

## DIVISION 5 WATER COURT- APRIL 2025 RESUME

(This publication can be viewed in its entirety on the Colorado State Judicial website at: [www.coloradojudicial.gov](http://www.coloradojudicial.gov)).

**1. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3054 GRAND COUNTY. Application for Findings of Reasonable Diligence and to Make Absolute, In Part.** Applicant: Ranch Creek Ranch Owners Association, LLC ("Applicant"), c/o Sara M. Dunn & Andrea J. Hall, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; [balcombgreen.com](http://balcombgreen.com). Applicant requests the ct. find it has exercised reasonable diligence in the development of the conditional water rights decreed to the Ranch Creek Ranch Pond, Ranch Creek Ranch Residential Wells No. 1, 2, 8, 11, 13, 14, 17, 18, & 21, RCR Pond Well, and Ranch Creek Ranch Appropriative Right of Exchange, collectively the ("SWRs"). A map showing the locations of the SWRs as Exh. A is on file with the Water Ct. Applicant further requests that this Ct. confirm it has made portions of the conditional water rights absolute, in part, decreed to the Ranch Creek Ranch Residential Wells No. 1, 17, and 21 and the Ranch Creek Ranch Appropriative Right of Exchange, through diversion and application to beneficial use. All SWRs were originally decreed in Dist. Ct., Water Div. 5 in 96CW374 on 11/3/1997 and subsequent diligence decreed in 03CW248 on 4/23/2005, 11CW60 on 1/12/2013, and 18CW3224 on 7/7/2019. First Claim for Findings of Reasonable Diligence. Structure: Ranch Creek Ranch Pond. Other Decrees: 02CW408 on 3/29/2004, to add the RCR Pond Well as an additional source for filling the Ranch Creek Ranch Pond and amended the aug. plan and appropriative right of exchange decreed in 96CW374; 04CW222 on 2/10/2006, to correct legal description for RCR Pond Well, a decreed source for filling Ranch Creek Ranch Pond. Legal Description: center of the pond located in SW1/4 SW1/4 of Sec. 15, T. 1 S., R. 75 W. of the 6th P.M., Grand Cty., CO, at a point approx. 460 ft. N. and 1,120 ft. E. of the SW Corner of Sec. 15. **Source: Natural surface drainage tributary to Ranch Creek, tributary to the Fraser River, tributary to the CO River** and, the RCR Pond Well. Date of Approp.: 8/21/1996. Amt.: 20 AF, of which 2.06 AF was confirmed absolute in 18CW3224 for rec., piscatorial, fish and wildlife propagation, fire protection, aug., and exchange uses, and 17.94 AF remain conditional for all decreed uses. Uses: Rec., piscatorial, fish and wildlife propagation, fire protection, aug., and exchange. Physical Characteristic: Active Capacity: 20 AF, Dead Storage: None, Surface Area: 2.0 acres. Remark: The Ranch Creek Ranch Spring, a decreed fill source for the Ranch Creek Ranch Pond, was cancelled in 11CW60. Structures: Ranch Creek Ranch Residential Wells No. 1, 2, 8, 11, 13, 14, 17, 18, and 21. Legal Description: A well field for the development of up to 24 residential wells within Ranch Creek Ranch Subdivision, located generally in the NE1/4 of Sec. 21, the SE1/4 of Sec. 16, and the SW1/4 of Sec. 15, T. 1 S., R. 75 W. of the 6th P.M., Grand Cty., CO. **Source: Groundwater tributary to Ranch Creek, tributary to the Fraser River, tributary to the CO River.** Date of Approp.: 8/21/1996. Amt.: 15 g.p.m., conditional per well. Uses: Dom., lawn irr., watering of dom. animals, and fire protection. Each lot will have approximately 750 sq. ft. of lawn and garden irrigated area. Remarks: The Ranch Creek Ranch Residential Wells No. 3, 4, 5, 6, 7, 9, 10, 12, 15, 19, 20, and 23 were made absolute for dom., lawn irr. of 750 sq. ft. per well, watering of dom. animals and fire protection purposes in 11CW60. Ranch Creek Ranch Wells No. 16 and 22 were confirmed absolute in 18CW3224 in the amts. of 13.2 g.p.m. and 12 g.p.m., respectively, for dom., irr. of up to 750 sq. ft. of lawn and garden, watering dom. animals, and fire protection uses. In 11CW60, the Ct. cancelled the decreed use of "water of horses" and reduced lawn irr. from 1,250 sq. ft. per lot to 750 sq. ft. per lot. Structure: RCR Pond Well, a groundwater right. Other Decree: 04CW222 on 2/10/2006 corrected the legal description of the RCR Pond Well. Legal Description: As corrected in 04CW222, the well is located SW1/4 SW1/4 of Sec. 15, T. 1 S., R. 75 W. 6th P.M., within 200 ft. of a point located 415 ft. N. of the S. Sec. line and 1,050 ft. E. of the W. Sec. line of Sec. 15. **Source: Groundwater tributary to Ranch Creek, a tributary to the Fraser River, tributary to the CO River.** Date of Approp.: 7/25/2002. Amt.: 15 g.p.m., of which 7 g.p.m. were confirmed absolute in 11CW60, and 8 g.p.m. remain conditional. Uses: fill or refill the Ranch Creek Ranch Pond. Water from the RCR Pond Well is used only to top-off and replace losses from the Ranch Creek Ranch Pond. Depth: 400 ft. Structure: Ranch Creek Ranch Appropriative Right of Exchange, herein referred to as The Ranch Creek Ranch Exchange Project. The Ranch Creek Ranch Exchange Project utilizes a Middle Park WCD contract for Windy Gap Reservoir water and Wolford Mountain Reservoir water. Legal Description: Exchange Reach 1, Windy Gap Reservoir: Downstream Terminus: The confluence of the Fraser River and the CO River, currently located at a point in the SW1/4 SW1/4 of Sec. 25, T. 2 N., R. 77 W. of the 6th P.M., at a point described as Zone 13, NAD 83, Easting 416964 m, Northing 4439326 m. Upstream Terminus: The uppermost point of influence on Ranch Creek where depletions associated with the Ranch Creek Ranch Residential Wells, Ranch Creek Ranch Pond, and the RCR Pond Well affect the creek, generally located in the SE1/4 of Sec. 16, T. 1 S., R. 75 W. of the 6th P.M. Exchange Reach 2, Wolford Mountain Reservoir: Downstream Terminus: The confluence of Muddy Creek and the CO River, currently located at a point in the NW1/4 NE1/4, Sec. 19, T. 1 N., R. 80 W., 6th P.M., at a point described as Zone 13, NAD 83, Easting 380762 m, Northing 4433496 m. Upstream Terminus: The uppermost point of influence on Ranch Creek where depletions associated with the Ranch Creek Ranch Residential Wells, Ranch Creek Ranch Pond, and the RCR Pond Well affect the creek, generally located in the SE1/4 of Sec. 16, T. 1 S., R. 75 W. of the 6th P.M. Date of Approp.: 8/21/1996. The approp. date for the exchange to the RCR Pond Well is 7/25/2002, as decreed in 02CW408. Amt.: 0.02 c.f.s., of which 0.01 c.f.s. was confirmed absolute in 11CW60, and 0.01 c.f.s. remains conditional. Remark: In 11CW60, the Ct. cancelled the Ranch Creek Ranch Spring water right, which was a decreed exchange-to point for the Ranch Creek Ranch Appropriative Right of Exchange. Names and addresses of landowners: Well No. 1: The Stacy Trent Trust DTD 2/8/18, 573 Race St., Denver, CO 80206. Well No. 17: Andrew Peter & Kristen Michelle Beck, PO Box 1450 Fraser, CO 80442. Well No. 21: James & Pamela Buderus, PO Box 2049, Fraser, CO 80442. Integrated Water System: As decreed in 03CW248, the SWRs are part of an integrated water supply for Applicant's residential subdivision. C.R.S. § 37-92-301 (4)(b). A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Water Ct. Second Claim to Make Absolute in part. Structure: Ranch Creek Ranch Residential Well No. 1, Well Permit No. 81861-F. Date of Beneficial Use: 4/9/2019. Amt. Made Absolute: 9 g.p.m.

Use: Dom., lawn irr., watering of dom. animals, and fire protection. Statement of Beneficial Use: Records maintained by the DWR reflect that neither Ranch Creek, nor the Fraser River, nor the CO River was subject to a downstream senior call on April 9, 2019. Applicant submitted a Pump Installation and Production Equipment Test Report on 2/7/2019 and was pumping from the well thereafter. Remark: Applicant intends to relinquish its interest in the remaining 6 g.p.m. conditional. Structure: Ranch Creek Ranch Residential Well No. 17, Well Permit No. 85817-F. Date of Beneficial Use: 5/20/2021. Amt. Made Absolute: 7 g.p.m. Amt. Remaining Conditional: 8 g.p.m. Use: Dom., lawn irr., watering of dom. animals, and fire protection. Statement of Beneficial Use: Records maintained by the DWR reflect that neither Ranch Creek, nor the Fraser River, nor the CO River was subject to a downstream senior call on 5/20/2021. Applicant submitted a Pump Installation and Production Equipment Test Report on 5/20/2021 and was pumping from the well thereafter. Structure: Ranch Creek Ranch Residential Well No. 21, Well Permit No. 78867-F. Date of Beneficial Use: 4/12/2016. Amt. Made Absolute: 10 g.p.m. Amt. Remaining Conditional: 5 g.p.m. Use: Dom., lawn irr., watering of dom. animals, and fire protection. Statement of Beneficial Use: Records maintained by the DWR reflect that neither Ranch Creek, nor the Fraser River, nor the CO River was subject to a downstream senior call on 4/12/2016. Applicant submitted a Pump Installation and Test Report on 9/15/2015 and was pumping from the well thereafter. Name of Structure: Ranch Creek Ranch Exchange Project. Date of Beneficial Use: 9/7/2023. Legal Description: Exchange Reach 1, Windy Gap Reservoir: Downstream Terminus and Upstream Terminus as described above. Exchange Reach 2, Wolford Mountain Reservoir: Downstream Terminus and Upstream Terminus as described above. Amt. made Absolute: 0.01 c.f.s. Amt. Remaining Conditional: 0.0 c.f.s. Statement of Beneficial Use: From Aug. through Oct. 2023, the Middle Park WCD released replacement supply water from Wolford Mountain Reservoir pursuant to Applicant's water allotment contract to satisfy senior downstream calls, one of which was placed on 9/7/2023 by the Grand Valley Canal. Because Exchange Reach 1 is nested within Exchange Reach 2, Exchange Reach 1 was necessarily operating on the claimed date of beneficial use. (10 pages of original application, Exhs. A-C)

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**2. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3055 MESA COUNTY - COLORADO RIVER;** Nathalie Ames Revocable Trust; c/o John R. Pierce, DUFFORD WALDECK, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; Application for Finding of Reasonable Diligence, Name and contact information of Applicant: Nathalie Ames Revocable Trust, c/o Nathalie Ames, P.O. Box 114, Mesa, CO 81643; Request for finding of reasonable diligence: Name of structures; Brook Pond; Native Pond; Brown Pond; Rainbow Pond; Legal descriptions: NE¼ SW¼ of Section 30, Township 10 South, Range 96 West of the 6<sup>th</sup> P.M. The center of the dam for each pond will be located as follows:

<i>Pond</i>	<i>Feet from South Section Line</i>	<i>Feet from East Section Line</i>
Brook Pond	1,950	3,500
Native Pond	2,250	3,500
Brown Pond	2,600	3,400
Rainbow Pond	2,550	2,800

**SOURCE: BROOK SPRING, RUN-OFF, SEEPAGE AND RETURN FLOWS TRIBUTARY TO TATE CREEK, TRIBUTARY TO MESA CREEK, TRIBUTARY TO PLATEAU CREEK, TRIBUTARY TO THE COLORADO RIVER;** Date of appropriation: August 31, 2018; Amount claimed (all active): Brook Pond: 2.5 acre-feet, conditional; Native Pond: 5.0 acre-feet, conditional; Brown Pond: 7.5 acre-feet, conditional; Rainbow Pond: 8.0 acre-feet, conditional; Use: Storage, irrigation, livestock watering, domestic for up to six single-family dwellings, piscatorial, wetlands creation, wildlife watering, evaporation, fire protection, augmentation in association with the augmentation plan decreed in Case no. 1995CW345, with right to fill and refill in priority. Irrigation use will occur on approximately 30 acres located east and west of the ponds; Surface area of high water line: Brook Pond: 0.5 acres; Native Pond: 0.75 acres; Brown Pond: 1.0 acre; Rainbow Pond: 1.0 acre; Dimensions of dams: Height: Water stored in each structure will not exceed 10 vertical feet; Length: Brook Pond: 150 feet; Native Pond: 180 feet; Brown Pond: 210 feet; Rainbow Pond: 210 feet; Description of what has been done toward completion of the appropriation and application of water to beneficial use: Applicant acquired the conditional water rights in the Brook Pond, Native Pond, Brown Pond, and the Rainbow Pond (along with the property to which those rights are appurtenant) in March 2022. Since acquiring those conditional rights, Applicant has completed the construction of a new irrigation system in coordination with the NRCS that is dependent on and a prerequisite to the construction and use of the subject conditional rights. With the irrigation system in place, Applicant plans to begin construction of the subject ponds; Request for finding of reasonable diligence: Name of structure: Brook Spring; Legal description: 1,900 feet from the south section line and 3,500 feet from the east section line in the NE¼ SW¼ of Section 30, Township 10 South, Range 96 West of the 6<sup>th</sup> P.M.; Source: Surface water tributary

to Tate Creek, tributary to Mesa Creek, tributary to Plateau Creek, tributary to the Colorado River; Date of appropriation: August 31, 2018; Amount claimed: 0.50 c.f.s., conditional; Use: Filling the above-described ponds, irrigation, livestock watering, domestic use associated with six single-family dwellings, wildlife watering, fire protection, augmentation in association with the plan for augmentation approved in Case No. 1995CW345; Description of what has been done toward completion of the appropriation and application of water to beneficial use: Applicant acquired the conditional water rights in the Brook Spring in March 2022. Since acquiring that conditional right, Applicant has completed the construction of a new irrigation system in coordination with the NRCS that is dependent on and a prerequisite to the construction and use of the subject conditional right. With the irrigation system in place, Applicant plans to begin construction of the infrastructure to capture and beneficially use water from the Brook Spring. (5 pages)

