**DISTRICT COURT, WATER DIVISION 6, COLORADO**

**TO ALL PERSONS INTERESTED IN WATER APPLICATIONS**

**IN WATER DIVISION 6**

Pursuant to C.R.S. 37-92-302, you are hereby notified that the following pages comprise a resume of Applications and Amended Applications filed in the office of Water Division 6, during the month of **October 2023.**

**2023CW3024, (2015CW3038; 07CW26, 00CW50, 92CW37, 86CW04, 82CW96, W-1057-76)** Concerning the Application for Water Rights of: Steamboat Lake Water and Sanitation District, Groundwater tributary to Willow Creek, tributary of Elk River, tributary of Yampa River in Routt County, Colorado, **First Amended Application for Finding of Reasonable Diligence** 1. ***Name, mailing address, email address of Applicant***: Steamboat Lake Water & Sanitation District, P.O. Box 690, Clark, CO 80428, [admin@steamboatlakewater.com](mailto:admin@steamboatlakewater.com) (the “District”). All pleadings and court-related documents are to be sent to Claire E. Sollars, Esq., Colorado Water Matters, PLLC, P.O. Box 881302, Steamboat Springs, CO 80488, [Claire@ColoradoWaterMatters.com](mailto:Claire@ColoradoWaterMatters.com), 970.875.3370. 2. ***Names and Type of Structures***: Steamboat Lake Water District Well No. 1, Well Permit No. 30396-F-R (“Well No. 1”); Steamboat Lake Water District Well No. 13, Well Permit No. 16777-F-R (“Well No. 13”). 3. ***Description of Conditional Rights***: A. ***Original Decree***: Date of Decree: July 21, 1978; Case No. W-1057-76 District Court, Water Division 6. B. ***Subsequent Decrees Awarding Findings of Diligence***: 2015CW3038 (Water Court, Water Div. 6, decreed on August 6, 2017); 2007CW26 (Water Court, Water Div. 6, decreed on September 13, 2009); 2000CW50 (District Court, Water Div. 6, Decreed on December 30, 2002); 1992CW37 (Water Court, Water Div. 6, decreed on August 18, 1994); 1986CW04 (District Court, Water D Div. 6, decreed on April 17, 1986); 1982CW96 (District Court, Water Div. 6, decreed on March 17, 1983). C. ***Legal Description (as provided in most recent decree) -*** All wells are located in Township 9 North, Range 85 West of the 6th P.M., in Routt County, Colorado wells and are depicted on the filed Exhibit 1: i. Well No. 1: SE¼ SE¼ of Section 4, at a point 850 ft. North of the South line and 600 ft. West of the East line of said Section 4. ii. Well No. 13: NE¼ NW¼ of Section 10, at a point 1,347 ft. South of the North line and 1,773 ft. East of the West line of said Section 10. D. ***Sources of Water***: i. Well No. 1: Groundwater tributary to Willow Creek, tributary of Elk River, tributary of Yampa River. ii. Well No. 13: Groundwater tributary to Willow Creek, tributary of Elk River, tributary of Yampa River. E. ***Appropriation Date***: Well No. 1: March 21, 1972; Well No. 13: July 7, 1972. F. ***Amounts and Uses***: i. Well No. 1: 0.1670 cfs conditional for domestic, municipal, industrial, irrigation, commercial, fish and wildlife propagation, and recreational uses within Steamboat Lake’s boundaries in Routt County, Colorado. ii. Well No. 13: 0.3842 cfs conditional for domestic, municipal, industrial, irrigation, commercial, fish and wildlife propagation, and recreational uses within Steamboat Lake’s boundaries in Routt County, Colorado. G. ***Depth of Wells***: Well No. 1: 235 ft.; Well No. 13: 500 ft. 4. ***Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures***: The District supplies water utility services to lots in Filings 1 through 4 of the Steamboat Lakes Subdivision within the District’s boundaries, and water for limited use within and outside of its boundaries, such as fire protection. During the last diligence period, Steamboat Lake incurred expenses in excess of $330,000.00 to maintain, repair, replace, monitor, and test its water collection, distribution, and treatment systems, and for professional services (such as engineers, surveyors and attorneys). The professional services were and continued to be needed to study and evaluate future water needs, development of the District’s conditional water rights, protection of its water supply system and water rights, and implementation and use of its Augmentation Plan (In re Application of Steamboat Lake Water District, Case No. W-1056-76 (Water Div. 6, decreed July 21, 1978). The professional services included working with the Water Referee and Division Engineer to resolve other diligence cases filed by the District in 2020 and 2021; those negotiations resulted in some of the District’s conditional rights being cancelled. As a result of the settlement agreements reached in November 2022 for those cases, the District continues to work with the water engineer and legal counsel to update its Service Plan and Water Rights Evaluation Plan. 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 is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool**: i. Well No. 1, Steamboat Lake Water and Sanitation District, PO Box 772944, Steamboat Springs, CO 80477-2944. ii. Well No. 13, Darrell L and Michelle E Akers, Co-Trustees Akers Family Revocable Trust 3/15/2019, 3165 Noreen Way, Oceanside, CA 92054. 6. ***Remarks or any pertinent information***: Steamboat Lake Water and Sanitation District requests the Water Court: (a) find that the District has exercised reasonable diligence towards developing and completing the appropriation of the conditional water rights during the diligence period; (b) determine, pursuant to C.R.S. § 37-92-301(4)(b), that the conditional rights are components of the District’s integrated system; and (c) enter a decree continuing the conditional water right in full force and effect throughout the next diligence period.

