

DISTRICT COURT, WATER DIVISION NO. 2, COLORADO

RESUME OF CASES FILED AND/OR ORDERED PUBLISHED DURING APRIL 2014

TO: ALL INTERESTED PARTIES

Pursuant to C.R.S. 37-92-302, you are hereby notified that the following is a resume of applications and certain amendments filed and ordered published during April 2014, in Water Division No. 2. The names and addresses of applicants, description of water rights or conditional water rights involved and description of ruling sought as reflected by said applications, or amendments, are as follows:

CASE NO. 1998CW173 – BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, P. O. Box 964, 505 Harrison Avenue, Leadville, CO 80461

(Please direct all communications concerning this matter to Applicant’s attorneys: David C. Hallford and Chad J. Lee, Balcomb & Green, P.C., P. O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546)

Second Amended Application for Changes of Water Rights, Approval of Plan for Augmentation, and Confirmation of Appropriative Rights of Exchange.

LAKE COUNTY

Purpose: Ct. approval of changes of water rights water rights and approval of an umbrella plan for aug., including appropriative rights of exchange (the “Plan for Aug.” or “Water Supply Plan”). The geographic scope of the Water Supply Plan is a defined area within Lake Cty. denominated as “Area A,” which includes those areas located near the Arkansas River, or its tributaries, where use of the Cty.’s water rights and supplies for aug. is sufficient to offset the out-of-priority depletions of the Cty.’s Contractees. The Area A region consists of five general sub-areas described as Areas A-1 through A-5. Each sub-area has unique aug. and exchange potential. Sub-Areas A-1 through A-5 are depicted on Exhibit A to the Second Amended Application. (All exhibits mentioned herein are incorporated by reference and may be inspected at the office of the clerk of this Court.) The purpose is to establish a framework within which water users who meet certain criteria and who enter into water supply contracts with Lake Cty. can be included directly into the Plan for Aug. and utilize Lake Cty. owned or controlled water rights and supplies to replace out-of-priority stream depletions from diversions by future and existing wells, springs, surface diversions, and storage ponds. Several sources of replacement water are contained in this Application. The original application, filed on 12/31/1998 requested Ct. approval of changes of water rights and an umbrella aug. plan to replace depletions from certain existing and future wells, springs, surface water diversions, and water storage structures within the boundaries of Lake Cty. Lake Cty. filed an Amended Application on 1/31/2012. This Second Amended Application is filed to: 1) incorporate more recently acquired aug. sources; 2) include a new point of diversion and a changed place of use for the Derry Ditch No. 3; and 3) withdraw the change of the Derry Ditch No. 2 water right. This Second Amended Application is intended to supersede and replace the Application filed on 12/31/1998 and the Amended Application filed on 1/31/2012 except that the

claims made in this Second Amended Application shall relate back to the original Application. **CHANGES OF WATER RIGHTS. Changes of Derry Ditch No. 3:** Original Decree: 7/12/1904, Case No. 1857, Dist. Ct. of Chaffee Cty. Decreed Point of Diversion: The headgate is located on the left bank of the N. Fork of Cozart Creek at a point whence the N.E. comer of Sec. 5, T. 11 S., R. 80 W., of the 6th P.M., bears N. 66 deg. 36' 20" E., 17,055 ft. The N. Fork of Cozart Creek is within Bartlett Gulch, tributary to Lake Creek, tributary to the Arkansas River. Source: Cozart Creek, a tributary of the Arkansas River. Appropriation Date: 6/21/1884. Total Amt. Decreed to Structure: 4.0 cfs absolute. Decreed Use: Irrigation. Amt. of Water Applicant Intends to Change: 2.0 cfs. Historical Use: Historically irrigated approximately 85 acres of pasture grass within the NW 1/4 of Sec. 4 and the NE 1/4, the SE 1/4, and the SW 1/4 of Sec. 5, T. 11 S., R. 80 W., of the 6th P.M. A map showing the irrigated areas and the diversion locations is attached to the Second Amended Application as Exhibit B. A summary of historical diversions is attached to the Second Amended Application as Exhibit C. Average annual historical diversions total approximately 254 AF per year of which 127 AF are attributed to Lake Cty.'s 2 cfs (50%) ownership. Changes in Point of Diversion: Derry Ditch No. 3 Aug. Station: Applicant requests a change in the point of diversion to the aug. station located within the NW1/4 SE1/4 of Sec. 12, T. 11 S., R. 81 W., of the 6th P.M. at a point 2,085 ft. from the S. Sec. line and 2,548 ft. from the W. Sec. line of said Sec. 12, depicted on Exhibit D to the Second Amended Application. Golf Course Surface Diversion: Applicant also requests approval of a new point of diversion at the DeLappe Ditch to supply the Mount Massive Golf Course: That ditch diverts on the W. bank of the Arkansas River at a point whence the NW corner of Sec. 29, T. 9 S., R. 80 W., 6th P.M. bears 54 deg. 2' W. 6,975 ft., as depicted on Exhibit E to the Second Amended Application. Change in Type of Use: Applicant requests a change in the type of use for the Derry Ditch No. 3 to domestic, municipal, irrigation, creation and maintenance of wetlands, commercial, industrial, aesthetic, snowmaking, recreation, livestock watering, piscatorial, fire protection, and aug. either directly or through storage, including by exchange, in accordance with the Plan for Aug. Change in Method of Use: Applicant requests a change in the method of use from direct flow to direct flow, use directly for aug. credits, or for storage of the historical consumptive use credits in one or more of reservoirs within Lake Cty., including the Hayden Meadows Recreation Pond, Box Creek Reservoir, and Birdseye Gulch Reservoir in accordance with the Plan for Aug. Change in Location of Use: Applicant requests a change in the location of use to irrigate approximately 22.5 acres at the Mount Massive Golf Course is located in the NW 1/4 of Sec. 29, T. 9 S., R. 80 W., 6th P.M., as depicted on Exhibit E to the Second Amended Application. Net Stream Depletion: Net stream depletions presented in the table below indicate that river credits exist from May through September and river debits or replacement obligations exist in October through March. Net stream depletions equal the actual consumptive use, but over a different distribution due to the effect of lagged return flows. River credits total 40.8 AF and river debits total 9.1 AF.

Source	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Tot.
Derry Ditch No. 3	-1.4	-1.0	-0.7	-0.5	3.3	12.9	12.6	9.1	2.9	-0.8	-2.8	-1.9	31.7

PLAN FOR AUGMENTATION. Lake Cty. requests to develop a regional or “umbrella” aug. plan to replace out-of-priority depletions. This Plan will establish a framework within which new water users that meet certain criteria can be included directly into this Plan for Aug. The total amt. of aug. water immediately available upon issuance of a final decree will be 71.7 AF based on the Cty.’s claims. The Cty. also seeks the right to add new sources of aug. supply in the future as provided by law. The total cumulative rate of all river exchanges necessary to support the Plan is 5.5 cfs. Aug. Areas. The Cty. requests a Plan for Aug. to augment out-of-priority diversions by the Cty. and/or its Contractees as necessary within the Cty.’s “Area A shown on Exhibit A to the Second Amended Application.” Area A. Area A encompasses those regions that are located near the Arkansas River or on tributary creeks where use of the Cty.’s water rights or supplies for aug. can offset the out-of-priority depletions of its and its Contractees’ water use under this Plan for Aug. Thus, within “Area A” there are no calling water rights located between the proposed diversions and the Arkansas River or relevant tributaries that cannot be augmented with supplies available to Lake Cty. The Cty. has identified five aug. Sub-Areas, Areas A-1 through A-5. A map depicting Area A and the Sub Areas is attached to the Second Amended Application as Exhibit A. Sub-Areas. Each Sub-Area contains a portion or tributaries of the Arkansas River in which the Cty. will provide service in a different manner. Generally, Area A-1 includes the Arkansas River below its confluence with Tennessee Creek; Area A-2 includes Lake Creek above Twin Lakes; Area A-3 includes portions of Turquoise Lake and Lake Fork basin; Area A-4 includes a portion of Tennessee Creek; and Area A-5 includes a portion of the E. Fork of Arkansas River. Depletions originating within Area A-1 can be augmented by exchange with existing Lake Cty. replacement supplies (Derry Ditch No. 3 and Div. 5 COA Sources). Other aug. areas—Areas A-2 through A-5—have limits on exchange potential and require the development of upstream storage supplies and/or contract exchanges to develop year-around aug. capability. The legal description of all land located within each Sub-Area is Exhibit F to the Second Amended Application. Area A-1 – Arkansas River Below the Confluence of the E. Fork of the Arkansas and Tennessee Creek: Area A-1 includes structures that will divert water from within that portion of Area A encompassing all areas tributary to the Arkansas River and its tributaries in a stream reach extending from a downstream terminus at the point where the Arkansas River crosses from Lake Cty. into Chaffee Cty. to and upstream terminus, the confluence of the E. Fork of the Arkansas River and Tennessee Creek, a distance of approximately 15 miles. The downstream terminus, the southern boundary of Lake Cty. is located in the SW 1/4 of the SW 1/4 of Sec. 30, T. 11 S., R. 79 W. of the 6th P.M. The upstream terminus, the confluence of the E. Fork of the Arkansas River and Tennessee Creek is located within Lake Cty. in the SW 1/4 of the SW 1/4 of Sec. 16, T. 9 S., R. 80 W. of the 6th P.M. Depletions originating within Area A-1 can be augmented by exchange with existing Lake Cty. replacement supplies (Div. 5 COA Sources and Derry Ditch No. 3). The boundary of Area A-1 is depicted on Exhibit A to the Second Amended Application. Major tributaries to the Arkansas River that are included within Area A-1 are defined below: Spring Creek (S. of Sawmill Gulch). Lower Terminus – The confluence of Spring Creek with the Arkansas River in Government Lot 1 (NE 1/4), Sec.

25, T. 11 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Spring Creek. Holmes Gulch - Lower Terminus – The confluence of Holmes Gulch with the Arkansas River in the NW 1/4 of Sec. 13, T. 11 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Holmes Gulch. Sawmill Gulch - Lower Terminus – The confluence of Sawmill Gulch with the Arkansas River in the NE 1/4 of Sec. 11, T. 11 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Sawmill Gulch. Spring Creek (N. of Sawmill Gulch) - Lower Terminus – The confluence of Spring Creek with the Arkansas River in the SE 1/4 of Sec. 34, T. 10 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Spring Creek, including Brush Creek. Dry Union Gulch - Lower Terminus – The confluence of Dry Union Gulch with the Arkansas River in the NE 1/4 of Sec. 27, T. 10 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Dry Union Gulch. Empire Gulch - Lower Terminus – The confluence of Empire Gulch with the Arkansas River in the NW 1/4 of Sec. 22, T. 10 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Empire Gulch below the Empire Creek Ditch (Moyer Headgate – See 97CW83) in the NE 1/4 of SW 1/4 of Sec. 14, T. 10 S., R. 80 W. of the 6th P.M. Thompson Gulch - Lower Terminus – The confluence of Thompson Gulch with the Arkansas River in the NE 1/4 of Sec. 16, T. 10 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Thompson Gulch. Iowa Gulch - Lower Terminus – The confluence of Iowa Gulch with the Arkansas River in the NE 1/4 of Sec. 16, T. 10 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Iowa Gulch below the AASARCO Iowa Gulch Pumping Station in the W 1/2 of the unsurveyed Sec. 33, T. 9 S., R. 79 W. of the 6th P.M. California Gulch - Lower Terminus – The confluence of California Gulch with the Arkansas River in the NE 1/4 of Sec. 32, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to California Gulch excluding the Parkville Water Dist. service area. Box Creek - Lower Terminus – The confluence of Box Creek Gulch with the Arkansas River in the SE 1/4 of Sec. 11, T. 11 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Box Creek below the Derry No. 2 Headgate in the NE 1/4 of the SW 1/4 of Sec. 5, T. 11 S., R. 80 W. of the 6th P.M. Corske Creek - Lower Terminus – Corske Creek joins Box Creek at an unknown location within either: Sec. 3, 4 or 5, T. 11 S., R. 80 W.; or Sec. 32, 33 or 34, T. 10 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Corske Creek downstream of the intersection of Corske Creek with the western boundary of R. 80 W located in Government Lot 2 (NW 1/4) of Sec. 7, T. 11 S., R. 80 W. of the 6th P.M. Lake Creek - Lower Terminus – The confluence of Lake Creek with the Arkansas River in the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Lake Creek downstream of the intersection of Lake Creek with the western boundary of R. 80 W located in Government Lot 4 (SW 1/4) of Sec. 19, T. 11 S., R. 80 W. of the 6th P.M. Bartlett Gulch - Lower Terminus – The confluence of Bartlett Gulch with Twin Lakes in Government Lot 5 (the NE 1/4) of Sec. 19, T. 11 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Bartlett Gulch below the Lily Pond Ditch Headgate located in the SE 1/4 of Sec. 12, T. 11 S., R. 81 W. of the 6th P.M. Dayton Gulch - Lower Terminus – The confluence of Dayton Gulch with Twin Lakes in Government Lot 2 (the NW 1/4) of Sec. 19, T. 11 S., R. 80 W. of the 6th P.M. Upper Termini – All areas tributary to Dayton Gulch. Area A-2 – Lake Creek Above Twin Lakes: Area A-2 includes structures that will divert water from within that portion of Area

A encompassing areas tributary to the Lake Creek and its tributaries in a stream reach extending from a downstream terminus at the point where Lake Creek crosses from R. 81 W. into R. 80 W., and flows into Twin Lakes to an upstream terminus, a point just upstream of the confluence of the Gordon Gulch and Lake Creek, a distance of approximately 9 miles. The downstream terminus is located in the SE quarter of Sec. 24, T.11 S., R. 81 W. of the 6th P.M. The upstream terminus is located in the NE 1/4 of Sec. 22, T. 11 S., R. 82 W. of the 6th P.M. Depletions originating within Area A-2 will be augmented by exchange when exchange potential exists. However, exchange potential is limited within Area A-2 and the development of upstream storage supplies and/or contract exchange in cooperation with Colorado Springs is required to develop year-round aug. Specifically, Lake Cty. is working with third parties to execute a contract exchange of Twin Lakes Water for Twin Lakes Tunnel No. 1 trans-basin water supplies. The boundary of Area A-2 is depicted on Exhibit A to the Second Amended Application. Major tributaries to the Lake Creek that are included within Area A-2 are defined below: Sunset Gulch - Lower Terminus – The confluence of Sunset Gulch with Lake Creek in Government Lot 17 (SE 1/4), Sec. 26, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Sunset Gulch within Lake Cty. The Lake Cty. boundary is located in the SW 1/4 of Sec. 26, T. 11 S., R. 81 W. of the 6th P.M. Galena Gulch - Lower Terminus – The confluence of Galena Gulch with Lake Creek in the NW 1/4 of Sec. 26, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Galena Gulch within Lake Cty. The Lake Cty. boundary is located in the SE 1/4 of Sec. 27, T. 11 S., R. 81 W. of the 6th P.M. Crystal Lake Creek - Lower Terminus – The confluence of Crystal Lake Creek with Lake Creek in the NW 1/4 of Sec. 28, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Crystal Lake Creek within Lake Cty. The Lake Cty. boundary is located in the SW 1/4 of Sec. 28, T. 11 S., R. 81 W. of the 6th P.M. Gordon Gulch - Lower Terminus – The confluence of Gordon Gulch with Twin Lakes in the NE 1/4 of Sec. 24, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Gordon Gulch. Smith Gulch - Lower Terminus – The confluence of Smith Gulch with Lake Creek in Government Lot 16 (the NW 1/4) of Sec. 26, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Smith Gulch. Monitor Gulch - Lower Terminus – The confluence of Monitor Gulch with Lake Creek in the NE 1/4 of Sec. 28, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Monitor Gulch. Hayden Gulch - Lower Terminus – The confluence of Hayden Gulch with Lake Creek in the NE 1/4 of Sec. 19, T. 11 S., R. 81 W. of the 6th P.M. Upper Termini – All areas tributary to Hayden Gulch. Area A-3 – Turquoise Lake and Lake Fork: Area A-3 includes structures that will divert water from within that portion of Area A encompassing areas tributary to the Lake Fork and its tributaries in a stream reach extending from a downstream terminus at the confluence of Lake Fork with the Arkansas River to an upstream terminus, a point just upstream of the confluence of Lake Fork with Turquoise Lake, a distance of approximately 9 miles. The downstream terminus is located in the SE quarter of Sec. 5, T. 10 S., R. 80 W. of the 6th P.M. The upstream terminus is located in the SW 1/4 of Sec. 10, T. 9 S., R. 81 W. of the 6th P.M. Depletions originating within Area A-3 will be augmented by exchange when exchange potential exists. However, exchange potential is limited within Area A-3 and the development of upstream storage supplies and/or contract exchange in cooperation with third parties is

