

DIVISION 5 WATER COURT- JULY 2025 RESUME

(This publication can be viewed in its entirety on the Colorado State Judicial website at: 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 JULY 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.*

25CW3109 (87CW392, 98CW217, 05CW124, 12CW4, 18CW3174) **SUMMIT COUNTY Application for Findings of Reasonable Diligence.** Applicant: Town of Dillon, 275 Lake Dillon Drive P.O. Box 8 Dillon, CO 80435 (970) 468-2403. Please send pleadings to: Steven P. Jeffers, Madoline Wallace-Gross, Casey J. Weaver, Lyons Gaddis, PC, 950 Spruce Street, Suite 1B Louisville, CO 80027 (720) 726-3671. **2. Names of conditional water rights:** 2.1. Town of Dillon Well Nos. 1, 2, 3, 4, and 5; 2.2. Town of Dillon Straight Creek Diversion; and 2.3. Old Dillon Reservoir to Town of Dillon Laskey Gulch Diversion and Town of Dillon Straight Creek Diversion Exchange. A map showing the general location of the structures is attached as **EXHIBIT A**. **3. Description of conditional water rights:** 3.1. **Prior decrees:** 3.1.1. **Original decree:** Case No. 87CW392, District Court, Water Division No. 5 ("Court"), entered on November 25, 1992. 3.1.2. **Subsequent diligence decrees:** Case No. 98CW217 on July 19, 1999, Case No. 05CW124 on January 20, 2006, Case No. 12CW4 on November 14, 2012, Case No. 18CW3174 on July 7, 2019. 3.2. **Description of conditional water rights for Town of Dillon Well Nos. 1, 2, 3, 4, and 5:** 3.2.1. **Decreed locations:** All of the wells are located in Summit County. 3.2.1.1. Town of Dillon Well No. 1 - NE¼ SW¼, Section 5, Township 5 South, Range 77 West of the 6th P.M., at a point 1,850 feet from the south section line and 2,650 feet from the east section line of Section 5. 3.2.1.2. Town of Dillon Well No. 2 - SE¼ SW¼, Section 5, Township 5 South, Range 77 West of the 6th P.M., at a point 750 feet from the south section line and 1,750 feet from the west section line of Section 5. 3.2.1.3. Town Dillon Well No. 3 - SE¼ SW¼, Section 5, Township 5 South, Range 77 West of the 6th P.M., at a point 650 feet from the south section line and 1,500 feet from the west section line of Section 5. 3.2.1.4. Town of Dillon Well No. 4 - NE¼ NE¼, Section 7, Township 5 South, Range 77 West of the 6th P.M., at a point 850 feet from the north section line and 1,250 feet from the east section line of Section 7. 3.2.1.5. Town of Dillon Well No. 5 - SW¼ NE¼, Section 7, Township 5 South, Range 77 West of the 6th P.M., at a point 1,400 feet from the north section line and 2,000 feet from the east section line of Section 7. 3.2.2. **Decreed source for all wells:** Ground water tributary to Straight Creek, tributary to the Blue River and the Colorado River. 3.2.3. **Decreed appropriation date:** September 29, 1987, for all of the wells. 3.2.4. **Decreed conditional amounts:** 3.2.4.1. Town of Dillon Well No. 1: 150 gpm, 230 acre feet per year, CONDITIONAL. 3.2.4.2. Town of Dillon Well No. 2: 200 gpm, 325 acre feet per year, CONDITIONAL. 3.2.4.3. Town of Dillon Well No. 3: 250 gpm, 300 acre feet per year, CONDITIONAL. 3.2.4.4. Town of Dillon Well No. 4: 200 gpm, 325 acre feet per year, CONDITIONAL. 3.2.4.5. Town of Dillon Well No. 5: 200 gpm, 325 acre feet per year, CONDITIONAL. 3.2.5. **Decreed use:** Municipal for all of the wells. 3.2.6. **Decreed depths:** Town of Dillon Well No. 1 is decreed for a depth of 45 feet. Town of Dillon Well Nos. 2, 3, 4, and 5, are each decreed for a depth of 50 feet. 3.3. **Description of conditional water right for Town of Dillon Straight Creek Diversion:** 3.3.1. **Decreed location:** A point on the south bank of Straight Creek whence the SW corner of Section 4, Township 5 South, Range 77 West of the 6th P.M., Summit County, bears S18°13'W a distance of 2,650 feet. This diversion is also described as being in the SW¼ NW¼ of Section 4, Township 5 South, Range 77 West of the 6th P.M., at a point approximately 2,517 feet from the south line and 828 feet from the west line. 3.3.2. **Decreed source:** Straight Creek, tributary to the Blue River and the Colorado River. 3.3.3. **Decreed appropriation date:** September 29, 1987. 3.3.4. **Decreed amount:** 1.5 cfs, CONDITIONAL. 3.3.5. **Decreed use:** Municipal. 3.4. **Description of the conditional water right for Old Dillon Reservoir to Town of Dillon Laskey Gulch Diversion and Town of Dillon Straight Creek Diversion Exchange:** 3.4.1. **Exchange-from point/downstream terminus:** Water will be released from Old Dillon Reservoir, which is located in the SW¼ SE¼ and SE¼ SW¼ of Section 13, Township 5 South, Range 78 West of the 6th P.M., Summit County, to the Blue River at or above the confluence of the Blue River and Salt Lick Gulch. The exchange-from point/downstream terminus of the exchange is the confluence of the Blue River and Salt Lick Gulch, which is located in the SW¼ SE¼ of Section 12, Township 5 South, Range 78 West, 6th P.M., at a point approximately 1,017 feet from the south line and 2,946 feet from the west line of Section 12. 3.4.2. **Exchange-to points/upstream termini:** Water will be diverted by exchange from Straight Creek at the points listed below. 3.4.2.1. **Town of Dillon Laskey Gulch Diversion:** Town of Dillon Laskey Gulch Diversion is located at a point on the right bank of Laskey Gulch, a tributary of Straight Creek, whence the W¼ corner of Section 4, Township 5 South, Range 77 West of the 6th P.M., in Summit County, bears S43°46'55"W a distance of 1,457.90 feet. This point is also described as being in the SW¼ NW¼ of Section 4, Township 5 South, Range 77 West of the 6th P.M. approximately 1,587 feet from the north line and 1,009 feet from the west line of Section 4. 3.4.2.2. **Town of Dillon Straight Creek Diversion:** See paragraph 3.3.1. above. 3.4.3. **Decreed source:** The source of the exchange is 46.14 acre feet of water stored in Old Dillon Reservoir pursuant to decree entered in Civil Action 1803 by the District Court, Summit County, on March 10, 1952. 3.4.4. **Decreed appropriation date:** September 29, 1987. 3.4.5. **Decreed amount:** 5 cfs, CONDITIONAL. 3.4.6. **Decreed use:** Municipal. **4. Evidence of reasonable diligence:** The structures and conditional water rights that are the subject of this application are decreed as part of an integrated system for supplying the water demands for the Town of Dillon that includes all conditional and absolute water rights and facilities decreed in Case Nos. C.A. 1806, W-12, W-13, and W-402 (consolidated), 86CW329, 86CW330, 87CW392, 93CW288, 95CW77, 07CW232, 08CW201, and 12CW71. During the diligence period, Applicant spent nearly \$518,000 on the following projects and work in furtherance of the development of these conditional water rights and its integrated water system: 4.1. Prior to the current diligence period, Applicant acquired water supply contracts from the U.S. Bureau of Reclamation for water in Green Mountain Reservoir and an alternative source contract from the Colorado River Water Conservation District for water in Wolford Mountain Reservoir. Applicant has regularly made all required payments pursuant to those contracts. These contract water supplies provide Applicant with security for its storage of water in and exchanges from Old Dillon Reservoir. 4.2. Applicant is a member of the Old Dillon Reservoir Water Authority, which maintains, operates, and accounts for diversions from Salt Lick Creek and storage in and

