

**DISTRICT COURT, WATER DIVISION 1, COLORADO
MAY 2024 WATER RESUME PUBLICATION**

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

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications, and certain amendments filed in the Office of the Water Clerk during the month of **MAY 2024** for each County affected. (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us)

CASE NO. 2024CW5 DENIS M. AND YOLANDA M. MEADE, 507 W. Valleyview Ave., Littleton, CO 80120. 303-319-3254. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN PARK COUNTY**. Date of original decree: 05-03-05 in case 96CW905, WD1. Subsequent decrees: 12-06-11 in case 11CW85, WD1; 06-11-18 in case 17CW58, WD1. Meade Lot 4-98 Well located NW1/4, NE1/4, S17, T9S, R76W of the 6th PM at a point approximately 1200 ft. from North and 2000 ft. from East of Section 17. Also know as 920 Reinecker Court, Como, CO 80432. Bar D Ranch, Lot 98, Filing 4. Source: Groundwater. Amount: 0.033 cps (15 gpm) conditional. Use: Domestic.

CASE NO. 2024CW3062 Applicant, TOWN OF FIRESTONE, 9950 Park Ave, Firestone, CO 80504, 303-833-3291. Please send correspondence and pleadings to: Bradley C. Grasmick, Wesley S. Knoll and Linda P. Bower, Lawrence Custer Grasmick Jones & Donovan LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534; (970) 622-8181; brad@lcwaterlaw.com, wes@lcwaterlaw.com; linda@lcwaterlaw.com. **APPLICATION FOR CHANGE OF WATER RIGHTS, IN BOULDER AND WELD COUNTIES**. CHANGE OF WATER RIGHTS, NEW CONSOLIDATED LOWER BOULDER RESERVOIR & DITCH COMPANY SHARES; 2. Decreed water right for which change is sought: 2.1. Name of Structure: Lower Boulder Ditch. 2.2. Date of original decree: CA 1282, June 2, 1882, Boulder County District Court. 2.3. Legal description of location: On Boulder Creek in the SW 1/4 of the SW 1/4 of Section 16, Township 1 North, Range 69 West of the 6th P.M., Boulder County, Colorado. 2.4. Source: Boulder Creek. 2.5. Appropriation Dates: October 1, 1859 and June 1, 1870. 2.6. Total amount decreed to structure: 25 cfs (1859) and 97 cfs (1870). 2.7. Decreed use: Irrigation. 2.8. Amount of water that Applicant intends to change: 6.75 Common Shares of the New Consolidated Lower Boulder Reservoir and Ditch Company ("LBDC") represented by stock certificate nos. C141 (for 3 shares) and C142 (for 3.75 shares) (collectively "LBDC shares") owned by the Town of Firestone. 3. Historical use: Three LBDC shares were historically used to irrigate land on the Bybee Farm (62 acres) located in the S 1/2 of the NE 1/4 of Section 27, Township 2 N, Range 68 West of the 6th P.M. in Weld County, Colorado and 3.75 shares historically irrigated the Moore Farm (70 acres) located in the W 1/2 of the NE 1/4 of Section 24, Township 2 N, Range 68 W of the 6th P.M. in Weld County, Colorado. 4. Proposed change: 4.1. Use. In addition to the presently decreed uses, Applicant seeks to change the use of the water rights represented by the LBDC shares to include uses for direct flow and storage with the right to totally consume the consumable portion of the water, either by first use, successive use, or disposition for all beneficial uses of the municipal water system of Firestone as it currently exists or exists in the future, including, but not limited to, municipal, domestic, irrigation, commercial, industrial, recreation, fish and wildlife, augmentation, replacement, exchange and storage for these purposes. All diversions attributable to the shares shall be made through the river headgate of the Lower Boulder Ditch. The LBDC shares may be leased to others for both the presently decreed or new uses. 4.2. Additional Future Places of Storage. The LBDC Shares may be stored in additional places of storage on any ditch or diversion structure described in this Application. Applicant specifically claims the right to take delivery of and store the LBDC shares for subsequent release for the uses described herein at the following reservoirs: 4.2.1. Firestone Reservoir No. 1. Firestone Reservoir No. 1 is a lined water storage reservoir, initially decreed in Case No. 05CW335, Water Division 1, located in the NW 1/4 of Section 6, Township 2 North, Range 67 West of the 6th P.M. in Weld County, described therein as the Carbon Valley Water Storage Cell on the Lohmann/Brooks parcel and to be known as Firestone Reservoir No. 1. Firestone has acquired Firestone Reservoir No. 1; 4.2.2. Firestone Reservoir No. 2. Firestone

Reservoir No. 2 is a lined water storage reservoir located west of and adjacent to Firestone Reservoir No. 1 in the NW 1/4 of Section 6, Township 2 North, Range 67 West of the 6th P.M. in Weld County, to be known as Firestone Reservoir No. 2. Applicant and L. G. Everist, Inc. have entered into a contract for the acquisition of Firestone Reservoir No. 2. 4.2.3. Firestone Reservoir No. 3. L.G. Everist, Inc. is in the process of mining and constructing a lined storage reservoir in Section 32, Township 3 North, Range 67 West on property which is currently owned by the Town of Firestone as further described in Case No. 23CW3009. 4.2.4. Central Park Reservoir. Central Park Reservoir is a water storage reservoir located at Firestone's Central Park located in Section 18, Township 2 North, Range 67 West of the 6th P.M. as further described in this Application. 4.3. Diversion Period. May 1 through August 31. 4.4. Ditch-wide Determination. In Case No. 90CW108 this Court determined that shares in the Lower Boulder Ditch had an overall irrigation efficiency of 57.5 percent of the water diverted at the Lower Boulder Ditch headgate. This determination was upheld in subsequent Case Nos. 94CW284 and 97CW195. Firestone intends to rely on this Court's determination in 90CW108 to quantify the historical consumptive use of the LBDC shares. There have been no changed circumstances on the Lower Boulder Ditch System which would warrant re-consideration of the Court's determination in 90CW108. *See Williams v. Midway Ranches Prop. Owners' Ass'n, Inc.*, 938 P.2d 515, 525-526 (Colo. 1997). 4.5. Historical Consumptive Use. The average historical consumptive use of the LBDC Shares was determined to be an average of 36.1 acre-feet per year. This amount is preliminary and subject to modification upwards or downwards as additional information becomes available to Applicant. 4.6. Return Flows. The return flows from the LBDC Shares historically accrued to Godding Hollow. 5. Replacement of Return Flows: As needed to prevent injury to vested water rights and decreed conditional rights, Applicant will replace the historical return flow portion of the water rights. 6. Proposed terms and conditions for delivery of the LBDC shares through the Lower Boulder Ditch: 6.1. The LBDC shares will continue to be diverted at the headgate of the Lower Boulder Ditch Company on Boulder Creek. 6.2. Applicant may take delivery of the LBDC shares from the Lower Boulder Ditch to any of the points of delivery, described as: 6.2.1. A turnout to the Godding Hollow from the Lower Boulder Ditch in the NE 1/4 of Section 2, T 1N, R 68W, of the 6th P.M. for delivery to the Godding Hollow and St. Vrain Creek; and 6.2.2. Through the Lower Boulder Ditch to the Coal Ridge Ditch for delivery to the locations described herein; and 6.2.3. At Firestone's Public Works (off the Coal Ridge Ditch) to deliver water to Central Park Reservoir for all uses described in this Application, located in Section 18, T 2 N, R 67W, of the 6th P.M., after delivery to the Coal Ridge Ditch; and 6.2.4. At Firestone Reservoir Nos. 1 and 2, for storage or direct release to St. Vrain Creek for all uses described in this Application; and 6.2.5. At a turnout on the Coal Ridge Ditch in the W 1/2 of Section 9, Township 2 North, Range 67 West of the 6th P.M. for delivery to St. Vrain Creek and/or Firestone Reservoir No. 3. 6.2.6. Any other location below the headgate of the Lower Boulder Ditch and/or Coal Ridge Ditch that the Shares can physically be delivered, provided Applicant first obtains approval of the LBDC and/or Coal Ridge Ditch Company for such delivery location. 6.3. The LBDC shares shall be subject to transit loss in the Lower Boulder Ditch as determined by the ditch rider, applying the same percentage to all shareholders. The LBDC Shares may also be subject to a reservation of water by LBDC to fulfill demands of holders of "Leyner" and "Briggs" contracts. The transit loss assessment and the contract reservation may be referred to collectively as a "TCA assessment." 6.4. The diversion season applicable to the LBDC Shares shall be the same as the season for all shareholders. RURAL DITCH COMPANY SHARES 7. Decreed water right for which change is sought: 7.1. Name of Structure: Rural Ditch 7.2. Date of original and subsequent decrees: CA 1336, June 2, 1882, Boulder County District Court; Case No. 84CW412, August 30, 1985, Water Division No. 1. 7.3. Legal description of location: On Boulder Creek in the NE1/4 Section 20, Township 2 North, Range 68 West of the 6th P.M., Weld County, Colorado. 7.4. Source: Boulder Creek. 7.5. Appropriation Dates: May 5, 1862 and March 10, 1863. 7.6. Total amount decreed to structure: 22.75 cfs (1862) and 60.25 cfs (1863). 7.7. Decreed use: Irrigation. 7.8. Amount of water that Applicant intends to change: 3 shares out of the outstanding 50 shares of the Rural Ditch Company ("RDC") represented by stock certificate no. 430 (the "Rural Shares" or "RDC Shares"). Firestone owns the Rural Shares. 8. Historical Use: One of the three RDC Shares (referred to herein as the "Guertner Share") was used with an additional 1.0 RDC Share (previously quantified in Case No. 17CW3202) to irrigate up to approximately 45 acres on the Guertner Farm. The Guertner Share was

historically used to irrigate land in the W 1/2 of the NE 1/4 of Section 2, Township 2 North, Range 68 West; and the W 1/2 of the SE 1/4 of Section 35, Township 3 North, Range 68 West, 6th P.M., Weld County, Colorado. The remaining 2.0 RDC Shares (referred to herein as the “Adler Shares”) were historically used with an additional 3.0 RDC shares (previously quantified in Case Nos. 03CW306 (2 shares) and 17CW3202 (1 share)) to irrigate the Adler Farm in the West 1/2 of Section 35, T. 3N, R68 W; the NW 1/4, E 1/2 of the SW 1/4, and the W 1/2 of the SE 1/4 of Section 2, T 2N, R. 68 W of the 6th P.M., in Weld County, Colorado. Prior estimates of the irrigated acreage of the Adler Farm have varied between 299.3 acres (03CW306) and 199 acres (17CW3202). 9. Proposed change: 9.1. Use. In addition to the decreed irrigation use, Applicant seeks to change the use of the water rights represented by the Rural Shares to include uses for direct flow and storage with the right to totally consume the consumable portion of the water, either by first use, successive use, or disposition for all beneficial uses of the municipal water system of Firestone as it currently exists or exists in the future, including, but not limited to, municipal, domestic, irrigation, commercial, industrial, recreation, fish and wildlife, augmentation, return flow replacement, exchange and storage for these purposes. All diversions attributable to the Rural Shares shall be made through the river headgate of the Rural Ditch. The Rural Shares may be leased to others for such uses. 9.2. Additional Future Place of Storage. The Rural Shares may be stored in additional places of storage on any ditch or diversion structure described in this Application. Applicant specifically claims the right to take delivery of and store the Rural Shares for subsequent release for the uses described herein at the following reservoirs: 9.2.1. Firestone Reservoir No. 1, which is a lined storage reservoir, originally decreed in 05CW335, located in the NW 1/4 of Section 6, Township 2 North, Range 67 West of the 6th P.M. 9.2.2. Firestone Reservoir No. 2: Firestone Reservoir No. 2 is a lined water storage reservoir located west of and adjacent to Firestone Reservoir No. 1 in the NW 1/4 of Section 6, Township 2 North, Range 67 West of the 6th P.M. in Weld County, to be known as Firestone Reservoir No. 2. Applicant and L. G. Everist, Inc. have entered into a contract for the acquisition of Firestone Reservoir No. 2. 9.2.3. Firestone Reservoir No. 3: L.G. Everist, Inc. is in the process of mining and constructing a lined storage reservoir in Section 32, Township 3 North, Range 67 West on property which is currently owned by the Town of Firestone as further described in Case No. 23CW3009. 9.2.4. Firestone Central Park Reservoir is a water storage reservoir located in Section 18, T 2N, R 67W of the 6th P.M. The Rural Shares may be delivered to Central Park Reservoir after initial delivery to Firestone Reservoir No. 1. 9.3. Recharge. Water from the Rural Shares may be delivered to the FAST Recharge Pond to generate recharge accretions to St. Vrain Creek. Water recharged to the FAST Recharge Pond will return to St. Vrain Creek at a point in the W 1/2 NW 1/4 of Section 31, Township 3 North, Range 67 West of the 6th P.M. In addition to generating recharge credits for use in the Applicant’s augmentation plan, water recharged at this site will sustain well yields from Applicants nearby well(s). 9.4. Dry up. The historically irrigated area of the Guertner and Adler Farms has been developed and is no longer capable of agriculture irrigation. 9.5. Diversion Period. April 1 through October 31. 9.6. Farm Headgate Delivery. Farm headgate deliveries attributable to the Rural Shares historically averaged a total of 95.53 acre-feet per share per year. This amount is preliminary and subject to modification upwards or downwards as additional information becomes available to Applicant. 9.7. Historical Consumptive Use. The average consumptive use for the RDC Shares historically averaged 51.03 acre-feet per share per year. This amount is preliminary and subject to modification upwards or downwards as additional information becomes available to Applicant. 9.8. Return Flows. The return flows from the historical use of the RDC Shares averaged 44.5 acre-feet per share per year. This amount is preliminary and subject to modification upwards or downwards as additional information becomes available to Applicant. 10. Diversion Records: Applicant’s engineering consultants have reviewed records of diversions by the Rural Ditch Company and Applicant will rely on the records in the quantification of the historical use of the water rights. 11. Proposed terms and conditions for delivery of the Rural Shares through the Rural Ditch: 11.1. The Rural Shares will continue to be diverted at the headgate of the Rural Ditch on Boulder Creek, to be used by Firestone for all uses within the Town’s municipal system for all municipal uses as described in this application. 11.2. Applicant may take delivery of the Rural Shares from the Rural Ditch to any of the points of delivery described as: 11.2.1. At Firestone Reservoir Nos. 1, 2, and 3 for storage or direct release to St. Vrain Creek for all uses described in this Application; 11.2.2. Firestone Central Park Reservoir, for storage or release

for all uses described in this Application; 11.2.3. The FAST Recharge Facility located on the FAST parcel in the SW 1/4 of the SW 1/4 of Section 31, Township 3 North, Range 67 West of the 6th P.M., and as described in the 19CW 3236 Decree, for all uses described in this Application; 11.2.4. An augmentation structure currently located near the downstream end of the Rural Ditch at a point in the NE 1/4 of the NW 1/4 of Section 1, Township 2 North, Range 68 West, 6th P.M., Weld County, Colorado; and 11.2.5. The Last Chance Ditch, to be delivered to any of the locations described above; 11.2.6. At an existing augmentation structure constructed by the Company near its river headgate on Boulder Creek; and 11.2.7. Any other location below the headgate of the Rural Ditch that the Shares can physically be delivered, provided Applicant first obtains approval of the Rural Ditch Company for such delivery location. 11.3. The Rural Shares shall be subject to transit loss in the Rural Ditch as determined by the ditch rider, applying the same percentage to all shareholders. In the event that Applicant takes delivery of the Rural Shares at the future augmentation station at the river headgate, the ditch loss portion of the delivery shall remain in the ditch. 11.4. The diversion season applicable to the Rural Shares shall be the same as the season for all shareholders. Firestone shall not take delivery of its Rural shares prior to April 1 or after October 31. 11.5. The Operating Agreement with the Rural Ditch Company, including all amendments thereto, will govern Applicant's deliveries of the Rural Shares. 12. Names and addresses of owners, if other than Applicant, of land on which structures are located: 12.1. New Consolidated Lower Boulder Reservoir and Ditch Company, P.O. Box 1826, Longmont, Colorado 80502-1826. 12.2. New Coal Ridge Ditch Company, 10879 Weld Co. Rd. 17, Longmont, CO 80504. 12.3. Rural Ditch Company, 735 Bowen, Longmont, CO 80501. 12.4 Last Chance Ditch Company, P.O. Box 119 Longmont, CO 80502-0119. The original format of this application is nine (9) pages in length.