**2023CW3025 MOFFAT AND ROUTT COUNTIES.** Application for Approval of Plan for Augmentation and Conditional Appropriative Rights of Exchange. Applicant: Moffat County Board of County Commissioners, 1198 W. Victory Way, Ste. 104, Craig, CO 81625; 970-824-5517. Please send all pleadings and correspondence to: April D. Hendricks, Esq. and Peter D. Jaacks, Esq. Burns, Figa & Will, P.C. 6400 South Fiddler’s Green Circle, Suite 1000, Greenwood Village, CO 80111 Phone: (303) 796-2626. **Purpose of Application**: By this Application, the Applicant (herein “County”) seeks Court approval of an area-wide plan for augmentation to replace the out-of-priority depletions attributable to the use of both surface water and groundwater by County contractees within the Yampa River basin. The County is contracting with the Colorado River Water Conservation District for releases of water from Elkhead Creek Reservoir to augment out-of-priority depletions within the Yampa River basin. Implementation of the County’s area-wide augmentation plan will involve the augmentation of water depletions in specified tributaries of the Yampa River by exchanges. Consequently, the County herein claims appropriative rights of exchange to provide the augmentation by exchange in those tributary drainages. The County’s proposed plan will provide legally dependable water supplies for County constituents through a contract program that allows those users who subscribe to and participate in the plan for augmentation to have their out‑of-priority depletions replaced so as to prevent injury in accordance with the decree requested herein. This coordinated, area-wide plan will avoid the costs and administrative difficulties associated with numerous adjudications of individual structures, thereby offering further protections against injury to other vested water users. However, this augmentation plan is not intended to preclude the adjudication of individual augmentation plans by other parties within the Yampa River basin. **FIRST CLAIM: APPROVAL OF PLAN FOR AUGMENTATION.** **Structures to be Augmented**: The structures to be augmented under the County's plan are existing and future diversion and storage structures located in the Yampa River basin, described below. The augmentation area is a region within the Yampa River basin, defined in cooperation with the Division 6 Engineer's Office, where use of the County's augmentation supplies can fully augment structures developed by County contractees (“Augmentation Area”). Generally, the Augmentation Area encompasses a portion of the Yampa River basin in Moffat and Routt counties, extending from the confluence of the Yampa River with Little Snake River upstream to the confluence with Elkhead Creek, including the Elkhead Creek watershed and extending upstream to locations above Elkhead Reservoir. The Augmentation Area is described below and is depicted on the Map (Exhibit 1) filed with this Application. The Augmentation Area contains designated tributaries in which the County will provide service under this Plan for Augmentation. Major tributaries to the Yampa River within the Augmentation Area include: Elkhead Creek: from its confluence with the Yampa River located in the SW ¼ of the NE ¼, Section 36, Township 7 North, Range 90 West of the 6th P.M. a distance of 2,251 feet from the East section line and 2,252 feet from the North section line, upstream to the downstream terminus of the Lower Elkhead Creek Instream Flow Reach as decreed in Case No. 17CW3031, located in the NW ¼ of the SE ¼ , Section 1, Township 7 North, Range 89 West of the6th P.M., including all area tributary to Elkhead Creek and the Yampa River within this reach. Boone Gulch: from its confluence with the Yampa River located in the SW ¼ of the NE ¼, Section 35, Township 7 North, Range 90 West of the 6th P.M. at a distance of 1,725 feet from the East section line and 1,815 feet from the North section line, upstream to its headwaters located in the vicinity of Lot 9, Section 22, Township 7 North, Range 90 West of the 6th P.M., a distance of 766 feet from the East section line and 2,670 feet from the South section line, including all areas tributary to Boone Gulch and the Yampa River. Basin Gulch: from its confluence with the Yampa River located in the SW ¼ of the SW ¼, Section 35, Township 7 North, Range 90 West of the 6th P.M. a distance of 372 feet from the West section line and 636 feet from the South section line, upstream to the headgate of the Drescher Ditch located in the West bank of Basin Gulch, whence the West quarter corner, Section 12, Township 6 North, Range 90 bears North 74◦ West 2,590 feet, including all areas tributary to the Basin Gulch and the Yampa River within this reach. Deacon Gulch: from its confluence with the Yampa River located in the NE ¼ of the NE ¼, Section 8, Township 6 North, Range 90 West of the 6th P.M. a distance of 832 feet from the East section line and 1,078 feet from the North section line, upstream to the headgate of the Bill Ditch 1 located at a point which is 3,950 feet south of the North line and 30 feet west of the East line of Section 8, Township 6 North, Range 90 West of the 6th P.M., including all area tributary to Deacon Gulch and the Yampa River within this reach. Fortification Creek: from its confluence with the Yampa River located in Lot 1, Section 7, Township 6 North, Range 90 West of the 6th P.M. a distance of 1,001 feet from the West section line and 511 feet from the North section line, upstream to the headgate of the Wisconsin Ditch located SE ¼ of the NE ¼, Section 34, Township 8 North, Range 90 West of the 6th P.M., including all area tributary to Fortification Creek and the Yampa River within this reach. Flume Gulch: from its confluence with the Yampa River located in the SE ¼ of the SE ¼, Section 1, Township 6 North, Range 91 West of the 6th P.M. a distance of 985 feet from the East section line and 275 feet from the South section line, upstream to the headgate of the B&B Reservoir located in Lot 1 at a point whence the SE corner, Section 12, Township 6 North, Range 91 West of the 6th P.M. a distance of 112 feet from the East section line and 1,715 feet from the South section line, including all area tributary to Flume Gulch and the Yampa River within this reach. Pine Ridge Gulch: from its confluence with the Yampa River located in the NW ¼ of the NE ¼, Section 11, Township 6 North, Range 91 West of the 6th P.M. a distance of 2,379 feet from the East section line and 67 feet from the North section line, upstream to its headwaters located in the vicinity of Lot 8, Section 19, Township 7 North, Range 91 West of the 6th P.M., a distance of 1,944 feet from the West section line and 445 feet from the North section line, including all area tributary to Pine Ridge Gulch and Yampa River within this reach, with the following exception above the John Stehle Div. 1: Cedar Mountain Gulch: from its confluence with Pine Ridge Gulch located in the SW ¼ of the NW ¼, Section 2, Township 6 North, Range 91 West of the 6th P.M. a distance of 441 feet from the West section line and 1,617 feet from the North section line upstream to the headgate of John Stehle Div. 1 located on the east bank of Cedar Mountain Gulch, a distance of 1,000 feet east of the West section line and 1,080 ft south of the North line, Section 21, Township 7 North, Range 91 West of the 6th P.M., including all area tributary to Cedar Mountain Gulch and Pine Ridge Gulch within this reach. Johnson Gulch: from its confluence with the Yampa River located in the SW ¼ of the NW ¼, Section 16, Township 6 North, Range 91 West of the 6th P.M. a distance of 861 feet from the West section line and 1,611 feet from the North section line, upstream to the headgate of Loudy Reservoir located at N ½ of the NW ¼ of the SE ¼ , Section 21, Township 6 North, Range 91 West of the 6th P.M., including all area tributary to Johnson Gulch and the Yampa River within this reach, with the following exception above the McNamara Ditch No 1: Pyeatt Gulch: from its confluence with Johnson Gulch located in Lot 15, Section 15, Township 6 North, Range 91 West of the 6th P.M., a distance of 474 feet from the East section line and 1,056 feet from the South section line, upstream to the headgate of McNamara Ditch No 1 located at the east bank of Pyeatt Gulch at a point which is South 4,003.3 feet and East 629.1 feet from the NW corner, Section 24, Township 6 North, Range 91 West of the 6th P.M., including all area tributary to Pyeatt Gulch and Johnson Gulch within this reach. Bogenschutz Creek: from its confluence with the Yampa River located in the NE ¼ of the SE ¼, Section 17, Township 6 North, Range 91 West of the 6th P.M., a distance of 1,265 feet from the East section line and 1,823 feet from the South section line, upstream to its headwaters located in the vicinity of NE ¼ of the NW ¼, Section 36, Township 7 North, Range 92 West of the 6th P.M., a distance of 1,744 ft from the West section line and 860 feet from the North section line, including all areas tributary to Bogenschutz Creek and the Yampa River. Williams Fork River: from its confluence with the Yampa River located in Lot 8, Section 31, Township 6 North, Range 91 West of the 6th P.M., a distance of 1,500 feet from the West section line and 27 feet from the North section line, upstream to the Williams Fork River Instream Flow Reach whose downstream terminus is located at the confluence of Morapos Creek in the SW ¼ of the NE ¼, Section 21, Township 5 North, Range 91 West of the 6th P.M., including all area tributary to Williams Fork River and the Yampa River within this reach, with the following exception above the Osborn Pumpsite 1: Morapos Creek: from its confluence with the Williams Fork River located in Tract 44, Section 21, Township 5 North, Range 91 West of the 6th P.M., a distance of 2,609 feet from the West section line and 2,719 feet from the South section line, upstream to the Osborn Pumpsite 1 located at SE ¼ of the SW ¼ , Section 31, Township 5 North, Range 91 West of the 6th P.M., including all area tributary to Morapos Creek and Williams Fork River within this reach. Bell Rock Gulch: from its confluence with the Yampa River located in Lot 3, Section 34, Township 6 North, Range 92 West of the 6th P.M. a distance of 2,549 feet from the East section line and 1,318 feet from the South section line, upstream to the headgate of the Ellgen Reservoir located at a point where the S.E. Corner of Section 27, Township 6 North, Range 92 West, 6th P.M. bears South 60° 03’00” West a distance of 162 feet, including all area tributary to Bell Rock Gulch and Yampa River within this reach, with the following exceptions above the Ellgen Reservoir No 2: McLernon Draw: from its confluence with Bell Rock Gulch located in the SE ¼ of the NE ¼, Section 34, Township 6 North, Range 92 West of the 6th P.M. a distance of 521 feet from the East section line and 1,678 feet from the North section line, upstream to the headgate of Ellgen Reservoir No 2 located at a point from which the S.E. Corner of Section 27, Township 6 North, Range 92 West, 6th P.M. bears South 83° 31’ 25” East a distance of 2,410 feet, including all area tributary to McLernon Draw and the Bell Rock Gulch within this reach. Milk Creek: from its confluence with the Yampa River located in Lot 11, Section 7, Township 5 North, Range 92 West of the 6th P.M. a distance of 1,328 feet from the East section line and 1,481 feet from the South section line, upstream to the headgate of Milk Creek Ditch located at a point which is located on the West bank of Milk Creek from whence the Corner No.1, C.E. No. 67, Section 19, Township 4 North, Range 92 West of the 6th P.M. bears North 7° 25’ East a distance of 408.1 feet, including all area tributary to Milk Creek and the Yampa River within this reach, with the following exceptions above the Colowyo Pumping Plant and Pipeline No 1 and Mountain Meadows Ditch: Good Spring Creek: from its confluence with Milk Creek located in Lot 9, Section 18, Township 4 North, Range 92 West of the 6th P.M. a distance of 1,084 feet from the West section line and 1,104 feet from the South section line, upstream to the headgate of Colowyo Pumping Plant and Pipeline No 1 located on the Northwestern bank of Wilson Reservoir, which is formed by an earthen dam across Good Spring Creek, at a point from which the Southeast corner of Section 13, Township 4 North, Range 93 West of the 6th P.M. bears South 26° 57’ 24’’ East a distance of 1897.12 feet, including all area tributary to Good Spring Creek and Milk Creek within this reach. Wilson Creek: from its confluence with Milk Creek located in Lot 11, Section 30, Township 5 North, Range 92 West of the 6th P.M. a distance of 2,407 feet from the East section line and 2,333 feet from the South section line, upstream to the headgate of Mountain Meadows Ditch located approximately at the right and East bank of said Wilson Creek in the East ½ of Section 11, Township 4 North, Range 93 West of the 6th P.M. a distance of 861 feet from the East Line and 1,411 feet from the North Line, including all area tributary to Wilson Creek and Milk Creek within this reach. Sand Spring Gulch: from its confluence with the Yampa River located in the NE ¼ of the NW ¼, Section 35, Township 6 North, Range 93 West of the 6th P.M. a distance of 1,431 feet from the West section line and 357 feet from the North section line, upstream to its headwaters located in the vicinity of the SE ¼ of the SW ¼, Section 24, Township 7 North, Range 92 West of the 6th P.M. a distance 2,000 feet from the West section line and 2,097 feet from the North section line, including all areas tributary to Sand Spring Gulch and the Yampa River. Horse Gulch: from its confluence with the Yampa River located in the SW ¼ of the SE ¼, Section 21, Township 6 North, Range 93 West of the 6th P.M. a distance of 2,455 feet from the East section line and 770 feet from the South section line, upstream to its headwaters located in the vicinity of the NW ¼ of the NW ¼, Section 14, Township 6 North, Range 93 West of the 6th P.M. a distance of 904 feet from the West section line and 152 feet from the North section line, including all areas tributary to Horse Gulch and the Yampa River. Morgan Creek: from its confluence with the Yampa River located in Lot 17, Section 31, Township 6 North, Range 93 West of the 6th P.M. a distance of 157 feet from the East section line and 184 feet from the South section line, upstream to the headgate of Morgan Ditch located approximately in the SW ¼ of the SE ¼ , Section 14, Township 4 North, Range 94 West of the 6th P.M. a distance of 1,958 feet from the West Line and 830 feet from the South Line, including all area tributary to Morgan Creek and the Yampa River within this reach, with the following exceptions above the Kersey Ditch: Boxelder Gulch: from its confluence with Morgan Creek located in the NW ¼ of the SE ¼, Section 5, Township 5 North, Range 93 West of the 6th P.M. a distance of 2,249 feet from the East section line and 1,860 feet from the South section line, upstream to the headgate of Kersey Ditch located at a point whence the South corner of Section 9, Township 4 North, Range 94 West of the 6th P.M. bears North 50° East 1021 feet, including all area tributary to Boxelder Gulch and Morgan Creek within this reach. Maudlin Gulch: from its confluence with the Yampa River located in Lot 8, Section 26, Township 6 North, Range 94 West of the 6th P.M. a distance of 1,500 feet from the West section line and 1,320 feet from the South section line, upstream to the headgate of Maudlin Gulch Ditch located in the NE ¼ of the SE ¼, Section 14, Township 4 North, Range 95 West of the 6th P.M. bears 1000 feet west of the east section line and 1500 feet north of the south section line, including all area tributary to Maudlin Gulch and the Yampa River within this reach. Jesse Gulch: from its confluence with the Yampa River located in Lot 9, Section 27, Township 6 North, Range 94 West of the 6th P.M. a distance of 339 feet from the East section line and 1,010 feet from the South section line, upstream to its headwaters located in the vicinity of the SW ¼ of the SE ¼, Section 10, Township 4 North, Range 95 West of the 6th P.M. a distance of 2,356 feet from the East section line and 1,087 feet from the South section line, including all areas tributary to Jesse Gulch and the Yampa River. Temple Gulch: from its confluence with the Yampa River located in Lot 5, Section 17, Township 6 North, Range 94 West of the 6th P.M. a distance of 672 feet from the West section line and 2,431 feet from the North section line, upstream to its headwaters located in the vicinity of the NW ¼ of the SW ¼, Section 21, Township 4 North, Range 95 West of the 6th P.M. a distance of 631 feet from the West section line and 1,606 feet from the South section line, including all areas tributary to Temple Gulch and the Yampa River. Lay Creek: from its confluence with the Yampa River located in Lot 13, Section 1, Township 6 North, Range 95 West of the 6th P.M. a distance of 1,264 feet from the West section line and 1,102 feet from the South section line, upstream through its headwaters located in the vicinity of the SE ¼ of the NE ¼, Section 1, Township 9 North, Range 93 West of the 6th P.M. a distance of 829 feet from the East section line and 2,214 feet from the North section line, including all area tributary to Lay Creek and the Yampa River within this reach, with the following exception above the Big Gulch Pump Diversion: Big Gulch: from its confluence with Lay Creek located in Lot 12, Section 30, Township 7 North, Range 93 West of the 6th P.M. a distance of 1,689 feet from the East section line and 1,454 feet from the North section line, upstream to the headgate of Big Gulch Pump Diversion located in the SW ¼ of the SE ¼, Section 23, Township 7 North, Range 93 West of the 6th P.M. at a point which bears 1250 feet North and 1980 feet West of the Southeastern Corner of said Section, including all area tributary to Big Gulch and Lay Creek within this reach. Deception Creek: from its confluence with the Yampa River located in Lot 3, Section 33, Township 7 North, Range 95 West of the 6th P.M. a distance of 1,209 feet from the East section line and 2,255 feet from the North section line, upstream to the headgate of H K Duke Spring Ditch located at the section line between Sections 21 and 22, Township 4 North, Range 96 West of the 6th P.M., beginning at a point 400 feet south of the Northwest corner of said section 22, including all area tributary to Deception Creek and the Yampa River within this reach. Spring Creek: from its confluence with the Yampa River located in Lot 2, Section 28, Township 7 North, Range 95 West of the 6th P.M. a distance of 1,016 feet from the East section line and 994 feet from the North section line, upstream to its headwaters located in the vicinity of the SW ¼ of the NW ¼, Section 15, Township 9 North, Range 93 West of the 6th P.M. a distance of 581 feet from the West section line and 1,548 feet from the North section line, including all areas tributary to Spring Creek and the Yampa River. Sand Creek: from its confluence with the Yampa River located in Lot 6, Section 15, Township 7 North, Range 96 West of the 6th P.M. a distance of 1,954 feet from the West section line and 1,798 feet from the North section line, upstream to its headwaters located in the vicinity of the Lot 2, Section 5, Township 8 North, Range 95 West of the 6th P.M. a distance of 510 feet from the North section line and 1,662 feet from the East section line, including all areas tributary to Sand Creek and the Yampa River. Cedar Springs Draw: from its confluence with the Yampa River located in Lot 3, Section 34, Township 7 North, Range 97 West of the 6th P.M. a distance of 1,824 feet from the East section line and 585 feet from the North section line, upstream to its headwaters located in the vicinity of the SW ¼ of the SE ¼, Section 15, Township 5 North, Range 97 West of the 6th P.M., at a point that bears 1478 ft from the West section line and 0 ft from the South section line, including all areas tributary to Cedar Springs Draw and the Yampa River. Twelvemile Gulch: from its confluence with the Yampa River located in the NE ¼ of the SE ¼, Section 22, Township 6 North, Range 98 West of the 6th P.M. a distance of 115 feet from the East section line and 1,645 feet from the South section line, upstream to its headwaters located in the vicinity of the SE ¼ of the NE ¼, Section 18, Township 5 North, Range 97 West of the 6th P.M. a distance of 1,281 feet from the East section line and 2,156 feet from the North section line, including all areas tributary to Twelvemile Gulch and the Yampa River. Amount:The total annual amount of augmentation water available for the Augmentation Area is 201 acre feet. **Water Right to be Used for Augmentation:** The County has contracts with the Colorado River Water Conservation District (“River District”) that provide the County with up to 201 AF per year from the River District’s water rights stored in Elkhead Creek Reservoir (“Elkhead Reservoir”). That supply will be used to augment junior rights within the Yampa River drainage. The River District’s water storage right for Elkhead Reservoir was decreed in Case No. 02CW106 in the amount of 13,000 acre feet for Municipal, Commercial, Industrial, Domestic, Irrigation, Livestock, Hydro-power Production, Evaporation, Augmentation, Exchange, Replacement, Power Generation, and Cooling, Wastewater Treatment, Piscatorial, and Recreational (including in-reservoir and in-river fish habitat and river flow maintenance and enhancement uses, and uses in furtherance of the Upper Colorado River Basin Fishes Recovery Program) and with the right to reuse and successively use the water to extinction, with an appropriation date of October 16, 2002. The decreed location for Elkhead Reservoir dam is approximately where the South quarter of Section 16, Township 7 North, Range 89 West of the 6th P.M. bears South 34°47'13" East, 869.37 feet. **Complete Statement of Plan for Augmentation.** Service Area. The County requests approval of a Plan for Augmentation to augment out-of-priority depletions associated with diversion structures, wells, and ponds to be augmented located within the County’s Augmentation Area as described in Paragraph 3.1 and shown on the map (Exhibit 1) filed with this Application. Depletions. The depletions associated with the various diversion structures will be determined based on reasonable assumptions, methods and calculations. Stream depletions will be calculated individually and cumulatively and on a monthly basis. During periods when an administrative call is placed and enforced regarding the diversions of the County's contractees, calculated out-of-priority depletions will be replaced using the County's augmentation source identified in Paragraph 4 above. A summary of the engineering assumptions proposed to be used to determine the amount and timing of augmentation requirements is outlined below. Domestic In-House Use Diversions and Depletions: Diversions associated with domestic in-house use will be calculated according to the following: Single family home: 2.5 persons using 118 GPCD (gallons/capita/day), or 295 gallons per day (0.033 acre-feet per year). A substantial portion of in-house diversions will return to the stream system following wastewater treatment. The consumptive use, as a percent of diversions, is assumed to be as follows: Central wastewater treatment system: 5.0% Septic tank/leachfield system: 10% Evaporative system: 100%. Commercial Use: The diversion rate, estimated depletions, and volume of water necessary to support commercial uses will be based on the following calculations for estimating the diversions and consumptive uses for commercial applications: Office: Diversions will be calculated as 210 gallons per day per 1,000 square feet. Warehouse: Diversions will be calculated as 105 gallons per day per 1,000 square feet. Retail Sales: Diversions will be calculated as 210 gallons per day per 1,000 square feet. A substantial portion of commercial diversions will return to the stream system following wastewater treatment. The consumptive use, as a percent of diversions, is assumed to be as follows: Central treatment system: 5% Septic tank/leachfield system: 10% Evaporative system: 100% Industrial Use: Diversions and consumptive use for industrial applications will be determined on a case-by-case basis. Irrigation Water Use Evapotranspiration Calculation Methodology: This plan will replace out-of-priority depletions associated with lawn and crop irrigation. Irrigation consumptive use will be based on analysis using the elevation band of the proposed contractee’s property and the Modified Blaney Criddle Method (as outlined in the Soil Conservation Service in Technical Release No. 21), or other method generally accepted by the Division Engineer, Water Division 6, for bluegrass consumptive use. Bluegrass is selected as a conservative assumption to represent lawn and crop irrigation, as bluegrass is more consumptive than hay pasture or alfalfa, which are the other types of crops likely to be irrigated within the Augmentation Area. Elevation bands will be split into 5 categories: (1) 5500 to 5999 feet; (2) 6000 to 6499 feet; (3) 6500 to 6999 feet; (4) 7000 to 7499 feet; and (5) 7500 feet and higher. Average monthly precipitation and mean daily temperature will be calculated based on climate stations within the Augmentation Area. Diversion Rate: Total diversion requirements will be calculated based upon expected application rates for the different irrigation methods. The application rate for agricultural sprinkler irrigation will be assumed to be 80% efficient, the application rate for flood irrigation will be assumed to be 50% efficient, the application rate for drip irrigation will be assumed to be 100% efficient, and the application rate for lawn sprinklers will be 85% efficient. Return flows will not be tracked from irrigation, so depletions will equal diversions. Surface Evaporation. Open water evaporation for ponds, channels, or aesthetic water features included in the augmentation plan will be calculated based on the General Administration Guidelines for Reservoirs from the Colorado Division of Water Resources amended February 2016. Average gross evaporation will be determined based on the evaporation atlases in NOAA Technical Report NWS 33. The guidelines provide monthly distribution for gross pond evaporation above and below an elevation of 6,500 feet. The average number of days in each month above 32 degrees Fahrenheit will be used to determine the percentage of the month in which ice covered the ponds, based on the mean daily temperature from the Craig weather station (USC00051932). Livestock Water Use: Diversions for livestock watering are considered 100 percent consumptive. Consumptive use for horses, cows, and other types of livestock will be 12 gallons per day per animal. Delayed Depletions: The County will account for delayed depletions with respect to any wells authorized under this plan. Stream depletions resulting from well pumping are both lagged and attenuated. The stream depletions from some wells are expected to be delayed significantly but may be reasonably expected to reach a steady state. Other wells will be completed in alluvial formations and will have little or no delayed impact. Due to the lack of information on aquifer characteristics in the Lower Yampa River Basin, the County will use the lagging patterns established by the Upper Yampa Water Conservancy District (“UYWCD”) in its augmentation plan in Case No. 15CW3058 (Water Division 6). These patterns have been developed based on distance from the stream. The bands are described below: Band #1: Less than 100 feet from the stream. Band #2: 100 to 750 feet from the stream. Band #3: 751 to 1,750 feet from the stream. Band #4: More than 1,750 feet from the stream. UYWCD performed a series of Glover analyses to determine appropriate stream depletion factors for each of the four bands, so the County will employ the same analysis for this plan. The bedrock aquifer has a specific yield of 0.01 and a transmissivity of 500 gpd/ft. The alluvial aquifer has a specific yield of 0.1 and a transmissivity of 10,000 gpd/ft. Wells in both bedrock aquifers and alluvial aquifers were evaluated for locations 50, 500, 1,000 and 2,500 feet from the stream. The monthly lagged stream depletion factors for alluvial and bedrock wells are shown below:

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Month | Bedrock Wells | | | | Alluvial Wells | | | |
| <100’ | 100’ – 750’ | 750’ – 1750’ | >1750’ | <100’ | 100’ – 750’ | 750’ – 1750’ | >1750’ |
| 1 | 40.8% | 26.6% | 7.5% | 7.1% | 94.9% | 39.9% | 14.8% | 5.7% |
| 2 | 29.1% | 30.3% | 20.3% | 7.0% | 5.1% | 28.6% | 27.7% | 8.0% |
| 3 | 9.1% | 12.0% | 16.1% | 8.0% | 0.0% | 9.1% | 14.8% | 11.3% |
| 4 | 5.2% | 7.2% | 11.5% | 9.0% | 0.0% | 5.3% | 9.5% | 11.5% |
| 5 | 3.6% | 5.2% | 8.9% | 9.5% | 0.0% | 3.7% | 7.0% | 10.6% |
| 6 | 2.7% | 4.0% | 7.3% | 9.5% | 0.0% | 2.9% | 5.5% | 9.6% |
| 7 | 2.2% | 3.3% | 6.2% | 9.2% | 0.0% | 2.4% | 4.6% | 8.7% |
| 8 | 1.9% | 2.8% | 5.4% | 8.9% | 0.0% | 2.0% | 4.0% | 8.0% |
| 9 | 1.6% | 2.5% | 4.8% | 8.5% | 0.0% | 1.8% | 3.5% | 7.4% |
| 10 | 1.4% | 2.2% | 4.3% | 8.1% | 0.0% | 1.6% | 3.1% | 6.8% |
| 11 | 1.3% | 2.0% | 4.0% | 7.8% | 0.0% | 1.4% | 2.9% | 6.4% |
| 12 | 1.1% | 1.9% | 3.7% | 7.4% | 0.0% | 1.3% | 2.6% | 6.0% |
| Total | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% | 100.0% |

