name and capacity of structures used to fill reservoir and legal description of point of diversion:** N/A, the reservoirs are filled by native inflows. 3.c. **Source of Water:** A seepage area tributary to Ralston Creek which lies immediately to the North and West of said reservoirs in parts of Sections 17, 18, 19 and 20. 3.d. **Amount claimed:** 3.d.(1) 35.984 a.f., conditional, for domestic, irrigation and stock watering uses, said amount in addition to the 48.016 a.f. previously decreed absolute in Case No. W-125 and 95CW107. 3.d.(2) 84.0 a.f., conditional, for recreation, piscatorial, fire protection, and augmentation uses. 3.e. **Combined surface area of high water line:** 6.17 acres for the upper reservoir and 7.47 acres for the lower reservoir for a total of 13.64 acres. 3.e.(1) *Vertical height of dam in feet:* Upper reservoir: 12.5 feet, lower reservoir: 15 feet. 3.e.(2) *Length of dam in feet:* Upper reservoir: 960 feet, lower reservoir: 660 feet. 3.f. **Total capacity of Reservoirs:** 42.71 a.f. for the upper reservoir and 41.18 a.f. for the lower reservoir for a total of 84.0 acre-feet, including 0 acre-feet of dead storage. 3.g. **Date of appropriation:** December 6, 2023. 3.g.(1) *How appropriation was initiated:* By the filing of this application. 3.g.(2) *Date water was applied to beneficial use:* Not applicable. The water storage rights sought herein are conditional water rights. 3.h. **Use:** The water diverted under the storage right described herein will be used for the following uses: domestic, irrigation, stock watering recreation, piscatorial, fire protection, and augmentation. The place of use shall be Applicant's property on which the reservoirs are located consisting of approximately 94 acres in the SE1/4 of Section 20, Township 2 South, Range 72 West of the 6th P.M. **4. NAMES AND ADDRESSES OF OWNERS OF LAND ON WHICH THE POINTS OF DIVERSION AND STORAGE ARE LOCATED:** Applicant. WHEREFORE, Applicant respectfully requests that the Court enter a decree granting the conditional water storage rights requested by this Application and granting such other relief it deems proper. (Number of pages of Application: 4, plus 1 page of exhibits.)

2023CW3165 (16CW3149, 2009CW121, 93CW055) CITY OF BLACK HAWK ("Black Hawk"), c/o Director of Public Works, 987 Miners Mesa Road, P.O. Box 68, Black Hawk, Colorado 80422, Telephone: (303) 582-1324, tisbester@cityofblackhawk.org. Mailing address for purposes of this application: David L. Kueter, #26136, Kent Holsinger, #33907, Holsinger Law, LLC, 1800 Glenarm Place, Suite 500, Denver, Colorado 80202, Telephone: (303) 722-2828, dkueter@holsingerlaw.com, kholsinger@holsingerlaw.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN GILPIN AND CLEAR CREEK COUNTIES. 2. Name of structure:** City of Black Hawk Effluent Diversion. **3. Describe conditional water right giving the following from the Judgment and Decree:** 3.a. **Date of prior decrees:** Original decree entered August 22, 2003, Case No. 93CW055, in the District Court, Water Division No. 1, State of Colorado; amended diligence decree entered October 29, 2010, Case No. 2009CW121, in the District Court, Water Division No. 1, State of Colorado; diligence decree entered December 11, 2017, Case No. 2016CW3149, in the District Court, Water Division No. 1, State of Colorado. 3.b. **Legal Description of Point of Diversion:** The diversion point is located at the outfall of the existing Black Hawk-Central City Sanitation District Wastewater Treatment Plant located in Section 26, Township 3 South, Range 72 West, at a point 1,600 feet east of the West section line of Section 26, and 2,100 feet north of the South section line of Section 26, Gilpin County, Colorado. See Exhibit A hereto. 3.c. **Source:** Effluent from the Black Hawk-Central City Sanitation District Wastewater Treatment Plant, including, but not limited to, City of Black Hawk and Central City municipal return flows which contain diverted and/or

stored surface water from the South Platte River and its tributaries, ground water from the alluvium of the South Platte River and its tributaries, and West Slope water, nontributary water, and developed water, if any. 3.d. **Appropriation Date:** May 28, 1993. 3.e. **Decreed Amount:** 0.63 c.f.s. absolute; 4.37 c.f.s., conditional. 3.f. **Decreed Use:** All municipal purposes, including domestic, irrigation, industrial, commercial, fire protection, stockwatering, recreation, piscatorial, storage and all other municipal purposes. The water may also be used by exchange for the foregoing purposes, for replacement, and for augmentation purposes. Additionally, Applicant shall have the right to use and reuse, for all of the aforesaid purposes, including reuse by exchange for all said purposes, all water lawfully diverted and/or stored under the decree and shall account for such uses on accounting forms reasonably acceptable to the Division Engineer. Applicant is entitled to reuse to extinction water diverted pursuant to the decree, or diverted based on use of water diverted under the decree as a source of substitute supply for exchange or augmentation. Black Hawk is not entitled to any right of successive use or rights of disposition, as those terms are defined in *City & County of Denver v. Fulton Irrigating Ditch Co.*, 506 P.2d 144, 146-47 (Colo. 1972), of the water diverted pursuant to this decree. Black Hawk's appropriation is of the "unappropriated" waters of North Clear Creek. Thus, it may divert effluent resulting from decreed "one-use" surface water or groundwater. Black Hawk is not entitled to divert, or place a call on, any effluent that is subject, either now or in the future, to a decreed right of reuse. Reusable effluent is not available for appropriation until it has left the dominion and control of the party owning the reuse right. To the extent that "one use" effluent is available for appropriation at the outfall of the Black Hawk-Central City Wastewater Treatment Plant, either now or within a reasonable period in the future, Black Hawk is entitled to divert such effluent up to the full decreed amount of 5.0 c.f.s. The conditional water right in this case is a decreed source of substitute supply for Black Hawk's exchange decreed in Case No. 92CW059. This conditional water right may also be used as a source of substitute supply in Black Hawk's conditional exchanges decreed in Case No. 2007CW327, Case No. 2009CW276, and Case No. 2012CW303. Black Hawk reserves the right to claim additional exchanges utilizing water from this conditional right as a source of substitute supply, provided that any such exchanges will need to be separately decreed. 3.g. **Place of Use:** The place of use for the City of Black Hawk Effluent Diversion is any place served in the present or in the future by the City of Black Hawk's treated water and/or raw water systems. 4. **Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** As part of Black Hawk's decrees in Cases Nos. 92CW058 and 92CW059, entered on August 22, 2003, the Water Court ruled that Black Hawk's water project, which includes the conditional water right described above, is an integrated project, and that pursuant to C.R.S. § 37-92-301(4)(b), work on one or more of the separate components constitutes diligence for all. 4.a. During the diligence period beginning on December 11, 2017, the City of Black Hawk has spent in excess of \$15,950,000 on its integrated water system of which the subject water right is a part: 4.a.(1) For fiscal year 2018, the City of Black Hawk expended \$2,934,151 on its water system including \$741,990 on capital projects. Projects included construction of the Church Ditch Augmentation Station, painting the exterior of the Dory Hill water tank, sand blasting and painting PRV vaults in the distribution system, sealing Green Lake with sodium bentonite, design and construction to dredge Georgetown Lake, pre-design for a new headgate for the Leavenworth diversion for Green Lake, and final design of power generators for the Hidden Valley Treatment Plant & Pump Stations. 4.a.(2) For fiscal year 2019, the City of Black Hawk expended \$2,603,209 on its water system including \$619,808 on capital projects. Projects included construction of the Hidden Valley Stand-by Generators back-up electrical system, design for a new headgate for the Leavenworth diversion for Green Lake, rebuilding the Hidden Valley pipeline pumps, design and construction of the Green Lake seepage flume. 4.a.(3) For fiscal year 2020, the City of Black Hawk expended \$2,013,906 on its water system including \$264,600 on capital projects. Projects included improvements to the Church Ditch Augmentation Station, purchasing the headgate structure for the Leavenworth diversion for Green Lake and improvements to the fiber optic communication system. 4.a.(4) For fiscal year 2021, the City of Black Hawk expended \$2,969,848 on its water system including \$1,179,493 on capital projects. Projects included construction of the new headgate structure for the Green Lake intake, new generators for the water treatment plant, and expansion of the water distribution system.

4.a.(5) For fiscal year 2022, the City of Black Hawk expended \$3,351,317 on its water system including \$476,200 on capital projects. Projects included design of a new potable water tank, design of the expansion of the Hidden Valley Water Treatment Plant and continued expansion of the water distribution system. 4.a.(6) For fiscal year 2023 through November 13, 2023, the City of Black Hawk expended \$615,292 for administration and \$1,468,970 for operations. 4.b. The amounts in paragraph 4.a include approximately \$1,100,000 for engineering and \$164,500 for legal fees and costs during the diligence period. 4.c. During the diligence period, Black Hawk filed applications in Cases Nos. 17CW3204, 18CW3152, 20CW3140, and 22CW3211 for diligence on exchanges including the subject water rights as a source of substitute supply. 4.d. During the diligence period, Black Hawk participated in rulemaking hearings and other proceedings before the Colorado Water Quality Control Commission regarding water quality standards and the Black Hawk-Central City Sanitation District's CDPES permit. 4.e. During the diligence period, Black Hawk has participated as an objector in numerous Water Court proceedings in order to protect its water rights, including the subject water right. **5. Claim to Make Absolute:** N/A. **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.** Black Hawk-Central City Sanitation District, 271 Gregory Street, P.O. Box 362, Black Hawk, Colorado 80422. WHEREFORE, Applicant requests that diligence be found for the City of Black Hawk Effluent Diversion and that the remaining 4.37 c.f.s. be continued as conditional in full force and effect until the due date of the next diligence filing herein. (Number of pages of Application: 6, plus 1 page of exhibits.)

2023CW3166 COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION, 6060 Broadway, Denver, CO 80216. Please send all correspondence and inquires regarding this matter to: Ema I. G. Schultz 720-508-6761 and Elizabeth M. Joyce 720-508-6761, Office of the Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado. **APPLICATION FOR ABSOLUTE SURFACE WATER RIGHTS, IN PARK COUNTY.** **1. Name, mailing address, e-mail address, and telephone number of Applicants:** Colorado Division of Parks and Wildlife, Attn: Robert K. Harris, Water Resources Section Manager, 6060 Broadway, Denver, Colorado 80216, 303-291-7550; robert.harris@state.co.us. **2. General Description of Application:** CPW seeks confirmation of a new water right to be used at the Teter-Michigan Creek State Wildlife Area in Park County. The Teter-Michigan Creek State Wildlife Area provides crucial habitat for wildlife and is a popular destination for hunting and wildlife viewing. **3. Description of Water Right:** A. Name of Structure: CPW Teter Ranch Diversion (WDID 2301180). B. Legal description of point of diversion: In the SE 1/4 of Section 2, Township 8 South, Range 76 West of the 6th P.M. in Park County, located 1,683 ft. from the East section line and 692 ft. from the South section line. Estimated from mapping software. UTM coordinates: Easting 426666, Northing 4359214, Zone 13. This point is depicted on the location map attached hereto as **Exhibit A**. C. Source: Michigan Creek, tributary to Tarryall Creek, tributary to the South Platte River. D. Appropriation date: April 29, 2015. 1. How Appropriation was initiated: Diversion and application to beneficial use during free river with approval of the Water Commissioner. The structure is a historical ditch that CPW rehabilitated with a new headgate and flume before diverting water in 2015. CPW had intent to divert the full 3 cfs in 2015, but sufficient water was not available at that time. 2. Date Applied to Beneficial Use: April 29, 2015 and June 17, 2016. On April 15, 2015, CPW diverted 2 cfs under free river conditions and delivered the water to beneficial use under administrative approval by the Water Commissioner. On June 17, 2016, CPW diverted 3 cfs under free river conditions and delivered the water to beneficial use under administrative approval by the Water Commissioner. E. Amount: 3 cfs ABSOLUTE. F. Uses: Irrigation.1. Irrigation of approximately 525 acres located in the S1/2 of Section 2, NE1/4 of Section 14, and all of Section 11 all in Township 8 South, Range 76 West of the 6th P.M. in Park County. The irrigated area is depicted on **Exhibit A**. G. Remarks: This water right has been diverted and placed to beneficial use with administrative approval many times since appropriation. A measuring device is in use to record all diversions. CPW will only divert this water right when it is in priority. Therefore, there is no need for an augmentation plan. **4. Name and addresses of 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 will be stored: Applicant, CPW. WHEREFORE, CPW respectfully requests this Court enter a decree confirming CPW's appropriation of the CPW Teter Ranch Diversion water right as set forth herein and granting such other relief as the Court deems just and proper.

2023CW3167 (17CW3083, 10CW246, 03CW87) **COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION**, 6060 Broadway, Denver, CO 80216. Please send all correspondence and inquires regarding this matter to: Ema I. G. Schultz 720-508-6307 and Elizabeth M. Joyce 720-508-6761, Office of the Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado 80203. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE, IN LOGAN COUNTY.** Applicant, the Colorado Division of Parks and Wildlife and the Parks and Wildlife Commission ("CPW"), hereby files this application for findings of reasonable diligence as follows: **1. Name, mailing address, e-mail address, and telephone number of Applicant:** Colorado Division of Parks and Wildlife Attn: Robert K. Harris, Water Resources Section Manager 6600 Broadway Denver, Colorado 80216 303-291-7550; robert.harris@state.co.us. **2. Name of Structure:** North Sterling Recharge Pit. **3. Description of Water Right:** A. Original decree: September 13, 2004, Case No. 03CW87, Water Division 1. B. Subsequent decrees: Decrees for reasonable diligence were entered on May 17, 2011, in Case No. 10CW246, and on December 6, 2017, in Case No. 17CW3083, by the District Court in and for Water Division No. 1. C. Legal description: The North Sterling Recharge Pit is proposed to be located in portions or all of: Sections 2, 10, and 15, T9N, R53W, 6th P.M., Logan County, Colorado. A map depicting the proposed location of the North Sterling Recharge Pit is attached as Exhibit A. D. Source: South Platte River. E. Appropriation date: February 28, 2003. F. Amount: 15 acre-feet, Conditional. G. Use: Storage for recreation, domestic, aesthetic, piscatorial, wildlife, fire protection, commercial, and evaporation and augmentation of recreation, domestic, aesthetic, piscatorial, wildlife, fire protection, irrigation, commercial, and evaporation. H. Additional Remarks: The North Sterling Recharge Pit is an off-channel recharge pit which will not divert groundwater. The entire volume will be dead storage. **4. Outline of what has been done toward completion of this appropriation and application of water to beneficial use as conditionally decreed:** A detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the diligence period (December 2017 through December 2023) follows. This list is not intended to be exclusive and may be supplemented by additional evidence. A. CPW contracted with Leonard Rice Consulting Water Engineers, Inc. ("Leonard Rice") during a portion of the diligence period. Leonard Rice provided engineering support for the augmentation plan for North Sterling State Park, including the engineering necessary to support the initial application for the conditional water right at issue in this diligence application. Leonard Rice performed monthly accounting for North Sterling State Park and continued engineering services related to the development and maintenance of the water supply at the Park including development of the North Sterling Recharge Pit. CPW expended approximately \$3,600 from December 2017 through 2021 on these engineering services. B. In 2019, CPW ceased contracting with Leonard Rice and moved the engineering work to support North Sterling State Park to an internal CPW staff member. CPW's Water Resources Engineer and Regional Water Specialist have performed the monthly accounting for North Sterling State Park and provided all necessary engineering services to continue development and maintenance of the water supply at the Park, including development of the North Sterling Recharge Pit. C. CPW staff has met internally to assess the relative priority of the water right for committing agency funds to construction of the North Sterling Recharge Pit. CPW has also discussed opportunities for the North Sterling Recharge Pit with potential partners. CPW has investigated the alternatives to constructing the North Sterling Recharge Pit for cost analysis to provide decision makers with the information necessary to initiate a construction project. CPW has also begun developing a plan for initiating construction of the North Sterling Recharge Pit. D. To allow continued operation at North Sterling State Park while CPW develops the North Sterling Recharge Pit to supply augmentation for out-of-priority depletions from the Park, CPW has maintained ownership and access to separate augmentation sources. CPW leases 2.5 acre-feet of recharge credits, if available, from the North Sterling Irrigation District to

augment uses at the North Sterling State Park. CPW expended approximately \$9,664 during this diligence period for augmentation water for the North Sterling State Park augmentation plan. CPW also pays annual dues to the Jackson Lake Irrigation & Reservoir Company to maintain ownership of CPW's shares. CPW has remained an active member in the Upper Cherry Creek Water Association and independently expended efforts to maintain water sources in Cherry Creek Reservoir which are also replacement sources for the North Sterling State Park augmentation plan. E. CPW performed monthly reviews of the water court resume to determine whether filing Statements of Opposition were necessary to protect its water rights in Water Division No. 1, including the North Sterling Recharge Pit. **5. Owner of land upon which the structures are or may be located:** A. Colorado Division of Parks and Wildlife 6060 Broadway Denver, CO 80216 B. U.S. Army Corps of Engineers USAED-Omaha Attn: CEMRO-ED-HC 215 N. 17th St. Omaha, NE 68102-4978 C. North Sterling Reservoir and Irrigation Company 112 North 8th Avenue Sterling, CO 80751 **6. Integrated Water Supply System:** The North Sterling Recharge Pit is intended to be used for the beneficial uses described above in Paragraph 3.G., including use as an augmentation source for the out-of-priority depletions occurring at North Sterling State Park, and is therefore part of an integrated water supply system. "When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). WHEREFORE, CPW respectfully requests that this Court enter a decree finding that CPW has exercised reasonable diligence in the development of the North Sterling Recharge Pit conditional water right, continuing the conditional water right in full force as decreed, and for such other and further relief as this Court deems necessary. (5 pages)

2023CW3168 TERRENCE KANE, 9815 E. Parker Road, Parker, CO 80138. Please provide all pleadings and documentation to Ryan W. Farr and Paul J. Raymond of Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Ste. 250, Colorado Springs, CO 80921, (719) 471-1212). **APPLICATION FOR UNDERGROUND WATER RIGHTS AND ADJUDICATION OF DENVER BASIN GROUNDWATER IN DOUGLAS COUNTY.** Applicant is seeking an adjudication quantifying the amount of Denver Basin groundwater underlying his property, not including the Upper Dawson aquifer. Property Description: Applicant's property contains two contiguous parcels ("Parcel 1" and "Parcel 2"). Parcel 1 is described as Lot 1 Pine Palm Subdivision and contains 19.504 acres. Parcel 2 is described as Lot 2 of the Pine Palm Subdivision and contains 9.201 acres. Both parcels are located in the SW1/4 of the SE1/4 of Section 18, Township 6 South, Range 65 West of the 6th P.M., County of Douglas, State of Colorado, containing approximately 28.705 acres, more or less, respectively, as shown on attached **Exhibit A** ("Applicant's Property"). Legal Description of Existing Wells: There are two exempt wells on Applicant's Property. One well is located on Parcel 1 and the other well is located on Parcel 2. Both wells are constructed to the Upper Dawson aquifer, which such aquifer is not subject of this application. Water Source/Nontributary. The groundwater that will be withdrawn from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property is nontributary. Estimated Rates of Withdrawal and Groundwater Available. Estimated Rates of Withdrawal. The actual pumping rates for any well constructed on the property will vary according to aquifer conditions and well production capabilities and any limitations imposed pursuant to a subsequently entered plan for augmentation, not to exceed 200 g.p.m. The Applicant requests the right to withdraw groundwater at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed will be determined by topography and actual aquifer conditions. Estimated Annual Average Amounts of Groundwater Available. Applicant requests an absolute water right for the withdrawal of all legally available groundwater in the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property. Said amounts may be withdrawn over the 100-year life of the aquifers as set forth in § 37-90-137(4)(b)(I), C.R.S. Applicant estimates that the following values and average annual amounts are representative of the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property:

Aquifer	Average Saturated Thickness (Feet)	Total Water Adjudicated (Acre Feet)	Average Annual Withdrawal (Acre Feet)
Lower Dawson (NT)	130	753	7.53
Denver (NT)	325	1,604	16.04
Arapahoe (NT)	243	1,199	11.99
Laramie-Fox Hills (NT)	211	917	9.17

Decreed amounts may vary based upon the State’s Determination of Facts. Pursuant to § 37-92-305(11), C.R.S., the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from the aquifer. Requested Uses: The Applicant requests the right to use the groundwater for beneficial uses upon the Applicant’s Property pursuant to § 37-92-602(1)(b), C.R.S., including household uses, commercial, industrial, indoor and outdoor irrigation, recreational, piscatorial, wildlife, fire protection, watering of livestock, and for storage and augmentation associated with such uses. Well Fields: Applicant requests that he be permitted to produce the full legal entitlement from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant’s Property through any combination of wells. Applicant therefore requests that these wells be treated as a well field. Averaging of Wells: Applicant requests that he be entitled to withdraw an amount of groundwater in excess of the average annual amount, so long as the sum of the total withdrawals from all the wells does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifer underlying the Applicant’s Property. Name and Address of Owner of Land Upon Which Wells are to Be Located: The land upon which the current wells and any future wells may be constructed is owned by the Applicant. 4 Pages

2023CW3169 (07CW326) – WELD COUNTY – APPLICATION TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE IN WELD COUNTY. **1. Name and Address of Applicants.** **GWIP, LLC**, c/o John Spiegleman, Manager, 252 Clayton Street, Fourth Floor, Denver, Colorado 80206; **GWIP Land Company, LLC**, c/o John Spiegleman, Manager, 252 Clayton Street, Fourth Floor, Denver, Colorado 80206; **Great Western Railway of Colorado, LLC**, c/o John Spiegleman, Manager, 252 Clayton Street, Fourth Floor, Denver, Colorado 80206; **Windsor Renewal I, LLC**, c/o John Spiegleman, Manager, 252 Clayton Street, Fourth Floor, Denver, Colorado 80206; **Great Western Metropolitan District**, c/o District Manager, Pinnacle Consulting Group, Inc., 550 West Eisenhower Blvd., Loveland, Colorado 80537. Copies of all pleadings to Stephen C. Larson and David F. Bower, Johnson & Repucci LLP, 850 W. South Boulder Road #100, Louisville, Colorado 80027. **2. Overview.** Applicants own and are developing or serving lands near Windsor in Sections 23, 25, 26, 27, 34, 35, and 36, Township 6 North, Range 67 West, and Section 30, Township 6 North, Range 66 West, of the 6th P.M., Weld County, Colorado (the “Great Western Property”). A map showing the current boundaries of the Great Western Property and the subject water rights structures are attached to the application. By this application, Applicants seek to make absolute in part the conditional ground, surface, and storage water rights decreed for the Great Western Property in Case No. 07CW326, and for a finding of reasonable diligence on the rights not made absolute. **3. Original Decree.** The decree for the subject conditional water rights was entered on December 1, 2017, in Case No. 07CW326, Water Division 1. **4. Name and Description of Conditional Water Rights.** (a) Underground Water Rights. (i) Name and Legal Description of Structures. The Great Western Well Nos. 1–12 (collectively, the “Great Western Wells”) are an integrated alluvial well field located on the Great Western