CASE NO. 2024CW3063 BLACK SUN LLC, PO Box 1869, Elizabeth, CO 80107. James J. Petrock, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR AMENDMENT OF A PRIOR DECREE IN ELBERT COUNTY.** Subject Property: Approximately 960 acres generally located in Section 29 and Section 20, Township 6 South, Range 64 West of the 6th Meridian, County of Elbert, State of Colorado as described in Exhibit A attached (“Subject Property”). Applicant is the sole owner of the Subject Property. Decree for which Amendment is Sought: Case number 1989CW236 decreed July 31, 1990, and associated with the Subject Property (“89CW236 Decree”), as amended by Decree in Case 2021CW3198 (“21CW3198 Decree”). No objections were filed to the Application in Case 89CW236 or 21CW3198 and no wells have been drilled on the Subject Property pursuant to either Decree. Applicant is the owner of all not nontributary groundwater in the Lower Dawson Aquifer underlying the Subject Property, as evidenced by Quitclaim Deed attached hereto as Exhibit B. Applicant is the owner of 162 acre feet of not nontributary Lower Dawson aquifer water underlying the Subject Property adjudicated in the 89CW236 Decree. Jurisdiction. The Court has jurisdiction over the subject matter of this application pursuant to CRS 37-90- 137(6), 37-92-203(1) and 37-92-302(2). By contractual agreement, attached as Exhibit C, Arapahoe County Water and Wastewater Authority, as owner of all water rights adjudicated in the 89CW236 Decree and 21CW3198 Decree not deeded to applicant, has agreed to allow Applicant to withdraw all of the Lower Dawson not non tributary groundwater underlying the Subject Property. Previous Amendments. The Lower Dawson ground water underlying “Parcel M” as described in the 89CW236 Decree, and as amended in the 21CW3198 Decree, now constitutes all Lower Dawson ground water adjudicated in the 89CW236 Decree, as follows: Paragraph 7.C. 1989CW236, as amended by 2021CW3198:

Lower Dawson Aquifer				
Parcel Designation	Acreage	Sand Thickness	Specific Yield	Avg Annual Amount
Parcel M	1280 Acres	85 feet	20%	218 acre feet *

*after removal of 640 acres and 108 acre feet under 2021CW3198.

Amendment Requested by this Application: Applicant seeks amendment of the 89CW236 Decree to remove the Subject Property, and 162 acre feet of Lower Dawson ground water underlying the Subject Property, from Parcel M. The 162 acre feet per year will be used for the drilling of exempt wells on 35 acre parcels within the Subject Property or other exempt uses. Paragraph 7.C. of the 89CW236 Decree as amended by this request for amendment:

Lower Dawson Aquifer				
Parcel Designation	Acreage	Sand Thickness	Specific Yield	Avg Annual Amount
Parcel M	320 Acres	85 feet	20%	56 acre feet

*Consisting of the East ½ of Section 31, Township 8 South Range 64W 6th P.M. County of Elbert, CO. Other than as requested herein, no other provision of the 89CW236 or 2021CW3198 Decrees will be changed by this Application. Applicant requests that the Court approve the requested amendment of the 89CW236 Decree, find that Applicant has complied with CRS 37-90-137(4) and that water is legally available for withdrawal, find that there will be no material injury to owners of or persons entitled to use water under any vested water right or conditional water right, and grant such other and further relief as may be proper. 3 pages.

CASE NO. 2024CW3064 THE WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, 3209 West 28th Street, Greeley, Colorado 80634. (970) 330-4540. Bradley C. Grasmick, #35055, David L. Strait, #52659, Nicholas P. Espenan, #59333, Lawrence Custer Grasmick Jones & Donovan, LLP, brad@lcwaterlaw.com, dstrait@lcwaterlaw.com, nick@lcwaterlaw.com. **APPLICATION TO ADD WELLS TO AUGMENTATION PLAN IN ADAMS, MORGAN AND WELD COUNTIES**. 2. Summary of Application. WAS desires to adjudicate the addition of the Added Well described herein to its augmentation plan decreed in Water Court, Division No. 1, Case No. 03CW099 (the “WAS Decree”). The Added Well was previously included in the WAS Decree as a Member Well and was subsequently removed by Case No. 11CW106 in January 2013. The Subject Well has not been pumped since 2006 or earlier and there are no remaining net depletions due to prior pumping of the Added Well. 3. Structure to be Added and Augmented (“Added Well”): 3.1. Names and address of Well Owners: Scott Cline and Donna Jean Vonderlage, 1422 South Teller St. Lakewood, CO 80232. 3.2. Decree: W-4223. A decree was entered in Water Court Division 1, on April 4, 1974, adjudicating the Added Well for irrigation of approximately 115 acres in the SW 1/4 of Section 31, Township 3 North, Range 66 West of the 6th P.M., Weld County, Colorado. See Exhibit 1 hereto. 3.3. WAS Contract number 1344. Contract 1344 was approved April 16, 2024, irrigating 100 acres located on the SW 1/4 Section 31, Township 3 North, Range 66 West of the 6th P.M (the “The Vonderlage & Cline Property”). The General Location Map for the Vonderlage & Cline Property is attached as Exhibit 2. 3.4. Permit: 3.4.1. Permit 13155; WDID 0205616. 3.4.1.1. Location: SE1/4 of the SW1/4 of Section 31, Township 3 North, Range 66 West of the 6th P.M., Weld County, Colorado at a point 30 feet North and 21 feet West of the SW 1/4 of the SE 1/4 Corner. 3.4.1.2. Appropriation Date: July 6, 1957. 3.4.1.3. Decreed Amount: 2.30 cfs. 4. Proposed Terms and Conditions. 4.1. The terms and conditions for the Added Well will be the same as for the other Covered Wells in the WAS Decree. The consumptive use factor will be 60% for flood irrigated acres and 80% for sprinkler irrigated acres. The method for determining future well depletions will be those set out in the WAS Decree at ¶¶ 16-19. The Added Well will be subject to all the terms and conditions for operation as for other Covered Wells in the WAS Decree. 4.2. Net Stream Depletions: Depletions resulting from the consumptive use of groundwater and accretions resulting from deep percolation of groundwater applied for irrigation will be lagged back to the South Platte River using the Glover alluvial aquifer method and the following parameters: 4.2.1. WDID 0205616. Harmonic Mean Transmissivity (Gallons/day/foot) T = 90,000. Specific Yield = 0.2. Total distance of alluvial aquifer boundary from river W = 7,483 feet. Distance of Well from river X = 3,593 feet. See WSWE Report, Exhibit 3. 5. Distribution of Future Well Depletions. The WAS

Decree requires WAS to distribute well depletions between river reaches. ¶22.2 of the WAS Decree states: “In the event of the addition or deletion of a well under this plan pursuant to ¶¶ 11.1.2 and 11.1.3, the Court shall approve and order such adjustments to the percentages set forth in ¶¶ 22.2.1, 22.2.2, and 22.2.4 as necessary to ensure that depletions continue to be replaced at locations necessary to prevent injury.” The distribution of well depletions has been amended by the decrees entered subsequent to the WAS Decree. The addition of the Added Well to the WAS Decree will not change the total volume of replacement allocations for WAS Member Wells. As previously determined in Case No. 03CW099, pumping of the Added Well will result in depletions to the South Platte River in WAS Administrative Reach F3. WAS will replace out-of-priority depletions to the South Platte River from the sources listed in Attachment 3 within the WSWE Report attached hereto as Exhibit 3. Adding the Added Well does not adjust the distribution of well depletions in Reach F. The decreed site-specific aquifer parameters within in (Table 2-1) of Exhibit 3 will be used to calculate the delayed timing of depletions from pumping. Upon entry of a decree, the WAS projection will be amended to include the depletions attributable to the Added Well. This document consists of 4 pages.

CASE NO. 2024CW3065 (17CW3005, 84CW177) APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE CONDITIONAL WATER RIGHT PARTIALLY ABSOLUTE IN BOULDER COUNTY. 1. **Name and address of Applicants:** CITY OF LONGMONT (“Longmont”) c/o Water & Waste Department, Water Resources Division, 375 Airport Road, Longmont, CO 80501 and Cemex, Inc. (“Cemex”) c/o Lyons Plant Manager 5134 Ute Highway, P.O. Box 529, Lyons, Colorado 80540. c/o David S. Hayes, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, Colorado 80202, (303) 825-1980, dhayes@hpkwaterlaw.com. 2. **Name of structure:** St. Vrain - Portland No. 1 Reservoir (a/k/a A-Pit). 3. **Description of conditional water right:** A. **Original decree:** Decreed by the District Court, Water Division No. 1, in Case No. 84CW177, on June 27, 1991. B. **Legal description:** Section 28, Township 3 North, Range 70 West, 6th P.M., Boulder County, as depicted on the map attached to the application as Exhibit C, and is available for inspection at the office of the Division 1 Water Clerk or via CCE. C. **Source:** St. Vrain Creek, via the Swede Ditch, Boulder Feeder Canal, Foothills Reservoir Feeder Canal, and/or Smead Ditch, also shown on Exhibit C. D. **Amount:** 9,000 acre-feet, conditional. E. **Use:** Irrigation, municipal, industrial, flood control, water quality control, recreation, fishery enhancement, minimum stream flows, exchange and replacement. F. **Prior diligence decrees and decree making partially absolute:** Findings of reasonable diligence were subsequently made in the decrees entered in Case No. 97CW189, on February 9, 1998; Case No. 04CW34, on September 17, 2004; Case No. 10CW238, on January 20, 2011, and Case No. 17CW3005 on May 23, 2018. In addition, the decreed entered in Case No. 97CW189 made absolute 1607 acre-feet for irrigation, industrial, flood control, recreation, fishery enhancement, and exchange and replacement purposes. G. **Other:** Additional terms and conditions applicable pursuant to prior decrees and stipulations: i. **Releases for fishery and minimum stream flow.** No water shall be released from storage pursuant to the subject St. Vrain – Portland Reservoir water right for fishery enhancement and/or minimum stream flow uses unless Applicants, or their successors, have first entered into a water delivery agreement with the Colorado Water Conservation Board that addresses the use of such releases to preserve or improve the natural environment to a reasonable degree. ii. **Use of Boulder Feeder Canal.** Pursuant to a prior stipulation with the Northern Colorado Water Conservancy District, Applicants shall not use the Boulder Feeder Canal for delivery or carriage of any non-C-BT Project water, including but not limited to water diverted from St. Vrain Creek pursuant to the conditional water right decreed to the St. Vrain – Portland No. 1 Reservoir, without first obtaining a written carriage agreement from Northern Water for such use. iii. **Use of Swede Ditch.** Pursuant to a prior stipulation with the Swede Ditch Company (“Company”), Applicants shall not use the Swede Ditch for delivery or carriage of any water diverted from St. Vrain Creek pursuant to the conditional water right decreed to the St. Vrain – Portland No. 1 Reservoir, unless such delivery and carriage is conducted pursuant to the terms of a written carriage agreement between Applicant(s) and the Company. 4. **Evidence of reasonable diligence:** Cemex, formerly known as Southdown, Inc. d/b/a Southwestern Portland Cement Company, manufactures cement at its plant near Lyons, Colorado. The property includes former mining pits which may be reclaimed as

reservoirs pursuant to reclamation plans. The St. Vrain - Portland No. 1 Reservoir right (“Subject Right”) was initiated to fill such pit(s) with water diverted out of the St. Vrain Creek via several existing ditches running through the site. During the applicable diligence period (May 2018 - Present) (the “Diligence Period”), the Applicants have expended significant effort and money in the development of the Subject Right. These efforts are detailed in the affidavit of Erik Estrada, Lyons Plant Manager for Cemex, attached to the application as Exhibit A, and the affidavit of Wesley J. Lowrie, Water Resource Analyst for the City of Longmont, attached to the application as Exhibit B. These affidavits are available for inspection at the office of the Division 1 Water Clerk or via CCE. The efforts detailed in the attached affidavits are not intended to be all inclusive and may be supplemented by additional evidence at any hearing in this matter.

5. Claim to make partially absolute: Pursuant to CRS §37-92-301(4)(e), a decreed conditional water storage right shall be made absolute for all decreed purposes to the extent of the volume of the appropriation that has been captured, possessed and controlled at the decreed storage structure. As previously determined by this Court in Case No. 97CW189, 1607 acre-feet of the appropriation for the St. Vrain - Portland No. 1 Reservoir has been diverted and stored, and Applicants herein seek confirmation that this same amount has been made absolute for all decreed purposes.

6. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: A. Reservoir: Cemex, Inc., at the address given previously. B. Foothills Reservoir Feeder Canal: Highland Ditch Company, P.O. Box 649, Mead, Colorado 80542-0649. C. Swede Ditch: Swede Ditch Company, P.O. Box 95, Hygiene, Colorado 80533. D. Boulder Feeder Canal: Northern Colorado Water Conservancy District, 220 Water Avenue, Berthoud, Colorado 80513. E. Smead Ditch: Smead Ditch Company, 5475 Hygiene Road, Longmont, CO 80503.

WHEREFORE, Applicants respectfully request that the Court enter a decree confirming the 1607 acre-feet previously made absolute in Case No. 97CW189 as absolute for all decreed purposes, and finding reasonable diligence for and continuing in full force and effect the remaining conditional portion of the St. Vrain - Portland No. 1 Reservoir water right described in Paragraphs 2 & 3 above.

CASE NO. 2024CW3066 EAST CHERRY CREEK VALLEY WATER AND SANITATION DISTRICT, 6201 S. Gun Club Road, Aurora, CO 80016, Telephone: (303) 693-3800. **APPLICATION FOR QUANTIFICATION OF WATER RIGHTS FOR USE IN PLAN FOR AUGMENTATION IN ARAPAHOE COUNTY**. Please direct all correspondence or inquiries regarding this matter to counsel for the Applicant listed above.

2. **Introduction.** East Cherry Creek Valley Water and Sanitation District (“ECCV”) is a quasi-municipal corporation which supplies and distributes potable water for municipal use to approximately 55,000 residents, as well as to schools, businesses, and recreation areas within ECCV’s service areas located in Arapahoe and Douglas Counties. Through projected population growth and development within ECCV, it is anticipated that the demand for water supplies will continue to increase in the future. ECCV provides water service to areas north of E. Arapahoe Road and east of E. Liverpool Street, including 94 homes in the Meadows at Saddle Rock and Saddle Rock Ranches subdivisions. Wastewater treatment in these 94 homes is provided by individual sewage disposal systems (“ISDS”). A map of the subject subdivision and the watershed areas tributary to Cherry Creek and to Piney Creek is attached as **Exhibit A**. Reusable return flows from the ISDS facilities, totaling approximately 16 acre-feet per year, accrue to Piney Creek from the ISDS facilities in the Piney Creek watershed. The points of accrual for the ISDS return flows are shown in **Exhibit A**. Piney Creek is a perennial stream from the point of accrual downstream past the Parker Road Bridge, which is located approximately at the eastern boundary of the Cherry Creek alluvium. Accordingly, ECCV’s ISDS return flows to Cherry Creek and to Piney Creek may be used to replace out-of-priority depletions for ECCV’s Piney Creek and Cherry Creek wells. By this Application, ECCV seeks a judicial determination of the amount and timing of reusable ISDS return flows that accrue to the portions of Piney Creek and Cherry Creek within ECCV’s service area. ECCV seeks to recapture and reuse such amounts to extinction by augmenting out-of-priority depletions associated with ECCV’s Piney Creek and Cherry Creek wells pursuant to ECCV’s augmentation plan decreed in Case No. 00CW217 and pursuant to the Upper Cherry Creek Water Association plan for augmentation decreed in

Case No. 01CW284 of which ECCV is a member of. 3. **Description of the Sources of ECCV’s Reusable ISDS Return Flows.** The sources of water include reusable return flows from ISDS from the following Denver Basin nontributary ground water rights and other fully consumable sources owned, controlled, or claimed by ECCV within ECCV’s boundaries as shown on **Exhibit A**. All such water may be fully consumed by ECCV by use, reuse, and successive use pursuant to the applicable decrees and C.R.S. § 37-82-106, except in those instances in which 2% is required to be relinquished to the stream. 3.1. Nontributary Sources.