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**3. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3056 GARFIELD COUNTY. Application for Findings of Reasonable Diligence and to Make Absolute, In Part.** Applicant: Sunlight, Inc., c/o Scott A. Grosscup & Andrea J. Hall, Balcomb & Green, P.C.; PO Drawer 790, Glenwood Springs, CO 81602; (970)945-6546; [balcombgreen.com](http://balcombgreen.com). Applicant requests a finding of reasonable diligence in the development of the conditional water rights decreed to the Sunlight Feeder Ditch, Babbish Gulch Reservoir, and the Sunlight Wells No. 1-12 (referred to herein as the "SWRs"). Applicant further seeks a finding that a portion of the water right decreed to the Sunlight Feeder Ditch be made absolute at the alternate points of diversion ("POD") described as the Sunlight Alternate Point No. 1, and that the remaining conditional portion continues in full force for another six years. First Claim For Findings of Reasonable Dil. Structure: Sunlight Feeder Ditch. Original Decree: 85CW331 on 4/23/1986, Dist. Ct, Water Div. 5. Subsequent Findings of Reasonable Dil.: 90CW068 on 8/1/1990, 96CW201 & 96CW202 (consol.) on 8/10/1998, 04CW131 on 7/19/2005, 11CW111 on 7/22/2012, 18CW3118 on 4/7/2019, all in Dist. Ct, Water Div. 5. Other Decrees: 18CW3135 on 11/29/2019, 02CW368 on 4/15/2010, 96CW244 on 11/18/1997, all Dist. Ct, Water Div. 5. Approp. Date: 9/25/1985. Amt.: 1.5 c.f.s. Uses: Storage for snowmaking (*see* 85CW331), direct flow for snowmaking at the Sunlight Alternate Point No. 1 (*see* 96CW244) and direct flow for snowmaking or filling Babbish Gulch Reservoir or Babbish Gulch Reservoir, Four Mile Snowmaking Pond Alternate for snowmaking uses (*see* 02CW368). **SOURCE: FOUR MILE CREEK, TRIBUTARY TO THE ROARING FORK RIVER, TRIBUTARY TO THE CO RIVER.** Decreed Location: The POD is located in the NE1/4 SE1/4 of Sec. 36, T. 7 S., R. 90 W. of the 6th P.M. at a point whence the E. 1/4 Corner of said Sec. 36 bears N. 20°45'0" E. 925 ft. Also described in 11CW111 as being 315 ft. from the E. Sec. line and 1,755 ft. from the S. Sec. line of said Sec. 36. The Sunlight Feeder Ditch priority may also be stored at the alternate locations. Alternate PODs: Sunlight Alternate Point No. 1: Decreed in 96CW244. Legal Description: SW1/4 NW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. at a point whence the SW corner of Sec. 33 bears S. 15°00' W. 2,900 ft. Also described in 11CW111 as being 4,720 ft. from the E. Sec. line and 2,815 ft. from the S. Sec. line of said Sec. 33. Amt. and Use: 1.5 c.f.s., of which 0.8 c.f.s. is absolute, and 0.7 c.f.s. conditional (*see* 11CW111) for direct flow for snowmaking in the SW1/4, Sec. 33, T. 7 S., R. 89 W., 6th P.M. Sunlight Feeder Ditch, Four Mile Creek Alternate Diversion Point: Decreed in 02CW368. Legal Description: A pump station located in the SW1/4 NE1/4, Sec. 32, T. 7 S., R. 89 W. of the 6th P.M. at a point 2,550 ft. from the E. Sec. line and 2,100 ft. from the N. Sec. line of Sec. 32. Amt. and Use: 1.5 c.f.s., of which 0.49 c.f.s. is absolute to fill Babbish Gulch Reservoir Snowmaking Pond Alternate and subsequent release for snowmaking (*see* 11CW111). Babbish Gulch Reservoir Pond No. 2 Feeder Ditch: Decreed in 18CW3185. Legal Description: NE1/4 SW1/4 of Sec. 32, T. 7 S., R. 89 W. in the 6th P.M. UTM Zone 13, Easting 297128 m and Northing 4363616 m. Amt.: 1.5 c.f.s., conditional. Use: To divert water for the Babbish Gulch Reservoir Pond No. 2 from Babbish Gulch for all uses decreed to the Sunlight Feeder Ditch. **Source: Babbish Gulch, tributary to Four Mile Creek, tributary to the Roaring Fork River, tributary to the CO River.** Remarks: Total diversions under the Babbish Gulch Reservoir Pond No. 2 Feeder Ditch, Sunlight Alternate Point No. 1, and Sunlight Feeder Ditch, Four Mile Creek Alternate Diversion Point shall not exceed 1.5 c.f.s. or such portion thereof that is in priority, and the volume of water applied to snowmaking shall not exceed 35 AF/year nor shall snowmaking water be applied to an area in excess of 70 acres (*see* ¶ 17.A. of 02CW368). Structure: Babbish Gulch Reservoir. Original Decree: 80CW546 & 81CW413 (consol.) on 7/17/1990, in Dist. Ct, Water Div. 5. Subsequent Findings of Reasonable Dil.: 96CW201 & 96CW202 (consol.) on 8/10/1998, 04CW131 on 7/19/2005, 11CW111 on 7/22/2012, and 18CW3118 on 4/7/2019, all in Dist. Ct, Water Div. 5. Other Decrees: 21CW3003 on 10/17/2021, 19CW3062 on 11/3/2019, 18CW3135 on 11/29/2019, 02CW368 on 4/15/2010, and 93CW196 on 6/27/1994, all in Dist. Ct, Water Div. 5. Original Decreed Location: SE1/4 SW1/4 Sec. 32, T. 7 S., R. 89 W. of the 6th P.M., also described in 11CW111 as being 3,385 ft. from the E. Sec. line and 580 ft. from the S. Sec. line of said Sec. 32. **Source: This on-channel storage facility is located on Babbish Gulch, which is tributary to Four Mile Creek, tributary to the Roaring Fork River, and tributary to the CO River.** The reservoir can also be filled using the Sunlight Feeder Ditch (*see* 85CW331). Decreed Alternate Places of Storage: Babbish Gulch Reservoir Pond No. 1: Decreed in 93CW196. Legal Description: Located in the NW1/4, Sec. 32, T. 7 S., R. 89 W. of the 6th P.M., beginning at a point whence the NW corner of said Sec. 32 bears N. 43°30'00" W., 3,050 ft. to the midpoint of the centerline of the dam; also described in 11CW111 as being 3,170 ft. from the E. Sec. line and 3,015 ft.

from the S. Sec. line of said Sec. 32. **Source: Off-channel pond fed by a feeder ditch that diverts from Babbish Gulch, (tributary to Four Mile Creek, tributary to the Roaring Fork River)** from a headgate located in the NE1/4 SW1/4, Sec. 32, T. 7 S., R. 89 W., of the 6th P.M., UTM Zone 13 NAD 83, Easting 297179 m, Northing 4363890 m, changed in 19CW3062. Amt.: 6.57 AF, absolute, decreed in 21CW3003. Babbish Gulch Reservoir Pond No. 2: Decreed in 18CW3135. Legal Description: NE1/4 SW1/4 of Sec. 32, T. 7 S., R. 89 W. in the 6th P. M. UTM Zone 13, Easting 297295 m and Northing 4363833 m. Amt.: 8.43 AF, absolute decreed in 21CW3003, 1.57 AF, conditional. **Source: Sunlight Feeder Ditch diverting at the Babbish Gulch Reservoir Pond No. 2 Feeder Ditch, which diverts from Babbish Gulch, tributary to Four Mile Creek, tributary to the Roaring Fork River, tributary to the CO River** and located in the NE1/4 SW1/4 of Sec. 2, T. 7 S., R. 89 W. of the 6th P.M. UTM Zone 13, Northing 4363616 m and Easting 297128 m and as decreed in 18CW135. Babbish Gulch Reservoir, Four Mile Snowmaking Pond Alternate: Decreed in 02CW368. Legal Description: As corrected in 11CW111, the dam is situated in SW1/4 NE1/4 of Sec. 32, T. 7 S., R. 89 W. of the 6th P.M., 2,382 ft. distance from the E. Sec. line and 3,416 ft. distance from the S. Sec. line of said Sec. 32. UTM Zone 13, Easting 297468.2 m and Northing 4364207 m. Amt. and Use: Up to 5 AF, of which 4.33 AF was confirmed absolute (*see* 11CW111), and 0.7 AF remains conditional for snowmaking. **Source: Four Mile Creek at the Sunlight Feeder Ditch, Four Mile Creek Alternate Diversion, which diverts from Four Mile Creek, tributary to the Roaring Fork River, tributary to the CO River.** Babbish Gulch Reservoir, Snowboard Park Reservoir Alternate: Decreed in 02W368. Legal Description: SW1/4 SW1/4 of Sec. 33, T. 7 S., R. 89 W. of the 6th P.M., more particularly described as beginning at the midpoint of the centerline of said dam whence the W. 1/4 corner of said Sec. 33 bears N. 24°08'51" W., a distance of 2,167.55 ft. Also described in 11CW111 as being 4,445 ft. from the E. Sec. line and 655 ft. from the S. Sec. line of said Sec. 33. Amt.: Up to 5.22 AF, conditional. **Source: Sunlight Alternate Point No. 1, which diverts from Four Mile Creek, tributary to the Roaring Fork River, tributary to the CO River.** Approp. Date: 6/29/1981. Amt. Remaining Conditional: 32.67 AF. Uses: Irr., snowmaking, muni., dom., fire protection, rec., aesthetics, and replacement and exchange uses. Remarks: Storage pursuant to the Babbish Gulch Reservoir right in any water year shall not exceed one fill in priority of the decreed 52 AF amt. in all of the decreed places of storage, taking into consideration water remaining in storage in such facilities from the prior water year as part of that one fill. Structure: Sunlight Wells No. 1 through 12. Original Decree: 80CW546 & 81CW413 (consol.) on 7/17/1990, in Dist. Ct, Water Div. 5. Subsequent Findings of Reasonable Dil.: 96CW201 & 96CW202 (consol.) on 8/10/1998, 04CW131 on 7/19/2005, 07CW58 on 11/4/2008, 11CW111 on 7/22/2012, and 18CW3118 on 4/7/2019, all in Dist. Ct, Water Div. 5. Legal Description: Sunlight Well No. 1: NW1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M., at a point from whence the NE corner of said Sec. 33 bears N. 58°22'30" E. 5,043.90 ft. Also described in 11CW111 as being 3,995 ft. from the E. Sec. line and 2,175 ft. from the S. Sec. line of said Sec. 33. Sunlight Well No. 2: NE1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M., at a point whence the NE corner of said Sec. 33 bears N. 51°37'30" E. 5,001.30 ft. Also described in 11CW111 as being 3,800 ft. from the E. Sec. line and 2,015 ft. from the S. Sec. line of said Sec. 33. Sunlight Well No. 3: NE1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. at a point whence the NE corner of Sec. 33 bears N. 46°09'30" E. 4,727.60 ft. Also described in 11CW111 as being 3,295 ft. from the E. Sec. line and 1,845 ft. from the S. Sec. line of said Sec. 33. Sunlight Well No. 4: NW1/4 SE1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. located 1,890 ft. N. of the S. Sec. line of said Sec. 33 and 2,930 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 5: NW1/4 SE1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M., located 2,110 ft. N. of the S. Sec. line of said Sec. 33 and 2,930 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 6: NE1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. located 1,850 ft. N. of the S. Sec. line of said Sec. 33 and 2,550 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 7: NE1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. located 2,280 ft. N. of the S. Sec. line of said Sec. 33 and 2,520 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 8: NE1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. located 2,600 ft. N. of the S. Sec. line of said Sec. 33 and 1,860 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 9: NE1/4 SW1/4, Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. located 2,160 ft. N. of the S. Sec. line of said Sec. 33 and 1,810 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 10: NW1/4 SW1/4 (as corrected in 11CW111), Sec. 33, T. 7 S., R. 89 W. of the 6th P.M. located 2,560 ft. N. of the S. Sec. line of said Sec. 33 and 80 ft. E. of the W. Sec. line of said Sec. 33. Sunlight Well No. 11: SW1/4 NE1/4 (as corrected in 11CW111), Sec. 32, T. 7 S., R. 89 W. of the 6th P.M. located 3,280 ft. N. of the S. Sec. line of said Sec. 32 and 2,740 ft. E. of the W. Sec. line of said Sec. 32. Sunlight Well No. 12: NE1/4 SW1/4, Sec. 32, T. 7 S., R. 89 W. of the 6th P.M. located 2,590 ft. N. of the S. Sec. line of said Sec. 32 and 2,410 ft. E. of the W. Sec. line of said Sec. 32. Alternate POD: The Sunlight Wells No. 1-12 may also divert at the Sunlight Alternate Point No. 1 per 96CW244. Diversions of any one or combination of one Sunlight Wells No. 1-12 at the Sunlight Alternate Point No. 1 are limited to a call date upstream of 9/27/1996. **Source: Groundwater tributary to Four Mile Creek, tributary to the Roaring Fork River, tributary to the CO River, and Four Mile Creek when diverting at the Sunlight Alternate Point No. 1.** Amts., Uses and Approp. Dates: Sunlight Well No. 1: 45 g.p.m. (0.10 c.f.s.; 72.4 AF/year) of which: 45 g.p.m., is conditional for muni. use (limited to dom., irr., com., fire protection, rec. and snowmaking purposes per 04CW131), with an approp. date of 12/31/1980. 10 g.p.m. (0.22 c.f.s.; 16.1 AF/year) is absolute for dom. use, with an approp. date of 8/3/1966 (*see* 80CW546 & 81CW413 (consol.)); and 45 g.p.m. is absolute for com., rec. and snowmaking use, with an approp. date of 12/31/1980 (*see* 96CW201 & 96CW202 (consol.)). Sunlight Well No. 2: 11 g.p.m. (0.024 c.f.s.; 17.7 AF/year), of which: 11 g.p.m. is conditional for muni. use (limited to dom., irr., com., fire protection, rec. and snowmaking purposes per 04CW131), with an approp. date of 12/31/1980; 10 g.p.m. (0.022 c.f.s.; 16.1 AF/year), is absolute for dom. use, with an approp. date of 5/20/1967 (*see* 80CW546 & 81CW413 (consol.)); and 11 g.p.m. is absolute for com., rec. and snowmaking use, with an approp. date of 12/31/1980 (*see* 96CW201 & 96CW202 (consol.)). Sunlight Well No. 3: 2.5 g.p.m. (0.0056 c.f.s.; 4 AF/year), of which: 2.5 g.p.m., is conditional for snowmaking and muni. use (limited to dom., irr., com., fire protection, rec. and snowmaking purposes in 04CW131), with an approp. date of 12/31/1980; 2.5 g.p.m. is absolute for dom. use, with approp. date of 8/6/1966 (*see* 80CW546 & 81CW413 (consol.)); and 2.5 g.p.m. is absolute for com. and rec. use, with an approp. date of 12/31/1980 (*see* 96CW201 & 96CW202 (consol.)). Sunlight Wells No. 4 through 12: Amt.: 20 g.p.m. (0.044 c.f.s.) each, conditional. Uses: Irr., muni., dom., com., fire protection, rec., aesthetic, and

snowmaking uses (as clarified 96CW244 ¶ 16), limited to 32.2 AF/year. Approp. Date: 6/29/1981. Sunlight Well No. 1: 78 ft. deep. Sunlight Well No. 2: 186 ft. deep. Sunlight Well No. 3: 98 ft. deep. Sunlight Wells No. 4 through 12: Not to exceed 200 ft. deep. Remarks: The Sunlight Wells No. 1-12 benefits from the Applicant's augmentation plan decreed in 80CW596 & 81CW413 (consol.) and 07CW058. Integrated System: In 96CW201 & 96CW202 (consol.), this Ct found that the SWRs are part of an integrated water supply system for Applicant. C.R.S. § 37- 92- 301(4)(b). A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Water Ct Second Claim to Make Absolute, In Part. Applicant requests that the Ct confirm the Sunlight Feeder Ditch be made absolute, in part, at the alternate PODs described as the Sunlight Alternate Point No. 1, as further described above, by application to beneficial use as follows. Name of Water Right: Sunlight Feeder Ditch at the alternate POD described as the Sunlight Alternate Point No. 1. Date of Beneficial Use: 12/1/2024. Amt. Claimed Absolute: 0.3 c.f.s., for total of 1.1 c.f.s. absolute. Amt. Remaining Conditional: 0.4 c.f.s. Uses: For direct flow for snowmaking in SW1/4, Sec. 33, T. 7 S., R. 89 W., 6th P.M. Description of Beneficial Use: snowmaking. Names and address of owners of land on which 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: See ¶ 10 of the Application. (13 pages of original application)