Property. The wells are or are anticipated to be drilled at the following locations: (A) Great Western Well No. 1. NW1/4 of the NE1/4 of Section 27, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 510383, Northing 4479330). (B) Great Western Well No. 2. NE1/4 of the NE1/4 of Section 27, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 510969, Northing 4479360). (C) Great Western Well No. 3. NW1/4 of the NW1/4 of Section 26, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 511264, Northing 4479360). (D) Great Western Well No. 4. NE1/4 of the NW1/4 of Section 26, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 511673, Northing 4479361). (E) Great Western Well No. 5. NE1/4 of the NE1/4 of Section 26, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512372, Northing 4479360). (F) Great Western Well No. 6. SE1/4 of the SE1/4 of Section 23, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512582, Northing 4479578). (G) Great Western Well No. 7. NE1/4 of the NE1/4 of Section 26, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512563, Northing 4479050). (H) Great Western Well No. 8 (a/k/a Winder Butler Well No. 13691). SE1/4 of the SE1/4 of Section 23, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512220, Northing 4479695). (I) Great Western Well No. 9 (a/k/a Winder Butler Well No. 13692). SE1/4 of the SE1/4 of Section 23, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512377, Northing 4479656). (J) Great Western Well No. 10. NW1/4 of the NE1/4 of Section 26, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 511954, Northing 4479362). (K) Great Western Well No. 11. NE1/4 of the NE1/4 of Section 25, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 513874, Northing 4479123). (L) Great Western Well No. 12. NE1/4 of the NE1/4 of Section 25, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 514122, Northing 4479075). (ii) Source. Alluvial groundwater tributary to the Cache la Poudre River, tributary to the South Platte River. (iii) Amount. 300 gpm, conditional, for each well. The maximum cumulative rate of withdrawal for all of the Great Western Wells will not exceed 3,600 gpm. The total cumulative volume for all of the Great Western Wells will not exceed 2,300 acre-feet/year. (iv) Uses. Non-potable municipal, commercial, industrial (including process water), non-agricultural irrigation, construction and dust suppression, and fire protection use on the Great Western Property. Water pumped from the Great Western Wells may also be delivered to the Great Western Reservoirs to replace evaporative losses on the reservoirs. (v) Date of Appropriation. December 28, 2007 for Great Western Well Nos. 1-10. August 29, 2014 for Great Western Well Nos. 11 and 12. (b) Surface Water Right. (i) Name and Legal Description of Structures. The subject surface water right is decreed to divert at the following points of diversion (collectively, the “Great Western Surface Diversions”): (A) Great Western Surface Diversion No. 1 (a/k/a Whitney Irrigating Ditch). NW1/4 of the SE1/4 of Section 19, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 505490, Northing 4480060). (B) Great Western Surface Diversion No. 2. N1/2 of the SE1/4 of Section 35, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512211, Northing 4476733). (C) Great Western Surface Diversion No. 3. N1/2 of the SW1/4 or the S1/2 of the NW1/4 of Section 36, Township 6 North, Range 67 West of the 6th P.M. (Zone 13, NAD83, Easting 512410, Northing 4477035). (ii) Source. Cache la Poudre River, tributary to the South Platte River. (iii) Amount. 20.0 cfs, conditional. The maximum cumulative rate for the Great Western Surface Diversions will not exceed 20.0 cfs. (iv) Uses. Non-potable municipal, commercial, industrial (including process water), non-agricultural irrigation, construction and dust suppression, and fire protection use on the Great Western Property. (v) Date of Appropriation. December 28, 2007. (c) Storage Water Right. (i) Name and Legal Description of Structures. The Great Western Reservoir Nos. 1–3 (collectively, the “Great Western Reservoirs”) will be constructed from lined gravel pits in the following locations: (A) Great Western Reservoir No. 1. Great Western Reservoir No. 1 will be located in the S1/2 of Section 27, Township 6 North, Range 67 West, of the 6th P.M. (B) Great Western Reservoir No. 2. Great Western Reservoir No. 2 will be located in the E1/2 of Section 35, Township 6 North, Range 67 West, of the 6th P.M. (C) Great Western Reservoir No. 3. Great Western Reservoir No. 3 will be located in the W1/2 of Section 36, Township 6 North, Range 67 West, of the 6th P.M. (ii) Source. Cache la Poudre River, tributary to the South Platte River, including surface runoff and precipitation tributary to the Cache la Poudre River. (iii) Legal Description of Additional Points of Diversion. In addition to surface runoff and precipitation, the

reservoirs will fill from the Great Western Surface Diversions. (iv) Rate of Fill. 20.0 cfs, conditional, for each of the Great Western Reservoirs. The maximum cumulative rate of diversion to fill the Great Western Reservoirs will not exceed 20.0 cfs. (v) Amount. 1,800 acre-feet/year, conditional. (vi) Uses. Non-potable municipal, commercial, industrial (including process water), non-agricultural irrigation, recreation, piscatorial, construction and dust suppression, fish and wildlife habitat, fire protection, wetlands creation and maintenance, and augmentation and replacement use on the Great Western Property. Augmentation and replacement use is limited to the plan for augmentation decreed in Case No. 07CW326, replacement of return flows from the Great Western Whitney Shares changed in Case Nos. 08CW65 and 13CW3167, and the replacement of return flows required by any subsequent decrees obtained by Applicants and their successors and assigns for the Great Western Property. (vii) Date of Appropriation. December 28, 2007. **5. Claim to Make Absolute**. Since the decree was entered in Case No. 07CW326, Applicants have made absolute certain of the conditional water rights by pumping and diverting water for the decreed beneficial uses. An engineering memorandum prepared by Applicants' water resources consultants, BBA Water Consultants, Inc. evidencing that certain of the subject rights have been made absolute is attached to the application. Applicants request that the conditional water rights be made absolute as follows: (a) Great Western Well No. 5. The Great Western Well No. 5 was pumped at a rate of 121 gpm under the plan for augmentation approved in Case No. 07CW326 and beneficially used on the Great Western Property. Accordingly, the Great Western Well No. 5 should be made absolute for 121 gpm. The remaining 179 gpm should be continued as conditional. (b) Great Western Well No. 8. The Great Western Well No. 8 was pumped at a rate exceeding 300 gpm under the plan for augmentation approved in Case No. 07CW326 and beneficially used on the Great Western Property. Accordingly, the Great Western Well No. 8 should be made absolute in its entirety. (c) Great Western Well No. 9. The Great Western Well No. 9 was pumped at a rate of 123 gpm under the plan for augmentation approved in Case No. 07CW326 and beneficially used on the Great Western Property. Accordingly, the Great Western Well No. 9 should be made absolute for 123 gpm for those uses. The remaining 177 gpm should be continued as conditional. (d) Great Western Well No. 10. The Great Western Well No. 10 was pumped at a rate of 205 gpm under the plan for augmentation approved in Case No. 07CW326 and beneficially used on the Great Western Property. Accordingly, the Great Western Well No. 10 should be made absolute for 205 gpm for those uses. The remaining 95 gpm should be continued as conditional. (e) Great Western Surface Diversions. The Great Western Surface Diversions were diverted in-priority at a rate of 1.1 cfs via the Great Western Surface Diversion No. 1 (a/k/a the Whitney Irrigation Ditch) and beneficially used on the Great Western Property. Accordingly, the Great Western Surface Diversions should be made absolute for 1.1 cfs. The remaining 18.9 cfs should be continued as conditional. **6. Claim for Finding of Reasonable Diligence**. Applicants seeks to continue as conditional the water rights and portions thereof decreed in Case No. 07CW326 that are not recognized as absolute in this matter. During the subject diligence period from December 2017 to present, the following activities were performed proving Applicants' intention to put the subject water rights to beneficial use and the actions taken by Applicant to do so: (a) Non-Potable System. Applicants have expended significant time and effort and continued to incur significant expense in developing and operating the non-potable system at the Great Western Property. This includes building a delivery headgate and pump station and expanding the distribution system and other infrastructure as new water users continue to come online. (b) Mining Activities. A permit for mining at the Great Western Reservoir No. 3 site (a/k/a the Windsor East Mine) was issued on May 24, 2023, and mining has commenced. According to the September 2022 Mining Plan prepared by Tetra Tech, mining is expected to take about six years. (c) Development Work. The Great Western Property has continued to be developed throughout the last six years. Open sites at the industrial park have continued to be marketed by the Broe Real Estate Group, as well as the Town of Windsor's Economic Development staff. (d) Land Transfers. As part of the ongoing development work at the Great Western Property, certain parcels, as well as the water rights and structures associated with each of those parcels, were transferred to Applicants, which are entities affiliated with the original applicant in Case No. 07CW326, Great Western Development Company, Inc. (e) General Legal and Engineering Costs. Applicants have also incurred significant general legal and engineering costs in performing water rights related work, including water supply planning, monthly accounting, and preparing and submitting other

reports required under the decrees in Case Nos. 07CW326, 08CW65, and 13CW3167, as well as in general monitoring, evaluating, and participating in other related projects in order to protect the subject water rights against injury. **7. Name of Owner of Land Upon Which New or Modified Structures Are Located.** There are no new or modified structures claimed as part of this application. All of the subject structures are located on lands owned by one of the Applicants except the Whitney Irrigating Ditch, which is on land owned by Lori Masi, 6320 Westchase Road, Fort Collins, CO 80528. WHEREFORE, Applicants respectfully request that the Water Court enter a decree finding that Applicants have (i) made the Great Western Well Nos. 5, 8, 9, and 10 and Great Western Surface Diversions water rights absolute as set forth in paragraph 5 above; and (ii) been reasonably diligent in their efforts to make absolute the conditional rights not made absolute based upon the activities set forth in paragraph 6 above, and that the same be continued in full force and effect for an additional diligence period or until otherwise disposed of. (8 pages plus exhibits)

2023CW3170 GIRL SCOUTS OF COLORADO, c/o Heidi Vielhaber, Chief Outdoor Program and Property Officer, 1485 S. Colorado Blvd. Suite 210, Denver CO 80202, 303-607-4860, Email: Heidi.Vielhaber@gscolorado.org. Communications, including pleadings regarding this application should be directed to counsel for the applicant, Cynthia F. Covell, Andrea L. Benson, and Gilbert Y. Marchand, Jr., Alperstein & Covell P.C., 1391 Speer Blvd., Suite 730, Denver, CO 80204. **APPLICATION FOR WATER STORAGE RIGHT, UNDERGROUND WATER RIGHT, AND PLAN FOR AUGMENTATION IN TELLER COUNTY.** 2. Introduction and summary of application: Since 1952, the Girl Scouts have owned and operated a camp, Sky High Ranch, in Teller County, Colorado. The Sky High Ranch consists of 880 acres located in portions of Sections 13, 23, 24, and 26, Township 11 South, Range 69 West, 6th P.M. in Teller County, as depicted on the attached Exhibit 1 (“Ranch”). Since at least 1970 a pond has been in existence on the Ranch that serves as a valuable amenity for the campers, including recreation, piscatorial and education purposes, among other things. In this Application, the Girl Scouts seek to adjudicate a storage right for the pond, together with an underground water right that will be used as a source of supply to fill the pond, and an augmentation plan in order to augment any out of priority diversions caused by operation of the pond or well. **APPLICATION FOR STORAGE RIGHT.** 3. Name of structure for which a storage right is sought: Sky High Ranch Upper Pond (Applicant may rename this pond during the course of this case.) 4. Legal description of location of pond: The Sky High Ranch Upper Pond is located in Teller County: Section 24, Township 11 South, Range 69 West, at a distance of 1,710 feet from the north section line and 2,190 feet from the west section line; UTM 494557.0 meters east, 4325738.5 meters north. The approximate location of the pond is depicted on the attached Exhibit 1. 5. Source: John’s Gulch, including local inflows attributed to run-off and precipitation, tributary to Trout Creek which is tributary to Horse Creek which is tributary to the South Platte River. The pond will also be filled with the Sky High Ranch Upper Pond Well and sources described below in Paragraph 17. 6. Date of Appropriation: On or before July 21, 1970, as evidenced by historical imagery and newspaper articles. The storage right was appropriated by diversion and storage of water in the pond for all camp purposes, including but not limited to aesthetic, recreation, wildlife, stock watering, and fire protection purposes. 7. Amount claimed: 12.8 acre-feet, absolute. 8. Surface Area of high-water line: 0.64 acres. 9. Uses: All beneficial uses associated with operating the Girl Scouts Sky High Ranch, including but not limited to recreation, piscatorial, stock watering, irrigation, domestic, wildlife, fire protection, augmentation and exchange. **UNDERGROUND WATER RIGHT.** 10. Names of structure for which underground water right is sought: Sky High Ranch Upper Pond Well (Applicant may rename this pond during the course of this case.); Applicant will apply for and obtain a well permit from the State Engineer’s office prior to operating this well. 11. Location of Structure: The Sky High Ranch Upper Pond Well has not yet been constructed. It will be located in Teller County: SE1/4 NW1/4, Section 24, Township 11 South Range 69 West. 12. Source of water: Bedrock Groundwater. 13. Date of Appropriation: The date of filing this application. 14. Amount: 20 gpm, conditional. 15. Uses: All beneficial uses associated with operating the Girl Scouts Sky High Ranch, including filling and replacing evaporation in the Sky High Ranch Upper Pond, recreation, piscatorial, stock watering, irrigation, domestic, wildlife, fire protection, augmentation and exchange.

AUGMENTATION PLAN 16. Name of structures to be augmented: Sky High Ranch Upper Pond and Sky High Ranch Upper Pond Well, described herein. 17. Water rights to be used for augmentation: Fully consumable water discharged to Trout Creek from the wastewater treatment plant of the City of Woodland Park located in the SE 1/4 SW1/4 of Section 2, Township 1 South, Range 69 West of the 6th P.M., including but not limited to excess augmentation supplies that may be available from Case No. 97CW366, and/or pursuant to separate agreement between Applicant and City of Woodland Park. The Girl Scouts may also add any additional augmentation supplies to this plan for augmentation that may become available. 18. Complete statement of plan for augmentation: Under this plan for augmentation, Girl Scouts will replace injurious out-of-priority depletions caused by the Sky High Ranch Upper Pond and Sky High Ranch Upper Pond Well described above. The depletions may be caused by storage or detention of inflows, including runoff, precipitation and evaporation in the Sky High Ranch Upper Pond or by depletions caused by the Sky High Ranch Upper Pond Well. 19. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant. (5 pages + 1 Exhibit)

2023CW3171 COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION, 6060 Broadway, Denver, CO 80216. Please send all correspondence and inquires regarding this matter to: Elizabeth M. Joyce 720-508-6761 and Ema I. G. Schultz 720-508-6761, Office of the Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado. **APPLICATION FOR ABSOLUTE SURFACE WATER RIGHT, IN LARIMER COUNTY. 1. Name, mailing address, e-mail address, and telephone number of Applicant:** Colorado Division of Parks and Wildlife (“CPW”) Attn: Robert K. Harris, Water Resources Section Manager 6060 Broadway, Denver, Colorado 80216 303-291-7550; robert.harris@state.co.us **2. General Description of Application:** CPW seeks confirmation of new surface water rights to be used at the Upper Unit of the Cherokee State Wildlife Area (SWA) in Larimer County. The Upper Unit of the Cherokee SWA provides crucial habitat for wildlife and is a popular destination for hunting and wildlife viewing. **CLAIMS FOR SURFACE WATER RIGHTS 3. George Creek Ditch No. 1, First Enlargement** A. Name of Structure: George Creek Ditch No. 1 B. Location of Structure: i. Legal description of point of diversion: As originally decreed in W-7708-74, at a point from whence the West Sixteenth corner of Section 22, 27, Township 11 North, Range 73 West of the 6th P.M., bears north 29°05’10” West a distance of 3489.24 feet. This point is depicted on the location map attached as **Exhibit A**. ii. UTM Coordinates: Easting 452300, Northing 4526899, Zone 13. C. Source: George Creek, tributary to Sheep Creek, tributary to the North Fork of the Cache la Poudre River, tributary to the Cache la Poudre River. D. Appropriation date: June 10, 2010. i. How Appropriation was initiated: Diversion and application to beneficial use during free river with approval of the Water Commissioner. ii. Date Applied to Beneficial Use: June 10, 2010. Water was diverted under free river conditions and delivered to beneficial use under administrative approval by the Water Commissioner. E. Amount: 1.68 cfs, ABSOLUTE. F. Uses: Irrigation. i. Description of Irrigation: a. Proposed to be irrigated: approximately 5 acres. b. Legal description of irrigated acreage: Approximately 5 acres in the NE1/4 and SE 1/4 of Section 27, Township 11 North, Range 73 West at the 6th P.M. The irrigated area is depicted on **Exhibit A**. G. Remarks: This water right will be used for supplemental irrigation in addition to the water right decreed in W-7708-74, Water Division 1. CPW will only divert this water right when it is in priority. The combined diversion rate for the senior and junior right will not exceed 2.0 cfs. **4. Sheep Creek Ditch No. 2, First Enlargement** A. Name of Structure: Sheep Creek Ditch No. 2 B. Location of Structure i. Legal description of point of diversion: As originally decreed in W-7699-74, at a point located in the NE 1/4 of the SE 1/4 of Section 21, Township 11 North, Range 73 West of the 6th P.M., Larimer County, Colorado, at a point whence the E 1/4 corner of said section 21 Bears N 42°35’ East, 428.55 feet. This point is depicted on the location map attached as **Exhibit A**. ii. UTM Coordinates: Easting 451377, Northing 4528495, Zone 13. C. Source: Sheep Creek, tributary to the North Fork of the Cache la Poudre River, tributary to the Cache la Poudre River. D. Appropriation date: May 20, 2010. i. How Appropriation was initiated: Diversion and application to beneficial use during free river with approval of the Water Commissioner. ii. Date Applied to Beneficial

Use: May 20, 2010. Water was diverted under free river conditions and delivered to beneficial use under administrative approval by the Water Commissioner. E. Amount: 1.88 cfs, ABSOLUTE. F. Uses: Irrigation. i. Description of Irrigation: a. Proposed to be irrigated: approximately 7 acres. b. Legal description of irrigated acreage: Approximately 7 acres in the SW 1/4 of Section 22, Township 11 North, Range 73 West of the 6th P.M. The irrigated area is depicted on **Exhibit A**. G. Remarks: This water right will be used for supplemental irrigation in addition to the water right decreed in W-7699-74, Water Division 1. CPW will only divert this water right when it is in priority. The combined diversion rate for the senior and junior right will not exceed 2.0 cfs. **5. Sheep Creek Ditch No. 7, First Enlargement** A. Name of Structure: Sheep Creek Ditch No. 7 B. Location of Structure: i. Legal description of point of diversion: As originally decreed in W-7704-74, at a point on the west bank of Sheep Creek from whence the West Sixteenth corner of Section 27, Township 11 North, Range 73 West, 6th P.M. bears north 46°36' West a distance of 429.50 feet, in Larimer County, Colorado. This point is depicted on the location map attached hereto as **Exhibit A**. ii. UTM Coordinates: Easting 451754, Northing 4527694, Zone 13. C. Source: Sheep Creek, tributary to the North Fork of the Cache la Poudre River, tributary to the Cache la Poudre River. D. Appropriation date: May 25, 2014. i. How Appropriation was initiated: Diversion and application to beneficial use during free river with approval of the Water Commissioner. ii. Date Applied to Beneficial Use: May 25, 2014. Water was diverted under free river conditions and delivered to beneficial use under administrative approval by the Water Commissioner. E. Amount: 1.28 cfs, ABSOLUTE. F. Uses: Irrigation. i. Description of Irrigation: a. Proposed to be irrigated: approximately 7 acres. b. Legal description of irrigated area: Approximately 7 acres in the NE 1/4 and NW 1/4 of Section 27, Township 11 North, Range 73 West, 6th P.M. The irrigated area is depicted on Exhibit A. G. Remarks: This water right will be used for supplemental irrigation in addition to the water right decreed in W-7704-74, Water Division 1, and on 2 additional acres. CPW will only divert this water right when it is in priority. The combined diversion rate for the senior and junior right will not exceed 2.0 cfs. **6. Name and addresses of 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 will be stored**: Applicant, CPW. WHEREFORE, CPW respectfully requests this Court enter a decree confirming CPW's appropriation of the Cherokee State Wildlife Area water rights as set forth herein and granting such other relief as the Court deems just and proper. (5 pages)