WATER COURT CASE NUMBER	AVERAGE ANNUAL WITHDRAWAL (AF)			
	DAWSON	DENVER	ARAPAHOE	L-F HILLS
89CW166 (W-9433)	196	290		
84CW186 (79CW176)	160			
79CW253	95	59	287	129
85CW053 (79CW178)		180		
94CW007 ¹			128.3	93.6

3.2. ECCV’s Water Supply Project (a/k/a the Northern Project). All water rights described in more detail in **Exhibit B** will result in fully consumable water deliveries to ECCV’s service area within the Piney Creek and Cherry Creek basins. 3.3. Other Reusable Water Rights. Any and all additional water rights with the rights of reuse in which ECCV has an interest or acquires an interest in the future that are used within the ECCV municipal water supply system. 4. **Description of Quantification and Timing of Reusable ISDS Return Flows.** Return flows from reusable ISDS deep percolation will be based on an assumed return of 90 percent of the indoor water use, which will be computed as the average use during the December – February period. ECCV proposes to compute the reusable ISDS deep percolation for these 94 homes based on 90 percent of the reusable actual monthly winter base use during the preceding December – February period. The monthly winter base use will be computed by averaging the monthly water use from billing records for December through February each year for these 94 homes. ISDS return flows accrue at an almost constant rate each month, but a Glover analysis will be used to determine the timing of the return flows to Cherry Creek and Piney Creek based on typical transmissivity and specific yield values for upland eolian materials. ECCV will use the monthly unit response functions from the Glover analyses to lag the accrual of the reusable ISDS deep percolation to Piney Creek and Cherry Creek. 5. **Description of Use of Reusable ISDS Return Flows.** ECCV will recapture and reuse such amounts to extinction by augmenting out-of-priority depletions associated with ECCV’s Piney Creek Wells and Cherry Creek Wells pursuant to the terms and conditions of the plan for augmentation decreed in Case No. 00CW217 and Upper Cherry Creek Water Users Association plan for augmentation decreed in Case No. 01CW284. The timing and rate of these diversions shall be such that no material injury will be experienced by holders or users of vested or decreed conditional water rights and that the flow regimen of the stream system shall not be materially affected. After recapture of its reusable ISDS return flows by augmentation, ECCV will directly distribute such water into its municipal supply system, use such water for irrigation purposes, store such water in holding ponds, or dispose of such water to the benefit of other water users. All such water shall be used for all municipal purposes and for storage for subsequent use. WHEREFORE, ECCV requests that this Court enter a Decree quantifying the return flows described above, and for such other and further relief this Court deems just and proper. (5 pages, 1 exhibit).

¹ Decree requires 2% of withdrawals to be relinquished to the stream system.

CASE NO. 2024CW3067 WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, 3209 West 28th Street, Greeley, Colorado 80634. (970) 330-4540. Bradley C. Grasmick, David L. Strait, Lawrence Custer Grasmick Jones & Donovan LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534, Phone: (970) 622-8181, brad@lcwaterlaw.com; dstrait@lcwaterlaw.com **APPLICATION TO DELETE MEMBER WELL FROM THE WAS AUGMENTATION PLAN IN ADAMS, MORGAN AND WELD COUNTIES**. 2. Augmentation Plan Deletion of Wells. Applicant operates an augmentation plan decreed in Case No. 03CW99 (the “Augmentation Plan”). ¶11.1.3 of the decree in Case No. 03CW99 (the “WAS Decree”) allows the deletion of Member Wells from the Augmentation Plan subject to notice and terms and conditions. Applicant seeks a decree deleting the following well from the Plan. The WAS Contract for the Member Well being the subject of this Application, hereinafter the “Deleted Well,” has been terminated by action of the WAS Board of Directors on the date set forth in Table 1 below. The WAS Contract for the Deleted Well is attached hereto as Exhibit 1. Applicant seeks approval of the Court to delete the Deleted Well from the Augmentation Plan. Table 1 below provides further information on the Deleted Well.

Table 1 – Well to be Removed from WAS Decree

WDID	0207149
Well Name	Anadarko Well No. 1
Owner	Anadarko E&P Onshore LLC
WAS Contract	1100
Contract Termination	01/17/2024
Permit No.	78356-F
Included in WAS Per Decree	03CW099
Prior Decree	W-1709
Decreed Location	SE/4 NW/4 Sec. 15-T3N-R67W 6th P.M.
WAS Administrative Reach	C1

3. Proposed Terms and Conditions for Deletion. ¶11.1.3 of the Decree requires that “WAS shall continue to replace all out-of-priority depletions caused by pre-deletion pumping of the well that occurred while the well was covered under the WAS plan or associated substitute supply plan.” White Sands Water Engineers Inc., (“WSWE”) has computed the total amount of the future depletions from past pumping from the Deleted Well while it was included in the Augmentation Plan. That amount is a total of 74.93 acre-feet as shown in the WSWE report dated January 25, 2024, and attached hereto as Exhibit 2. Applicant proposes to replace all the depletions shown in Exhibit 2 at any time such depletions are out of priority pursuant to the terms of the WAS Decree. Applicant requests the Court approve Exhibit 2, Attachment 1 which is a revised Exhibit 1 to the WAS Decree and which reflects the proposed deletion requested by this Application. 4. Distribution of Future Well Depletions. The WAS Decree requires WAS to distribute well depletions between river reaches. ¶22.2 of the WAS Decree states: “In the event of the addition or deletion of a well under this plan pursuant to ¶¶11.1.2 and 11.1.3, the Court shall approve and order such adjustments to the percentages set forth in ¶¶22.2.1, 22.2.2, and 22.2.4 as necessary to ensure that depletions continue to be replaced at locations necessary to prevent injury.” The deletion of the Deleted Well by this Application requires the following adjustment to the depletion percentages in Reach C: 48.1% to Reach C1 and 51.9% to Reach C2. This application consists of three (3) pages and two (2) exhibits.

CASE NO. 2024CW3068 THE LOWER SOUTH PLATTE WATER CONSERVANCY DISTRICT WATER ACTIVITY ENTERPRISE, 100 Broadway Plaza, Suite 12, Sterling, Colorado 80751. Lawrence Custer Grasmick Jones & Donovan, LLP, Ryan M. Donovan, #44435, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534. **APPLICATION TO MAKE CONDITIONAL WATER RIGHTS**

PARTIALLY ABSOLUTE, FOR FINDING OF REASONABLE DILIGENCE, AND TO CONTINUE CONDITIONAL WATER RIGHTS IN SEDGWICK COUNTY.

2. Previous Decrees: Case No. 17CW3182, decree entered on May 1, 2018 (“17CW3182 Decree”). In the 17CW3182 Decree, Lechman Well No. 1 and Lechman Well No. 2, described below, were added to Lower’s plan for augmentation (“Lower Augmentation Plan”), which was approved and decreed by the water court in Case No. 02CW320 (“02CW320 Decree”).

3. Groundwater Rights: The following conditional groundwater rights were adjudicated in the 17CW3182 Decree, referred to collectively as the “Lechman Wells”:

3.1. Name of Structure. Lechman Well No. 1.

3.1.1. Location. In Section 20, Government Lot 3, Township 12 North, Range 43 West of the 6th P.M., Sedgwick County, Colorado. UTM NAD 83 coordinates of proposed location: X (Easting) 738404; Y (Northing) 4542542.

3.1.2. Appropriation Date. November 14, 2017.

3.1.3. Amount. 250 g.p.m., conditional.

3.1.4. Source. Groundwater tributary to the South Platte River.

3.1.5. Use. Irrigation of 137 acres in Government Lots 1, 2, 3, and 4, Section 20, Township 12 North, Range 43 West of the 6th P.M., Sedgwick County, Colorado, along with Lechman Well No. 2.

3.2. Name of Structure. Lechman Well No. 2.

3.2.1. Location. In Section 20, Government Lot 1, Township 12 North, Range 43 West of the 6th P.M., Sedgwick County, Colorado. UTM NAD 83 coordinates of proposed location: X (Easting) 739219; Y (Northing) 4542566.

3.2.2. Appropriation Date. November 14, 2017.

3.2.3. Amount. 650 g.p.m., conditional.

3.2.4. Source. Groundwater tributary to the South Platte River.

3.2.5. Use. Irrigation of 137 acres in Government Lots 1, 2, 3, and 4, Section 20, Township 12 North, Range 43 West of the 6th P.M., Sedgwick County, Colorado, along with Lechman Well No. 1.

4. Outline of What Has Been Done Toward Completion.

4.1. The diligence period for the Lechman Wells is May 1, 2018 to May 31, 2024.

4.2. During the diligence period, Lower made annual projections and conducted annual accounting pursuant to the terms of the 02CW320 Decree. During the diligence period, Lower operated the Lower Augmentation Plan, including delivering water to recharge and ensuring replacement of out-of-priority depletions as required by the terms of the 02CW320 Decree.

4.3. During the diligence period, Lower filed applications in water court in Case Nos. 19CW3253 (co-applicant with Parker Water and Sanitation District); 20CW3173; 21CW3135; and 23CW3134. In addition, during the diligence period, Lower filed statements of opposition in the following water court cases: 18CW3237 (Dixie Water); 20CW3117 (Arapahoe County Water and Wastewater Authority, East Cherry Creek Valley Water and Sanitation District, and United Water and Sanitation District); 20CW3215 (BennT Creek Regional Water Authority and SP Regional Water Company, LLC); 21CW3185 (Town of Castle Rock); and 23CW3102 (Harmony Ditch Company).

4.4. During the diligence period Lower expended funds related to water rights accounting, engineering, administration of the Lower Augmentation Plan, and legal services, which total more than \$240,000.00.

5. Claims To Make Absolute and for Finding of Reasonable Diligence Pursuant to C.R.S. § 37-92-301(4). Applicant seeks a decree approving the following amounts of each water right as absolute, as described in this ¶ 5. 183.3 g.p.m. of the total decreed flow rate of 250 g.p.m. for the Lechman Well No. 1 was diverted on August 1, 2022 and used for the decreed beneficial use, and therefore 183.3 g.p.m. should be made absolute and 66.7 g.p.m. shall remain conditional. The entire decreed flow rate of 650 g.p.m. for Lechman Well No. 2 was diverted on June 15, 2018 and used for the decreed beneficial use, and should therefore be made absolute in full. The water rights set out in this Application are part of an integrated system, referred to as the Lower Augmentation Plan. Applicant’s water rights and recharge projects and each of the water rights and structures which will provide augmentation, substitution, replacement, and exchange supplies under the decree entered in this matter and Lower’s other decrees collectively comprise an integrated system of water rights and structures under C.R.S. § 37-92-301(4)(b). Work performed and effort or costs expended by Applicant on any water rights or structures which are part of its integrated water system should be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the system as provided in C.R.S. § 37-92-301(4)(b).

6. Names and addresses of owners of the Structures. The Lechman Wells are owned by Josh Lechman and Brenda Lechman, 10481 County Road 59, Julesburg, CO 80737.

7. WHEREFORE, Applicant requests the Court enter a decree finding that Applicant has satisfied the statutory standard of steady application of effort to complete the appropriations described above for the Lechman Wells in a reasonably expedient and efficient manner under all the facts and circumstances, that reasonable diligence was performed during the

diligence period in the development of the Lechman Wells, that a portion of the water rights decreed to the Lechman Wells should be made absolute as described herein, and that the remaining conditional portion of the Lechman Wells water rights, or the full amount of the water rights as the case may be, should continue. This document consist of 5 pages.

CASE NO. 2024CW3069 CARLETON AND DEJONG, LLC. 1580 N. Lincoln St, Ste 1125, Denver, CO 80203. Telephone: 303-825-1125 (P. Andrew Jones, #29076, Law Office of P Andrew Jones, 1213 Founders Circle, Windsor, CO 80550, Telephone: (970) 235-0252, E-mail: ajones@pandrewjones.com).

APPLICATION FOR FINDING OF REASONABLE DILIGENCE. SURFACE WATER RIGHTS IN WELD COUNTY. 2. Name of Water Right: Cade Junior Right. 2.1 Source: Precipitation, runoff, waste, and seepage water tributary to the South Platte River arising in and accruing to Sections 14, 15, 21, 22, 23, 26, 27, and 28 in Township 5 North, Range 65 West of the 6th P.M. in Weld County, and accumulating in an Unnamed Slough traversing these sections. 2.2 Point of Diversion: At a point on the Unnamed Slough located in the SE 1/4 SW 1/4 of Section 14, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 2.3 Date of appropriation: November 18, 2014. 2.4 How appropriation was initiated: Formation of intent to appropriate water to a beneficial use, engineering analysis, filing of the Application. 2.5 Amount Claimed: 30 c.f.s., conditional. 2.6 Volumetric Limit. Maximum Annual Diversions under the Cade Junior Right and the Ream Slough Diversion No. 2 right described in ¶3 below shall not exceed the lesser of a combined 1,800 acre feet annually, or 1,650 acre feet plus 1.5 times the final capacity of the Habitat Storage Area, as defined in ¶2.9.2.5. Diversions on a 10-year rolling average shall not exceed the lesser of 1,200 acre feet or 1,100 acre feet plus the final capacity of the Habitat Storage Area. Additionally, water delivered to storage at the Reservoir and/or the Habitat Storage Area and measured at the inlet to the Reservoir or the Habitat Storage Area shall not exceed a combined total of 145 acre feet annually. The water year for purposes of administering the volumetric limits shall be from April 1 to March 31 annually. Any water in storage from the prior year on April 1 shall be counted against the annual volumetric limit for the current year for both combined total diversions and deliveries to storage. 2.7 Uses: Fish and wildlife, recreation, fire suppression, and irrigation of 215 acres in the W 1/2 of the W 1/2 of Section 13, Township 5 North, Range 65 West of the 6th P.M. and the S 1/2 of Section 14, Township 5 North, Range 65 West of the 6th P.M., by direct use and storage; and augmentation and replacement use following storage. Uses for augmentation and replacement shall be for the purpose of augmentation and replacement of evaporative depletions from exposed groundwater surface area on Applicant's Property, depletions for wells on the Applicant's Property, and return flows associated with Union Ditch Company Shares owned by Applicant. 2.8 Diversion Structure Terms and Conditions: During periods when C&D desire to divert the Cade Junior Right and the Cade Junior Right is in priority, C&D will coordinate diversions at the Unnamed Slough with the Lower Latham Ditch Company and Water Commissioner, and the Cade Junior Right shall be subject to the terms of either ¶2.8.1. or ¶2.8.2. below. At all other times, no diversion of the Cade Junior Right shall be made at the Cade diversion structure and all water in the slough shall remain in the slough and be allowed to return to the South Platte River. The Cade diversion structure will allow for continuous measurement and recording of the Cade Junior Right diversions and any water bypassed. Diversions will be calculated using a rating table for the measurement structure. The Cade diversion structure and the method of bypassing water under ¶2.8.1. shall be approved by the Division Engineer prior to commencing diversions of the Cade Junior Right. In addition: 2.8.1 Periods when bypasses are required: Unless bypasses are not required pursuant to ¶2.8.2. below, whenever the Cade Junior Right is in priority and diverting, on at least a daily basis the bypass rate at the Cade diversion structure shall be calculated as the rate of water released from the Lower Latham Ditch to the Powell Spillway on the east side of WCR 45 in the SW 1/4 NW 1/4, Section 23, Township 5 North, Range 65 West of the 6th PM, Weld County, Colorado (WDID 0202916) depicted in **Exhibit C**, less transit losses. All reference herein to the release of water to the Powell Spillway includes water released from the Lower Latham Ditch into the Powell Spillway via either or both the Powell Spillway Gate and/or the Vetting Headgate, both of which structures are depicted in **Exhibit C**. The rate of water released by the Lower Latham Ditch Company to the Powell Spillway shall be measured by Applicant using the existing flume