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**4. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3057 MESA COUNTY, PLATEAU CREEK, COLORADO RIVER**, Brad A. Baldwin and Diane K. Baldwin, 740 West Wilshire Court, Grand Junction, CO 81506 c/o Kirsten M. Kurath, McDonough Law Group, 300 Main Street, Suite 102, Grand Junction, Colorado 81501, 720-399-6477, [kirsten@mcdonoughlawgroup.com](mailto:kirsten@mcdonoughlawgroup.com). APPLICATION TO MAKE CONDITIONAL WATER RIGHTS PARTIALLY ABSOLUTE AND FOR A FINDING OF REASONABLE DILIGENCE Structures: Baldwin Pond and the Mormon Mesa Ditch, Baldwin Diversion Enlargement. Original Decree: May 30, 2012, Case No. 11CW141, District Court, Water Div. No. 5. Subsequent Decrees: April 17, 2019, Case No. 18CW3059, District Court, Water Div. No. 5. Baldwin Pond: Location: Baldwin Pond is located in the SE1/4NW1/4 of Section 28, Township 10 South, Range 95 West, of the 6th P.M. at a point approximately 2,119 feet south of the North section line and 2,211 feet east of the West section line of said section. See Exhibit 1 attached to the Application. Source: Baldwin Pond derives its source of supply from Cottonwood Creek, tributary to Plateau Creek, tributary to the Colorado River. App. Date: October 19, 2010. Amount: 1.62 acre-feet, together with the right to refill the pond when water is available in priority. The amount for refill shall not exceed 15.6 acre feet per year. Uses: Recreational, aesthetics, fire protection and wildlife watering, irrigation and piscatorial, absolute. The right to re-fill is conditional in the amount of 15.6 acre feet. Water stored in Baldwin Pond will be used to irrigate a combination of grasses, trees, and shrubs on the 5.7 acres located in the SE1/4NW1/4 and SW1/4NE1/4 of Section 28, Township 10 South, Range 95 West, 6th P.M. as is shown on Exhibit 1. Mormon Mesa Ditch, Baldwin Diversion Enlargement ("Baldwin Diversion"): Location: Diversions for the Baldwin Diversion will be made at the existing headgate for the Mormon Mesa Ditch (Structure ID 799) which is located in the NW1/4 NW1/4 of Section 3 Township 11 South, Range 95 West, of the 6th P.M. at a point approximately 1,162 feet south of the North section line and 1,175 feet east of the West section line of said section. See Exhibit 2 attached to the Application. Source: The Baldwin Diversion derives its source of supply from Cottonwood Creek, tributary to Plateau Creek, tributary to the Colorado River. App. Date: October 19, 2010. Amount: 0.5 c.f.s. Uses: To fill Baldwin Pond for the subsequent uses of recreation, aesthetics, fire protection and wildlife watering, irrigation and piscatorial, absolute; and to refill Baldwin Pond for the subsequent uses of recreation, aesthetics, fire protection and wildlife watering, irrigation, and piscatorial, conditional. The water will be used to irrigate a combination of grasses, trees, and shrubs on the 5.7 acres located in the SE1/4NW1/4 and SW1/4NE1/4 of Section 28, Township 10 South, Range 95 West, 6th P.M. as shown on Exhibit 1. Claim to Make Water Rights Partially Absolute: Baldwin Pond Refill Right: Baldwin Pond is decreed absolute for all uses in the amount of 1.62 acre feet. The Applicants obtained the assistance of Merrill Water Rights Consulting, LLC and Munro Pump, Inc. to determine the volume of the refill of the Baldwin Pond. Exhibit 3 attached to the Application shows the six irrigation zones that are irrigated from the Baldwin Pond using sprinkler heads. There is a 10 foot vertical elevation gain from the pump to the irrigated areas. Munro Pump calculated a total dynamic head pressure of 125 feet and pumping rate of 40 pm. See Exhibit 4 attached to the Application. There are thirty-six (36) 35A Rainbird sprinkler heads which have a flow rate range of 3.9 to 7.8 gpm. See Exhibit 5. Applicants have measured the output of several sprinkler heads along the system using the 5-gallon bucket method and the average sprinkler head output is 5 gpm. The pump is connected to an ICore Commercial Irrigation Controller and each irrigation zone is irrigated daily for 90 minutes. Merrill Water Rights Consulting, LLC confirmed that 36 sprinkler heads running at 5 gpm for 90 minutes each day results in 0.05 acre feet per day being pumped from the Baldwin Pond. During the 2023 irrigation season, the Baldwin Pond and Baldwin Diversion were in priority for 80 days. See Exhibit 6, 2023 CDSS Call Records. This means that at a minimum, the Baldwin Pond stored at least 4.0 acre feet of water in priority. Because the Baldwin Pond is absolute for all uses in the amount of 1.62 acre feet, the difference between 4.0 acre feet and 1.62 acre feet, 2.38 acre feet should be decreed absolute for the refill of the pond for all decreed uses. Baldwin Diversion: The Baldwin Diversion is decreed absolute in the amount of 0.5 c.f.s. to fill Baldwin Pond for the subsequent uses of recreation, aesthetics, fire protection, wildlife watering, irrigation

and piscatorial. As set forth above, the Baldwin Diversion was used during the irrigation season to convey at least 2.38 acre feet to refill the Baldwin Pond and should be decreed absolute for refilling the Baldwin Pond for up to 2.38 acre feet. Finding of Reasonable Diligence: The Application contains a detailed outline of what has been done toward completion of the appropriation of the conditional water rights during this diligence period. Names and addresses of landowners: Baldwin Pond is located on property owned by the Applicants. The existing headgate for the Mormon Mesa Ditch (Structure ID 799) which is used to make diversions for the Baldwin Pond Diversion is located on land owned by the U.S. Forest Service, 1010 Kimball Ave, Grand Junction, CO, 81501. Applicants request that the Court adjudge and decree that the Baldwin Pond refill right be decreed absolute in the amount of 2.38 acre feet for all decreed uses and the Mormon Mesa Ditch, Baldwin Diversion Enlargement be decreed absolute for the right to re-fill Baldwin Pond up to 2.38 acre feet per year for all decreed uses, and that the Applicants have been reasonably diligent in the development of the Baldwin Pond and the Mormon Mesa Ditch, Baldwin Diversion Enlargement conditional water rights to the extent the same are not decreed absolute, and that the remaining conditional portions of Baldwin Pond and the Mormon Mesa Ditch, Baldwin Diversion Enlargement conditional water rights be continued in full force and effect. (12 pages)

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**5. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3058** Division: 5. DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO. 109 8<sup>th</sup> Street, Suite 104, Glenwood Springs, CO 81601. **CONCERNING THE APPLICATION FOR WATER RIGHTS OF MARTIN HUML AND MELISSA HUML LIVING TRUST IN EAGLE, GRAND AND PITKIN COUNTIES, COLORADO. APPLICATION FOR WATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION AND EXCHANGE.** 1. Name, address, and telephone number of Applicant: Martin Huml and Melissa Huml Living Trust ("Applicant"). 978 Beard Creek Road Edwards, Colorado 81632. Direct all pleadings to: Glenn E. Porzak (#2793), Porzak Law, LLC, 1111 Spruce Street, Suite 303, Boulder, CO. 80302, (303) 589-0909. 2. Description of water rights to be adjudicated and augmented: The following water rights which are depicted on the attached Exhibit A (collectively the "Subject Water Rights"): (a) Auclair Pipeline Enlargement, claimed for 0.0205 cfs absolute, the source of which are spring water and surface flows tributary to Beard Creek, a tributary of the Eagle River, for irrigation purposes and the filling of the Huml Pond No. 1, the point of diversion located at a point whence the Southwest corner of Section 32, Township 4 South, Range 82 West, of the 6<sup>th</sup> P.M. bears South 48° 19' West a distance of 3844.3 feet, with an appropriation date of September 5, 1999. (b) Auclair Pipeline 2<sup>nd</sup> Enlargement, claimed for 0.0205 cfs conditional, the source of which are spring water and surface flows tributary to Beard Creek, a tributary of the Eagle River, for the filling of the Huml Pond No. 2, the point of diversion located at a point whence the Southwest corner of Section 32, Township 4 South, Range 82 West, of the 6<sup>th</sup> P.M. bears South 48° 19' West a distance of 3844.3 feet, with an appropriation date of September 4, 2024. (c) Huml Pond No. 1, claimed for 1.01 acre feet absolute, together with the right to fill and refill, the source of which are spring water and surface flows tributary to Beard Creek, a tributary of the Eagle River, the point of diversion of which is the point of diversion for the Auclair Pipeline Enlargement described in paragraph 2(a) above, the outlet of which is located in the SE1/4 SW1/4 of Section 32, Township 4 South, Range 82 West, of the 6<sup>th</sup> P.M., UTM NAD 83 Z 13: Northing – 4390706.9, Easting – 362794.3, for irrigation, piscatorial and recreation purposes, with an appropriation date of June 1, 1999. (d) Huml Pond No. 2, claimed for 1.01 acre feet conditional, together with the right to fill and refill, the source of which are spring water and surface flows tributary to Beard Creek, a tributary of the Eagle River, the point of diversion of which is the point of diversion for the Auclair Pipeline Enlargement No. 2 described in paragraph 2(b) above, the outlet of which will be located in the SE1/4 SW1/4 of Section 32, Township 4 South, Range 82 West, of the 6<sup>th</sup> P.M., UTM NAD 83 Z 13: Northing – 4390684.6, Easting – 362854.1 for irrigation, piscatorial and recreation purposes, with an appropriation date of September 4, 2024. 3. Description of water rights to be used as the sources of augmentation water: 3.56 acre feet of water to be obtained by contract with the Colorado River Water Conservation District ("River District") consisting of water from the following structures and water rights: (a) Wolford Mountain Reservoir: The River District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) decreed by the District Court for Water Division No. 5 ("Water Court") which has the following water rights: (1) Case No. 87CW283; Decree Date: November 20, 1989. Name of Structure: Gunsight Pass Reservoir Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6<sup>th</sup> P.M. The intersection of the dam axis with the right abutment will occur at a point which bears S. 54°54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 59,993 acre feet conditional; of this amount 32, 986 acre feet were made absolute for the piscatorial and recreational uses by decree entered in Water Court Case No. 95CW251, and the full amount was made absolute for all purposes by decree entered in Water Court Case No. 02CW107. Appropriation Date: December 14, 1987. Use: All beneficial uses, including but not limited to domestic, municipal, agricultural and recreational uses, which uses satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; use to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area; and use to meet the terms of a lease agreement executed March 3, 1987,

between the River District and the City and County of Denver. (2) Case No. 95CW281: Decree Date: August 26, 1997. Name of Structure: Wolford Mountain Reservoir Enlargement. Legal description of place of storage: The dam is located on the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6<sup>th</sup> P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75°28'29" E. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 6,000 acre feet, conditional. Appropriation Date: January 16, 1995. Use: All beneficial uses by and for the benefit of the inhabitants of the River District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Project; such uses will be made directly or by substitution, augmentation, or exchange. None of the water stored in the exercise of the right will be delivered directly or by exchange, substitution, or otherwise for use outside of Colorado Water Division No. 5. (3) Case No. 98CW237: Decree Date: July 6, 2000. Name of Structure: Wolford Mountain Reservoir. Legal description of place of storage: Same as for 95CW281. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 30,000 acre feet conditional, with 15,895 acre feet being absolute for recreational and piscatorial and flood control. Appropriation Date: November 17, 1998. Use: Certain of the beneficial uses previously adjudicated for Wolford Mountain Reservoir in Water Court Case No. 87CW283 (November 20, 1989 Judgement and Decree), and Water Court Case No. 95CW281 (August 26, 1997 Judgement and Decree). 87CW283: The reservoir will be used to satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District. This will involve all uses, including but not limited to domestic, municipal, agricultural and recreational uses. The reservoir will also be used to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area. 95CW281: All beneficial uses by and for the benefit of the inhabitants of the River District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly of by substitution, augmentation, or exchange. Remarks: The Refill Right described herein will be exercised to provide supply for the Western Slope uses of water from Wolford Mountain Reservoir described above, including flood control, other operational purposes, and environmental mitigation and enhancement for the benefit of uses within the River District. The Refill Right will not be used in conjunction with the Reservoir capacity (24,000 acre feet) which is allocated for the supply of water to the Denver Board of Water Commissioners under the River District contractual relationship with Denver, or the Reservoir capacity (6,000 acre feet) which is allocated for Colorado River endangered fish releases. (4) Case No. 03CW302: Decree Date: October 19, 2014. Name of Structure: Wolford Mountain Reservoir Second Enlargement. Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6<sup>th</sup> P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05). as shown on the River District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75°28'29" E. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: The amount is 9,775 acre feet, for the initial fill, with the right to refill when in priority subject to a maximum amount of 9,775 acre feet, conditional. Appropriation Date: November 17, 2003. Uses: a. The WMR Second Enlargement storage right may be used for the purposed previously decreed to the Wolford Mountain Reservoir, including uses consistent with the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; meeting the water requirements of the inhabitants of the River District for all uses; and uses consistent with the terms of a lease agreement executed March 3, 1987, between the River District and the City and County of Denver, as amended. b. The WMR Second Enlargement storage right also may be used for all beneficial uses, including but not limited to municipal, commercial, industrial, domestic, irrigation, agricultural, livestock, hydro-power production, evaporation, 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) with the right to reuse and successively use the water to extinction; such uses will include environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly or by substitution, augmentation, replacement or exchange in Water Divisions 1, 2, and/or 5. c. Agreed Constraints on Use. Pursuant to the February 12, 2014, stipulation entered in this case between the River District and the GVVUA, the UWCD, and the OMID, the River District agrees that it will make water stored pursuant to the WMR Second Enlargement storage right available for uses within or to facilitate the diversion of water from Water Division No. 5 into Water Division No. 1 or Water Division 2 only pursuant to, and subject to the terms, of the express written consent of the GVVUA, the UWCD, and the OMID. Pursuant to paragraph III.E.19 of the CRCA, any use of the WMR Second Enlargement storage right for the benefit of Denver Water will require the prior approval of the Grand County Commissioners and the River District. (5) PLSS: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2N., R. 81 W., 6<sup>th</sup> P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05) as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point 1,940 feet South of North section line and 2,760 feet East of the West section line of said Section 25. (b) Ruedi Reservoir: The River District holds Contracts Nos. 009D6C0111 (500 acre feet), 009D6C0118 (700 acre feet), 039F6C0011 (530 acre feet), 079D6C0106 (5,000 acre feet), and 139D6C0101 (4,683.5 acre feet) from the United States Bureau of Reclamation for 11,413.5 acre feet of annual supply from Ruedi Reservoir. This water will be used in addition to and substitution for Wolford Mountain Reservoir water in appropriate circumstances where Ruedi Reservoir water is physically equivalent to Wolford Mountain Reservoir water. (1) Legal Description: Ruedi Reservoir is located in Sections 7, 8, 9, 11, and 14 through 18 T. 8 S., R. 84 W. 6<sup>th</sup> P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point whence the SW corner of Section 7, T. 8