releases from Old Dillon Reservoir, including exchanges into and out of the reservoir. The Authority has provided regular accounting reports to the Division Engineer for Water Division No. 5 and the U.S. Bureau of Reclamation on behalf of Applicant and the other members and works with both entities on accounting procedures. 4.3. As a member of the Old Dillon Reservoir Water Authority, Applicant has paid its share of the continued operation, maintenance, and repairs for the Dillon Ditch and Old Dillon Reservoir between 2019 and 2025. Total assessments paid by Applicant during that time was \$219,500. More specifically, Applicant has spent the following amounts on the following capital projects and maintenance in connection with Old Dillon Reservoir: 4.3.1. In 2019, Applicant completed the first five-year annual Facility Performance Report and filed it with the State Engineer's office at a cost of \$6,000. 4.3.2. In 2020, Applicant spent \$10,000 to obtain a 401 certification. 4.3.3. In 2021, Applicant spent \$36,000 on riprap repair and grading to the north outlet and to add riprap to the south dam embankment; \$15,000 for tree removal from the north outlet drainage channel; \$12,000 in connection with an emergency closure and repair of the south outlet valve; \$14,500 for permanent valve stem repairs on the south outlet valve; \$500 for a survey; and \$5,500 for evaluation of the south blanket drain and developing as-builts drawings for the drain. 4.3.4. In 2022, Applicant spent \$4,000 to reseed the north outlet drainage area and tree removal area and \$5,000 for engineering in connection with the south outlet blanket drain catch basin and weir. 4.3.5. In 2023, Applicant spent \$35,000 for permanent repair of the south outlet valve and valve stem and \$24,000 to install a headgate on the south outlet valve. 4.3.6. In 2024, Applicant spent \$500 for a survey and \$2,000 to install a new security box over the new, larger outlet valve. 4.3.7. In 2025, to date, Applicant has spent \$2,000 for services performed to maintain Old Dillon Reservoir. 4.4. Between 2019 and 2025, Applicant spent the following amounts on capital projects and maintenance in connection with the Straight Creek Diversion: 4.4.1. Between 2019 and 2025, Applicant spent \$3,000 on the annual cleanings of the diversion pond, performed by a Colorado Department of Transportation contractor, and \$7,000 on supplies and utilities for the diversion structure. 4.4.2. In 2021, Applicant spent \$4,000 to install a new hydro-ranger flow meter and level transmitter. 4.4.3. In 2023, Applicant spent \$20,000 for forestry work around the diversion structure; \$1,200 to install a gutter on the diversion structure; and \$2,000 for legal counsel in connection with a Source Water Protection Ordinance. 4.4.4. In 2024, Applicant spent \$10,000 to replace serial communications radios and \$3,000 for legal counsel in connection with the Source Water Protection Ordinance. 4.4.5. In 2025, to date, Applicant has spent \$10,000 for channel decking and replacement of the mud valve. 4.5. In 2025, Applicant began two treatment plant projects to maximize and expand water treatment production. The first is a \$1.9 million project to improve production efficiency, improve disinfection contact time and restore storage tank maintenance ability. The second is a \$797,000 design and engineering project to expand the treatment plant to accommodate future demand. 4.6. Applicant, along with Summit County and Silverthorne, adjudicated findings of reasonable diligence for an enlargement of Old Dillon Reservoir in Case No. 21CW3001, and Applicant obtained diligence decrees for other conditional water rights in Case Nos. 18CW3174, 18CW3175, 18CW3176, and 24CW3150. Applicant is currently seeking findings of reasonable diligence in pending Case Nos. 25CW3071, 25CW3072, and 25CW3073. 4.7. Applicant has participated as an objector in water court applications that could adversely affect the yield, feasibility, and utility of these conditional water rights, including Case Nos. 16CW3040 and 21CW3090. 5. Claim to make absolute: Not applicable. 6. **Names and addresses of the owners of the land on which the structures are or will be located:** 6.1. **Town of Dillon Well No. 1:** Dillon Valley East Condo Association, PO Box 4844, Dillon, CO 80435-4844. 6.2. **Town of Dillon Well Nos. 2 and 3:** Straight Creek Ponds Owners Association, c/o Zumass Finest Property Services, 49 2nd Street, Montezuma, CO 80435-7605. 6.3. **Town of Dillon Well No. 4:** Dillon Valley District, PO Box 669, Dillon, CO 80435. 6.4. **Town of Dillon Well No. 5:** Summit County Board of Commissioners, PO Box 68, Breckenridge, CO 80424-0068. 6.5. **Old Dillon Reservoir, Town of Dillon Straight Creek Diversion, and Town of Dillon Laskey Gulch Diversion:** United States Forest Service Rocky Mountain Region 1617 Cole Blvd., Bldg. 17 Lakewood, CO 80401; United States Forest Service Dillon Ranger District P.O. Box 620 Silverthorne, CO 80498. WHEREFORE, Applicant requests that the Court enter a decree finding that Applicant has exercised reasonable diligence in the development of these conditional water rights and continuing these conditional water rights for another six years.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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 JULY 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.*

25CW3110 PITKIN COUNTY, COLORADO; COLORADO RIVER OR ITS TRIBUTARIES. MOOSE TV, LLC, a Colorado limited liability company; c/o Danielle L. Van Arsedale, Esq., Wood Bess Nelson Hastings, LLC, 201 Main Street, Ste. 301, Carbondale, CO 81623 (970) 925-1551. APPLICATION TO MAKE ABSOLUTE. **First Claim.** Name of structure: JMAR Pond System. Original decree: Case No. 95CW325, Division 5 Water Court; July 27, 1998. Subsequent diligence decrees: Case No. 04CW116, June 30, 2006; Case No. 12CW108, November 18, 2012; Case No. 2018CW3181, July 7, 2019. Legal description: The NW ¼ SW ¼ of Section 28, Township 10 S., Range 84 W. of the 6th P.M., 1,660 feet from the S. Section line and 730 feet from the W. Section line. A map is on file with the Court as Figure 1. Source: Cosseboom Creek, tributary to the Roaring Fork and Colorado Rivers, via deliveries from the Cooper Ditch Priority 415 and Cooper Ditch JMAR Enlargement water rights. Ditch used to fill reservoir: The Cooper Ditch has a capacity of 0.25 c.f.s. where it crosses Applicant's property. The point of diversion is located on the north bank of Cosseboom

Creek at a point whence the SW corner of Section 28, Township 10 S., Range 84 W. of the 6th P.M. bears S. 33°50' W. 2,570 feet. Date of appropriation: June 13, 1995. Conditional amount: 1.05 acre-feet. Uses: Fire protection, piscatorial, aesthetic, fish and wildlife propagation, and augmentation and exchange. Place of Use: Applicant's property shown on the map on file with the Court as Figure 2. Volume: 1.15 acre-feet (1.0 acre-foot of active capacity and 0.15 acre-foot of dead storage). Maximum height of dam: 8 feet. Length of dam: 225 feet. Claim for absolute: 1.05 acre-feet, for a total of 1.15 acre-feet absolute, for all decreed beneficial uses. Date of beneficial use: June 14, 2016 for the fire protection, piscatorial, aesthetic, and fish and wildlife propagation uses; September 15, 2016 for the augmentation and exchange use. A statement of the claim to make absolute with all supporting documentation is on file with the Court. Landownership: Applicant owns the land upon which the storage structure is constructed and upon which water is stored and put to beneficial use. **Second Claim.** Name of structure: JMAR Aug Pond. Original decree: Case No. 95CW325, Division 5 Water Court; July 27, 1998. Subsequent diligence decrees: Case No. 04CW116, June 30, 2006; Case No. 12CW108, November 18, 2012; Case No. 2018CW3181, July 7, 2019. Legal description: The NW ¼ SW ¼ of Section 28, Township 10 S., Range 84 W. of the 6th P.M., at a point approximately 1,830 feet from the S. Section line and 730 feet from the W. Section line. A map is on file with the Court as Figure 1. Source: Cosseboom Creek, tributary to the Roaring Fork and Colorado Rivers, via deliveries from the Cooper Ditch Priority 415 and Cooper Ditch JMAR Enlargement water rights. Ditch used to fill reservoir: The Cooper Ditch has a capacity of 0.25 c.f.s. where it crosses Applicant's property. The point of diversion is located on the north bank of Cosseboom Creek at a point whence the SW corner of Section 28, Township 10 S., Range 84 W. of the 6th P.M. bears S. 33°50' W. 2,570 feet. Date of appropriation: June 13, 1995. Conditional amount: 0.25 acre-foot. Uses: Irrigation, stock watering, fire protection, piscatorial, recreational, and augmentation and exchange. Place of Use: Applicant's property shown on the map on file with the Court as Figure 2. Volume: 0.25 acre-foot (all active capacity). Claim for absolute: 0.25 acre-foot for all decreed beneficial uses. Date of beneficial use: December 30, 2019 for the irrigation, stock watering, fire protection, piscatorial, and recreational uses; July 30, 2020 for the augmentation and exchange use. A statement of the claim to make absolute with all supporting documentation is on file with the Court. Landownership: Applicant owns the land upon which the storage structure is constructed and upon which water is stored and put to beneficial use.