located proximate to the point of release on the Lower Latham Ditch (the “Powell Spillway Flume” depicted in **Exhibit C**) and using the applicable rating chart. Diversions by C&D shall be adjusted, on at least a daily basis, to ensure that the rate of water diverted at the Cade diversion is limited to the balance of the physically available flow less the required bypass. In the event that the Powell Spillway Flume is relocated or otherwise modified, C&D will utilize the new or modified measurement structure installed by the Lower Latham Ditch Company to measure releases from the Lower Latham Ditch to the Powell Spillway. Transit losses calculated on the rate of water released from the Lower Latham Ditch to the Powell Spillway as measured at the Powell Spillway Flume, if any, shall be the amount assessed by the Water Commissioner from the point of measurement to the point of the Cade diversion structure. 2.8.2 Periods when bypasses are not required: During periods when C&D desire to divert the Cade Junior Right, C&D shall not be required to bypass water under the following described circumstances: 2.8.2.1 There is no call affecting the South Platte River downstream of the Cade Junior Right. 2.8.2.2. There is a call junior to the Cade Junior Right priority downstream of the Cade Junior Right, and C&D have confirmed with Lower Latham Ditch Company and the Water Commissioner that the Lower Latham Ditch is **not** making releases to the Powell Spillway for water that is obligated to be delivered to the South Platte River; 2.8.2.3. There is no outflow at the Powell Spillway, as (verified by visual observation of the Powell Spillway Flume). Applicant shall determine and/or verify that at least one of the above-described conditions exists on a daily basis at all times when C&D is diverting but not bypassing water at the Cade Diversion. 2.9 Places of Delivery and Storage: 2.9.1. *DeJong Farm Reservoir.* 2.9.1.1. Location: W 1/2 of the SW 1/4 of Section 13, Township 5 North, Range 65 West of the 6th P.M. 2.9.1.2. Surface Area at High Water Line: 5 acres. 2.9.1.3. Capacity: 45 acre-feet. 2.9.1.4. Points of Delivery from Reservoir: Water stored in the DeJong Farm Reservoir may be released from the Reservoir and delivered for the uses approved herein. 2.9.1.5. Comment: Water diverted under the Cade Junior Right and the Ream Slough Diversion No. 2 right will be delivered to the Reservoir for storage and for subsequent release for the beneficial uses listed herein. Applicant is claiming the right to store precipitation or other unmeasured gains accumulating to the DeJong Farm Reservoir when the Cade Junior Right is in priority. The DeJong Farm Reservoir may not be constructed such that it intercepts groundwater, and may not be used pursuant to this Decree until confirmation thereof is obtained from the Division Engineer. 2.9.1.6. Terms and conditions for the use of the DeJong Farm Reservoir: The Reservoir shall be approved by the Division Engineer prior to storage of water. The Reservoir will be equipped with outlet works capable of bypassing or releasing all out-of-priority inflows. The Reservoir will be equipped with a staff gage able to measure the lowest point in the structure. Stage-area-capacity relationships will be developed for the Reservoir and approved by the Division Engineer prior to use for storage based on a survey and shall be served on objectors after approval. Stage will be observed and recorded on a daily basis at times when water is being actively diverted and delivered to the Reservoir, or at times when water is being released from the Reservoir. At times when water is not being actively diverted and delivered to the Reservoir or being released from the Reservoir, but water is in storage, stage will be observed and recorded on at least a weekly basis. If the Reservoir receives out-of-priority inflows from precipitation during the period between the weekly observations, stage will be observed and recorded once on each day that such event occurs. At all other times, outlet structures will be set such as to bypass all out-of-priority inflows and stage will be observed and recorded on a monthly basis. Water delivered to or released from the Reservoir will be measured by a continuous flow recorder. Water owed to the river will be calculated each time stage is observed, and will be released within 72 hours of such calculation. Precipitation or other unmeasured gains or losses shall be calculated each time stage is observed and shall be determined by subtracting: (1) the volume of water retained at the time of stage observation, (2) the volume of water estimated to be lost to evaporation during the period between stage observations, and (3) the volume of water released since the prior observation from the sum of: (a) the volume of water delivered to storage since the prior observation and (b) the volume of water in storage at the last observation. In-priority precipitation and unmeasured gains shall be calculated based on the total precipitation and unmeasured gains between the last and the current observation multiplied by the percentage of the period that the Cade Junior Right was in priority between the last and the current observation and attributed to the Cade Junior Right. Out-of-priority precipitation or unmeasured gains shall

be calculated as the percentage of the total precipitation and unmeasured gains between the last and the current observation that the Cade Junior Right was out-of-priority and shall be owed to the river. Calculation of evaporative losses shall be equivalent to the applicable monthly or daily value, based upon gross evaporation (contained in Table 1), multiplied by the average surface area between the last and the current observation and prorated based on the number of days between the last and the current observation. The surface area shall be calculated each time stage is observed and determined by using applicable stage area capacity curves for the Reservoir. 2.9.1.7. Table 1:

Month	Gross Evaporation (ac-ft/acre)	Gross Evaporation (ac-ft/acre/day)
Apr	0.34	0.011
May	0.45	0.015
Jun	0.54	0.018
Jul	0.56	0.018
Aug	0.51	0.016
Sep	0.38	0.013
Oct	0.26	0.008
Nov	0.15	0.005
Dec	0.11	0.004
Jan	0.11	0.004
Feb	0.13	0.005
Mar	0.21	0.007
Total	3.75	n/a

2.9.2. *Cade Irrigated Waterfowl Habitat (the "Habitat Area")*. 2.9.2.1. Location: W 1/2 of the W 1/2 of Section 13, Township 5 North, Range 65 West of the 6th P.M. and the S 1/2 of Section 14, Township 5 North, Range 65 West of the 6th P.M. 2.9.2.2. Surface Area at High Water Line: Habitat Storage Area, 30 acres. 2.9.2.3. Capacity: 100 ac-ft. 2.9.2.4. Points of Delivery from The Habitat Area: Water stored in the Habitat Storage Area may be released from the Habitat Storage Area and delivered for the uses approved herein. 2.9.2.5. Comment: Water diverted pursuant to the Cade Junior Right and the Ream Slough Diversion No. 2 will be delivered to the Habitat Area for both direct use for irrigation and for storage and subsequent release. The Habitat Area will include a series of moist-soil units susceptible to flood irrigation to promote the growth of forage. In addition, 30 acres of the Habitat Area will be capable of storing water (the "Habitat Storage Area"). It will not be excavated and will rely on a combination of above-surface impoundments to store water within the contours of the landscape from the Cade Junior Right, the Ream Slough Diversion No. 1 decreed in Case No. 2000CW159 and the Ream Slough Diversion No. 2. The Habitat Storage Area may not be used for storage pursuant to this Decree until confirmation by the Division Engineer that the Habitat Storage Area does not intercept groundwater. Applicant is claiming the right to store precipitation or unmeasured gains accumulating to the Habitat Storage Area when the Cade Junior Right is in priority. 2.9.2.6. Terms and Conditions for the Use of the Cade Irrigated Waterfowl Habitat: Use of the Habitat Area shall be divided into two periods each water year (as defined herein), an irrigation season and a storage season. Applicant shall be entitled to commence one "Irrigation Season" per water year, which Season shall be defined as those consecutive months from the date of commencement when water is being used for irrigation uses or when irrigation water is being flooded at a depth of up to 1.5 feet and impounded for no more than 72 hours in the Habitat Area. Applicant shall also be entitled to commence one "Storage Season" per water year, which Season shall be defined as those consecutive months from the date of commencement when water is being stored in the Habitat Storage Area. During the Irrigation Season, water may only be delivered for irrigation, and no use of the Habitat Area will be made for storage. Any water present in the Habitat Area at the end of the Irrigation Season shall be drained from the Habitat Area prior to commencement of the Storage Season. Upon the termination of the Irrigation Season, and during the Storage Season, water may only be delivered for storage and stored in the Habitat Storage Area

until the commencement of the next Irrigation Season. Any water present in the Habitat Storage Area at the end of the Storage Season will be drained prior to the commencement of the next Irrigation Season. Notice will be provided to the Water Commissioner and approval will be obtained from the Water Commissioner prior to draining water from the Habitat Area at the end of the Irrigation Season and prior to draining water from the Habitat Storage Area at the end of the Storage Season. Although C&D is limited to commencing one Irrigation Season and one Storage Season during each water year, C&D is not required to terminate the current water operation for the Habitat Area (either irrigation or storage) by March 31 of a water year, and the particular operation and Season that is in effect on that date shall be allowed to continue until C&D commences the next Season under the procedures outlined in this paragraph. The Habitat Storage Area and the associated stage-area-capacity curve(s) shall be approved by the Division Engineer prior to storage of water. The Habitat Storage Area will be equipped with outlet works or other such infrastructure as to be capable of bypassing all out-of-priority inflows. Each of the impoundments will be equipped with a staff gage able to measure the lowest point in the structure. Stage will be observed and recorded at the start and end of the Storage Season, and during the Storage Season on a daily basis at times when water is being actively diverted and delivered to the Habitat Storage Area or released from the Habitat Storage Area. At times during the Storage Season when water is not being actively diverted and delivered to the Habitat Storage Area or being released from the Habitat Storage Area, but water is stored in the Habitat Storage Area, stage will be observed and recorded on at least a weekly basis. If the Habitat Storage Area receives out-of-priority inflows from precipitation during the period between the weekly observations, stage will be observed and recorded once on each day that such event occurs. At all other times during the Storage Season, outlet structures will be set such as to bypass all out-of-priority inflows and stage will be observed and recorded monthly. Water delivered to or released from the Habitat Area will be measured by a continuous flow recorder. Water owed to the river during the Storage Season will be calculated each time stage is observed, and will be released within 72 hours of the calculation. Within 90 days of the construction and prior to use for storage, Applicant shall develop stage area-capacity curve(s) for the Habitat Storage Area based on a survey and provide same to the objectors and Division Engineer. Precipitation or unmeasured gains or losses shall be calculated each time stage is observed, and shall be determined by subtracting: (1) the volume of water retained at the time of stage observation, (2) the volume of water estimated to be lost to evaporation during the period between stage observations, and (3) the volume of water released since the prior observation from the sum of: (a) the volume of water delivered to storage since the prior observation and (b) the volume of water in storage at the last observation. In-priority precipitation or unmeasured gains shall be calculated based on the total precipitation and unmeasured gains between the last and the current observation multiplied by the percentage of the period that the Cade Junior Right was in priority between the last and the current observation and attributed to the Cade Junior Right. Out-of-priority precipitation or unmeasured gains shall be calculated as the percentage of the total precipitation and unmeasured gains between the last and the current observation that the Cade Junior Right was out-of-priority and shall be owed to the river. Calculation of evaporative losses shall be equivalent to the applicable monthly or daily gross evaporation value contained in Table 1 above, multiplied by the average surface area between the last and the current observation and prorated based on the number of days between the last and the current observation. The surface area shall be calculated each time stage is observed and determined by using applicable stage area capacity curves for the Habitat Storage Area.

3. Name of Water Right: Ream Slough Diversion No. 2. 3.1 Source: Tailwater, drain, and seep waters tributary to the South Platte River accruing in Sections 14, 23, and 26, Township 5 North, Range 65 West of the 6th P.M., and accumulating in the Ream Slough. 3.2 Points of Diversion: 3.2.1. *Ream Slough Diversion No. 2 West*: In the SE 1/4 of the SE 1/4 of Section 14, Township 5 North, Range 65 West of the 6th P.M. 3.2.2. *Ream Slough Diversion No. 2 East*: In the SW 1/4 of the SW 1/4 of Section 13, Township 5 North, Range 65 West of the 6th P.M. 3.3 Date of appropriation: November 18, 2014. 3.4 How appropriation was initiated: Formation of intent to appropriate water to a beneficial use, engineering analysis, filing of the Application. 3.5 Amount Claimed: 2 c.f.s., conditional, allocated as follows: 3.5.1 *Ream Slough Diversion No. 2 West*: 1 c.f.s., conditional, WDID 0200563. 3.5.2 *Ream Slough Diversion No. 2 East*: 1 c.f.s., conditional. 3.6 Uses: Fish and wildlife, recreation, fire suppression, and irrigation of

215 acres in the W 1/2 of the W 1/2 of Section 13, Township 5 North, Range 65 West of the 6th P.M. and the S 1/2 of Section 14, Township 5 North, Range 65 West of the 6th P.M., by direct use and storage; and augmentation and replacement use following storage. Uses for augmentation and replacement shall be for the purpose of augmentation and replacement of evaporative depletions from exposed groundwater surface area on Applicant's Property, depletions for wells on the Applicant's Property, and return flows associated with Union Ditch Company Shares owned by Applicant. 3.7 Places of Delivery and Storage: The Habitat Area and the DeJong Farm Reservoir described above. Deliveries of the Ream Slough Diversion No. 2 right to, and storage in, the DeJong Farm Reservoir and the Habitat Storage Area shall be subject to the same terms and conditions as described in ¶2.9.1.6 and ¶2.9.2.6. 3.8 Terms and Conditions. Diversion structures will allow for continuous measurement of Ream Slough Diversion No. 2 diversions and bypass of any augmentation supply released by the Union Ditch. Diversions will be calculated using a rating table for the measurement structure. 3.9 Volumetric Limit. Maximum Annual Diversions under the Cade Junior Right described in ¶2 and the Ream Slough Diversion No. 2 right shall not exceed the lesser of a combined 1,800 acre feet annually, or 1,650 acre feet plus 1.5 times the final capacity of the Habitat Storage Area, as defined in ¶2.9.2.5. Diversions on a 10-year rolling average shall not exceed the lesser of 1,200 acre feet or 1,100 acre feet plus the final capacity of the Habitat Storage Area. Additionally, water delivered to storage at the Reservoir and/or the Habitat Storage Area and measured at the inlet to the Reservoir or the Habitat Storage Area shall not exceed a combined total of 145 acre feet annually. The water year for purposes of administering the volumetric limits shall be from April 1 to March 31 annually. Any water in storage from the prior year on April 1 shall be counted against the annual volumetric limit for the current year for both combined total diversions and deliveries to storage. 4. **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, Applicant maintained and made capital improvements on the property related to the decreed conditional rights, including earth moving, vegetation control, and cultivation of landscaping. In addition, Applicant surveyed the property and commissioned plans for infrastructure improvements necessary for the development of the conditional rights and made significant expenditures on attorneys and engineering fees in the development and protection of the conditional rights and the property. Applicant's total expenditures on these activities was \$365,203. Applicant seeks a finding of diligence on the rights. 5. **Names(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 owns the lands described in the application. Ream Slough Diversion No. 2 points of diversion are planned to be located on the tailwater return ditch for the Union Ditch. The address of the Union Ditch Company is 3005 W. 29th St., Ste. G1, Greeley, CO 80632. Wherefore, Applicant requests the court to enter a decree finding that Applicant has been diligent in the development of the water rights continuing the remaining water rights as conditional and such other and further relief as the court finds just.

CASE NO. 2024CW3070 ANDREW T BRAKE, 3615 S Tamarac Drive, Suite 200, Denver, CO, 80237. Eric K. Trout, McGeady Becher, P.C., 450 E 17th Ave, Suite 400, Denver, CO, 80203. **APPLICATION FOR UNDERGROUND WATER RIGHT IN DOUGLAS COUNTY**. Subject Property: A parcel totaling 5.04 acres generally located in the NE1/4 of the SW1/4 of Section 2, Township 8 South, Range 66 West of the 6th P.M., Douglas County, State of Colorado, also known as 1480 N State Highway 83, Franktown, CO, 80116, as shown on **Exhibit A** ("Subject Property"). Lien Holder Certification: Applicant certifies that notice has been provided to all mortgage or lien holders, as required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one existing exempt Lower Dawson Aquifer domestic use well on the Subject Property under Well Permit No. 283702, which will continue operating under its existing permit. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. §

37-90-103(10.5). Estimated Amounts: Applicant estimates the following amounts may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Upper Dawson (NNT)	0.92
Lower Dawson (NT)*	0
Denver (NT)	2.21
Arapahoe (NT)	2.31
Laramie-Fox Hills (NT)	1.42

*All the estimated annual volume in the nontributary Lower Dawson Aquifer is reserved for existing Well Permit No. 283702. Applicant desires to leave no additional groundwater unadjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NO. 2024CW3071 WELL AUGMENTATION SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT, 3209 West 28th Street, Greeley, CO 80634. (970) 330-4540. Bradley C. Grasmick, David L. Strait, Jacklyn P. Gunn, Lawrence Custer Grasmick Jones & Donovan LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534, (970) 622-8181, brad@lcwaterlaw.com; dstrait@lcwaterlaw.com; jacklyn@lcwaterlaw.com. **APPLICATION TO ADD WELL TO AUGMENTATION PLAN IN ADAMS, MORGAN AND WELD COUNTIES.** 2. Summary of Application. WAS desires to adjudicate the addition of the Added Well described herein to its augmentation plan decreed in Water Court, Division No. 1, Case No. 03CW099 (the “WAS Decree”). 3. Structure to be Added and Augmented (“Added Well”): 3.1. Name and address of Well Owner: SB Farms, Inc., 19953 County Road 50, LaSalle, CO 80645. 3.2. Decree: W-277. A decree was entered in Water Court Division 1, on December 10, 1971, adjudicating the Added Well for irrigation purposes in Section 8, Township 4 North, Range 65 West of the 6th P.M., Weld County, Colorado. See **Exhibit 1** hereto. 3.3. WAS Contract Number 1340. Contract 1340 was approved on January 16, 2024, for irrigating 80 acres located on Lot D Recorded Exemption 1055-08-02 RECX17-0163, being part of the NW 1/4 of Section 8, Township 4 North, Range 65 West, 6th P.M. Contract 1340 is attached as **Exhibit 2**. 3.4. Permit: 7212-R; WDID 0208052, 3.4.1. Location: NW 1/4 NW 1/4 of Section 8, Township 4 North, Range 65 West of the 6th P.M., Weld County, Colorado. 3.4.2. Appropriation Date: July 31, 1954. 3.4.3. Decreed Amount: 1.83 cfs. 4. Proposed Terms and Conditions. 4.1 The terms and conditions for the Added Well will be the same as for the other Covered Wells in the WAS Decree. The consumptive use factor will be 60% for flood

irrigated acres and 80% for sprinkler irrigated acres. The method for determining future well depletions will be those set out in the WAS Decree at ¶ 16-19. The Added Well will be subject to all terms and conditions for operation as for other Covered Wells in the WAS Decree. 4.2. Net Stream Depletions: Depletions resulting from the consumptive use of groundwater and accretions resulting from deep percolation of groundwater applied for irrigation will be lagged back to the South Platte River using the Glover alluvial aquifer method and the following parameters: 4.2.1. WDID 0208052. Harmonic Mean Transmissivity (Gallons/day/foot) T = 175,600. Specific Yield = 0.2. Total distance of alluvial aquifer boundary from river W = 16,422 feet. Distance of Well from river X = 8,250 feet. See **Exhibit 3. 5. Distribution of Future Well Depletions.** The WAS Decree requires WAS to distribute well depletions between river reaches. ¶ 22.2 of the WAS Decree states: “In the event of the addition or deletion of a well under this plan pursuant to ¶¶ 11.1.2 and 11.1.3, the Court shall approve and order such adjustments to the percentages set forth in ¶¶ 22.2.1, 22.2.2, and 22.2.4 as necessary to ensure that depletions continue to be replaced at locations necessary to prevent injury.” Pumping from the Added Well in this Application will deplete the South Platte River in WAS administrative Reach C and will require adjustment to the distribution well depletions which are replaced within Reach C. The updated distribution of well depletions within Reach C will be 48.0% to Reach C1 and 52.0% to Reach C2. This application consists of 3 pages and 3 exhibits.