The location of the alluvial aquifer will be determined using the *2020 Statewide Mapping of Quaternary Alluvium* (produced by Lesley Sebol at the Colorado Geological Survey for CWCB). The appropriate aquifer type and distance band will be assigned to each well based on its location. Replacements. Out-of-priority depletions calculated as proposed above will be replaced by releases from the County's source of substitute supply in time, location, quantity and amount to prevent injury to senior rights. The substituted water will be of a quality and quantity so as to satisfy requirements for which the water diverted by senior appropriators has normally been used. Accounting. Using water data compiled by contract allottees, the County will account annually for the diversions and depletions to the Division of Water Resources as required by the Division Engineer to administer the County's augmentation program. The County will ensure that the total annual out-of-priority depletions under this plan for augmentation will not exceed the replacement water available to the County. Transit Losses. Deliveries from replacement sources are subject to a transit loss rate as determined by the Division Engineer, in the Division Engineer’s reasonable discretion. This rate shall represent a "reasonable deduction" based upon the State Engineer's “duty to collect and study data” as outlined in C.R.S. § 37-80-102(7) and 37-83-104. Names and addresses of owners or reputed Owners of the lands upon which any structure is or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use. According to the real property records of Moffat County, Colorado, the land underlying Elkhead Reservoir is owned by the Colorado River Water Conservation District, 201 Centennial St #200 Glenwood Springs, CO 81601; and the City Of Craig, 300 W Fourth St. Craig, CO 81625. **SECOND CLAIM: APPROVAL OF APPROPRIATIVE RIGHTS OF EXCHANGE** The County seeks conditional appropriative rights of exchange because some augmentation water under its plan will be introduced to the river system downstream from the authorized diversions to be augmented. The exchanges will allow County contractees to continue diversions at their respective locations during times when there is a downstream call by a senior water right. The County will augment its contractees’ out-of-priority depletions with the water supply described in Paragraph 4 above. The exchanges requested herein are to serve the consumptive use amounts associated with diversions by County contractees within the Augmentation Area. **Names of Water Rights:** Moffat County Yampa River Basin Exchange. Exchange Reaches**: Exchange From Points:** The outlet of Elkhead Reservoir located in the south quarter of Section 16, Township 7 North, Range 89 West of the 6th P.M. (UTM X= 298217.0 Y= 4492426.0). All of the downstream termini described as the confluences of the tributaries with the Yampa River in paragraph 3 above. **Exchange To Points:** The diversions and locations of depletions to natural streams of County contractees within the Augmentation Area as described herein; these diversions and depletions may extend to each and all of the upstream termini of the tributaries as described in paragraph 3 above. **Sources of Exchange (Substitute) Supply:** The supply is described in paragraph 4 above. **Amount Claimed:** The rate of exchange is 3 cfs, conditional, for each one of the tributaries located within the Augmentation Area. **Date of Appropriation:** October 24, 2023. How Appropriation was Initiated: Approval of Application by Moffat County Board of County Commissioners and subsequent filing of this Application. Date Water Applied to Beneficial Use: Not Applicable. **Proposed Uses:** Types: Domestic, irrigation, stock watering, commercial, and industrial. Place of Use: Within the Augmentation Area described in Paragraph 3 above.