required to develop year around aug. The boundary of Area A-3 is depicted on Exhibit A to the Second Amended Application. Major tributaries to Lake Fork that are included within Area A-3 are defined below: Willow Creek - Lower Terminus – The confluence of Willow Creek with Lake Fork in Government Lot 2 (NE 1/4), Sec. 6, T. 10 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Willow Creek, excluding any wilderness areas, downstream of the Willow Creek Ditch headgate located in the NW 1/4 of Sec. 12, T. 10 S., R. 81 W. of the 6th P.M. N. Willow Creek - Lower Terminus – The confluence of N. Willow Creek with Willow Creek in the SE 1/4, Sec. 1, T. 10 S., R. 81 W. of the 6th P.M. Upper Terminus – All areas tributary to N. Willow Creek, excluding any wilderness areas, downstream of the W. line of the SW 1/4 of Sec. 1, T. 10 S., R. 81 W. of the 6th P.M. Hunt Gulch - Lower Terminus – The confluence of Hunt Gulch with Lake Fork in the SW 1/4, Sec. 31, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Hunt Gulch, excluding any wilderness areas or National Fish Hatchery lands, downstream of the W. line of the SW 1/4 of Sec. 25, T. 9 S., R. 81 W. of the 6th P.M. Colorado Gulch - Lower Terminus – The confluence of Colorado Gulch with Lake Fork in Government Lot 3 (the SW 1/4), Sec. 30, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Colorado Gulch, excluding any wilderness areas. Strawberry Gulch - Lower Terminus – The confluence of Strawberry Gulch with Lake Fork in Government Lot 5 (the NW 1/4), Sec. 30, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Strawberry Gulch, excluding any wilderness areas. Sugarloaf Gulch - Lower Terminus – The confluence of Strawberry Gulch with Lake Fork in Government Lot 42 (the SW 1/4), Sec. 19, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Sugarloaf Gulch, excluding any wilderness areas. Bartlett Gulch - Lower Terminus – The confluence of Bartlett Gulch with Lake Fork in the SW 1/4, Sec. 19, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Bartlett Gulch, excluding any wilderness areas. Busk Creek - Lower Terminus – The confluence of Busk Creek with Lake Fork in the SW 1/4, Sec. 10, T. 9 S., R. 81 W. of the 6th P.M. Upper Terminus – All areas tributary to Busk Creek, excluding any wilderness areas. Bear Creek - Lower Terminus – The confluence of Bear Creek with Turquoise Lake in the SE 1/4, Sec. 10, T. 9 S., R. 81 W. of the 6th P.M. Upper Terminus – All areas tributary to Bear Creek, excluding any wilderness areas. Area A-4 – Tennessee Creek: Area A-4 includes structures that will divert water from within that portion of Area A encompassing areas tributary to Tennessee Creek and its tributaries in a stream reach extending from a downstream terminus at the confluence of Tennessee Creek with the Arkansas River to an upstream terminus, Tennessee Pass, a distance of approximately 8 miles. The downstream terminus is located in the SW 1/4 of Sec. 16, T. 9 S., R. 80 W. of the 6th P.M. The upstream terminus is located in the SE 1/4 of Sec. 10, T. 8 S., R. 80 W. of the 6th P.M. Depletions originating within Area A-4 will be augmented by exchange when exchange potential exists. However, exchange potential is limited within Area A-4 and the development of upstream storage supplies and/or contract exchange in cooperation with the Pueblo Board of Water Works (PBWW) is required to develop year-round aug. Specifically, Lake Cty. is working with PBWW to execute a contract exchange of Twin Lakes Water for Ewing Ditch and Wurtz Ditch transbasin water supplies. The boundary of Area A-4 is depicted on Exhibit A to the Second Amended Application. Major tributaries to Lake Fork that are included within

Area A-4 are defined below: Saint Kevin Gulch - Lower Terminus – The confluence of Saint Kevin Gulch with Tennessee Creek in the NE 1/4 of Sec. 8, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Saint Kevin Gulch, excluding any wilderness areas, downstream of the Morris No. 1 headgate located in the SE 1/4 of Sec. 6, T. 9 S., R. 80 W. of the 6th P.M. Temple Gulch - Lower Terminus – The confluence of Temple Gulch with Saint Kevin Gulch in the SE 1/4 of Sec. 5, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Temple Gulch, excluding any wilderness areas, downstream of the Morris No. 3 headgate located in the SW 1/4 of Sec. 32, T. 8 S., R. 80 W. of the 6th P.M. Porcupine Gulch - Lower Terminus – The confluence of Porcupine Gulch with Tennessee Creek in the SE 1/4 of Sec. 32, T. 8 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Porcupine Gulch, excluding any wilderness areas. Little Porcupine Gulch - Lower Terminus – The confluence of Little Porcupine Gulch with Porcupine Gulch in the SE 1/4 of Sec. 32, T. 8 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Little Porcupine Gulch, excluding any wilderness areas. Thayer Gulch - Lower Terminus – The confluence of Thayer Gulch with Tennessee Creek in the SW 1/4 of Sec. 14, T. 8 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Thayer Gulch. Area A-5 – E. Fork Arkansas River: Area A-5 includes structures that will divert water from within that portion of Area A encompassing areas tributary to the E. Fork of the Arkansas River and its tributaries in a stream reach extending from a downstream terminus at the confluence of the E. Fork with the Arkansas River to an upstream terminus, just downstream of Fremont Pass, a distance of approximately 12 miles. The downstream terminus is located in the SW 1/4 of Sec. 16, T. 9 S., R. 80 W. of the 6th P.M. The upstream terminus is located at a headgate for the Stevens and Leiter water right in the SE 1/4 of Sec. 10, T. 8 S., R. 79 W. of the 6th P.M. Depletions originating within Area A-5 will be augmented by exchange when exchange potential exists. However, exchange potential is limited within Area A-5 and the development of upstream storage supplies and/or contract exchange is required to develop year-around aug. The boundary of Area A-5 is depicted on Exhibit A to the Second Amended Application. Major tributaries to the E. Fork of the Arkansas that are included within Area A-5 are defined below: Buckeye Gulch - Lower Terminus – The confluence of Buckeye Gulch with the E. Fork of the Arkansas River in the SW 1/4 of Sec. 32, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Buckeye Gulch. Delmonica Gulch - Lower Terminus – The confluence of Delmonica Gulch with the E. Fork of the Arkansas River in Government Lot 16 (the SE 1/4) of Sec. 16, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Delmonica Gulch. Chalk Creek - Lower Terminus – The confluence of Chalk Creek with the E. Fork of the Arkansas River in Government Lot 16 (the SE 1/4) of Sec. 16, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Chalk Creek. French Gulch - Lower Terminus – The confluence of French Gulch with the E. Fork of the Arkansas River in Government Lot 33 (the SE 1/4) of Sec. 21, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to French Gulch. English Gulch - Lower Terminus – The confluence of English Gulch with the E. Fork of the Arkansas River in Government Lot 8 (the NE 1/4) of Sec. 28, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to English Gulch. Little English Gulch - Lower Terminus – The confluence of Little English Gulch with the

English Gulch in the NE 1/4 of Sec. 28, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Little English Gulch. Dutch Gulch - Lower Terminus – The confluence of Dutch Gulch with the E. Fork of the Arkansas River in Government Lot 15 (the NE 1/4) of Sec. 33, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Dutch Gulch. Indiana Gulch - Lower Terminus – The confluence of Indiana Gulch with the E. Fork of the Arkansas River in the SW 1/4 of Sec. 33, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Indiana Gulch. Birdseye Gulch - Lower Terminus – The confluence of Birdseye Gulch with the E. Fork of the Arkansas River in the SW 1/4 of Sec. 33, T. 8 S., R. 79 W. of the 6th P.M. Upper Terminus – All areas tributary to Birdseye Gulch below the headgate of the Birdseye Gulch Ditch: A point located in the NW 1/4 of the SE 1/4 of Sec. 33, T 8 S, R 79 W, 6 P.M, 2,920 ft from W. line, 1,700 ft. from S. line, of Sec. 33. Evans Gulch - Lower Terminus – The confluence of Evans Gulch with the E. Fork of the Arkansas River in the SW 1/4 of Sec. 11, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Evans Gulch excluding the Parkville Water Dist. service area downstream of the Big Evans Reservoir located in the NW 1/4 of Sec. 19, T. 9 S., R. 79 W. of the 6th P.M. Little Evans Gulch - Lower Terminus – The confluence of Little Evans Gulch with Evans Gulch in the SW 1/4 of Sec. 13, T. 9 S., R. 80 W. of the 6th P.M. Upper Terminus – All areas tributary to Little Evans Gulch excluding the Parkville Water Dist. service. Structures to be Augmented. Those wells, springs, surface water rights, and ponds, owned or used by Lake Cty. or its authorized contractees within Areas A-1 through A-5 as defined in Exhibits A and F to the Second Amended Application, the depletions for which will be determined and augmented under the Plan for Aug. ("Augmented Structures"). Water Rights and Supplies to be Used for Aug. Div. 5 Sources: Sources Originating from Water Div. 5 defined as the "Div. 5 COA Sources." **INDEPENDENCE PASS TRANSMOUNTAIN DIVERSION SYSTEM. Structures:** The "IPTDS" is comprised of several structures in Water Division No. 5 described in the Application and Twin Lakes Reservoir, which is located on Lake Creek, a tributary of the Arkansas River. Tunnel No. 1 conveys such water from the Colorado River Basin under the Continental Divide and into Lake Creek in the Arkansas River Basin. Twin Lakes Reservoir on Lake Creek is downstream of the discharge portal of Tunnel No. 1. **Decreed Sources** Roaring Fork River and certain of its tributaries, including Lincoln Gulch or Creek, Grizzly Creek, W. Fork Creek (a/k/a New York Gulch), New York Gulch (a/k/a Brooklyn Gulch), Tabor Gulch, and Lost Man Creek, all in former Water Dist. No. 38, Pitkin Cty. **Appropriation Dates:** (1) August 23, 1930 (Original IPTDS Appropriation); (2) April 30, 1973 (NYCC Supplement); (3) June 8, 1994 (1994 Supplement). **Amts.:** Original IPTDS Appropriation: 625 cfs The individual amts. decreed to the structures (as of December, 2013) are shown in the Application. NYCC Supplement: NYCC Headgate No. 1: 0 cfs Absolute and 20 cfs Conditional; NYCC Headgate No. 2: 15 cfs Absolute and 35 cfs Conditional; and NYCC Headgate No. 3: 39 cfs Absolute and 61 cfs Conditional. 1994 Supplement: 240.75 cfs Absolute subject to an annual diversion limit of 30,000 a.f. and a running ten year limit of 46,500 a.f. Total diversions through the IPTDS are subject to an annual limit of 68,000 a.f. and a running ten year limit of 570,000 a.f. **Decrees:** Original IPTDS Appropriation: 8/25/1936, Dist. Ct., Garfield Cty., Colorado, CA 3082 (original adjudication); 5/12/1976, Dist. Ct., Water Div. No. 5, W-1901 (change of water right); 5/27/2009, Dist. Ct., Water Div. No. 5,

07CW145 (most recent diligence decree). NYCC Supplement: 10/2/1979, Dist. Ct., Water Div. No. 5, W-1869 (original adjudication); 1/15/2010, Dist. Ct., Water Div. No. 5, 07CW199 (most recent diligence decree). 1994 Supplement: 4/20/2001, Dist. Ct., Water Div. No. 5, 95CW321. 98CW270: 2/6/2013, Dist. Ct., Water Div. No. 5, 98CW270 (Original adjudication); 10/10/2010, Dist. Ct., Water Div. No. 5, 09CW017 (most recent diligence decree). **Decreed Use or Uses:** Original IPTDS Appropriation: direct flow and storage for irrigation, domestic, commercial, industrial, municipal and all beneficial purposes, at any sites capable of being served by deliveries from either the discharge portal of Tunnel No. 1 into Lake Creek or the storage of Twin Lakes Reservoir in Lake Cty, including but not limited to, the municipal water works of Aurora, Pueblo, and Colorado Springs, and the Pueblo W. Metropolitan Dist.; and at three points of diversion from the Colorado River. NYCC Supplement: irrigation, industrial, municipal, commercial, domestic, and all beneficial purposes (including storage for the aforesaid purposes). 1994 Supplement: direct flow and storage for irrigation and municipal use by the parties lawfully entitled thereto, at any site capable of being served by deliveries from either the discharge portal of Tunnel No. 1 into Lake Creek or the storage of Twin Lakes Reservoir in Lake Cty., including, but not limited to, the municipal waterworks of Aurora, Pueblo, and Colorado Springs, and the Pueblo W. Metropolitan Dist.

HOMESTAKE PROJECT. Structures: The Homestake Project is comprised of Homestake Conduit, E. Fork Conduit, Homestake Tunnel, Homestake Reservoir, Eagle-Arkansas Ditch; Resolution Creek Reservoir; Lower E. Fork Reservoir; Eagle Park (Camp Hale) Reservoir; Eagle Park (Camp Hale) Wetland Irrigation System; Eagle Park (Camp Hale) Aquifer Wellfield; Blodgett Reservoir; Homestake Creek Intake; Turkey Creek Intake; and Eagle-Cross Pump & Pipeline. The Homestake Conduit diverts water from Homestake Creek and tributaries of the Eagle River and Homestake Creek and conveys water to Blodgett Reservoir, Homestake Reservoir, and the Homestake Tunnel. The following structures are points of diversion and alternate points of diversion for the decreed Homestake Conduit water rights: Blodgett Reservoir, Homestake Creek Intake, Turkey Creek Intake, Cross Creek Intake of Eagle-Cross Pump and Pipeline, Fall Creek Intake of Eagle-Cross Pump and Pipeline, Peterson Creek Intake of Eagle-Cross Pump and Pipeline, Eagle River Diversion of Eagle-Cross Pump and Pipeline, French Creek Intake, Fancy Creek Intake, Missouri Creek Intake, Sopris Creek Intake, and Peterson Creek Intake. The E. Fork Conduit diverts water from the E. Fork of Homestake Creek and conveys water to Homestake Reservoir and Homestake Tunnel. Homestake Reservoir, a/k/a Elliott-Weers Reservoir, is located on Homestake Creek. The Homestake Tunnel has its intake at Homestake Reservoir and conveys water from the Colorado River Basin into the Arkansas River Basin. The Eagle-Arkansas Ditch diverts water from tributaries of the Eagle River and conveys water via tunnel from the Colorado River Basin into the Arkansas River Basin. Resolution Creek Reservoir is located on Resolution Creek below the confluence of Resolution Creek and Pearl Creek. Lower E. Fork Reservoir is located on the E. Fork Eagle River near the confluence of the E. Fork and Cataract Creek. Eagle Park (Camp Hale) Reservoir is a surface and underground storage facility located on the Eagle River and E. Fork Eagle River in the vicinity of Camp Hale. The Eagle Park (Camp Hale) Wetlands Irrigation System is located on the Eagle River and E. Fork Eagle River in the vicinity of Camp

Hale. The Eagle Park (Camp Hale) Aquifer Well Field comprises twenty wells located along the Eagle River and E. Fork Eagle River in the vicinity of Camp Hale. Blodgett Reservoir is located on Homestake Creek below Homestake Reservoir. The Homestake Creek Intake diverts water from Homestake Creek for direct use, storage in the Homestake Project storage facilities, and transmountain conveyance out of the Colorado River basin into the Arkansas River basin. The Turkey Creek Intake diverts water from Turkey Creek for direct use, storage in Homestake Project storage facilities, and transmountain conveyance out of the Colorado River basin into the Arkansas River basin. The Eagle-Cross Pump and Pipeline diverts waters from the Eagle River and tributaries of the Eagle River for direct use, storage in storage facilities of the Homestake Project, and transmountain conveyance out of the Colorado River basin into the Arkansas River basin. **Decreed Sources:** Homestake Creek and its tributaries including E. Fork Homestake Creek, Middle Fork Homestake Creek, French Creek, Fancy Creek, Missouri Creek, Sopris Creek, Whitney Creek, unnamed creek tributary to Homestake Creek, small unnamed streams, seeps, sheet flows, and groundwaters along the Homestake Conduit, and water seeping and percolating into Homestake Tunnel from former Water Dist. No. 37 areas, and the Eagle River, its alluvium, and its tributaries including W. Cross Creek, Cross Creek, E. Cross Creek, Fall Creek, Peterson Creek, unnamed creek near Cross Creek below W. Cross confluence, Cataract Creek, Sheep Gulch, E. Fork Eagle River, Jones Gulch, Fiddler Creek, Taylor Gulch, Piney Creek, small unnamed seams, springs, seeps, sheet flows, and groundwater along Eagle-Arkansas Ditch, Resolution Creek, Pearl Creek, and Turkey Creek. **Appropriation Dates:** (1) September 22, 1952 (Original Homestake Appropriation); (2) 12/19/1988 (88CW449 Appropriations); (3) 11/27/1995 (95CW272 Appropriations); (4) 2/13/1995 (priority date for 98CW270 (Aug. Plan and Exchanges)). **Amts.:** Original Homestake Appropriation Structures (as of December 2013): Homestake Conduit: The individual amts. decreed from the particular sources (as of December 2013) are: Stream or Source: Amts. (A = Absolute; C = Conditional): French Creek: 60.1 cfs A and 119.9 cfs C; Fancy Creek: 38.6 cfs A and 91.4 cfs C; Missouri Creek: 39.8 cfs A and 80.2 cfs C; Sopris Creek: 41.3 cfs A and 118.7 cfs C; W. Cross Creek: 200 cfs C; Cross Creek: 300 cfs C; E. Cross Creek: 130 cfs C; Fall Creek: 260 cfs C; Peterson Creek: 50 cfs C; Whitney Creek: 80 cfs C; Unnamed Creek (tributary to Homestake Creek): 50 cfs C; Unnamed Creek (near Cross Creek below W. Cross confluence): 60 cfs C; Small unnamed streams, springs, seeps, sheet flows and ground waters along conduit: 120 cfs C; Total Amt.: 179.8 cfs A and 1,660.2 cfs C. Said amts. from any and all sources are limited by the capacity of the Homestake Conduit at its lowest diversion into Homestake Reservoir to 1,530 cfs E. Fork Conduit: 70.8 cfs A and 189.2 cfs C; Homestake Reservoir: 43,504.7 AF A and 83,338.98 AF C; Homestake Tunnel: 300 cfs A and 10.0 cfs C (seepage and percolation). Eagle-Arkansas Ditch: The total amt. decreed to the Eagle-Arkansas Ditch is 530 cfs Conditional. The individual amts. decreed from particular sources are: Stream or Source: Amts.: Cataract Creek: 90 cfs C; Sheep Gulch: 20 cfs C; E. Fork Eagle River: 230 cfs C; Jones Gulch: 90 cfs C; Fiddler Creek: 30 cfs C; Taylor Gulch: 20 cfs C; Piney Creek: 20 cfs C; Small unnamed streams, springs, seeps, sheet flows and ground water along the Eagle-Arkansas Ditch: 30 cfs C. 88CW449 Appropriation Structures (as of 12/2013): Resolution Creek