CASE NO. 2024CW3072 ANDREW T BRAKE, 3615 S Tamarac Drive, Suite 200, Denver, CO, 80237. Eric K Trout, McGeady Becher, P.C., 450 E. 17th Avenue, Suite 405, Denver, CO, 80203. **APPLICATION FOR UNDERGROUND WATER RIGHTS IN DOUGLAS COUNTY.** Subject Property: A parcel totaling 35 acres generally located in the NE1/4 of the SW1/4 of Section 4, Township 9 South, Range 67 West of the 6th P.M., Douglas County, State of Colorado, also known as 556 Tomah Road, Larkspur, CO, 80118, as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicant certifies that notice has been provided to all mortgage or lien holders, as required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one existing exempt Denver Aquifer domestic use well on the Subject Property under Well Permit No. 79047-A, which will continue operating under its existing permit. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Denver and Laramie-Fox Hills aquifers are not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Arapahoe Aquifer is nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicant estimates the following amounts may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Denver (NNT)*	25.40
Arapahoe (NT)	19.09
Laramie-Fox Hills (NNT)	9.36

*The total estimated annual volume in the not-nontributary Denver Aquifer is 29.40 acre-feet per year. 4 acre-feet per year is reserved for existing Well Permit No. 79047-A. Applicant desires to leave no additional groundwater adjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks:

Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NO. 2024CW3073 ANDREW T BRAKE & MONA B BRAKE, 3615 S Tamarac Drive, Suite 200 Denver, CO, 80237. Eric K Trout, McGeady Becher, P.C., 450 E 17th Avenue, Suite 400, Denver, CO, 80203. **APPLICATION FOR UNDERGROUND WATER RIGHTS IN DOUGLAS COUNTY.** Subject Property: A parcel totaling 50.12 acres generally located in the NW1/4 of the SW1/4, and the SW1/4 of the SW1/4, all in Section 16, Township 8 South, Range 67 West of the 6th P.M., Douglas County, State of Colorado, also known as 926 W Wolfensberger Road, Castle Rock, CO, 80109, as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicants certify that notice has been provided to all mortgage or lien holders, as required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one existing exempt Lower Dawson Aquifer domestic use well on the Subject Property under Well Permit No. 167121, which will continue operating under its existing permit. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Lower Dawson, Arapahoe, and Laramie-Fox Hills aquifers are not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Denver Aquifer is nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicants estimate the following amounts may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Lower Dawson (NT)*	7.33
Denver (NNT)	30.54
Arapahoe (NT)	23.79
Laramie-Fox Hills (NT)	13.19

*The total estimated annual volume in the nontributary Lower Dawson Aquifer is 10.33 acre-feet per year. 3 acre-feet per year is reserved for existing Well Permit No. 167121. Applicants desire to leave no additional groundwater adjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicants claim the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicants request the Court approve the above underground water rights, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any

vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NO. 2024CW3074 ANDREW T BRAKE & MONA B BRAKE, 3615 S Tamarac Drive, Suite 200, Denver, CO, 80237. Eric K Trout, McGeady Becher, P.C., 450 E. 17th Avenue, Suite 400, Denver, CO, 80203. **APPLICATION FOR UNDERGROUND WATER RIGHTS IN ARAPAHOE COUNTY.** Subject Property: A parcel totaling 19.12 acres generally located in the SW1/4 of the SW1/4 of Section 17, Township 4 South, Range 64 West of the 6th P.M., Arapahoe County, State of Colorado, also known as 34553 E Mississippi Ave, Watkins, CO, 80137, as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicants certify notice has been provided to all mortgage or lien holders, as required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one existing household-use only Denver Aquifer well on the Subject Property under Well Permit No. 61901, which will continue operating under its existing permit. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Denver Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicant estimates the following amounts may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Denver (NNT)*	5.36
Denver (NT)	2.21
Arapahoe (NT)	2.31
Laramie-Fox Hills (NT)	1.42

*The total estimated annual volume in the not-nontributary Denver Aquifer is 6.36 acre-feet. 1 acre-foot is reserved for existing Well Permit No. 61901. Applicants desire to leave no additional groundwater adjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicants claim the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicants request the Court approve the above underground water rights, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NO. 2024CW3075 BLACK SUN LLC, PO Box 1869, Elizabeth, CO 80107. James J. Petrock, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR AMENDMENT OF A PRIOR DECREE IN ELBERT COUNTY.** Subject Property: Approximately 960 acres generally located in Section 29 and Section 20, Township 6 South, Range 64 West of the 6th Meridian, County of Elbert, State of Colorado as described in Exhibit A attached (“Subject Property”).

Applicant is the sole owner of the Subject Property. Decree for which Amendment is Sought: Case number 1989CW235 decreed July 31, 1990, and associated with the Subject Property (“89CW235 Decree”), as amended by Order of the Court entered February 21, 2021 (“Court Order”), removing 36 acre feet of nontributary Denver Aquifer groundwater from the 89CW235 Decree for use on property not involved in this application. No wells have been drilled on the Subject Property pursuant to the 89CW235 Decree. By quitclaim deed attached as Exhibit B, Applicant is the owner of 50 acre feet per year nontributary groundwater in the Denver Aquifer underlying the Subject Property, as decreed in 89CW235, and 25 acre feet of that water is the subject of this Application. Jurisdiction. The Court has jurisdiction over the subject matter of this application pursuant to CRS 37-90-137(6), 37-92-203(1) and 37-92-302(2). By contractual agreement, attached as Exhibit C, Arapahoe County Water and Wastewater Authority, as owner of all water rights adjudicated in the 89CW235 Decree not previously deeded to applicant, has agreed also allow removal of nontributary Denver Aquifer groundwater underlying the Subject Property from the 89CW235 Decree, for exempt wells or other exempt purposes. Previous Amendments. The Denver Aquifer ground water underlying “Parcel M” as described in the 89CW235 Decree, and as amended by the Court Order, now constitutes all Denver Aquifer ground water adjudicated in the 89CW235 Decree, as follows: 89CW235 Decree Paragraph 7.B.

Denver Aquifer				
Parcel Designation	Acreage	Sand Thickness	Specific Yield	Avg Annual Amount
Parcel M	1920 acres	320 feet	17%	1008 acre ft*

* 1044 acre feet decreed in 89CW235 less 36 acre feet removed by Court Order

Amendment Requested by this Application: Applicant seeks amendment of the 89CW235 Decree to remove 25 acre feet of nontributary Denver Aquifer water underlying the Subject Property from Parcel M of the 89CW235 Decree. The 25 acre feet per year will be used for the drilling of exempt wells on 35 acre parcels within the Subject Property or other exempt uses. The remaining 25 acre feet of Denver Aquifer groundwater owned by applicant and decreed in 89CW235 will remain subject to the 89CW235 Decree. Paragraph 7.B. of the 89CW235 Decree as amended by this request for amendment:

Denver Aquifer				
Parcel Designation	Acreage	Sand Thickness	Specific Yield	Avg Annual Amount
Parcel M	1920	320 feet	17%	983 acre ft.*

*1008 acre feet less 25 acre feet.

Other than as requested herein, no other provision of the 89CW235 Decree will be changed by this Application. Applicant requests that the Court approve the requested amendment of the 89CW235 Decree, find that Applicant has complied with CRS 37-90-137(4) and that water is legally available for withdrawal, find that there will be no material injury to owners of or persons entitled to use water under any vested water right or conditional water right, and grant such other and further relief as may be proper. 3 pages.

CASE NO. 2024CW3076 CENTENNIAL LIMITED LIABILITY CO. III (“Centennial LLC”) APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN DOUGLAS COUNTY. 1.

Name, Address, and Telephone Number of Applicant: Centennial Limited Liability Co. III (“Centennial LLC”) Tabor Center 1200 – 17th Street, Suite 850 Denver, CO 80202 (303) 572-6990. Please direct all correspondence or inquiries regarding this matter to the attorneys for the Applicant: Carolyn F. Burr, Esq. James M. Noble, Esq. Kyle B. Howe, Esq. Welborn Sullivan Meck & Tooley, P.C. 1401 Lawrence Street, Suite 1800 Denver, Colorado 80202 Telephone: (303) 830-2500 2. Description and History: Applicant owns approximately 2,395.57 acres of land located in portions of Sections 16, 17, 20, 21, 22, 27, 28, 29, and 33, Township 8 South, Range 68 West of the 6th P.M. in Douglas County, Colorado (the “Property”). A map of the Property is attached as **Exhibit A**. In Case No. 00CW111, part of the decree entered in

Consolidated Case Nos. 0CW18, 00CW111, and 00CW129 (“Consolidated Decree”), Applicant was awarded a conditional storage water right in the amount of 666 acre feet per year with an appropriation date of July 11, 2000. The 666 acre feet of storage decreed in 00CW111 was part of a total storage amount not to exceed 1,922.8 acre feet, which can be stored in ponds of any configuration, size, and location on the Property pursuant to the terms of the Consolidated Decree. The 666 acre foot portion of Applicant’s storage right originally decreed in Case No. 00CW111 was canceled on November 2, 2015, for failure to file a diligence application. Applicant applied for and the Division 1 Water Court decreed a new, conditional water storage right in Case No. 15CW3181 in the amount of 666 acre feet, with an appropriation date of December 31, 2015, to replace the cancelled storage right (“2015 Storage Right”). Applicant also owns conditional storage rights that were originally decreed in Case Nos. 97CW193 and 98CW471 and then changed in the Consolidated Decree so that the total storage capacity of all the conditional storage rights together shall not exceed 1,922.8 acre feet, with an annual refill right of 1,256.8 acre feet.

3. Claim for Conditional Water Storage Right: 3.1 Name of Structures: 2015 Centennial Ponds Storage Right 3.2 Legal Description: In Consolidated Decree and in the Case No. 15CW3181 decree, all of the Centennial Ponds were decreed to be located anywhere on the Property with no specific configuration, size or location; provided that the total storage volume of all Centennial Ponds shall not exceed 1,922.8 acre feet per year. The 2015 Storage Right constitutes up to 666 a.f. of the 1,922.8 a.f. that may be stored by Applicant in the Centennial Ponds. The ponds will be located off channel and will be lined with impervious material. 3.3 Sources: The sources for the 2015 Storage Right are: A. Jackson Creek, a tributary of West Plum Creek, through the following structures at a combined rate of diversion that shall not exceed 25 cfs. These structures shall divert surface water only and shall not be constructed or used to divert groundwater: i. Jackson Creek Highline Ditch: The headgate is located on the north side of Jackson Creek, generally in the SE1/4 NE1/4 of Section 29, T8S, R68W, 6th P.M., at a point approximately 1200 feet from the east and 2550 feet from the north section line of said Section 29. ii. Houston Ditch: The headgate is located on the north side of Jackson Creek, generally in the SE1/4 NE1/4 of Section 29, T8S, R68W, 6th P.M., at a point approximately 1050 feet from the east and 2500 feet from the north section line of said Section 29. iii. Upper Division: Located in the SE1/4NE1/4 of Section 29, T8S, R68W, 6th P.M., at a point approximately 950 feet from the East Section line and 2,550 feet from the North section line of said Section 29. iv. Middle Diversion: Located in the NE1/4NW1/4 of Section 28, T8S, R68W, 6th P.M., at a point approximately 1,450 feet from the West section line and 850 feet from the North section line of said Section 28. vi. Lower Diversion: Located in the SE1/4SE1/4 of Section 21, T8S, R68W, 6th P.M., at a point approximately 1,250 feet from the East section line and 1,100 feet from the South section line of said Section 21. B. West Plum Creek, a tributary of the South Platte River, through the following structures at a combined rate of diversion not to exceed 10 cfs. These structures shall divert surface water only and shall not be constructed or used to divert groundwater: i. West Plum Creek Diversion: To be located in the NE1/4NW1/4 of Section 23 and/or in the SE1/4SW1/4 of Section 14, T8S, R68W, 6th P.M., at a point approximately on the North section line and approximately 2,250 feet east of the NW Corner of said Section 23. ii. West Plum Creek Alternate Point of Diversion: To be located at a point described as follows: Beginning at the East Quarter Corner of Section 27, T8S, R68W, 6th P.M., thence South 89°ii’41” East along the South line of the Plum Creek Estate Subdivision in Douglas County, Colorado, approximately 1,450 feet to the center line of West Plum Creek. 3.4 Date of Appropriation: December 31, 2015. 3.5 Amount: 666 acre feet (conditional), no refill. 3.6 Uses: Water stored in the Centennial Ponds under the 2015 Storage Right may be used for irrigation of up to 200 acres within the Property, as depicted in Exhibit A, in-pond recreation, augmentation, and for Denver Basin aquifer recharge, storage and subsequent withdrawal through wells decreed in Case Nos 97CW076 and 99CW196, subject to the terms and conditions of the decree in 15CW3181.4. Activities Toward Completion of the Appropriation During the Diligence Period: 4.1 During the diligence period, Applicant has cooperated with the water commissioner and spent approximately \$1,000 to install a measurement device on the Houston Ditch. 4.2 In 2023, heavy rainfall washed out the irrigation dam on Jackson Creek, depositing decomposed granite in the creek, the irrigation headgate, and approximately 100 feet of the irrigation canal. Applicant purchased several hundred dollars’ worth of sandbags to repair the dam and spent a week repairing the dam and hand digging the irrigation ditch so that water may be diverted

to the Property. 4.3 The Jackson Creek Highline Ditch was also damaged from rainfall which caused a landslide. Applicant has so far spent two weeks of time constructing a road and hauling equipment and supplies to the area of the landslide for excavation so that water may be diverted to the Property. Applicant also purchased excavation equipment for approximately \$20,000 that will be subsequently used for creating reservoirs to store water under the 2015 Storage Right on the Property. 5. Name and address of owner of land on which structures for the water right is located: The structures are to be located on land owned by Centennial LLC. WHEREFORE, Centennial LLC requests that the Court enter a decree finding that Centennial III has exercised reasonable diligence in appropriating the 2015 Storage Right during the subject diligence period and continuing the conditional decree and 2015 Storage Right in full force and effect for six years from the month in which a final decree is entered in this case.