**2023CW3028** Water Division: 6. DISTRICT COURT, WATER DIVISION NO. 6,

STATE OF COLORADO, Routt County Justice Center, 1955 Shield Drive, Unit 200, Steamboat Springs, CO 80487. CONCERNING THE APPLICATION OF SIDNEY PEAK RANCH OWNERS’ ASSOCIATION, INC., IN ROUTT COUNTY, COLORADO. **APPLICATION FOR CHANGE OF WATER RIGHT.** 1. Name, Address, Telephone Number, and Email Address of Applicant: Sidney Peak Ranch Owners’ Association, Inc. (“Applicant”), c/o Property Manager, P.O. Box 312, Craig, CO 81626, (970) 826-1400, [manager@sidneypeak.com](mailto:manager@sidneypeak.com) Direct All Pleadings to: Steven J. Bushong, Cassidy L. Woodard, Bushong & Holleman PC, 1525 Spruce Street, Suite 200, Boulder, CO 80302, [sbushong@BH-Lawyers.com](mailto:sbushong@BH-Lawyers.com); [cwoodard@BH-Lawyers.com](mailto:cwoodard@BH-Lawyers.com) 2. Names of Structures: 2.1. Sidney Peak Ranch Infiltration Gallery; and 2.2. Sidney Peak Ranch Well B. 3. Overview: Applicant seeks to change a portion of its conditional water right originally decreed to the Sidney Peak Ranch Infiltration Gallery so it may be diverted at the new Sidney Peak Ranch Well B. The Sidney Peak Ranch Infiltration Gallery water right operates at times under Applicant’s plan for augmentation decreed by the District Court in and for Water Division No. 6, State of Colorado (“Water Court”), in Case No. 00CW22 (the “00CW22 Decree”) and that augmentation plan will continue to cover the water right, including the portion being changed herein. 4. Description of Water Right to be Changed: Sidney Peak Ranch Infiltration Gallery, 4.1. Decrees: The water right for the Sidney Peak Ranch Infiltration Gallery was originally adjudicated in the 00CW22 Decree. Decrees making findings of reasonable diligence or a portion of the water right absolute were entered in Water Court Case Nos. 08CW25 and 15CW3039. An application for findings of reasonable diligence for the remaining conditional portion of the Sidney Peak Ranch Infiltration Gallery water right is pending in Case No. 22CW3105, which was filed with the Water Court on November 23, 2022, 4.2. Legal Description: The decreed location is in the alluvium of Oak Creek in Section 19, T. 5 N., R. 84 W., of the 6th P.M., at a point approximately 1,400 feet from the West section line and 350 feet from the North section line of said Section 19. *See* **Exhibit A**, 4.3. Decreed Source: Alluvial groundwater tributary to Oak Creek, tributary to the Yampa River, 4.4. Decreed Amount: 150 gallons per minute (“gpm”) total, of which 60 gpm was made absolute for all decreed uses and 90 gpm remains conditional for all decreed uses, 4.5. Appropriation Date: March 30, 2000, 4.6. Decreed Uses: domestic, commercial, irrigation, recreation, fire protection and stock watering, 4.7. Remarks: Applicant seeks to change 20 gpm of the 90 gpm remaining conditional for the Sidney Peak Ranch Infiltration Gallery water right. As mentioned in Paragraph 3 above, this water right operates at times under Applicant’s plan for augmentation in the 00CW22 Decree. 5. Description of New Point of Diversion for Changed Water Right: 5.1. Structure Name: Sidney Peak Ranch Well B, 5.2. Legal Description: in the NW1/4 of the NE1/4 of Section 19, Township 5 North, Range 84 West of the 6th P.M., at a point 425 feet north and 2,344 feet west of said Section 19. UTM NAD83, Zone 13, 342632.0027 Easting, 4471884.1724 Northing. *See* **Exhibit A**, 5.3. Source: Alluvial groundwater tributary to Oak Creek, tributary to the Yampa River, 5.4. Depth: Approximately 30 feet, 5.5. Amount to be Changed: 20 gpm of the remaining conditional 90 gpm decreed to the Sidney Peak Ranch Infiltration Gallery water right, 5.6. Appropriation Date: *See* Paragraph 4.5 above, 5.7. Uses: *See* Paragraph 4.6 above, 5.8. Remarks: The contemplated draft of the 20 gpm conditional water right being changed herein will remain the same at the new point of diversion. The water withdrawn at Sidney Peak Ranch Well B will supply the same uses and location of use as originally contemplated for the Sidney Peak Ranch Infiltration Gallery. The change in location for a portion of the water right is to address structural and/or design issues that are limiting production at the Sidney Peak Ranch Infiltration Gallery. 6. Continued Coverage under Plan for Augmentation: The Sidney Peak Ranch Infiltration Gallery water right will continue to be covered by the existing plan for augmentation in the 00CW22 Decree regardless of which structure is used to withdraw the alluvial groundwater. A Glover Analysis shows that the Sidney Peak Ranch Infiltration Gallery and Sidney Peak Ranch Well B have nearly identical depletion rates to Oak Creek with both being effectively instantaneous (99.9% of depletions accrue to Oak Creek in the month of pumping). 7. Land Ownership: 7.1. Sidney Peak Ranch Infiltration Gallery: on a parcel owned by one of Applicant’s members with a mailing address as follows: Acanthus Design IV, LLC, 570 Hayne Road, Hillsborough, CA 94010, 7.2. Sidney Peak Ranch Well B: on a parcel owned by one of Applicant’s members with a mailing address as follows: Eric S. and Rosalind D. Leaming, 30750 Marshall Ridge, Steamboat Springs, CO 80487.

(5 pages + Exhibit)