2023CW3172 SOUTH SUBURBAN PARK AND RECREATION DISTRICT, 4810 East County Line Road, Littleton, CO 80126, (303) 798-5131, through counsel Evan D. Ela, Joseph W. Norris, and Madison D. Phillips, Cockrel Ela Glesne Greher & Ruhland, P.C., 44 Cook Street, Suite 620, Denver, Colorado 80206, (303) 218-7200, **APPLICATION FOR PERFECTION AND FINDINGS OF REASONABLE DILIGENCE FOR CONDITIONAL RIGHTS IN ARAPAHOE COUNTY**. 1. Name, Address and Telephone Number of Applicant. South Suburban Park and Recreation District, 4810 East County Line Road, Littleton, CO 80126, (303) 798-5131. 2. Names of Water Rights and Structures: Cherry Knolls Park diversion system, deKoevend Park diversion system, Regional Park No. 1 diversion system, Regional Park No. 2 diversion system, Progress Park Pond No. 1, Progress Park Pond No. 2, and Progress Ponds Exchange. 3. Description of the subject conditional water rights: The conditional portion of the water rights described below are the subject of this Application (the "Subject Water Rights"): (a) Original Decree: The Cherry Knolls Park diversion system, deKoevend Park diversion system, Regional Park No. 1 diversion system, Regional Park No. 2 diversion system, Progress Park Pond No. 1, Progress Park Pond No. 2, and Progress Ponds Exchange were confirmed by the decree issued November 1, 1993, Case No. 92CW166, District Court, Water Division 1, State of Colorado, *Findings of Fact, Conclusions of Law, Judgment and Decree*. (b) Prior Diligence Decrees: (i) Case No. 99CW193, District Court, Water Division 1, State of Colorado, *Findings of Fact, Conclusions of Law, Ruling of the Referee, Judgment and Decree*, decreed on June 9, 2003, by which 0.13 cfs of the Regional Park No. 1 diversion system was confirmed as absolute and all other remaining conditional water rights were continued. (ii) Case No. 09CW78, District Court, Water Division 1, State of Colorado, *Findings of Fact, Conclusions of Law, Ruling of the Referee, Judgment and Decree*, decreed on September 14, 2010, by which 1.37 cfs of the Regional Park No. 1 diversion system

and 4.375 acre-feet of the Progress Park Pond No. 1 were confirmed as absolute, the Englewood Wells Exchange was abandoned, and all other remaining conditional water rights were continued. (iii) Case No. 16CW3123, District Court, Water Division 1, State of Colorado, *Findings of Fact, Ruling of the Referee, Conclusions of Law, Judgement and Decree*, decreed on December 27, 2017 by which all remaining conditional water rights were continued. (c) Locations: (i) Cherry Knolls Park diversion system. On the north bank of Big Dry Creek in Section 25, Township 5 South, Range 68 West of the 6th P.M. at a point located approximately 1,400 feet from the west section line of Section 25, and 1,600 feet from the south section line of Section 25. (ii) deKoevend Park diversion system. On the south bank of Big Dry Creek in Section 24, Township 5 South, Range 68 West of the 6th P.M., at a point located approximately 600 feet from the west section line of Section 24, and 1,100 feet from the south section line of Section 24. (iii) Regional Park No. 1 diversion system. On the south bank of Big Dry Creek in Section 15, Township 5 South, Range 68 West of the 6th P.M., at a point 150 feet from the west section line of Section 15 and 950 feet from the north section line of Section 15. (iv) Regional Park No. 2 diversion system. On the north bank of Big Dry Creek in Section 15, Township 5 South, Range 68 West of the 6th P.M., at a point 150 feet from the west section line of Section 15 and 950 feet from the north section line of Section 15. (v) Progress Park Pond No. 1. In the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 5 South, Range 68 West of the 6th P.M., at a point 650 feet from the east section line of Section 16 and 450 feet from the north section line of Section 16. (vi) Progress Park Pond No. 2. In the Northeast 1/4 of the Northeast 1/4 of Section 16, Township 5, Range 68 West of the 6th P.M., at a point 400 feet from the east section line of Section 16 and 400 feet from the north section line of Section 16. (vii) Progress Ponds Exchange. From Progress Park Ponds No. 1 and No. 2 to the Cherry Knolls Park diversion system and the deKoevend Park diversion system, all locations described in the paragraphs above. (d) Amounts: (i) Cherry Knolls Park diversion system. 1.0 cfs, CONDITIONAL. (ii) deKoevend Park diversion system. 0.75 cfs, CONDITIONAL. (iii) Regional Park No. 1 diversion system. 1.50 cfs ABSOLUTE; 0.50 cfs, CONDITIONAL. (iv) Regional Park No. 2 diversion system. 2.0 cfs, CONDITIONAL. (v) Progress Park Pond No. 1. 4.375 ac-ft, ABSOLUTE; 4.625 ac-ft, CONDITIONAL. Off-channel diversion rate for filling: up to 2.0 cfs through the Regional Park No. 1 diversion system. (vi) Progress Park Pond No. 2. 5.0 acre feet, CONDITIONAL. Off-channel diversion rate for filling: up to 2.0 cfs through the Regional Park No. 2 diversion system. (vii) Progress Ponds Exchange. 1.0 cfs, CONDITIONAL. (e) Source: Big Dry Creek, a tributary of the South Platte River. (f) Date of appropriation: September 11, 1991. (g) Beneficial uses: Municipal (within the jurisdictional boundaries of the Applicant), domestic, irrigation (including irrigation of parks and medians), recreation, fish and wildlife propagation and maintenance, fire protection, augmentation, and storage. 4. Outline of work done and funds expended by Applicant during the relevant diligence period (October 1, 2016 through December 30, 2023) toward completion of the appropriation: (a) The Subject Water Rights are intended to allow for developing a non-potable water supply for South Suburban's park properties located within the Big Dry Creek watershed. During the diligence period, South Suburban has participated with the Mile High Flood Control District in stream channel improvements to the stream reach of Big Dry Creek that courses through deKoevend Park. This stream reach contains decreed points of diversion for some of the Subject Water Rights. South Suburban was a significant funding partner for this \$1,300,000 improvement project. (b) South Suburban is the owner of other water rights, which together with the subject conditional water rights form an integrated and unified water supply system. Pursuant to § 37-92-301(4)(b), C.R.S., work on one feature of an integrated system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the integrated system. Work on any part of Applicant's integrated water supply system must be considered in finding that reasonable diligence has been shown for the subject conditional water rights. Described below are specific examples of expenditures related to the park properties to be served by the Subject Water Rights. (c) South Suburban has annual expenses for continued improvement, maintenance, and operation of its recreational park properties that are benefited by its Big Dry Creek raw water system. In addition, South Suburban has incurred engineering and legal costs related to protection of its water rights, including the Subject Water Rights. Such capital improvement, maintenance, and other costs have contributed to the completion of the appropriations and application of water to the beneficial uses conditionally decreed in Case No. 92CW166. The following described work

and expenditures were done, all or in part, toward perfection of the Subject Water Rights and in further development of the specific structures identified in Case No. 92CW166. All work performed and costs expended occurred during the relevant diligence period of October 1, 2016 through December 31, 2023. (i) During the diligence period, annual expenditures have ranged from approximately \$8,000,000 in fiscal year 2017 to approximately \$12,000,000 in fiscal year 2023. (ii) South Suburban made significant capital expenditures to construct pickleball courts and related landscaping in Cornerstone Park. (iii) South Suburban made significant capital expenditures to construct playground and picnic facilities in Progress Park. (iv) South Suburban incurred in excess of \$300,000 in legal and engineering costs associated with acquisition, development, protection, and adjudication of its water rights, and to complete the negotiations with Denver Water related to the Farnell Lane Well irrigation system. 5. Perfection of Water Rights by Application of Water to Beneficial Use: At times during the relevant diligence period, South Suburban has diverted and used water in the exercise of certain of the subject water rights. The maximum amount and rates diverted, and the dates on which the diversions were made, are described below. (a) Regional Park No. 1 diversion system. On July 13 and 14, and various days in June, 2023, South Suburban diverted 2.0 cfs in the exercise of this conditional water right, in priority, from Big Dry Creek. The water diverted was thereafter beneficially used for filling Progress Park Pond and irrigating Cornerstone Park, thereby resulting in the perfection of the remaining 0.5 cfs that remained conditionally decreed of the total 2.0 cfs water right for this diversion system. 6. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. Applicant is the sole landowner of properties underlying the structures that are the subject of this Application, and thus has no obligation under § 37-92-302(2)(6), C.R.S., to provide notice to landowners. (7 pages)

2023CW3173 CITY OF BRIGHTON, 500 South 4th Avenue, Brighton, Colorado 80601, Attn: Michael Martinez, City Manager, (303) 655-2043. Please send all further 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. **APPLICATION FOR NEW CONDITIONAL WATER STORAGE RIGHT IN ADAMS COUNTY.** 2. Overview. Lutz Reservoir is a lined, off-channel reservoir. The Colorado Division of Water Resources approved the liner for the reservoir on April 27, 2007. 3. Application for Conditional Storage Water Right. Applicant requests confirmation and adjudication of a conditional water storage right for Lutz Reservoir as further described below: 3.1. Name of Structure: Lutz Reservoir. 3.2. Location: In the SE 1/4 of Section 20, Township 1 South, Range 66 West of the 6th P.M., County of Adams, State of Colorado. 3.3. Source: South Platte River and Local Inflows. 3.4. Legal Description of Point of Diversion: 3.4.1. Local inflows: Precipitation that falls on or flows into Lutz Reservoir and is intercepted by Lutz Reservoir prior to reaching the South Platte River. Under this application, these inflows will be retained during periods when the Lutz Reservoir Storage Right is in-priority or during periods of free river. 3.4.2. Burlington Canal Headgate: Lutz Reservoir can be filled off of the South Platte River through the Burlington Ditch. Water would be diverted at the Burlington Canal Headgate and carried to the existing Lutz Reservoir lateral. 3.4.2.1. Location of Diversion Point: The Burlington Canal Headgate, located on the east bank of the South Platte River in the SW 1/4 of the NE 1/4, Section 14, Township 3 South, Range 68 West, of the 6th P.M., in Adams County, Colorado, at a point approximately 3,084 feet east of the West line and 2,327 feet south of the North line of Section 14; latitude 039°47'30.97"N, longitude 104°58'0.92"W. In Case No. 2002CW403, affirmed by the Colorado Supreme Court in Case No. 2009SA133, the Court determined that the Globeville Area Flood Control Project structure constituted a new point of diversion for the Burlington Ditch at a point on the east bank of the South Platte River in the NE 1/4 of the SW 1/4 of Section 14, Township 3 South, Range 68 West, of the 6th P.M. The headgate is located at approximately latitude 039°47'24.69"N, longitude 104°58'9.97" W. The UTM coordinates are approximately NAD 1983 UTM Zone 13N 502616.89E 4404471.42N. 3.5. Conditional Diversion Rate: 3.5.1. Local Inflows: The claimed diversion rate of local inflows was calculated using the precipitation rate of a ten-year storm (1.38 in/hr) applied over the surface area of Lutz Reservoir (13.17 acres). The peak

inflow to be claimed based on this method was 18.33 cfs. 3.5.2. Burlington Canal: The claimed diversion rate from the South Platte River is 33 cfs. This is the maximum flow rate of the lateral off of the Burlington Canal currently used to fill Lutz Reservoir. 3.6. Date of appropriation: December 28, 2023. 3.7. How appropriation was initiated: Appropriation was initiated by Brighton filing this Application. 3.8. Date water applied to beneficial use: N/A 3.9. Surface area of high-water line. Approximately 13.2 acres. 3.10. Reservoir Capacity. 144.1 acre feet. 3.11. Conditional Amount: Storage of up to 144.1 acre-feet, with a right to fill and continuously refill up to 1,907 AF/yr. 3.12. Proposed Uses: Diversion and storage for use, directly or by exchange, and to extinction, for all municipal uses, including but not limited to domestic, mechanical, manufacturing, industrial, power generation, fire protection, sewage treatment, irrigation, recharge, augmentation and/or replacement, use as a substitute supply, and recreational, piscatorial and wildlife propagation. 4. Names and Addresses of Owner of the Land and Structure: The land on which Lutz Reservoir is located is owned by THF Prairie Center Development, L.L.C., 211 N. Stadium Blvd, Suite 201, Columbia, Missouri 65203. The Burlington Canal is owned by the Burlington Ditch, Reservoir and Land Company, 80 South 27th Avenue, Brighton, Colorado 80601. (4 pages).

2023CW3174 (90CW223, 03CW139, 15CW3073) CITY OF ENGLEWOOD, Pieter Van Ry, Director of Utilities, 1000 Englewood Parkway, Englewood, CO 80110-0110, (303) 762-2636. Direct all pleadings and correspondence to: Peter D. Nichols, Geoffrey M. Williamson, Patrick M. Haines, Megan Christensen, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, CO 80302, (303) 402-1600. **APPLICATION FOR A FINDING OF REASONABLE DILIGENCE IN ARAPAHOE, DOUGLAS AND JEFFERSON COUNTIES**. 2. Summary of Application: Englewood is a municipal corporation of the State of Colorado. Englewood owns and operates municipal water and sewer utility systems for the benefit of its citizens, and for the provision of water and sewer service contracts. This application seeks a finding of reasonable diligence for Englewood's appropriative rights of exchange that were conditionally decreed on March 24, 1997 in Case No. 90CW223. 3. Description of Conditional Surface Water Rights: A. Name of Structure: Exchange to the City of Englewood points of diversion listed under paragraph 3.C. below. B. Original Decree: Originally decreed on March 24, 1997, in Case No. 90CW223, Water Division 1. C. Name and legal description of structures at which water will be diverted by exchange (exchange-to locations): 1) Union Avenue Intake, which is located on the right (East) bank of the South Platte River, in Section 9, Township 5 South, Range 68 West, of the 6th P.M., at a point approximately 2300' from the North section line of said Section and 300' from the West section line of said Section (from 1965 USGS 7-1/2' quadrangle sheet, photo revised in 1980). 2) Ensor Well Field, which is located in Section 31, Township 5 South, Range 68 West, of the 6th P.M. 3) Outlet Manifold for City Ditch at Chatfield Reservoir, whose center line of the outlet conduit intersects the center line of the dam at a point whence the NW Corner, Section 1, Township 6 South, Range 69 West, of the 6th P.M., bears N 49° West, 4,070'. 4) Headgate of the Highline Canal, which is located in Section 33, Township 6 South, Range 69 West, of the 6th P.M. 5) Dad Clark Gulch at McLellan Reservoir, which is located in Sections 32 and 33 of Township 5 South, Range 68 West of the 6th P.M., and Sections 4 and 5, Township 6 South, Range 68 West, of the 6th P.M., with the initial point of survey being a point whence the SE corner of Section 32, Township 5 South, Range 68 West, of the 6th P.M. bears South 71° 00' East 2,489.5 feet. D. Source of substitute water for the exchange: 1) Not nontributary and nontributary ground water from the not nontributary Denver, Arapahoe and Laramie-Fox Hills aquifers and the nontributary Laramie-Fox Hills aquifer, the rights to which are the subject of Englewood's application decreed in Case No. 89CW062 (Water Div. 1). The wells from which such not nontributary and nontributary ground water will be withdrawn are, as set forth in 89CW062 (Water Division 1): A. DENVER AQUIFER 1) DE-1 (a) Location: In the SW 1/4 of the SW 1/4 of Section 28, T4S, R68W of the 6th P.M., at the point 550' North of the South section line and 500' East of the West section line of said Section 28. (b) Depth: 340'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 2) DE-2 (a) Location: In the NE 1/4 of the NE 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 400' South of the North section line and 500' West of the East section line of said Section 34. (b) Depth: 570'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 3) DE-3 (a) Location: In the NW 1/4 of the SW 1/4 of Section 34, T4S, R68W of the 6th P.M., at the

point 2375' North of the South section line and 340' East of the West section line of said Section 34. (b) Depth: 470'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 4) DE-4 (a) Location: In the SW 1/4 of the SE 1/4 of Section 35, T4S, R68W of the 6th P.M., at the point 1150' North of the South section line and 2450' West of the East section line of said Section 35. (b) Depth: 710'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 5) DE-5 (a) Location: In the NE 1/4 of the NW 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 850' South of the North section line and 2420' East of the West section line of said Section 4. (b) Depth: 375'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 6) DE-6 (a) Location: In the SE 1/4 of the NE 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 1450' South of the North section line and 1100' West of the East section line of said Section 3. (b) Depth: 580'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 7) DE-7 (a) Location: In the SE 1/4 of the SE 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 200' North of the South section line and 700' West of the East section line of said Section 4. (b) Depth: 400'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 8) DE-8 (a) Location: In the NW 1/4 of the SE 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 1400' North of the South section line and 1550' West of the East section line of said Section 9. (b) Depth: 280'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 9) DE-11 (a) Location: In the NW 1/4 of the SW 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 2550' North of the South section line and 570' East of the West section line of said Section 9. (b) Depth: 235'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 10) DE-12 (a) Location: In the NE 1/4 of the NW 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 530' South of the North section line and 1530' East of the West section line of said Section 3. (b) Depth: 525'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 125 acre feet. 11) DE-M1 (a) Location: In the NE 1/4 of the NE 1/4 of Section 4, T6S, R68W of the 6th P.M., at the point 850' South of the North section line and 300' West of the East section line of said Section 4. (b) Depth: 330'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 19 acre feet. B. ARAPAHOE AQUIFER 12) A-M1 (a) Location: In the NE 1/4 of the NE 1/4 of Section 4, T6S, R68W of the 6th P.M., at the point 850' South of the North section line and 300' West of the East section line of said Section 4. (b) Depth: 900'. (c) Pumping Rate: 400 gpm. (d) Average Annual Withdrawal: 47.9 acre feet. C. LARAMIE-FOX HILLS AQUIFER 13) LF-M2 (a) Location: In the NE 1/4 of the NE 1/4 of Section 4, T6S, R68W of the 6th P.M., at a point 850' feet South of the North section line and 300' West of the East section line of said Section 4. (b) Depth: 1650' (as modified by Well Permit No. 43354-F). (c) Pumping Rate: 550 gpm (modified by Well Permit No. 43354-F). (d) Average Annual Withdrawal: 127.6 acre feet, of which 102.8 acre feet is not-nontributary, and 24.8 acre feet is nontributary. 2) Nontributary ground water from the nontributary Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers, the rights to which are the subject of Englewood's application decreed in Case No. 89CW061 (Water Div. 1). The wells from which such nontributary ground water will be withdrawn are, as set forth in Englewood's decree in Case No. 89CW061 (Water Div. 1): D. UPPER ARAPAHOE AQUIFER 1) UA-1 (a) Location: In the SW 1/4 of the SW 1/4 of Section 28, T4S, R68W of the 6th P.M., at the point 550' North of the South section line and 500' East of the West section line of said Section 28. (b) Depth: 645'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 2) UA-2 (a) Location: In the NE 1/4 of the NE 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 1400' South of the North section line and 730' West of the East section line of said Section 34. (b) Depth: 830'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 3) UA-3 (a) Location: In the NW 1/4 of the SW 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 2200' North of the South section line and 300' East of the West section line of said Section 34. (b) Depth: 680'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 4) UA-4 (a) Location: In the SW 1/4 of the SE 1/4 of Section 35, T4S, R68W of the 6th P.M., at the point 1150' North of the South section line and 2450' West of the East section line of said Section 35. (b) Depth: 875'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 5) UA-5 (a) Location: In the NE 1/4 of the NW 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 850' South of the North section line and 2420' East of the West section line of said Section 4. (b) Depth: 565'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 6) UA-6 (a) Location: In the SE 1/4 of the NE 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 1450' South of the North section line and

1100' West of the East section line of said Section 3. (b) Depth: 745'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 7) UA-7 (a) Location: In the SE 1/4 of the SE 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 200' North of the South section line and 700' West of the East section line of said Section 4. (b) Depth: 550'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 8) UA-8 (a) Location: In the NW 1/4 of the SE 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 1400' North of the South section line and 1550' West of the East section line of said Section 9. (b) Depth: 480'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 9) UA-9 (a) Location: In the NE 1/4 of the SE 1/4 of Section 10, T5S, R68W of the 6th P.M., at the point 1520' North of the South section line and 750' West of the East section line of said Section 10. (b) Depth: 680'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 10) UA-11 (a) Location: In the NW 1/4 of the SW 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 2550' North of the South section line and 570' East of the West section line of said Section 9. (b) Depth: 425'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. 11) UA-12 (a) Location: In the NE 1/4 of the NW 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 530' South of the North Section line and 1530' East of the West section line of said Section 3. (b) Depth: 700'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 109 acre feet. E. LOWER ARAPAHOE AQUIFER 12) LA-1 (a) Location: In the SW 1/4 of the SW 1/4 of Section 28, T4S, R68W of the 6th P.M., at the point 550' North of the South section line and 500' East of the West section line of said Section 28. (b) Depth: 870'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 13) LA-2 (a) Location: In the SE 1/4 of the NE 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 1400' South of the North section line and 730' West of the East section line of said Section 34. (b) Depth: 985'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 14) LA-3 (a) Location: In the NW 1/4 of the SW 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 2200' North of the South section line and 300' East of the West section line of said Section 34. (b) Depth: 885'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 15) LA-4 (a) Location: In the SW 1/4 of the SE 1/4 of Section 35, T4S, R68W of the 6th P.M., at the point 1150' North of the South section line and 2450' West of the East section line of said Section 35. (b) Depth: 1145'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 16) LA-5 (a) Location: In the NE 1/4 of the NW 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 850' South of the North section line and 2420' East of the West section line of said Section 4. (b) Depth: 810'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 17) LA-6 (a) Location: In the SE 1/4 of the NE 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 1450' South of the North section line and 1100' West of the East section line of said Section 3. (b) Depth: 980'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 18) LA-7 (a) Location: In the SE 1/4 of the SE 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 200' North of the South section line and 700' West of the East section line of said Section 4. (b) Depth: 795'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 19) LA-8 (a) Location: In the NW 1/4 of the SE 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 1400' North of the South section line and 1550' West of the East section line of said Section 9. (b) Depth: 730'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 20) LA-11 (a) Location: In the NW 1/4 of the SW 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 2550' North of the South section line and 570' East of West section line of said Section 9. (b) Depth: 660'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. 21) LA-12 (a) Location: In the NE 1/4 of the NW 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 530' South of the North section line and 1530' East of the West section line of said Section 3. (b) Depth: 920'. (c) Pumping Rate: 250 gpm. (d) Average Annual Withdrawal: 160 acre feet. LARAMIE-FOX HILLS AQUIFER 22) LF-1 (a) Location: In the SW 1/4 of the SW 1/4 of Section 28, T4S, R68W of the 6th P.M., at the point 550' North of the South section line and 500' East of the West section line of said Section 28. (b) Depth: 1580'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 23) LF-2 (a) Location: In the SE 1/4 of the NE 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 1400' South of the North section line and 730' West of the East section line of said Section 34. (b) Depth: 1660'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 24) LF-3 (a) Location: In the NW 1/4 of the SW 1/4 of Section 34, T4S, R68W of the 6th P.M., at the point 2200' North of the South section line and