S., R. 84 W., of the 6<sup>th</sup>, P.M. bears N. 82°10'W. a distance of 1,285 feet. (2) Sources: Fryingpan River, tributary of Colorado River (3) Storage Decrees: a. Civil Action No. 4613: Decree Date: June 20, 1958. Court: Garfield County District Court. Amount: 140,697.3 acre feet, reduced to 102,369 acre feet pursuant to order of the Water Court in Case No. W-789-76. The full amount was made absolute in Case No. 88CW85. Appropriation Date: July 29, 1957. Use: Domestic, municipal, irrigation, industrial, generation or electrical energy, stock watering and piscatorial. b. Case No. 81CW34: Decree Date: April 8, 1985. Court: Water Court. Amount: 101,208 acre feet (refill); of this amount, 44,509 acre feet were made absolute in Case No. 95CW95 and 25,257 acre feet were made absolute in Case No. 01CW269, for a total of 69,766 acre feet absolute. Appropriation Date: January 22, 1981. Use: Irrigation, domestic, municipal, generation of electrical energy, stock watering, industrial, piscatorial, recreation and maintenance of sufficient storage reserves to fulfill contractual obligations and provide stored water for recreation in times of drought. (4) PLSS: Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6<sup>th</sup> P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point 130 feet South of the North section line and 1,280 feet East of the West section line of Section 7, T. 8 S., R. 84 W. of the 6<sup>th</sup> P.M. (c) Eagle Park Reservoir: the water right and exchange plan for which were decreed in the Water Court Case Nos. 92CW340, 93CW301 and 95CW348, for a capacity of 5,300.0 acre feet, with an appropriation date of March 16, 1991, and 22,300.0 acre feet with an appropriation date of May 18, 1993, together with the right to divert at the rate of 80.0 cfs under the August 10, 1956 appropriation date of the Pando Feeder Canal pursuant to the decree entered in Water Court Case No. 97CW288, all for mining, milling, industrial, snowmaking, municipal, domestic, stock watering, recreation, fish and wildlife, irrigation, agricultural, exchange, replacement, augmentation and all other beneficial purposes. The north abutment of the dam crest is located approximately 160 feet north of the south Section line and 650 feet east of the west section line of Section 28, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M., Eagle County, Colorado. The source of Eagle Park Reservoir is the East Fork of the Eagle River including runoff, surface flow and seepage from the area above the reservoir and tributary thereto, and water tributary to Tenmile Creek a tributary of the Blue River. In addition to the tributary area upstream of the Reservoir, the specific points of diversion into storage for Eagle Park Reservoir are as follows: (1) The East Fork Interceptor Ditch, which has a capacity of 48 cfs and diverts from unnamed tributaries of the East Fork of the Eagle River at the following points, all of which are located in Eagle County, Colorado: a. 900 feet south of the north section line and 1100 feet west of the east section line of Section 5, Township 8 South, Range 79 West, of the 6<sup>th</sup> P.M. b. 1250 feet south of the north section line and 700 feet east of the west section line of Section 4, Township 8 South, Range 79 West, of the 6<sup>th</sup> P.M. c. 1200 feet north of the south section line and 800 feet east of the west section line of Section 33, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M. d. Runoff, surface flow, and seepage from the area above the East Fork Interceptor Ditch as it runs between the above-described points of diversion and Eagle Park Reservoir. (2) The Chalk Mountain Interceptor Ditch, which has a capacity of 12 cfs and diverts runoff and seepage as it runs a distance of approximately 3.4 miles from Fremont Pass, located in the W1/2 of Section 11, Township 8 South, Range 79 West, of the 6<sup>th</sup> P.M., northwesterly along State Highway 91 and the South side of Robinson Tailing Pond, thence northwesterly to Eagle Park Reservoir. The Chalk Mountain Interceptor Ditch diverts water from the headwaters to the Tenmile Creek in Lake and Summit Counties and from the headwaters of the East Fork of the Eagle River in Eagle County. (3) The East Interceptor Ditch, which has a capacity of 20 cfs and runs northeasterly from a point whence the northeast corner of Section 2, Township 8 South, Range 79 West, of the 6<sup>th</sup> P.M. bears North 77°20' East a distance of 850 feet at the north fork of McNulty Creek, thence along the east side of Robinson and Tenmile Tailing Ponds into Supply Canal No. 1 described below. The East Interceptor Ditch diverts water from the north fork of McNulty Creek and surface flow, seepage, and runoff from watersheds above it that are tributary to Tenmile Creek. (4) The Supply Canal No. 1, which has a capacity of 10 cfs and diverts water from the following tributaries of Tenmile Creek at the following points: a. On the west bank of Humbug Creek at a point whence the southwest corner of Section 18, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M. bears South 71°35' West a distance of 3250 feet. b. On the south bank of Mayflower Creek at a point whence the northeast corner of Section 24, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M., bears North 16°55' East a distance of 2250 feet. c. Runoff, surface flow, and seepage from the area above to Supply Canal No. 1 as it runs between the above-described points of diversion and the Climax Mill. (5) The Supply Canal No. 2, which has a capacity of 10 cfs and diverts water from the following tributaries of Tenmile Creek at the following points: a. On the west bank of Searle Creek at a point whence U.S.L.M. Kokomo bears South 45°25' East 3740 feet (located in the NW1/4 of the SE1/4 of Section 13, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M.). b. On the south bank of Kokomo Creek at a point whence U.S.L.M. Kokomo bears North 39°36' East 2635 feet (located in the SE1/4 of Section 22, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M.). c. Runoff, surface flow, and seepage from the area above the Supply Canal No. 2 as it runs between the above-described points of diversion and the Climax Mill. (6) The East Fork Pumping Plant, which has a capacity of 6 cfs and diverts from the East Fork of the Eagle River at a point in the SE1/4 NE1/4 of Section 32, Township 7 South, Range 79 West, of the 6<sup>th</sup> P.M. at point whence the NE corner of said Section 32 bears North 31°53' East, a distance of 2,414 feet. 4. Application for Water Rights: Applicant seeks absolute water rights for the Auclair Pipeline Enlargement, conditional water rights for the Auclair Pipeline 2<sup>nd</sup> Enlargement, absolute water rights for the Huml Pond No. 1, and conditional water rights for the Huml Pond No. 2, all of which is described in paragraph 2 above. 5. Description of the Plan for Augmentation: By this Application, Applicant seeks the right to divert and store water out of priority in connection with the water rights described in paragraph 2. The Applicant will replace such depletions from the augmentation sources described in paragraph 3 in accordance with the provisions set forth on the attached Exhibit B. The Applicant is the owner of the Auclair Pipeline decreed by the Water Court in Case No. W-494, for 0.0205 cfs absolute, for domestic and stockwater purposes, with an appropriation date of June 1, 1966, together with all associated easements. The Auclair Pipeline is a beneficiary of the Historic Users Pool of Green Mountain Reservoir and will continue to be used by the Applicant for its decreed purposes, and is not augmented by this augmentation and exchange plan. 6. Description of Plan for Exchange: The replacement of the out of priority diversions and storage and associated evaporation losses will be augmented by exchange from the reservoirs described in paragraph 3 at the rate of 0.015 cfs. The exchange reaches are as follows: (a) Downstream Termini: The points of replacement are described as follows: Lower Terminus 1 (Exchange of Wolford Mountain Reservoir water): The confluence of Muddy

Creek and the Colorado River, located in the NW1/4 NE1/4 of Section 19, Township 1 North, Range 80 West of the 6<sup>th</sup> P.M., at a point approximately 263 feet from the North section line and 1,970 feet from the East section line (Grand County; NAD83 Zone 13 UTM(x)=380761, UTM(y)=4433438. Lower Terminus 2 (Exchange of Ruedi Reservoir water): The confluence of the Roaring Fork River and Colorado River located in the SE1/4 NW1/4 of Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M., at a point 2,072 feet from the North section line and 2,267 feet from the West section line (Garfield County; NAD83 Zone 13 UTM(x)=299739; UTM(y)=4380372). Lower Terminus 3 (Exchange of Eagle Park Reservoir water): The confluence of the Eagle River and Beard Creek located at UTM Easting 362344.6, Northing 4390286.4. (b) Upper Terminus: A point in the SW1/4 of the NE1/4 of Section 32 whence the Southwest corner of Section 32, Township 4 South, Range 82 West of the 6<sup>th</sup> P.M. bears South 48°19' West a distance of 3844.3 feet, UTM NAD 83 Z 13: Northing – 4391244.0, Easting – 362912.9. The Applicant seeks a December 2, 2024 priority date in connection with the subject plan for exchange. 7. Landowners: The Huml Ponds Nos. 1 and 2 are located on property owned by Applicant. The Auclair Pipeline Enlargement and Enlargement No. 2 are located on property owned by Gail E. Newman c/o Bill Newman, 983 Beard Creek Road, Edwards, CO 81632. Portions of the pipeline for these water rights are located on property owned by the Pamela K. Bernard Revocable Trust, 607 N. Shore Drive, Suite 203, Jeffersonville, IN 47130-3132. Wolford Mountain Reservoir described in paragraph 3(a) is owned by the River District, the address for which is P.O. Box 1120, Glenwood Springs, CO 81602-1120. Ruedi Reservoir described in paragraph 3(b) is owned by the United States of America, U.S. Department of Interior, Bureau of Reclamation, 11056 West County Road 18E, Loveland, CO 80537. Eagle Park Reservoir described in paragraph 3(c) is owned by the Eagle Park Reservoir Company, with a mailing address of P.O. Box 1058, Breckenridge, CO 80424. WHEREFORE, Applicant requests that this Court enter a decree which: (i) Confirms the water rights described in paragraph 2 for the Auclair Pipeline Enlargement, the Auclair Pipeline Enlargement No. 2, the Huml Pond No. 1 and the Huml Pond No. 2. (ii) Approves the plan for augmentation and exchange described in paragraph 5 and 6 above; (iii) Finds that as a result of the subject plan for augmentation and exchange, there will be no injury to any owner of or persons entitled to use water under a vested water right or decreed conditional water right; and (iv) Grants such other relief as may be appropriate and consistent with this Application.

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**6. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF JUNE 2025. *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.***

**25CW3059 PITKIN COUNTY – ROARING FORK RIVER OR ITS TRIBUTARIES.** BOCAR Colorado, LLC, Hayden TWB, LLC, and Joseph Edward Wells & Carrie Ann Wells, c/o Kevin L. Patrick and John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. Name of structure: CCVR Well No. 4. Well Permit No. 50366-F-R. Date of original decree: April 30, 1992, Case No. 90CW243, District Court, Water Division 5. Subsequent diligence decrees: October 19, 1998, Case No. 98CW65; March 3, 2006, Case No. 04CW165; October 4, 2012, Case No. 12CW42; April 14, 2019, Case No. 18CW3164, all District Court, Water Division 5. Legal description: Section 23, Township 10 South, Range 85 West of the 6<sup>th</sup> P.M. whence the northwest corner of Section 23 bears N 38°42'24" W 4249.83 feet. A map is on file with the Court as Exhibit A. Street address: 490 N. Hayden Road, Aspen, CO 81611. Subdivision: Castle Creek Valley Ranch. Lot: 4. Source: Castle Creek alluvium and/or Maroon Formation tributary to Castle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: July 24, 1989. Amount: 30 g.p.m. 25 g.p.m. was decreed absolute for all uses in Case No. 04CW165. 5 g.p.m. remains conditional for all uses. Domestic, irrigation of up to 10,000 square feet of lawns and gardens, stockwatering, and fire protection. General description of place of use: Lot 4, Castle Creek Valley Ranch. A map is on file with the Court as Exhibit B. Well depth: 160 feet. Applicants have exercised reasonable diligence towards completion of the CCVR Well No. 4 conditional water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit C. Co-Applicant BOCAR Colorado, LLC owns the land upon which the water right is located and where water is placed to beneficial use. Name of structure: CCVR Well No. 4B. Well Permit No. 54827-F. Date of original decree: April 30, 1992, Case No. 90CW243, District Court, Water Division 5. Subsequent diligence decrees: October 19, 1998, Case No. 98CW65; March 3, 2006, Case No. 04CW165; October 4, 2012, Case No. 12CW42; April 14, 2019, Case No. 18CW3164, all District Court, Water Division 5. Legal description: Section 23, Township 10 South, Range 85 West of the 6<sup>th</sup> P.M. whence the northwest corner of Section 23 bears N 40°50'33" W 4127.85 feet. See map on file with the Court as Exhibit A. Street address: 490 N. Hayden Road, Aspen, CO 81611. Subdivision: Castle Creek Valley Ranch. Lot: 4. Source: Castle Creek alluvium and/or Maroon Formation, tributary to Castle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: July 24, 1989. Amount: 30 g.p.m. for all uses. 20 g.p.m. decreed absolute for supplemental irrigation of up to 10,000 square feet of lawns and gardens in Case No. 04CW165; additional 10 g.p.m. decreed absolute for the same use in Case No. 18CW3164. 30 g.p.m. remains conditional for stockwatering use. Uses: Supplemental irrigation of up to 10,000 square feet of lawns and gardens and stockwatering. General description of place of use: Lot 4, Castle Creek Valley Ranch. See map on file with the Court as Exhibit B. Well depth: 218 feet. Applicants have exercised reasonable diligence towards completion of the CCVR Well No. 4B conditional water right. A detailed outline