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25CW3112 GUNNISON COUNTY – APPLICATION FOR WATER STORAGE RIGHT – 1. Name, Address, Phone Number, and E-Mail Address of Applicant. Treasure Mountain Ranch Inc., c/o Stuart Gillespie, Treasurer, 1203 Colorado Ave., Glenwood Springs, Colorado 81611; Phone: (901) 240-5188; E-mail: stuart.j.gillespie@gmail.com. Copies of all pleadings to David F. Bower and Cameron C. Frazier, Johnson & Repucci LLP, 850 W. South Boulder Road, Suite 100, Louisville, Colorado 80027; Phone: (303) 546-5608; E-mail: dfbower@j-rlaw.com and ccfrrazier@j-rlaw.com. **2. Claim for Conditional Storage Right.** (a) Name of Storage Structure. Treasure Mountain Ranch Pond No. 1. (b) Location. SW1/4 of Section 27 and NW1/4 of Section 34, Township 11 South, Range 87 West, of the 6th P.M. A map showing the general location of the Treasure Mountain Ranch and the pond is attached to the application as Exhibit A. (c) Description of Filler Structure. (i) Name of Ditch. Crystal Spring, Ditch & Pipeline [WDID 3801261]. (ii) Original Decree. Civil Action No. 5884, Garfield County District Court, Priority No. 735 for Water District 38, with an adjudication date of November 5, 1971 and an appropriation date of August 30, 1916. (iii) Decreed Legal Description. "... at a point at the terminus of the said spring area whence an iron pin in place, for corner No. 3 of Mineral Survey No. 7849 Township 11, South, Range 87 West of the 6th Principal Meridian bears South 25°26'29" East 290.40 feet." (iv) Location of Headgate. NE1/4 NW1/4 of Section 34, Township 11 South, Range 87 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting 318686, Northing 4325135. (v) Rate of Fill. 1 cfs. (d) Sources, Springs, seeps, and other surface flows tributary to the South Fork of the Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River. (e) Appropriation Date. Date of application. (f) Amount. 4 acre-feet, conditional, with the right to fill and refill. (g) Uses. Recreation, piscatorial, fire protection, and augmentation. (h) Surface Area of the High Water Line. 1.0 acre. (i) Height and Length of Dam. The dam will be less than 10 feet in height and non-jurisdictional. (j) Total Capacity. 4 acre-feet. (k) Remarks. The Treasure Mountain Ranch Pond No. 1 will be used as a recreational amenity for the Treasure Mountain Ranch development. In addition, the pond will be the primary source of fire protection water for the area and can be used as an augmentation supply, if necessary, to replace out-of-priority depletion within the upper Crystal River basin. This application does not seek or claim a plan for augmentation, and any use of the pond for augmentation purposes at the Treasure Mountain Ranch or other locations will be pursuant to a separate matter. The amount claimed is based on Applicant's estimate of the maximum volume of the pond; however, the final dimensions and capacity of the Treasure Mountain Ranch Pond No. 1 are still being determined. Topography and other siting and operational considerations may require construction of more than one impoundment structure that, combined, will be considered part of the Treasure Mountain Pond No. 1 appropriation. **3. Name and Address of Landowner Upon which any New or Modified Diversion or Storage Structure is Located.** The Treasure Mountain Ranch Pond No.

1 will be on land owned by Applicant. WHEREFORE, Applicant respectfully requests that the Court grant the claim for water storage right as set forth above.

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25CW3113 EAGLE COUNTY – IN THE EAGLE RIVER OR ITS TRIBUTARIES. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. The Town of Gypsum, c/o Kevin L. Patrick and Jason M. Groves, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030; and American Gypsum Company LLC, c/o Steven J. Bushong and Paul J. Raymond, Bushong & Holleman P.C., 1966 13th Street, Boulder, CO 80302, (303) 441-9141. Structure: Wolcott Pumping Pipeline. Original Decree: July 9, 1979, C.A. 1529, District Court, Eagle County. Prior diligence decree: 2018CW3154, Water Division 5. Legal: Original point of diversion on the right bank of the Eagle River whence the West ¼ corner of Section 14, Township 4 South, Range 83 West of the 6th P.M. bears North 20°28' West a distance of 825 feet. Alternate points of diversion in 93CW326 and 02CW391 (American Gypsum Company LLC): Eagle Gypsum Well Nos. 1-3, American Gypsum Well F, American Gypsum Well Field, and Eagle River Intake Nos. 1 and 2. Alternate points of diversion (Town): Gypsum Eagle River Pumping Pipeline and Norgaard Ditch, Town Enlargement. Legal descriptions for the alternate points are described in the application and aforementioned decrees. Source: **Eagle River, tributary to the Colorado River.** Source at alternate points is groundwater tributary to the Eagle River, Gypsum Creek, or the Eagle River, tributary to the Colorado River. Appropriation date: April 27, 1966. Amount: 1 c.f.s., conditional. Uses: municipal, domestic, stock watering, electric power generation, recreational, and other beneficial uses. Industrial and irrigation uses were made absolute for the 1 c.f.s. by American Gypsum Company in Case No. 11CW81, Water Division 5. Place of use: Within the Town of Gypsum's water service area, as may be changed periodically. Landowner information: (Wolcott Pumping Pipeline): Bureau of Land Management, 2300 River Frontage Rd., Silt, CO 81652; (Eagle Gypsum Well Nos. 1, 2, and 3, American Gypsum Well F, The American Gypsum Well Field, Eagle River Intake No. 1 and 2): Co-Applicant, American Gypsum Company LLC; (Gypsum Eagle River Pumping Pipeline): Pilaz-Rodriguez LLC, P.O. Box 187, Eagle, CO 81631; (Norgaard Ditch, Town Enlargement): Vicki Nycum, P.O. Box 1057, Gypsum, CO 81637. Remark: Other portions of the Wolcott Pumping Pipeline owned by the Town and the Colorado River Water Conservation District are the subject of a separate diligence application. Maps and a detailed outline of the work done toward completion of the appropriation are on file with the Court.

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25CW3114 MESA AND GARFIELD COUNTIES - COLORADO RIVER; George H. Gipp and Joann Gipp Living 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, address, and telephone number of applicant: George H. Gipp and Joann Gipp Living Trust, c/o Cary H. Gipp, Buzzard Creek Ranch, LLLP, 66320 Highway 330 East, Collbran, CO 81624; (970) 985-5892; Request for finding of diligence: Name of structure: Spring Pond; Describe conditional water right: Original Decree: November 14, 2012, in Case No. 2010CW303; Subsequent decrees awarding diligence: 2018CW3189; Legal description: The centerline of the embankment for the Spring Pond is located in Mesa County in the NE/4 NW/4 of Section 19, Township 9 South, Range 93 West, 6th P.M., at a point 233 feet from the north section line and 1,740 feet from the west section line; Source of water: **Horse Gulch, tributary to Buzzard Creek, tributary to Plateau Creek, tributary to the Colorado River.** The Spring Pond is an on-channel structure with a bottom release; Appropriation Date: June 1, 1965, for irrigation, stock watering, wildlife watering, and fire protection uses; June 1, 2010, for commercial and industrial uses; Amount: 0.37 a.f. absolute with a conditional right to continuously refill when in priority up to 3.7 a.f. annually, subject to a 340 a.f. annual cumulative volume for all storage structures decreed in Case No. 10CW303; Use: Irrigation, commercial, industrial, stock watering, wildlife watering directly from pond, and fire protection; Regarding irrigation: Water stored in the Spring Pond has been released to the Advent Ditch and Jo Pond for the supplemental irrigation of 76.9 acres, as more thoroughly described in Case No. 2010CW303; Regarding nonirrigation uses: Regarding commercial use, water stored in the Spring Pond has been