300' East of the West section line of said Section 34. (b) Depth: 1570'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 25) LF-4 (a) Location: In the SW 1/4 of the SE 1/4 of Section 35, T4S, R68W of the 6th P.M., at the point 1150' North of the South section line and 2450' West of the East section line of said Section 35. (b) Depth: 1745'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.4 acre feet. 26) LF-5 (a) Location: In the NE 1/4 of the NW 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 850' South of the North section line and 2420' East of the West section line of said Section 4. (b) Depth: 1520'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 27) LF-6 (a) Location: In the SE 1/4 of the NE 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 1450' South of the North section line and 1100' West of the East section line of said Section 3. (b) Depth: 1635'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 28) LF-7 (a) Location: In the SE 1/4 of the SE 1/4 of Section 4, T5S, R68W of the 6th P.M., at the point 200' North of the South section line and 700' West of the East section line of said Section 4. (b) Depth: 1535'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 29) LF-8 (a) Location: In the NW 1/4 of the SE 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 1400' North of the South section line and 1550' West of the East section line of said Section 9. (b) Depth: 1555'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. 30) LF-9 (a) Location: In the NE 1/4 of the SE 1/4 of Section 10, T5S, R68W of the 6th P.M., at the point 1520' North of the South section line and 750' West of the East section line of said Section 10. (b) Depth: 1695'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. (31) LF 10 (a) Location: In the NE 1/4 of the SE 1/4 of Section 5, T5S, R68W of the 6th P.M., at the point 2250' North of the South section line and 350' West of the East section line of said Section 5. (b) Depth: 1500'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. (32) LF 11 (a) Location: In the NW 1/4 of the SW 1/4 of Section 9, T5S, R68W of the 6th P.M., at the point 2520' North of the South section line and 570' East of the West section line of said Section 9. (b) Depth: 1475'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. (33) LF 12 (a) Location: In the NE 1/4 of the NW 1/4 of Section 3, T5S, R68W of the 6th P.M., at the point 530' South of the North section line and 1530' East of the West section line of said Section 3. (b) Depth: 1595'. (c) Pumping Rate: 200 gpm. (d) Average Annual Withdrawal: 162.1 acre feet. E. Points of Introduction (exchange-from locations): The points at which such not nontributary and nontributary ground water will be introduced to the South Platte River are: 1) South Platte Renew Treatment Plant (f/k/a Bi-City Sewage Treatment Plant) outfall, which is located at Section 33, Township 4 South, Range 68 West, of the 6th P.M. 2) In the vicinity of Union Avenue Intake (from well field located on intake property), which is located on the right (East) bank of the South Platte River, in Section 9, Township 5 South, Range 68 West, of the 6th P.M., at a point approximately 2300' from the North section line of said Section and 300' from the West section line of said Section (from 1965 USGS 7 1/2' quadrangle sheet, photo revised in 1980). 3) The confluence of Little Dry Creek and the South Platte River, which confluence is located at Section 33, Township 4 South, Range 68 West, of the 6th P.M. 4) The confluence of Big Dry Creek and the South Platte River, which confluence is located at Section 9, Township 5 South, Range 68 West, of the 6th P.M. 5) The confluence of Bear Creek and the South Platte River, which confluence is located at Section 4, Township 5 South, Range 68 West, of the 6th P.M. 6) The confluence of Marcy Gulch and the South Platte River, which confluence is located at Section 6, Township 6 South, Range 68 West, of the 6th P.M. 7) The confluence of Harvard Gulch and the South Platte River, which confluence is located at Section 28, Township 4 South, Range 68 West, of the 6th P.M. 8) The McBroom Ditch tail into the South Platte River, which is located at Section 4, Township 5 South, Range 68 West, of the 6th P.M. 9) The McLellan Reservoir outfall to the South Platte River, which outfall is located at Section 31, Township 5 South, Range 68 West, of the 6th P.M. F. Amount Claimed: 23.3 cfs, conditional. Englewood will make the exchange described herein at the rate water is legally and physically available to the subject rights pursuant to the terms and conditions of the decrees entered in Case Nos. 89CW061, 89CW062, and 92CW030 (Water Division No. 1). The rate of exchange will not exceed 23.3 cfs). G. Use: Water to which Englewood is entitled under the subject rights may be conveyed to the South Platte River at the points of introduction identified above. An amount of water equal to the amount of water to which Englewood is entitled under the subject rights may be diverted at any of the points of diversion identified above and used for municipal,

domestic, industrial, commercial, irrigation (including watering of parks, lawns, and gardens), stock watering, recreational, fish and wildlife propagation and maintenance, manufacturing, fire protection, sewage treatment, and street sprinkling. In addition, such water may be used for exchange purposes, for replacement of depletions resulting from use of water from other sources and for augmentation purposes. Such water may be used on any lands to which Englewood provides water for municipal purposes. Use of such water shall not be limited to lands served by Englewood at the time of the original application, but shall extend to any lands to which Englewood hereafter provides water for municipal purposes, and to any lands to which Englewood provides water for municipal purposes under an existing or future contract of supply. H. Appropriation Date: December 17, 1990. 4. Previous Findings of Reasonable Diligence: Previous findings of reasonable diligence were entered on June 17, 2009 in Case No. 03CW139 (Water Div. 1) and on December 7, 2017 in Case No. 15CW3073 (Water Div. 1). 5. Request for Finding of Reasonable Diligence: Pursuant to the Decree issued in Case No. 90CW223, the Subject Exchanges are part of an extensive unified system for the collection, treatment and distribution of water operated by the City of Englewood for its customers. The operation of the Subject Exchanges is not only dependent upon Englewood's demands and stream exchange potential available, but is also affected by the yield of other water rights and exchanges currently operated by Englewood. The existence of these other water rights and exchanges is necessary in order to allow Englewood to plan for growth and maintain flexibility and reliability in its water supply system. Therefore, for the purposes of showing diligence as to the appropriative rights of exchange decreed in Case No. 90CW223, diligence as to any part of Englewood's water rights system used to operate or benefit from these exchanges shall be diligence as to the completion of the Subject Exchanges. During the diligence period of 2017 to the present, in continuing the development of the appropriative rights of exchange that are the subject of the Application, Englewood has undertaken significant efforts on various components of its unified water system. Activities that have been performed toward completion of the appropriation and application of the Subject Exchanges to beneficial use are described below. This list is not intended to be exhaustive. (1) Englewood spent over \$1.5 million on various water diversion, measurement, and distribution system improvements. This includes improvements to various ditches, wells, pumps, pipes, flumes, and gulches; removals and replacements of filter media at Englewood's water treatment plant in the amount of approximately \$757,000.00; and dredging of Englewood's water treatment plant facilities in the amount of approximately \$657,387.00. (2) Englewood spent approximately \$174,453.00 in connection with improvements to McLellan Reservoir and associated facilities, including the pump station. (3) Englewood spent approximately \$615,773.00 on design and pre-construction services for piping portions of City Ditch. (4) Englewood spent a total of approximately \$597,510.00 on various aspects of the design and construction of the Big Dry Creek Hydropower Diversion structure, plus an additional \$40,425.00 to obtain an easement agreement with the Colorado Water Conservation Board for an easement necessary for that project. (5) Englewood spent approximately \$161,277.00 to remove or maintain trees that interfered with Englewood's water system. (6) Englewood spent \$3,375.00 to install security fencing around the McBroom Ditch Headgate. (7) Englewood engaged water resource engineers and outside water attorneys to protect and enhance Englewood's water rights, and participated in numerous Water Court cases to protect the quantity and quality of the subject water right and Englewood's other water rights from injury by other parties. Englewood also filed diligence applications on other conditional decrees that are part of its integrated system. 6. Owners of Land Upon Which Structures are Located: Englewood, except for the following: City of Littleton, 2255 W. Berry Ave., Littleton, CO 80165. U.S. Army Corps of Engineers, Denver Office, Omaha District, 9307 South Wadsworth Blvd., Littleton, CO 80128. City and County of Denver 1600 W. 12th Ave., Denver, CO 80204. WHEREFORE, Applicant respectfully requests that this Court enter a decree finding that Applicant has exercised reasonable diligence toward completion of the appropriation for the decreed uses and continuing the conditional water rights described herein in full force and effect for another six years, and granting such other relief as the Court deems just and proper. Number of pages of Application: 21.

2023CW3175 (15CW3064/06CW104), APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE PARTIALLY ABSOLUTE IN ADAMS, ARAPAHOE, DOUGLAS

AND WELD COUNTIES. 1. Name, Address, and Telephone Number of Applicant. **CITY OF AURORA**, Colorado, acting by and through its Utility Enterprise 15151 East Alameda Parkway, Suite 3600 Aurora, Colorado 80012-1555 Telephone: 303-739-7370, *Please direct all pleadings and correspondence to* Steven O. Sims, #9961, Dulcinea Z. Hanuschak, #44342, and Katherine J. Duncan, #47890, of Brownstein Hyatt Farber Schreck, LLP at 675 15th Street, Suite 2900, Denver, CO 80202, Phone Number: (303) 223-1100, Email: ssims@bhfs.com; dhanuschak@bhfs.com; kduncan@bhfs.com

Conditional Underground Storage Right 2. Name of Structure. Aquifer Recharge and Recovery Facility A (“ARR-A”). 3. Description of conditional water right. 3.1 Date of original decree: May 6, 2009, Case No. 06CW104; District Court, Water Division No. 1.¹ 3.2 Subsequent decrees: December 1, 2017, Case No. 15CW3064; District Court, Water Division No. 1. 3.3 Legal description: The centroid of the facility is located in the SE1/4 of the SW1/4, Section 13, T1N, R67W, 6th P.M. The facility will occupy all or portions of the following quarter-sections, all located in T1N, R67 W, 6th P.M.: the S1/2 and NW1/4 of the SE1/4 and the SW1/4 of Section 13, and the N1/2 of the NW1/4 of Section 24. See Exhibit 1. 3.4 Source: South Platte River. 3.5 Date of appropriation: April 28, 2006. 3.6 Structure Capacity: 3.6.1 Total Capacity: 1,180 acre feet, Conditional, to be filled and refilled by artificial means with an annual volumetric limit on all fills and refills of 19,000 acre feet. 3.6.2 Active Capacity: 1,050 acre feet, Conditional. 3.6.3 Dead Storage: 130 acre feet. 3.7 Rates of diversion: 3.7.1 Prairie Waters Project Well Field combined rate: A maximum of 77.4 c.f.s. The well field is located in sections 7, 18, 19, 30, and 31, Township 1 North, Range 66 West, 6th P.M. 3.7.2 Brighton Ditch: A maximum of 60 c.f.s. The headgate of the Brighton Ditch is located on the west bank of the South Platte River in the SE 1/4 SE 1/4 , Section 11, T1S, R67W, 6th P.M. in Adams County, at a point approximately 780 feet north and 1,120 feet west of the SE corner of said Section 11. 3.7.3 Brantner Ditch: A maximum of 110 c.f.s. The headgate of the Brantner Ditch is located on the north bank of the South Platte River in the NE 1/4 SW 1/4 Section 4, T2S, R67W, 6th P.M., Adams County at a point approximately 2,721 feet south and 2,140 feet east of the NW corner of Section 4. **Conditional Surface Water Storage Right** 4. Name of Structure. Surface Gravel Pit Storage Facility A (“Gravel Pit Reservoir A”). 5. Description of conditional water right. 5.1 Date of original decree: May 6, 2009, Case No. 06CW104; District Court, Water Division No. 1.² 5.2 Subsequent decrees: December 1, 2017, Case No. 15CW3064; District Court, Water Division No. 1. 5.3 Legal description: The centroid of the facility is located in the SE1/4 of the SW1/4, Section 13, T1N, R67W, 6th P.M. The facility will occupy all or portions of the following quarter-sections, all located in T1N, R67 W, 6th P.M.: the S1/2 and NW1/4 of the SE1/4 and the SW1/4 of Section 13, and the N1/2 of the NW1/4 of Section 24. See Exhibit 1. 5.4 Source: South Platte River. 5.5 Date of appropriation: April 28, 2006. 5.6 Structure Capacity: 5.6.1 Total Capacity: 9,500 acre feet, Conditional, to be filled and refilled by artificial means with an annual volumetric limit on all fills and refills of 19,000 acre feet. 5.6.2 Active Capacity: 9,500 acre feet, Conditional. 5.6.3 Dead Storage: 0 acre feet. 5.6.4 Approximate surface area at high water line: 221 acres. 5.6.5 Maximum height of dam: 24 feet. 5.6.6 Length of dam: 16,170 feet. 5.6.7 Depth: maximum depth of approximately 65 feet. 5.6.8 Rate of diversion: (1) Prairie Waters Project Well Field combined rate: A maximum of 77.4 c.f.s. The well field is located in sections 7, 18, 19, 30, and 31, Township 1 North, Range 66 West, 6th P.M. (2) Brighton Ditch: A maximum of 60 c.f.s. The headgate of the Brighton Ditch is located on the west bank of the South Platte River in the SE 1/4 SE 1/4 , Section 11, T1S, R67W, 6th P.M. in Adams County, at a point approximately 780 feet north and 1,120 feet west of the SE corner of said Section 11. (3) Brantner Ditch: A maximum of 110 c.f.s. The headgate of the Brantner Ditch is located on the north bank of the South Platte River in the NE 1/4 SW 1/4 Section 4, T2S, R67W, 6th P.M., Adams County at a point approximately 2,721 feet south and 2,140 feet east of the NW corner of Section 4. **Conditional Tributary Ground Water Right** 6. Name of Structure. Prairie Waters Project Well Field (“PWP Well Field”). 7. Description of conditional water right. 7.1 Date of original decree: May 6, 2009; Case No. 06CW104; District Court, Water Division No. 1.³ 7.2 Subsequent decrees: December 1, 2017, Case No. 15CW3064, District Court, Water Division No. 1. 7.3 Legal description: The well field is located in sections 7, 18, 19 30 and 31, Township 1 North, Range 66 West, 6th P.M. See Exhibit 1. 7.4 Source: South Platte River. 7.5 Date of appropriation: April 28, 2006. 7.6 Structure Capacity: The maximum rate of diversion of each horizontal well is 4,000 gallons per minute. The

maximum rate of diversion of the vertical wells is shown below. The total diversions from the four (4) horizontal and forty five (45) vertical wells that comprise the PWP Well Field decreed in 06CW104 and the six (6) additional in-fill wells decreed in 13CW3042, shall not exceed 77.4 c.f.s. Vertical Well No. 10 – 750 gallons per minute; Vertical Well No. 10A – 1,300 gallons per minute; Vertical Well No. 11 – 750 gallons per minute; Vertical Well No. 12 – 750 gallons per minute; Vertical Well No. 13 – 750 gallons per minute; Vertical Well No. 14 – 500 gallons per minute; Vertical Well No. 15 – 500 gallons per minute; Vertical Well No. 16 – 750 gallons per minute; Vertical Well No. 18 – 500 gallons per minute; Vertical Well No. 19 – 500 gallons per minute; Vertical Well No. 20 – 750 gallons per minute; Vertical Well No. 21 – 750 gallons per minute; Vertical Well No. 22 – 750 gallons per minute; Vertical Well No. 23 – 500 gallons per minute; Vertical Well No. 24 – 500 gallons per minute; Vertical Well No. 25 – 500 gallons per minute; Vertical Well No. 26 – 900 gallons per minute; The remaining 28 vertical wells will each divert at a maximum rate of 1,200 gallons per minute. **Conditional Appropriative Rights of Exchange** 8. Name of structure: Prairie Waters Project Exchanges (“PWP Exchanges”). 9. Description of conditional water right. 9.1 Date of original decree: May 6, 2009; Case No. 06CW104; District Court, Water Division No. 1. 9.2 Subsequent decrees: December 1, 2017, Case No. 15CW3064; District Court, Water Division No. 1. 9.3 Exchange Reaches: The PWP Exchanges will operate in that reach of the South Platte River in Adams and Weld Counties between the Brantner Ditch headgate as the upper terminus and the point on the South Platte River where the Gilcrest Reservoir outlet delivers water to the river, or alternative reservoir with an outlet to the South Platte River that discharges downstream of the Town of Platteville but upstream of the Latham Ditch headgate, but in no case lower than the headgate of the Lower Latham Ditch. See Exhibit 1. 9.4 Source: South Platte River. 9.5 Date of appropriation: April 28, 2006. 9.6 Rate and Volume Limits on PWP Exchanges: 9.6.1 The PWP Exchanges may be operated at a maximum combined total rate of up to 150 c.f.s. 9.6.2 The maximum amount of water that may be diverted under the PWP Exchanges at all Exchange To Points shall be limited to a maximum of 21,000 acre-feet in any water year and to no more than an average of 10,600 acre-feet per water year over any consecutive 20-year period. 9.6.3 The total flow rates claimed for diversion at all upstream points of exchange claimed herein by Aurora (“Exchange To Points”) exceed the maximum rate of exchange claimed by Aurora in its application, therefore the maximum combined rate of diversion for the PWP Exchanges at all Exchange To Points is limited to 150 c.f.s. The maximum amount of water that may be diverted under the PWP Exchanges at all Exchange To Points shall be limited to a maximum of 21,000 acre-feet in any water year and to no more than an average of 10,600 acre-feet per water year over any consecutive 20-year period. The maximum rate of exchange for each of the individual exchanges included within the PWP Exchanges is further limited to the rate shown for that individual exchange on the Exchange Matrix attached hereto as Exhibit 2. The Exchange To points are: (1) The PWP Well Field that has a maximum combined diversion rate of 77.4 c.f.s. The PWP Well Field South Platte River depletions occur at the following locations: (2) Depletions from wells VW-10A and VW-10 through 32 occur at the midpoint of the Group A wells (identified in 06CW104 decree paragraph 27.5.1.1) on the South Platte River. The mid-point is located 190 feet east of well VW-20 at the SW¹/₄NW¹/₄ of Section 18, T1N, R66W, 2,520 ft. from the North Section Line, 1,190 feet from the West Section line. (3) Depletions from wells VW-1 through 9, VW-33 through 44, and CW-A through D occur at the midpoint of the Group B wells (identified in 06CW104 decree paragraph 27.5.1.2) on the South Platte River. The mid-point is located 660 feet east of well VW-44 at the NE¹/₄NW¹/₄ of Section 31, T1N, R66W, 550 ft. from the North Section Line, 1,450 feet from the West Section line. (4) Brantner Ditch Headgate: Maximum rate of 110 c.f.s. (5) Brighton Ditch Headgate: Maximum rate of 60 c.f.s. (6) Lupton Bottom Ditch Headgate: Maximum rate of 90 c.f.s. 9.6.4 Downstream Points of Exchange (“Exchange From Points”). Augmentation stations for the Exchange From Points have not yet been constructed and the following locations are where there is an existing augmentation station or a natural drainage that would provide for augmentation returns to the South Platte River. The actual location of each augmentation station is subject to each respective ditch company's directive based on its bylaws and regulations. (1) Western Mutual Ditch Augmentation Station (a/k/a Hewes & Cook Ditch Augmentation Station). Water from the Western Mutual Ditch Augmentation Station will discharge into the South Platte River in the SE¹/₄NE¹/₄ of Section 26, T4N, R67W, 6th PM, Weld County, Colorado. (2) Meadow Island No. 1 Ditch Augmentation

Station. Water from the Meadow Island No. 1 Ditch Augmentation Station will discharge into the South Platte River in the SE1/4NE1/4 of Section 12, T2N, R67W, 6th PM, Weld County, Colorado. (3) Platteville Ditch Augmentation Station. Water from the Platteville Ditch Augmentation Station will discharge into the South Platte River in the SW1/4 SE1/4 of Section 19, T2N, R66W, 6th PM, Weld County, Colorado. (4) Lupton Bottom Ditch Augmentation Station. Water from the Lupton Bottom Ditch Augmentation Station will discharge into the South Platte River in the SE1/4NE1/4 of Section 12, T2N, R67W, 6th PM, Weld County, Colorado. (5) Aurora Gilcrest Reservoir (formerly known as the Platte Valley Trust Reservoir Outlet) (or alternative reservoir with an outlet to the South Platte River that discharges downstream of the Town of Platteville but upstream of the Lower Latham Ditch headgate).⁴ Water from Gilcrest Reservoir will discharge into the South Platte River in the SE1/4NE1/4 of Section 26, T4N, R67W, 6th P.M., Weld County, Colorado. The Lower Latham Ditch headgate is located in the NW1/4NE1/4 of Section 31, T5N, R65W, 6th PM., Weld County, Colorado. (6) Aurora-Everist Reservoir Outlet. Water from the Aurora-Everist Reservoir Outlet will discharge into the South Platte River in the SW1/4NE1/4 of Section 30, T2N, R66W, 6th PM, Weld County, Colorado. 9.7 Sources of Substitute Supply. Aurora's sources of substitute supply for the PWP Exchanges are listed in Exhibit 4. **Common Provisions** 10. Uses. The water rights shall be used for all municipal and domestic purposes including without limitation fire protection, irrigation, commercial and industrial use, recreational purposes, fish and wildlife propagation, stock watering, reservoir evaporation replacement, construction of any of the structures or pipelines used in the Prairie Waters Project, storage and maintenance of storage reserves, exchange and augmentation purposes, for use, reuse or successive use until extinction. 11. Location of use. The location of use shall be used in any Prairie Waters Project construction area, any area Aurora is capable of serving by these diversion and storage points within the existing or future water service area of the City of Aurora located in Adams, Arapahoe and Douglas Counties or any extra-territorial area in which the City of Aurora contracts to provide augmentation water, treated or raw water service or any area in which Aurora has augmentation or delayed return flow obligations. 12. Underground and Surface Storage Water Rights, Groundwater Rights and Exchange. Aurora will operate ARR-A, Gravel Pit Reservoir-A, the PWP Well Field and the PWP Exchanges together as part of Aurora's Prairie Waters Project. Aurora's Prairie Waters Project includes the water rights that are or that may be decreed in Case Nos. 03CW414, 03CW415, 06CW104, 97CW272/06CW129, and 97CW392/06CW130 ("Prairie Waters Project Decrees"). Aurora shall not divert more than 40,000 acre feet combined per water year under the priorities granted in the Prairie Waters Project Decrees for underground and surface storage rights, groundwater rights and the PWP Exchanges, even though the sum of the volumes granted for such rights in the Prairie Waters Project Decrees exceeds 40,000 acre feet. The 40,000 acre foot Prairie Waters Project Decrees volumetric limitation shall not apply to water diverted from Other Fully Consumable Water sources that were not adjudicated in the Prairie Waters Project Decrees. 13. 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: 13.1 Aurora owns the property on which ARR-A and Gravel Pit Reservoir A are located. 13.2 The Brighton Ditch is owned by the Brighton Ditch Company, Bill Stieber, President, P.O. Box 185, Fort Lupton, CO 80621. 13.3 The contact person for the Brantner Ditch is Robert Sakata, President, New Brantner Extension Ditch Company, PO Box 739, Fort Lupton, Colorado 80621. 13.4 The Lupton Bottom Ditch headgate and ditch infrastructure are owned by Lupton Bottom Ditch Company, Howard Cantrell, Secretary, P.O. Box 305, Fort Lupton, Colorado 80621. 13.5 Aurora-Everist Reservoir is owned by Aurora and L.G. Everist. The land underlying the outlet works is owned by the Gomer Hill Living Trust, Dated May 25, 2000, for the benefit of Gomer Hill, the Julane M. Hill Living Trust, Dated May 25, 2000, for the benefit of Julane M. Hill whose addresses are 12526 WCR 18, Ft. Lupton, CO 80621. L.G. Everist, Inc., an Iowa Corporation, whose address is 7321 East 88th Avenue, Suite 200, Henderson, CO 80640. Aurora has an easement that allows construction of the outlet works. 13.6 The owners of property on which the PWP Well Field is located are listed in Exhibit 3. **Finding of Diligence** 14. Detailed outline of activity during the diligence period: Pursuant to C.R.S. § 37-92-301(4)(b), the measure of reasonable diligence is the steady application of effort to complete the appropriation in a reasonably expedient and efficient manner

under all the facts circumstances. When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system. Pursuant to paragraph 48 of the Case No. 06CW104 decree, Aurora's municipal water system and each of the water rights and structures that are part of Aurora's Prairie Waters Project ("PWP") that now and in the future will provide water for Aurora comprise an integrated system of water rights and structures under section 37-92-301(4)(b), C.R.S. Therefore, Aurora Water's work on any part of the PWP constitutes reasonable diligence on the conditional water rights decreed in Case No. 06CW104. Since the Court's decree and finding of reasonable diligence on the water rights in Case No. 15CW3064, Aurora Water has diligently prosecuted the following additional features of the PWP (expenditure numbers are rounded to the nearest \$1,000):

14.1 Project-Specific Efforts: During this diligence period, Aurora has expended over \$10,700,000 on the construction of several elements of its Prairie Waters Project which enables additional use of the subject water rights. Aurora's project-specific efforts include design, engineering, construction, and permitting of Vertical Wells 27 through 32 in 2023 and application of water to beneficial use for numerous structures as described in Paragraph 15 herein.

14.2 Systemwide 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:

14.2.1 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 reusable supplies from the Arkansas River Basin.

(1) Payment for purchase and lease of Rocky Ford Ditch shares. Aurora spent more than \$381,000 during this diligence period for repayment of bonds, including principal and interest, that were issued or refunded for purchase of original Rocky Ford Ditch shares changed in Case No. 83-CW-18, that are a reusable source for the exchanges herein.

(2) Revegetation: Aurora has expended at least \$1,570,000 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. 83-CW-18 and for revegetation and continued farming of historically irrigated lands pursuant to the decree in Case No. 99-CW-169(A).