**2023CW3029 (16CW3030) (10CW03) (03CW83) (02CW97) APPLICATION FOR FINDING OF REASONABLE DILIGENCE, CONCERNING THE APPLICATION FOR WATER RIGHTS OF: YAMPA VALLEY BANK, FORMERLY KNOWN AS FIRST NATIONAL BANK OF STEAMBOAT SPRINGS, N.A., IN ROUTT COUNTY, COLORADO. 1. Name, Address, E-mail Address and Telephone Number of Applicant**: Yampa Valley Bank, formerly known as First National Bank of Steamboat Springs, N.A., 600 South Lincoln Avenue, P.O. Box 775770, Steamboat Springs, CO 80477, [steamboataccounting@yampavalleybank.com](mailto:steamboataccounting@yampavalleybank.com), (970) 879-2293, With Copies To: Melinda H. Sherman, Esq., Bryce K. Hinchman, Esq., Sharp, Sherman & Engle LLC, P.O. Box 774608 / 401 Lincoln Ave., Steamboat Springs, CO 80477, [sherman@steamboatlawfirm.com](mailto:sherman@steamboatlawfirm.com), [bhinchman@steamboatlawfirm.com](mailto:bhinchman@steamboatlawfirm.com), (970) 879-7600. **2. Names of Structures**: (1) MacArthur (Wall) Spring. Type: Spring; (2) Borden (Cabin) Spring. Type: Spring. (3) Kerst (Elevator Shaft) Well. Type: Well. **3. Description of Conditional Water Rights**: A. MACARTHUR (WALL) SPRING 1. Date of Original Decree: January 15, 2004, District Court, Water Division No. 6, Case No. 02CW97, in which the Court decreed 0.0333 cfs (15 gpm) conditional. 2. Subsequent Decrees Awarding Findings of Diligence: Case No. 10CW03: The Court decreed 2.5 gpm (0.0055 cfs) from the MacArthur (Wall) Spring absolute for purposes of irrigation of lawn and landscaped areas, and for non-potable commercial uses on the Applicant’s property. The Court also awarded a finding of reasonable diligence to the Applicant for the remaining 12.5 gpm (0.275 cfs) to be continued as conditional. Case No. 16CW3030: The Court decreed an additional 1.7 gpm of water absolute for all uses, such that a total of 4.2 gpm of water has now been decreed absolute. The Court also awarded a finding of reasonable diligence for the remaining 8.3 gpm to be continued as conditional. 3. Legal Description: SE1/4SE1/4, Section 17, T6N, R84W of the 6th P.M., at a point 550 feet North of the South line and 175 feet West of the East line of said Section. Also described as 600 South Lincoln Avenue, Steamboat Springs, CO. A map depicting the location of MacArthur (Wall) Spring is attached hereto as Exhibit 1. 4. Source of Water: Springs, tributary to the Yampa River. 5. Appropriation Date: December 30, 2002. 6. Amount: 8.3 gpm, conditional, as awarded in Case No. 16CW3030. 4.2 gpm, absolute, with 2.5 gpm (0.0055 cfs) made absolute in Case No. 10CW03, and an additional 1.7 gpm made absolute in Case No. 16CW3030. 7. Use: Irrigation of lawn and landscaped areas, and for non-potable water commercial uses on the Applicant’s Property. 8. Lands Proposed to be Irrigated: Irrigation of a tract owned by Applicant in the SE1/4SE1/4 of Section 17, T6N, R84W of the 6th P.M., Routt County, Colorado, located at 600 South Lincoln Avenue, Steamboat Springs, CO. B. BORDEN (CABIN) SPRING 1. Date of Original Decree: January 15, 2004, District Court, Water Division No. 6, Case No. 02CW97, in which the Court decreed 0.0333 cfs (15 gpm) conditional. 2. Subsequent Decrees Awarding Findings of Diligence: Case No. 10CW03: Awards finding of reasonable diligence for all 15 gpm (0.0333 cfs) decreed conditionally to Borden (Cabin) Spring. Case No. 16CW3030: Awards finding of reasonable diligence for all 0.0333 cfs (15 gpm) decreed conditionally to Borden (Cabin) Spring. 3. Legal Description: SE1/4SE1/4, Section 17, T6N, R84W of the 6th P.M., at a point 150 feet North of the south line and 200 feet West of the East line of said Section. Also described as 600 S. Lincoln Avenue, Steamboat Springs, CO. A map depicting the location of Borden (Cabin) Spring is attached hereto as Exhibit 2. 4. Source of Water: Springs, tributary to the Yampa River. 5. Appropriation Date: December 30, 2002. 6. Amount: 0.0333 cfs (15 gpm), conditional. 7. Use: Irrigation of lawn and landscaped areas, and for non-potable water commercial uses. Irrigation of a tract owned by Applicant in the SE1/4SE1/4 of Section 17, T6N, R84W of the 6th P.M., Routt County, Colorado, located at 600 South Lincoln Avenue, Steamboat Springs, CO. 8. Lands Proposed to be Irrigated: Irrigation of a tract owned by Applicant in the SE1/4SE1/4 of Section 17, T6N, R84W of the 6th P.M., Routt County, Colorado, located at 600 South Lincoln Avenue, Steamboat Springs, CO. C. KERST (ELEVATOR SHAFT) WELL 1. Date of Original Decree: April 18, 2005, District Court, Water Division No. 6, 03CW83, in which the Court decreed 0.0333 cfs (15 gpm) conditional. 2. Subsequent Decrees Awarding Findings of Diligence: Case No. 10CW03: Awards finding of reasonable diligence for all 15 gpm (0.0333 cfs) decreed conditionally to Kerst (Elevator Shaft) Well. Case No. 16CW3030: Awards finding of reasonable diligence for all 15 gpm (0.0333 cfs) decreed conditionally to Kerst (Elevator Shaft) Well. 3. Legal Description: SE1/4SE1/4, Section 17, T6N, R84W of the 6th P.M., at a point 700 feet North of the South line and 200 feet West of the East line of said Section. Also described as 600 South Lincoln Avenue, Steamboat Springs, CO. A map depicting the location of Kerst (Elevator Shaft) Well is attached hereto as Exhibit 3. 4. Source of Water: Alluvium of the Yampa River. 5. Appropriation Date: December 30, 2002. 6. Amount: 0.0333 cfs (15 gpm), conditional, the average amount of groundwater to be withdrawn shall not exceed 2.7 acre-feet. 7. Use: Uses include drinking and sanitary purposes inside a commercial business, the irrigation of up to 1 acre of lawn and landscape, and the washing of the commercial building, concrete, and asphalt areas. 8. Lands Proposed to be Irrigated: Irrigation of not more than 1 acre within a tract of land owned by Applicant in the SE1/4SE1/4 of Section 17, T6N, R84W of the 6th P.M., Routt County, Colorado, located at 600 South Lincoln Avenue, Steamboat Springs, CO, and more particularly described in deed recorded at Reception No. 528528 in the records of the Routt County, Colorado, Clerk and Recorder’s Office. 9. Depth of Well: Approximately 35 feet. 10. Well Permit: No. 61023-F, Colorado State Engineer’s Office. D. INTEGRATED WATER SYSTEM. MacArthur (Wall) Spring, Borden (Cabin) Spring, and Kerst (Elevator Shaft) Well are all part of and components of an integrated non-potable water supply system of the Applicant for the present and future irrigation of lawns and landscaping on the Bank Property (defined herein) and for other non-potable commercial uses including the washing of the commercial Bank building, concrete, and asphalt areas. In Case No. 10CW03, the Court decreed that these three water sources are part of a single integrated water supply system of Applicant for such uses on the Bank Property. **4. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period**: The Applicant is the owner of a tract of land east of and bordering U.S. Highway 40 within the City of Steamboat Springs, known as 600 South Lincoln Avenue, Steamboat Springs, Colorado, and described in deed recorded at Reception No. 528528 in the records of the Routt County, Colorado, Clerk and Recorder’s Office (the “Bank Property”). Applicant owns and operates a bank on the Bank Property. On all sides of the Bank building on the Bank Property are located lawn landscaping and lawn improvements, including landscape improvements on various levels of the rock wall adjacent to the parking areas on the southerly portion of the Bank Property. An aerial map of the Bank Property showing the Bank Building and the adjoining landscape improvements and rock wall is attached to this Application as Exhibit 4. At the southerly end of the Bank Property are several mature pine trees and a cabin. All three of the subject water rights are intended to be used to provide water for irrigation of landscaping and lawns on the Bank Property, among other uses as provided herein. The Applicant uses a sprinkler system for irrigation. Ultimately, Applicant’s intent is for all three sources of water – the MacArthur (Wall) Spring, Borden (Cabin) Spring, and Kerst (Elevator Shaft) Spring – to be integrated into the same interconnected water storage, pump and delivery system serving the Bank Property. MacArthur (Wall) Spring: During the previous diligence period, Applicant expended approximately $2,670 in connection with maintenance and repairs to the MacArthur (Wall) Spring, and specifically the storage tanks and closed irrigation system. In June of 2022, Applicant expended $187.50 to diagnose and repair a pipe leak near the water cistern associated with the MacArthur (Wall) Spring. In September of 2022, Applicant expended $892.51 in maintenance to the MacArthur (Wall) Spring for sprinkler system repair and parts. In September of 2023, Applicant expended $300.00 in performing maintenance to the cistern pump and associated electrical box. Applicant recently purchased a 12-inch valve box, PVC adapter, and 1.5-inch water meter to monitor refill of the 1,200-gallon water storage tanks. An invoice in the amount of $1,289.57 from Hales Landscape Supply is attached hereto as Exhibit 5. Borden (Cabin) Spring: Applicant’s prior plans to incorporate the Borden (Cabin) Spring with its water storage tanks, along with its tentative plans to install additional water storage tanks on the Bank Property, were interrupted by the COVID-19 pandemic in 2020. Applicant resumed its internal discussions about the foregoing in 2023. During the 2024 field season, Applicant intends to expand the use of the Borden (Cabin) Spring to supply the Bank Property’s irrigation system with additional water. Kerst (Elevator Shaft) Well: Applicant expended over $2,700 in performing maintenance and repairs to the Kerst (Elevator Shaft) Well during the previous diligence period. In January 2021, Applicant expended approximately $225 in maintaining the primary and backup pumps needed to operate the well. In September of 2022, Applicant performed maintenance on an elevator sump pump and ordered new parts for the same at a cost of $112.50. In March of 2023, Applicant performed emergency repairs upon discovering flooding in the elevator shaft due to malfunction of the sump pump. Among repair costs and replacement parts, Applicant expended a total sum of $2,026.65 in connection therewith. Later in the spring, Applicant purchased and installed a new sump pump at a cost of $414.31. Applicant also intends to expand to the use of the Kerst (Elevator Shaft) Well by installing additional water storage tanks and expanding the irrigated area on the Bank Property to be fed by its closed irrigation system. Applicant has also engaged legal counsel to consult with and prepare this Application, at a cost estimated to exceed $1,000.00 in costs and expenses. All of the foregoing reflect that Applicant has exercised reasonable diligence in the development of the integrated water system serving the Bank Property. **5. If claim to make absolute in whole or in part**: N/A. A. Date water applied to beneficial use: N/A. Amount: N/A. Use: N/A. B. Supporting evidence: N/A. C. Description of place of use where water is applied to beneficial use: N/A. **6. If the actual location of the structure is different from the location in paragraph 3.C above, provide the actual description**: N/A. **7. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which the structure is located and upon which water is used and/or stored**: Applicant, at Applicant’s above address. **8. Remarks or any other pertinent information**: The MacArthur (Wall) Spring, Borden (Cabin) Spring, and Kerst (Elevator Shaft) Well are all part of a single integrated water supply system of Applicant for such uses on the Bank Property. As an integrated water supply system, diligence on any one feature of this system as well as all features of the system can be shown by work done on any one feature of the system. *See* C.R.S. § 37-92-301(4)(b); *see also Vail Valley Consolidated Water District v. City of Aurora*, 731 P.2d 655 (Colo. 1987). WHEREFORE, Applicant seeks a Decree of this Court: 1. Granting Applicant’s prayer that the Court find Applicant has exercised reasonable diligence in developing the appropriation of the 8.3 gpm conditional water right in MacArthur (Wall) Spring, and the conditional status of said water right shall be continued and extended; 2. Granting Applicant’s prayer that the Court find Applicant has exercised reasonable diligence in developing the appropriation of the 0.0333 cfs (15 gpm) conditional water right in Borden (Cabin) Spring, and the conditional status of said water right shall be continued and extended; 3. Granting Applicant’s prayer that the Court find Applicant has exercised reasonable diligence in developing the appropriation of the 0.0333 cfs (15 gpm) conditional water right in Kerst (Elevator Shaft Well, and the conditional status of said water right shall be continued and extended; and 4. For such further relief as the Court may deem proper.

**2023CW10 Moffat County** Application to Make Absolute in Whole or in Part. **Applicant:** Randy R. and Amy E. Decker, 33374 N. Hwy 13, Craig, CO 81625; 970-326-7360, 970-846-7789; [firefightercfr@yahoo.com](mailto:firefightercfr@yahoo.com); amydecker1@yahoo.com. **Name of Structure:** Decker Pump. **Date of Original Decree:** 12/02/16; **Case No.:** 2016CW29; **Court:** Water Division 6. **Subsequent Decrees Awarding Findings of Diligence: Date of Decree:** December 2, 2016; **Case No.:** 2016CW29; **Court:** Water Division 6 Routt County. **Legal Descriptions:** NE ¼ of the SE ¼ S19, T7N, R90W of the 6th PM, Moffat County, Colorado, at a point 1665 feet from the South line and 1185 feet from the East line of said Section 19. **UTM Coordinates: Easting** 285875; **Northing** 4491629; Zone 13. **Street Address:** 33374 N. Hwy 13, Craig, CO 81625. **Source of Water:** Fortification Creek, tributary to the Yampa River. **Appropriation Date:** June 1, 1967; **Amount:** 1 CFS. **Use:** Irrigation of 20 acres and to fill 3 livestock ponds in the NE ¼ of the SE ¼, Section 19, T7N, R90W of the 6th PM. **What has been Done for Completion or for Completion of Appropriation of Water to a Beneficial use as Conditionally Decreed:** 2018-Rented Pump and Temporary irrigation line from Hamill Irrigation LLC to verify an irrigation system would be feasible. Irrigation was then designed by Hamill Irrigation. 2019-Installed permanent irrigation system: 800 feet of 6-inch pipe from point of diversion, 1100 feet of 4-inch pipe, installed, 6 nelson 100 big guns installed, 3 mobile irrigation guns purchased to cover areas not serviceable by buried pipeline. Purchased one 25 horsepower pump and one 50 horsepower pump to run the system. Flow meter purchased and installed. The system was installed in 2019 by owners with guidance from Hamill Irrigation and T Bar G Backhoe Service. 2020-Permanent Irrigation put into service with records kept and sent to the District Water Commissioner in Craig, Colorado every fall. **Applicant makes an Absolute Claim in Part: Date Water Applied to Beneficial Use:** May 23, 2018; **Amount:** 1cfs; **Use:** Irrigation and fill 3 Livestock Ponds. **Description of Place of Use where Water is Applied to Beneficial Use:** Water is used for the irrigation of approximately 20 acres of pasture for livestock and future hay meadow for use of winter feeding of livestock, filling 3 livestock ponds, and irrigation of established trees and lawn. **Remarks or any other Pertinent Information:** Property was purchased in 2016 with water rights. Property has historically been irrigated from its current location for lawn, trees, and gardens since 1967. The purpose of this application is to change water rights from conditional to absolute. **Landowner:** Applicant.