released and delivered downstream to the Jo Pond and the Gipp Pond where it has been sold to third parties and pumped into tanker trucks or temporary water pipelines for delivery to sites in the Plateau Valley for industrial use. Additionally, water is used for industrial purposes by releasing and delivering it downstream to the Jo Pond or Gipp Pond, where it is applied for dust suppression in the vicinity of the pump station, as well as on the roadways on Applicant's property; 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: During the most recent diligence period, the former owner, George Gipp, passed away. Applicant is George Gipp's grandson and has recently taken over operations. The former owner and Applicant maintained their intent to utilize the full decreed refill right for the Spring Pond, but due to the ailing health of the former owner, work to develop the Spring Pond slowed. Applicant has renewed the process of developing the water system so that the remaining conditional refill rights in the subject water right can be fully placed to beneficial use. That work includes ordering a staff gauge to accurately measure the draw down and refilling of the pond. Applicant also hired a contractor to improve the Advent Ditch by installing a pipeline and measuring device, which will allow Applicant to more readily make use of refills of the subject right. Applicant requests a finding of reasonable diligence with respect to the remaining conditional right to continuously refill the Spring Pond; Request for finding of diligence: Name of structure: Jo Pond; Describe conditional water right: Original Decree: November 14, 2012, in Case No. 2010CW303; Subsequent decrees awarding diligence: 2018CW3189; Legal description: The centerline of the embankment for the Jo Pond is located in Mesa County in the SE/4 SW/4 of Section 18, Township 9 South, Range 93 West, 6th P.M., at a point 675 feet from the south section line and 2,100 feet from the west section line; Source of water: Diversions from the Advent Ditch, which diverts from Buzzard Creek, tributary to Plateau Creek, tributary to the Colorado River; If off-channel reservoir: Filled with diversions under the 3.00 c.f.s. water right in the Advent Ditch, Gipp Enlargement, decreed in Case No. 2010CW303. The point of diversion for the Advent Ditch is located in Mesa County in the NE/4 NE/4 of Section 19, Township 9 South, Range 93 West, 6th P.M., 1,084 feet from the north section line and 96 feet from the east section line; Appropriation Date: August 1, 1984, for irrigation, stock watering, wildlife watering, piscatorial, recreation, and fire protection; June 1, 2010, for commercial and industrial; Amount: 13.06 a.f. absolute with a right to continuously refill made absolute for 15.15 a.f., leaving 309.7 a.f. conditional, subject to a 324.85 a.f. annual cumulative volume for all storage structures decreed in Case No. 10CW303; Use: Irrigation, commercial, industrial, piscatorial, recreation, stock watering, wildlife watering directly from pond, and fire protection; 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: As discussed above, the former owner, George Gipp, passed away during the last diligence cycle and Applicant (his grandson) is renewing his efforts to continue development of the conditional rights. Applicant has worked with Reinke Irrigation to obtain quotes for pumps that would increase Applicant's ability to make beneficial use of the refill rights decreed to the Jo Pond. Those pumps are estimated to cost approximately \$40,000 each. Applicant also is working with Grand Valley Power Association to have electrical power delivered to the pond for the pump. Applicant is securing funds to purchase the pumps and extend the power supply. Applicant also hired a contractor to make improvements to the Advent Ditch which will increase Applicant's ability to refill the Jo Pond. Applicant also has purchased a staff gauge for the Jo Pond, which will help him quantify the extent to which the pond has been drawn down and refilled; Request for finding of diligence: Name of structure: Gipp Pond; Describe conditional water right: Original Decree: November 14, 2012, in Case No. 2010CW303; Legal description: The centerline of the embankment for the Gipp Pond is located in Mesa County in the NE/4 NE/4 of Section 24, Township 9 South, Range 94 West, 6th P.M., 135 feet from the north section line and 860 feet from the east section line; Source of water: Horse Gulch via releases from the Spring Pond, Buzzard Creek via the Advent Ditch, Gipp Enlargement, under the water right decreed in Case No. 10CW303, Collier Creek via releases from the High Pond, described below, and return flows from irrigated land under the Gipp Ditch, all tributary to Plateau Creek, tributary to the Colorado River; Appropriation Date: January 31, 1977; Amount: 16.1 a.f. absolute with an absolute refill right of 27.83 a.f. (leaving 284.34 a.f. conditional) to continuously refill when in priority, subject to a 312.17 a.f. annual cumulative volume for all storage structures decreed in Case No. 10CW303; Use: Commercial, industrial, piscatorial, recreation, stock watering, wildlife watering directly from pond, and fire protection; 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: In addition to the work on the Advent Ditch and Spring Pond, described above, Applicant has obtained a staff gauge to accurately measure draw down and refill of the subject reservoir and also has obtained quotes to purchase large capacity pumps to increase the ability to place the refill rights in the subject reservoir to beneficial use. Applicant is also working with Grand Valley Power Association to have electrical power delivered to the pond for the pump; Request for finding of diligence: Name of structure: High Pond; Describe conditional water right: Original Decree: November 14, 2012, in Case No. 2010CW303; Legal description: The centerline of the embankment for the High Pond is located in Mesa County in the SE/4 SE/4 of Section 13, Township 9 South, Range 94 West, 6th P.M., 358 feet from the south section line and 1,300 feet from the east section line; Source of water: Horse Gulch via releases from the Spring Pond, Buzzard Creek via the Advent Ditch, Gipp Enlargement under the water right decreed in Case No. 10CW303, Collier Creek via releases from the High Pond, described below, and return flows from irrigated land under the Gipp Ditch, all tributary to Plateau Creek, tributary to the Colorado River; Appropriation Date: August 1, 1984, for piscatorial, recreation, stock watering, wildlife watering, and fire protection; June 1, 2010, for commercial and industrial; Amount: 5.44 a.f. absolute with an absolute 15.44 a.f. right to continuously refill when in priority (leaving 164.56 a.f., conditional), subject to a 340 a.f. annual cumulative volume for all storage structures decreed in Case No. 10CW303; Use: Commercial, industrial, piscatorial, recreation, stock watering, wildlife watering directly from pond, and fire protection; 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: In addition to the work described above, Applicant has drained the High Pond and is performing repairs and upgrades on the release structure that will allow Applicant to increase releases and the refill of the subject reservoir. Request for finding of integration: Applicant requests a finding that the Spring Pond, Jo Pond, Gipp Pond, High Pond,

and the Advent Ditch are part of an integrated system of water rights and that evidence of diligence with regard to one right should be considered as diligence on the others. (7 pages)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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 JULY 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.*

25CW3115 BLUE AND COLORADO RIVER BASINS, SUMMIT COUNTY. Copper Mountain Consolidated Metropolitan District c/o Ryan Jarvis and Laurel Quinto of JVAM PLLC; 305 Gold Rivers Ct, Ste 200, Basalt CO 81621, (970) 922-2122. Application for Findings of Reasonable Diligence and to Make Partially Absolute. Name of Structures: Copper Mountain Well Nos. 1A, 2, and 3. Original decree (all structures) Consolidated Case Nos. 80CW416 and 81CW486, entered on 5/13/1992, Div 5. Subsequent decrees (all structures): 98CW88, 05CW58, 11CW174, and 19CW3013, Div 5. Source (all structures): Groundwater trib. to West Tenmile Creek, trib. to Tenmile Creek, trib. to the Blue and Colorado Rivers. Owner of land (all structures): Powdr-Copper Participation LLC, 0800 Copper Road, #3001, Copper Mountain, CO 80443. First Claim; Finding of Reasonable Diligence. Name of structure: Copper Mountain Well No. 1A. Location: SW1/4 NE1/4, Sec 30 T6S R78W 6th PM at a point whence the E1/4 Corner of said Sec 30 bears S 58°46' E a distance of 1,600 ft; also described as 1,730 ft from the N line and 1,405 ft from the E line of said Sec 30. Approp. date: 9/20/1988. Amounts and uses: 1.2 cfs, total. 1.2 c.f.s. abs., for irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetic uses, and 1.2 cfs, cond., for snowmaking. Remarks: The subject water right operates pursuant to Well Permit No. 34139-F and in conjunction with the plan for aug. decreed in 81CW486 as amended in 02CW382 and 17CW3063. In 07CW146, Copper Mountain Well 1A was decreed as a point of diversion for Applicant's interest in the West Ten Mile Ditch. In 17CW3063, Copper Mountain Well 1A was decreed as an alternate point of diversion for 1.46 cfs, cond., for irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetics decreed to Copper Mountain Well No. 3. Second Claim; Finding of Reasonable Diligence. Name of structure: Copper Mountain Well No. 2. Location: In the SE1/4 NE1/4 Sec 30 T6S R78W 6th PM at a point whence the E1/4 Corner of said Sec 30 bears S 44°42' E a distance of 640 ft, also described as 2,140 ft from the N line and 475 ft from the E line of said Sec 30. Approp. date: 9/20/1988. Amounts and uses: 1.5 cfs, total. 1.5 cfs, abs., for irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetic uses. 1.5 cfs, cond., for snowmaking. Remarks: The subject water right operates pursuant to Well Permit No. 34140-F and in conjunction with the plan for aug. decreed in 81CW486 as amended in 02CW382 and 17CW3063. In 17CW3063 Copper Mountain Well No. 2 was decreed as an alternate point of diversion for 1.46 cfs, cond., for irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetics decreed to Copper Mountain Well No. 3. Third Claim; Finding of Reasonable Diligence and to Make Partially Absolute. Name of structure: Copper Mountain Well No. 3. Location: In the SW1/4 NE1/4 Sec 30 T6S R78W 6th PM at a point whence the E1/4 Corner of said Sec 30 bears S 70°29' E a distance of 2,050 ft., also described as 1,950 ft from the N line and 1,970 ft from the E line of said Sec 30. Approp. date: 11/1/1991. Amounts and uses: 3.0 cfs, total. 1.54 cfs, abs., for irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetic uses; 1.46 cfs, cond., for irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetic uses; and 3.0 cfs, cond., for snowmaking. Claim to Make Abs.: Date water applied to beneficial use: 7/15/2021. Amount: 1.46 cfs. Uses: Irrigation, municipal, domestic, industrial, commercial, fire protection, recreation and aesthetic uses. Location of beneficial use: Within Applicant's service area. Remarks: The subject water right operates pursuant to Well Permit Nos. 35130-F and 40102-F and in conjunction with the plan for aug. decreed in 81CW486 as amended in 02CW382 and 17CW3063. In 07CW146, Copper Mountain Well No. 3 was decreed as a point of diversion for Applicant's interest in the West Ten Mile Ditch. In 17CW3063, Copper Mountain Well Nos. 1A, 2, 4, 5, and 6 were decreed as alternate points of diversion for 1.46 cfs cond. for irrigation, municipal, domestic, snowmaking, industrial, commercial, fire protection, recreation and aesthetic decreed to Copper Mountain Well No. 3. Exercise of Copper Mountain Well No. 3 occurred at the alternate point of diversion Copper Mountain Well No. 4. Application on file with court includes a list of activities demonstrating diligence. (7 pages, 1 exhibit.)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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 JULY 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.*