(3) Payments to Otero County. 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 a reusable source for the exchanges herein. During this diligence period, Aurora made payments in excess of \$273,000.

(4) Pueblo Reservoir Storage: During this diligence period, Aurora paid the Bureau of Reclamation more than \$4,316,000 for use of Pueblo Reservoir in the storage and exchange of Arkansas River Basin water upstream for transport and use by Aurora in the South Platte Basin.

(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. Aurora's use of Fryingpan-Arkansas facilities for certain water rights is discussed under this IGA. During this diligence period, Aurora has made payments of more than \$1,113,000 to SECWCD under this IGA.

(6) Agreements for Use of the Holbrook Reservoir 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"). These agreements implement a program to recapture and store yield from foregone diversions of senior water rights. During this diligence period, Aurora made payments of approximately \$419,000 to Holbrook under this agreement.

(7) Intergovernmental Agreement with LAVWCD: Pursuant to an Intergovernmental Agreement with the Lower Arkansas Valley Water Conservation District ("LAVWCD"), Aurora paid approximately \$500,000 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.

(8) Recovery of Yield ("ROY"). Aurora, along with Colorado Springs, The Pueblo Board of Water Works, the City of Fountain, and The Southeastern Colorado Water Conservancy District, are pursuing adjudication of the exchanges necessary as a result of the 2004 Regional Intergovernmental Agreement ("IGA") between various water providers

and the City of Pueblo. As part of the IGA, 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. This case lays the foundation for those exchanges. Aurora has expended significant sums on these efforts. The ROY partners have acquired land to prospectively be used as a reservoir site at a cost of \$780,000 to Aurora. (9) Assessments Paid for Use of Twin Lakes, Lake Henry/Lake Meredith, Rocky Ford Ditch. During this diligence period, Aurora paid the following in annual assessments: approximately \$450,000 for Twin Lakes Company (necessary for storage); at least \$2,040,000 for the Colorado Canal/Lake Henry/Lake Meredith (necessary for storage); and approximately \$1,450,000 for the Rocky Ford Ditch for the shares attributable to the Subject Rocky Ford Ditch Water Right. 14.2.2 Colorado River Basin: Aurora made the following diligent efforts with regard the its water supply system components in the Colorado River Basin that are necessary for continuation of its reusable supplies from the Colorado River Basin. (1) During this diligence period, Aurora negotiated with Objectors in Case No. 19CW3159, Water Division 5, and entered into Stipulations all of the Objectors in that case, which adjudicated an exchange of water released by Aurora from its Twin Lakes Reservoir and Canal Company water rights in the Roaring Fork River basin. A decree in this matter is pending. (2) Aurora has continued to pursue development of a joint project or projects as contemplated in a 1998 Memorandum of Understanding with Vail Associates, Upper Eagle River Regional Water Authority, Eagle River Water and Sanitation District, Cypress Climax Mining Company and the Colorado River Water Conservation District. On June 21, 2004, the City of Aurora entered into an additional Water Exchange Agreement with the Eagle Park Reservoir Company, the Colorado River Water Conservation District, the Eagle River Water and Sanitation District, the Upper Eagle Regional Water Authority, and Vail Associates, Inc. to supplement a 1998 Water Exchange Agreement. This agreement affects operations of the Homestake water rights and deliveries of reusable water to Aurora for use in the exchanges herein. On January 5, 2010, the City of Aurora entered into a Consolidated Water Exchange Agreement to supplement, merge and consolidate the 1998 and 2004 agreements. Aurora seeks to further maximize the operations of the Homestake water rights with these projects. A diligence application was filed by the parties to the agreements in regard to the subject exchange rights in 2023. (3) Homestake Project: During this diligence period, work was done on the Homestake Arkansas River Diversion to improve the ability to divert water to Otero Pump Station from the Arkansas River. Once water is transported over the continental divide through the Homestake Pipeline and, it is then transported to Spinney Mountain Reservoir in the South Platte Basin via the Otero Pump Station and Pipeline. The Otero Pipeline will also convey water to the Wild Horse Reservoir that is presently in the permitting stages. (4) During this diligence period, Aurora prosecuted Case No. 2023CW3031, 2020CW3024 and 23CW3087 Water Division 5 through the Homestake Partners entity, comprising the City of Aurora and the City of Colorado Springs Utility. These water court matters seek a decree confirming diligence and continuing in effect the conditional water rights originally decreed in Case No. 98-CW-270, which comprise part of the Homestake Project. (5) During this diligence period, Aurora executed a Recovery Agreement (3-27-20) with the United States and Wildlife Service regarding the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program). The purpose of the Recovery Agreement is to formalize Aurora's participation in the Recovery Program, provide certainty that Aurora's Colorado River depletions can occur consistent with the Endangered Species Act, and provide that Aurora will take reasonable actions to support implementation for the Recovery Elements specified in the 1999 Programmatic Biological Opinion. During the previous diligence period, the Upper Colorado River Endangered Fish Recovery Program, Recovery Implementation Program and Recovery Action Plan Participation Agreement (11-01-13) was executed with Northern Colorado Water Conservancy District, and a Ruedi Insurance Water Cost Participation Agreement (11-01-13) with the City and County of Denver. Through implementation of these agreements, the east slope water users' commitment for 5412.5 acre-feet of water annually to the Recovery Program is being met. Aurora has and continues to provide its annual prorata share of operation and maintenance costs associated with these agreements. In addition, Aurora participates and annually contributes to the Colorado Water Congress Colorado River Project for collaboration and support of the Recovery Program by the water users in Colorado, Utah, and Wyoming. (6) During this diligence period Aurora embarked on a rehabilitation

project of the Carlton (Busk Ivanhoe) Tunnel. This project will repair damage and cave-ins inside the tunnel that conveys Aurora's Busk Ivanhoe water from Ivanhoe Reservoir to the eastern slope and Turquoise Reservoir. To date this project has cost Aurora over \$4,000,000.

14.2.3 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. (1) Cherry Creek Well Field: (i) Quantification and Determination of Lawn Irrigation Return Flows: Aurora obtained a decree in Case No. 02-CW-341, Water Division 1, on September 25, 2008, quantifying LIRFs from its municipal system (and subsequent requantifications as required by the Decree in 02-CW-341), 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. During this diligence period, Aurora has expended over \$464,000 in engineering costs requantifying the LIRFs adjudicated in Case No. 02-CW-341 available for exchange. (ii) Upper Cherry Creek Water Association ("UCCWA"): Aurora is a member of the UCCWA established on December 17, 2001. The parties to UCCWA seek to continue and promote the cost-effective joint operation of certain Cherry Creek water facilities in a manner that optimizes each members' water rights while protecting others from injury. Aurora pays annual dues as a member of UCCWA. Aurora expended \$50,000 for dues during this diligence period. A portion of Aurora's expenditures during this diligence period for the Upper Cherry Creek Basin Management Plan are included in these dues. (iii) Water Division 1, Case No. 01-CW-284: On December 28, 2001, UCCWA filed an application for approval of a plan for augmentation, appropriative rights of exchange and water storage right in Case No. 01-CW-284. A final decree was entered on December 4, 2007. The exchanges that are the subject of Case No. 01-CW-284 include the exchange reaches and replacement sources that are the subject of this application. Since entry of the decree and as a Member of the Upper Cherry Creek Water Association, Aurora has operated portions of the subject exchanges pursuant to the decree in Case No. 01-CW-284 using the replacement sources and operating within the exchange reaches decreed in 95-CW-226 and 227. Paragraph 53 of the 01-CW-284 decree provides that "for purposes of showing diligence and completing each Member's conditional water rights, application of each Member's conditional water rights as replacement water under this plan for augmentation shall be diligence as to completion of the Member's conditional water rights under individual decrees, and shall form a basis for a claim by UCCWA or any of its Members that such conditional water rights should be made absolute." On October 21, 2015, UCCWA obtained a decree in Water Division 1, Case No. 13-CW-3184, making a portion of the conditional rights absolute and finding reasonable diligence on the remainder. (iv) Upper Cherry Creek Basin Modeling: Aurora continues to model the Upper Cherry Creek Basin through an agreement with Parker that ran from 2016 to September 2018, with extensions in additional years of 2019 and 2020. These efforts help facilitate and optimize Aurora's operation of the exchanges herein. (v) Metro Wastewater Reclamation District Charges: Aurora expended over \$169,542,000 during this diligence period for wastewater treatment fees of its water at the Metro Wastewater Reclamation facility. Such treatment is necessary for use of this water as a substitute supply under the exchanges herein. (vi) Sand Creek Wastewater Treatment Plant: Aurora operates this 5-million-gallon per day facility that 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. Improvements to this facility completed during this diligence period cost of \$8,081,000. Aurora also expended an additional \$7,048,000 in operating costs for the Sand Creek plant. These improvements are necessary for use of this water as a substitute supply under the exchanges herein. (vii) Rehabilitation of Cherry Creek Wells: From 2015 to 2018, Aurora conducted a rehabilitation and improvement project on the Cherry Creek Well Field at a cost of \$2,416,000. This work was necessary to allow continued withdrawal of Aurora's water supply from the wells under the exchanges herein. (2) Griswold Water Treatment Plant Renovations: This facility treats a portion of the raw water before it is delivered to Aurora's customers. Over \$51,814,000 was spent by Aurora during this diligence period for improvements to this facility. (3) Wemlinger Water Treatment Plant Expansion: During this diligence period, Aurora spent over \$37,473,000 on expansion of the Wemlinger Water Treatment Plant. (4) Automated Meter Reading System: Aurora spent more than \$10,241,000 during this diligence period for conversion of its manual utility reading system to a fully automated system. (5) Wild Horse Reservoir:

Wild Horse Reservoir is being developed by Aurora as an approximately 93,000 acre foot off-channel reservoir to be located in Park County which is presently in the planning and permitting stages. Wild Horse Reservoir will facilitate functionality of Aurora's Arkansas and Colorado basin collection, transmission and delivery systems. During this diligence period, Aurora has expended over \$16,000,000 towards the development of Wild Horse Reservoir. (6) 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. (7) 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. Over \$3,477,000 was spent by Aurora during the diligence period for improvements to this facility. (8) 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. (9) Improvements to Extend and Improve Water Service in and to Aurora Water. At least \$105,950,000 was spent by Aurora Water for extension and upgrade of its water transmission system necessary to deliver water to Aurora Water's customers. (10) Improvements to Sanitary Sewer System. Up to \$68,476,000 was spent by Aurora Water for extension and upgrade of its sanitary sewer system necessary for wastewater treatment and reuse within the South Platte River Basin. (11) Rampart Reservoir and Delivery System. Approximately \$12,318,000 was spent by Aurora during this diligence period for improvements to the Rampart Reservoir delivery system. This reservoir is used to store the water before it is transported through parallel 54" and 40" pipelines to Aurora treatment facilities. Rampart Reservoir is important for regulation of the flow through these parallel pipelines.

14.2.4 Non-Basin Specific:

(1) Integrated Water Master Plan. Aurora updates this plan every five years as part of its inclusive overall planning process. Aurora expended over \$2,270,000 during the subject diligence period on this effort. (2) Legal Fees. During the diligence period Aurora expended over \$5,000,000 in legal fees for developing additional water sources for its system, protection of its water rights including the subject exchanges in water courts in Water Divisions One, Two and Five cases, and prosecution of changes of water rights to integrate acquired water rights into Aurora's municipal supply system. **14.3 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. Aurora 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 consolidated Case Nos. 95-CW-226 and 95-CW-227 to beneficial use. However, it is reasonably possible that relevant efforts or expenditures may have been overlooked or need further upward adjustment. **Claims to Make Conditional Water Rights Partially Absolute**

15. Claims to make conditional water rights absolute: Water was applied to beneficial use for each structure listed below in the place and manner described. For its conditional Prairie Waters Project Well Field, Aurora claims 14.38 cfs of the conditional right has been made absolute leaving 59.6 cfs conditional⁵. For its conditional ARR-A, Aurora claims of 1,921 acre-feet of its annual volumetric limit of 19,000 acre-feet has been made absolute leaving 17,079 acre feet conditional. For its conditional Gravel Pit Reservoir A, Aurora is not claiming any portion has been made absolute leaving 9,500 acre-feet conditional. For its conditional Prairie Waters Project Exchanges, Aurora

is not claiming any portion has been made absolute, leaving 150 cfs conditional. 15.1 Name of Structure: ARR-A 15.1.1 Date water applied to beneficial use: January 1, 2018 15.1.2 Amount: a maximum of 20.15 acre-feet from the Prairie Waters Project Well Field on November 12, 2022 for a total annual amount of 1,921 acre-feet for all fills and refills in 2022. 15.1.3 Rate of Diversion: a maximum of 10.16 c.f.s. from the Prairie Waters Project Well Field on November 12, 2022. 15.1.4 Use: As described above in paragraph 10. 15.1.5 Place of use: As described above in paragraph 11. 15.2 Name of Structure: PWP Well Field 15.2.1 Amount and Date water applied to beneficial use: (1) Vertical Well-10: 694 gallons per minute (gpm); October 26, 2021 (2) Vertical Well-10A: 926 gpm; May 30, 2018; (3) Vertical Well-11: 618 gpm; May 30, 2021; (4) Vertical Well-12: 531 gpm; May 20, 2021; (5) Vertical Well-13: 455 gpm; January 28, 2021; (6) Vertical Well-14: 500 gpm; May 20, 2021; (7) Vertical Well-15: 500 gpm; January 5, 2019; (8) Vertical Well-16: 494 gpm; March 25, 2019; (9) Vertical Well-18: 455 gpm; October 20, 2021; (10) Vertical Well-19: 444 gpm; January 19, 2021; (11) Vertical Well-20: 444 gpm; January 19, 2021; (12) Vertical Well-21: 750 gpm; May 8, 2018; (13) Vertical Well-22: 702 gpm; March 13, 2023; (14) Vertical Well-23: 380 gpm; January 19, 2021; (15) Vertical Well-24: 296 gpm; January 28, 2021; (16) Vertical Well-25: 500 gpm; May 11, 2021; (17) Vertical Well-26: 743 gpm; December 18, 2018; (18) Vertical Well-27: 291 gpm; November 8, 2023; (19) Vertical Well-28: 750 gpm; December 13, 2023; (20) Vertical Well-29: 608 gpm; November 16, 2023; (21) Vertical Well-30: 253 gpm; November 21, 2023; (22) Vertical Well-31: 750 gpm; November 14, 2023; (23) Vertical Well-32: 375 gpm; November 15, 2023; 15.2.2 Total maximum diversion from Well Field: 14.38 c.f.s. on May 21, 2018.; 15.2.3 Use: As described above in paragraph 10. 15.2.4 Place of use: As described above in paragraph 11. WHEREFORE, Applicant, requests that the Court enter a decree: 1. Finding that Applicant has been reasonably diligent in the steady application of effort to complete the appropriation of the conditional water rights in a reasonably expedient and efficient manner under the facts and circumstances and continuing the foregoing conditional rights in full force and effect; 2. Finding that the PWP Well Field and ARR-A water rights have been made absolute in the amounts claimed, and the balance of the rights remain conditional; 3. Granting such other relief as the Court deems just and proper. Footnotes: ¹ The original decree was entered by the court on May 6, 2009. To correct clerical mistakes in the decree, the court issued the Corrected Findings of Fact, Conclusions of Law, Judgment and Decree of the Water Court on August 28, 2009, nunc pro tunc May 6, 2009. ² See id. ³ See id. ⁴ The decree in Case No. 15CW3064 ordered that all future decrees would identify the former Platte Valley Trust Reservoir as the Aurora-Gilcrest Reservoir. ⁵ In Case No. 21CW3077, 3.42 c.f.s. was made absolute for the in-fill wells originally decreed in Case No. 13CW3042, leaving 73.98 c.f.s. conditional. As described in Paragraph 7.6 of this application, Aurora's total diversion limitation for the PWP Well Field of 77.4 c.f.s. also applies to these infill wells.

2023CW3176 APPLICATION FOR CONDITIONAL STORAGE RIGHTS AND CHANGE OF WATER RIGHTS TO ADD PLACES OF STORAGE IN BOULDER AND GILPIN COUNTIES –

1. Name, Address, Phone Number, and E-Mail Address of Applicant. ELDORA ENTERPRISES LLC, c/o Brent Tregaskis, General Manager, 2861 Eldora Ski Road, Nederland, Colorado 80466, Phone: 303-416-8670, E-mail: btregaskis@eldora.com. Copies of all pleadings to: Richard A. Johnson and David F. Bower, Johnson & Repucci LLP, 850 W. South Boulder Road, Suite 100, Louisville, Colorado 80027.

2. Overview. Applicant operates Eldora Mountain Resort, which is located primarily in the Middle Boulder Creek basin and partially in the South Boulder Creek basin west of the Town of Nederland. By this application, Applicant is claiming conditional storage rights for three new reservoir structures, Lake Theo, Boneyard Pond, and Little Hawk Pond. A general location map of the resort and its water rights features, including the new claimed reservoirs, is attached as Exhibit A. Applicant is also claiming a fully-reusable storage right for an enlarged Lake Eldora and enlargement rights for Kettle Pond and Peterson Lake. Finally, Applicant seeks to add these new and enlarged structures as places of storage for its changed Howard Ditch and Green Ditch shares, as well as the fully-reusable return flows from snowmaking and other uses at the resort.

3. Claim for Conditional Storage Right. (a) Name of Reservoir. Lake Theo. (b) Legal Description of Reservoir. NE1/4 NW1/4 of Section 28, Township 1 South, Range 73 West of the 6th P.M. (Easting 451337.7, Northing 4421192.9). (c) Names and Legal Description of Filler Structures. (i) Jenny Creek

Pipeline [WDID 0600876]. SE1/4 SE1/4 of Section 30, Township 1 South, Range 73 West of the 6th P.M., at a point being North 11°17'29" West, 761.94 feet from the SE corner of Section 30 (Easting 449367.8, Northing 4419901.4). (ii) Lake Eldora Seepage Sump [WDID 0600891]. At a point whence the NW corner of Section 29, Township 1 South, Range 73 West of the 6th P.M. bears North 79°30' West, 2,250 feet. (Easting 450066.6, Northing 4421065.3). (d) Sources and Rates of Fill. (i) Jenny Creek, tributary to South Boulder Creek, via the Jenny Creek Pipeline, at a rate of 3.5 cfs; (ii) groundwater and subsurface seepage tributary to Peterson Creek, tributary to Middle Boulder Creek, via the Lake Eldora Seepage Sump, at a rate of 1.0 cfs; and (iii) natural runoff tributary to Peterson Creek, tributary to Middle Boulder Creek. Each source is tributary to Boulder Creek. (e) Appropriation Date. Date of application. (f) Amount. 30 acre-feet, conditional, with the right to fill and refill. (g) Uses. In-house potable and commercial uses, snowmaking, domestic, irrigation, stock watering, fire protection, wildlife, piscatorial, industrial, recreation, augmentation, replacement, and exchange, with the right to use, reuse, and successively use to extinction, including recapture and reuse of return flows. (h) Surface Area of High Water Line. ~4 acres. (i) Vertical Height of Dam. Any dam constructed at Lake Theo is anticipated to be less than 10 feet in height. (j) Remarks. Lake Theo is a natural depression that fills from surface overflows and seepage and may be lined for storage purposes. Return flows will be calculated and recaptured under the exchange rights decreed in Case Nos. 02CW400, 08CW305, and/or 19CW3250. **4. Claim for Conditional Storage Right**. (a) Name of Reservoir. Boneyard Pond. (b) Legal Description of Reservoir. SW1/4 NW1/4 of Section 29, Township 1 South, Range 73 West of the 6th P.M. (Easting 449817.1, Northing 4420718.0). (c) Name and Legal Description of Filler Structure. Jenny Creek Pipeline, as described in paragraph 3(c)(i) above. (d) Sources and Rates of Fill. (i) Jenny Creek, tributary to South Boulder Creek, via the Jenny Creek Pipeline, at a rate of 3.5 cfs; and (ii) natural runoff tributary to Peterson Creek, tributary to Middle Boulder Creek. Each source is tributary to Boulder Creek. (e) Appropriation Date. Date of application. (f) Amount. 25 acre-feet, conditional, with the right to fill and refill. (g) Uses. In-house potable and commercial uses, snowmaking, domestic, irrigation, stock watering, fire protection, wildlife, piscatorial, industrial, recreation, augmentation, replacement, and exchange, with the right to use, reuse, and successively use to extinction, including recapture and reuse of return flows. (h) Surface Area of High Water Line. ~2 acre. (i) Vertical Height of Dam. Any dam constructed with Boneyard Pond is anticipated to be less than 10 feet in height. (j) Remarks. The Boneyard Pond will be excavated from natural topographic depressions and may be lined for storage purposes. Return flows will be calculated and recaptured under the exchange rights decreed in Case Nos. 02CW400, 08CW305, and/or 19CW3250. **5. Claim for Conditional Storage Right**. (a) Name of Reservoir. Little Hawk Pond. (b) Legal Description of Reservoir. SW1/4 NE1/4 of Section 29, Township 1 South, Range 73 West of the 6th P.M. (Easting 450466.0, Northing 4420533.4). (c) Name and Legal Description of Filler Structure. Jenny Creek Pipeline, as described in paragraph 3(c)(i) above. (d) Sources and Rates of Fill. (i) Jenny Creek, tributary to South Boulder Creek, via the Jenny Creek Pipeline, at a rate of 3.5 cfs; and (ii) natural runoff tributary to Peterson Creek, tributary to Middle Boulder Creek. Each source is tributary to Boulder Creek. (e) Appropriation Date. Date of application. (f) Amount. 15 acre-feet, conditional, with the right to fill and refill. (g) Uses. In-house potable and commercial uses, snowmaking, domestic, irrigation, stock watering, fire protection, wildlife, piscatorial, industrial, recreation, augmentation, replacement, and exchange, with the right to use, reuse, and successively use to extinction, including recapture and reuse of return flows. (h) Surface Area of High Water Line. ~1.5 acre. (i) Vertical Height of Dam. Any dam constructed with Little Hawk Pond is anticipated to be less than 10 feet in height. (j) Remarks. The Little Hawk Pond will be excavated from natural topographic depressions and may be lined for storage purposes. Return flows will be calculated and recaptured under the exchange rights decreed in Case Nos. 02CW400, 08CW305, and/or 19CW3250. **6. Claim for Conditional Storage Right**. (a) Name of Reservoir. Lake Eldora [WDID 0603391]. (b) Legal Description of Reservoir. The outlet dam is located in the NW1/4 NE1/4 NW1/4 of Section 28, Township 1 South, Range 73 West of the 6th P.M. (Easting 451570.0, Northing 4421140.0). (c) Name and Legal Description of Filler Structure. (i) Lake Eldora Seepage Sump, as described in paragraph 3(c)(ii) above. (ii) Jenny Creek Pipeline, as described in paragraph 3(c)(i) above. (d) Sources and Rate of Fill. (i) Groundwater and subsurface seepage tributary to Peterson Creek, tributary to Middle Boulder Creek, via the Lake Eldora Seepage Sump, at a rate of 1.0 cfs;