Reservoir: 5,000 a.f. C; Lower E. Fork Reservoir: 2,500 a.f. C; Eagle Park (Camp Hale) Reservoir: 3,500 a.f. C; Eagle Park (Camp Hale) Wetland Irrigation System: 60 cfs C; Eagle Park (Camp Hale) Aquifer Wellfield: 60 c.f.s C, not to exceed 5,000 a.f. per year, C. 95CW272 Appropriation Structures (as of 12/2013): Blodgett Reservoir: 9,316 a.f. C; Homestake Creek Intake: 400 cfs C; Turkey Creek Intake: 200 cfs C. Eagle-Cross Pump and Pipeline: The total amt. decreed to the Eagle-Cross Pump and Pipeline is 300 cfs The individual amts. decreed to the intake structures are: Intake Structure Amt.: Cross Creek Intake 300 cfs C; Fall Creek Intake 250 c.f.s C; Peterson Creek Intake 70 cfs C; and Eagle River Diversion 300 cfs C. **Decrees:** Original Homestake Appropriations: 6/8/1962, Dist. Ct., Eagle Cty., Colorado, CA 1193; 8/10/1988 and 12/5/1990, Dist. Ct. Water Div. No. 5, 85CW151, 85CW582, and 85CW583 (making absolute in part; alternate points of diversion); 7/16/2002, Dist. Ct. Water Div. No. 5, 88CW449 (Changes and Exchanges of water rights); 3/16/2011, 95CW272(A) (Changes and Aug. including Exchanges) 9/16/2007, Dist. Water Div. No. 5, 06CW225 (most recent diligence decree); (N.B. There is a currently pending diligence action in Case No. 13CW3045, Water Div. No. 5.) 88CW449 Appropriations: 7/16/2002, Dist. Ct. Water Div. No. 5, 88CW449 (original adjudication); 2/24/2010, Dist. Ct. Water Div. No. 5, 08CW111 (most recent diligence decree). 95CW272 Appropriations: 3/16/2011, Dist. Ct. Water Div. No. 5, 95CW272A (original adjudication); 98CW270 Aug. Plan and Exchanges: 2/6/2003, Dist. Ct. Water Div. No. 5, 98CW270 (original adjudication); October 10, 2010, Dist. Ct. Water Div. No. 5, 09CW17 (most recent diligence decree). **Decreed Use or Uses:** Original Homestake Appropriations: The Homestake Project comprises a system of works, including ditches, tunnels and reservoirs, for the collection, diversion, storage, regulation, and transportation of water to supply the water works and water systems of Colorado Springs, Aurora and other entities and persons as may use the water from Colorado Springs and for domestic and municipal uses, and other uses made of water furnished through municipal and other water systems furnishing water to inhabitants of municipalities and suburban areas, including in such uses, but not by way of limitation or exclusion, domestic and household uses, industrial, business and mechanical uses, generation of power, sewage treatment, street sprinkling and washing, watering of parks, lawns and gardens, fire protection and other use as may be necessary or proper to safeguard the health and welfare of the persons and communities using this water, including such uses as may be necessary, proper, or incident to providing a safe, firm and adequate supply of water for the present and future water needs of the communities and the inhabitants thereof to be served by this water supply. In addition, pursuant to 88CW449, the decreed uses for the original Homestake Appropriations include: wetland creation and irrigation, exchange, aug., recharge, municipal, commercial, industrial, snowmaking, recreation, fishery, wildlife, and all other beneficial uses. Water in storage can be utilized for the replacement of out of priority consumptive water use associated with wetland restoration at Eagle Park (Camp Hale); the aug. of transbasin diversions for purposes of developing vested or conditionally-decreed water rights, including the Homestake Project by meeting federal, state, and local permit conditions that necessitate the use of water resources; and in-basin use with the Eagle and Colorado River basins. In addition, pursuant to 95CW272A, the decreed uses for the original Homestake Appropriations include:

Exchange, aug., aquifer recharge, municipal, irrigation, commercial, domestic, industrial, snowmaking, recreation, fishery, wetland creation and irrigation, wildlife and including delivery to Aurora and Colorado Springs for all such uses, and for reuse and successive use to extinction by the Cities of all such water delivered to the Eastern Slope. Description of Non-Irrigation Purposes: Applicants may utilize the water rights for purposes of developing their vested or conditionally decreed water rights, including those for the Homestake Project; for transmountain diversions directly to the Eastern Slope; and for meeting federal, state and local permit conditions that necessitate the use of water resources. Water delivered to the Eastern Slope may be used within any area capable of being served by these diversion and storage points and the Applicants' municipal water supply systems for any water supply obligations of Applicants for municipal and domestic purposes including, but not limited to, fire protection, irrigation of lawns, gardens, parks, private and municipal facilities, sanitary, commercial, manufacturing, mechanical and industrial use, recreational purposes, creation and maintenance of wetlands, stock watering, fish and wildlife propagation, allowable instream uses, if any, snowmaking, revegetation, storage and maintenance of storage reserves, reservoir evaporation replacement, aug., exchange, and replacement purposes, and for use, reuse for successive uses, disposition following initial use, and reuse until extinction. Reuse: Water imported to the Eastern Slope may be used, reused, successively used, and fully consumed on the Eastern Slope. 88CW449 Appropriations: Resolution Creek Reservoir, Lower E. Fork Reservoir, Eagle Park (Camp Hale) Reservoir: Wetland creation and irrigation exchange, aug. recharge, municipal, commercial, industrial, snowmaking, recreation, fishery, wildlife, and all other beneficial uses. Eagle Park (Camp Hale) Aquifer Wellfield: Wetland creation and irrigation, exchange, aug., recharge, municipal, commercial, industrial, recreation, snowmaking, fishery, wildlife and all other beneficial uses. 95CW272 Appropriations: Blodgett Reservoir: Exchange, aug., aquifer recharge, municipal, irrigation, commercial, domestic, industrial, snowmaking, recreation, fishery, wetland creation and irrigation, wildlife and including delivery to Aurora and Colorado Springs for all such uses, and for reuse and successive use to extinction by the Cities of all such water delivered to the Eastern Slope. Water delivered to the Eastern Slope may be used within any area capable of being served by these diversion and storage points and the Applicants' municipal water supply systems for any water supply obligations of Applicants for municipal and domestic purposes including, but not limited to, fire protection, irrigation of lawns, gardens, parks, private and municipal facilities, sanitary, commercial, manufacturing, mechanical and industrial use, recreational purposes, creation and maintenance of wetlands, stock watering, fish and wildlife propagation, allowable instream uses, if any, snowmaking, revegetation, storage and maintenance of storage reserves, reservoir evaporation replacement, aug., exchange, and replacement purposes, and for use, reuse for successive uses, disposition following initial use, and reuse until extinction. Homestake Creek Intake, Turkey Creek Intake, Eagle-Cross Pump and Pipeline: direct flow and storage for municipal, irrigation, exchange, aug., commercial, domestic, industrial, wetland creation and irrigation, recreation, fishery, wildlife uses, and including delivery to the Aurora and Colorado Springs for all such uses and for reuse and successive use to extinction by Applicants of all such water

delivered to the Eastern Slope. Water delivered to the Eastern Slope may be used within any area capable of being served by these diversion and storage points and the Applicants' municipal water supply systems for any water supply obligations of Applicants for municipal and domestic purposes including, but not limited to, fire protection, irrigation of lawns, gardens, parks, private and municipal facilities, sanitary, commercial, manufacturing, mechanical and industrial use, recreational purposes, creation and maintenance of wetlands, stock watering, fish and wildlife propagation, allowable instream uses, if any, snowmaking, revegetation, storage and maintenance of storage reserves, reservoir evaporation replacement, aug., exchange, and replacement purposes, and for use, reuse for successive uses, disposition following initial use, and reuse until extinction. **COLUMBINE DITCH.** The Columbine Ditch intercepts three unnamed branches of the E. Fork of the Eagle River, tributary of the Eagle River and subsequently the Colorado River. The Columbine Ditch also collects and diverts surface runoff along its entire course. The Columbine Ditch starts at Headgate No. 1, which is the furthest northwest, and runs generally southeast to Headgate No. 2, then to Headgate No. 3, then under the Continental Divide at Columbine Pass and discharges the collected waters into the W. Branch of Chalk Creek, a tributary of the Arkansas River. **Decreed Source.** Three unnamed branches of the E. Fork of the Eagle River, as well as snowmelt, sheet flow and surface runoff tributary to the E. Fork above the line of the Columbine Ditch and from other water along the course of the ditch. **Appropriation Date:** A senior right appropriated 6/21/1930 and a junior conditional right appropriated 12/17/2009. **Total Amt.:** Senior Columbine Ditch Right. The decree in Civil Case No. 963 limited the amt. of water diverted by the Columbine Ditch to 60 cfs absolute, diverted from the respective. In Case No. 90CW340, season of use and volumetric limitations were placed on the water rights as follows: Season of Use: 4/28 to 10/21, except that water diverted in compliance with the seasonal limitation may be stored for subsequent use; 60-Year Volumetric Limitation: In any 60 year period: 80,220 a.f.; 20-Year Volumetric Limitation: In any 20 year period: 36,400 a.f.; Annual Maximum Volumetric Limitation: In any one year: 3,148 a.f.. Junior Columbine Ditch Right. 60 cfs average over a 24 hour period, conditional. The purpose of this junior appropriation is to divert water that is available in excess of the single year, 20 year and 60 year volumetric limits to which the Senior Columbine Ditch appropriation, as changed, is subject. This junior appropriation is limited in volume to an average of 750 a.f. per year computed on a sixty year rolling average basis. **Decrees:** Senior Columbine Ditch Right. Dist. Ct., Eagle Cty., Civil Case No. 963. Changed for use by Pueblo in Case No. 90CW340, Dist. Ct., Water Div. 5 (consolidated with Case No. 90CW052, Dist. Ct., Water Div. 2). The Fremont Pass Ditch Company obtained the right, and added additional types and places of use, as well as additional places of storage in Case No. 09CW187, Dist. Ct., Water Div. 5 (consolidated with Case No. 09CW278, Dist. Ct., Water Div. 1, and Case No. 09CW143, Dist. Ct., Water Div. 2). Junior Columbine Ditch Right. Dist. Ct., Water Div. 5, Case No. 09CW188. **Decreed Use or Uses.** Senior Columbine Ditch Right. "for irrigation purposes upon various tracts of land situated along the Arkansas River." In addition to its originally decreed purposes, in Case No. 90CW340 Pueblo changed the use of its interest in the Columbine Ditch water rights for all beneficial uses related to the Board's operation, including municipal, domestic, irrigation, commercial, industrial,

mechanical, power generation and cooling, waste water treatment, recreation, fish and wildlife, replacement, exchange, aug., substitution and storage in aid of the foregoing purposes, together with the right to use, reuse, and successively use to extinction the water changed as foreign water pursuant to C.R.S. § 37-82-106. 09CW187 added additional uses, which, generally, can be described as mining or industrial-type uses.. 90CW340 identified Twin Lakes Reservoir, Turquoise Lake, Clear Creek Reservoir and Pueblo Reservoir as places of storage for water diverted transmountain. 09CW187 allowed for this water to also be stored in Box Creek Reservoir in the Arkansas River Basin, as well as several reservoirs located within Water Div. 1 and Water Div. 5. Junior Columbine Ditch Right. “Municipal, domestic and industrial purposes including, but not limited to: fire protection; irrigation of lawns, gardens, parks, private and municipal facilities; sanitary; commercial; manufacturing; mining purposes; milling purposes, including but not limited to flotation, drying, and in scrubbers, and to transport tailing slurry to Climax’s Robinson, Tenmile and Mayflower tailings impoundments, and in processing waste rock and to settle out tailing in the decant water pool; concrete batching; mechanical use; recreational purposes; creation and maintenance of wetlands; stock watering; fish and wildlife propagation; snowmaking; reclamation; revegetation; dust suppression; reservoir evaporation replacement; aug.; exchange; and replacement purposes, for use, reuse for successive uses, disposition following initial use, and reuse until extinction.” **BUSK-IVANHOE SYSTEM**. System is comprised of: (1) Ivanhoe Reservoir, an on-channel reservoir on Ivanhoe Creek, that collects water from Ivanhoe Creek, (2) the Lyle Ditch, (3) the Pan Ditch, and (4) the Hidden Lake Creek Ditch in the Colorado River Basin on the western slope of Colorado, and (5) the Ivanhoe Tunnel a/k/a Carlton Tunnel, that carries water from the Colorado River Basin, under the Continental Divide, and into the Arkansas River Basin. **Decreed Sources:** Ivanhoe Creek, Hidden Lake Creek, Pan Creek and Lyle Creek, all tributary to the Frying Pan River, tributary to the Colorado River. **Appropriation Dates:** Ivanhoe Reservoir: 6/27/1921; Ivanhoe Tunnel: 6/27/1921; Lyle Ditch: 9/28/1924; Pan Ditch: 10/5/1924; Hidden Lake Creek Ditch: 8/30/1927. **Total Amt. Decreed:** Ivanhoe Reservoir: 1,200 a.f.; Ivanhoe Reservoir and Tunnel: 35 cfs; Lyle Ditch: 50 cfs; Pan Ditch: 25 cfs; Hidden Lake Creek Ditch: 70 cfs; **Decrees:** Dist. Ct., Garfield Cty., Colorado, Cause No. 2621. Made partially absolute by the Dist. Ct., Garfield Cty., Cause No. 3082. Further made partially absolute by the Dist. Ct., Garfield Cty., Cause No. 4033. Pueblo (“PBWW”) owns an undivided one-half interest in the water rights, and changed that portion of the water rights in Dist. Ct., Water Div. 5, Case No. 90CW340 (consolidated with Dist. Ct., Water Div. 2, Case No. 90CW52). PBWW’s interest is not claimed in, is not the subject of, and is not affected by, this Application. Busk-Ivanhoe, Inc. owns an undivided one-half interest in the water rights, and filed a change application for that portion of the water rights in Dist. Ct., Water Div. 2, Case No. 09CW142 (consolidated with Dist. Ct., Water Div. 1, Case No. 09CW272, and Dist. Ct., Water Div. 5, Case No. 09CW186), which is still pending. **Decreed Use or Uses.** Originally decreed for the irrigation of lands in the State of Colorado lying along Lake Fork Creek and the Arkansas River and susceptible of irrigation therefrom. Hayden Meadows Recreation Pond: A request to adjudicate the Hayden Meadows Recreation Pond is pending in Case No. 11CW86. Water will be stored under various alternatives including: its own priority, by storage

exchange using the Div. 5 COA Sources, or as consumptive use credits from another water right owned or acquired by Lake Cty. such as the Derry Ditch No. 3. Decree: Currently pending in 11CW86. Legal Description: the center of the dam is located in the SE 1/4 of the NW 1/4 of Sec. 22, T 10 S, R 80 W, 6 P.M, 1,510 ft. from west line, 2,120 ft. from N. line of Sec. 22. Source: Arkansas River. Appropriation Date: 12/19/2011. Amt.: 51 AF, conditional. Amt. Uses: Domestic, municipal, irrigation, creation and maintenance of wetlands, commercial, industrial, aesthetic, snowmaking, recreation, livestock watering, piscatorial, fire protection, and aug. either directly or through storage in and release from the reservoir, including by exchange. Derry Ditch No. 3: Consumptive use credits from the Derry Ditch No. 3 may be bypassed directly to offset depletions, or by release after storage in another structure owned or controlled by Lake Cty., including the Hayden Meadows Recreation Pond, Birdseye Gulch Reservoir, and/or future storage developed within Area A. Birdseye Gulch Reservoir. A request to adjudicate the Birdseye Gulch Reservoir is currently pending in Case No. 11CW86. Water will be stored in Birdseye Gulch Reservoir under various alternatives including: its own priority, by storage exchange using Cty. Twin Lakes water, or as consumptive use credits from another water right owned or acquired by Lake Cty. such as the Derry Ditch No. 3. Such storage supply may be released to augment out-of-priority depletions. Decree: Currently pending in 11CW86. Legal Description: the center of the dam near the outlet is located in NW 1/4 of the SE 1/4 of Sec. 33, T 8 S, R 79 W, 6 P.M., 2,367 ft. from the E. line and 2,348 ft. from the S. line of Sec. 33, T 8 S, R 79 W, 6 P.M. Source: Birdseye Gulch, tributary to the E. Fork Arkansas River, tributary to the Arkansas River. Appropriation Dates: 12/19/2011 (20 AF) and 10/16/2013 (10 AF). Amt.: 30 AF, conditional.. Uses: Domestic, municipal, irrigation, creation and maintenance of wetlands, commercial, industrial, aesthetic, snowmaking, recreation, livestock watering, piscatorial, fire protection, and aug. of each use, either directly or through storage in and release from the reservoir, including by exchange. Box Creek Reservoir. Lake Cty. may store aug. water in Box Creek Reservoir, or its forebay, once constructed for later release to augment out-of-priority depletions. Water will be stored in Box Creek Reservoir, or its forebay, under various alternatives including: by storage exchange using Cty. Div. 5 COA Sources, or as consumptive use credits from another water right owned or acquired by Lake Cty. such as the Derry Ditch No. 3. Such storage supply may be released to augment out of priority depletions of Lake Cty.'s contractees. Box Creek Reservoir is proposed to be constructed on Box Creek, tributary to the Arkansas River, located in portions of Secs. 32 and 33, T. 10 S., R. 80 W., and Secs. 4 and 5, T. 11 S., R. 80 W., of the 6th P.M. Contemplated Contract Exchanges. Contract exchanges are those trades of water supplies enabled by existing or contemplated agreements with the Pueblo, Colorado Springs, Aurora, or other parties, by which Applicant may trade supplies available from owners. Pursuant to the "character of exchange" rule, the County will assume the characteristics of the traded water and *vice versa*. A contract exchange would enable the Applicant to release water from the locations described on Exhibit A to the Second Amended Application for direct use to augment out-of-priority depletions or for storage in any structure owned or controlled by the Cty., including the Hayden Meadows Recreation Pond and/or the Birdseye Gulch Reservoir, for subsequent release to augment out of priority depletions by Lake Cty.'s