**2017CW3045 MAHOGANY ENERGY RESOURCES, LLC, in the South Fork of the White River, in Rio Blanco County, Colorado.** AMENDED APPLICATION FOR CHANGE OF WATER RIGHT AND CONDITIONAL APPROPRIATIVE RIGHT OF EXCHANGE. Applicant: Mahogany Energy Resources, LLC. P.O. Box 957, Meeker, Colorado 81641. With copies to: Stephen H. Leonhardt, April D. Hendricks, Zachary T. Greder, BURNS, FIGA & WILL, P.C. 6400 South Fiddler’s Green Circle, Suite 1000, Greenwood Village, CO 80111. **CHANGES OF WATER RIGHT.** *Decreed water right for which change is sought: Name of structure*: **South Fork Reservoir.** *Original decree*: Civil Action No. 1269, entered on November 21, 1966, by the Rio Blanco County District Court. *Subsequent decrees awarded findings of diligence*: Case Nos. 80CW220, 84CW174, 88CW158, 95CW253 and 02CW296, by the District Court in and for Water Division 5; Case Nos. 10CW29 and 18CW3002, by the District Court in and for Water Division 6. *Legal description as described in the decree entered in Case No. 18CW3002*: The reservoir is to be located in Sections 21, 22, 23, 24, 25, 26, 27 and 28, Township 2 South, Range 90 West of the 6th P.M. The initial point of survey of the high water line of the South Fork Reservoir is located at the intersection of the dam axis with the stream channel of the South Fork of the White River, which is described as a point whence the Northeast Corner of Section 28, Township 2 South, Range 90 West of the 6th P.M. bears North 50E31’ East a distance of 4,382 feet, which is approximately 2,484 feet north of the South Section line and 3,303 feet west of the East section line of said section. This point is depicted on the location map attached the Amended Application as **Exhibit A.** *Decreed source of water*: South Fork of the White River, tributary to the White River. *Appropriation date*: September 14, 1964. *Total amount decreed to structure*: 85,342.4 acre feet, conditional. *Decreed uses*: Industrial, domestic, recreational and irrigation. *Amount of water that Applicant intends to change*: 85,342.4 acre feet, conditional. *Statement of proposed changes*: Applicant seeks to change the location of storage of the entire South Fork Reservoir water right described above to two alternative reservoir sites. South Fork Reservoir No. 1 is a proposed reservoir located on the channel of Wolf Creek, a tributary of the White River, as described in subparagraph 3.A. below, which would be filled (1) by pumping water from the White River into the reservoir via South Fork Reservoir No. 1 Pump and Pipeline and (2) by exchange of the natural inflow from Divide Creek, Wolf Creek, Middle Fork Wolf Creek, East Fork Wolf Creek, and Coal Creek, all tributary to the White River. South Fork Reservoir No. 1 is capable of storing the entire 85,342.4 acre feet decreed to this water storage right and is the same as the Wolf Creek Off-Channel Dam and Reservoir, which is the subject of Rio Blanco Water Conservancy District’s decree in Case No. 14CW3043, Water Division 6. Applicant also intends to construct an additional reservoir on the channel of Yellow Creek (known as Bar D Reservoir), as described in subparagraph 3.B. below, that will store up to 68,000 acre feet of the water currently decreed to the South Fork Reservoir. Water to fill Bar D Reservoir No. 1 may be diverted directly from the White River at two alternate points described in subparagraph 3.B. below, or may be initially stored in South Fork Reservoir No. 1 and later delivered via pipeline to Bar D Reservoir. Applicant does not propose to change the decreed uses of the South Fork Reservoir water right, as originally decreed in CA1269 and as modified (by cancellation of the originally decreed municipal use) in Case No. 10CW29. Applicant plans to use the right for purposes consistent with those decrees and the most recent diligence decree in Case No. 18CW3002. *Description of* *South Fork Reservoir No. 1: Location*:The left abutment (looking downstream) of the South Fork Reservoir No. 1 Dam is located in the NW¼ of the SW¼ of Section 23, Township 3 North, Range 99 West of the 6th P.M., at a point 1,007 feet east of the west section line of Section 23 and 1,450 feet north of the south section line of Section 23, in Rio Blanco County, Colorado. This point is depicted on the location map attached to the Amended Application as **Exhibit A.** *Sources*: White River, via the South Fork Reservoir No. 1 Pump and Pipeline as described below and natural inflow from Divide Creek, Wolf Creek, Middle Fork Wolf Creek, East Fork Wolf Creek, and Coal Creek, all tributary to the White River. *Dimensions: Surface area of high water line*: 3,106 acres. *Vertical height of dam in feet*: 122 feet. *Length of dam in feet*: 3,300 feet. *Total capacity of reservoir*: 85,342.4 acre feet. *Active capacity*: 85,342.4 acre feet. *Dead storage*: None. *Structure used to fill reservoir*: South Fork Reservoir No. 1 Pump and Pipeline. *Location*: The diversion point from the White River for the South Fork Reservoir No. 1 is located in the NE¼ of the SE¼ of Section 27, Township 3 North, Range 99 West of the 6th P.M., at a point 480 feet west of the east section line of Section 27 and 2,620 feet north of the south section line of Section 27, in Rio Blanco County, Colorado. This point is depicted on the location map attached to the Amended Application as **Exhibit A.** *Capacity*: 400 c.f.s. *Maximum rate of diversion*: 400 c.f.s. *Description of Bar D Reservoir: Location*: The left abutment (looking downstream) of the Bar D Reservoir dam is located in the NW¼ of the SE¼ of Section 16, Township 1 South, Range 98 West of the 6th P.M., at a point 2,040 feet west of the east section line of Section 16 and 2,520 feet north of the south section line of Section 16, in Rio Blanco County, Colorado,. The location of Bar D Reservoir is depicted on the location maps attached to the Amended Application as **Exhibits A and B.** *Source*: White River, via the alternate points of diversion described in Paragraph 3.B.iv. *Dimensions: Surface area of high water line*: Approximately 1,277 acres. *Vertical height of dam in feet*: Approximately 167 feet. *Length of dam in feet*: 3,330 feet. *Total capacity of reservoir*: 68,000 acre feet. *Active capacity*: 68,000 acre feet. *Dead storage*: None. *Structures used to fill reservoir*. Bar D Reservoir will be filled by one or both of the following alternate points of diversion from the White River: Bar D Reservoir Pump and Pipeline. *Location*: The diversion point from the White River for the Bar D Reservoir is located in the NE¼ of the NW¼ of Section 2, Township 2 North, Range 98 West of the 6th P.M., at a point 1,355 feet east of the west section line of Section 2 and 1,152 feet south of the north section line of Section 2, in Rio Blanco County, Colorado. *Capacity*:400 c.f.s. *Maximum rate of diversion*: 400 c.f.s. Ivory Ranch Diversion. *Location*: SE¼ of the SE¼ of Section 35, Township 2 North, Range 97 West of the 6th P.M., at a point 880 feet west of the east section line of Section 35 and 1,140 feet north of the south section line of Section 35, in Rio Blanco County, Colorado. *Capacity*: 400 c.f.s. *Maximum Rate of Diversion*: 400 c.f.s. The locations of these diversion points are depicted on the location map attached to the Amended Application as **Exhibit A**. **CONDITIONAL APPROPRIATIVE RIGHT OF EXCHANGE** *Description of Conditional Appropriative Right of Exchange:* Name of Exchange: Wolf Creek-South Fork Reservoir Exchange. Exchange Reach: The exchange reach is the reach on Wolf Creek between the exchange-from point and the exchange-to point described below, as shown on the location map attached to the Amended Application as **Exhibit C.** Exchange-From Point: Confluence of Wolf Creek and the White River, located in the NW¼ of the SW¼ of Section 26, Township 3 North, Range 99 West of the 6th P.M., at a point 350 feet east of the west section line of Section 26 and 2,500 feet north of the south section line of Section 26, in Rio Blanco County, Colorado. Exchange-To Point: The point where the South Fork Reservoir No. 1 dam centerline crosses the Wolf Creek channel, which has a legal location of: NW¼ of the SE¼ of Section 22, Township 3 North, Range 99 West of the 6th P.M., at a point 1,535 feet west of the east section line of Section 22 and 1,454 feet north of the south section line of Section 22, in Rio Blanco County, Colorado. Source of substitute supply: The South Fork Reservoir conditional water right, as changed herein. Exchange Rate: 400 cfs, conditional. Uses: Industrial, domestic, recreational and irrigation. Date of Appropriation: October 31, 2023. *Owners of the land upon which the structures are or will be located*: Bureau of Land Management, 220 Market Street, Meeker, CO 81641. State of Colorado, c/o Phillip J. Weiser, Colorado Attorney General, 1300 Broadway, Denver, CO 80203. Carroll Davidson Partnership, Ltd., PO Box 561498, Rockledge, FL 32956-1498. 4M Ranch, LLC, Attn: Ranch Manager, 37669 Highway 64, Meeker, CO 81641. 4M Ranch, LLC, 1860 Summerland Ave., Winterpark, FL 32789. Rio Blanco Water Conservancy District, 2252 E. Main Street, Rangely, CO 81648. WHEREFORE, Applicant requests entry of a decree approving the changes to water right and conditional appropriative right of exchange described herein, and awarding such other relief as the court may deem appropriate.