(ii) Jenny Creek, tributary to South Boulder Creek, via the Jenny Creek Pipeline, at a rate of 3.5 cfs; and (iii) natural runoff tributary to Peterson Creek, tributary to Middle Boulder Creek. Each source is tributary to Boulder Creek. (e) Appropriation Date. Date of application. (f) Amount. 45 acre-feet, conditional, with the right to fill and refill. (g) Uses. In-house potable and commercial uses, snowmaking, domestic, irrigation, stock watering, fire protection, wildlife, piscatorial, industrial, recreation, augmentation, replacement, and exchange, with the right to use, reuse, and successively use to extinction, including recapture and reuse of return flows. Water stored in Lake Eldora may be pumped directly for use or released into Peterson Lake. (h) Surface Area of High Water Line. ~7 acre. (i) Vertical Height of Dam. The enlarged dam will be ~2 feet higher, bringing the total height of the Lake Eldora dam to ~11 feet. (j) Remarks. Lake Eldora was decreed a 33.3 acre-foot single-use storage right in Case No. 92CW153. By this claim, Applicant seeks a separate fully reusable right for the structure, including the existing capacity of the structure and an enlargement to account for heightening the dam. Return flows will be calculated and recaptured under the exchange rights decreed in Case Nos. 02CW400, 08CW305, and/or 19CW3250. **7. Claim for Conditional Enlargement Storage Right and Rate of Fill**. (a) Name of Reservoir. Kettle Pond (Enlargement) [WDID 0603316]. (b) Legal Description of Reservoir. The center point of the pond is located approximately 2,300 feet from the west section line and 2,300 feet from the south section line of Section 29, Township 1 South, Range 73 West of the 6th P.M. (Easting 450100.0, Northing 4420350.0). (c) Name and Legal Description of Filler Structure. Jenny Creek Pipeline, as described in paragraph 3(c)(i) above. (d) Sources and Rate of Fill. (i) Jenny Creek, tributary to South Boulder Creek, via the Jenny Creek Pipeline, at a rate of 3.5 cfs; and (ii) natural runoff tributary to Jenny Creek and Peterson Creek, tributary to Middle Boulder Creek. Each source is tributary to Boulder Creek. (e) Appropriation Date. Date of application. (f) Enlargement Amount. 15 acre-feet, conditional, with the right to fill and refill. (g) Enlargement of Rate of Fill. 3.3 cfs, conditional. (h) Uses. In-house potable and commercial uses, snowmaking, domestic, irrigation, stock watering, fire protection, wildlife, piscatorial, industrial, recreation, augmentation, replacement, and exchange, with the right to use, reuse, and successively use to extinction, including recapture and reuse of return flows. (i) Surface Area of High Water Line. ~3 acre. (j) Vertical Height of Dam. The enlarged dam will be ~5 feet higher, bringing the total height of the Kettle Pond dam to ~15 feet. (k) Remarks. Kettle Pond was decreed in Case No. 02CW400 for 40 acre-feet, conditional, with a rate of fill of 0.2 cfs from the Jenny Creek Pipeline. By this claim, Applicant seeks a 15 acre-foot conditional enlargement of the Kettle Pond storage right and a 3.3 cfs conditional enlargement of the Kettle Pond fill right from the Jenny Creek Pipeline, for a total fill rate of 3.5 cfs. These volume and rate enlargement claims are several and independent of each other, so that Kettle Pond can be filled at the increased rate separate from increasing the volume of the Kettle Pond reservoir structure and vice versa. Return flows will be calculated and recaptured under the exchange rights decreed in Case Nos. 02CW400, 08CW305, and/or 19CW3250. **8. Claim for Conditional Enlargement Storage Right**. (a) Name of Reservoir. Peterson Lake (Enlargement) [WDID 0603985]. (b) Legal Description of Reservoir. The dam centerline is located 65 feet north of the south section line and 1,354 feet east of the west section line of Section 21, Township 1 South, Range 73 West of the 6th P.M. (Easting 451300.0, Northing 4421340.0). (c) Source. Peterson Creek, and local inflows, seepage, and springs tributary to Peterson Creek, tributary to Middle Boulder Creek, tributary to Boulder Creek. (d) Appropriation Date. Date of application. (e) Amount. 100 acre-feet, conditional, with the right to fill and refill. (f) Uses. In-house potable and commercial uses, snowmaking, domestic, irrigation, stock watering, fire protection, wildlife, piscatorial, industrial, recreation, augmentation, replacement, and exchange, with the right to use, reuse, and successively use to extinction, including recapture and reuse of return flows. (g) Surface Area of High Water Line. ~25 acre. (h) Vertical Height of Dam. The enlarged dam will be ~6 feet higher, bringing the total height of the Peterson Lake dam to ~8 feet. (i) Remarks. Peterson Lake is a 221 acre-foot natural on-channel lake that is also decreed to store 38 acre-feet of water above the natural lake level. Peterson Lake was decreed a fully-reusable storage right in Case No. 09CW106. By this claim, Applicant seeks a 100 acre-foot conditional enlargement of the Peterson Lake fully reusable storage right. Return flows will be calculated and recaptured under the exchange rights decreed in Case Nos. 02CW400, 08CW305, and/or 19CW3250. **9. Claim for Change of Water Rights to Add Places of Storage**. (a) Description of Water Rights to be Changed. Eldora has the right to use and reuse to extinction,

on a direct flow or storage basis, up to 65.093 acre-feet of consumptive use water per year changed from 4.083 shares in the Howard Ditch Company by the decrees entered in Case Nos. W-7786-74, 02CW400, 07CW231, and 16CW3015, and up to 87.9 acre-feet of consumptive use water per year changed from 1.5 shares in the Green Ditch Company by the decree entered in Case No. 12CW87. Eldora also has the right to recapture return flows from its fully consumable snowmaking water applied to terrain tributary to Peterson Lake and Middle Boulder Creek pursuant to the decree in Case No. 02CW400, and to terrain tributary to Jenny Creek in the South Boulder Creek basin pursuant to the decrees in Case Nos. 08CW305 and 19CW3250. Eldora may also recapture return flows from other uses of the water under the same decrees. Eldora may also continue to develop additional sources of fully consumable water for snowmaking and other purposes. (b) Detailed Description of Proposed Change. Applicant has the right to store the changed Howard Ditch and Green Ditch shares and fully reusable return flows described in paragraph 9(a) above in Peterson Lake, Lake Eldora, and Kettle Pond. By this claim, Applicant seeks to add Lake Theo, Boneyard Pond, Little Hawk Pond, Kettle Pond (Enlargement), and Peterson Lake (Enlargement) as places of storage for these rights. Legal descriptions of the reservoirs and points of diversion, as well as the sources of each structure, are set forth above. Applicant will continue to account for its use, recapture, and reuse of the subject rights, directly and by exchange, under its monthly accounting for the resort prepared consistent with the decrees entered in Case Nos. 02CW400, 08CW305, and 19CW3250. **10. Name and Address of Landowner Upon which any New or Modified Diversion or Storage Structure is Located**. All of the subject structures are on land owned by Applicant except the Jenny Creek Pipeline, which is on land owned by the United States of America, c/o USDA Forest Service, Arapaho and Roosevelt National Forests, 2150 Centre Avenue, Building E, Fort Collins, Colorado 80526. WHEREFORE, Applicant respectfully requests that the Water Court enter a decree granting conditional storage rights for Lake Theo, Boneyard Pond, Little Hawk Pond, Lake Eldora, Kettle Pond (Enlargement), and Peterson Lake (Enlargement) as set forth in paragraphs 3 through 8 above, and to add new places of storage for Applicant’s changed Howard Ditch and Green Ditch shares and snowmaking and other return flows from use of the fully reusable rights as set forth in paragraph 9 above. (9 pages plus exhibit)

2023CW3177 LOWER Poudre AUGMENTATION COMPANY, NEW CACHE LA Poudre IRRIGATING COMPANY AND THE CACHE LA Poudre RESERVOIR COMPANY, 33040 Railroad Avenue, P.O. Box 104, Lucerne, CO 80646, (970) 352-0222. Please send all further pleadings to: Daniel K. Brown, Esq. and Whitney Phillips Coulter, Esq. Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 E. Prospect Road, Fort Collins, CO 80525. **APPLICATION TO ADD MEMBER WELLS IN CONSOLIDATED CASES 2004CW25/2006CW295 IN LARIMER AND WELD COUNTIES**. 2. Augmentation Plan: Applicant operates a plan for augmentation (“LPAC Plan”) decreed in Consolidated Case Nos. 2004CW25/2006CW295, Water Division No. 1, entered on January 21, 2014 (“LPAC Decree”). Paragraph 24.1.1 of the LPAC Decree allows for the addition of Member Wells. 3. Wells to be added to the LPAC Decree: The structures that are augmented in the LPAC Plan are listed on Exhibit C, as amended, to the LPAC Decree. Applicants propose to add the supplemental wells described below into the LPAC Decree as structures to be augmented. The original well, the Anderson Well No. 2-10675 decreed in Case No. W-3558 (“Original Well”) is included in Exhibit C as a structure to be augmented. Pursuant to a pending change application filed by the current owners of the Original Well in Case No. 23CW3095, the owners are seeking to add 2 supplemental points of diversion (“Supplemental Wells”) from the following five potential well locations.

Well name	Owner	Permit	Twn	Range	Section	1/4 /1/4	1/4	W(ft)	X(Ft)	T(gpd/ft)	Sy
Supplemental Well 1	Robert and	TBD	6N	65W	24	SE	SW	13955	4825	79516	0.2

	Allison Johnson										
Supplemental Well 1a	Robert and Allison Johnson	TBD	6N	65W	24	SE	SW	13415	4285	75954	0.2
Supplemental Well 2	Robert and Allison Johnson	TBD	6N	65W	24	SE	SW	13531	4401	80120	0.2
Supplemental Well 2a	Robert and Allison Johnson	TBD	6N	65W	24	SE	SW	12952	3821	80608	0.2
Supplemental Well 2b	Robert and Allison Johnson	TBD	6N	65W	24	SE	SW	13989	4858	80120	0.2

With this application, LPAC is seeking to add the Supplemental Wells as ultimately decreed in Case No. 23CW3095. These Supplemental Wells will be operated, and all out-of-priority depletions replaced, in accordance with the terms and conditions of the LPAC Decree. No decreed priorities are sought by this application. The Wells to be added with this Application will divert through existing structures already augmented under the LPAC Decree. The Wells will operate as supplemental wells to Well No. 2-10675-R and as decreed in Case No. 23CW3095. The Wells may only operate under the LPAC Plan so long as valid well permits are in place. 4. Names and Addresses of the Owner of Landowners and Well Owners: The land on which the Wells will exist are owned as follows: Robert & Allison Johnson, 1100 Shoreline Drive, Windsor, CO 80550. (4 pages).

2023CW3178 SOUTH SUBURBAN PARK AND RECREATION DISTRICT, 4810 East County Line Road, Littleton, CO 80126, (303) 798-5131, through counsel Evan D. Ela, Joseph W. Norris, and Madison D. Phillips, Cockrel Ela Glesne Greher & Ruhland, P.C., 44 Cook Street, Suite 620, Denver, Colorado 80206, (303) 218-7200, **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE FOR CONDITIONAL RIGHTS IN ARAPAHOE COUNTY**. 1. Name, Address and Telephone Number of Applicant. South Suburban Park and Recreation District, 4810 East County Line Road, Littleton, CO 80126, (303) 798-5131. 2. Names of Structures: Upper Big Dry Creek Diversion, Lower Big Dry Creek Diversion, Upper South Pond, Lower South Pond, North Pond, and Entrance Pond. 3. Description of the subject conditional water rights: The water rights described below are the subject of this Application (the “Subject Water Rights”): (a) Original Decree: The Upper Big Dry Creek Diversion, Lower Big Dry Creek Diversion, Upper South Pond, Lower South Pond, North Pond, and Entrance Pond (collectively referred to as the “South Suburban Golf Course Surface Water System”) were confirmed by the decree issued November 13, 2003, Case No. 00CW230, District Court, Water Division 1, State of Colorado, Findings of Fact, Ruling of the Referee, Judgment and Decree. (b) Prior Diligence Decrees: (i) Case No. 09CW170, District Court, Water Division 1, State of Colorado, Findings of Fact, Conclusions of Law, Ruling of the Referee, Judgment and Decree, decreed on September 22, 2010, granted a finding of reasonable diligence for the Subject Water Rights. (ii) Case No. 16CW3122, District Court, Water Division 1, State of Colorado, Findings of Fact, Conclusions of Law, Ruling of the Referee, Judgment and Decree, decreed on December 28, 2017, granted a finding of reasonable diligence for the Subject Water Rights. (c) Locations: (i) Upper Big Dry Creek Diversion. Located on the left bank of Big Dry Creek in Section 31, Township 5 South, Range 67 West of the 6th P.M., at a point approximately 2050 feet from the east section line of said Section

31 and 250 feet from the south section line of said Section 31, in Arapahoe County. (ii) Lower Big Dry Creek Diversion. Located on the left bank of Big Dry Creek in Section 31, Township 5 South, Range 67 West of the 6th P.M., at a point approximately 1050 feet from the west section line of said Section 31 and 1250 feet from the south section line of said Section 31, in Arapahoe County. (iii) Upper South Pond. Located in the southeast 1/4 of the southwest 1/4 of Section 31, Township 5 South, Range 67 West of the 6th P.M., at a point approximately 1800 feet from the west section line of said Section 31 and 1140 feet from the south section line of said Section 31, in Arapahoe County. (iv) Lower South Pond. Located in the southeast 1/4, and in the southwest 1/4 of the southwest 1/4 of Section 31, Township 5 South, Range 67 West of the 6th P.M., at a point approximately 1200 feet from the west section line of said Section 31 and 850 feet from the south section line of said Section 31, in Arapahoe County. (v) North Pond. Located in the northeast 1/4 of the southwest 1/4, and in the southeast 1/4 of the northwest 1/4, of Section 31, Township 5 South, Range 67 West of the 6th P.M., at a point approximately 1920 feet from the west section line of said Section 31 and 2280 feet from the south section line of said Section 31, in Arapahoe County. (vi) Entrance Pond. Located in the southwest 1/4 of the northwest 1/4 of Section 31, Township 5 South, Range 67 West of the 6th P.M. at a point approximately 300 feet from the west section line of said Section 31 and 3050 feet from the south section line of said Section 31, in Arapahoe County. (d) Amounts: (i) Upper Big Dry Creek Diversion. 10.0 cfs, CONDITIONAL, direct flow. (ii) Lower Big Dry Creek Diversion. 10.0 cfs, CONDITIONAL, direct flow (iii) Upper South Pond. 5.0 acre-feet, CONDITIONAL, with right to fill and refill to achieve a total storage volume of 10.0 acre-feet by capture of inflow tributary to the pond and by diversion at a maximum rate of 10.0 cfs from the Upper Dry Creek Diversion. (iv) Lower South Pond. 21.0 acre-feet, CONDITIONAL, with right to fill and refill to achieve a total storage volume of 42.0 acre-feet by capture of inflow tributary to the pond and by diversion at a maximum rate of 10.0 cfs from the Upper Big Dry Creek Diversion. (v) North Pond. 15.0 acre-feet, CONDITIONAL, with right to fill and refill to achieve a total storage volume of 30.0 acre-feet by capture of inflow tributary to the pond and by diversion at a maximum rate of 10.0 cfs from the Upper Dry Creek Diversion. (vi) Entrance Pond. 5.0 acre-feet, CONDITIONAL, with right to fill and refill to achieve a total storage volume of 10.0 acre-feet by capture of inflow tributary to the pond and by diversion at a maximum rate of 10.0 cfs from the Lower Dry Creek Diversion. (e) Source: Big Dry Creek, a tributary of the South Platte River, for all water diverted and/or stored by the named structures. (f) Date of appropriation: December 13, 2000. (g) Beneficial uses: South Suburban will use water diverted or captured by direct flow, or after storage for more than three days in the reservoirs described above, for irrigation, recreation, augmentation, exchange, wildlife and aesthetic purposes, along with the right to use and reuse to extinction. Reuse to extinction may include release from storage after use, for recreation, wildlife and aesthetic purposes, and reuse of such releases, along with irrigation return flows, for augmentation, exchange, subsequent irrigation and storage of such reuse water, which stored reuse water may be later released for irrigation, augmentation and exchange purposes. South Suburban intends to capture or divert water when in priority, temporarily hold such water in the reservoirs described above and to apply such water for irrigation use within three days whenever possible, all as an irrigation use of the direct flow water rights. Water will also be stored for longer periods, when not needed for direct irrigation use, for later release for all of the purposes described herein. 4. Outline of work done and funds expended by Applicant during the relevant diligence period (October 1, 2016 through December 31, 2023) toward completion of the appropriation: (a) The Subject Water Rights are intended to allow for developing a mixed source of supply for the South Suburban Golf Course comprised of nontributary well pumping and diversions from Big Dry Creek when the Subject Water Rights are in priority. During the diligence period, South Suburban has participated with the Southeast Metro Stormwater Authority and Mile High Flood Control District in stream channel improvements to the stream reach of Big Dry Creek that courses through South Suburban Golf Course. This stream reach contains the decreed points of diversion for the Subject Water Rights. South Suburban contributed \$600,000 to this improvement project. (b) South Suburban is the owner of other water rights, which together with the subject conditional water rights form an integrated and unified water supply system. Pursuant to § 37-92-301(4)(b), C.R.S., work on one feature of an integrated system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the integrated system. Work on any part of Applicant's

integrated water supply system must be considered in finding that reasonable diligence has been shown for the subject conditional water rights. Described below are specific examples of expenditures related to the golf course properties owned and operated by South Suburban. (c) South Suburban engaged in continued improvement, maintenance, and operation of its South Suburban Golf Course facilities that will benefit from use of the subject conditional South Suburban Golf Course Surface Water System water rights. In addition, South Suburban has incurred engineering and legal costs related to protection of its water rights, including the Subject Water Rights. The following described work and expenditures were done, all or in part, toward perfection of the Subject Water Rights and in further development of the specific structures identified in Case No. 00CW230. The work performed and costs expended as described below occurred during the relevant diligence period of October 1, 2016 through December 31, 2023. (i) South Suburban incurred expenses in excess of \$12,000,000 in operation and maintenance of its South Suburban Golf Course facilities. (ii) Completed negotiations with Denver Water for replacing the Farnell Lane Wall, exchanging ownership of water rights in the Nevada Ditch, and leasing additional water for a permanent irrigation water supply for the Littleton Golf Course. (iii) South Suburban incurred in excess of \$300,000 in legal and engineering costs associated with acquisition, development, protection, and adjudication of its water rights, and to complete the negotiations with Denver Water related to the Farnell Lane Well irrigation system. (iv) South Suburban incurred in excess of \$450,000 in design and construction costs associated with the Farnell Lane Well irrigation system and its pumping and control system. 5. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. Applicant is the sole landowner of properties underlying the structures that are the subject of this Application, and thus has no obligation under § 37-92-302(2)(6), C.R.S., to provide notice to landowners. (6 pages)

2023CW3179 (17CW3097) DISTRICT COURT, WATER DIVISION 1, STATE OF COLORADO, 901 9th Avenue, Greeley, Colorado, 80631, 970-475-2400, **CONCERNING THE APPLICATION FOR WATER RIGHTS OF QUAKER RIDGE CAMP, APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN TELLER COUNTY.** 1. Name, Address, Telephone Number, and Email Address of Applicants: Quaker Ridge Camp, 30150 State Highway 67, Woodland Park, CO 80863, director@quakerridgecamp.org, (719) 651-3126. Direct All Pleadings to: P. Fritz Holleman, Kate A. Bosh, 1525 Spruce Street, Suite 200, Boulder, Colorado 80302, (303) 431-9141, fholleman@bh-lawyers.com; kbosh@bh-lawyers.com. 2. Names of Structure: Quaker Ridge Camp Well No. 1. 3. Description of Conditional Water Right: 3.1. Date of original decree: April 2, 1997, Case No. 96CW44, District Court Water Division 1. 3.2 Subsequent decrees: Decrees finding reasonable diligence for the conditional water right were entered in Case Nos. 03CW201 on December 7, 2004, 10CW295 on July 15, 2011, and 17CW3097 on December 27, 2017. 3.3. Location: The well will be located in the NW1/4, SE1/4 of Section 25, Township 11 South, Range 69 West of the 6th P.M., Teller County, Colorado, at a point approximately 2250 feet from the east section line and 1800 feet from the south section line of said Section 25. **See Exhibit A.** 3.4. Source: Groundwater tributary to Rupp Gulch, a tributary of Long Gulch, which is tributary to Trout Creek, which in turn is tributary to Horse Creek and the South Platte River. 3.5 Date of Appropriation: February 26, 1996. 3.6 Amount: 0.058 cfs (26 gpm), conditional. 3.7. Uses: Domestic, commercial, stock watering, irrigation, recreation, fire protection and all beneficial purposes at Quaker Ridge Camp. 3.8. Remarks: The subject well will be operated pursuant to the plan for augmentation decreed in Case No. 96CW44, District Court, Water Division 1, on April 2, 1997. 4. Request for Findings of Reasonable Diligence: Applicant seeks a finding that it has exercised reasonable diligence in the development of the conditional water right for Quaker Ridge Camp Well No. 1, as described in Paragraph 3 above, for all conditional amounts and uses. 5. Diligence Activities: The subject water right is part of an integrated water supply system to provide water service to Quaker Ridge Camp. Applicant has engaged in numerous activities during the relevant diligence period that demonstrate diligence toward the application of the subject water rights to the decreed beneficial uses and has incurred significant expense in investigations and capital improvements related to its water supply facilities to provide a dependable legal and physical

supply of water to the camp. All such expenditures are necessary steps in the development of the camp's integrated water supply system and the subject water right. During the subject diligence period, Applicant spent more than \$30,000 to maintain and repair the water system, as specified in more detail in the application. 6. Land Ownership: The Applicant owns the land upon which the subject water right is located. WHEREFORE, the Applicant respectfully requests that the Court enter an order (1) finding that the Applicant has been reasonably diligent with respect to the conditional subject water right; (2) continuing the conditional subject water right in full force and effect; and (3) granting such other and further relief as deemed appropriate. (4 pages + exhibit)