Contractees in accordance with the Plan for Aug. while providing replacement water at or above the calling water right. Possible contract exchange sources include, but are not limited to: (1) Turquoise Reservoir; (2) Twin Lakes Tunnel No. 1; (3) Wurtz Ditch; (4) Ewing Ditch; and (5) Columbine Ditch. The points of release for these structures into Water Div. 2 are shown on Exhibit A to the Second Amended Application. Future Acquisitions. The Cty. will also utilize other water rights it owns, leases, or acquires in the future for aug. so long as such sources are decreed or otherwise legally available for such use. See C.R.S. § 37-92-305(8)(c). Operation of Plan for Aug. Lake Cty. requests approval of a plan for aug. to augment out-of-priority depletions from the Augmented Structures utilizing the Aug. Sources described above when it or its Contractees divert within Areas A-1 through A-5, depicted in Exhibit A to the Second Amended Application. Replacement Releases. During periods in which an administrative call is placed on the Arkansas River or any of its tributaries within Area A, calculated out-of-priority depletions will be replaced using the Aug. Sources described above. Lake Cty. may utilize any of the Aug. Sources or any combination provided the source is suitable for replacement given the timing, amts., and locations of the out-of-priority stream depletions. Lake Cty. will account for the diversions and depletions under the Augmented Structures to the Div. of Water Resources. Lake Cty. will ensure that the total out-of-priority depletions will not exceed the replacement water available to Lake Cty. The substituted water will be of a quantity and quality so as to meet the requirements for which the water diverted by senior appropriators has normally been used. Inclusion of Augmented Structures. Water users within Area A may apply to Lake Cty. detailing the location, type, amt., and use of the diverted water and other contracting requirements. The Cty. will calculate anticipated diversions, depletions, return flows and lagged depletions pursuant to methods described below. If there is sufficient unallocated aug. water available, the Cty. will forward the application and water use calculations to the Div. Engineer for review and approval. If the Div. Engineer does not object within thirty days of receipt of the application material, Lake Cty. may, in its discretion, include the structure in the Plan for Aug. Depletions Calculations. The depletions associated with the Augmented Structures will be determined based on assumptions, methods, and calculations commonly used and accepted in the water resource engineering profession in Colorado including, without limitation, based upon a schedule of consumptive use to be established applicable to each category of use based upon estimated usage and return flows or as determined by specific engineering analysis. A summary of the engineering assumptions are outlined below: Domestic In-House Use Diversions and Depletions: Diversions associated with domestic in-house are calculated according to the following schedule: Single family home = 3.5 persons using 100 GPCD (gallons/capita/day) = 350 gallons per day = 1 Equivalent Residential Unit (EQR); Apartments = 0.75/EQR unit; Mobile Homes = 0.75/EQR unit. A substantial portion of in-house diversions will return to the stream system following wastewater treatment. The consumptive use, expressed as a percent of diversions, is assumed to be as follows: Central treatment system = 5.0 percent; Septic tank/leachfield system = 10.0 percent; Evaporative system = 100.0 percent. Commercial Use: Commercial uses are to be calculated on a case-by-case basis using specific water use data, when available. If specific water use data is not available, EQR ratings based on the type and size of commercial facility will be used.

Some examples of commercial EQR ratings are included below: Office = 0.60 EQR/1,000 S.F.; Warehouse = 0.30 EQR/1,000 S.F.; Retail Sales = 0.60 EQR/1,000 S.F. Irrigation Use: Evapotranspiration Calculation Inputs - Climatic Data: While methods for calculating evapotranspiration vary, each method requires that the user input site-specific temperature and precipitation data. In order to provide a standardized methodology that will provide site-specific data for calculating evapotranspiration, each irrigation contract will rely on data collected from the closest reliable weather station (at this time these stations include: Twin Lakes Reservoir, Sugarloaf Reservoir, Leadville Lake, and Climax). Evapotranspiration Calculation Methodology: The generally accepted methodology of calculating evapotranspiration varies by crop type. The Modified Blaney Criddle Method, as outlined by the Soil Conservation Service in Technical Release No. 21 ("TR 21"), or other methodology accepted by the Div. Engineer, will be used in calculating bluegrass consumptive use for proposed contracts. The consumptive use coefficients and altitude correction factors are taken from the Pochop, Borrelli and Burman Paper titled "Elevation – A Bias Error in SCS Blaney Criddle Estimates" (ASAE, 1984). Bluegrass will be assumed to start growing, and requiring irrigation, when mean daily temperatures exceed 45° Fahrenheit. Average monthly precipitation and temperature for the land proposed for irrigation will be evaluated at the nearest weather station and adjusted for elevation. The DWR's recommended methodology for calculating consumptive use for pasture grass and alfalfa relies on procedures outlined in TR 21. The DWR also recommends modifying the TR 21 calculations using a crop's elevation based on ASCE Manual and Report No. 70 (1990). Consumptive use will be calculated using these methods in combination with local climatic data. Diversion Rate: Once the crop and/or lawn consumptive use is determined, total diversion requirements will be calculated based upon expected application rates for the different irrigation methods. The application rate for sprinkler irrigation assumed to be 1.25 times the C.U. rate (80% efficient) and the application rate for flood irrigation is assumed to be 3.33 times the C.U. rate (30% efficient). Surface Evaporation. Annual surface evaporation will be calculated according to the following methodology. Gross annual evaporation will be calculated using NOAA Technical Report NWS 33, Evaporation for the Contiguous 48 United States, using the isopleths of annual shallow lake evaporation for Colorado. The gross annual evaporation will be distributed on a monthly basis according to the General Guidelines for Substitute Water Supply Plans for Sand and Gravel Pits. Evaporation is assumed to occur only when the average daily temperature is greater than 32° Fahrenheit. Thus, monthly evaporation will be modified according to average monthly temperatures at local weather. The potential for adjusting gross evaporation for effective precipitation will be considered on a case-by-case basis. If effective precipitation can be considered, it will be based on average monthly precipitation calculated using these local weather stations. Livestock Water Use. Livestock requires approximately 9 gallons of water per day per head and is considered 100 percent consumptive. Delayed Depletions: The Dist. will account for delayed depletions with respect to any wells that will be authorized for diversion under the Plan for Aug. Stream depletions resulting from well pumping are both lagged and attenuated based on a well's distance from the stream and the aquifer characteristics. Delayed depletion factors have been developed using the Glover well pumping

depletion model for alluvial and bedrock aquifers. Alluvial aquifers are classified as either “Tributary” or “Main Stem” based on the average distance from the stream to the alluvial boundary. “Main Stem” aquifers include the Arkansas River, the E. Fork of the Arkansas River and Tennessee Creek. All other streams within Area A are considered “Tributary.” The factors are described as follows: Band T1: Tributary, 100 to 500 ft. from the stream, Band T2: Tributary, greater than 500 ft. from the stream, Band MS1 Main Stem, 100 to 500 ft. from the stream, Band MS2 Main Stem, 501 to 1000 ft. from the stream, Band MS3 Main Stem, 1001 to 2000 ft. from the stream, Band MS4 Main Stem, 2001 to 3000 ft. from the stream, Band MS5 Main Stem, greater than 3001 ft. from the stream, and Band B1, Bedrock, all bedrock well completions. For wells located within 100 ft. of a stream the depletions are assumed to occur with the same monthly distribution pattern as the pumping. To determine appropriate stream depletion factors for each of the eight bands, a series of Glover analyses were conducted. Wells in both alluvial aquifers and bedrock aquifers were analyzed.

Table 1: Monthly Lagged Stream Depletion Factors
For Alluvial and Bedrock Wells

Month	T1 100- 500 ft	T2 >500 ft	MS1 100- 500 ft	MS2 501- 1000 ft	MS3 1001- 2000 ft	MS4 2001- 3000 ft	MS5 >3000 ft	B1 all
1	53	32	59	33	10	5	7	7
2	34	46	21	28	23	14	7	18
3	10	16	6	11	16	17	9	15
4	3	4	3	7	11	13	9	11
5		1	3	5	9	11	9	9
6		1	2	4	7	9	9	8
7			2	3	6	8	9	7
8			1	3	5	6	9	6
9			1	2	4	5	8	5
10			1	2	3	5	8	5
11			1	2	3	4	8	5
12					3	3	8	4
Total	100	100	100	100	100	100	100	100

The depletion factors are to apply to both well pumping and return flows. Non-Delayed Depletions: Diversions from springs or surface diversions from creeks or rivers or diversions from alluvial aquifers within 100 ft. of the stream are assumed to have no delayed depletion impact. Transit Losses. If replacement is to be made by releases from the Aug. Structures, Applicant shall calculate the transit losses at the time of such releases and shall provide for the release of additional amts. of water to account for such transit losses. Applicant will use the most recent transit loss calculations accepted and used by the Div. Engineer for the specific reach of the stream and estimated distances from the various release structures. Depletion and Replacement: Applicant shall project future depletions and aug. supplies and provide the same to the Div. Engineer. **APPROPRIATIVE RIGHTS OF EXCHANGE**. Lake Cty. seeks confirmation of appropriative rights of exchange to the extent that any aug. replacement is introduced to the river system at a location downstream of the depletions to be augmented. The Cty.

has identified five exchange regions as Areas A-1 through A-5. Each Sub-Area has a unique exchange potential and, with the exception of Area A-1, will involve the development of upstream storage supplies and/or Contract Exchanges in order to fully develop and implement the proposed exchanges. Area A-1 as described below and shown graphically in Exhibit A to the Second Amended Application, represents that area within the Cty. that can be fully augmented by exchange using the Cty.'s available aug. sources including its Div. 5 COA Sources and consumptive use credits associated with the Derry Ditch No. 3. The Cty. may implement two types of exchanges: storage exchanges and river exchanges: Storage Exchanges. Storage Exchanges are those exchanges of water whereby Lake Cty. stores available water by exchange in upstream storage facilities for subsequent release to augment out-of-priority depletions while providing sufficient replacement water at or above the calling water right. River Exchanges. River exchanges will provide aug. supply by exchange within Area A in amts. necessary to replace depletions attributed to Cty. Contractees located at various upstream locations. Description of Exchanges - Storage Exchanges: Div. 5 COA Sources to Box Creek Reservoir Exchange. The purpose of this exchange is to move the Cty.'s Div. 5 COA Sources to an upstream storage site at the proposed Box Creek Reservoir, described above. Legal Description of Exchange Reach: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 ft. from the N. line of Sec. 24. Upstream Terminus: The dam centerline of Box Creek Reservoir to be located in the NW 1/4 of the NE 1/4 of Sec. 4, T. 11 S., R. 80 W. of the 6th P.M. The upstream terminus is approximately 2,130 ft. from the E. line and 210 ft. from the N. line of Sec. 4. Maximum Rate of Exchange: 5 cfs. Source of Substitute Supply: Div. 5 COA Sources. Div. 5 COA Sources to Hayden Meadows Recreation Pond Exchange. The purpose of this exchange is to move the Cty.'s Div. 5 COA Sources to an upstream storage site at the existing Hayden Meadows Recreation Pond. Legal Description of Exchange Reach: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: The Upper River Ditch headgate located in the NE 1/4 of the SE 1/4 of Sec. 16, T. 10 S., R. 80 W. of the 6th P.M. The upstream terminus is located approximately 790 ft. from the E. line and 1,850 ft. from the S. line of Sec. 16. Maximum Rate of Exchange: 3 cfs. Source of Substitute Supply: Div. 5 COA Sources, as described above. Div. 5 COA Sources to Birdseye Gulch Exchange. The purpose of this exchange is to move the Cty.'s Div. 5 COA Sources to an upstream storage site at the proposed Birdseye Gulch Reservoir. Legal Description of Exchange Reach: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: A reservoir fill ditch located on Birdseye Gulch in the NE 1/4 of the SE 1/4 of Sec. 33, T. 8 S., R. 79 W. of the 6th P.M. The upstream terminus is located approximately 2,920 ft. from the W. line and 1,700 ft. from the S. line of Sec. 33. Maximum Rate of Exchange: 2.2 cfs. Source of Substitute

Supply: Div. 5 COA Sources. Box Creek Reservoir and the Derry Ditch No. 3 to Hayden Meadows Recreation Pond Exchange. The purpose of this exchange is to move the Cty.'s Box Creek Reservoir storage supply and/or the Cty.'s Derry Ditch No. 3 consumptive use credits upstream to the existing Hayden Meadows Recreation Pond. Legal Description of Exchange Reach: Downstream Terminus: The confluence of Box Creek with the Arkansas River located in the NW 1/4 of the SE 1/4 of Sec. 11, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,550 ft. from the W. line and 2,510 ft. from the S. line of Sec. 11. Upstream Terminus: The Upper River Ditch headgate located in the NE 1/4 of the SE 1/4 of Sec. 16, T. 10 S., R. 80 W. of the 6th P.M. The upstream terminus is located approximately 790 ft. from the E. line and 1,850ft. from the S. line of Sec. 16. Maximum Rate of Exchange: 3 cfs. Sources of Substitute Supply: Box Creek Reservoir and Derry Ditch No. 3. Box Creek Reservoir and the Derry Ditch No. 3 to Birdseye Gulch Exchange. The purpose of this exchange is to move the Cty.'s Box Creek Reservoir storage supply and/or the Cty.'s consumptive use credits associated with the Derry Ditch No. 3 upstream to the proposed Birdseye Gulch Reservoir, described above. Legal Description of Exchange Reach: Downstream Terminus: The confluence of Box Creek with the Arkansas River located in the NW 1/4 of the SE 1/4 of Sec. 11, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,550 ft. from the W. line and 2,510 ft. from the S. line of Sec. 11. Upstream Terminus: A reservoir fill ditch located on Birdseye Gulch in the NE 1/4 of the SE 1/4 of Sec. 33, T. 8 S., R. 79 W. of the 6th P.M. The upstream terminus is located approximately 2,920 ft. from the W. line and 1,700 ft. from the S. line of Sec. 33. Maximum Rate of Exchange: 2.2 cfs. Sources of Substitute Supply: Box Creek Reservoir and Derry Ditch No. 3. Hayden Meadows Recreation Pond to Birdseye Gulch Reservoir Exchange. The purpose of this exchange is to move the Cty.'s Hayden Meadows Recreation Pond storage supply upstream to the proposed Birdseye Gulch Reservoir. Legal Description of Exchange Reach: Downstream Terminus: The confluence of the Hayden Meadows Recreation Pond outlet channel and the Arkansas River located in the SE 1/4 of the NW 1/4 of Sec. 22, T. 10 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 1,920 ft. from the W. line and 1,990 ft. from the N. line of Sec. 22. Upstream Terminus: A reservoir fill ditch located on Birdseye Gulch in the NE 1/4 of the SE 1/4 of Sec. 33, T. 8 S., R. 79 W. of the 6th P.M. The upstream terminus is located approximately 2,920 ft. from the W. line and 1,700 ft. from the S. line of Sec. 33. Maximum Rate of Exchange: 2.2 cfs. Source of Substitute Supply: Hayden Meadows Recreation Pond. Future Storage Exchange. The purpose of this exchange is to allow the Cty. to move its downstream storage supplies and/or its Derry Ditch No. 3 consumptive use credits to future upstream storage sites located within the defined exchange regions: Areas A-1 through A-5. Legal Description of Exchange Reach. Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: Upstream boundaries of Areas A-1 through A-5. Maximum Rate of Exchange: 1.5 cfs. Sources of Substitute Supply: Div. 5 COA Sources, Derry Ditch No. 3, Box Creek Reservoir, Hayden Meadows Recreation Pond, Birdseye Gulch Pond. River Exchanges. Area A-1 River