CASE NO. 2024CW3077 THADDEUS JAROSZ, 8550 Kenosha Drive, Colorado Springs, CO 80908. (Please address all pleadings and correspondence to: Chris D. Cummins, Paul J. Raymond of Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, Colorado 80921, (719) 471-1212). **APPLICATION FOR DETERMINATION OF GROUNDWATER RIGHTS, ADJUDICATION OF EXEMPT WELL, AND APPROVAL OF PLAN FOR AUGMENTATION EL PASO COUNTY**. Applicant desires to adjudicate the Denver Basin groundwater underlying the below described property in El Paso County and to obtain a plan for augmentation for the subdivision of the Property into up to 10 (ten) parcels. The plan for augmentation includes up to 10 (ten) wells into the Dawson aquifer of the Denver Basin. These wells will provide water service to an equivalent number of single-family lots. Property Description. All wells will be located on an approximately 107-acre property (“the Property”) comprising of two parcels of 53 and 54 acres each, anticipated to be subdivided into up to 10 (ten) lots of varying size. The Property is depicted on the attached Exhibit A map and Exhibit B deed, and are more particularly described as a piece of property located in the W 1/3 of the SE 1/4 of Section 6, Township 11 South, Range 65 W. of the 6th P.M., also known as Varnell Lot 1, Parcel NO. 5100000012, as recorded in the records of the El Paso County Clerk and Recorders under Reception NO. 216030733, and a piece of property located in the Middle 1/3 of the SE 1/4 of Section 6, Township 11 South, Range 65 W. of the 6th P.M., also known as Varnell Lot 2, Parcel NO. 5100000026, as recorded in the records of the El Paso County Clerk and Recorders under Reception NO. 216030732. Existing Well. There is an existing domestic well with Division of Water Resources Permit No. 172352-A (“Gambler Well No. 1”), permit attached as Exhibit C. It is drilled to a total depth of 360 feet to the Dawson aquifer, and located 1,480 feet from the South Section Line, and 2,300 feet from the East Section Line. Upon completion of this case and the subdivision process, the Gambler Well No. 1 will be re-permitted and will remain an exempt well pursuant to SB 20-155 amending C.R.S. §37-92-602(3)(b)(IV). Proposed Wells. Applicant proposes to construct up to 9 (nine) additional wells on the Property at specific locations not yet determined (“Gambler Wells No. 2-10”), to be constructed to the Dawson aquifer. Water Source. Not-Nontributary. The ground water to be withdrawn from the Dawson aquifer underlying the Property is not-nontributary. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in these aquifers will require the replacement of actual stream depletions. Nontributary. The groundwater that will be withdrawn from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Property is nontributary. Estimated Rates of Withdrawal. Pumping from the wells will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests the vested right for the withdrawal of all legally available ground water in the Denver Basin aquifers underlying the Applicant’s Property. Said amounts may be withdrawn over the 300-year life of the aquifers as required by El Paso County, Colorado Land Development Code § 8.4.7(C)(1) which is more stringent than the State of Colorado’s 100-year life requirement pursuant to C.R.S. § 37-90-137(4). *Applicant has reserved 300 acre-feet (1 annual acre-foot on a 300 year basis) of the available Dawson Aquifer supplies to support pumping from the existing exempt well, Gambler Well No. 1, this brings the

remaining available Dawson Aquifer supplies to 4535 acre-feet. The available water amounts before reservation were: Total Appropriation 4835af, Annual Avg. Withdrawal 100 Years 48.35af, Annual Avg. Withdrawal 300 Years 16.11af. Decreed amounts may vary from the above to conform with the State's Determination of Facts. Pursuant to C.R.S. § 37-92-305(11), the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. Requested Uses. The Applicant requests the right to use the ground water for beneficial uses upon the Property consisting of domestic, irrigation, stock water, fire protection, and also for storage and augmentation purposes associated with such uses. The Applicant also requests that the nontributary water may be used, reused, and successively used to extinction, both on and off the Property subject, however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicant shall only be entitled to construct wells or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of such not-nontributary aquifer in accordance with C.R.S. § 37-90-137(9)(c.5). Well Fields. Applicant requests that it be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying the Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests that it be entitled to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Property. Owner of Land Upon Which Wells are to Be Located. The land upon which the wells are and will be located as well as the underlying groundwater is owned by Joel N. Varnell, Jeffrey L. Varnell, Julia F. Varnell-Sarjeant, and Jon M. Varnell (collectively "Land Owners"). The Applicant is under contract for the purchase of the Property subject of this application from the Land Owners, and attached as Exhibit D is an Affidavit of Consent of Owners in which the Land Owners expressly consent to the filing of this application pursuant to Water Court Rule 3(A). Application for Adjudication of Exempt Well. Name of Structure: Gambler Well No. 1. Legal Description of Well: The well is located upon the Applicant's Property in the W1/3 SE1/4 of Section 6, Township 11 South, Range 65 West of the 6th P.M., El Paso County, Colorado, located 1,480 feet from the South Section Line, and 2,300 feet from the East Section Line. The Gambler Well No. 1 is permitted as an exempt well pursuant to Division of Water Resources Permit No. 172352-A. Source: The Gambler Well No. 1 is permitted to withdraw from the not-nontributary Dawson aquifer. Date of Initiation of Appropriation: On or before May 31, 2004. How Appropriation was Initiated: Completion of the construction of the well and placement into operation during the year of 2005. Date Water Applied to Beneficial Use: June 1, 2005. Amount Claimed: 15 g.p.m., absolute, or 1 annual acre-foot. Uses: Ordinary household uses in up to three single family residences, fire protection, the irrigation of not more than 1 are of home gardens and lawns, and the watering of poultry, domestic animals, and livestock on a farm or ranch. Land Ownership: The land upon where the Gambler Well No. 1 is drilled and which the water is and has been used is owned by Joel N. Varnell, Jeffrey L. Varnell, Julia F. Varnell-Sarjeant, and Jon M. Varnell (collectively "Land Owners").The Applicant is under contract for the purchase of the Property subject of this application from the Land Owners, and attached as Exhibit D is an Affidavit of Consent of Owners in which the Land Owners expressly consent to the filing of this application pursuant to Water Court Rule 3(A). Remarks: The Gambler Well No. 1 is an exempt well issued pursuant to and for the uses authorized in § 37-92-602(3)(c), C.R.S. and a decree for the Gambler Well No. 1 is sought pursuant to § 37-92-602(4), C.R.S. The Applicant seeks to maintain the exempt status of the well. Application for Plan for Augmentation. Structures to be Augmented. The structures to be augmented are the Gambler Wells No. 2-10, along with any replacement or additional wells associated therewith, as likewise may be constructed to the Arapahoe aquifer of the Denver Basin underlying the Applicant's Property as requested and described herein. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting

from the pumping of the not-nontributary Dawson aquifer from the Gambler Wells No. 2-10, together with water rights from the nontributary Arapahoe aquifer for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by up to 9 (nine) wells proposed herein for up to ten (10) residential lots. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: Uses. Household Use Only: 0.20 acre-feet annually within a single-family dwelling, with a maximum of ten percent consumptive use based on a nonevaporative septic leach field disposal system. The annual consumptive use will therefore be 0.020 acre-feet, with return flows of 0.18 acre-feet per year. Landscape Irrigation: 0.05 acre-feet annually per 1,000 square feet (2.18 acre-feet per acre) per year, with an 85% assumed consumptive use rate. The annual consumptive use for each 1,000 square feet of lawn and garden irrigated is therefore 0.042 acre-feet. Horses (or equivalent livestock): 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. The augmented wells will pump a maximum of 6.9 acre-feet of water per year from the Dawson aquifer collectively, or 0.76 acre-feet per well. Such use shall be a combination of household use, irrigation of lawn and garden, and the watering of horses or equivalent livestock. An example breakdown of this combination of use, utilizing the factors described above, and modeled for the State of Colorado's minimum use rules, is household use of 0.20 acre-feet of water per year with the additional 0.56 acre-feet available for irrigation of lawn and garden and the watering of up to two horses or equivalent livestock on the lot annually. An example of the use breakdown for El Paso County land use planning purposes is household use of 0.26 acre-feet of water per year with the additional 0.50 acre-feet of available for irrigation of lawn and garden and the watering of up to two horses or equivalent livestock on the lot annually. Should there be fewer than ten lots, pumping amounts will correspondingly decrease. An example of pumping for 8 lots would be through the use of 7 augmented well. In that example, the augmented wells will pump a maximum of 5.5 acre-feet of water per year from the Dawson aquifer collectively, or 0.78 acre-feet per well. An example breakdown of this combination of use, utilizing the factors described above, and modeled for the State of Colorado's minimum use rules, is household use of 0.20 acre-feet of water per year with the additional 0.58 acre-feet available for irrigation of lawn and garden and the watering of up to two horses or equivalent livestock on the lot annually. An example of the use breakdown for El Paso County land use planning purposes is household use of 0.26 acre-feet of water per year with the additional 0.52 acre-feet of available for irrigation of lawn and garden and the watering of up to two horses or equivalent livestock on the lot annually. Depletions. Maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 22.58% of pumping. Maximum annual depletions from the Gambler Wells No. 2-10 are therefore 1.55 acre-feet in year 300. Should Applicant's pumping be less than the 6.9 acre-feet total per year described herein, resulting depletions and required replacements will be correspondingly reduced. Should there be fewer lots, depletion rates and replacement requirements will also correspondingly be reduced. As an example, depletion and replacements for 8 lots with 7 augmented wells would create maximum stream depletions of 22.58% of pumping and a total amount of 1.24 acre-feet. Augmentation of Depletions During Pumping. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual stream depletions attributable to pumping of the residential well from the Dawson aquifer. Depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems of up to 10 (ten) residential lots. The annual consumptive use for non-evaporative septic systems is 10% per year. At a household use rate of 0.20 acre-feet per year, 0.18 acre-feet is replaced to the stream system annually per residence, utilizing a non-evaporative septic system, resulting in 1.62 acre-feet of replacement annually. Thus, during pumping, stream depletions will be more than adequately augmented. Should there be fewer lots, augmentation during pumping will also be reduced. As an example, should there be 8 lots with 7 augmented wells, replacement supplies will amount to 1.26 acre-feet, also meeting the depletion requirements for that number of lots. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the Gambler Wells No. 2-10, Applicant will reserve up to the entirety of the nontributary Arapahoe aquifer, accounting for actual stream depletions replaced during the plan pumping period, as necessary to replace any injurious post pumping depletions. Applicant also

reserves the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Arapahoe aquifer groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive a new well permit for the Gambler Wells No. 2-10 for the uses in accordance with this Application and otherwise in compliance with C.R.S. §37-90-137. Remarks. Applicant requests a finding that it has complied with C.R.S. § 37-90-137(4), and that the ground water requested herein is legally available for withdrawal by the requested not-nontributary wells upon the entry of a decree approving an augmentation plan pursuant to C.R.S. § 37-90-137(9)(c.5). The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. The Applicant will not need to implement the plan for augmentation until the completion of the subdivision process and the sale of the lots using one of the up to 9 (nine) augmented wells. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of ground water withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. The Applicant requests a finding that vested water rights of others will not be materially injured by the withdrawals of ground water and the proposed plan for augmentation. The wells shall be installed and metered as reasonably required by the State Engineer. Each well must be equipped with a totalizing flow meter and Applicant shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. The Applicant shall also provide accountings to the Division Engineer and Water Commissioner as required to demonstrate compliance under this plan of augmentation. The Applicant intends to waive the 600 feet well spacing requirement for any wells to be located upon the Property. There are no lienholders on the Property, and therefore the lienholder notice provisions set forth in C.R.S. § 37-92-302(2)(b) and § 37-90-137(4)(b.5)(I), are inapplicable. The Applicant is under contract for the purchase of the Property subject of this application from the Land Owners, and attached as Exhibit D is an Affidavit of Consent of Owners in which the Land Owners expressly consent to the filing of this application pursuant to Water Court Rule 3(A).

CASE NO. 2024CW3078 (02CW335) GROUND WATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT ("GMS"), 3209 W. 28th Street, Greeley, CO 80634; (970) 330-4540. Bradley C. Grasmick, David L. Strait, Lawrence Custer Grasmick Jones & Donovan LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534, (970) 622-8181, brad@lcwaterlaw.com; dstrait@lcwaterlaw.com, APPLICATION TO ADJUDICATE CONDITIONAL GROUNDWATER RIGHTS AND ADD AUGMENTATION WELLS TO PLAN FOR AUGMENTATION IN WELD COUNTY. 2. Summary of Application. GMS desires to adjudicate conditional groundwater rights for the industrial use of water from two wells, collectively referred to herein as the "Wells" and to add the Wells to its augmentation plan decreed in Case No. 02CW335 (the "GMS Augmentation Plan"). GMS's claimed industrial use of the Wells will include use in gravel mining operations, oil and gas development, the development of water storage reservoirs on property owned by the Central Colorado Water Conservancy District in the NE/4 of Section 30, Township 4 North, Range 66 West, 6th P.M., Weld County, Colorado, and other beneficial uses within the boundaries of the District as described in Paragraph 3. Said water storage reservoirs to be developed by Central are known as the Sweet Valley Reservoir Complex and the subject of pending Case No. 23CW3181. The Wells were previously added to the GMS Augmentation Plan for augmentation uses in Case No. 22CW3129. Additionally, pumping for irrigation uses from the Wells is currently included in the Well Augmentation Subdistrict of the Central Colorado Water Conservancy District's ("WAS") augmentation plan decreed in Case No. 03CW099 (the "WAS Augmentation Plan"). 3. Claim for Conditional Water Rights. 3.1. Name of Structure. Meining/Miller Well No. 13659-R (WDID 0207250). 3.1.1. Name and Address of Well Owner. Central Colorado Water Conservancy District, 3209 W. 28th Street, Greeley, CO 80634, 3.1.2. Permits. 13659-R

for irrigation use. 89127-F for augmentation use. Applicant will obtain a new well permit for the claimed industrial use of the Meining/Miller Well No. 13659-R. 3.1.3. Location. SW1/4NE1/4 Section 30, Township 4 North, Range 66 West, 6th P.M.; UTM Coordinates: X= 515425, Y= 4459153. 3.1.4. Appropriation Date. The date of filing of this Application. 3.1.5. Amount Claimed. 2.67 cfs, conditional. 3.1.6. Source. Groundwater tributary to the South Platte River. 3.1.7. Use. Industrial and commercial uses within the boundaries of the Central Colorado Water Conservancy District, the Groundwater Management Subdistrict District of the Central Colorado Water Conservancy District and the Well Augmentation Subdistrict District of the Central Colorado Water Conservancy District, as they exist currently or as may be modified in the future. 3.1.8. Location of Depletions. GMS Administrative Reach C. 3.2. Name of Structure. Meining/Miller Well No. 13660-R (WDID 0207251) 3.2.1. Name and Address of Well Owner. Central Colorado Water Conservancy District, 3209 W. 28th Street, Greeley, CO 80634. 3.2.2. Permits. 13660-R for irrigation use. 87629-F for augmentation use. Applicant will obtain a new well permit for the claimed industrial use of the Meining/Miller Well No. 13660-R. 3.2.3. Location. SE1/4NE1/4 Section 30, Township 4 North, Range 66 West, 6th P.M.; UTM Coordinates: X= 516012, Y= 4459151. 3.2.4. Appropriation Date. The date of filing of this Application. 3.2.5. Amount Claimed. 2.67 cfs, conditional. 3.2.6. Source. Groundwater tributary to the South Platte River. 3.2.7. Use. Industrial and commercial uses within the boundaries of the Central Colorado Water Conservancy District, the Groundwater Management Subdistrict District of the Central Colorado Water Conservancy District and the Well Augmentation Subdistrict District of the Central Colorado Water Conservancy District, as they exist currently or as may be modified in the future. 3.2.8. Location of Depletions. GMS Administrative Reach C. 4. Addition of Wells to Augmentation Plan Decree. Pursuant to Paragraph 14.5 of the GMS Augmentation Plan, GMS may add wells to the GMS Augmentation Plan subject to notice and terms and conditions. GMS seeks to add the Wells described in Paragraph 3 above to the GMS Augmentation Plan as additional Member Wells. As noted above, the Wells are included in the GMS Augmentation Plan for augmentation uses and associated depletions are replaced by GMS. Further, the Wells are included in the WAS Augmentation Plan and depletions associated with irrigation use of the Wells are replaced by WAS. The Wells have not yet been used for the claimed industrial uses, there are no depletions from prior pumping of the Wells that need to be augmented by GMS and no additional depletions will be added to GMS by the inclusion of the Wells in the GMS Augmentation Plan. The inclusion of the Wells in the WAS Augmentation Plan established parameters for the purposes of estimating the timing of depletive effects on the South Platte River using the Glover methodology as further described in the table below.

WDID	Distance (feet)		Harmonic Mean Transmissivity (gpd/ft)	Specific Yield	GMS Admin. Reach
	To River from Aquifer Boundary	To River from Well			
	(1)	(2)			
0207250	14,379	5,665	155,642	0.2	C
0207251	24,620	7,360	67,600	0.2	C

5. Terms and Conditions for Use. GMS proposed to use the Wells described in Paragraph 3 above consistent with the applicable terms and conditions set forth in the GMS Augmentation Plan regarding Member Wells, specifically Paragraph 14.5 of the GMS Augmentation Plan. Use of the Wells by GMS will be augmented by GMS pursuant to the terms and conditions of the GMS Augmentation Plan and the decree issued in this case. Use of water from the Wells for irrigation, augmentation, and the industrial uses claimed herein will be separately metered and accounted for. The Wells will be equipped with two totalizing flow meters, augmentation and industrial uses under the GMS Augmentation Plan will be metered separately from irrigation uses augmented under the WAS Augmentation Plan. Flow meters for the Wells will comply with the terms and conditions stipulated in Case No. 11CW292 concerning well measurement. A presumed depletion factor of 100 percent will be used to determine net authorized pumping under the GMS

Augmentation Plan for industrial uses of the Wells. No other changes to the GMS Augmentation Plan are requested in this Application. This application consists of five pages.