2023CW3180 Applicant THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT (“CCWCD”), THE GROUNDWATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT (“GMS”), THE WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT (“WAS”), hereinafter referred to collectively as “Central,” 3209 West 28th Street, Greeley, Colorado 80634. (970) 330-4540. Ryan M. Donovan, #44435 5245 Ronald Reagan Blvd, Suite 1. Johnstown, CO 80534 Phone: (970) 622-8181 Email: ryan@lcwaterlaw.com. **APPLICATION FOR CHANGE OF WATER RIGHTS TO INCLUDE ALTERNATE PLACES OF STORAGE AND ALTERNATE POINTS OF DIVERSION IN ADAMS, ARAPAHOE, DENVER, DOUGLAS, JEFFERSON, WELD, AND MORGAN COUNTIES. 2. Summary of Application and Water Rights to be Changed.** Central owns two appropriations in Chatfield Reservoir. The first was decreed in Case No. 83CW184 with a total decreed appropriation of 26,400 acre-feet (“Central’s 83 Chatfield Right”). The second was decreed in Case No. 15CW3148 with a total decreed appropriation of 9,641 acre-feet (“Central’s Chatfield Refill Right”). In May 2005, Central conveyed 4,100 acre-feet of its 83 Chatfield Right to Centennial Water and Sanitation District. Central presently owns the right to 4,274 acre-feet of storage space in the Chatfield Reservoir Reallocation Project, and has been in ongoing discussions to acquire an additional 1,000 acre-feet of space in the Reallocation Project, in exchange for conveying 1,000 acre-feet of its 83 Chatfield Right to Colorado Parks and Wildlife. Central seeks to change 16,026 acre-feet of its 83 Chatfield Right (“Changed 83 Chatfield Right”) and 4,367 acre-feet of its Chatfield Refill Right (“Changed Refill Right”) to include alternate places of storage and alternate points of diversion, as described further in this Application. The Changed 83 Chatfield Right and the Changed Refill Right may continue to be stored in Chatfield Reservoir, in addition to the alternate places of storage described below. The volumes of Central’s 83 Chatfield Right and Central’s Refill Right not changed herein will continue to be diverted, stored, and beneficially used in accordance with the decrees entered in Case No. 83CW184 and 15CW3148. **Central’s 83 Chatfield Right.** 3.1. Previous Decrees. Central’s 83 Chatfield Right was originally decreed in Case No. 83CW184, entered on March 29, 1989, by the Water Court for Water Division No. 1. Subsequently, the Water Court for Water Division No. 1 approved Central’s applications for findings of reasonable diligence in Case Nos. 95CW111, entered February 13, 1996; 02CW401, entered May 20, 2003; 09CW81, entered October 28, 2010; and 16CW3138, entered June 5, 2018. 3.2. Appropriation Date. August 24, 1984. Pursuant to Paragraph 13 of the 83CW184 Decree, Central’s Chatfield Reservoir Water Right shall be administered as having been filed in 1983. 3.3. Location of Reservoir. Chatfield Reservoir, an existing structure, is formed by the Chatfield Dam and located on the mainstem of the South Platte River; the right abutment of which is located in Douglas County, Colorado, in Sections 6 and 7, Township 6 South, Range 68 West, of the 6th P.M.; and the left abutment of which is located in Jefferson County, Colorado, in Section 1, Township 6 South, Range 69 West of the 6th P.M. 3.4. Source. South Platte River and its tributaries. 3.5. Uses. Augmentation, replacement, exchange, irrigation, commercial, industrial, recreation, municipal, domestic, fish, wildlife and recreation and all other beneficial uses. 3.6. Amount. The originally decreed amount was 26,400 acre-feet, conditional. Central and GMS currently own 22,300 acre-feet, conditional. 3.7. Proposed Change. Central seeks a decree approving a change of the Central Chatfield Reservoir Water Right to include the alternate points of storage (APOS) and alternate points of diversion (APOD) described in ¶¶ 5.1 – 5.8 below. 3.8. Remarks. The portion of the 83 Chatfield Right unchanged herein will continue to be diverted and stored at Chatfield Reservoir in accordance with the decrees described in ¶ 3.1 above. **4. Central’s**

Chatfield Refill Right. 4.1. Previous Decrees. Central's Chatfield Refill Right was originally decreed in Case No. 15CW3148, entered on April 5, 2019, by the Water Court for Water Division No. 1. 4.2. Appropriation Date. November 17, 2015. 4.3. Location of Reservoir. Same as ¶ 3.3 above. 4.4. Source. Same as ¶ 3.4 above. 4.5. Uses. Augmentation, replacement, exchange, irrigation, industrial, recreation, fish, and wildlife, with the right to make successive use of the water, and the right to use and reuse the water to extinction. Reuse following irrigation and industrial uses shall be allowed only pursuant to the terms of a subsequent decree. 4.6. Amount. 9,641 acre-feet, conditional. 4.7. Proposed Change. Central seeks a decree approving a change of the Central Chatfield Reservoir Refill Right to include the APOSs and APODs described in ¶¶ 5.1-5.8 below. 4.8. Remarks. The portion of the Chatfield Refill Right unchanged herein shall continue to be diverted and stored at Chatfield Reservoir in accordance with the terms of the decree in Case No. 15CW3148. **5. Proposed Change – Alternate Places of Storage (APOS) and Alternate Points of Diversion (APOD).** In addition to diverting and storing the Changed 83 Chatfield Right and the Changed Refill Right at Chatfield Reservoir, the Changed 83 Chatfield Right may be diverted at the APODs described in ¶¶ 5.1 through 5.8 below and stored in the APOSs described in ¶¶ 5.1 through 5.8 below. The Changed Refill Right may be diverted at the APODs described in ¶¶ 5.4 through 5.8 below and stored in the APOSs described in ¶¶ 5.4 through 5.8 below. 5.1. Koenig Reservoir. 5.1.1. Location. Lots 7 and 8 in the south half of Section 13, Township 2 North, Range 67 West and Section 18, Township 2 North, Range 66 West, of the 6th P.M. 5.1.2. Points of Diversion. 5.1.2.1. Lupton Bottom Ditch, the headgate of which is located on the north bank of the South Platte River in the NW 1/4 of the SW 1/4 of Section 19, Township 1 North, Range 66 West of the 6th P.M. 5.1.2.2. A pump station adjacent to the South Platte River located on the west bank of the South Platte River in the NW 1/4 of the SW 1/4 of Section 18, Township 2 North, Range 66 West, of the 6th P.M., Weld County, Colorado at a point 3,800 feet south and 500 feet east of the northwest corner of said Section 18. 5.1.2.3. The Meadow Island No. 1 Ditch, the headgate of which is located on the northwest bank of the South Platte River in the NE 1/4 of the SW 1/4 of Section 19, Township 2 North, Range 66 West, of the 6th P.M. 5.2. Nissen Reservoir. 5.2.1. Location. The SE 1/4 and the E 1/2 of the SW 1/4 of Section 12, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 5.2.2. Points of Diversion. 5.2.2.1. Highland Ditch (aka Plumb Ditch), the headgate of which is located in the SW 1/4 of the NW 1/4 of Section 13, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 5.2.2.2. The Nissen Pump Station, located adjacent to the South Platte River and Nissen reservoir in the SE 1/4 and the E 1/2 SW 1/4 of Section 12, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 5.3. Rueter-Hess Reservoir. 5.3.1. Location. Rueter-Hess Reservoir is an existing off-channel reservoir located in Section 36, the SE¼ of Section 25 and the SE 1/4 SE 1/4 of Section 35, Township 6 South, Range 67 West; in Section 31 and the SW 1/4 of Section 30, Township 6 South, Range 66 West; in the N 1/2, the SW 1/4 and the NE 1/4 SE 1/4 of Section 1 and the E 1/2 of Section 2, Township 7 South, Range 67 West; in the NW 1/4 and NW 1/4 NE 1/4 of Section 6, Township 7 South, Range 66 West, all of the 6th P.M., Douglas County, Colorado. The axis of the dam intersects the thread of Newlin Gulch at a point in the SE 1/4 SW 1/4 of Section 30, Township 6 South, Range 66 West of the 6th P.M., which point is approximately 98 feet north of the south section line and 2,348 feet east of the west section line of said Section 30. 5.3.2. Points of Diversion. The Chatfield Reservoir-Castle Rock Pump Station will be located at the point where the Chatfield Reservoir Outlet Manifold intersects the centerline of Chatfield Dam at a point whence the northwest corner of Section 1, Township 6 South, Range 69 West of the 6th P.M. Jefferson County, bears north 49 ° west a distance of 4,070 feet, which point is 2,670 feet from the north and 3,072 feet from the west section lines of said Section 1. 5.3.3. Remarks. Applicant and the Town of Castle Rock are in discussions to allow Central's 83 Chatfield Right and Central's Chatfield Refill Right to be stored in Castle Rock's available storage space in Rueter-Hess Reservoir. 5.4. Pioneer Reservoir. 5.4.1. Location. E 1/2 of the SE 1/4 of Section 7, Township 5 North, Range 64 West of the 6th P.M., Weld County, Colorado. 5.4.2. Points of Diversion. 5.4.2.1. Highland Ditch (aka Plumb Ditch), the headgate of which is located in the SW 1/4 of the NW 1/4 of Section 13, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 5.4.2.2. The Nissen Pump Station, to be located adjacent to the South Platte River and Nissen Reservoir in the SE 1/4 and the E 1/2 SW 1/4 of Section 12, Township 5 North, Range 65 West, Weld County, Colorado. 5.5. Sweet Valley Reservoir Complex (Heritage and Trailblazer

Reservoirs). 5.5.1. *Location*. The NE 1/4 of Section 30, Township 4 North, Range 66 West of the 6th P.M., Weld County, Colorado. 5.5.2. *Points of Diversion*. 5.5.2.1. Western Mutual Ditch, the headgate of which is located on the north bank of the South Platte River in the SE 1/4 of the SW 1/4 of Section 11, Township 3 North, Range 67 West of the 6th P.M., Weld County, Colorado. 5.5.2.2. Farmers Independent Ditch, the headgate of which is located on the eastern bank of the South Platte River in the SW 1/4 of Section 19, Township 3 North, Range 66 West of the 6th P.M., Weld County, Colorado. 5.5.2.3. Platte Valley Canal (aka Evans No. 2 Ditch), the headgate of which is located on the eastern bank of the South Platte River in the NE 1/4 of Section 19, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado. 5.6. Zadel Pit. 5.6.1. *Location*. The SE 1/4 and the S 1/2 of the NE 1/4 of Section 24, Township 2 North, Range 67 West of the 6th P.M., Weld County, Colorado. 5.6.2. *Points of Diversion*. 5.6.2.1. Lupton Bottom Ditch, the headgate of which is located on the north bank of the South Platte River in the NW 1/4 of the SW 1/4 of Section 19, Township 1 North, Range 66 West of the 6th P.M. 5.6.2.2. The Meadow Island No. 1 Ditch, the headgate of which is located on the northwest bank of the South Platte River in the NE 1/4 of the SW 1/4 of Section 19, Township 2 North, Range 66 West, of the 6th P.M. 5.6.2.3. The Zadel Reservoir Pump Station, to be located in the SE 1/4 of the SW 1/4 of Section 19, Township 2 North, Range 66 West. 5.7. Loeffler Reservoir. 5.7.1. *Location*. The S 1/2 and the SE 1/4 of the NE 1/4 of Section 1, Township 4 North, Range 66 West of the 6th P.M., Weld County, Colorado. 5.7.2. *Points of Diversion*. 5.7.2.1. Western Mutual Ditch, the headgate of which is located on the north bank of the South Platte River in the SE 1/4 of the SW 1/4 of Section 11, Township 3 North, Range 67 West of the 6th P.M., Weld County, Colorado. 5.7.2.2. Farmers Independent Ditch, the headgate of which is located on the eastern bank of the South Platte River in the SW 1/4 of Section 19, Township 3 North, Range 66 West of the 6th P.M., Weld County, Colorado. 5.8. Pursuant to C.R.S. § 37-87-101(3), Central seeks a decree in this matter permitting it to store the Changed 83 Chatfield Right and the Changed Refill Right in any reservoir that is located on the same ditch or diversion system as those identified in §§ 5.1 through 5.7 of this Application. **6. Name and Address of Owners of Structures**. 6.1. Chatfield Reservoir is located on property owned by U.S. Army Corps of Engineers, 9307 S. Wadsworth Blvd., Littleton, CO, 80128. 6.2. Reuter-Hess Reservoir is located on property owned by Parker Water and Sanitation District, 18100 Woodman Drive, Parker, Colorado, 80134. 6.3. Loeffler Reservoir is to be located on property owned by Bernice M. Loeffler Trust, 19600 County Road 50, La Salle, Colorado, 80645. 6.4. Pioneer Reservoir is located on property owned by Central Colorado Water Conservancy District, 3209 West 28th Street, Greeley, Colorado, 80634. 6.5. Nissen Reservoir is located on property owned by Colorado Water Conservancy District, 3209 West 28th Street, Greeley, Colorado, 80634. 6.6. Klein Reservoir is to be located on property owned by Betsy Ann Klein, 28465 County Road 46.5, Greeley, Colorado, 80631. 6.7. Sweet Valley Reservoir is to be located on property owned by Colorado Water Conservancy District, 3209 West 28th Street, Greeley, Colorado, 80634. 6.8. Koenig Reservoir is located on property owned by Colorado Water Conservancy District, 3209 West 28th Street, Greeley, Colorado, 80634. 6.9. Zidal Reservoir is located on property owned by City of Thornton, 12450 Washington Street, Thornton, Colorado, 80241. 6.10. Chatfield – Reuter Hess Pipeline: The intake is to be located on property owned by U.S. Army Corps of Engineers, 9307 S. Wadsworth Blvd., Littleton, CO, 80128. 6.11. Koenig Reservoir Pump Station: The intake is to be located on property owned by 45 Acres, LLC, 9378 County Road 25, Fort Lupton, Colorado, 80621. 6.12. Nissen Reservoir Pump Station: The intake is to be located on property owned by DPG Farms, 3300 South Parker Road STE 300, Aurora, Colorado, 80014, and Donn L. Foster, 23989 County Road 58, Greeley, Colorado, 80631. 6.13. Lupton Bottom Ditch: The headgate is located on property owned by City of Aurora, 15151 East Alameda Parkway, Aurora, Colorado, 80012. 6.14. Meadow Island No. 1 Ditch: The headgate is located on property owned by Richard Hein, 5290 East Yale Circle STE 103, Denver, Colorado, 80222, and Darrel Bearson, 9208 County Road 25, Fort Lupton, Colorado, 80621. 6.15. The Zidal Reservoir Pump Station is to be located on property owned by LG Everist Inc., 350 South Main Avenue STE 400, Sioux Falls, South Dakota, 57104. 6.16. Highland Ditch (aka Plumb Ditch): The headgate is located on property owned by Carleton & Dejong, 1580 North Lincoln ST 1125, Denver, Colorado, 80203. 6.17. Western Mutual Ditch: The headgate is located on property owned by Raymond S. Houston and Kim Y. Houston, 15649 County Road 17, Platteville, Colorado, 80651. 6.18. Farmers Independent Ditch: The headgate is located on

property owned by Phyllis Edith Camp Nelson and Joan Carolyn Camp, P.O. Box 127, Platteville, Colorado, 80651. 6.19. Platte Valley Irrigation Canal: The headgate is located on property owned by Platte Valley Irrigation Company, 3400 West 16th Street, Greeley, Colorado, 80634, and Parker Family Land Company, 12877 County Road 18, Fort Lupton, Colorado, 80621. This application consists of 9 pages.

2023CW3181 Applicant: THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT (“CCWCD”), THE GROUNDWATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT (“GMS”), AND THE WELL AUGMENTATION SUBDISTRICT OF THE COLORADO WATER CONSERVANCY DISTRICT (“WAS”) (collectively “Central” or “Applicant”). 3209 West 28th Street, Greeley, Colorado 80634. (970) 330-4540 with all correspondence connected herewith being sent to Applicant’s counsel, Bradley C. Grasmick or David L. Strait, Lawrence Custer Grasmick Jones & Donovan, LLP., 5245 Ronald Regan Blvd., Suite 1, Johnstown, CO 80534, 970-622-8181. **APPLICATION FOR CONDITIONAL WATER STORAGE RIGHT IN WELD, ADAMS, BOULDER, MORGAN, AND LARIMER COUNTIES. CLAIM FOR CONDITIONAL WATER STORAGE RIGHT** Name of Reservoir. Sweet Valley Reservoir Complex. The Sweet Valley Reservoir Complex will consist of two water storage reservoirs, Heritage Reservoir and Trailblazer Reservoir, described herein. 2.1. Location of Structures. The Northwest 1/4 of Section 30, Township 4 North, Range 66 West, 6th P.M., Weld County, Colorado. 2.2. Source. South Platte River. 2.3. Points of Diversion. 2.3.1. Western Mutual Ditch, the headgate of which is located on the north bank of the South Platte River in the Southeast 1/4 of the Southwest 1/4 of Section 11, Township 3 North, Range 67 West of the 6th P.M., Weld County, Colorado. 2.3.2. Farmers Independent Ditch, the headgate of which is located on the eastern bank of the South Platte River in the Southwest 1/4 of Section 19, Township 3 North, Range 66 West of the 6th P.M., Weld County, Colorado. 2.3.3. Platte Valley Canal (aka Evans No. 2 Ditch), the headgate of which is located on the eastern bank of the South Platte River in the Northeast 1/4 of Section 19, Township 2 North, Range 66 West of the 6th P.M., Weld County, Colorado. 2.3.4. Milliken Reservoir South Platte River Diversion, the pump for which is Northeast 1/4 of the Southwest 1/4 of Section 26, Township 4 North, Range 67 West of the 6th P.M., Weld County, Colorado. 3. Amounts Claimed. Applicant claims the right to fill the Sweet Valley Reservoir Complex up to an amount of 4,000-acre feet with a refill of 4,000-acre feet. The anticipated volumes for each of the individual reservoirs in the complex are listed below; however, the amount stored in each individual reservoir shall not be limited to those amounts. Rather, the cumulative claim of 4,000-acre feet with a refill of 4,000-acre feet may be stored in the combination of the two reservoirs. 3.1. Heritage Reservoir: 1,800 acre-feet, conditional, with one annual refill up to 1,800 acre-feet, conditional. 3.2. Trailblazer Reservoir: 2,200 acre-feet, conditional, with one annual refill up to 2,200 acre-feet, conditional. 3.3. Capacity of structures used to fill Heritage Reservoir and Trailblazer Reservoir: 3.3.1. 150 c.f.s. from the Western Mutual Ditch, conditional. 3.3.2. 35 c.f.s. from the Farmers Independent Ditch, conditional. 3.3.3. 20 c.f.s. from the Platte Valley Irrigation Company, conditional. 3.3.4. 50 c.f.s. from the Milliken Reservoir South Platte River Diversion, conditional. 3.4. Appropriation Date. December 5th, 2023. 4.1. How Appropriation was Initiated. By the formation Applicant’s intent to appropriate passing a Resolution of the Board of Directors of CCWCD, GMS, and WAS Regarding the Appropriation of the Sweet Valley Reservoir Complex Water Storage Right, and the posting of said Resolution at the Points of Diversion described herein. 5.1. Proposed Uses. Augmentation, recharge, replacement, industrial, exchange, recreation, piscatorial and irrigation with the right to fully consume the water. 6.1. Names and addresses of owners of land on which structures are located. CCWCD is the owner of the land upon which the Sweet Valley Reservoir complex will be constructed. Owners of the diversion structures from which water will be diverted from the South Platte River are listed below. 7.1. Western Mutual Ditch Company, P.O. Box 282 LaSalle, Colorado 80645. 7.2. Farmers Independent Ditch Company, 3005 W. 29th St., Suite G-1, Greeley, Colorado 80631. 7.3. Platte Valley Irrigation Company, P.O. Box 336483 Greeley, Colorado 80633. 7.4. Farmers Reservoir and Irrigation Company, 80 South 27th Avenue, Brighton, Colorado 80601. 7.5. United Milliken Reservoir Enterprise, LLC 8301 East Prentice Avenue, Suite 100, Greenwood Village, Colorado 80111. The original application consists of 4 pages.

****AMENDED** 2021CW3185 TOWN OF CASTLE ROCK**, Attn: Mark Marlowe, Director of Castle Rock Water, 175 Kellogg Court, Castle Rock, CO 80109, (720)733-6000, *mmarlowe@crgov.com*. Serve all pleadings on: Madoline Wallace-Gross and Anthony J. Basile, Lyons Gaddis, P.C., P.O. Box 978, Longmont, CO 80502-0978, (303)776-9900, *mwg@lyonsgaddis.com; abasile@lyonsgaddis.com*.

SECOND AMENDED APPLICATION FOR CONDITIONAL WATER STORAGE RIGHTS AND FOR CONDITIONAL APPROPRIATIVE RIGHTS OF EXCHANGE IN MORGAN, LOGAN, WASHINGTON AND DOUGLAS COUNTIES.

1. **Background.** Applicant is in negotiation with Parker Water & Sanitation District (“Parker”) and Lower South Platte Water Conservancy District (“Lower South Platte”) to participate in the “Platte Valley Water Partnership” (“PVWP”). This application, as amended, seeks to adjudicate the Applicant’s conditional water rights for the PVWP. A. In the original application, Applicant sought a conditional water storage right in Prewitt Reservoir and a conditional water storage right in Fremont Butte Reservoir via diversions from the Prewitt Inlet Canal. B. In the first amended application, Applicant sought 1 alternate point of diversion for the Prewitt Reservoir conditional storage right and the Fremont Butte Reservoir conditional water storage right at the Bravo Ditch. Applicant sought 4 alternate places of storage for the Prewitt Reservoir conditional storage right at the Bravo Reservoir Complex. Applicant further sought a conditional appropriative right of exchange between the outlets of the Bravo Reservoir Complex and the Prewitt Inlet Canal. C. In this second amended application, Applicant seeks additional alternate points of diversion for the Prewitt Reservoir conditional storage right and the Fremont Butte Reservoir conditional water storage right at PVWP1, PVWP2, PVWP3, PVWP4, the Powell & Blair Ditch and the Iliff & Platte Ditch. Applicant also seeks alternate points of storage for Prewitt Reservoir conditional storage right at Alternate Sites B, C, D and E and at Iliff Reservoir. In addition, Applicant seeks to add PVWP1, PVWP2, PVWP3 and PVWP4 as upstream termini and the outlets of Iliff Reservoir as downstream termini in the conditional appropriation right of exchange. **The correction adds an inadvertently deleted landowner in ¶ 7.K.** D. The conditional storage right claimed as Prewitt Reservoir in the original application and as TCR-Prewitt Reservoir and Bravo Reservoir Complex in the first amendment shall be now referred to as the **TCR – PVWP Forebay Storage Right**. E. The conditional storage right claimed as Fremont Butte Reservoir conditional water storage right in the original application and as the TCR-Fremont Butte Reservoir in the first amendment shall be now referred to as the **TCR – Fremont Butte Reservoir Storage Right**. F. The conditional right of exchange claimed as the TCR Bravo – Prewitt Exchange in the first amendment shall now be referred to as the **TCR – PVWP Forebay and Fremont Butte Exchange**.

CONDITIONAL STORAGE RIGHTS

2. **Name of Water Right: TCR - PVWP Forebay Storage Right** (fka Prewitt Reservoir, TCR-Prewitt Reservoir and Bravo Reservoir Complex).