25CW3116 PITKIN COUNTY, ROARING FORK RIVER, COLORADO RIVER. Application for Findings of Reasonable Diligence. Aspen School District, c/o Mark E. Hamilton, Esq., Susan M. Ryan, Esq., Holland & Hart LLP, 600 E. Main Street, Suite 104, Aspen, CO 81611, mehamilton@hollandhart.com, smryan@hollandhart.com. Names of structures: West Ranch Phase 2 Well; West Ranch Phase 2 Exchange. Previous decrees: Original decree: Case No. 08CW197, Water Div. 5, entered June 12, 2012. Subsequent decree awarding diligence: Case No. 18CW3094, Water Div. 5, entered July 7, 2019. Locations: West Ranch Phase 2 Well: NE 1/4 SW1/4 of Sec. 5., T. 9 S., R. 85 W., 6th P.M., at a point located 1,560 ft. E. of the W. Sec. line, and 1,806 ft. N. of the S. Sec. line, of said Sec. 5, Pitkin County, CO. West Ranch Phase 2 Exchange: Upper Terminus: the point at which the Roaring Fork River crosses the S. Sec. line of Sec. 5, T. 9 S., R. 85 W., 6 P.M., Pitkin County, CO. Lower Termini: a) the confluence of the Frying Pan River and the Roaring Fork River in the SW 1/4 SE 1/4 of Sec. 7, T. 8 S., R. 85 W. of the 6th P.M., at a point approx. 750 ft. from the S. Sec. line and 1,500 ft. from the E. Sec. line, Eagle County, CO (for releases from Ruedi Reservoir); b) the confluence of the Colorado River and the Roaring Fork River located in the SE 1/4 NW 1/4 of Sec. 9, T. 6 S., R. 89 W. of the 6th P.M., at a point approx. 2,200 ft. from the N. Sec. line and 2,350 ft. from the W. Sec. line of said Sec. 9, Garfield County, CO (for releases from Green Mountain Reservoir). A map showing these locations is attached to the Application as Exhibit A. Sources: West Ranch Phase 2 Well: groundwater tributary to the Roaring Fork, tributary to the Colorado River; West Ranch Phase 2 Exchange: Exchange on the Roaring Fork River. Amounts, uses, and appropriation dates: West Ranch Phase 2 Well: 25 g.p.m., conditional, with an annual appropriation of 3.15 acre-feet, for in-house domestic use in Applicant's Phase 2 Affordable Housing Development, consisting of seven single-family dwelling units, fire protection, and 7,000 square feet (0.16 acres) of lawn and landscape irrigation associated with those uses, with an appropriation date of February 12, 2008; West Ranch Phase 2 Exchange: 1.0 g.p.m., conditional, to use water released from Basalt Water Conservancy District sources for augmentation, when the exchange is in priority, with an appropriation date of December 31, 2008. Decreed depth of West Ranch Phase 2 Well: approx. 100 ft. A detailed outline of activities and expenditures during the diligence period is included in the Application. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure: Applicant. (5 pages)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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 JULY 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.

25CW3117 (Former Case Nos. 18CW3228, 11CW110, 99CW316). APPLICATION FOR WATER RIGHTS OF THE GRAND RIVER RANCH OWNERS ASSOCIATION, INC., ROSE CITY HOLDINGS, LLC, AND ASPEN HILLS RANCH, LLC, IN **GRAND COUNTY, COLORADO**. 1. Name, address, telephone number, and email address of Applicant(s): Grand River Ranch Owners Association, Inc. ("GRROA"), c/o Garth Eichler, P.O. Box 1568, Kremmling, CO 80459, Phone: (970) 724-8912, Email: garth@thegrandriverranch.com; Rose City Holdings, LLC, P.O. Box 100, Huntingburg, IN 47542-0100, Phone: (812) 683-4848, Email: hmenke@ofs.com; Aspen Hills Ranch, LLC, c/o Glen Lange, One Best Drive, P.O. Box 158, Ferdinand, IN 47532, Phone: (812) 367-0166, Email: glange@besthf.com. All correspondence and pleadings should be sent to undersigned counsel for the Applicant: Karl D. Ohlsen and Sarah B. Wiedemann, Carlson, Hammond & Paddock, L.L.C., 1900 N. Grant Street, Suite 1200, Denver, Colorado 80203-4539; Phone: (303) 861-9000; Fax: (303) 861-9026; kohlsen@chp-law.com, swiedemann@chp-law.com. 2. Name of Structures and description of water rights: 2.1. Gould Pond No. 1: 2.1.1. Date of Original Decree: July 27, 2005, Case No. 99CW316, District Court in and for Water Division No. 5, Colorado. 2.1.2. Subsequent decrees awarding findings of diligence: December 16, 2012, Case No. 11CW110, District Court in and for Water Division No. 5, Colorado; July 14, 2019, Case No. 18CW3228, District Court in and for Water Division No. 5, Colorado. 2.1.3. Legal Description: The SE¼ SE¼ of Section 5, Township 1 North, Range 81 West of the 6th P.M.; and geographically at Colorado State Plane North Zone NAD83 Coordinate 1,271,885 N; 2,723,800 E. 2.1.4. Source: The Middle Fork of Sheep Creek delivered through the Strawberry Ditch. The Middle Fork of Sheep Creek is a tributary of Sheep Creek, a tributary of the Colorado River. 2.1.5. Appropriation Date: December 28, 1999. 2.1.6. Amount: 53 acre-feet with the right to continually fill and refill in priority, and to maintain a freshening flow through the pond. In Case No. 11CW110, Gould Pond No. 1 was made absolute for all decreed beneficial uses in the amount of 10.6 acre-feet, at a fill rate of 0.5 c.f.s., with 42.4 acre-feet remaining conditional. 2.1.7. Use: Stock water, piscatorial, wildlife, recreation, and fire fighting. 2.1.8. Point of Diversion: Headgate of Strawberry Ditch, which is located on the South bank of the Middle Fork of Sheep Creek, at a point whence the SE corner of Section 5, Township 1 North, Range 81 West of the 6th P.M. bears South 30°35' East a distance of 2,490 feet; and geographically at Colorado State Plane North Zone NAD83 Coordinate 1,273,196 N; 2,723,108 E. 2.1.9. Rate of Diversion through Strawberry Ditch: 7.5 c.f.s. 2.1.10. Total Capacity of the Pond: 53 acre-feet; 0 acre-feet active capacity; 53 acre-feet dead storage. 2.1.11. Reservoir Characteristics: 2.1.11.1. Surface Area: 4.08 acres. 2.1.11.2. Maximum Dam Height: 10 feet. 2.1.11.3. Length of Dam: 500 feet. 2.1.11.4. Capacity: 53 acre-feet; no active storage/all dead storage. 2.2. Gould Pond No. 2: 2.2.1. Date of Original Decree: July 27, 2005, Case No. 99CW316, District Court in and for Water Division No. 5, Colorado. 2.2.2. Subsequent decrees awarding findings of diligence: December 16, 2012, Case No. 11CW110, District Court in and for Water Division No. 5, Colorado; July 14, 2019, Case No. 18CW3228, District Court in and for Water Division No. 5,