Exchange. Under this exchange, the Cty. will replace the depletions with the release of storage supplies, the Derry Ditch No. 3 consumptive use credits, and Contract Exchange water. Legal Description of Exchange Reach: Downstream Terminus: the southern boundary of Lake Cty. The downstream terminus is located in the SW 1/4 of the SW 1/4 of Sec. 30, T. 11 S., R. 79 W. of the 6th P.M. approximately 520 ft. from the W. line and 0 ft. from the N. line of Sec. 30. Upstream Terminus: Upstream boundaries of Area A-1. Maximum Rate of Exchange: 2 cfs. Area A-2 River Exchange. Under this exchange, the Cty. will replace the depletions associated with Area A-2 with the release of storage supplies, the Derry Ditch No. 3 consumptive use credits, and Contract Exchange water. Legal Description of Exchange Reach. Downstream Terminus: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: Upstream boundaries of Area A-2. Maximum Rate of Exchange: 0.5 cfs. Area A-3 River Exchange. Under this exchange, the Cty. will replace the depletions associated with Area A-3 with the release of storage supplies, the Derry Ditch No. 3 consumptive use credits, and Contract Exchange water. Legal Description of Exchange Reach. Downstream Terminus: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: Upstream boundaries of Area A-3. Maximum Rate of Exchange: 0.5 cfs. Area A-4 River Exchange. Under this exchange, the Cty. will replace the depletions associated with Area A-4 with the release of storage supplies, the Derry Ditch No. 3 consumptive use credits, and Contract Exchange water. Legal Description of Exchange Reach. Downstream Terminus: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: Upstream boundaries of Area A-4. Maximum Rate of Exchange: 2.0 cfs. Area A-5 River Exchange. Under this exchange, the Cty. will replace the depletions associated with Area A-5 with the release of storage supplies, the Derry Ditch No. 3 consumptive use credits, and Contract Exchange water. Legal Description of Exchange Reach. Downstream Terminus: Downstream Terminus: The confluence of Lake Creek with the Arkansas River located in the NE 1/4 of the SE 1/4 of Sec. 24, T. 11 S., R. 80 W. of the 6th P.M. The downstream terminus is located approximately 3,310 ft. from the W. line and 2,820 from the N. line of Sec. 24. Upstream Terminus: Upstream boundaries of Area A-5. Maximum Rate of Exchange: 0.5 cfs. Sources of Substitute Supply for all River Exchanges: The Aug. Sources including Div. 5 COA Sources; Derry Ditch No. 3 consumptive use credits; Box Creek Reservoir; Hayden Meadows Recreation Pond; Birdseye Gulch Reservoir; and Contract Exchange Sources. Use for All Exchanges: To replace out of priority depletions by the Contractees pursuant to the Plan for Aug. Priority Date: 12/7/1998. The appropriation was initiated by Cty. action authorizing this Plan for Aug. and related exchanges and the posting of public notices within Lake Cty. describing the nature and extent of the proposed appropriation, all with the intent to acquire

and appropriate water for beneficial uses. Exchange Operations. The claimed appropriative exchanges shall be operated only when there are adequate stream flows in affected reaches to satisfy the legal entitlements of senior priorities within those reaches. Terms and Conditions. The Cty. proposes additional terms and conditions. Owners or reputed owners of the land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Birdseye Gulch Reservoir and Ditch: Bureau of Land Management. Hayden Meadows Recreation Pond: Applicant. Twin Lakes Reservoir: Twin Lakes Reservoir and Canal Company and/or the U.S. Department of Interior, Bureau of Reclamation. Derry Ditch No. 3: Aurora. Turquoise Reservoir: Water and Land Operations Div., U.S. Department of Interior, Bureau of Reclamation, E. Colorado Projects Office. Box Creek Reservoir: Aurora Upper River Ditch: Aurora. (74 pgs.)

CASE NO. 2013CW3027 – CITY OF MANITOU SPRINGS, Attn: Jack Benson, City Administrator, 606 Manitou Avenue, Manitou Springs, CO 80929 (Please address all pleadings and correspondence to: Henry D. Worley, Worley Law Firm LLC, Attorney for Applicant, 611 North Weber Street, Suite 104, Colorado Springs, CO 80903; (719) 634-8330)

Fourth Amendment to Application for Plan for Augmentation

EL PASO COUNTY

Paragraph 4 is amended as follows: For augmentation, Applicant shall release Project Water or Project Return Flows stored in Manitou Reservoir in an amount equal to the diversions from the augmented structures, plus any amounts required by the Division Engineer to replace transit losses to the Highway 24 bridge over Fountain Creek in Manitou Springs. Applicant’s consumption/stream depletions associated with diversions from the augmented structures will be determined at the Colorado Springs Las Vegas Street Wastewater Treatment Plant. Project Water or Project Return Flows will be used to replace such depletions which occur to Fountain Creek at and downstream from the outfall of the Las Vegas Street Wastewater Treatment Plant. The Project Water or Project Return Flows released from Manitou Reservoir, minus transit losses and minus consumption at Las Vegas Street, shall become (or remain) Project Return Flows at the location of discharge to Fountain Creek from the Las Vegas Street Wastewater Treatment Plant. Such Project Return Flows shall be administered in accordance with the rules, regulations, and policies of the Southeastern Colorado Water Conservancy District.

CASE NO. 2014CW5 – PETITION OF DR. DENNIS O’NEILL. This is a petition seeking an “Interlocutory Order” from the Water Court and is being included in the resume to account for the case number.

CASE NO. 2014CW6 – UNITED FEEDERS, INC., c/o Trent Sharon, P. O. Box 407, Rocky Ford, CO 81067; (719) 254-7336

Application for Change of Water Right

OTERO COUNTY

Decreed water right for which change is sought: State Well ID# 1705978; **Date of original and all relevant subsequent decrees:** November 2, 1972; **Case No.:** W-657; **Court:** Division 2. **Legal description of structure as described in most recent decree that adjudicated the location:** NE ¼ NW ¼ in S. 29 R. 23S. T. 56W. of the 6th prime meridian in Otero County. **Decreed source of water:** Underground water tributary to the Arkansas River. **Appropriation Date:** December 31, 1934; **Total amount decreed to structure:** 240 gpm Absolute. **Decreed use:** Commercial cattle feeding. **Amount of water Applicant intends to change:** 240 gpm Absolute. **Detailed description of proposed change:** Applicant wishes to decree an alternate point of diversion for well structure #1705978 to another well—structure #1705517 to allow either structure to supply water to commercial cattle feeding operation. All pumping will be measured with totalizing flow meters and depletions will be replaced pursuant to Rule 14 replacement plan at 100% depletion factor. The wells will be operated in a way to not increase the total amount of pumping allowed in original decree. **If applicant is correcting the location of a well in an existing decree, provide actual or new location of well: UTM coordinates (NAD83, Zone 13):** Northing 4209427 Easting 613999; **Street Address:** 20552 County Road DD, Rocky Ford, CO 81067. **PLSS Location:** NE ¼ of the NW ¼ Section 29, T23S, R56W, 6th P.M., Otero County. **If change in point of diversion, provide legal description of decreed locations and actual or new location of structure: UTM coordinates (NAD83, Zone 13):** Northing 4209510 Easting 617180; **PLSS Location:** SW ¼ of the SE ¼ Section 22, Township 23 South, Range 56 West, 6th P.M., Otero County. **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:** Hal Holder, 20475 US Hwy 50, Rocky Ford, CO 81067.

CASE NO. 2014CW7 – JOHN F. HOOVER, 195 S. Zephyr Street, Lakewood, CO 80226; (303) 445-9323

Application for Conditional Water Right (Surface)

PARK COUNTY

Name of structure: Hoover Spring. **Legal description of each point of diversion:** **PLSS Location:** Park County, SE ¼ of the SE ¼ Section 12, Township 15 South, Range 74 West, 6th P.M., 427 feet from the North line and 96 feet from the West line. **Subdivision:** Pike Trails Ranches Filing 2; **Lot:** Tract 34. **Source of PLSS information:** Douglas Howell, PLSS. **Source:** Spring. **Date of appropriation:** None listed. Application was filed April 9, 2014. **Amount claimed:** 2 gpm Conditional. **Use:** Domestic water for established vacation cabin. **Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure,**

or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant.

CASE NO. 2014CW8 – KENNY BURK, 16375 Hammer Road, Fountain, CO 80817; (719) 250-4500

Application for Conditional and Absolute Water Rights (Surface)

EL PASO COUNTY

Name of structures: Hammer Ranch House Spring, Hammer Ranch South Slope Spring, Hammer Ranch Middle Spring, Hammer Ranch East Spring, Hammer Ranch Draw Spring, Lazy Tree Spring. **Legal Descriptions (PLSS):** All Springs are located in El Paso County, Township 16 South, Range 64 West, 6th P.M.:

Structure	Section	Q40	Q160	Distances from Section Lines
Hammer Ranch House Spring	33	SW	SE	15 feet from South line 2,480 feet from East line
Hammer Ranch South Slope Spring	34	NW	SW	2,150 feet from South line, 190 feet from West line
Hammer Ranch Middle Spring	33	SE	NE	2,320 feet from North line 750 feet from West line
Hammer Ranch East Spring	34	SE	NW	2,540 feet from North line 1,340 feet from West line
Hammer Ranch Draw Spring	34	SE	NW	2,245 feet from North line 1,390 feet from West line
Lazy Tree Spring	27	NW	NW	830 feet from North line 810 feet from West line

Source of PLSS information: GPS unit and USGS Topographic map. **Source:** Natural springs located in various unnamed tributaries of Chico Creek, tributary to the Arkansas River.

Date of Appropriation, Beneficial Use Date, How Appropriation was initiated:

Structure	Absolute Date	Appropriation	Beneficial Use Date
Hammer Ranch House Spring	1960		1960
Hammer Ranch South Slope Spring	1914		1914
Hammer Ranch Middle Spring	1892		1892
Hammer Ranch East Spring	1877		1877
Hammer Ranch Draw Spring	1877		1877
Lazy Tree Spring	None		None

All absolute appropriations for livestock use were initiated by use and development of the springs for livestock purposes. In addition to livestock use, House Spring has historically been used to supply domestic water to the main ranch residence. All conditional claims for either livestock or domestic uses have been initiated by the Applicant's plans and intent to use these spring waters for further domestic and livestock uses. **Appropriation date for conditional claims:** March 1, 2014.

Amount claimed in gallons per minute (gpm):

Structure	Claimed Amount - Absolute	Claimed Amount – Conditional
Hammer Ranch House Spring	0.75	5
Hammer Ranch South Slope Spring	0.25	5
Hammer Ranch Middle Spring	0.8	5
Hammer Ranch East Spring	0.2	5
Hammer Ranch Draw Spring	0.25	5
Lazy Tree Spring	0	5

Uses or Proposed uses:

Structure	Claimed Uses - Absolute	Claimed Uses – Conditional
Hammer Ranch House Spring	Livestock and domestic	Livestock
Hammer Ranch South Slope Spring	Livestock	Livestock
Hammer Ranch Middle Spring	Livestock	Livestock
Hammer Ranch East Spring	Livestock	Livestock
Hammer Ranch Draw Spring	Livestock	Livestock
Lazy Tree Spring		Livestock and Domestic

If non-irrigation, describe purpose fully: Absolute claims: All six springs have historically been used for livestock purposes. The House Spring has additionally been historically used to supply domestic water to the main ranch house. These uses are claimed absolute for the above absolute flow rates. Lazy Tree Spring has also been historically used for livestock and domestic uses. Those uses have been previously decreed in case no 04CW109 for use in locations adjacent to that spring. No further absolute claims are made for this spring. Conditional Claims: The current condition of all of springs developments need repair and redevelopment. Applicant anticipates that after redevelopment of the spring structures greater flow rates will be produced by the springs. Conditional claims are made for a further 5 gallons/minute for livestock purposes for each spring except for Lazy Tree Spring where no further flow rate above that decreed in case no. 04CW109 is claimed. Further conditional claims are made for Lazy Tree Spring to use these spring flows for livestock uses within adjacent Sections 27, 28 and 33 and for outside lawn/garden use for up to three residences located in Section 33. **Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool:** Applicant.

CASE NO. 2014CW9 – RICHARD E. DUNN and CAROL S. DUNN, P. O. Box 1213, La Veta, CO 81055; (719) 989-7278

Application for Finding of Reasonable Diligence

HUERFANO COUNTY

Name of structure: Carran Pond. **Date of Original Decree:** May 2, 2001; **Case No.:** 00CW10; **Court:** District Court, Water Div. 2. **Subsequent decrees awarding findings of diligence:** **Date of Decree:** March 10, 2008; **Case No.**

07CW45(00CW10); **Court:** District Court, Water Div. 2. **Legal description;** SW ¼ of the SW ¼ Sec 6, T29S, R67W, 6th P.M., Huerfano County, Colorado, 500 feet north of the South line and 900 feet east of the West line of said Sec. 6. **Street Address:** 5281 County Road 350, La Veta, CO 81055; **Subdivision:** Cucharas River Estates; **Lot:** 13. **Source of Water:** Carran Spring. **Appropriation Date:** 9/30/1986; **Amount:** 3 gpm, absolute. **Use:** Domestic single family dwelling and irrigation of one acre of lawns and gardens. **Provide an 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:** During this diligence period, the applicants have repaired a 1 hp pump, re-glued and replaced certain sections of 300 feet of 2" PVC pipe, replaced a no-frost faucet, maintained and replaced certain sections of 400 feet of hoses. Water was not in priority and not legally available for diversion during this diligence period, but when it is, the structure is built to store up to 2 acre-feet of water for household use and use in irrigation of one acre of lawn landscaping and a vegetable garden. **Remarks:** Applicants have been awarded an absolute right in the amount of 0.25 a.f. for Carran Pond. Applicants are seeking a finding of reasonable diligence and continuation of the conditional right for the remaining 1.75 a.f., for a total of 2.0 a.f.

CASE NO. 2014CW3016 - DANIEL R. BALCH AND BETH A. BALCH, 11925 Milam Road, Colorado Springs, CO 80908 (Serve all pleadings on: Chris D. Cummins, Ryan W. Farr, Felt, Monson & Culichia, LLC, 319 North Weber Street, Colorado Springs, CO 80903; (719) 471-1212)

Application for Underground Water Rights and Adjudication of Denver Basin Groundwater

EL PASO COUNTY

II. Summary of Application: Applicant is seeking an adjudication quantifying the amount of Denver Basin groundwater underlying his property and adjudication of the existing and operational well. **III. Application for Underground Water Rights, Existing Well:** **A. Legal Description of Existing Well:** Division of Water Resources Well Permit No. 214750 is a domestic well on the Applicant's Property, permitted pursuant to § 37-92-602(3)(b)(II)(A), C.R.S. as an "exempt" domestic well located in the NW1/4 SW1/4 of Section 13, Township 12 South, Range 66 West of the 6th P.M. This well is located approximately 2,356 feet from the south section line, and approximately 1,010 feet from the west section line of said Section 15. ("Balch Well"). **B. Property Description:** Applicant's property is located in the N1/2 of the SW1/4, and the W1/2 of the NW1/4 of the SE1/4, Section 13, Township 12 South, Range 66 West of the 6th P.M., which contains approximately 60.01 acres, more or less ("Applicant's Property"). (See Exhibit A – general location map, and Exhibit B – Assessor Property Information, attached to the application) (All exhibits mentioned herein are incorporated by reference and may be inspected at the office of the clerk of this Court.) **C. Water Source:** The Balch Well withdraws groundwater from the Dawson aquifer of the Denver Basin underlying Applicant's Property. Such Dawson aquifer groundwater is not-nontributary. **D. Appropriation:** **1. Date of Initiation of Appropriation:** December 15, 1998. **2. How Appropriation was Initiated:** Appropriation of the Balch Well was initiated by the completion of construction of the well on December 15, 1998

after the issuance by the Office of the State Engineer of an exempt domestic well Permit No. 214750 on December 10, 1998. Pump installation and subsequent completion of the well occurred on September 16, 1999. **3. Date Water Applied to Beneficial Use:** September 16, 1999. **4. Amount Claimed:** 15 g.p.m. **5. Use:** Ordinary household use inside not more than three single family dwellings, fire protection, irrigation of not more than 1 acre of home lawns and gardens, and non-commercial domestic animal watering. **6. Land Ownership:** The land upon which the Balch Well is located is owned jointly by the Balch Family Trust. (Exhibit B to the Application) **7. Well Permit No.:** 214750. **8. Remarks:** Balch Well is an exempt well pursuant to §37-92-602(3)(b)(II)(A), C.R.S., and a decree for this well is sought pursuant to §37-92-602(4), C.R.S. Balch Well is currently constructed into the not-nontributary Dawson aquifer, and Applicant seeks no change to the well's exempt status. **IV. Application for Underground Water Rights, Available Water:** **A. Property Description:** Applicant's property is as described in Paragraph III(B) above, and Exhibit B to the Application. **B. Existing Well:** Balch Well, as described in Paragraph III(A), above. **C. Water Sources:** The water sources are both from not-nontributary sources and nontributary sources described as follows: **A. Not-Nontributary:** The groundwater in the Dawson, Denver, and Arapahoe aquifers of the Denver Basin underlying Applicant's Property is not-nontributary. Pursuant to §37-90-137(9)(c.5), C.R.S., augmentation requirements for not-nontributary withdrawals from the Denver Basin aquifers will require the replacement of actual stream depletions to the extent necessary to prevent any injurious effect, notwithstanding withdrawals from the exempt Balch Well, discussed herein, which exempt status is to be maintained. **B. Nontributary:** The groundwater in the Laramie-Fox Hills aquifer of the Denver Basin underlying the Applicant's Property is nontributary. **D. Estimated Rates of Withdrawal and Ground Water Available:** **A. Estimated Rates of Withdrawal:** Pumping from the wells constructed to each of the Denver Basin aquifers adjudicated herein will not exceed 15 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 groundwater 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. **B. Estimated Annual Average Amounts of Groundwater Available:** Applicant requests an adjudication of an underground water right for the withdrawal of all legally available groundwater in the Denver Basin aquifers underlying the Applicant's Property. Said amounts may be withdrawn over the 100-year life of the aquifers as set forth in § 37-90-137(4), C.R.S. Applicants estimate that the following values and average annual amounts are representative of the Denver Basin aquifers underlying the Applicant's Property:

Aquifer	Saturated Thickness (Feet)	Total Water Adjudicated (Acre Feet)	Average Annual Withdrawal (Acre Feet)
Dawson (NNT)	140	1686	15.86 ¹
Denver (NNT)	424	4326	43.26
Arapahoe (NNT)	256	2613	26.13
Laramie-Fox Hills (NT)	189	1699	16.99

¹ The average annual withdrawals for which adjudication is requested from the Dawson aquifer has been reduced by 1.0 acre feet in order to account for Applicant's desire to maintain the exempt status of the Balch Well described and requested for adjudication pursuant to §37-92-602(4) herein, which is currently permitted and constructed to the Dawson aquifer.