A. **Legal description of location of reservoirs:** Maps showing the location of these structures are attached as **EXHIBITS A, B, and C**.

i. **Original Point of Storage. Prewitt Reservoir** (also referred to Alternate Site A) located in all or parts of Sections 1, 2, 10, 11, 12, 13, 14, and 15 in T.5N., R.54W. of the 6th P.M. and in parts of Sections 5, 6, and 7 in T.5N., R.53W. of the 6th P.M., in Washington County, Colorado and in part of Section 31, T.6N., R.53W. of the 6th P.M. and part of Section 36, T.6N., R.54W. of the 6th P.M. in Logan County, Colorado. The center of the outlet works in the dam is located at SE 1/4 NE 1/4 Section 2, T.5N., R.54W. of the 6th P.M. in Washington County, Colorado.

ii. **Alternate Points of Storage.**

a. **Bravo Reservoir Complex:** one or more of the following separate off-channel reservoirs in Logan County.

i. **Bravo Reservoir:** to be located in all or parts of Sections 32 and 33 of T.9N., R.51W., 6th P.M., and Sections 3, 4 and 5 of T.8N., R.51W., 6th P.M.

ii. **Talbot Reservoir:** to be located in all or parts of Sections 22 and 27 of T.9N., R.51W., 6th P.M.

iii. **Board Held Reservoir:** to be located in all or parts of Section 6 of T.8N., R.51W., 6th P.M., and Section 1 of T.8N., R.52W., 6th P.M.

iv. **Veeman Reservoir:** to be located in all or parts of Sections 4, 5, and 8 of T.8N., R.51W., 6th P.M.

b. **Alternate Site B:** to be located southwest of and separate from the existing Prewitt Reservoir, in parts of Sections 22 and 27, T.5N., R.54W. of the 6th P.M. in Washington County.

c. **Alternate Site C:** to be located in Section 24, T.5N., R.55W. of the 6th P.M. in Morgan County.

d. **Alternate Site D:** to be located in parts of Sections 5 and 6, T.4N., R.54W. of the 6th P.M. and in Sections 31 and 32, T.5N., R.54 W of the 6th P.M. in

Washington County. e. **Alternate Site E:** to be located in parts of Section 4, T.4N, R.55W of the 6th P.M. and in Section 33, T. 5N, R.55W of the 6th P.M. in Morgan County. f. **Iliff Reservoir:** one or more storage cells surrounded by a perimeter dike/dam to be located in all or parts of Sections 13, 22, 23, 24, 26, 27, 31, 32, and 33, T.10N., R.50W., 6th P.M., and Section 6, T.9N., R.50W., 6th P.M. in Logan County. B. **Source:** South Platte River. C. **Name, capacity and point of diversion of ditch used to fill reservoirs:** i. **Original Point of Diversion. Prewitt Inlet Canal,** estimated capacity 695 cfs to 1,000 cfs, located in the SE ¼ SW ¼ Section 24, T.5N., R.55W. of the 6th P.M. in Morgan County, Colorado, at a point approximately 1470 feet from the west line and 520 feet from the south line of said Section 24. For delivery to Prewitt Reservoir and/or Alternate Sites B and C. ii. **Alternate Points of Diversion.** a. **Bravo Ditch,** 60 cfs decreed capacity, located on the south side of the South Platte River in the SE ¼ of Section 12, T.8N., R.52W. of the 6th P.M. in Logan County, at a point 1,710 feet from the south section line and 1,645 feet from the east section line. For delivery to the Bravo Reservoir Complex. b. **PVWP 1 Diversion,** 1,000 cfs capacity, located on the southeast bank of the South Platte River in Section 4, T.4N, R.55W of the 6th P.M. in Morgan County. For delivery to Alternate Sites D and/or E. c. **PVWP 2 Diversion,** 1,000 cfs capacity, located on the southeast bank of the South Platte River in Section 33, T.5N, R.55W of the 6th P.M. in Morgan County. For delivery to Alternate Sites D and/or E. d. **PVWP 3 Diversion,** 1,000 cfs capacity, located on the southeast bank of the South Platte River in Section 25, T.5N, R.55W of the 6th P.M. in Morgan County. For delivery to Alternate Site B and/or C. e. **PVWP 4 Diversion,** 1,000 cfs capacity, located anywhere in the reach of the South Platte River between the North Sterling Canal diversion structure in the SE ¼ of Section 32, T.5N., R.55W and the Prewitt Inlet Canal diversion structure described in paragraph 3.C.i. (“Stream Reach Diversion”) in Morgan County. For delivery to Alternate Site B, C, D and/or E. f. **Powell and Blair Ditch,** 80 cfs capacity, located in the NW ¼ of the SE ¼ of Section 1, T.9N., R.51W of the 6th P.M. in Logan County at a point approximately 1580 feet from the east line and 2500 feet from the south line of said Section 1. For delivery to Iliff Reservoir. g. **Iliff and Platte Valley Canal,** 150 cfs capacity, located in the SE ¼ of the NW ¼ of Section 25, T.9N., R.52W. of the 6th P.M. in Logan County, at a point approximately 2310 feet from the west line and 2100 feet from the North line of said Section 25. For delivery to Iliff Reservoir. D. **Date of appropriation:** January 17, 2017. E. **How appropriation was initiated:** Applicant initiated this appropriation by: investigating junior storage opportunities on the lower South Platte River for its long term renewable water supply; discussing joint junior storage projects with Parker Water and Sanitation District (“Parker”); passing of Resolution No. 2017-012, by Town Council, which accepted the 2016 Water Resources Strategic Master Plan wherein the Town described this project with Parker; including the estimated cost of the project in capital planning and rates and fees studies conducted since 2017; conducting engineering studies to support the appropriation of new water supplies; passing a director’s resolution evidencing the appropriation; and approving and filing the original application. F. **Date water applied to beneficial use:** Not applicable. G. **Volume claimed:** 722 acre-feet, conditional, cumulative, with original point of storage and all alternate points of storage, with the right to one refill, for storage and as a forebay for delivery to Fremont Butte Reservoir. H. **Flow rate claimed:** 111 cfs, cumulative, at the original point of diversion and all alternate points of diversion. I. **Capacity and surface area of reservoirs:** i. **Prewitt Reservoir.** Capacity: 32,300 acre-feet; Active Capacity: unknown; Dead Storage: unknown; Surface area: 2,321 acres; Dam height: unknown; Dam length: unknown. ii. **Bravo Reservoir Complex.** Capacity: 6,500 acre-feet combined; Active Capacity: unknown; Dead Storage: unknown; Surface area: 1,310 acres combined; Dam height: more than 10 feet; Dam length (longest perimeter dam): 10,600 feet. iii. **Alternate Site B.** Capacity: 6500 acre-feet; Active Capacity: 6500; Dead Storage: 0; Surface area: 566 acres; Dam height: unknown; Dam length: unknown. iv. **Alternate Site C.** Capacity: 6500 acre-feet; Active Capacity: 6500; Dead Storage: 0; Surface area: 124 acres; Dam height: unknown; Dam length: unknown. v. **Alternate Site D:** Capacity: 6500 acre-feet; Active Capacity: 6500; Dead Storage: 0; Surface area: 460 acres; Dam height: unknown; Dam length: unknown. vi. **Alternate Site E:** Capacity: 6500 acre-feet; Active Capacity: 6500; Dead Storage: 0; Surface area: 143 acres; Dam height: unknown; Dam length: unknown. vii. **Iliff Reservoir:** Capacity: 6500 acre-feet; Active Capacity: 6500; Dead Storage: 0; Surface area: 930 acres combined; Dam height: up to 9.9 feet; Dam length (parameter): 25,500 feet. J. **Proposed Uses:** All municipal purposes including augmentation, replacement

and exchange, with the right to use, reuse and successively use the return flows to extinction within Applicant's service area boundaries by direct use, after storage and by exchange. **K. Place of Use:** Lands within Applicant's water service area boundaries, as such boundaries currently exist or may exist in the future, and lands outside such boundaries by contract as of the filing of this application. A map of the Applicant's current service area is attached hereto as **EXHIBIT D.** **L. Reuse and Successive Use Operations:** Applicant intends to fully consume water diverted pursuant to this storage water right, and Applicant is appropriating the sewer and nonsewered return flows generated from the water right that accrues to Plum Creek and Cherry Creek and their respective tributaries. Sewered effluent attributable to this water right will be discharged at the Plum Creek Water Reclamation Authority Wastewater Treatment Plant Outfall located in the SW 1/4 SW 1/4 Section 21, T.7S., R.67W., 6th P.M., at a point 770 feet from the south section line and 100 feet from the west section line. The UTM coordinates are NAD 83, Zone 13, Easting 508185, Northing 4363729. Sewered effluent attributable to this water right will also be discharged to Cherry Creek at the Pinery Wastewater Treatment Plant Outfall, located in the NE 1/4 of the NW 1/4 Section 10, T.7S., R.66W. of the 6th P.M. at a point 200 feet from the north section line and 1,440 feet from the west section line of said Section 10, or any location where the discharge may be relocated in the future. The sewer and non-sewered return flows will be used, reused and successively used by direct use and exchange on Plum Creek and Cherry Creek. **M. Operations:** Water will be diverted directly at the original or alternate points of diversion described in ¶ 3.C, delivered into the places of storage described in ¶ 3.A, and either delivered for Applicant's end uses or pumped to Fremont Butte Reservoir. Water will also be diverted by exchange described in ¶ 5, delivered into the places of storage described in ¶ 3.A, and either delivered to Rueter-Hess Reservoir for Applicant's end uses or pumped to Fremont Butte Reservoir. Rueter-Hess Reservoir intercepts Newlin Gulch at a point in the SE1/4 SW1/4 of Section 30, T.6S., R.66W., 6th PM in Douglas County Colorado. **3. Name of Water Right: TCR- Fremont Butte Reservoir Storage Water Right** (fka Fremont Butte Reservoir and TCR-Fremont Butte Reservoir). Maps showing the location of these structures are attached as **EXHIBITS A, B, and C.** **A. Legal description:** An on-channel reservoir where the dam axis crosses the thread of an unnamed draw at a point located in the NW 1/4, Section 35, T.4N., R.53W., 6th P.M. on the northern section line of Section 35 and is 885 feet from the west section line, in Washington County, Colorado. The western abutment will be in the SE 1/4, Section 27, T.4N., R.53W., 6th P.M., approximately 2,200 ft. from the east line and 200 ft. from the south line; the eastern abutment will be in the NE 1/4 NE 1/4 of Section 35, T.4N., R.53W., 6th P.M., approximately 800 ft. from the east line and 700 ft. from the north line. Applicant anticipates that Fremont Butte Reservoir will be located in all or parts of Sections 27, 33, 34, and 35, T.4N., R.53W., 6th P.M. and Sections 2, 3, 4, 10, and 11, T.3N., R.53W., 6th P.M. **B. Source:** South Platte River. **C. Surface area of high-water line:** 1,870 acres. **D. Vertical height of dam:** 105 feet. **E. Length of dam:** Approximately 7,000 feet. **F. Total capacity of reservoir:** 72,000 acre-feet. Active capacity: 72,000 acre-feet. Dead storage: 0 acre-feet. **G. Volume claimed:** 8,000 acre-feet, conditional, with the right to one refill. **H. Name, capacity and point of diversion of ditch used to fill reservoir:** **i. Original Point of Diversion: Prewitt Inlet Canal.** See ¶ 3.C.i. **ii. Alternate Points of Diversion.** **1. Bravo Ditch.** See ¶ 3.C.ii.a **2. PVWP 1 Diversion.** See ¶ 3.C.ii.b **3. PVWP 2 Diversion.** See ¶ 3.C.ii.c **4. PVWP 3 Diversion.** See ¶ 3.C.ii.d **5. PVWP 4 Diversion.** See ¶ 3.C.ii.e **6. Powell and Blair Ditch.** See ¶ 3.C.ii.f **7. Iliff and Platte Valley Canal.** ¶ 3.C.ii.g **I. Flow Rate Claimed:** 111 cfs, conditional, cumulative, at the original point of diversion and all alternate points of diversion. **J. Date of Appropriation:** January 17, 2017. **K. How appropriation was initiated:** Applicant initiated this appropriation by: investigating junior storage opportunities on the lower South Platte River for its long term renewable water supply; discussing joint junior storage projects with Parker; passing of Resolution No. 2017-012, by Town Council, which accepted the 2016 Water Resources Strategic Master Plan wherein the Town described this project with Parker; including the estimated cost of the project in capital planning and rates and fees studies conducted since 2017; conducting engineering studies to support the appropriation of new water supplies; passing a director's resolution evidencing the appropriation; and approving and filing the original application. **L. Date water applied to beneficial use:** Not applicable. **M. Proposed Uses:** See ¶ 3.J. **N. Place of Use:** See ¶ 3.K. **O. Reuse and Successive Use Operations:** See ¶ 3.L. **P. Operations:** Water will be diverted directly at the original or alternate points of

diversion described in ¶ 4.H, delivered into storage in Fremont Butte Reservoir and then delivered Rueter-Hess Reservoir, described in ¶ 3.M., for Applicant's end uses. **CONDITIONAL APPROPRIATIVE RIGHT OF EXCHANGE** 4. **Name of Exchange:** TCR – PVWP Forebay and Fremont Butte Exchange (fka TCR Bravo – Prewitt Exchange). Maps showing the location of these structures are attached as **EXHIBITS A, B, and C**. A. **Downstream Termini:** i. **Outlets of Bravo Reservoir Complex:** a. A point in Section 36, T.9N., R.52W., 6th P.M., 0 feet for the north section line and 2,150 feet from the west section line. b. A point in Section 16, T.9N., R.51W., 6th P.M., 500 feet from the south section line and 0 feet from the east section line. c. A point in Section 1, T.8N., R.52W., 6th P.M., 0 feet from the north section line and 850 feet from the east section line. ii. **Outlets of Iliff Reservoir.** a. A point in Section 25, T.10N., R.50W., 6th P.M., 730 feet from the North section line and 1,120 ft. from the East section line (for eastern storage cells in Sections 13, 22, 23, 24, 26, and 27 of T.10N., R.50W. 6th P.M.). b. A point in Section 33, T.10N., R.50W., 6th P.M., 1,350 feet from the South section line and 940 feet from the West section line (for western storage cells in Sections 31, 32, and 33, T.10N., R.50W., 6th P.M.). B. **Upstream Termini:** i. Prewitt Inlet Canal. See ¶ 3.C.i ii. PVWP 1 Diversion. See ¶ 3.C.ii.b iii. PVWP 2 Diversion. See ¶ 3.C.ii.c iv. PVWP 3 Diversion. See ¶ 3.C.ii.d v. PVWP 4 Diversion, the Stream Reach Diversion, See ¶ 3.C.ii.e C. **Source:** South Platte River. D. **Date of Appropriation:** January 17, 2017. E. **How appropriation was initiated:** Applicant initiated this appropriation by: investigating junior storage opportunities on the lower South Platte River for its long term renewable water supply; discussing joint junior storage projects with Parker; passing of Resolution No. 2017-012, by Town Council, which accepted the 2016 Water Resources Strategic Master Plan wherein the Town described this project with Parker; including the estimated cost of the project in capital planning and rates and fees studies conducted since 2017; conducting engineering studies to support the appropriation of new water supplies; passing a director's resolution evidencing the appropriation; and approving and filing the original application. F. **Date Water Applied to Beneficial Use:** Not applicable. G. **Amount Claimed:** 111 cfs, conditional. H. **Proposed Uses:** See ¶ 3.J. I. **Source of Substitute Supply:** TCR – PVWP Forebay Storage Right See ¶ 3. J. **Operation:** Applicant will cause water stored under the TCR – PVWP Forebay Storage Right to be released to South Platte River from the downstream termini and exchanged to the upstream termini for subsequent diversion and storage. 5. **Integrated Water Supply Plan.** The storage water rights described herein are components of Applicant's integrated water supply system, which consists of underground water rights, storage water rights, appropriative rights of exchange, surface water rights, non-tributary groundwater rights and plans for augmentation. Pursuant to C.R.S. § 37- 92-301(4)(B), work on one feature of the integrated system shall be considered in finding that reasonable diligence has been shown for all features of the integrated system. 6. **Owners of land upon which structures are or will be located.** Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. A. **Prewitt Inlet Canal and Diversion Structure.** State of Colorado, Dept. of Natural Resources, 122 E. Edison St., Brush, CO 80723 and Dixie Water LLC, 500 Canal St., Metairie, LA 70005. B. **Prewitt Reservoir.** Prewitt Reservoir Land Co. and/or Logan Irr. Dist., Iliff Irr. Dist., and Morgan-Prewitt Res. Co., PO Box 333, Sterling, CO 80751; and Patrick J. Gebauer and Luan August c/o Luan August, 15488 Co. Rd. 57, Hillrose, CO 80733; Brundage Family Limited; Partnership Rlllp, 7837 South Perry Park Blvd, Larkspur, CO 80118; Colorado Board of Land Commissioners, 1127 Sherman Street, Denver, CO 80203; Colorado Division of Parks & Wildlife, 6060 Broadway, Denver, CO 80216; DPG Farms, LLC, 3300 South Parker Road, Ste 300, Aurora, CO 80014; Fritzler Andrew S Sub Trust; Ua Dtd 2-5-16 Created Under Harold Fritzler Living Trust; 16126 County Road 59.5, Merino, CO 80741; Fritzler Brian Douglas Sub Trust; Ua Dtd 2-5-2016 Created Under Harold Fritzler Living Trust; 15998 County Road 59.5, Merino, CO 80741; Fritzler Farm & Ranch LLC, 9799 County Road 6, Merino, CO 80741; Gen3 Farms LLC, PO Box 178, Merino, CO 80741; Kaiser Hilde Gill &; Jerald R Kaiser, 11213 West Asbury Avenue, Lakewood, CO 80227; Thompson Jeanne Gill, 3623 East Geddes Drive, Centennial, CO 80122; and 22 Ranch, 15335 US Highway 6, Rt 1, Box 86G, Merino, CO 80741. C. **Alternate Site B Storage Structure.** MR JAK Ranches LLC, 14456 Highway 6, Hillrose, CO 80733; Patrick J. Gebauer and Luan August, 15488 Co. Rd. 57, Hillrose, CO 80733; B7 Ranch LLLP,

6701 County Road 40, Yuma, CO 80759. D. **Alternate Site C Storage Structure**. Colorado Division of Parks and Wildlife, 6060 Broadway, Denver, CO 80216 and Dixie Water LLC, 500 Canal St., Metairie, LA 70005-3602. E. **Alternate Site D Storage Structure**. William I. Chapman Family Trust, 35516 County Road X, Hillrose, CO 80733; B7 Ranch LLLP, 6701 County Road 40, Yuma, CO 80759 and Charles F. Leaf 59365 County Road R, Merino, CO 80741. F. **Alternate Site E Storage Structure**. N. Sterling Irrig. District, PO Box 103, Sterling, CO 80751; Parker Water & Sanitation District, 18100 Woodman Drive, Parker, CO 80134; Colorado Division of Parks and Wildlife, 6060 Broadway, Denver, CO 80216. G. **PVWP 1 Diversion Structure**. Albert Hocheder, 23215 County Road 33, Hillrose. CO 80733; Parker Water & Sanitation District, 18100 Woodman Drive, Parker, CO 80134; and Colorado Division of Parks and Wildlife, 6060 Broadway, Denver, CO 80216 H. **PVWP 2 Diversion Structure**. N. Sterling Irrigation District, PO Box 103, Sterling, CO 80751. I. **PVWP 3 Diversion Structure**. Colorado Division of Parks and Wildlife, 6060 Broadway, Denver, CO 80216. J. **PVWP 4 Diversion Structure**. N. Sterling Irrigation District, PO Box 103, Sterling, CO 80751; Hillrose Ranch LLC, c/o Plante Moran, 8181 E. Tufts Ave., Suite 600, Denver, CO 80237 and Colorado Division of Parks and Wildlife, 6060 Broadway, Denver, CO 80216. K. **Bravo Reservoir**: Donald J. Manuello, 26150 Co. Rd. 385, Sterling, CO 80751; ***Timothy Ramey, 16263 Co. Rd. 32, Sterling, CO 80751***; and Colorado State Land Board, 1127 Sherman St., Suite 300, Denver, CO 80203. L. **Talbott Reservoir**: Talbott Ranch, LLC, 28651 Co. Rd. 385, Iiff, CO 80736; Home Ranch of Wyoming, 136 Washington Rd., Wheatland, WY 82201; and Alan and Michele Gerk, 27256 Co. Rd. 285, Iiff, CO 80736. M. **Board Held Reservoir**: Colorado State Land Board, 1127 Sherman St., Suite 300, Denver, CO 80203; Veeman Dairy, P.O. Box 336640, Greeley, CO 80633; John Held, P.O. Box 1321, Sterling, CO 80751; Sterling Investments, LLC, 2220 Downing St., Denver, CO 80205. N. **Veeman Reservoir**: Veeman Dairy, P.O. Box 336640, Greeley, Co 80633; and AgCountry Revocable Trust, 19495 Co. Rd. 72, Eaton, CO 80615. O. **Bravo Ditch Diversion Structure**: Bravo Ditch Company, 24833 CR 385, Sterling, CO 80751; and City of Sterling, P.O. Box 4000, Sterling, CO 80751. P. **Fremont Butte Reservoir**: Gary R. & Judith A. Anderson, 20750 Co. Rd. 46, Akron, CO 80720; Michael P. & Kendra A. Anderson, 46043 Co. Rd. Y, Akron, CO 80720; James L. Brandon and Vickie L. Armstrong, 678 W. 11th St., Akron, CO 80720; Arthur D. Cline, 46667 Co. Rd. AA, Akron, CO 80720; Colorado State Land Board, 1127 Sherman St., Suite 300, Denver, CO 80203; Phyllis E. Covey, 15267 S. Co. Rd. 212, Blair, OK 73526; Fincher Land Company LLC, 45997 Co. Rd. U, Akron, CO 80720; David E. Garcia, 2218 Richmond Street, Odessa, TX 79762; Kory A. & Shanan Nicole Kessinger, 21250 Co. Rd. 50, Akron, CO 80720; Lila L. Kessinger, 513 Springdale Rd, Sterling, CO 80751; and Ellen W. Stratton, c/o Jill Dreher, PO Box 248, Akron, CO 80720. Q. **Iiff Reservoir**: Parker Water and Sanitation District, 18100 E. Woodman Drive Parker, CO 80134; Kevin N. McDaniel, 14247 CR 71, Fleming, CO 80728; Jena Yost, 21002 Hwy 113, Iiff, CO 80736; Jeffrey J. and Yvonne K. Kielian, 25767 CR 61, Iiff, CO 80736. R. **Iiff and Platte Valley Canal Diversion Structure**: Michael L. and Jeannette M. Cannon, P.O. Box 214, Fowler, CO 81039. S. **Powell & Blair Ditch Diversion Structure**: Golden Eagle Farm LLC, PO Box 179173, St. Louis, MO 63117. WHEREFORE, Applicant respectfully requests the Court enter a decree approving Applicant's conditional storage rights and conditional appropriative right of exchange as amended and described herein. **EXHIBIT LIST**. A. Map of PVWP Forebay Storage Right and Fremont Butte Reservoir B. Map of Bravo Ditch and Proposed Bravo Reservoir Sites C. Map of Iiff Reservoir, Diversions, and Exchange-from Sites D. Town of Castle Rock service area. (15 pages, excluding exhibits)

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

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of

FEBRUARY 2024 (forms available on www.courts.state.co.us or in the Clerk's office), and must be filed as an Original and include **\$192.00** filing fee. A copy of each Statement of Opposition must also be served upon the Applicant or Applicant's Attorney and an affidavit or certificate of such service of mailing shall be filed with the Water Clerk.