CASE NO. 2024CW3079 ED ORR, SUSIE ANN ORR, AND THE CACHE LLC, 1813 61st Avenue, Suite 200, Greeley, CO 80634 Phone 970-351-8777. Please send all pleadings and correspondence to: April D. Hendricks, Esq. and Peter D. Jaacks, Esq. Burns, Figa & Will, P.C. 6400 S. Fiddlers Green Circle, Suite 1000, Greenwood Village, CO 80111. Phone: (303) 796-2626. **APPLICATION FOR CHANGE OF WATER RIGHTS INCLUDING PLAN FOR AUGMENTATION IN WELD COUNTY.** Name of Structure. The W.R. Jones Ditch (the “Jones Ditch”). Date of Original and Relevant Subsequent Decrees. The Jones Ditch was originally decreed for 15.52 cfs in Case No. CA0320 on April 11, 1882. Applicants’ shares have not previously been changed. Legal Description of the Jones Ditch. The Jones Ditch diverts from the Cache la Poudre River in Water Division 1, Water District 3. More specifically, the Jones Ditch’s headgate is located on the south bank of the Cache la Poudre River in the NW 1/4 of the SW 1/4 of Section 36, Township 6 North, Range 67 West of the 6th P.M., Weld County, Colorado, as depicted in **Figure 1** filed with the Application. Decreed Surface Water Right for Which Change is Sought. Applicants seek to change the use of 48 shares of stock in the W.R. Jones Ditch Company. The 48 shares represent a 24 percent ownership of the 200 outstanding shares in the W.R. Jones Ditch Company. Decreed Source of Water. Cache la Poudre River. Appropriation Date. September 1, 1867. Total Amount Decreed to the Jones Ditch. 15.52 cfs. Decreed Uses. Irrigation. Amount of Water to be Changed. Applicants seek to change 48 shares of the W.R. Jones Ditch Company, which are currently evidenced by Certificate Numbers 49, 51, and 59 (“Subject Water Rights”). The ownership of the 48 shares entitles the Applicants to a pro rata interest in the Jones Ditch’s water rights, as those rights are described in subparagraphs (b)-(g) of this paragraph, which is equivalent to 3.725 cfs. Historical Use of the Subject Water Rights. The Subject Water Rights historically irrigated lands under the Jones Ditch including approximately 93.3 acres within the S 1/2 of Section 36, Township 6 North, Range 67 West of the 6th P.M.; 93.8 acres in Section 32, Township 6 North, Range 66 West of the 6th P.M.; and 8.2 acres in the NE 1/4 of the SE 1/4 of Section 32 and the NW 1/4 of the SW 1/4 of Section 33, Township 6 North, Range 67 West of the 6th P.M., all in Weld County, Colorado. Historically Irrigated Lands and Method of Analysis. The map of historically irrigated lands is depicted on **Figure 2** filed with the Application. Applicants’ engineering consultant has performed a ditch-wide analysis to evaluate the historical use of the Jones Ditch’s water rights on the decreed and lawfully irrigated lands using the modified Blaney-Criddle method over a representative study period from 1920-1980, including years of wet, dry, and average hydrology within that study period in which water was used. Applicants’ 48 shares have historically irrigated approximately 195 acres under the Jones Ditch. The ditch-wide analysis found approximately 541.28 acre-feet of historical consumptive use associated with the 200 outstanding shares of the Jones Ditch, consistent with the Colorado Supreme Court’s decision in *In re Water Rts. of Cent. Colorado Water Conservancy Dist.*, 147 P.3d 9 (Colo. 2006). Applicants’ 48 shares of the W.R. Jones Ditch Company entitles them to a pro-rata share of the Jones Ditch’s total historical consumptive use, equal to 129.91 acre-feet per year. Statement of Proposed Changes. The W.R. Jones Ditch Company owns, operates, manages, and maintains the Jones Ditch. Applicants own 48 shares of the W.R. Jones Ditch Company, which represent a 24 percent ownership of the 200 outstanding shares of the Company. The Applicants will replace or maintain historical ditch return flows from their shares in time, location, and amount to avoid injury to other water users. Applicants will prepare and maintain accounting that will allow the tracking of water usage under the changed Subject Water Rights and take credit for return flows from the use thereof, and will then make up any shortfall in the historical return flow obligation by delivering the changed Subject Water Rights to the Cache La Poudre River before or after storage. Applicants seek to change the type and location of use of the Subject Water Rights as follows: Type of Use. Applicants seek to change the type of use of the Subject Water Rights so the water may be used directly or stored and subsequently used for the following purposes, in addition to the decreed irrigation use: augmentation, replacement, recreation, aesthetics, and storage, with the right to totally consume the consumable portion of the water through first use, reuse, successive use, disposition or further exchange all water associated with the Subject Water Rights that remains after the required return flow obligations have been met. Use,

reuse, and successive use of water from the Subject Water Rights by exchange shall be pursuant and subject to terms and conditions of subsequently decreed rights of substitution and exchange or administrative approval that allow the Subject Water Rights to be used as a source of substitute supply. Applicants' consumptive use of the Subject Water Rights will not exceed 129.91 acre-feet per year, which is their pro rata share of the ditch-wide historical consumptive use. Place of Use. Applicants will continue irrigating the 93.3 acres within the S 1/2 of Section 36, Township 6 North, Range 67 West of the 6th P.M. Applicants also seek to change the place of use of the Subject Water Rights so the water may be used on land owned by the Applicants consisting of approximately 800 acres situated in Section 31, Township 6 North, Range 66 West, the Southeast Quarter Of Section 36, Township 6 North, Range 67 West, and the west half of Section 6, Township 5 North, Range 66 West, all of the 6th P.M., in Weld County, Colorado ("Cache Development"). **Application For Approval of Augmentation Plan.** Structures to be Augmented. Cache Development Ponds. One or more ponds will be constructed on lands owned by the Applicants in the Cache Development, as described in Paragraph 3.b, above. Such ponds will intercept and store groundwater throughout the year and water from the Subject Water Rights during the irrigation season. The total surface area of the ponds will be approximately 16 acres. Water Rights to be Used for Augmentation. Changed Subject Water Rights. Applicants will use the changed Subject Water Rights described in Section I of this application to replace out-of-priority depletions to the stream system associated with the use of the structures described in paragraph 4. Other Augmentation Sources. Applicants reserve the right to use other augmentation sources decreed or permitted for that purpose, including without limitation, reusable return flow credit from other sources of water. Plan for Augmentation. The Subject Water Rights will be used to replace out-of-priority depletions resulting from evaporation of tributary groundwater stored in the Cache Development Ponds. The Subject Water Rights will be delivered for storage into the Cache Development Ponds. Surface water stored during the irrigation season will continually flow through the ponds, with any deficit storage being made up by groundwater. The Subject Water Rights that return to the Jones Ditch will be credited as return flows and as replacement of depletions from evaporation of groundwater stored in the ponds during the irrigation season. During the non-irrigation season, releases of stored Subject Water Rights will be made to the river to replace return flow obligations and to replace continued evaporation of groundwater. Evaporation. Losses due to evaporation will be calculated based upon exposed surface area in each month (in acres). Exposed surface area for the ponds will be computed using the stage-area capacity curves for each structure. The net area will be calculated by subtracting the historical Jones Ditch surface area covered by the ponds. Evaporation losses will be calculated by multiplying the exposed surface area by the rate of gross evaporation for the days of exposed water surface. If the reservoirs have at least 80% ice cover or more, no evaporation will be calculated for that day. Daily evaporation will be calculated using the evaporation rates shown in the table below, which are in feet per acre per month of exposed surface area and will be prorated for the number of days of exposed water in the ponds each month to determine evaporation.

Monthly Evaporation Rates		
Month	Percent Distribution (from SEO)	Evaporation rate (ft/acre)
Jan	3.0%	0.10
Feb	3.5%	0.12
Mar	5.5%	0.18
Apr	9.0%	0.30
May	12.0%	0.40
Jun	14.5%	0.48
Jul	15.0%	0.50

Aug	13.5%	0.45
Sep	10.0%	0.33
Oct	7.0%	0.23
Nov	4.0%	0.13
Dec	3.0%	0.10
Total	100.0%	3.33

Unmeasured Inflow. All inflow of water into the ponds from any source that is stored out of priority, including precipitation, will be removed by draining, pumping, or other means, and released through the pond outlet back to the Cache la Poudre River. Measurement. The Cache Development ponds will have staff gages installed to facilitate calculation of infiltration from groundwater into the ponds and estimate groundwater evaporation and subsequent lagged depletions to the Cache la Poudre River. The staff gage readings shall be used to determine: (1) the volume of the water in each pond; and (2) the exposed surface area of water, in acres. Using these measurements, Applicants will account for the net monthly volume of groundwater evaporation from the ponds. Name and Address of Owners of Property Upon Which Any Existing or New Diversion Structure or Storage Structure Is or Will Be Constructed. The structures referenced in this Application are owned by Applicants and the W.R. Jones Ditch Company, 3209 W.28th Ave. Greeley Colo. 80634. (6 Pages, 2 Exhibits)

CASE NO. 2024CW3080 COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION, 317 W. Prospect Rd., Fort Collins, Colorado 80526. Please send all correspondence and inquiries regarding this matter to: Elizabeth M. Joyce 720-508-6761, and Christopher Stork 720-508-6311, Office of the Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE IN JEFFERSON AND DOUGLAS COUNTIES.** **1. Name, mailing address, e-mail address, and telephone number of applicant:** Colorado Division of Parks and Wildlife (“CPW”), Attn: Pete Conovitz, Water Rights Program Administrator, 317 W. Prospect Rd., Fort Collins, Colorado 80526, 970-666-1365, pete.conovitz@state.co.us. **2. Name of structure:** Chatfield Fish Unit. **3. Description of project features:** Chatfield Reservoir is a flood control structure located at the confluence of Plum Creek and the South Platte River. As part of the project, the United States Army Corps of Engineers reserved a site below the dam for construction of a fish hatchery to be managed and operated by the Colorado Division of Parks and Wildlife. The Chatfield Fish Unit is a multi-staged development. The first phase was the construction of the current planting base. The Fish Unit serves as a holding facility for fish produced at other CPW hatcheries. Fish held at this facility are stocked in the Denver Metro area and along the Front Range as well as in other water in throughout the state. Later phases will expand the Fish Unit into a full production hatchery. **4. Description of conditional water right:** A. Date of original decree: September 29, 1992, Case No. 80CW152, District Court, Water Division 1. B. Subsequent decrees awarding findings of diligence: Case No. 93CW120, entered on February 15, 1995, by the District Court in and for Water Division 1; Case No. 98CW385, entered on November 10, 1999, by the District Court in and for Water Division 1; Case No. 05CW291, entered on September 13, 2011, by the District Court in and for Water Division 1; and Case 17CW3140, entered May 9, 2018, by the District Court in and for Water Division 1. C. Legal Description: The Chatfield Fish Unit point of diversion (through outlet works from Chatfield Reservoir) is located in the NW1/4 SE1/4 of Section 1, Township 6 South, Range 69 West, 6th P.M., Jefferson County, with UTM coordinates of 4378605 Northing; 494595 Easting (NAD 83; estimated from ArcGIS). A USGS Topo Map showing these coordinates is attached to this Application as **Exhibit 1**. D. Source: South Platte River and its tributaries at or above Chatfield Dam. E. Appropriation Date: February 25, 1972. F. Use: Piscatorial, which includes rearing fish, aquatic habitat, water treatment of the fish unit waters prior to discharge, and recreational uses. The use of the water is on a continuous flow-through basis with the water returning to the South Platte River directly below the fish unit. The only consumptive use is due to evaporative losses occurring during the retention of the water in the raceways, aeration basins and settling ponds, and is subject to the plan for augmentation decreed in Case No. 80CW152. G. Amount: 1.9 c.f.s. conditional. H. Remarks:

Of the of 20.0 c.f.s. conditional water right confirmed by decree in Case No. 80CW152, 10.0 c.f.s. was made absolute in Case No. 93CW120, and continuing diligence was granted for the remaining 10.0 c.f.s. conditional water right in Case Nos. 98CW385 and 05CW291. Of the remaining 10.0 c.f.s. conditional water right, 8.1 c.f.s. was made absolute, and the remaining 1.9 c.f.s. was continued as conditional in Case No. 17CW3140. **5. Detailed outline of what has been done towards completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** A. Phase One of the Chatfield Fish Unit was completed and 18.1 c.f.s. of the original 20 c.f.s. conditional water right has been made absolute. CPW continues to operate the Chatfield Fish Unit to meet its management goals as currently configured: i. The Chatfield Fish Unit's main function is to receive catchable trout and catfish from CPW's fish hatcheries in order to allow those hatcheries to produce additional fish. During the past six years, the Fish Unit received an average of approximately 33,000 fish annually. These fish have been stocked in waters in the Denver Metro area and along the Front Range. ii. During the present diligence period, CPW has continued to implement a policy which does not allow fish infected with whirling disease to be stocked in waters that are disease free. The Chatfield Fish Unit remains necessary for the implementation of this policy. The Fish Unit has tested positive for whirling disease and therefore provides the needed holding facility for fish produced at whirling disease positive hatcheries, such as the Watson and Chalk Cliff hatcheries, allowing those facilities to produce the number of fish needed for stocking purposes. B. CPW continues to operate the Fish Unit on a day-to-day basis, which requires CPW staff to regularly perform ongoing tasks including, but not limited to the following: i. CPW continuously monitors the water delivery system for structural integrity and performs monitoring and maintenance of erosion control structures, dam infrastructure, pipelines and discharge outlets related to the water right. ii. CPW continuously monitors the water quality including ammonia and pH concentrations within the water delivery system discharge area. iii. CPW operates its augmentation plan releases and performs accounting and coordination with Division of Water Resources as needed. C. CPW has continued to develop plans to expand the Chatfield Fish Unit into a fully operational production hatchery. In part, this involves securing an additional physical water supply to the Fish Unit. i. CPW has participated in the Chatfield Reallocation Project to firm additional storage space in Chatfield Reservoir. CPW has remained an active member in the Chatfield Reservoir Mitigation Company (CRMC) during the diligence period and has participated in numerous meetings with the Chatfield Reallocation Participants and the CRMC for the purpose of firming up water supplies for the Fish Unit. CPW staff members serve on the board of directors for the CRMC and participate in the Chatfield Reservoir operations committees. CPW staff members also served on the Technical Advisory Committee for the Chatfield Storage Reallocation Project during the diligence period. CPW's involvement in this process is to ensure an increased and uninterrupted flow of water through the Fish Unit to support its current use as a holding facility and the planned expansion into a fully operational hatchery. ii. CPW is pursuing the acquisition of 924 acre-feet of additional storage space in the Chatfield Reallocation Project from the Colorado Water Conservation Board (CWCB). CPW's efforts to obtain the additional storage space have included, but are not limited to, hiring a consultant to advise on the need for additional storage space in Chatfield Reservoir to support CPW's operations and assisting with CWCB's efforts through the 2023 CWCB Water Projects Appropriations Bill (SB23-177) to appropriate \$8,000,000.00 to fund the purchase of this additional storage space. SB23-177 was approved and CPW has finalized an agreement with CWCB for this acquisition. iii. CPW also reached a short-term agreement with CWCB to allow CPW to utilize this storage space until a final acquisition is complete. On May 18, 2023, CPW stored water under this agreement, including the storage of CPW's water rights approved as replacement sources for the augmentation plan decreed in 80CW152. iv. CPW is developing plans and working with the Army Corps of Engineers for installation of a test well for expansion of the Fish Unit. D. During the current diligence period, CPW personnel have continued to review the monthly water court resume for applications that may affect the Chatfield Fish Unit water right and has filed statements of opposition in multiple cases for surface and storage water rights in Division 1 related to use of Chatfield Reservoir and the reservoir outlets. CPW also collaborated with the Division of Water Resources to improve the measuring structure and the associated recording equipment at the Fish Unit. E. CPW received approval and subsequent renewal of a Substitute Water Supply Plan (SWSP) for the Chatfield Fish Unit (No. 9410).