Colorado. 2.2.3. Legal Description: The SW¼ SW¼ of Section 4, Township 1 North, Range 81 West of the 6th P.M.; and geographically at Colorado State Plane North Zone NAD83 Coordinate 1,271,861N; 2,724,649 E. 2.2.4. Source: The Middle Fork of Sheep Creek delivered through the Strawberry Ditch. The Middle Fork of Sheep Creek is a tributary of Sheep Creek, a tributary of the Colorado River. 2.2.5. Appropriation Date: December 28, 1999. 2.2.6. Amount: 34.9 acre-feet conditional with the right to continuously fill and refill in priority, and to maintain a freshening flow through the pond. In Case No. 11CW110, Gould Pond No. 2 was made absolute for all decreed beneficial uses in the amount of 24.8 acre-feet, at a fill rate of 0.5 c.f.s., with 10.1 acre-feet remaining conditional. 2.2.7. Use: Stock water, piscatorial, wildlife, recreation, and fire fighting. 2.2.8. Point of Diversion: Headgate of the Strawberry Ditch, which is located on the South bank of the Middle Fork of Sheep Creek, at a point whence the SE Corner of Section 5, Township 1 North, Range 81 West of the 6th P.M. bears South 30°35' East a distance of 2,490 feet; and geographically at Colorado State Plane North Zone NAD83 Coordinate 1,273,196 N; 2,723,108 E. 2.2.9. Rate of Diversion through Strawberry Ditch: 7.5 c.f.s. 2.2.10. Total Capacity of Pond: 34.9 acre-feet; 0 acre-feet active capacity; 34.9 acre-feet dead storage. 2.2.11. Reservoir Characteristics: 2.2.11.1. Surface Area: 2.76 acres. 2.2.11.2. Maximum Dam Height: 10 feet. 2.2.11.3. Length of Dam: 400 feet. 2.2.11.4. Capacity: 34.9 acre-feet; no active storage/all dead storage. 2.3. Kid's Pond Enlargement: 2.3.1. Date of Original Decree: July 27, 2005, Case No. 99CW316, District Court in and for Water Division No. 5, Colorado. 2.3.2. Subsequent decrees awarding findings of diligence: December 16, 2012, Case No. 11CW110, District Court in and for Water Division No. 5, Colorado; July 14, 2019, Case No. 18CW3228, District Court in and for Water Division No. 5, Colorado. 2.3.3. Legal Description: The NE¼ SW¼ of Section 14, Township 1 North, Range 81 West of the 6th P.M.; and geographically the dam centerline is at Colorado State Plane North Zone NAD83 Coordinate 1,261,670 N; 2,737,051 E. 2.3.4. Source: Seepage and surface runoff tributary to the Colorado River. 2.3.5. Appropriation Date: December 31, 1954, as to the original appropriation, and December 28, 1999, as to the enlargement. 2.3.6. Amount: 4.2 acre-feet absolute for the original appropriation and 11.5 acre-feet conditional for the enlargement. 2.3.7. Use: Stock water, piscatorial, wildlife, recreation, and fire fighting. 2.3.8. Total Capacity of Pond: 4.2 acre-feet for the original appropriation; 15.7 acre-feet when enlarged; 0 acre-feet active capacity; 4.2 acre-feet dead storage for the original appropriation; 15.7 acre-feet dead storage when enlarged. 2.3.9. Reservoir Characteristics: 2.3.9.1. Surface Area: 3.46 acres (resulting from enlargement). 2.3.9.2. Maximum Dam Height: 10 feet. 2.3.9.3. Length of Dam: 340 feet (resulting from enlargement). 2.3.9.4. Capacity: 15.7 acre-feet (11.5 acre-feet conditional for the Enlargement and 4.2 acre-feet absolute for the original appropriation); no active storage/all dead storage. 2.4. The water rights that are the subject of this application, as described in sections 2.1, 2.2, and 2.3 are hereafter referred to as the "Subject Water Rights." 2.5. Integrated System: As decreed in Case Nos. 99CW316, 11CW110, and 18CW3228, the Subject Water Rights herein are part of an integrated water system comprising all water rights decreed and used for development and operation of the Grand River Ranch. Reasonable diligence in the development of one component of the system comprises reasonable diligence in the development of all components. 3. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: During the diligence period and since the application was filed in Case No. 18CW3228, Applicants have done the following toward completion of the decreed conditional water rights and the integrated water supply project and system: 3.1. Gould Pond No. 1 and Gould Pond No. 2 continue to be restocked with fish for recreational activities, wildlife has frequently been observed using the ponds as a source of water, and cattle visit the ponds in connection with GRROA's grazing lease with Farrell Livestock. 3.2. On July 22, 2025, Applicant Rose City Holdings, LLC filed a Notice of Transfer of Conditional Water Rights in Case No. 18CW3228. The notice explains that its predecessor in interest, Patricia L. McDonnell Revocable Trust, conveyed Gould Pond No. 1 and Gould Pond No. 2, among other water rights, to Rose City Holdings, LLC by bargain and sale deed on October 14, 2020. The deed was recorded in Grand County, Colorado on October 16, 2020, with a reception number of 2020009824. 3.3. During the diligence period, Applicant Rose City Holdings, LLC spent the following amounts for Parcel 11 at the Grand River Ranch: a) \$2,800 for fish restocking; b) \$31,500 for the installation, repair, and maintenance of a dry fire hydrant and accompanying materials; c) \$23,000 for maintenance of road access to ponds and repair and maintenance of ponds and banks - including sediment maintenance and mowing; d) \$2,000 for reconnaissance and removal of invasive animals from ponds, and e) \$3,000 to repair, replace, and maintain agricultural drains. These amounts encompass all water rights on Parcel 11, which include, Gould Pond No. 1, Gould Pond No. 2, the Strawberry Ditch, and Beavers Pond. 3.4. Since 2019, Applicant Aspen Hills Ranch, LLC has performed regular maintenance on Kid's Pond. Specifically, Aspen Hills Ranch, LLC has cleaned the pond's pipes to prevent dam washout, removed beavers that were attempting to clog up the pond's overflow pipe, and repaired the pond's aerator and its accompanying windmill. The total cost for Aspen Hills Ranch, LLC's maintenance work is approximately \$2,870. GRROA's ranch manager also regularly performs maintenance for Kid's Pond involving weed control and removal of vegetative overgrowth. 3.5. Applicant Aspen Hills Ranch, LLC annually restocks Kid's Pond with rainbow trout for fishing and recreational activities. Applicants also utilize Kid's Pond for GRROA's grazing lease with Farrell Livestock. Kid's Pond is further used as an attraction for wildlife linked to Applicants' hunting activities. The cost to restock Kid's Pond with rainbow trout during the diligence period totaled \$3,588. 3.6. On December 31, 2018, Applicant GRROA and Applicant Rose City Holdings, LLC's predecessor in interest, Patricia L. McDonnell Revocable Trust, filed an application in Case No. 18CW3227 with the water court in Water Division No. 5, seeking a finding of reasonable diligence and to make conditional water rights absolute in part for the Beavers Pond, Collett Pond, Low Aspen Pond, PJ Martin Ponds, Middle Fork Ponds, North Fork Pump Station, and Lodge Well No. 1, all of which are a part of the integrated water supply project and system for the Applicants in the current application. GRROA and the Patricia L. McDonnell Revocable Trust successfully prosecuted the application and a decree was entered on September 22, 2019. The decree ordered that 2.94 a.f. was made absolute for all decreed beneficial uses for Collett Pond, 2.1 a.f. was made absolute for all decreed beneficial uses for the P.J. Martin Ponds, and 32 a.f. was made absolute for all decreed beneficial uses for the Low Aspen Pond. 3.7. On August 28, 2019, Applicant GRROA and Applicant Rose City Holdings, LLC's predecessor in interest, Patricia L. McDonnell Revocable Trust, filed an application in Case No. 19CW3100 with the water court in Water Division No. 5, seeking a finding of reasonable diligence for the

Muddy Pond, Jones Reservoir No. 2, Jones Reservoir No. 3, Jones Reservoir Supply Ditch Headgate No. 2, the Strawberry Ditch, the P.J. Martin Ditch No. 2 Middle Fork Headgate, the Low Aspen Feeder Ditch, and the North Fork Pump Station, all of which are a part of the integrated water supply project and system for the Applicants in the current application. GRROA and the Patricia L. McDonnell Revocable Trust successfully prosecuted the application and a decree was entered on October 25, 2020. 3.8. On September 29, 2023, Applicant GRROA filed an application in Case No. 23CW3145 with the water court in Water Division No. 5, seeking a finding of reasonable diligence in the development of the remaining portion of conditional water rights in Jones Reservoir No. 1 (second filling) and Jones Reservoir No. 2 (second filling). These water rights are part of the integrated water supply project and system for the Applicants in this application. GRROA successfully prosecuted the application and a decree was entered on April 15, 2024. 3.9. Applicant GRROA performed annual activities that include, but are not limited to: a) data collection and recordkeeping for reporting to the Colorado Division of Water Resources; b) monthly water flow adjustments to coincide with water rights; c) filling of reservoirs and irrigation rights across Grand River Ranch; d) general maintenance of walking trails, removal of vegetative overgrowth, and cleaning out of rocks and sediment; e) removal of snow pack and ice from the Jones Reservoir No. 1 Feeder Ditch to allow for the proper flow of water in early spring at an average cost of \$2,000 a year; and f) spraying of noxious weeds on waterways, dams, and ditches as needed at a cost of \$2,500 a year. In 2025, GRROA spent \$875 to add cobble and 1.5" rock to the Parshall flume at the Jones Reservoir No. 1 Feeder Ditch. 3.10. Applicant GRROA continued to operate pursuant to a Water Supply Contract, entered into on February 10, 2006, with the Colorado River Water Conservation District for deliveries of water from Welford Mountain Reservoir. Pursuant to that contract, Applicant GRROA is entitled to 100 acre-feet of water annually for 40 years and contracted to annually pay a share of project operations and maintenance. 3.11. In 2023, GRROA removed an old fence surrounding the Martin Dairy Well and rebuilt a new fence and access gate for approximately \$3,800. During this time, GRROA also collaborated with the Town of Kremmling to cut, remove, and burn willows on the Jones Reservoir No. 2 dam face. GRROA also hauled in 4 loads of ¾" road base to resurface the dam road for \$4,500. GRROA's collaboration with Kremmling cost approximately \$4,500 for labor and equipment. GRROA also cut, removed, and burned vegetation on the Jones Reservoir No. 1 dam face at a cost of \$1,250. 3.12. Applicant Rose City Holdings, LLC continues to maintain fresh flows to the Gould Ponds through the Strawberry Ditch, continue to check flows at the Strawberry Ditch Flume, monitor creek flows that would supply the planned Beaver Ponds, continued to maintain appropriate water levels in the ponds throughout the year, cleaned ditches in the Gould Meadow for continued irrigation, used water from the Gould Ponds for decreed purposes, maintained and repaired overflow pipes on the Gould Ponds, periodically maintained algae and aquatic weeds in the ponds, allowed access to the ponds for stock and wildlife, and continued to keep roads accessible for firefighting purposes as needed. Applicants intend to continue actively pursuing the development of the remaining conditional portion of these water rights. In 2025, GRROA cleaned and removed debris on and around the Strawberry Ditch Parshall flume for \$200. 3.13. Bison Ridge Ranch annually conducts basic maintenance operations at the P.J. Martin Ditch and performs weed control on ditch areas and the island pond. Annual costs for such weed control efforts on ditch areas and the island pond range from \$3,000 to \$7,000. In June 2023, Bison Ridge Ranch reset pipes leading into the island pond and buried the flume measuring device in this area for \$2,900. 3.14. In June 2024, Bison Ridge Ranch contracted for repair work to be done to enhance flood irrigation operations, remove silt, and conduct erosion protection measures, costing approximately \$9,970. 3.15. In December 2020, Sunset Cliff, LLC, conveyed its entire interest, including in the Low Aspen Pond, to Wildest Dreams, LLC. During the diligence period, Wildest Dreams, LLC's property manager conducted repairs and hired third-party contractors to repair water leaks at the Low Aspen Pond. Wildest Dreams, LLC's manager also conducts regular repairs to the dock at the Low Aspen Pond. Applicants regularly stock Low Aspen Pond with rainbow trout, cutthroat trout, and brook trout for fishing and other recreational activities. Low Aspen Pond is also used as a source of water for domestic and wild animals. For instance, Low Aspen Pond is used as a water source for cattle connected to GRROA's grazing lease. The Low Aspen Pond also attracts ducks, shore birds, elk, and mule deer, which provide excellent hunting opportunities for visitors to the Grand River Ranch. 3.16. During the diligence period, Applicants spent approximately \$50,000 on legal services related to the Grand River Ranch's integrated water supply project and system described above. Attached to this application as Exhibit A is a map showing the location of the Subject Water Rights. The Applicants request a finding that they have exercised reasonable diligence in the development of the conditional portion of each of the Subject Water Rights listed above, and that these water rights remain a part of the Grand River Ranch integrated water supply system for purposes of finding reasonable diligence. The Applicants further seek a decree continuing the remaining conditional portions of the Subject Water Rights for an additional six years from the date of any decree herein, to the extent not made absolute water rights. The Applicants request that any diligence activities undertaken after the date of filing of this application and prior to entry of a decree herein be considered as diligence in the development of the conditional portion of the Subject Water Rights for purposes of the next diligence period, and that any decree entered herein not preclude the Applicants from relying upon such activities to assist in demonstration of reasonable diligence in the next diligence period. The Applicants also request that to the extent the conditional portions of the Subject Water Rights that are the subject of this Application are made absolute, in whole or in part, by the diversion of water and its application to beneficial use prior to entry of a decree herein, that the Court award the Applicants an absolute water right in the amounts demonstrated by the Applicants. 4. Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: 4.1. Rose City Holdings, LLC, Gould Ponds Nos. 1 and 2, P.O. Box 100, Huntingburg, IN 47542-0100; 4.2. Aspen Hills Ranch, LLC, Kid's Pond Enlargement, One Best Drive, P.O. Box 158, Ferdinand, IN 47532. WHEREFORE, Applicants respectfully request that a finding of reasonable diligence be entered, and that the Subject Water Rights herein be continued in force.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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 JULY 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.*