**2023CW3026** (16CW3026) White River and its tributaries in RIO BLANCO COUNTY. Application for Finding of Reasonable Diligence. 1. Applicant: Mahogany Energy Resources, LLC, P.O. Box 957, 285 8th Street, Meeker, CO 81641. Please direct all pleadings and correspondence to Applicant’s counsel: William H. Caile, Holland & Hart LLP, 555 17th St., Suite 3200, PO Box 8749, Denver CO 80201-8749; telephone: (303) 295-8000; email: [whcaile@hollandhart.com](mailto:whcaile@hollandhart.com). 2. Name of Structure: White River – Figure 4 Pipeline. 3. Description from Previous Decrees: A. Type: Pipeline. B. Date of Original Decree: July 16, 1971, Case No. W-196, District Court in and for Water Division 5, Colorado. C. Subsequent decrees awarding findings of diligence (Case No. and date of decree): W-1683, August 2, 1973; W-196-76, July 28, 1977; 80CW393, April 22, 1981; 84CW345, March 29, 1985; 88CW365, November 17, 1989; 95CW260, April 23, 1996; 02CW98, September 3, 2003; 09CW46, July 21, 2010, Water Division 6; and 16CW3026, Water Division 6, October 9, 2017. D. Legal description of point of diversion: The South Bank of the White River at a point whence Corner No. 6, Tract 53, Section 26, T1N, R96W, 6th P.M., bears South 38°00’ West, a distance of 373 feet. The point of diversion is shown on the map attached as Exhibit A. E. Alternate legal description: The decreed location for the point of diversion is set forth above. For purposes of providing additional information in connection with the application, it is estimated that the point of diversion is located at a point 970 feet south from the north line, 1840 feet west from the east line of Section 26, Township 1 North, Range 96 West, 6th P.M. F. Source of water: White River. G. Appropriation date: June 10, 1968. H. Amount: 70 cfs. I. Use: Industrial, domestic, and irrigation purposes. Note that the court cancelled municipal use as a decreed use in Case No. 02CW98. J. Location of irrigation use. The conditional water right will be used for irrigation in the Piceance Creek and White River basins, including but not limited to the properties shown on the map on file with the Water Court as Exhibit B. K. Land ownership information: U.S. Bureau of Land Management, 220 Market Street, Meeker, CO 81641. 4. 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: Applicant is the owner of substantial assets related to oil shale development in Western Colorado, including the surface and mineral estates of lands in Rio Blanco, Mesa (no minerals), and Garfield Counties, and a substantial portfolio of water rights, together with buildings and physical facilities associated with those lands and related interests, including but not limited to surface leases, easements, contracts, and federal, state and local permits, licenses, and governmental authorizations required for the continued use of these assets. On or about June 27, 2023, Applicant acquired certain assets from Puckett Land Company (“PLC”), including PLC’s interest in the surface and mineral estate of the property known as the “Figure 4 Ranch” located in Garfield and Rio Blanco County, together with other properties and absolute and conditional water rights including the subject conditional water right for the White River – Figure 4 Pipeline. The Application on file with the Water Court contains a detailed outline of activities and expenditures undertaken during the diligence period by both Applicant and PLC with respect to the subject conditional water right. The list of activities and expenditures is not intended to be exhaustive, and Applicant reserves the right to present additional evidence of reasonable diligence as necessary or appropriate. 5. Integrated System: Applicant requests a finding that the White River - Figure 4 Pipeline is a component of Applicant’s integrated water supply system intended to supply water for the development of energy resources and related uses on lands in western Colorado in which Applicant has an ownership interest or lands in which it has a reasonable expectation of acquiring an interest. This integrated water supply system includes the water rights described on Exhibit C on file with the Water Court, as most recently confirmed by this Court in Case No. 21CW3037, Water Division 6. When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system. C.R.S. § 37-92-301(4)(b). 6. Name and address of owners or reputed owners of land upon which any new diversion structure or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: The point of diversion described herein has been previously adjudicated, and no new or modified diversion structures, storage structures, or storage locations are contemplated in connection with this application. Wherefore, Applicant respectfully requests entry of a decree finding that Applicant has demonstrated reasonable diligence in the development of the conditional water right for the White River – Figure 4 Pipeline described herein; finding that the White River – Figure 4 Pipeline is a component of Applicant’s integrated water supply system; continuing the conditional water right in full force and effect; and for such other relief as the Court deems just and appropriate.

**2023CW3027** Rio Blanco County. **Application for Alternate point of Diversion and Place of Use.** Applicant: Flintstone, LLC, Don Almond, c/o Balcomb & Green, P.C., P.O. Drawer 790, Glenwood Springs, CO 81602; 970-945-6546. Claim for Alternate Point of Diversion and Place of Use. Decreed Structure for which change is sought, Miner-Martin Ditch. Original Decree: CA0624, in the Dist. Ct. of the State of CO within and for the Cty. of Rio Blanco, on 05/26/1942. Decreed Location: Located on the S. bank of said White River at a point which bears 27° 30’ E. 1780 ft. from the Southeast corner of S. 35, T. 2 N., R. 97 West if the 6th P.M., as shown in Exh. A on file with the Water Ct (All exhibits mentioned herein are incorporated by reference and may be inspected at the office of the clerk of this Ct.) Source: White River. Approp. Date: 04/01/1900 for Priority No. 385 and 04/30/1902 for Priority No. 396. Amts.: 2.00 c.f.s., absolute, as decreed in CA0624. 3.00 c.f.s., absolute, as decreed in CA0624. Use: Irr. Amts. Intended to be Changed: 5.00 c.f.s., absolute. Historical Water Use: The Miner-Martin Ditch is the subject of two separate water rights totaling 5.00 c.f.s. All water rights are decreed to divert from the White River. According to the diversion and irr. records, as shown in Exh. B, the Ditch diverted the entire 5.00 c.f.s. of its water rights in the past, irrigating 50 acres. Detailed Description of Proposed Changes: This Application seeks an alternate point of diversion (“POD”) for the Miner-Martin Ditch approximately 2,400 ft. downstream of the decreed POD, as shown in Exh. C. This Application seeks an alternate place of use, utilizing water pumps, adjacent to but “up ditch” of the historical place of diversion, as shown in Exh. C. Legal Description of Alternate Diversion and Use Location. The alternate POD is located in the upper portion of the NW1/4 NE1/4 of S. 2, T. 1 N., R. 97.0 West of the 6th P.M, as shown in Exh. C. Also described as UTM Zone 13, Easting 223635.2 m, Northing 4442825.6 m. The alternate place of use is located in NE1/4 NE1/4 of S. 2, T. 1 N., R. 97 West of the 6th P.M, as shown in Exh. C. Also described as UTM Zone 13, Easting 223841.7 m, Northing 4442594.6 m. No Injury in Alternate POD Location and Place of Use: According to the map and filing statement for the water right, 72 acres were decreed to be irrigated. The proposed irrigated area is approximately 33 acres, which is less than the decreed 72 acres. The proposed irrigated area is also less than the 50 acres that were historically irrigated according to the diversion and irr. records shown in Exh. B. Further, there are no intervening water rights between the current proposed diversion points that would be injured by this change, as described in Exh. D. 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. WHEREFORE, Applicant respectfully requests the Ct. enter a Decree (1) for an alternate POD at the location described above; (2) for an alternate place of the absolute use of 5.00 c.f.s. at the location described above; and (3) for such other relief as the Ct. deems proper. (4 pages of original application, Exhs. A-D)

**The water right claimed by this application may affect in priority any water right 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 you will have until the last day of **December 2023** to file with the Water Court a Verified Statement of Opposition, setting forth facts as to why a certain Application should not be granted or why it should be granted only in part or on certain conditions. A copy of such Statement of Opposition must be served on the Applicant or the Applicant’s Attorney, with an affidavit or certificate of such service being filed with the Water Court, as prescribed by Rule 5, C.R.C.P. The filing fee for the Statement of Opposition is $192.00, and should be sent to the Clerk of the Water Court, Division 6, 1955 Shield Dr. Unit 200, Steamboat Springs, CO 80487.

CARMMA PARKISON

CLERK OF COURT

ROUTT COUNTY COMBINED COURT

WATER DIVISION 6

/s/ Julie A. Edwards

Deputy Court Clerk