of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit C. Co-applicant BOCAR Colorado, LLC owns the land upon which the water right is located and where water is placed to beneficial use. Name of structure: CCVR Well No. 6B. Well Permit No.: Applied for under receipt no. 10042039. Description of conditional water right: Date of original decree: April 30, 1992, Case No. 90CW243, District Court, Water Division 5. Subsequent diligence decrees: October 19, 1998, Case No. 98CW65; March 3, 2006, Case No. 04CW165; October 4, 2012, Case No. 12CW42; April 14, 2019, Case No. 18CW3164, all District Court, Water Division 5. Legal description: Section 26, Township 10 South, Range 85 West of the 6<sup>th</sup> P.M. whence the northwest corner of Section 23, Township 10 South, Range 85 West bears N 21°48'39" W 5800.52 feet. See map on file with the Court as Exhibit A. Street address: 1030 N. Hayden Road, Aspen, CO 81611. Subdivision: Castle Creek Valley Ranch. Lot: 6. Source: Castle Creek alluvium and/or Maroon Formation, tributary to Castle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: July 24, 1989. Amount: 30 g.p.m. Uses: Supplemental irrigation of up to 10,000 square feet of lawns and gardens and stockwatering. General description of place of use: Lot 6, Castle Creek Valley Ranch. See map on file with the Court as Exhibit B. Well depth: Not yet drilled. Applicants have exercised reasonable diligence towards completion of the CCVR Well No. 6B conditional water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit C. Co-applicant Hayden TWB, LLC owns the land upon which the water right is located and where water will be put to beneficial use. Name of structure: CCVR Well No. 14. Well Permit No. 57524-F. Date of original decree: April 30, 1992, Case No. 90CW243, District Court, Water Division 5. Subsequent diligence decrees: October 19, 1998, Case No. 98CW65; March 3, 2006, Case No. 04CW165; October 4, 2012, Case No. 12CW42; April 14, 2019, Case No. 18CW3164, all District Court, Water Division 5. Legal description: Section 26, Township 10 South, Range 85 West of the 6<sup>th</sup> P.M. whence the northwest corner of Section 23, Township 10 South, Range 85 West bears N 21°11'30" W 6579.92 feet. See map on file with the Court as Exhibit A. Source: Castle Creek alluvium and/or Maroon Formation, tributary to Castle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: July 24, 1989. Amount: 30 g.p.m. for all uses. 6 g.p.m. was decreed absolute for domestic, irrigation of up to 10,000 square feet of lawns and gardens, and fire protection in Case No. 04CW165. 24 g.p.m. remains conditional for domestic, irrigation of up to 10,000 square feet of lawns and gardens, and fire protection. 30 g.p.m. remains conditional for stockwatering. Uses: Domestic, irrigation of up to 10,000 square feet of lawns and gardens, stockwatering, and fire protection. General description of place of use: Lot 14, Castle Creek Valley Ranch. See map on file with the Court as Exhibit B. Well depth: 320 feet. Applicants have exercised reasonable diligence towards completion of the CCVR Well No. 14 conditional water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit C. Co-applicants Joe & Carrie Wells own the land upon which the water right is located and where water is put to beneficial use. Name of structure: CCVR Well No. 14B. Well Permit No.: Applied for under receipt no. 10042038. Date of original decree: April 30, 1992, Case No. 90CW243, District Court, Water Division 5. Subsequent diligence decrees: October 19, 1998, Case No. 98CW65; March 3, 2006, Case No. 04CW165; October 4, 2012, Case No. 12CW42; April 14, 2019, Case No. 18CW3164, all District Court, Water Division 5. Legal description: Section 26, Township 10 South, Range 85 West of the 6<sup>th</sup> P.M. whence the northwest corner of Section 23, Township 10 South, Range 85 West bears N 21°47'38" W 6495.02 feet. See map on file with the Court as Exhibit A. Source: Castle Creek alluvium and/or Maroon Formation, tributary to Castle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: July 24, 1989. Amount: 30 g.p.m., conditional. Uses: Supplemental irrigation of up to 10,000 square feet of lawns and gardens and stockwatering. General description of place of use: Lot 14, Castle Creek Valley Ranch. See map on file with the Court as Exhibit B. Well depth: Not yet drilled. Applicants have exercised reasonable diligence towards completion of the CCVR Well No. 14B conditional water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit C. Co-applicants Joe & Carrie Wells own the land upon which the water right is located and where water will be placed to beneficial use. The subject water rights were decreed in one original proceeding (90CW243) and involved in one legal water supply plan (90CW244); accordingly, each water right is a component part of an integrated legal water supply plan for the Castle Creek Ranch PUD.

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**7. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3060 GARFIELD COUNTY, COLORADO, CATTLE CREEK, TRIBUTARY TO THE ROARING FORK RIVER, TRIBUTARY TO THE COLORADO RIVER.** Jerry and Stefanie Gillespie, P.O. Box 1031, Basalt, CO 81621. Direct all correspondence to Michael J. Sawyer and Danielle T. Skinner of Karp Neu Hanlon, P.C., P. O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. **APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE, OR IN THE ALTERNATIVE, FOR FINDING OF REASONABLE DILIGENCE. Hunt Reservoir No. 1. Date of original decree: March 16, 1982, in Case No. 81CW220, in the District Court in and for Water Division No. 5, Colorado. Subsequent decrees awarding findings of diligence: Case No. 89CW325, entered May 23, 1990, Case No. 90CW023, entered July 24, 1990, Case No. 96CW041,**

entered July 27, 1998, Case No. 04CW107, entered March 16, 2006, Case No. 12CW41, entered October 4, 2012, and Case No. 18CW3166, entered April 7, 2019. Legal description: The Hunt Reservoir No. 1 dam is located in the NW1/4 SE1/4 of Section 11, Township 7 South, Range 88 West of the 6th P.M., more particularly 1800 feet North of the South section line and 2400 feet West of the East Section line of said Section. Source: Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: August 6, 1981. Amount and uses: 2.0 acre-feet, conditional, for irrigation. 1.0 acre-foot, conditional, for recreation, livestock watering and fish culture. 1.0 acre-foot, absolute, for recreation, livestock watering and fish culture (decreed in Case No. 89CW325). Claim to Make Absolute: Date additional water first applied to beneficial use: No later than May 15, 2021. Amount of water applied to beneficial use: 2.0 acre-feet for irrigation, recreation, livestock watering and fish culture. Description of place where water has been applied to beneficial use: Applicants' property generally within Section 11, Township 7 South, Range 88 West of the 6th P.M. Claim for diligence: If the claim to make absolute is not approved, then Applicant requests a finding of diligence for the Hunt Reservoir No. 1 in the amount of 2.0 acre-feet, conditional, for irrigation and in the amount of 1.0 acre-foot, conditional, for recreation, livestock watering, and fish culture. Name and address of owners of land upon which structure is located: Applicant. The following exhibits are on file with the Water Court: a map depicting the location of structures (Exhibit A) and a list of diligence activities (Exhibit B) (pp. 6 with exhibits).

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**8. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3061 MESA COUNTY - COLORADO RIVER**; Brandon McGehee and Rachael Tyler McGehee; c/o Nathan A. Keever, DUFFORD WALDECK, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5856; APPLICATION FOR FINDING OF REASONABLE DILIGENCE; Name, address, and telephone number of Applicants: Brandon McGehee and Rachael Tyler McGehee, 808 18 Road, Grand Junction, CO 81507, (225) 936-4190; Request for finding of reasonable diligence: Name of structure: A & G Pump; Describe conditional water right: Original Decree: Case No. 1998CW192; April 19, 1999; Water Division 5; Subsequent decrees awarding diligence: 2005CW63, 2011CW150, 2018CW3057; Legal description of point of diversion: TIN, R2W, Ute Meridian, SW1/4 NW1/4, Section 28, at a point N 08°55'58" E 2672.57 feet from the SW corner of said Section 28; Source of water: Colorado River; Appropriation Date: May 20, 1998; Amount: 2.00 c.f.s.; Use: Irrigation, stock watering, domestic and wildlife, recreational, aesthetic and piscatorial purposes; Outline of work 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: Applicants have completed the well sump and collection trench for the water right and have acquired the wire to get electricity to the well and the pipe to get water to the irrigation ponds. The pump and remaining equipment have been purchased. The irrigation ponds have been started and will be completed soon. Plans are in place to trench between the well and the irrigation ponds/transformer to lay the pipe and wire. Applicant has spent approximately \$31,418.37 toward completion of the appropriation of the conditional right. (3 pages)

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**9. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3062 PITKIN COUNTY – IN THE ROARING FORK RIVER OR ITS TRIBUTARIES.** APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. Casa Cascade, LLC, c/o Paul L. Noto, Esq. and Lauren N. Hoover, Esq., Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621. First Claim: Casa Cascade Ditch System. Original decree: Case No. 17CW3252, April 7, 2019. Legal description: The diversion structure is located in the SW 1/4 NW 1/4 of Section 20, Township 11 S., Range 84 W. of the 6th P.M., at a point approximately 1800 feet from the North section line and 200 feet from the West section line (Pitkin County) (UTM Zone 13 NAD 83 Easting 344061 and Northing 4327330). A map is on file with the Court as Exhibit A. Source: Fall Creek, tributary to Castle Creek and the Roaring Fork and Colorado Rivers. Date of appropriation: September 30, 2016. Amount: 0.5 c.f.s. conditional. Uses: Irrigation and to fill the Casa Cascade Irrigation Pond System for subsequent irrigation, aesthetic, piscatorial, fire protection, and recreational purposes. Number of irrigated acres: 3.4. Irrigation will occur within the area on Applicant's property shown on Exhibit A, located generally in the SE 1/4 NE 1/4 of Section 19 and the SW 1/4 NW 1/4 of Section 20, Township 11 S., Range 84 W. of the 6<sup>th</sup>

P.M. (Pitkin County). Surface area of the ditch system: 0.09 acres. Claim for finding of reasonable diligence: A detailed outline of the work performed toward completion of the appropriation and application of water to beneficial use during the relevant diligence period, including expenditures, is on file with the Court. Applicant owns the land upon which the structure will be located, upon which water will be stored, and upon which water will be placed to beneficial use. Second Claim: Casa Cascade Irrigation Pond System. Original decree: Case No. 17CW3252, April 7, 2019. Legal description: Storage will occur at one or both of the locations described below and shown on the map filed with the court as Exhibit A: The outlet at the center of the dam of this off-channel reservoir is in the SW 1/4 NW 1/4 of Section 20, Township 11 S., Range 84 W. of the 6<sup>th</sup> P.M., at a point approximately 2130 feet from the North section line and 135 feet from the West section line (Pitkin County) (UTM ZONE 13 NAD 83 Easting 344041 and Northing 4327229). The outlet at the center of the dam of this off-channel reservoir is in the SW 1/4 NW 1/4 of Section 20, Township 11 S., Range 84 W. of the 6<sup>th</sup> P.M., at a point approximately 2345 feet from the North section line and 230 feet from the West section line (Pitkin County) (UTM ZONE 13 NAD 83 Easting 344070 and Northing 4327164). Source: Fall Creek, tributary to Castle Creek and the Roaring Fork and Colorado Rivers, via deliveries from the Casa Cascade Ditch System. Date of appropriation: September 30, 2016. Amount: 1.73 acre-feet, conditional, with the right to fill and re-fill when water is physically and legally available. Fill rate: 0.5 c.f.s. conditional. Uses: Irrigation, irrigation control as a pumping forebay, aesthetic, piscatorial, fire protection, and recreation. Number of irrigated acres: 2.0. Legal description of irrigated acreage: Irrigation will occur within the area on Applicant's property shown on Exhibit A, located generally in the SE 1/4 NE 1/4 of Section 19 and the SW 1/4 NW 1/4 of Section 20, Township 11 S., Range 84 W. of the 6<sup>th</sup> P.M. (Pitkin County). Surface area of high water line: 0.4 acre. Height of dam: Less than 10 feet. Length of dam: 300 feet. Total capacity: 1.8 acre-feet conditional. Claim for finding of reasonable diligence: A detailed outline of the work performed toward completion of the appropriation and application of water to beneficial use during the relevant diligence period, including expenditures, is on file with the court. Applicant owns the land upon which the structure will be located, upon which water will be stored, and upon which water will be placed to beneficial use. Third Claim: For Finding of Reasonable Diligence: Name of structure: Casa Cascade Exchange. Description of conditional water right: Original decree: Case No. 17CW3252, April 7, 2019. Legal description: A map of the exchange reaches is on file with the court as Exhibit C. Colorado River exchange reach: Downstream terminus: The confluence of the Roaring Fork and Colorado Rivers, located in the SE 1/4 NW 1/4 of Section 9, Township 6 S., Range 89 W. of the 6<sup>th</sup> P.M., at a point approximately 2200 feet from the North section line and 2350 feet from the West section line (UTM Zone 13N NAD83 Easting 299765 and Northing 4380329); Upstream termini: The point of diversion on Fall Creek for the Casa Cascade Ditch System described in the First Claim above, and the point on Castle Creek where water is diverted into the Casa Cascade Pond No. 2 described in the Third Claim above. Fryingpan River exchange reach: Downstream terminus: The confluence of the Fryingpan and Roaring Fork Rivers, located in the SW 1/4 SE 1/4 of Section 7, Township 8 S., Range 86 W. of the 6<sup>th</sup> P.M., at a point approximately 750 feet from the South section line and 1440 feet from the East section line. Upstream termini: The point of diversion on Fall Creek for the Casa Cascade Ditch System described in the First Claim above, and the point on Castle Creek where water is diverted into the Casa Cascade Pond No. 2 described in the Third Claim above. Source: The BWCD's water rights described in Paragraph 8.B. of the Decree in Case No. 17CW3252. Date of appropriation: September 30, 2016. Rate: 0.03 c.f.s. Volume: 6.2 acre-feet. Claim for finding of reasonable diligence: A detailed outline of the work performed toward completion of the appropriation and application of water to beneficial use during the relevant diligence period, including expenditures, is on file with the court as Exhibit B. Applicant requests a finding of reasonable diligence for the amounts and uses decreed to the water rights described above.