25CW3118 Colorado Division of Parks and Wildlife and the Parks and Wildlife Commission (“CPW”) 6060 Broadway, Denver, CO 80216. Please direct communications regarding this case to Christopher R. Stork, Senior Assistant Attorney General; Elizabeth M. Joyce, Senior Assistant Attorney General, 1300 Broadway, 10th Floor Denver, Colorado 80203 christopher.stork@coag.gov 720-508-6311; elizabeth.joyce@coag.gov 720-508-6761. APPLICATION TO MAKE A PORTION OF CONDITIONAL WATER RIGHT ABSOLUTE AND FOR A FINDING OF REASONABLE DILIGENCE in **EAGLE COUNTY**. **1. Name, mailing addresses, and telephone number of Applicant:** Colorado Division of Parks and Wildlife and the Parks and Wildlife Commission (“CPW”) Attn: Pete Conovitz, Water Rights Program Administrator 6060 Broadway, Denver, CO 80216 (970) 666-1365 pete.conovitz@state.co.us **2.** CPW requests findings that it has made a portion of the conditional water right absolute and that it has exercised reasonable diligence as to the remaining portion of the conditional water right described as follows: **3. Name of structure:** Christine Enlargement of the Frieler Ditch (“Christine Enlargement Conditional Water Right”). **4. History:** CPW owns and maintains the Basalt State Wildlife Area (“Basalt SWA”) located in Pitkin and Eagle Counties. The Christine Enlargement Conditional Water Right was originally decreed 0.6 c.f.s. absolute and 3.4 c.f.s. conditional on November 14, 1908, in C.A. 1266. The lands where the Christine Enlargement of the Frieler Ditch water right point of diversion and place of use are located were owned by Christine Luchsinger at the time the decree in C.A. 1266 was entered. CPW acquired said lands and water rights for use at the Basalt SWA and refers to the portion of the Basalt SWA at issue in this proceeding as the Christine Unit. The Christine Unit is located in Eagle County. The decree entered in Case No. 06CW173 confirmed reasonable diligence for the 3.4 c.f.s. Christine Enlargement Conditional Water Right originally decreed in C.A. 1266 for irrigation of 170 acres on the Christine Unit. Decrees entered in Case Nos. 06CW173 and 13CW3001 respectively clarified the location of the point of diversion and the place of use for the Christine Enlargement Conditional Water Right using current PLSS and UTM coordinate information. By this application, CPW seeks to make an additional 0.36 c.f.s. of the Christine Enlargement Conditional Water Right absolute, for a total absolute amount of 1.51 c.f.s., and seeks a finding of reasonable diligence for and continuation of the remaining conditional amount of 2.49 c.f.s. **5. Description of conditional water right:** A. Date of original decree: November 10, 1908, C.A.1266, Garfield County District Court. B. Subsequent decrees awarding findings of diligence: Case No. 18CW3225, entered on July 9, 2019, Water Division 5, Case No. 06CW173, entered on December 19, 2012, Water Division 5. The 06CW173 decree also clarifies the location of the point of diversion for the Christine Enlargement Conditional Water Right. C. Legal description of point of diversion: As clarified in Case No. 06CW173, the location of the point of diversion for the Christine Enlargement Conditional Water Right is at the following UTM coordinates: Northing: 4363186 m; Easting: 323908 m (NAD 83, Zone 13N). A map depicting the location of the point of diversion is attached as **Exhibit A** to the application. D. Source: Luchsinger Creek, a/k/a Frieler Creek, tributary to the Roaring Fork River, tributary to the Colorado River. E. Appropriation date: September 4, 1905. F. Amount: 3.4 c.f.s., originally decreed conditional, with 2.85 cfs, remaining conditional. G. Use: Irrigation. H. Place of use: As confirmed by the decree in Case No. 13CW3001, the place of use of the Christine Enlargement Conditional Water Right is: 170 acres of land located within the S1/2 of Lot 10, the S1/2 of Lot 11, Lots 13, 14, 15, 17, the SE1/4 of Lot 18, Lots 19, 28, and 29, as well as the E1/2 of the NW1/4 of the SW1/4 and the NE1/4 of the SW1/4, and the E1/2 of the SW1/4 of the SW1/4 of Section 1; and Lots 11 and the E1/2 of Lot 12 of Section 12; all in Township 8 South, Range 87 West, 6th P.M. A map depicting the place of use is attached as **Exhibit A** to the application. I. Remarks: In Case No. 18CW3225, this Court decreed 0.55 c.f.s. absolute for irrigation and decreed the right to continue the remaining conditional right in the amount of 2.85 c.f.s. for irrigation. In Case No. 13CW3001, this Court confirmed a change of place of use of the Christine Enlargement Conditional Water Right as required by a term and condition of the decree in Case No. 06CW173. **6. Claim to make 0.36 c.f.s absolute:** A. Date water applied to beneficial use: July 11, 2024. B. Amount: 0.36 c.f.s. C. Use: Irrigation. D. Supporting evidence that applicant diverted water in-priority and applied such water to the beneficial uses claimed in the amounts claimed: Diversion of water and application of water at the decreed place of use. Monthly and daily data supporting the claimed diversion of in-priority water and application to claimed beneficial use is attached as **Exhibit B** to the application. E. Description of place of use where water is applied to beneficial use: See paragraph 5(H) above and the map depicting the place of use attached as **Exhibit A**. **7. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period:** In 1964, CPW acquired the lands and water rights for the Basalt SWA, including the Christine Unit and the Christine Enlargement Conditional Water Right. The water rights on the Christine Unit have been managed as an integrated and complete system since their acquisition. Other water rights which are part of this integrated water supply system include the Kelly Springs Ditch, Jacob Ditch, Kelly Pond Ditch, Kelly Pond Reservoir and Frieler Ditch Pipeline and Diversion (previously misnamed Luchsinger Spring Pipeline). During the diligence period, CPW took the following step to diligently develop the Christine Enlargement Conditional Water Right as a part of the integrated water supply system: A. In 2019 and 2020, CPW staff installed the main Frieler Ditch - Christine Enlargement pipeline, consisting of approximately 1.5 miles of 12-inch black plastic corrugated pipe. This construction included replacement of a portion of the pipeline that was destroyed in the Lake Christine Fire in 2018 as well as construction of new pipeline. As a part of this project, CPW staff also installed two concrete diversion boxes to act as air gaps and allow for water to be diverted to different locations. The total cost of the installation was \$11,300.00. B. During the