Decreed amounts may vary based upon the State's Determination of Facts. Furthermore, pursuant to § 37-92-305(11), C.R.S., the Applicant requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. **C. Requested Uses:** The Applicant requests the right to use the ground water for beneficial uses upon the Applicant's Property consisting of domestic, commercial, irrigation, stock water, recreation, wildlife, wetlands, fire protection, and for storage and augmentation 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 Applicant's Property subject, however, to the relinquishment of the right to consume no more than two percent of such nontributary water withdrawn. 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 a well or use water from the not-nontributary Dawson, Denver, and Arapahoe aquifers pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of such not-nontributary aquifers in accordance with §37-90-137(9)(c.5), C.R.S., except as concerns the existing exempt well referenced herein as Balch Well. **D. Well Fields:** Applicant requests that he be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant's Property through any combination of wells. Applicant therefore requests that these wells be treated as a well field as to each of the Denver Basin aquifers. **E. Averaging of Wells:** Applicant requests that he be entitled to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Applicant's 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 Applicant's Property. **F. Name and Address of Owner of Land Upon Which Wells are to Be Located:** The land upon which the Balch Well is located, and upon which any additional wells which may be constructed pursuant to this Application, is owned by the Balch Family Trust. (Exhibit B to Application) **V. Remarks.** Additional remarks are as follows: A. Applicant requests a finding that he has complied with §37-90-137(4), C.R.S., and that the ground

water requested herein is legally available for withdrawal by not-nontributary wells upon subsequent entry of a decree approving an augmentation plan pursuant to § 37-90-137(9)(c.5), C.R.S. B. 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. C. Any wells constructed pursuant to a decree herein as may be authorized by future decree for a plan for augmentation shall be installed and metered as reasonably required by the 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. D. The Applicant intends to waive the 600 feet well spacing requirement for any wells to be located upon the Applicant's Property. E. Applicant will comply with any lienholder notice provisions set forth in C.R.S. §37-92-302(2)(b) and §37-90-137(4)(b.5)(l), and such notice will be sent within 10 days of the filing of this application.

CASE NO. 2014CW3017; Previous Case Nos. 00CW152; 07CW77(00CW152) – COMANCHE RESOURCES, LLC, 2454 Waynoka Road, Colorado Springs, Colorado 80915 (Serve all pleadings on Attorneys for Applicant: Steven T. Monson, #11329, David M. Shohet, #36675, Felt, Monson & Culichia, LLC, 319 N. Weber Street, Colorado Springs, Colorado 80903, Phone: (719) 471-1212)

Application for Finding of Reasonable Diligence

EL PASO COUNTY

2. Name of Structure: CR Well No. 1. **3. Description of conditional water right from the Ruling of Referee and Decree:** **A. Date of Original Decree:** August 29, 2001. **Case No.:** 00CW152. **Court:** District Court, Water Division 2. **B. Legal Description:** The well is to be located in the Southwest 1/4 of the Northwest 1/4, Section 26, Township 17 South, Range 65 West, 6th P.M., at approximately 2,513 feet from the north line of said Section 26 and approximately 1,192 feet from the west line of said Section 26. **C. Source:** Alluvium of Fountain Creek, tributary to the Arkansas River. **D. Appropriation Date:** December 11, 2000. **Amount:** 220 annual acre-feet at a pumping rate of 300 g.p.m. **E. Use:** Central water supply system including the use for domestic, livestock, commercial, industrial, irrigation, fire protection, and for use, reuse and successive use to extinction. **4. Description of work performed toward completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** In Case No. 00CW152, the Court decreed to Comanche Resources, LLC (“Comanche”) the use of CR Well No. 1 as an independent point of diversion and as an alternate point of diversion for Midway Ranches POA Well No. 1 in a central water system for domestic, livestock, commercial, industrial, irrigation, fire protection, and for use, reuse and success of use to extinction within the service area decreed in Case No. 00CW152. Comanche, under its decreed plans for augmentation, will replace out of priority diversions from CR Well No. 1 by the commitment of consumptive use water from Fountain Mutual Irrigation Company shares as decreed in Case No. 99CW146 and amended and supplemented by Case Nos. 00CW152 and 02CW112. Reasonable diligence was last found for CR Well No. 1, in Case No. 07CW77, decreed on April 9, 2008. This application for continuing diligence concerns only that portion of CR Well No. 1 owned by Comanche decreed in Case No.

00CW152. During this diligence period, Comanche, in connection with the development of the service area, has sold taps to developers for raw water for the use water use within the decreed service area. CR Well No. 1 is a part of the integrated water supply system for the service area. A total of 267 taps have been issued within the decreed service area of CR Well No. 1 as part of a central water supply system. Infrastructure for water distribution system in order to deliver water pumped from CR Well No. 1 has been installed to provide a physical supply from the CR Well No. 1 to its decreed service area. Comanche has also proceeded forward with the development of the CR Well No. 1 and the integrated distribution system by obtaining a finding of reasonable diligence for Midway Ranches POA Well No. 1, which is an alternative point of diversion for CR Well No. 1, in Case No. 13CW3003, decreed on September 20, 2013. During this diligence period Comanche has, therefore, devoted substantial efforts toward the development of the decreed service area, the present and further application of groundwater from C.R. Well No. 1 to beneficial use, and the integrated water system of distribution. Legal and engineering efforts have been expended in the analysis and development of Comanche's water rights, integrated system of distribution, and the development and sale of the land within its service area. During this diligence period Comanche has spent the following amounts on the integrated system of water supply and CR Well No. 1: \$487,877.00 on capital improvement towards C.R. Well No. 1 its integrated water distribution system; \$380,065 towards maintenance and repair of Comanche's water distribution system. Thus, during this diligence period, a total of \$867,942.00 has been spent on the integrated system of which CR Well No. 1 is a part.

5. Claim to Make Absolute. No part of the conditional water rights for CR Well No. 1 is claimed to be made absolute at this time. **6. Name and address of the owners of land on which structure is located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use:** C.R. Well No. 1 is decreed and permitted upon land owned by Comanche. Water will be placed to beneficial use upon properties within its service area.

CASE NO. 2014CW3018; Previous Case No. 92CW6 – ROCKY MOUNTAIN MENNONITE CAMP, 709 County Road 62, Divide, CO 80814 (All communications concerning this Application should be sent to Applicant's counsel: John R. Hill, Law of the Rockies, 525 North Main Street, Gunnison, CO 81230; (970) 641-1903)

Application for Finding of Reasonable Diligence and to Make Absolute

TELLER COUNTY, COLORADO

Names of Structures: Mennonite Wells Nos. 2,3,4,5,6, and 7, and Mennonite Spring No. 3.

Describe conditional water right (as to each structure) including the following information from previous decree: The decree in Case No. 92CW6, entered on April 15, 2008 by this Court confirmed both absolute water rights and decreed certain conditional water rights for domestic purposes as follows: Mennonite Well No. 2, tributary to Fourmile Creek and located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, Township 13 South, Range 69 West of the 6th P.M., approximately 1680 feet North of the South section line and 1090 feet East of the West section line of said Section 29. Proposed depth of approximately 200 feet. Amount decreed was 50 gpm conditional for domestic with priority date of November 2, 1991. Mennonite Wells Nos. 3-7, tributary to Fourmile Creek. Mennonite Wells Nos. 3-6 to be located on RMMC property near

Fourmile Creek in the SW¼ of Section 29, Township 13 South Range 69 West of the 6th P.M. Mennonite Well No. 7 also will be located on RMMC Property, more specifically within the Winnie Lode of mining Claim Survey N. 13813, portion of Section 30 Township 13 South, Range 69 West of the 6th P.M. Mennonite Wells Nos. 3-7 will be drilled into the Fourmile Creek alluvium, which is tributary to the Arkansas River, to a proposed depth of approximately 200 feet. Amount claimed was 50 gpm conditional for each well with priority date October 25, 2003. Depths of wells were to be determined. Mennonite Spring No. 3, tributary to Fourmile Creek and located in the NE¼SW¼, Section 29, Township 13 South, Range 69 West of the 6th P.M. at a point approximately 2000 feet North of the South section line and 2000 feet East of the West section line. Amount claimed: 0.015 cfs conditional for domestic use with priority date of December 31, 1951. This application requests a decree making Mennonite Wells Nos. 3 and 4 absolute and a finding of reasonable diligence for Mennonite Wells Nos. 2, 5, 6 and 7 and Mennonite Spring No. 3. **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:** Mennonite Well No. 3 was drilled to a depth of 500 feet in October 2006 pursuant to permit and put into production June 2014 once proper water treatment had been established and approved by the Water Quality Control Division, State of CO. Cost for legal, engineering, drilling and treatment \$15,549.25. Mennonite Well No. 4 was drilled to a depth of 620 feet in August 2012 pursuant to permit and put into production January 2014 once proper water treatment had been established and approved by the Water Quality Control Division, State of CO. Cost for legal, engineering, drilling and treatment \$16,930.00. In July 2012, The Water Quality Control Division, State of CO, reclassified Mennonite Spring Nos. 1 and 2 from groundwater sources to groundwater under the direct influence of surface water (GWUDI). This significant reclassification of how the water is treated resulted in 1.5 years of effort and costs for engineering and construction of \$55,636.00. Water from the operational wells is also treated by this facility. The RMMC board of directors indemnified sites for Wells Nos. 2, 5, 6 and 7 in a meeting of the board on October 25, 2013. **If claimed to make absolute in whole or in part: Dates water applied to beneficial use:** Well No 3, February, 2014 at 3.5 gpm; Well No. 4 February 2014 at 10.3 gpm for domestic purposes. The application shall include supporting evidence that applicant diverted water in-priority and applied such water to the beneficial uses claimed in the amounts claimed. Mennonite Wells Nos. 3 and 4 were operated pursuant to plan for augmentation decreed in Case No. 92CW6. The amounts were reported to the Division Engineer's augmentation coordinator. Description of place of use where water is applied to beneficial use. RMMC see map attached to the Application. (All exhibits mentioned herein are incorporated by reference and may be inspected at the office of the clerk of this Court.) **Remarks:** All of the structures in this application are components of a single project to supply water for RMMC. WHEREFORE, Applicant respectfully requests that the Court enter decree making the conditional rights decreed to Mennonite Wells Nos. 3 and 4 absolute and a finding of reasonable diligence and continue the conditional rights decreed to Mennonite Wells Nos. 2, 5, 6 and 7 and Mennonite Spring No, 3 in full force and effect.

CASE NO. 2014CW3019; Previous Case Nos. 82CW212, 01CW5(82CW212), 07CW60(82CW212) – TOWN OF MONUMENT, 645 Beacon Lite Road, Monument, CO 80132 (Please direct all correspondence to Robert F. T. Krassa, Krassa & Miller, LLC, 2737 Mapleton Ave., Suite 103, Boulder, CO 80304, 303-442-2156)

Application for Finding of Reasonable Diligence

EL PASO COUNTY, COLORADO

2. Name of Structures: The conditional water right which is the subject of this Application is an exchange to the following wells: Monument Wells No. 4, 5, QAL-3, QAL-4, QAL-5, QAL-6, QAL-7, QAL-8, QAL-3(ALT), QAL-4(ALT), QAL-5(ALT), QAL-6(ALT), QAL-7(ALT), and QAL-8(ALT), from Tri-Lakes Waste Water Facility using distributed return flows, and from Monument Wells A-1 and LFH-1. **3. Describe conditional water right** giving the following from the Referee's Ruling and Judgment and Decree: **a. Date of Original Decree:** June 7, 1988; Case 82CW212, Water Division No. 2. **b. Location of structures:** The above referenced wells (except Monument Wells A-1 and LFH-1) are located in Sections 14, 15, and 16, Township 11 South, Range 67 West of the 6th P.M. in El Paso County, at specific locations described in the said Decree in Case 82CW212. The above referenced Monument Wells A-1 and LFH-1 are located in Section 15, same range and township, at specific locations described in the said Decree in Case 82CW212. The Tri-Lakes Waste Water Facility is located in the NW 1/4 NE 1/4 Section 27, same range and township. Said Decree may be inspected at the office of the clerk of this Court, and was also recorded on June 13, 1988 at Book 5518, page 1250, reception number 01713104 of the El Paso County Records. **c. Source:** the ultimate source of water exchanged is the nontributary Arapahoe and Laramie Fox Hills aquifers withdrawn from the said Monument Wells A-1 and LFH-1. **d. Date of Appropriation:** December 30, 1982 for exchanges to Monument Wells 4 and 5 with relative priority under CRS 37-92-306 based upon filing of application in calendar year 1982, and March 18, 1986 for exchanges to Monument Wells QAL-3 through QAL-8 and QAL-3(ALT) through QAL-8(ALT) with relative priority dates under CRS 37-92-306 based upon filing during calendar year 1986. Amount: 0.8 cfs, conditional. **e. Exchange reach:** Monument Creek, from the said tri-Lakes Waste Water Facility in the NW 1/4 NE 1/4 Section 27, Township 11 South, Range 67 West of the 6th P.M. in El Paso County upstream to the SE 1/4 Section 9, same range and township. **4. Provide a detailed outline** of what has been done toward completion or for completion of appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: During the diligence period, the water treatment plant was improved, rehabilitation of Well #3 was completed, Well #7 was redrilled and equipped, Well #9 was rehabilitated, several miles of water distribution lines were installed and a water tank was enlarged in cooperation with another water provider. During the diligence period the Town has spent over \$800,000 on these and other water system projects, all of which were necessary to place the subject conditional water rights into service. The Town of Monument has in all respects diligently worked toward placing these conditional water rights to beneficial use. Monument owns and operates a single, unified and integrated municipal water supply system that contain numerous components. Those components include, but are not limited to the appropriative rights of exchange that are the subject of this application. **5. Names and addresses of**

owners or reputed owners of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure necessary for the subject rights of exchange is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Monument owns or has the right to use the sites upon which all structures associated with this matter will be located.

CASE NO. 2014CW3020; Previous Case Nos. 83CW10, 01CW4(83CW10); 07CW61(83CW10) - TOWN OF MONUMENT, 645 Beacon Lite Road, Monument, CO 80132 (Please direct all correspondence to Robert F. T. Krassa, Krassa & Miller, LLC, 2737 Mapleton Ave., Suite 103, Boulder, CO 80304, 303-442-2156)

Application for Finding of Reasonable Diligence

EL PASO COUNTY, COLORADO

2. Name of Structures: The conditional water right which is the subject of this Application is an exchange to the following wells: Monument Wells No. 1, 2, 3, 4, 5, QAL-3, QAL-4, QAL-5, QAL-6, QAL-7, QAL-8, QAL-3(ALT), QAL-4(ALT), QAL-5(ALT), QAL-6(ALT), QAL-7(ALT), and QAL-8(ALT), from Tri-Lakes Waste Water Facility, using distributed return flows, and from Beaver Creek Wells A-1, A-2, A-3, LFH-1, LFH-2 and LFH-3. **3. Describe conditional water right** giving the following from the Referee's Ruling and Judgment and Decree: **a. Date of Original Decree:** June 13, 1988 (First Amendment of Findings, Judgment and Decree); Case 83CW10, Water Division No. 2. **b. Location of structures:** The above referenced wells (except the Beaver Creek wells) are located in Sections 14, 15, and 16, Township 11 South, Range 67 West of the 6th P.M. in El Paso County, at specific locations described in the said Decree in Case 83CW10. The above referenced Beaver Creek wells are located in Sections 27, 28 and 29, same range and township, at specific locations described in the said Decree in Case 83CW10. The Tri-Lakes Waste Water Facility is located in the NW 1/4 NE 1/4 Section 27, same range and township. Said Decree may be inspected at the office of the clerk of this Court, and was also recorded on June 13, 1988 at Book 5518, page 1268, reception number 01713105 of the El Paso County Records. **c. Source:** the ultimate source of water exchanged is the nontributary Arapahoe and Laramie Fox Hills aquifers withdrawn from the said Beaver Creek wells. **d. Date of Appropriation:** December 30, 1982 for exchanges to Monument Wells 1, 2, 3, 4 and 5 with relative priority under CRS 37-92-306 based upon filing of application in calendar year 1982, and March 18, 1986 for exchanges to Monument Wells QAL-3 through QAL-8 and QAL-3(ALT) through QAL-8(ALT) with relative priority dates under CRS 37-92-306 based upon filing during calendar year 1986. Amount: 6.0 cfs, conditional. **e. Exchange reach:** Monument Creek, from the confluence with Beaver Creek in the NW 1/4 SW 1/4 Section 35, Township 11 South, Range 67 West of the 6th P.M. in El Paso County upstream to the SE 1/4 Section 9, same range and township. **4. Provide a detailed outline** of what has been done toward completion or for completion of appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: During the diligence period, the water treatment plant was improved, rehabilitation of Well #3 was completed, Well #7 was redrilled and equipped, Well #9 was rehabilitated, several miles of water distribution lines were installed and a water tank was enlarged in cooperation with another water provider. During the diligence period the Town has spent over

\$800,000 on these and other water system projects, all of which were necessary to place the subject conditional water rights into service. The Town of Monument has in all respects diligently worked toward placing these conditional water rights to beneficial use. Monument owns and operates a single, unified and integrated municipal water supply system that contains numerous components. Those components include, but are not limited to the appropriate rights of exchange that are the subject of this application.

5. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure necessary for the subject rights of exchange is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Monument owns or has the right to use the sites upon which all structures associated with this matter will be located.

CASE NO. 2014CW3021; Previous Case Nos. 98CW175 and 07CW86 – WINSTON H. CONKLING, P.O. Box 202650, Denver, CO 80220 (Please address all pleadings

and correspondence to: David M. Shohet, Felt, Monson & Culichia, LLC, 319 North Weber Street, Colorado Springs, CO 80903, (719) 471-1212)

Application for Finding of Reasonable Diligence.

FREMONT COUNTY

Name of Structures: Conkling Spring No. 1 (a/k/a Goat Spring), Conkling Spring No. 2 (a/k/a Town of Coal Creek Diversion Point No. 3), Conkling Spring No. 3 and Seep, Conkling Spring No. 4, Conkling Reservoir No. 1, Conkling Reservoir No. 2, Conkling Reservoir No. 3, Conkling Reservoir No. 4, Conkling Reservoir No. 5. **3. Description of**

conditional water rights from the Ruling of Referee and Decree. A. Date of

Original Decree: August 8, 2001. **Case No.:** 98CW175. **Court:** District Court, Water

Division 2. **B. Legal Description:** i. **Conkling Spring No. 1 (a/k/a Goat Spring):**

Located in the SW1/4, Section 11, Township 20 South, Range 70 West of the 6th P.M. in a spring of water at a point from which the southwest corner of said Section 11 bears north two degrees and five minutes (2° 5') east eighteen hundred ninety (1890) feet. ii.

Conkling Spring No. 2 (a/k/a Town of Coal Creek Diversion Point No. 3): Located in the SW 1/4, Section 11, Township 20 South, Range 70 West of the 6th P.M. in and near the channel of South Oak Creek at a point from which the southwest corner of said Section 11 bears north forty-eight degrees seven minutes (48° 7') east, a distance of fifteen hundred fifty eight (1558) feet. iii. **Conkling Spring No. 3 and Seep:** Located in the SW

1/4, Section 11, Township 20 South, Range 70 West of the 6th P.M., lying 660 feet north of the south section line and 600 feet east of the west section line of said Section 11. iv. **Conkling Spring No. 4:** Located in the SW 1/4, Section 11, Township 20 South,

Range 70 west of the 6th P.M. lying 40 feet north of the south section line and 475 feet east of the west section line of said Section 11. v. **Conkling Reservoir No. 1:** In the SW 1/4, Section 11, Township 20 South, Range 70 est of the 6th P.M., Fremont County, Colorado, lying 40 feet north of the south section line and 530 feet east of the west section line of said Section 11. vi. **Conkling Reservoir No. 2** In the SW 1/4, Section 11,

Township 20 South, Range 70 West of the 6th P.M., Fremont County, Colorado, lying 1050 feet north of the south section line and 1320 feet east of the west section line of said Section 11. vii. **Conkling Reservoir No. 3:**In the SW 1/4, Section 11, Township 20 South, Range 70 West of the 6th P.M., Fremont County, Colorado, lying 2030 feet north

of the south section line and 1690 feet east of the west section line of said Section 11.

viii. Conkling Reservoir No. 4: In the SW 1/4, Section 11, Township 20 South, Range 70 West of the 6th P.M., Fremont County, Colorado, lying 2890 feet south of the north section line and 1990 feet east of the west section line of said Section 11.

ix. Conkling Reservoir No. 5: In the NW 1/4, Section 11, Township 20 South, Range 70 West of the 6th P.M., Fremont County, Colorado, lying 400 feet south of the north section line and 1850 feet east of the west section line of said Section 11.

C. Source. i. Conkling Spring Nos. 1, 2, 3, and 4: Spring water tributary to South OakCreek, tributary to Oak Creek, tributary to the Arkansas River. ii. Conkling Reservoir Nos. 1, 2, 3, 4 and 5: These reservoirs are onstream reservoirs on South Oak Creek tributary to Oak Creek tributary to the Arkansas River. Additional sources of water for these reservoirs include Conkling Springs Nos. 1, 2, 3, and 4.

D. Appropriation Date for Conkling Spring Nos. 1, 2, 3, and 4, and Conkling Reservoir Nos. 1, 2, 3, 4 and 5: December 31, 1998.

E. Amount: i. Conkling Spring No. 1: 5 g.p.m., conditional. ii. Conkling Spring No. 2: 8 g.p.m., conditional. iii. Conkling Spring No. 3 and Seep: 0.5 c.f.s., conditional. iv. Conkling Spring No. 4: 5 g.p.m., conditional. v. Conkling Reservoir No. 1: 9.2 acre feet fill and refill, conditional. vi. Conkling Reservoir No. 2: 8.6 acre feet fill and refill, conditional. vii. Conkling Reservoir No. 3: 8.0 acre feet fill and refill, conditional. viii. Conkling Reservoir No. 4: 1.8 acre feet fill and refill, conditional. ix. Conkling Reservoir No. 5: 21 acre feet fill and refill, conditional.

F. Uses Decreed in 98CW175 I. Conkling Spring Nos. 1, 2, 3, and 4: Domestic, stock water, fish propagation, wildlife habitat and storage for the above purposes. ii. Conkling Reservoir Nos. 1, 2, 3, 4, and 5: Storage for domestic, livestock, piscatorial, wildlife habitat, erosion control.

4. Description of work performed toward completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures. In Case No. 98CW175, the Court decreed to Applicant the use of four springs for domestic, stock water, fish propagation, wildlife habitat uses and five surface storage rights for storage for domestic, livestock, piscatorial, wildlife habitat, and erosion control. The decreed springs, Conkling Spring Nos. 1, 2, 3, and 4 and the decreed reservoirs, Conkling Reservoir Nos. 1, 2, 3, 4 and 5 (collectively the "Water Rights"), are a part of a single integrated water supply system for the development of Applicant's property. By a decree entered in Case No. 07CW86 on April 21, 2008, Applicant was awarded a finding of diligence towards the Water Rights, and the Water Rights were continued in good standing. During this diligence period, Applicant, in connection with the development of the Conkling Springs has installed approximately 2,600 feet of pipe. Applicant has further diverted water from Conkling Spring Nos. 1, 2, 3, and 4 for beneficial use pursuant to C.R.S. § 37-92-502. Applicant has also hired an excavator to construct the Conkling Reservoirs. During this diligence period, Applicant further obtained a decree in Case No. 11CW87 adding irrigation as a conditional use to Conkling Spring Nos. 1, 2, and 3, and to Conkling Reservoir Nos. 1, 2, 3, and 4. Applicant also obtained a new reservoir, Conkling Reservoir No. 6, for irrigation, domestic, livestock, piscatorial, wildlife habitat, and erosion control uses. These water rights are for the further development of Applicant's property and are part of Applicant's integrated system. Applicant has further built and lined Conkling Reservoir No. 6. During this diligence period Applicant has spent the following amounts on the development of Conkling Spring Nos. 1, 2, 3, and 4 and Conkling Reservoir Nos. 1, 2, 3,

4, and 5: \$14,500.00, for pipe, labor and excavation for the Conkling Springs; \$46,000.00 on the construction and lining of Conkling Reservoirs, including Conkling Reservoir No. 6. Thus, during this diligence period, Applicant has spent a total of \$60,500.00 on Conkling Spring Nos. 1, 2, 3, and 4, and Conkling Reservoir Nos. 1, 2, 3, 4, and 5 and its integrated system. Legal and engineering efforts have been expended in the development of Applicant's water rights, and the development of Applicant's land. During this diligence period Applicant has, therefore, devoted substantial efforts toward the development of the integrated system, the present and further application of water from Conkling Spring Nos. 1, 2, 3, and 4 and Conkling Reservoir Nos. 1, 2, 3, 4, and 5 to beneficial use. **5. Claim to Make Absolute.** No part of the conditional water rights decreed in Case No. 98CW175 are claimed to be made absolute at this time. **6. Name and address of the owners of land on which structure is located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use:** All of the structures are within the Applicant's land ownership in the W 1/2 of Section 11, Township 20 South, Range 70 West, 6th P.M.

CASE NO. 2014CW3022; Previous Case Nos. 84CW177; 01CW67 – BOARD OF WATER WORKS OF PUEBLO, COLORADO, Attn: Executive Director, 319 West Fourth Street, Pueblo, CO 81003; (719) 584-0221 (Attorneys for Applicant: William A. Paddock, Karl D. Ohlsen, Carlson, Hammond & Paddock, L.L.C., 1900 Grant Street, Suite 1200, Denver, Colorado 80203; Phone: (303) 861-9000)

Application to Make Conditional Water Rights Absolute and for Sexennial Finding of Reasonable Diligence

LAKE, CHAFFEE AND PUEBLO COUNTIES

This is an Application for a Sexennial Finding of Reasonable Diligence involving certain exchange and reuse rights of the Board of Water Works of Pueblo, Colorado (the "Board" or the "Applicant") originally decreed on February 24, 1988, in Case No. 84CW177, Water Division No. 2 and subsequently made absolute, in part, together with a finding of reasonable diligence, on April 8, 2008, in Case No. 01CW67, Water Division No. 2. The decree in Case No. 84CW177 adjudicated all issues and claims of use, reuse, and successive use by exchange of water derived from the Board's Transmountain Sources (described in Paragraph III(D), below), and delivered to the Arkansas River or its tributaries from points of discharge (the "Sewered Return Flows"). The decree of February 24, 1988, in Case No. 84CW177 excluded all issues and claims of use, reuse and successive use by exchange of water derived from the Board's Transmountain Sources that are delivered to the Arkansas River or its tributaries as diffuse return flows from the irrigation of lawns, gardens, parks, landscaping, and all other outside uses within the areas served by the Board (the "Non-Sewered Return Flows"). All issues and claims regarding exchange of the Board's Non-Sewered Return Flows are the subject of the decree entered August 3, 1995, in Consolidated Case Nos. 84CW177(B) and 86CW111(B), and subsequent decrees. **II. Name of Structures (Utilized for Exchange and Reuse): A. Discharge Facilities:** 1. Pueblo Municipal Wastewater Treatment Plant. This plant discharges treated wastewater to the Arkansas River at a point in the Northeast quarter of Section 5, Township 21 South, Range 64 West of the 6th Principal Meridian. The approximate latitude of said point is 38° 15' 22" North and the approximate longitude is 104° 34' 20" West. 2. Any other wastewater

treatment facility outfall utilized by the Board, including any terminal storage facilities hereafter constructed and located to receive the Board's wastewater facility effluent, that discharge to the Arkansas River or its tributaries at or above the confluence of the Arkansas River and the St. Charles River. Currently, the Board utilizes the C.F. & I Steel Plant wastewater treatment plant that discharges to the Arkansas River approximately one mile upstream of the Pueblo Municipal Wastewater Treatment Plant discharge.

3. Comanche Power Plant. Comanche Power Plant discharges return flows to the St. Charles River at a point in the Northwest quarter of Section 28, Township 21 South, Range 64 West of the 6th Principal Meridian.

B. Diversion Facilities:

1. Pueblo Reservoir. The point of diversion of Pueblo Reservoir is at a point at the intersection of the Pueblo Dam axis and the Arkansas River whence the Northeast corner of Section 36, Township 20 South, Range 66 West of the 6th P.M., bears North 61°21'20" East a distance of 2,511.05 feet. Said reservoir inundates all or portions of Sections 7, 18, 19, 20, 21, 22, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36, Township 20 South, Range 66 West of the 6th P.M.; Sections 1, 2, 3, 4, 5, 9, 10, and 11, Township 21 South, Range 66 West of the 6th P.M.; and Sections 5, 8, 9, 13, 14, 15, 16, 22, 23, and 25, Township 20 South, Range 67 West of the 6th P.M.

2. Clear Creek Reservoir. Clear Creek Reservoir is located on Clear Creek in Sections 7 and 8, Township 12 South, Range 79 West of the 6th Principal Meridian, and Section 12, Township 12 South, Range 80 West of the 6th Principal Meridian, in Chaffee County.

3. Twin Lakes Reservoir. Twin Lakes Reservoir is formed by a dam across Lake Creek in Lake County in Section 23, Township 11 South, Range 80 West of the 6th Principal Meridian, as described in the decree in Case No. 80CW6 (District Court, Water Division No. 2), dated October 23, 1980.

4. Turquoise Lake. Turquoise Lake is formed by a dam across Lake Fork Creek in Lake County in Section 19, Township 9 South, Range 80 West of the 6th Principal Meridian as described in the decree in Case No. 80CW6 (District Court, Water Division No. 2), dated October 23, 1980. Maps of the described facilities are attached to this Application. (All exhibits mentioned herein are incorporated by reference and may be inspected at the office of the clerk of this Court.)

III. Describe Conditional Exchange and Reuse Water Rights as decreed in Case No. 84CW177 and subsequent diligence proceedings:

A. Decrees:

1. Date of Original Decree: February 24, 1988, Case No. 84CW177, District Court, Water Division No. 2, State of Colorado.

2. Date of Subsequent Decree: April 7, 2008, Case No. 01CW67, District Court, Water Division No. 2, State of Colorado.

B. Exchange Priority Date: May 18, 1976.

C. Use: All beneficial uses for which the waters to be exchanged and reused are decreed, including the uses set forth in the decree in Case No. 84CW177.

D. Source of Water for Exchange and Reuse: The water rights that are to be utilized in the exchange and reuse program described herein are return flows derived from sources of supply that are not native or tributary to the Arkansas River. Said waters include return flows occurring after use in the Board's municipal water system and return flows from other water users supplied by the Board, derived from the Board's ownership interests in the following sources of supply:

1. The Ewing Placer Ditch. Ewing Placer Ditch diverts water from Piney Creek a tributary of the Eagle River, and carries the water across the Continental Divide into Tennessee Creek for delivery to the Arkansas River. The Ewing Placer Ditch was decreed on November 13, 1911, with appropriation date of June 1, 1906, by the District Court, Eagle County, Civil Action No. 507.

2. The Columbine Ditch. Columbine

Ditch diverts water from three branches of the East Fork of the Eagle River, and carries such water across the Continental Divide for delivery into the West Branch of Chalk Creek, a tributary of the Arkansas River. The Columbine Ditch was decreed on October 3, 1936, with an appropriation date of June 21, 1930, by the District Court, Eagle County, Civil Action No. 963. The Board controls the right to utilize a portion of the waters described herein by virtue of an agreement with the owner. 3. The Warren E. Wurtz Ditch (also known as the Warren E. Wurts Ditch). Warren E. Wurtz Ditch diverts water from Bennett Creek, Mitchell Creek, and side tributaries of those creeks, all of which are tributaries of the Eagle River. The ditch carries water across the Continental Divide into West Tennessee Creek for delivery to the Arkansas River. The Warren E. Wurtz Ditch was decreed on October 3, 1936, with an appropriation date of June 8, 1929, by the District Court, Eagle County, Civil Action No. 963. 4. The Wurtz Extension Ditch. Wurtz Extension Ditch diverts water from Yoder Creek, East Fork of Yoder Creek, and Rule Creek, tributaries of the Eagle River. The ditch connects to the Warren E. Wurtz Ditch, which then carries water across the Continental Divide into West Tennessee Creek for delivery to the Arkansas River. The Wurtz Extension Ditch was decreed on October 21, 1982, with an appropriation date of October 26, 1953, by the District Court, Water Division No. 5, Case No. 80CW505. 5. The Busk-Ivanhoe System. Busk-Ivanhoe System diverts water from Hidden Lake Creek, Pan Creek, Lyle Creek, and Ivanhoe Creek, all tributaries of the Frying Pan and Roaring Fork Rivers, and carries such water through the Continental Divide for delivery into Busk Creek on the headwaters of the Arkansas River. The System was decreed by absolute decree of the District Court, Garfield County, in Case No. 2621 dated January 9, 1928, with appropriation dates differing for various components of the system as more fully set forth in the referenced decree. Other absolute decrees were entered in Civil Actions No. 3082 and 4033. The decrees were entered by the District Court, Garfield County. The Board owns an undivided one-half interest in these water rights. 6. The Homestake Project diverts water from the headwaters of tributaries of the Eagle River in Eagle County. The water rights were conditionally adjudicated by the decree in Civil Action No. 1193 (District Court, Eagle County) dated June 8, 1962. These water rights have an appropriation date of September 22, 1952. By an assignment of interest from the City of Aurora, the Board has the annual right to receive 2500 acre-feet of Homestake Project Water delivered at Turquoise Lake. 7. The Independence Pass Transmountain Diversion System diverts water from the headwaters of the Roaring Fork River and its tributaries in Pitkin County. The water rights were adjudicated by a decree in Civil Action No. 3082 (District Court, Garfield County) dated August 25, 1936, and were modified by a decree in Case No. W-1901 (District Court, Water Division No. 5), dated May 12, 1976. These water rights have an appropriation date of August 23, 1930. The Board has the right to utilize a portion of such waters and the return flows therefrom by virtue of its ownership of shares of the Twin Lakes Reservoir and Canal Company. 8. The Fryingpan-Arkansas Project diverts water from the headwaters of Hunter Creek and the Fryingpan River and its tributaries in Pitkin County. The water rights were adjudicated by the decrees in Civil Action No. 4613 (District Court, Garfield County) dated June 20, 1958, and August 3, 1959, and were modified by the decree in Case No. W-829-76 (District Court, Water Division No. 5) dated November 27, 1979. These water rights have an appropriation date of July 29, 1957. By this Application, the Board does not

seek any rights of use of Fryingpan-Arkansas Project structures, or any rights of ownership or rights to purchase or receive allocation of Fryingpan-Arkansas Project water or return flows from Fryingpan-Arkansas Project water, but this does not alter any existing rights the Board may otherwise have. Return flows from the Fryingpan-Arkansas Project will be utilized for exchanges and reuse only after they are purchased from the Southeastern Colorado Water Conservancy District. All of the sources of supply described in Paragraph No. III(D) are waters not native and not naturally tributary to the Arkansas River Basin and are referred to as “the Transmountain Sources.” All of the Transmountain Sources have been decreed to include municipal purposes. **E. Location and Amounts of Decreed Exchange Reaches:** The return flows resulting from use of the water derived from the Transmountain Sources are accounted for and measured through appropriate measuring devices into the Arkansas River or its tributaries from the Discharge Facilities identified in Paragraph II(A) and then are exchanged upstream to storage in the Diversion Facilities identified in Paragraph II(B). In addition, the return flows stored by exchange in the Diversion Facilities identified in Paragraph II(B) can be exchanged into storage in a different Diversion Facility identified in Paragraph II(B). The stream reaches and the currently-decreed absolute and conditional amounts of the exchanges are as follows: 1. For the Arkansas River and its tributaries from the point of discharge of Wastewater Treatment Facilities utilized by the Board, upstream to the following Diversion Facilities:

	Absolute (c.f.s.)	Conditional (c.f.s.)	Total (c.f.s.)
a. Pueblo Reservoir	12.90	47.10	60.0
b. Clear Creek Reservoir	17.80	42.92	60.0
c. Twin Lakes Reservoir	5.68	54.32	60.0
d. Turquoise Lake	5.06	54.94	60.0

2. For the St. Charles River and its tributaries and the Arkansas River and its tributaries from the Comanche Power Plant discharge downstream in the St. Charles River to its confluence with the Arkansas River, then upstream to the following Diversion Facilities:

	Absolute (c.f.s.)	Conditional (c.f.s.)	Total (c.f.s.)
a. Pueblo Reservoir	4.01	15.99	20.0
b. Clear Creek Reservoir	9.96	10.04	20.0
c. Twin Lakes Reservoir	4.03	15.97	20.0
d. Turquoise Lake	3.46	16.54	20.0

3. Reservoir Exchanges:

	Absolute (c.f.s.)	Conditional (c.f.s.)	Total (c.f.s.)
a. From Pueblo Reservoir to:			
(1) Twin Lakes Reservoir	3.46	Flow	Flow
(2) Turquoise Reservoir	3.46	Flow	Flow
(3) Clear Creek Reservoir	35.00	Flow	Flow
b. From Turquoise Reservoir to:			
(1) Twin Lakes Reservoir	0.0	Flow	Flow
(2) Clear Creek Reservoir	0.0	Flow	Flow

- c. From Twin Lakes Reservoir to:
 - (1) Turquoise Reservoir 0.0 Flow Flow
 - (2) Clear Creek Reservoir 0.0 Flow Flow
- d. From Clear Creek Reservoir to:
 - (1) Twin Lakes Reservoir 0.0 Flow Flow
 - (2) Turquoise Reservoir 0.0 Flow Flow

“Flow” – For each of the described Reservoir exchanges, the rate of flow of exchanges against the inflow to the receiving Diversion Facility shall be the maximum rate of such inflow, and for exchanges against releases of water previously reduced to storage in the receiving Diversion Facility, the maximum rate of flow of such releases. Contract Exchanges do not have a rate of flow limitation. **IV. Provide a Detailed Outline of What Has Been Done Toward Completion or for Completion of the Appropriation and Application of Water to Beneficial Use as Conditionally Decreed, Including Expenditures:** The Applicant operates a unified and integrated municipal water supply system consisting of numerous individual components. Those components include, but are not limited to, the many individual water rights, sources of supply and points of diversion described in this Application, and the absolute and conditional exchange and reuse rights that are the subject of this Application. During the period from July 31, 2001 (the date the Application in Case No. 01CW67 was filed), through April 30, 2014 (the “Diligence Period”), the Board carried out exchanges as contemplated and authorized by the decree in Case No. 84CW177. In addition, the Board spent substantial sums of money and devoted many thousands of man hours to the operation, maintenance, and development of its unified and integrated municipal water supply and treatment system. As a part of this overall effort, the Board found it necessary to retain engineering consultants and attorneys to assist it in the acquisition, operation, maintenance, and protection of this system. During the Diligence Period, the total costs for all of these efforts exceeded \$259,000,000.00. A. The principal activities undertaken by the Board during the Diligence Period related to the operation of the exchange rights decreed in Case No. 84CW177 included the following: (1) refinement and operation of accounting programs to track the operation of the exchanges; (2) water quality monitoring; (3) exercise and operation of the exchanges decreed herein; (4) replaced the Parshall flume on the Comanche Power Plant discharge; and (5) installed recording and telemetry equipment on the Comanche Power Plant discharge flume so that continuous flow measurement data is available on the Colorado Satellite-Linked Water Resources Monitoring System. B. During the Diligence Period, the Board performed the following actions related to the diversion and storage facilities utilized for the exchanges decreed in Case No. 84CW177: (1) for Clear Creek Reservoir, the Board replaced outlet gates, replaced water level sensors, built up the emergency spillway to create more freeboard, replaced the measuring weir at the outlet, hired a consultant to perform a dam breach analysis and resulting flood inundation maps, and performed routine maintenance, operation and monitoring. The Board also filed an application for the enlargement of the reservoir; (2) for Twin Lakes Reservoir, the Board paid annual assessments to the Twin Lakes Reservoir and Canal Company; (3) for Turquoise Lake, the Board made annual payments to the United States Bureau of Reclamation for its storage contract; and (4) for Pueblo Reservoir, the Board made annual payments to the United States Bureau of Reclamation for its storage contract. C. During the Diligence Period, the Board

performed the following actions related to the sources of water utilized in the exchange: (1) For the Ewing Ditch, the Board repaired the concrete drop structures and performed routine maintenance, operation and monitoring; (2) for the Columbine Ditch, the Board sold Columbine Ditch to the Fremont Pass Ditch Company, but retained the right to receive water from the ditch under specific circumstances; (3) for the Warren E. Wurtz Ditch, the Board performed routine maintenance, operation and monitoring; (4) for the Wurtz Extension Ditch, the Board performed routine maintenance, operation and monitoring, and adjudicated a decree finding of reasonable diligence in Case No. 13CW3042 (Div. 5); (5) for the Busk-Ivanhoe System, the Board placed a geo-textile liner on the upstream face of Ivanhoe Dam, constructed new housing for caretakers and a new maintenance shop at Lake Ivanhoe, replaced the measuring flume at the east portal of Ivanhoe Tunnel, hired consultants to design a repair to the Ivanhoe Dam outlet works and other improvements to comply with modern dam safety requirements, pre-qualified contractors to make the repairs to the Ivanhoe Dam, began the permitting process for dam repair in anticipation of completing the repairs in 2014, and performed routine maintenance, operation and monitoring; (6) for the Homestake Project, the Board made annual payments to City of Aurora pursuant to the 1967 Agreement; (7) for the Independence Pass Transmountain Diversion System, the Board paid annual assessments to the Twin Lakes Reservoir and Canal Company; and (8) for the Fryingpan-Arkansas Project, the Board purchased Project water and return flow from Project water.

D. During the Diligence Period, the Board implemented major improvements to its water supply transmission, treatment, and distribution systems necessary to supply customers with water within its water service area. This work included the extension of water service mains and construction of an elevated water storage tank to serve the St. Charles Industrial Park and extension of service mains and construction of a pump station to serve Black Hills Energy's new natural gas-fired power plant (Pueblo Airport Generating Station). The Board continued its practice of making improvements related to collection system facilities, storage reservoirs, water transmission pipelines, water treatment plants and distribution system mains, meters, and reservoirs. The water delivered through these systems includes the water made available to the Board by the exchange rights that are the subject of this Application. The Board also continued its long-standing partnership with the Pueblo Economic Development Corporation to attract new business and industry to the City of Pueblo and the Board's service area.

E. During the Diligence Period, the Board filed applications for and completed a number of adjudications of water rights that are part of the Board's unified and integrated water supply system. This includes, but is not limited to: (1) obtaining a finding of reasonable diligence in Case No. 10CW79 (formerly Cases No. 93CW86 and 04CW14) (HARP), Water Division No. 2; (2) obtaining a decree finding that all remaining conditional water rights and uses had been made absolute in Case No. 06CW109 (formerly Cases No. W-76 and 00CW29) (Hobson Ditch), Water Division No. 2; (3) obtaining a finding of reasonable diligence in the non-sewered portion of the exchange and reuse plans in Cases No. 13CW30043 and 01CW80 (formerly Consolidated Cases No. 84CW177(B) and 86CW111(B)), Water Division No. 2; (4) obtaining a finding of reasonable diligence in the sewered portion of the exchange and reuse plans in Case No. 12CW87 (formerly Cases No. 05CW87 and 86CW111A), Water Division No. 2; (5) prosecuting an application for enlargement of Clear Creek

Reservoir in Case No. 04CW130, Water Division No. 2; (6) obtaining a finding of reasonable diligence in Case No. 01CW67 (formerly Case No. 84CW177), Water Division No. 2; (7) obtaining approval of a plan for augmentation in Case No. 11CW57, Water Division No. 2; (8) obtaining a finding of reasonable diligence for the Wurtz Extension Ditch in Case No. 13CW3042, Water Division No. 5; (9) filing an application for a change of water rights in Case No. 12CW102, Water Division No. 2; (10) obtaining a finding of reasonable diligence and making conditional rights absolute, in part, in Cases No. 13CW30044 and 01CW68 (formerly Case No. 84CW178), Water Division No. 2; and prosecuting an application in Case No. 06CW120, Water Division No. 2. The Board also has acted to preserve and protect all of its water rights by filing statements of opposition to and participating in a number of other judicial proceedings in Water Division 2 and Water Division No. 5. F. During the Diligence Period, the Board completed the purchase of 5,540.88 shares of Bessemer Irrigating Ditch Company, which water rights the Board intends to include in the Board's unified and integrated water supply system. G. The measure of reasonable diligence is the steady application of effort to complete the appropriation in a reasonably expedient and efficient manner under all the facts and circumstances. § 37-92-301(4), C.R.S. A determination of reasonable diligence is made on a case-by-case basis in light of the facts and circumstances presented. *Municipal Subdistrict, Northern Colorado Water Conservancy Dist. v. Oxy, USA, Inc.*, 990 P.2d 701, 706 (Colo. 1999). H. The work performed and actions taken by the Board during the Diligence Period demonstrate that the Board has acted with reasonable diligence and has met all applicable legal standards during the Diligence Period in the development of the remaining conditional portion of the subject water rights. The Board has demonstrated that the subject water can be and will be diverted, stored, or otherwise captured, possessed, and controlled and will be beneficially used and that the project can and will be completed with diligence and within a reasonable time. The Board is entitled to a finding of reasonable diligence and to maintenance of the remaining conditionally-decreed amounts listed in paragraph III.E., above. WHEREFORE, the Board requests the Court to enter a decree: 1. Confirming that the Board maintains a single unified and integrated water system and that diligence on any feature of that system shall be considered in finding reasonable diligence in the development of all conditional features of the system, including the conditional exchange and reuse rights that are the subject of this Application; and 3. Finding that the Board has exercised reasonable diligence and met all applicable standards on all the conditional exchange and reuse rights originally decreed in Case No. 84CW177, to the extent not made absolute, continuing those conditional rights in good standing, and fixing a date when a further application for a finding of reasonable diligence is required.

CASE NO. 2014CW3023 - TAMMY BASE AND APACHE DRILLING COMPANY, INC., A KANSAS CORPORATION, P.O. Box 373, Kingman, KS 67068 (Please address all pleadings and correspondence to James W. Culichia, David M. Shohet, Ryan W. Farr, Felt, Monson & Culichia, LLC, 319 North Weber Street, Colorado Springs, CO 80903, (719) 471-1212)

Application for Simple Correction in Surface Point of Diversion

FREMONT COUNTY

II. SIMPLE CORRECTION OF LOCATION FOR A SURFACE POINT OF DIVERSION – HOAGG DITCH PURSUANT TO C.R.S. 37-92-305(3.6)(d).

1. Description of Decreed Points of Diversion: **A. 1894 Decree Information:** The first general adjudication of water rights for Hayden Creek, the source of the Hoagg Ditch Water Right, was adjudicated on February 3, 1894 (the “1894 Decree”). The Hoagg Ditch Water Right is more particularly described as follows: 1.6 cubic feet per second of water associated with the Hoagg Ditch, originally adjudicated on February 3, 1894, Fremont County District Court, representing the original adjudication of water rights for Water District 12, Fremont County, Colorado (the 1894 Decree); which water right is diverted from Hayden Creek, tributary to the Arkansas River, with an appropriation date of February 28, 1873, Hayden Creek Priority No. 4, for the irrigation of 40 acres. **B. Decreed Point of Diversion:** The 1894 Decree states that “said ditch takes its water from the West side of said Hayden Creek in the SW ¼ of the SE ¼ of Section 5, Township 47 North, Range 11 East.” No more specific description of the point of diversion is provided in the 1894 Decree. **C. Actual Point of Diversion:** The Hoagg Ditch has historically been diverted together with and at the Hayden Ditch No. 2 which has Hayden Creek Priority Nos. 5 and 12. The 1894 Decree did not specifically describe the location of the Hayden Ditch No. 2, but its historical location is in the SW ¼ of the SW ¼ of Section 33, Township 48 North, Range 11 East, N.M. P.M., Fremont County, Colorado approximately 250 feet north of the south section line and 220 feet east of the west section line of said Section 33. **D. Historical Irrigation.** The Hoagg Ditch was adjudicated to irrigate 40 acres and the two Hayden Ditch No. 2 priorities (Hayden Creek Priority Nos. 5 and 12) were adjudicated for the irrigation of up to 75 acres. The historical place of use of the Hoagg Ditch and Hayden Ditch No. 2 was within the historic Hayden Ranch owned by Chauncey Hayden, the original appropriator of both the Hoagg Ditch and Hayden Ditch No. 2. The historical records are unclear on the exact date when the Hoagg Ditch and Hayden Ditch No. 2 began to be diverted together. However, since the date of entry of the decree in 1894 and continuing through the year 1911, Diversion records and Water Commissioner reports include entries indicating that the Hoagg Ditch and Hayden Ditch No. 2 were diverted together. Diversion records and Water Commissioner reports definitively establish that since at least 1912, the Hoagg Ditch and Hayden Ditch No. 2 have been diverted together at the Hayden Ditch No. 2 headgate, and that both water rights have continued to divert from the Hayden Ditch No. 2 from that time to the present. **2. Correction of Point of Diversion:** Applicants seek a simple “correction to an established but erroneously described point of diversion” for the Hoagg Ditch Water Right, pursuant to C.R.S. §37-92-305(3.6)(d), to reflect the point of diversion which has been historically utilized in placing the Hoagg Ditch Water Right to its decreed beneficial use, for at least the past

century. C.R.S. §37-92-305(3.6)(a)(II)(A) provides that “a diversion that has been in the same physical location since the enactment of the ‘Adjudication Act of 1943’ which was repealed in 1969, has a rebuttable presumption of having been located at the same physical location since its inception.” **3. Requested corrected point of diversion:** Applicants seek a correction of the point of diversion for all of the historical diversions from the Hoagg Ditch to the point of diversion of the Hayden Ditch No. 2 as described in Paragraph C. **4.** Both the Hoagg Ditch and the Hayden Ditch No. 2 are in place and established. See C.R.S. 37-92-305(3.6)(d)(IV)(A). **5.** Both the Hoagg Ditch and Hayden Ditch No. 2 water rights are diverted, and have historically been diverted at the Hayden Ditch No. 2. See C.R.S. 37-92-305(3.6)(d)(IV)(B).

THE WATER RIGHTS CLAIMED BY THE FOREGOING APPLICATION(S) MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT AND PROTEST WITHIN THE TIME PROVIDED BY STATUTE, OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or application as amended, may file with the Water Clerk a verified statement of opposition setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions, such statement of opposition must be filed by the last day of June 2014, (forms available at Clerk’s office or at www.courts.state.co.us, must be submitted in quadruplicate, after serving parties and attaching a certificate of mailing, filing fee \$158.00). The foregoing are resumes and the entire application, amendments, exhibits, maps and any other attachments filed in each case may be examined in the office of the Clerk for Water Division No. 2, at the address shown below.

Witness my hand and the seal of this Court this 5th day of May, 2014.



Mardell R. DiDomenico

Mardell R. DiDomenico, Clerk
District Court, Water Div. 2
Pueblo County Judicial Building
320 W. 10th Street
Pueblo, CO 81003; (719) 583-7048

(Court seal)
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