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**10. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**2025CW3063 GARFIELD COUNTY, COLORADO, GROUNDWATER TRIBUTARY TO THE COLORADO RIVER. APPLICATION FOR UNDERGROUND WATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION.** Town of Silt, c/o Town Administrator, P.O. Box 70, Silt, CO 81625. Direct all correspondence to Michael J. Sawyer and Danielle T. Skinner of Karp Neu Hanlon, P.C., P. O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. **FIRST CLAIM: FOR UNDERGROUND WATER RIGHT Stillwater Pond Well No. 8.** Legal description: The centerpoint of the dam is located at a point in the SW 1/4 of Section 10, Township 6 South, Range 92 West of the 6<sup>th</sup> P.M., approximately 1855 feet north of the south section line and 175 feet east of the west section line of said Section 10. Source: Groundwater tributary to the Colorado River. The Last Chance Ditch may also deliver surface water to the Stillwater Pond Well No. 8. Name and Capacity of Ditch Leading to Structure: Last Chance Ditch, 5.0 c.f.s. Appropriation Date: September 19, 1993. How Appropriation was Initiated: Formation of intent to make the appropriation and construction of the structure. Date Water Applied to Beneficial Use: September 19, 1993. Amount: 1.2 g.p.m. up to 1.06 acre-feet, absolute. Surface Area of High Water Line: 0.28 acre. Depth: Excavated or partially excavated with a dam of less than 10 feet. Uses: Recreation, piscatorial, wildlife, and fire protection purposes. Remarks: This structure was originally decreed in Case No. 95CW326, District Court, Water Division No. 5, as a reservoir with a storage right known as the Stillwater Pond No. 8 and with a

fill right from the Last Chance Ditch in the amount of 5 c.f.s. Applicant may line or backfill the Stillwater Pond Well No. 8. To the extent the Pond Well is backfilled or lined and does not intercept groundwater, Applicant shall abandon the underground water right. To effectuate the abandonment, Applicant shall file a notice of abandonment with the Court no later than one year after such backfilling or lining. **SECOND CLAIM: FOR UNDERGROUND WATER RIGHT.** Stillwater Pond Well No. 9. Legal description: The centerpoint of the dam is located at a point in the SE 1/4 of Section 9, Township 6 South, Range 92 West of the 6th P.M. approximately 1910 feet north of the south section line and 90 feet west of the east section line of said Section 9. Source: Groundwater tributary to the Colorado River. The Last Chance Ditch may also deliver surface water to the Stillwater Pond Well No. 9. Name and Capacity of Ditch Leading to Structure: Last Chance Ditch, 5.0 c.f.s. Appropriation Date: September 19, 1993. How Appropriation was Initiated: Formation of intent to make the appropriation and construction of the structure. Date Water Applied to Beneficial Use: September 19, 1993. Amount: 8.5 g.p.m. up to 7.76 acre-feet, absolute. Surface Area of High Water Line: 2.02 acres. Depth: Excavated or partially excavated with a dam of less than 10 feet. Uses: Recreation, piscatorial, wildlife, and fire protection purposes. Remarks: This structure was originally decreed in Case No. 95CW326, District Court, Water Division No. 5, as a reservoir with a storage right known as the Stillwater Pond No. 9 and with a fill right from the Last Chance Ditch in the amount of 5 c.f.s. Applicant may line or backfill the Stillwater Pond Well No. 9. To the extent the Pond Well is backfilled or lined and does not intercept groundwater, Applicant shall abandon the underground water right. To effectuate the abandonment, Applicant shall file a notice of abandonment with the Court no later than one year after such backfilling or lining. **THIRD CLAIM: FOR UNDERGROUND WATER RIGHT.** Stillwater Pond Well No. 10. Legal description: The centerpoint of the dam is located at a point in the SE 1/4 of Section 9, Township 6 South, Range 92 West of the 6th P.M. approximately 1675 feet north of the south section line and 495 feet west of the east section line of said Section 9. Source: Groundwater tributary to the Colorado River. The Last Chance Ditch may also deliver surface water to the Stillwater Pond Well No. 10. Name and Capacity of Ditch Leading to Structure: Last Chance Ditch, 5.0 c.f.s. Appropriation Date: September 19, 1993. How Appropriation was Initiated: Formation of intent to make the appropriation and construction of the structure. Date Water Applied to Beneficial Use: September 19, 1993. Amount: 3.8 g.p.m. up to 3.43 acre-feet, absolute. Surface Area of High Water Line: 0.89 acre. Depth: Excavated or partially excavated with a dam of less than 10 feet. Uses: Recreation, piscatorial, wildlife, and fire protection purposes. Remarks: This structure was originally decreed in Case No. 95CW326, District Court, Water Division No. 5, as a reservoir with a storage right known as the Stillwater Pond No. 10 and with a fill right from the Last Chance Ditch in the amount of 5 c.f.s. Applicant may line or backfill the Stillwater Pond Well No. 10. To the extent the Pond Well is backfilled or lined and does not intercept groundwater, Applicant shall abandon the underground water right. To effectuate the abandonment, Applicant shall file a notice of abandonment with the Court no later than one year after such backfilling or lining. **FOURTH CLAIM: FOR APPROVAL OF PLAN FOR AUGMENTATION.** Applicant requests approval of a plan for augmentation, as more fully described herein. Names of Structures to be Augmented: Stillwater Pond Well No. 8, as described in the First Claim; Stillwater Pond Well No. 9, as described in the Second Claim; Stillwater Pond Well No. 10, as described in the Third Claim. Water Rights to be Used for Augmentation: Pursuant to Applicant's long term contracts with the U.S. Bureau of Reclamation, Applicant will dedicate 8.0 acre-feet of its 300 acre-feet of water annual supply from Ruedi Reservoir (Contracts Nos. 099D6C0147 and 099D6C0149) (collectively, the "Ruedi Contracts") to this plan for augmentation. Legal Description of Place of Storage: Ruedi Reservoir is located in Secs. 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point whence the SW corner of Sec. 7, T. 8 S., R. 84 W. of the 6th P.M. bears N. 82°10' W. a distance of 1,285 ft. Source: Fryingpan River. Previous Storage Decrees: Civil Action No. 4613, on 6/20/1958, in Garfield County District Court, in the amount of 140,697.3 AF, reduced to 102,369 AF pursuant to order of the Water Court in W-789-76. The full amount was made absolute in 88CW85 for domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering and piscatorial uses, with an appropriation date of 7/29/1957. 81CW34, on 4/8/1985, in District Court, Water Division No. 5, in the amount of 101,280 AF (refill); of this amount, 44,509 AF were made absolute in 95CW95 and 25,257 AF were made absolute in 01CW269, for a total of 69,766 AF absolute for irrigation, domestic, municipal, generation of electrical energy, stock watering, industrial, piscatorial, recreation and maintenance of sufficient storage reserves to fulfill contractual obligations and provide stored water for recreation in times of drought, with an appropriation date of 1/22/1981. PLSS: Ruedi Reservoir is located in Secs. 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point 130 ft. S. of the N. Section line and 1,280 feet E. of the W. Section line of Section 7, T. 8 S., R. 84 W. of the 6th P.M. Complete Statement of Plan for Augmentation: The Stillwater Pond Well No. 8, Stillwater Pond Well No. 9, Stillwater Pond Well No. 10 (collectively, the "Stillwater Pond Wells") will be kept full year-round. The Last Chance Ditch may continue to make deliveries to the Stillwater Pond Wells pursuant to the right adjudicated in Case No. 95CW326. A summary of the water demands and depletions associated with this plan are presented in Table 1. The demands consist of evaporation losses from the exposed groundwater surface of the Stillwater Pond Wells. All out-of-priority depletions will be augmented pursuant to the Ruedi Contracts using water stored in Ruedi Reservoir, which is upstream of Cameo, the controlling water right on the Colorado River. Name and address of owner of land upon which structures are located: Applicant. The following exhibits are on file with the Water Court: a map depicting the location of structures (Figure 1) and a Demand and Depletions Table (Table 1) (pp. 9 with exhibits).

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**11. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. *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.***

**25CW3064 MESA COUNTY. SOURCE: BUZZARD CREEK, TRIBUTARY TO PLATEAU CREEK, TRIBUTARY TO THE COLORADO RIVER.** Application for Findings of Reasonable Diligence. Applicant: Laramie Energy, LLC, c/o Sara M. Dunn, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; [sarad@balcombgreen.com](mailto:sarad@balcombgreen.com). Applicant requests the Ct. find it has exercised reasonable diligence in the development of the PE Pump Station and Gipp Pumpstation conditional water rights. Structure: PE Pump Station. Original Decree: 14CW3174 on 11/1/2015, Dist. Ct., Water Div. 5. Previous Findings of Reasonable Diligence: 16CW3163 on 12/28/2017, Dist. Ct., Water Div. 5, the Ct. confirmed an additional 1.26 c.f.s. had been made absolute and continued the remaining 0.77 c.f.s. as conditional. Legal Description of Original POD: NW1/4 SW1/4 of Sec. 14, T. 9 S., R. 93 W. of the 6th P.M., at a point 2,054 ft from the S. line and 978 ft from the W. line of said Sec. 14, Mesa Cty., CO. UTM Zone 13, NAD83, Easting 263347 m and Northing 4350875 m. Alternate PODs: Groundhog Gulch Diversion Point: NE1/4 NE1/4 of Sec. 20, T. 9 S., R. 93 W. of the 6th P.M., at a point 732 ft from the N. Sec. line and 1313 ft from the W. Sec. line of said Sec. 20, Mesa Cty., CO. UTM Zone 13, NAD83, Easting 263347 m and Northing 4350875 as decreed in 16CW3038 on 11/5/2016, Dist. Ct., Water Div. No. 5. Gipp Alternate Diversion Point: NE1/4 NE1/4 of Sec. 24, T. 9 S., R. 94 W. of the 6th P.M. at a point 442 ft from the N. Sec. line and 1,221 ft from the E. Sec. line of said Sec. 24, Mesa Cty., CO. UTM Zone 13, NAD83, Easting 256279 m and Northing 4350372 as decreed in 18CW3019 on 4/14/2019, Dist. Ct., Water Div. No. 5.. Date of Approp.: 8/14/2013. Amt: 0.77 c.f.s., conditional. Uses: Industrial use associated with natural gas and mineral extraction activities including dust suppression, construction and operation of facilities supporting natural gas production, gas well drilling and gas well completions (hydraulic fracturing), reclamation/revegetation, fire protection, and filling and refilling the Groundhog Gulch Reservoir for subsequent uses decreed in 14CW3174. Place of Use: lands located in Garfield, Rio Blanco, or Mesa Counties on which Applicant conducts natural gas and mineral extraction activities or other industrial use, or for which Applicant has contracted to provide water for such purposes. Structure: Gipp Pump Station. Original Decree: 18CW3019 on 4/14/2019, Dist. Ct., Water Div. 5. Legal Description: NE1/4 NE1/4 of Sec. 24, T. 9 S., R. 94 W. of the 6th P.M. at a point 442 ft from the N. Sec. line and 1,221 ft from the E. Sec. line of said Sec. 24, Mesa Cty., CO. UTM Zone 13, NAD83, Easting 256279 m and Northing 4350372 m. Date of Approp.: 3/12/2018. Amt: 1.02 c.f.s., conditional. Uses: Industrial use associated with natural gas and mineral extraction activities including dust suppression, construction and operation of facilities supporting natural gas production, gas well drilling and gas well completions (hydraulic fracturing), reclamation/revegetation, and fire protection. Place of Use: lands located in Garfield, Rio Blanco, or Mesa Counties on which Applicant conducts natural gas and mineral extraction activities or other industrial use, or for which Applicant has contracted to provide water for such purposes. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Water Ct. Names and address of owners of land on which 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: Applicant and The George H. and JoAnn Gipp Living Trust. (6 pages of original application, Figures 1 & 2)

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**25CW3065 EAGLE COUNTY, COLORADO, WEST LAKE CREEK, TRIBUTARY TO LAKE CREEK AND THE EAGLE AND COLORADO RIVERS.** APPLICATION FOR JUNIOR WATER RIGHT, AMENDMENTS TO PLANS FOR AUGMENTATION, AND EXCHANGE PROJECT. Pilgrim Downs Homeowners Association, c/o Jim Childers, Ranch Manager, Pilgrim Downs Subdivision, 102 Pilgrim Drive, Edwards, CO 81632. Direct all correspondence to Michael J. Sawyer and Danielle T. Skinner of Karp Neu Hanlon, P.C., P. O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. **FIRST CLAIM: FOR JUNIOR WATER RIGHT. Pilgrim Open Space Pond. Date of Original Decree:** June 19, 2023, in Case No. 2020CW3147, by the District Court in and for Water Division No. 5. **Legal Description:** The location of the Pilgrim Open Space Pond (centerline of dam) is the SW1/4 SW1/4 of Section 18, Township 5 South, Range 82 West of the 6th P.M. (UTM NAD83 Z13 4385735 N, 360426 E). **Names and Capacities of the Ditches Leading to the Pond:** Casteel Ditch and Casteel Ditch, First Enlargement divert out of Casteel Creek, tributary to West Lake Creek, tributary to the Eagle River. The Casteel Ditch was decreed for 1 c.f.s. for irrigation purposes on October 3, 1936, in Civil Action No. 963, in the District Court, in and for Eagle County, with an appropriation date of June 1, 1886. The Casteel Ditch, First Enlargement was decreed for 1 c.f.s. for irrigation purposes in Civil Action No. 963 with an appropriation date of June 1, 1933. West Lake Creek Ditch diverts out of West Lake Creek, tributary to the Eagle River. The West Lake Creek Ditch was decreed for 5.014 c.f.s. for irrigation purposes on October 3, 1936, in Civil Action No. 963, in the District Court, in and for Eagle County, with an appropriation date of June 1, 1905. Smith & Pallister Ditch diverts out of West Lake Creek Ditch, tributary to Lake