The out-of-priority evaporative depletions from the Fish Unit raceways and settling ponds are currently replaced under the augmentation plan decreed in Case No. 80CW152; the SWSP added additional sources of water to replace evaporative depletions. F. CPW incurred numerous expenses during the diligence period, including but not limited to: i. Annual salary for a full-time Fish Unit employee; ii. Annual salary for a seasonal Fish Unit employee; iii. Annual assessments to CRMC as part of the Chatfield Reallocation Project; iv. Approximately \$4200 for improvements to the measurement structure recording equipment; and v. Approximately \$25,400 for installation, maintenance and repair of automated gate actuator. **6. Claim for findings of reasonable diligence:** CPW has maintained diligence on the remaining conditional portion of the Chatfield Fish Unit water right in the amount 1.9 cfs, and seeks entry of a decree for findings of reasonable diligence and to continue the Chatfield Fish Unit conditional water right in the amounts described herein. **7. Names of owners of land upon which structures are located:** United States Army Corp of Engineers, 215 N. 17th Street, Omaha, NE 68102-4978. WHEREFORE, CPW respectfully requests this Court enter a decree finding that CPW has exercised reasonable diligence in the development of the remainder of the conditional water right, to continue the conditional portion of the water right in full force and effect, and for such other relief as this Court deems just and proper. (6 pages)

CASE NO. 2024CW3081 (2017CW3167, 2010CW296, 2002CW239, 95CW058, 88CW009, 81CW463). **CITY AND COUNTY OF BROOMFIELD.** c/o Director of Public Works, One DesCombes Drive , Broomfield, Colorado 80020-2495, Telephone No.: (303) 438-6348, e-mail: publicworks@broomfield.org. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN ADAMS, BOULDER, BROOMFIELD, AND WELD COUNTIES.** 2. Name of structures/water rights: Great Western Reservoir, Broomfield Enlargement. 3. Date of Original and Diligence Decrees: a. Original Decree: Case No. 81CW463, decreed by the District Court for Water Division 1, State of Colorado, on February 23, 1984; and (b) Subsequent Diligence Decrees: (1) On March 9, 1989, *nunc pro tunc* January 17, 1989, the District Court for Water Division No. 1 entered the decree in Case No. 88CW009, granting the application to make 736 acre-feet of water absolute and continuing the remaining 25,264 acre-feet of the conditional water right in full force and effect until January 31, 1992. The period for showing reasonable diligence was extended to January 31, 1994, by an Order entered March 6, 1991. The period of reasonable diligence was further extended to March 31, 1995 by an Order entered November 10, 1993. (2) On October 8, 1996, the Court entered the decree in Case No. 95CW058, granting the application to have 25,264 acre-feet of water continued as a conditional water storage right. (3) On December 7, 2004, the Court entered the decree in Case No. 02CW239, granting the application to have 25,264 acre-feet of water continued as a conditional water storage right. (4) On October 18, 2011, the Court entered the decree in Case No. 2010CW296, granting the application to have 25,264 acre-feet of water continued as a conditional water storage right. (5) On May 23, 2018, the Court entered the decree in Case No. 2017CW3167, granting the application to have 25,264 acre-feet of water continued as a conditional water storage right. 4. Legal Description: Great Western Reservoir, as enlarged, will be located generally in the North 1/ 2 of Section 7, and the South 1/ 2 of Section 6, Township 2 South, Range 69 West of the 6th P.M. The legal description of elevation control line, Great Western Reservoir, new dam wing for Broomfield Enlargement is more particularly described as follows: Commencing at the Southwest corner of Section 5, Township 2 South, Range 69 West of the 6th P.M.; thence South 13°55' 10" West, 862.81 feet to a point; said point being a cross-cut on the top of the Great Western Reservoir spillway (elevation = 5,608.85 feet U.S.G.S.) and also the True Point of Beginning; thence North 14°59'06" West the following 3 courses and distances: 1,473.66 feet to a point on a knoll (elevation = 5,678.29 feet); 916.17 feet to a low point (elevation = 5,637.68 feet); 975.92 feet to a point of terminus (elevation= 5,608.00 feet). Distance from section lines to the True Point of Beginning described above: 834 feet South from the North section line and 200 feet West from the East section line of Section 7, Township 2 South, Range 69 West of the 6th P.M. Map: A U.S.G.S. map showing the location of the proposed dam is attached as Exhibit A hereto. 5. Source of Water: Clear Creek, a tributary of the South Platte River. 6. Appropriation Date: March 25, 1981. 7. Amount of Water: 25,264 acre-feet remaining conditional of the 26,000 acre-feet. 8. Decreed Uses of Water: Use in the Broomfield municipal water supply system as it now or may hereafter exist by the City and County of Broomfield, or those users to

whom it provides water for beneficial uses including municipal, domestic, commercial, irrigation, industrial, recreation, piscatorial, exchange, replacement, plans of augmentation and irrigation of city parks and open space. 9. Dam Description and Capacity: (a) Maximum height of the dam: 133 feet; (b) Length of proposed dam: 7,000 feet; (c) Total capacity of reservoir: 26,000 acre-feet; (d) Capacity of reservoir from bottom of outlet tube to lowest point on spillway: 25,560 acre-feet; (e) Capacity of reservoir from the bottom of the outlet to the lowest point in the reservoir: 440 acre-feet; (f) Present capacity of Great Western Reservoir: approximately 3,250 acre feet; and (g) Name and capacity decreed in Case No. 81CW463 of the Ditch leading to or supplying water to the reservoir: Golden City Ralston Creek and Church Ditch, commonly known as the Church Ditch, at the rate of 50 c.f.s. from Clear Creek. 10. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period: (a) During this diligence period, Broomfield has continued to improve, operate and maintain its integrated water supply system, of which the conditional water right described herein is a part. To enable Broomfield to more effectively provide water service to its existing and future customers, it has expended approximately \$370 million during this diligence period for overall capital infrastructure investment to construct, repair and improve its water system infrastructure and related infrastructure and projects that are part of the efficiency, operation and maintenance of its integrated water supply system. These efforts have allowed Broomfield to continue to provide reliable water service to its existing customers and to plan for anticipated future demand. (b) During this diligence period, Broomfield has expended approximately \$1 million in costs related to permitting, monitoring, design and construction, and rehabilitation of major components related to Great Western Reservoir described herein; and approximately \$363,000 in engineering fees related to permitting and design of other facilities related to Broomfield's water reclamation system. (c) During this diligence period, Broomfield has defended its water rights against applications filed by others in water court cases in which Broomfield determined that injury to its water rights could occur in the absence of appropriate protective terms and conditions. Broomfield has also filed applications for water rights in water court to maintain diligence on its existing water rights and adjudicating additional water rights to supplement Broomfield's water portfolio. Broomfield has expended in excess of \$660,000 for representation by water counsel and \$1 million in water resource engineering fees in these water court proceedings. 11. Names(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. **WHEREFORE**, Applicant, the City and Count of Broomfield, having demonstrated that it has steadily applied effort to complete the appropriation of the conditional water right described herein in a reasonably expedient and efficient manner under all the facts and circumstances, respectfully requests that this Court find that it has exercised reasonable diligence in completing the appropriations and putting to beneficial use the conditional water right described herein, and that said conditional right should be continued for another six years, or such period as may otherwise be permitted by law.

****AMENDED** CASE NO. 2024CW3010 QUAILRUN ESTATES LLC**, c/o Sankar Chava, 21097 E Nichols Pkwy, Aurora, Colorado 80016. **AMENDED APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN ADAMS COUNTY**. Please send all pleadings and correspondence to: William D. Wombacher, Esq., Stacy L. Brownhill, Esq., Nazarene Stack & Wombacher LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, Colorado 80111. 2. Overview. Applicant seeks to adjudicate the Denver Basin Aquifers underlying approximately 500 acres owned by Applicant in Adams County, Colorado ("Property"), depicted on **Exhibit A**. This includes not-nontributary water in the Denver and Upper Arapahoe Aquifers and nontributary water in the Denver, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers. Applicant also seeks approval of a plan for augmentation for withdrawals of the not-nontributary groundwater from the Denver and Upper Arapahoe Aquifers. 3. Jurisdiction. The Water Court has jurisdiction over the subject matter of this application

pursuant to C.R.S. §§ 37-92-302(2) and 37-90-137(6). 4. Underground Water Rights Claimed. A. Wells. Wells that will withdraw the groundwater sought to be decreed by this Application have not yet been constructed, nor have applications for well permits been filed. Prior to constructing any additional wells to withdraw the subject groundwater, Applicant will apply to the State Engineer for a permit to construct that well, and the Applicant requests that the Court require, as a condition of the decree entered in this case, that well permits be issued upon application for any such wells in accordance with said decree. B. Legal Description of Wells and Subject Property. The wells will be located on the Property and Applicant seeks to adjudicate the Denver Basin Aquifers underlying all of the Property, which is located in the E1/2 of Section 20 and W1/2 of Section 21, Township 1 South, Range 64 West, 6th P.M., Adams County, Colorado. C. Source of Water Rights. The source of the groundwater to be withdrawn from the Denver and Upper Arapahoe Aquifers is not-nontributary as described in C.R.S. § 37-90-103(10.7). The source of the groundwater to be withdrawn from the Denver, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers is nontributary. D. Parcel Ownership. Applicant is the sole owner of the Property and has provided notice to all mortgage and lien holders as required under C.R.S. § 37-92-302(2)(b). E. Estimated Amounts and Rates of Withdrawal. The wells will withdraw the groundwater at rates of flow necessary to efficiently withdraw the entire decreed amounts. Applicant will withdraw the subject groundwater through wells to be located at any location on the Property, and Applicant waives any 600-foot spacing rule as described in C.R.S. § 37-90-137(2)(b)(I)(B) for wells located on the Property. The estimated average annual amounts of withdrawal available from the subject aquifers as indicated below are based upon the Denver Basin Rules, 2 C.C.R. § 402-6. Applicant, based on the Colorado Division of Water Resources online aquifer determination tool, estimates the following annual amounts of nontributary and not-nontributary underlie the Property:

Water Supply Availability (af/yr)					
	Denver	Upper Arapahoe	Lower Arapahoe	Laramie-Fox Hills	Totals
Not-Nontributary (NNT)	33.4	28.1	0.00	0.00	61.5
Nontributary (NT)	26.2	35.8	55.3	113.0	230.3
Total Combined NNT and NT					291.8

The water supply availability listed in the table above is based on a 100-year aquifer life in accordance with C.R.S. § 37-90-137(4)(b)(I). Applicant claims the right to withdraw more than the average annual amounts listed above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. § 402-7. F. Wellfield. Applicant requests that this Court determine that Applicant has the right to withdraw all of the legally available groundwater lying below the Property through wells which may be located anywhere on the Property and any additional wells which may be completed in the future as Applicant's wellfields. As additional wells are constructed, well permit applications will be filed in accordance with C.R.S. § 37-90-137(10). G. Proposed Uses. Municipal, domestic, commercial, industrial, irrigation, livestock watering, fire protection, recharge, storage, recreation, exchange, augmentation, and replacement. Applicant also claims the right to reuse and successive uses of the water to extinction, and the right to lease, convey, or otherwise dispose of the water. H. Places of Use. Applicant seeks the right to use the legally available groundwater lying below the Property both on the Property and off the Property. Uses off the Property include, but are not limited to, other lands contiguous to the Property and owned by the Applicant. 5. Description of Plan for Augmentation. A. Groundwater to be Augmented. All withdrawals of not-nontributary Denver and Upper Arapahoe Aquifers groundwater underlying the Property that do not occur through exempt wells, as requested herein. B. Water Rights to be Used for Augmentation: i. Not-nontributary groundwater from the Denver and Upper Arapahoe Aquifers underlying the Property as decreed herein; and ii. Nontributary groundwater from the Denver, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers underlying the Property as decreed

herein. C. Statement of Plan for Augmentation. During pumping, Applicant will replace depletions associated with the withdrawal of the not-nontributary groundwater decreed herein pursuant to C.R.S. § 37-90-137(9)(c.5) (i.e., 4% of not-nontributary withdrawals from the Denver and Upper Arapahoe Aquifers where such withdrawals are farther than one mile from any point of contact between any natural stream and the aquifer, and actual depletions of not-nontributary withdrawals from the Denver and Upper Arapahoe Aquifers where such withdrawals are closer than one mile from any point of contact between any natural stream and the aquifer). To ensure such replacements are made, Applicant will develop accounting to document replacements that accrue by (i) return flows from irrigation; and (ii) treated wastewater discharges. Further, direct releases of not-nontributary and nontributary groundwater may be used for augmentation. To meet post-pumping depletion requirements for not-nontributary withdrawals of groundwater underlying the Property, Applicant will reserve an amount of nontributary groundwater equal to the post-pumping depletions. D. Augmentation Plan Assumptions. Applicant will develop augmentation plan assumptions and measuring devices to account for replacement water. Consumptive use is expected to be approximately 10% for all groundwater pumped for indoor use to account for any treatment and inhouse loss. For irrigation, sprinkler irrigation is expected to be approximately 85% consumptive and drip irrigation is expected to be approximately 95% consumptive. Applicant reserves the right to use reclaimed water or gray water for irrigation and will separately measure and account for such uses. WHEREFORE, Applicant respectfully requests the Court enter a ruling that: (1) grants the determination of groundwater rights requested herein for the nontributary Denver, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox Hills Aquifers and the not-nontributary Denver and Upper Arapahoe Aquifers; (2) grants the plan for augmentation described in Paragraph 5; and (3) grants such other and further relief as the Court deems appropriate. (7 pages, 1 exhibit).

****REVISED** CASE NO. 2024CW3048 CITY OF WOODLAND PARK, CO, 220 W. South Ave., P.O. Box 9007, Woodland Park, CO 80866. Julianne M. Woldridge, MacDougall & Woldridge, P.C., P.O. Box 7273, Woodland Park, CO 80863. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE, TELLER COUNTY.** 2. Structure **name**: Trout Creek Well Field Enlargement, consisting of the enlargement of four wells called Trout Creek Well Field Well Nos. 1, 2, 3, and 4 (“Enlargement Water Right”). Decrees: Case No. 98CW449, Oct. 31, 2011, and Case No. 17CW3157, April 27, 2018, Water Div. No. 1. Legal description: within the SW1/4 of the NE1/4 of Section 11, T.12S., R.69 W., 6th P.M., Teller County, CO, the following distances from section lines of said Sec. 11: Trout Creek Well No 1: 2,582 feet from the North section line and 1,958 feet from the East section line; Trout Creek Well No 2: 2,670 feet from the South section line and 1,751 feet from the East section line; Trout Creek Well No 3: 2,670 feet from the South section line and 1,644 feet from the East section line; and Trout Creek Well No 4: 2,630 feet from the North section line and 1,426 feet from the East section line. Source: Groundwater tributary to Trout Creek, tributary to the South Platte River. Appropriation Date: August 20, 1988. Uses: Municipal, irrigation, domestic, commercial, and industrial uses in the City of Woodland Park municipal water service area. Amounts: The Enlargement Water Right was a conditional water right of 0.75 c.f.s. for all four wells combined, adjudicated in Case No. 98CW449. This Enlargement Water Right was over and above the 0.25 c.f.s. water right decreed to these structures in Case No. 96CW69. 0.17 c.f.s. of the 0.75 c.f.s. Enlargement Water Right was made absolute in Case No. 17CW3157, resulting in 0.58 c.f.s. of the Enlargement Water Right remaining as conditional. Additional information: Applicant seeks findings that it has been reasonably diligent toward or for completion of the remaining 0.58 c.f.s. conditional portion of the Enlargement Water Right and application of the water to beneficial uses as decreed. Since May 1, 2018 to date, Applicant has maintained all four well structures. Three of the wells have been maintained and operated on a regular basis as active diversion structures. The fourth well has been maintained as a monitoring well. Summaries of diversions are attached to the application on file with the Water Clerk. The water diverted has been placed to beneficial use in Applicant’s municipal water system service area described in the application and generally shown on the

map attached to the application on file with the Water Clerk. Out-of-priority diversions from these structures have been augmented pursuant to the augmentation plan decreed in Case No. 02CW254. Applicant has diverted and used this water right and these structures as part of its unified water system, which is designed to meet current and future demands demonstrated in master and comprehensive plans adopted by Applicant from 1994 to 2021. Activities related to the unified system are evidence of diligent efforts on behalf of this individual water right. Applicant has kept records of diversions from these wells, including diversions of the Enlargement Water Right, and has submitted regular monthly records of diversions and augmentation to the Division of Water Resources. Applicant has expended funds for standard operation of the wells, including for electricity and operation, and on legal fees as part of expenditures for its unified water system. Name and address of owner of land upon which any new diversion structure or modification to any existing diversion structure is or will be constructed: Not applicable. 5 pages

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 **JULY 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.