Creek, tributary to the Eagle River. The Smith & Pallister Ditch was decreed for 1.6 c.f.s. for irrigation purposes on March 17, 1919, in Civil Action No. 706, in the District Court, in and for Eagle County, with an appropriation date of July 10, 1901. Total Volume: 1.73 acre-feet, conditional, comprised of the following: 1.65 acre-feet, conditional, for irrigation, fish and wildlife propagation, recreation and piscatorial uses, with an appropriation date of September 12, 1983; 0.046 acre-feet, conditional, for irrigation, fish and wildlife propagation, recreation and piscatorial uses, with an appropriation date of April 20, 1987; 0.034 acre-feet, conditional, for aesthetic, recreation, livestock watering, piscatorial, and fire protection purposes, with an appropriation date of July 1, 2006. Maximum Surface Area: 0.365 acres. Detailed Description of Claimed Junior Water Right: Applicant requests approval to use 1.73 acre-feet, conditional, for augmentation purposes, with an appropriation date of April 30, 2025. How Appropriation was Initiated: Formation of intent to make the appropriation and filing of the Application. **SECOND CLAIM: AMENDMENTS TO PLANS FOR AUGMENTATION.** *Applicant requests Amendments to the Plans for Augmentation decreed in Consolidated Case Nos. 81CW60 and 80CW549, Case No. 83CW304, Case No. 87CW152, and Case No. 13CW3056.* Summary of the Plan for Augmentation decreed in Consolidated Case No. 81CW60 and 80CW549: The plan for augmentation in Consolidated Case Nos. 81CW60 and 80CW549, as decreed on April 20, 1982, augments depletions associated with 20 single family residences, an equestrian center, a total of 61,000 square feet of irrigation, and 50 horses. The diversions and depletions associated with this decree are shown in Table 1. Historic consumptive use credits associated with dry-up under the Smith & Pallister Ditch in the amount of 20.7 acre-feet were quantified and decreed in this case. Annual depletions are augmented by a commitment of 4.1 acre-feet of consumptive use credits. Of the 4.1 acre-feet of consumptive use credits dedicated under this plan, 2.0 acre-feet were allocated for storage in Pilgrim Ranch Pond No. 1 and 1.6 acre-feet of consumptive use credits were allocated for subsequent release during the non-irrigation season, October through May. This is the only source of augmentation supply during the non-irrigation season to augment out of priority depletions. Summary of the Plan for Augmentation decreed in Case No. 83CW304: The plan for augmentation in Case No. 83CW304, as decreed on September 11, 1984, augments depletions from an additional 50 horses and evaporative depletions associated with Pilgrim Ranch Ponds Nos. 2-16. The diversions and depletions associated with this decree are shown in Table 2. The plan committed an additional 2.24 acre-feet of Smith & Pallister Ditch consumptive use credits, of which 0.39 acre-feet were allocated for storage in Pilgrim Ranch Pond No. 1 and subsequent release during the non-irrigation season. Summary of the Plan for Augmentation decreed in Case No. 87CW152: The plan for augmentation in Case No. 87CW152, as decreed on November 15, 1988, augments depletions associated with 6 additional single-family residences, 23 accessory dwelling units, 18,000 square-feet of irrigation, and evaporative depletions associated with Pilgrim Ranch Ponds Nos. 17-20. The diversions and depletions associated with this decree are shown in Table 3. The plan committed an additional 2.50 acre-feet of Smith & Pallister Ditch consumptive use credits, of which 1.26 acre-feet were allocated for storage in Pilgrim Ranch Pond No. 1 and subsequent release during the non-irrigation season. Summary of the Plan for Augmentation decreed in Case No. 13CW3056: The plan for augmentation in Case No. 13CW3056, as decreed on June 5, 2016, augments depletions associated with the irrigation of 4.8 acres of pasture grass and evaporative depletions associated with the Pilgrim North Pond (which were not augmented under previous decrees). This plan utilizes River District contract water by exchange and the release of water stored in priority from the Pilgrim North Pond. The depletions by month associated with this decree are shown in Columns (2) and (3) of Table 9. Summary of the Plan for Augmentation decreed in Case No. 20CW3147: Case No. 20CW3147, as decreed on June 19, 2023, approved a change of water right for Pilgrim Ranch Ponds Nos. 2, 8, 12, 13, 16, 20, and 20, First Enlargement, and amended the plans for augmentation in Case Nos. 83CW304 and 87CW152. The location of storage and place of use for these ponds were changed to the Pilgrim Open Space Pond. The decree reallocated 0.635 AF of Smith & Pallister Ditch consumptive use credits associated with the ponds to the Pilgrim Open Space Pond. In conjunction with this reallocation, gross evaporation for these ponds was recalculated and redistributed in accordance with SB120 Guidelines. Evaporative losses associated with the Pilgrim Open Space Pond are fully augmented during the irrigation season (June 1 – September 30) pursuant to this decree. Proposed Amendments to the Plans for Augmentation decreed in Consolidated Case Nos. 81CW60 and 80CW549, Case No. 83CW304, Case No. 87CW152, and Case No. 13CW3056: Table 4 presents the total diversions and depletions combined between the decrees in Cases Nos. 81CW60/80CW549, 83CW304 and 87CW152 (referred to as the “Development Decrees”). Applicant proposes adding the following additional sources of augmentation supply to the Development Decrees and Case No. 13CW3056: (i) Pilgrim North Pond, as described in Paragraph 3.G., (ii) Pilgrim Open Space Pond, as described in Paragraph 2, and (iii) River District’s Colorado River Supply and Eagle River Supply Sources, as described in Paragraph 3.I. Evaporative losses associated with Pilgrim Ranch Ponds Nos. 1, 3-7, 9-11, 14-15, and 17-19 will not take credit for net effective precipitation and have been recalculated and redistributed in accordance with SB120 Guidelines, as shown in Tables 6 and 7. When consumptive use credits are unavailable, evaporative losses associated with all ponds at Pilgrim Downs will be augmented using River District contract water, as shown in Tables 8 and 9. The Development Decrees contemplate the storage of 3.65 acre feet of historic consumptive use credits in Pilgrim Ranch Pond No. 1. Applicant proposes to apply these consumptive use credits against out-of-priority depletions on an instantaneous basis as they are available in time. In years when the historic consumptive use credits previously identified for storage in Pilgrim Ranch Pond No. 1 are used for irrigation season augmentation, Pilgrim Ranch Pond No. 1 will be filled in priority. When there is a senior, valid, and enforceable downstream call from a water right on the Colorado River below its confluence with the Eagle River, or the Eagle River between its confluence with Lake Creek and the Colorado River, Applicant may augment depletions with contract water from the River District by exchange, as further described in the third claim below. The contract water requirements, after applying available consumptive use credits to the Development Decrees and Case No. 20CW3147, are shown in Table 8. Column 10 of Table 8 shows 1.04 acre feet of “remaining” consumptive use credits unused by the Development Decrees and Case No. 20CW3147. The contract water requirements after applying these available and remaining consumptive use credits to augment depletions from Case No. 13CW3056 are shown in Table 9. When not used to augment out of priority depletions, Applicant may store the consumptive use credits associated with non-irrigation season augmentation requirements contemplated by the Development Decrees in any combination between the Pilgrim North Pond, Pilgrim Open Space

Pond, and Pilgrim Ranch Pond No. 1. Table 9 presents a unified statement of depletions and sources of augmentation under all of the augmentation plans decreed for Pilgrim Downs. Column (1) shows depletions from the Development Decrees plus evaporative depletions in Case No. 20CW3147 after applying consumptive use credits (see Table 8). Column (2) shows lagged depletions from irrigation under Case No. 13CW3056. Column (3) shows evaporation from the North Pond under Case No. 13CW3056. Table 9 applies the "remaining" consumptive use credits (documented in Column 10 of Table 8) and the available River District contract supplies - from the Eagle River and Colorado River supplies, respectively. *Pilgrim North Pond*. Original Decree: March 28, 2016, in Case No. 13CW3056, in the District Court in and for Water Division No. 5. Subsequent Decrees awarding findings of reasonable diligence: July 19, 2020, in Case No. 19CW3081, in the District Court in and for Water Division No. 5. Legal description: The Pilgrim North Pond outlet is located in the NW1/4 NW1/4 of Section 19, Township 5 South, Range 82 West of the 6<sup>th</sup> P.M. at a point 85 feet from the North section line and 1,295 feet from the West section line of said Section 19. Figure 1. Source: West Lake Creek, tributary to Lake Creek and the Eagle and Colorado Rivers. Appropriation Date: December 31, 2012. Names and capacities of ditches used to fill the pond: (a) West Lake Creek Ditch, Pilgrim Enlargement, with a decreed capacity of 0.5 c.f.s.; (b) Smith & Pallister Ditch, Pilgrim Enlargement, with a decreed capacity of 0.5 c.f.s.; and (c) Pilgrim Pump & Pipeline No. 2, with a decreed capacity of 0.5 c.f.s. Legal description of point of diversion of West Lake Creek Ditch, Pilgrim Enlargement: In the NW1/4 of the SE1/4 of Section 19, Township 5 South, Range 82 West of the 6<sup>th</sup> P.M., at a point 1,530 feet from the South section line and 1,583 feet from the East section line of said Section 19. Figure 1. Legal description of point of diversion of Smith & Pallister Ditch, Pilgrim Enlargement: In the SW1/4 of the NE1/4 of Section 30, Township 5 South, Range 82 West of the 6<sup>th</sup> P.M., at a point 1,325 feet from the North section line and 1,394 feet from the East section line of said Section 30. UTM NAD83 Z13 4383619m N, 361495m E. Figure 1. Legal description of the Pilgrim Pump & Pipeline No. 2: In the SE1/4 of the NW1/4 of Section 19, Township 5 South, Range 82 West of the 6<sup>th</sup> P.M., at a point 1,373 feet from the North section line and 1,867 feet from the West section line of said Section 19. Figure 1. Amount: 0.92 acre-feet, absolute. Uses: irrigation of 4.8 acres of pasture grass, aesthetics, recreation, livestock watering, piscatorial, fire protection, and augmentation. Surface area of high water line: 0.27 acres. Maximum height of dam: less than 10 feet. Length of dam: 100 feet. Total capacity of reservoir: 0.92 acre-feet. Active capacity: 0.915 acre-feet. Dead storage: 0.005 acre-feet. *Pilgrim Open Space Pond*, as described in the first claim. *Colorado River Water Conservancy District ("River District") Allotment Contract*. Pursuant to Applicant's water allotment contract, 9.0 acre-feet of the River District's Colorado River Supply and Eagle River Supply Sources will be made available to Applicant for augmentation. **COLORADO RIVER SUPPLY SOURCES**: Wolford Mountain Reservoir. The River District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) which has the following water rights. Case No. 87CW283: Decree Date: November 20, 1989. Name of Structure: Gunsight Pass Reservoir. Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The intersection of the dam axis with the right abutment will occur at a point which bears S. 54°54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 59,993 acre feet conditional; of this amount, 32,986 acre feet were made absolute for piscatorial and recreational uses by decree entered in Water Court Case No. 95CW251, and the full amount was made absolute for all purposes by decree entered in Water Court Case No. 02CW107. Appropriation Date: December 14, 1987. Use: All beneficial uses, including but not limited to domestic, municipal, agricultural and recreational uses, which uses satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; use to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area; and use to meet the terms of a lease agreement executed March 3, 1987 between the River District and the City and County of Denver. Case No. 95CW281: Decree Date: August 26, 1997. Name of Structure: Wolford Mountain Reservoir Enlargement. Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75° 28' 29" E. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 6,000 acre feet, conditional. Appropriation Date: January 16, 1995. Use: All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Project; such uses will be made directly or by substitution, augmentation, or exchange. None of the water stored in the exercise of the right will be delivered directly or by exchange, substitution, or otherwise for use outside of Colorado Water Division No. 5. Case No. 98CW237: Decree Date: July 6, 2000. Name of Structure: Wolford Mountain Reservoir. Legal Description of place of storage: Same as for 95CW281. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: 30,000 acre feet conditional, with 15,895 acre feet being absolute for recreational and piscatorial and flood control. Appropriation Date: November 17, 1998. Use: Certain of the beneficial uses previously adjudicated for Wolford Mountain Reservoir in Case No. 87CW283, District Court for Colorado Water Division No. 5 (November 20, 1989 Judgment and Decree), and Case No. 95CW281, District Court for Colorado Water Division No. 5 (August 26, 1997 Judgment and Decree). 87CW283: The reservoir will be used to satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District. This will involve all uses, including but not limited to domestic, municipal, agricultural, and recreational uses. The reservoir will also be used to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area. 95CW281: All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made

directly or by substitution, augmentation, or exchange. Remarks: The Refill Right described herein will be exercised to provide supply for the Western Slope uses of water from Wolford Mountain Reservoir described above, including flood control, other operational purposes, and environmental mitigation and enhancement for the benefit of uses within the District. The Refill Right will not be used in conjunction with the Reservoir capacity (24,000 a.f.) which is allocated for the supply of water to the Denver Board of Water Commissioners under Applicant's contractual relationship with Denver, or the Reservoir capacity (6,000 AF) which is allocated for Colorado River endangered fish releases. Case No. 03CW302: Decree Date: October 19, 2014 Name of Structure: Wolford Mountain Reservoir Second Enlargement. Legal description of place of storage: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75°28'29" E. Source: Muddy Creek and its tributaries, all tributary to the Colorado River. Amount: The amount is 9.775 acre feet, for the initial fill, with the right to refill when in priority subject to a maximum amount of 9,775 acre feet, conditional. Appropriation Date: November 17, 2003. Uses: The WMR Second Enlargement storage right may be used for the purposes previously decreed to the Wolford Mountain Reservoir, including uses consistent with the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; meeting the water requirements of the inhabitants of the River District for all uses; and uses consistent with the terms of a lease agreement executed March 3, 1987, between the River District and the City and County of Denver, as amended. The WMR Second Enlargement storage right also may be used for all beneficial uses, including but not limited to municipal, commercial, industrial, domestic, irrigation, agricultural, livestock, hydro-power production, evaporation, 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) with the right to reuse and successively use the water to extinction; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly or by substitution, augmentation, replacement or exchange in Water Divisions 1, 2, and/or 5. Agreed Constraints on Use. Pursuant to the February 12, 2014, stipulation entered in this case between the River District and the GVVUA, the UWCD, and the OMID, the River District agrees that it will make water stored pursuant to the WMR Second Enlargement storage right available for uses within or to facilitate the diversion of water from Water Division No. 5 into Water Division No. 1 or Water Division 2 only pursuant to, and subject to the terms, of the express written consent of the GVVUA, the UWCD, and the OMID. Pursuant to paragraph III.E.19 of the CRCA, any use of the WMR Second Enlargement storage right for the benefit of Denver Water will require the prior approval of the Grand County Commissioners and the River District. PLSS: The dam is located in the SW1/4 of the NE1/4 of Section 25, T. 2 N., R. 81 W., 6th P.M. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point 1,940 feet South of the North section line and 2,760 feet East of the West section line of said Section 25. Ruedi Reservoir. The River District holds Contracts No. 009D6C0111 (500 AF), 009D6C0118 (700 AF), 039F6C0011 (530 AF), 079D6C0106 (5,000 AF), and 139D6C0101 (4,683.5 AF) from the United States Bureau of Reclamation for 11,413.5 acre feet of annual supply from Ruedi Reservoir. This water will be used in addition to and substitution for Wolford Mountain Reservoir water in appropriate circumstances where Ruedi water is physically equivalent to Wolford water. Legal description of place of storage: Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point whence the SW corner of Section 7, T. 8 S., R. 84 W. of the 6th P.M. bears N. 82°10'W. a distance of 1,285 feet. Source: Fryingpan River. Previous storage decrees: Civil Action No. 4613: Decree Date: June 20, 1958. Court: Garfield County District Court. Amount: 140,697.3 acre feet, reduced to 102,369 acre feet pursuant to order of the Water Court in Case No. W-789-76. The full amount was made absolute in Case No. 88CW85. Appropriation Date: July 29, 1957. Use: Domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering and piscatorial. Case No. 81CW34: Decree Date: April 8, 1985. Court: District Court, Water Div. No. 5. Amount: 101,280 acre feet (refill); of this amount, 44,509 acre feet were made absolute in Case No. 95CW95 and 25,257 acre feet were made absolute in Case No. 01CW269, for a total of 69,766 acre feet absolute. Appropriation Date: January 22, 1981. Use: Irrigation, domestic, municipal, generation of electrical energy, stock watering, industrial, piscatorial, recreation and maintenance of sufficient storage reserves to fulfill contractual obligations and provide stored water for recreation in times of drought. PLSS: Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., 6th P.M., in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point 130 feet South of the North section line and 1,280 feet East of the West section line of Section 7, T. 8 S., R. 84 W. of the 6th P.M. EAGLE RIVER SUPPLY SOURCES: Eagle Park Reservoir Company owns and operates the Eagle Park Reservoir Project located in the headwaters of the Eagle River. The River District is a shareholder in the Reservoir Company and is entitled to yield from the Eagle Park Reservoir Project and exchange supplies provided by Aurora and Colorado Springs. The water delivered to or for the benefit of the River District's contractors as "Eagle River Supplies" will be based upon the following water rights. Eagle Park Reservoir. The River District's current supply consists of 2,000 shares of Class A, Series 2 stock in the Eagle Park Reservoir Company, which entitle the River District to the annual release and/or diversion of up to 200 acre feet from Eagle Park Reservoir more particularly described as follows: Eagle Park Reservoir, decreed by the Water Court in Cases No. 92CW340 and 93CW301, for a combined total capacity of 27,600 acre feet, with an appropriation date of March 16, 1991, for 5,300 acre feet, and May 18, 1993, for 22,300 acre feet, together with the right to divert at the rate of 80 cfs under the August 10, 1956 appropriation date of the Pando Feeder Canal pursuant to the decree of the Water Court entered in Case No. 97CW288, for mining, milling, industrial, snowmaking, municipal, domestic, stock watering, recreation, fish and wildlife, irrigation, agricultural, exchange, replacement, augmentation and all other beneficial purposes. Eagle Park Reservoir is augmented by exchange by decree of the Water

Court entered in Case No. 95CW348. The north abutment of the dam crest is located approximately 160 feet north of the south section line and 650 feet east of the west section line of Section 28, T. 7 S., R. 79 W., 6th P.M., Eagle County, Colorado. The source of Eagle Park Reservoir is the East Fork of the Eagle River including runoff, surface flow and seepage from the area above the reservoir and tributary thereto, and water tributary to Tenmile Creek a tributary of the Blue River. In addition to the tributary area upstream of the reservoir, the specific points of diversion into storage for Eagle Park Reservoir are as follows: The East Fork Interceptor Ditch, which has a capacity of 48 cfs and diverts from unnamed tributaries of the East Fork of the Eagle River at the following points, all of which are located in Eagle County, Colorado: 900 feet south of the north section line and 1100 feet west of the east section line of Section 5, T. 8 S., R. 79 W., 6th P.M. 1250 feet south of the north section line and 700 feet east of the west section line of Section 4, T. 8 S., R. 79 W., 6th P.M. 1200 feet north of the south section line and 800 feet east of the west section line of Section 33, T. 7 S., R. 79 W., 6th P.M. Runoff, surface flow, and seepage from the area above the East Fork Interceptor Ditch as it runs between the above-described points of diversion and Eagle Park Reservoir. The Chalk Mountain Interceptor Ditch, which has a capacity of 12 cfs and diverts runoff and seepage as it runs a distance of approximately 3.4 miles from Fremont Pass, located in the W1/2 of Section 11, T. 8 S., R. 79 W., 6th P.M., northwesterly along State Highway 91 and the South side of Robinson Tailing Pond, thence westerly to the south of Chalk Mountain Reservoir and Robinson Reservoir, thence northwesterly to Eagle Park Reservoir. The Chalk Mountain Interceptor Ditch diverts water from the headwaters of Tenmile Creek in Summit County and from the headwaters of the East Fork of the Eagle River in Eagle County. The East Interceptor Ditch, which has a capacity of 20 cfs and runs northeasterly from a point whence the northeast corner of Section 2, T. 8 S., R. 79 W., 6th P.M. bears North 77°20' East a distance of 850 feet at the north fork of McNulty Creek, thence along the east side of Robinson and Tenmile Tailing Ponds into Supply Canal No.1 described below. The East Interceptor Ditch diverts water from the north fork of McNulty Creek and surface flow, seepage, and runoff from watersheds above it that are tributary to Tenmile Creek. The Supply Canal No. 1, which has a capacity of 10 cfs and diverts water from the following tributaries of Tenmile Creek at the following points: On the west bank of Humbug Creek at a point whence the southwest corner of Section 18, T. 7 S., R. 78 W. bears South 71°35' West a distance of 3,250 feet. On the south bank of Mayflower Creek at a point whence the northeast corner of Section 24, T. 7 S., R. 79 W., 6th P.M. bears North 16°55' East a distance of 2,250 feet. Runoff, surface flow, and seepage from the area above the Supply Canal No. 1 as it runs between the above-described points of diversion and the Climax Mill. The Supply Canal No. 2, which has a capacity of 10 cfs and diverts water from the following tributaries of Tenmile Creek at the following points: On the west bank of Searle Creek at a point whence U.S.L.M. Kokomo bears South 45°58' East 3740 feet (located in the NW1/4 of the SE1/4 of Section 13, T. 7 S., R. 79 W., 6th P.M.). On the south bank of Kokomo Creek at a point whence U.S.L.M. Kokomo bears North 39°36' east 2635 feet (located in the SE1/4 of Section 22, T. 7 S., R. 79 W., 6th P.M.). Runoff, surface flow, and seepage from the area above the Supply Canal No. 2 as it runs between the above-described points of diversion and the Climax Mill. The East Fork Pumping Plant, which has a capacity of 6 cfs and diverts from the East Fork of the Eagle River at a point in the SE1/4 NE1/4 of Section 32, T. 7 S., R. 79 W., 6th P.M. at a point whence the NE corner of said Section 32 bears N. 31°53' E. a distance of 2,414 feet. The Eagle Park Reservoir Company must first receive the permission of Climax Molybdenum Company to use the East Fork Interceptor Ditch, Supply Canal No. 1 and Supply Canal No. 2 described above to divert water into Eagle Park Reservoir. Nevertheless, the firm yield of the River District's supply is not dependent on the use of those facilities. Exchange Supply. Pursuant to a Memorandum of Understanding dated effective as of April 21, 1998 (the "MOU") among the City of Aurora, the City of Colorado Springs, the River District, Climax Molybdenum Company, Vail Associates, Inc., the Upper Eagle Regional Water Authority, and the Eagle River Water & Sanitation District; and the Water Exchange Agreement dated June 17, 1998 among Aurora, Colorado Springs, and the Eagle Park Reservoir Company, Aurora and Colorado Springs agreed to make up to 500 acre feet of water available for West Slope use from facilities owned and operated by Aurora and Colorado Springs in exchange for up to 800 acre feet of replacement water from the West Slope participants. The River District's 100 shares of Class B stock in the Eagle Park Reservoir Company entitle the River District to up to 100 acre feet per year of consumptive beneficial use water to be derived from fully consumable water annually diverted by and/or stored in the following structures owned and controlled by Aurora and Colorado Springs: Homestake Project. Homestake Reservoir, also known as Elliott-Weers Reservoir, was decreed by the Eagle County District Court in Civil Action No. 1193 for 83,338.98 acre feet conditional, 43,504.7 acre feet of which is now absolute. This reservoir is located on Homestake Creek with a dam being located whence the NW Corner of Section 31, T. 7 S., R. 80 W., 6th P.M. bears N. 58°30.6' E. 24,659 feet from the East dam abutment and N. 62°25.8' E. 25,746 feet from the West dam abutment. The sources of supply of said Reservoir are the East Fork of Homestake Creek, the Middle Fork of Homestake Creek and Homestake Creek. Camp Hale Project. Aurora and Colorado Springs may provide to the River District water released from those surface and ground water storage rights sought by Aurora and Colorado Springs in Cases No. 88CW449 and 95CW272, District Court for Colorado Water Division No. 5. River District Contractors' use of augmentation water from Homestake Reservoir made available through contract or other arrangement with the Eagle Park Reservoir Company shall be dependent upon the continued existence of, and conditions set forth in, the Water Exchange Agreement dated June 17, 1998 between the Cities of Aurora and Colorado Springs and the Eagle Park Reservoir Company, together with any modifications thereto, or constraints thereon, as may be necessitated by the decree entered in Case No. 98CW270, Water Division No. 5. Additional Information for Homestake Project. The detailed descriptions of the structures decreed by the Eagle County District Court in Civil Action No. 1193 for the Homestake Project are set forth below. French Creek Intake: S. 82°18.3' E. 20988 ft. to NW corner Sec. 31, T. 7 S., R. 80 W., for 60.1 cfs. Fancy Creek Intake: N. 85°10.5' E. 25280 ft. to NW corner Sec. 31, T. 7 S., R. 80 W. for 38.6 cfs. Missouri Creek Intake: N. 77°12.4' E. 28800 ft. to NW corner Sec. 31, T. 7 S., R. 80 W., for 39.8 cfs. Sopris Creek Intake: N. 74°7.6' E. 29848 ft. to NW corner Sec. 31, T. 7 S., R. 80 W., for 41.3 cfs. East Fork Conduit. The East Fork Conduit diverts water from the East Fork of Homestake Creek pursuant to its appropriation of 70.8 cubic feet per second of time absolute and 189.2 cubic feet per second of time conditional therefrom and conveys these waters to Homestake Reservoir for conveyance to Homestake Tunnel or storage in the reservoir, said East Fork Conduit having a capacity of 260 cubic feet

per second of time and total length of approximately 3,093 feet. The point of diversion of said conduit is on East Fork Homestake Creek at a point whence the Northwest corner of Section 31, T. 7 S., R. 80 W. bears N. 55°40.5' E., 22,917 feet. Homestake Tunnel. Homestake Tunnel under the Continental Divide for the conveyance of water into the Arkansas River Basin with its intake located at a point under Homestake Reservoir whence the Northwest corner of Section 10, T. 9 S., R. 81 W., 6th P.M. bears S. 15°27'08" E. 26,173.03 feet appropriates a maximum amount of 10 cubic feet per second of time conditional of water seeping and percolating into Homestake tunnel from former Water District No. 37 areas and 300 cubic feet per second of time absolute from Middle Fork of Homestake Creek, at its said Northerly portal, its point of diversion; said tunnel has a length of 27,400 feet and a capacity of 700 cubic feet per second of time. The tunnel will convey out of former Water District No. 37 up to 700 cubic feet per second of time of waters appropriated by the tunnel from the Middle Fork of Homestake Creek, together with water appropriated by the tunnel from the Homestake Creek and East Fork Conduits and Homestake Reservoir, to an outlet at a point from where the Northwest corner of Section 10, T. 9 S., R. 81 W., 6th P.M. bears N. 6°40'52" E., a distance of 2,173.54 feet. Homestake Reservoir. Homestake Reservoir, also known as Elliott-Weers Reservoir, has capacity of 83,338.98 acre feet conditional, is located on Homestake Creek with a dam whence Homestake Peak bears S. 73°26' E. 10,477 feet from the easterly end thereof and S. 74°57' E. 13,347 feet from the westerly end thereof, said dam having a maximum height of 411.5 feet and a length of 3,380 feet. The sources of supply of said reservoir are Homestake Conduit (the sources of this conduit as herein above set forth), East Fork Conduit (the source of this conduit as herein above set forth), the Middle Fork of Homestake Creek and Homestake Creek, and said reservoir has appropriated for storage 83,338.98 acre feet annually from said sources. Homestake Reservoir also conveys water from Homestake Conduit and East Fork Conduit to Homestake Tunnel. Existing Homestake Reservoir has a storage capacity of 43,504.7 acre feet absolute and is located on Homestake Creek with a dam whence the NW Corner of Section 31 T. 7 S., R. 80 W., 6th P.M. bears N. 58°30.6' E. 24,659 feet from the East dam abutment and N. 62°25.8' E. 25,746 feet from the West dam abutment, said dam has a maximum height of 265.0 feet and a length of 1,996 feet. The sources of supply of said existing Homestake Reservoir are Homestake Conduit, East Fork Conduit, the Middle Fork of Homestake Creek and Homestake Creek. Existing Homestake Reservoir has appropriated 43,504.7 acre feet annually from said sources and also conveys water from Homestake Conduit and East Fork Conduit to Homestake Tunnel. **THIRD CLAIM: WATER EXCHANGE PROJECT.** Applicant requests confirmation of a water exchange project, as more fully described herein, Name of Exchange: *Pilgrim Water Exchange Project First Enlargement.* Lower Termini: (1) Confluence of Eagle River and Lake Creek. NE1/4 NE1/4 of Section 6, Township 5 South, Range 82 West of the 6<sup>th</sup> P.M. at a point UTM NAD83 Z13 4390298.0m N, 362018.9m E. Figure 2. (2) Confluence of Colorado River and Eagle River. NW1/4 SE1/4 of Section 5, Township 5 South, Range 86 West of the 6<sup>th</sup> P.M. at a point UTM NAD83 Z13 4390464.9m N, 323414.9m E. Figure 2. (3) Confluence of Colorado River and Roaring Fork River. SE1/4 NW1/4 of Section 9, Township 6 South, Range 89 West of the 6<sup>th</sup> P.M. at a point UTM NAD83 Z13 4380354.2m N, 299730.9m E. Figure 2. Upper Terminus: Smith & Pallister Ditch. In the SW1/4 of the NE1/4 of Section 30, Township 5 South, Range 82 West of the 6<sup>th</sup> P.M., at a point 1,325 feet from the North section line and 1,394 feet from the East section line of said Section 30. UTM NAD83 Z13 4383619m N, 361495m E. Figure 2. Source: Water attributable to the River District's Eagle River Augmentation Supplies, which include Eagle Park Reservoir, Homestake Project, and Camp Hale Project, and Colorado River Augmentation Supplies, which include Wolford Mountain Reservoir, Ruedi Reservoir, and Green Mountain Reservoir. These sources are described in Paragraph 3.I. Date of Appropriation: April 30, 2025. How appropriation was initiated: Formation of intent to make the appropriation and filing of the Application. Maximum volume and rate: 0.03 c.f.s., up to 9.0 acre-feet. Use: Exchange to implement the plans for augmentation described in the second claim. Remarks: Applicant will operate the exchange when it is in priority. Names and addresses of owners of land upon which structures are located: Applicant. The following exhibits are on file with the Water Court: map depicting the location of the Applicant's structures (Figure 1), a map depicting exchange locations (Figure 2) and Tables 1-9 outlining demands and depletions. (pp. 32 with exhibits).

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

**13. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF APRIL 2025. 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.**

**25CW4 MESA COUNTY – PECK WASH TRIBUTARY TO PECK AND BEEDE WASH TRIBUTARY TO THE REED WASH WATERSHED TRIBUTARY TO THE COLORADO RIVER.** Jeffrey M. Snyder, 1526 14 ½ Rd., Loma, CO 81524. (970)753-9597. Snyder Pump – Application for Conditional Water Rights (Surface). Location: SE¼NE¼ of Sec. 23, 2N., R.3W. of the Ute P.M. UTM: E691428 N4344717 Z12. Appropriation Date: 4/12/2025 Amount: 5.0 g.p.m., conditional. Use: irrigation. The Applicant has sent Certificates of Notice to Landowners to: Scott Draper, 1568 14 ½ Rd.; Loma, CO 81524; Grand Valley Irrigation Co., 688 26 Rd., Grand Junction, CO 81506 and Grand Valley Drainage Dist., 722 23 Rd., Grand Junction, CO 81505.

**YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JUNE 2025 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's**

**attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**