irrigation season of each year, CPW staff routinely cleared debris from the trash screen at the Kelly Spring Ditch headgate. This occurred approximately three to five times per week. CPW staff also routinely performed maintenance and repairs to the pipe from the headgate. C. In 2021, CPW staff flood irrigated multiple hayfields on the Basalt SWA. D. In 2022, CPW staff installed 800-feet of new white 8-inch PVC and aluminum pipe for the Christine Enlargement Conditional Right. The total cost of this installation was \$14,850.00. CPW installed this new infrastructure due to the destruction of the previous irrigation system by the Lake Christine Fire in 2018. During this time, CPW staff also applied water to irrigation use on multiple hay fields. E. In 2023, CPW staff applied water to irrigation use on multiple hay fields. Following cutting and baling of the hay, the same hay fields were fertilized and seeded with alfalfa with approximately ten pounds of seed per acre. F. In 2024, CPW staff acquired 2,120-feet of new 8-inch welded HTP pipe for the Christine Enlargement Conditional Right, which was installed and buried. CPW installed this new infrastructure due to the destruction of the previous irrigation system by the Lake Christine Fire in 2018. CPW staff also installed valves and a water meter for the installed pipe to allow for water to be measured and turned to specific parts of the hay field. CPW paid \$9,957.26 for these improvements. G. In 2025, CPW staff purchased 1,120-feet of 8-inch welded HTP pipe, which was installed and buried. CPW paid \$27,921.60 for these improvements. H. During the diligence period, CPW also conducted monthly reviews of the water court resume to determine whether to enter cases in order to protect its water rights in Water Division No.5, including the Christine Enlargement Conditional Water Right. **8. Claim for Finding of Reasonable Diligence:** Through this Application, CPW claims to make the Christine Enlargement Conditional Water Right partially absolute in the amount of 0.36 c.f.s. for irrigation use by this application. CPW further requests that this Court enter a finding of diligence and continue the conditional water right, in the amount of 2.49 c.f.s. for irrigation use, based upon the actions set forth in Paragraph 7 above. **9. Names and addresses of owners or reputed owners of land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing pool:** Applicant, CPW. WHEREFORE, CPW respectfully requests that this Court enter a decree: (1) finding and determining that an additional 0.36 c.f.s. of the Christine Enlargement Conditional Water Right has been applied to beneficial use and made absolute for irrigation; (2) finding and determining that CPW has exercised reasonable diligence in the development of the Christine Enlargement Conditional Water Right and continuing the remaining 2.49 c.f.s. amount of the Christine Enlargement Conditional Water Right not made absolute in this proceeding in full force as decreed; and (3) for such other and further relief as this Court deems just and proper. Number of pages of Application: 7 pages.

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25CW3119 PITKIN COUNTY. CRYSTAL RIVER OR ITS TRIBUTARIES. Crystal Basin Holdings, LLC, c/o Corona Water Law, 218 E. Valley Road #104 PMB 166, Carbondale, CO 91623, (970) 948-6523, cc@craigcoronalaw.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE.** Structure: Upper Coal Creek Diversion. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: SE SE S10, T10S R89W 6th P.M.; 1,075 feet from South section line, 1,100 feet from East section line. **Source: Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers.** Appropriation date: 12/6/04. Use: fill and refill Coal Creek Augmentation Pond Amount: 3.0 c.f.s., conditional. Work toward completion of the appropriation is included with the Application. Structure: Lower Coal Creek Diversion. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19/ Legal description: SE SE S10, T10S R89W 6th P.M.; 1,100 feet from South section line, 765 feet from East section line. Source: Coal Creek, tributary to Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Use: fill and refill Coal Creek Pond No. 1, Coal Creek Pond No. 2, and Coal Creek Overlook Pond. Amount: 3.0 c.f.s., conditional. Work towards the completion of the appropriation is included with the Application. Absolute claim: Date: June 9, 2020. Amount: 3.0 c.f.s. Use: fill and refill Coal Creek Pond No. 2. Place of use: Crystal Basin Holdings, LLC's property. Amount remaining conditional: 3.0 c.f.s. for filling and refilling Coal Creek Pond No. 1 and Coal Creek Overlook Pond. Structure: Upper South Dutch Creek Diversion. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NW NW S15 T10S R89W 6th P.M.; 610 feet from North section line, 480 feet from West section line. Source: Unnamed tributary to Dutch Creek, tributary to Coal Creek, the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Use: fill and refill Lamphouse Pond. Amount: 3.0 c.f.s., conditional. Work towards the completion of the appropriation is included with the Application. Structure: Lower South Dutch Creek Diversion. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NW NW S15, T10S R89W, 6th P.M.; 420 feet from North section line, 730 feet from West section line. Source: Unnamed tributary to Dutch Creek, tributary to Coal Creek the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Use: To fill and refill Dutch Creek Pond No. 1. Amount: 3.0 c.f.s., conditional. Work towards the completion of the appropriation is included with the Application. Structure: Upper Dutch Creek Diversion. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NE NW S15, T10S R89W, 6th P.M.; 340 feet from North section line, 2,300 feet from East

section line. Source: Dutch Creek, tributary to Coal Creek, the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Use: fill and refill Dutch Creek Pond No. 2. Amount: 3.0 c.f.s., conditional. Work towards completion of the appropriation is included with the Application. Structure: Lower Dutch Creek Diversion. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NE NE S15 T10S R89W 6th P.M.; 480 feet from North section line, 420 feet from East section line. Source: Dutch Creek, tributary to Coal Creek, the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Use: fill and refill Dutch Creek Pond No. 3. Amount: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Coal Creek Pond No. 1. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: SW SW S11 T10S R89W 6th P.M.; 1,060 feet from South section line, 590 feet from West section line. Coal Creek Pond No. 1 will be filled and refilled by the Lower Coal Creek Diversion Source: Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, recreational, aesthetic, and wildlife watering. Amount: 15-acre feet, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Coal Creek Pond No. 2. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: SW SW S11, T10S R89W, 6th P.M.; 990 feet from South section line, 250 feet from West section line. Coal Creek Pond No. 2 is filled and refilled by the Lower Coal Creek Diversion Source: Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife propagation, and recreational. Amount: 25 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Claim to make absolute: Date: Coal Creek Pond No. 2 was initially filled June 9, 2020. Amount: 8.4 AF. Surface area: 1.2 acres Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife propagation, and recreational. Place of use: Crystal Basin Holdings, LLC's property. Amount remaining conditional: 16.6 AF. Structure: Coal Creek Augmentation Pond. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: SE SE S10 T10S R89W, 6th P.M.; 1,220 feet from South section line, 500 feet from East section line. Coal Creek Augmentation Pond will be filled and refilled by the Upper Coal Creek Diversion. Source: Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, augmentation, firefighting, piscatorial, aesthetic, wildlife watering and recreational. Amount: 15 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Lamphouse Pond. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NW NW S15, T10S R89W, 6th P.M.; 180 feet from North section line, 850 feet from West section line. Lamphouse Pond will be filled and refilled by the Upper South Dutch Creek Diversion. Source: Unnamed tributary to Dutch Creek, tributary to Coal Creek, the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife watering, and recreational. Amount: 20 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Dutch Creek Pond No. 1. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NE NW S15, T10S R89W 6th P.M.; 630 feet from North section line, 1,500 feet from West section line. Dutch Creek Pond No. 1 will be filled and refilled by the Lower South Dutch Creek Diversion. Source: Unnamed tributary to Dutch Creek, tributary to Coal Creek, the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife watering and recreational. Amount: 25 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Dutch Creek Pond No. 2. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NW NE S15, T10S, R89W, 6th P.M.; 700 feet from North section line, 2,200 feet from East section line. Dutch Creek Pond No. 2 will be filled and refilled by the Upper Dutch Creek Diversion. Source: Dutch Creek, tributary to Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife watering, and recreational. Amount: 15 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Dutch Creek Pond No. 3. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: NE NE S15, T10S, R89W, 6th P.M.; 150 feet from North section line, 20 feet from East section line. Dutch Creek Pond No. 3 will be filled and refilled by the Lower Dutch Creek Diversion. Source: Dutch Creek, tributary to Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife watering, and recreational. Amount: 15 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. Structure: Coal Creek Overlook Pond. Original decree: 3/27/12. Case No.: 06CW278. Division 5 Water Court. Diligence decree: 18CW3035, 7/7/19. Legal description: SE SE S10, T10S, R89W, 6th P.M.; 300 feet from South section line, 430 feet from East section line. Coal Creek Overlook Pond will be filled and refilled by the Lower Coal Creek Diversion. Source: Coal Creek, tributary to the Crystal, Roaring Fork, and Colorado Rivers. Appropriation date: 12/6/04. Uses: Irrigation, firefighting, piscatorial, aesthetic, wildlife watering, and recreational. Amount: 15 AF, conditional, to be filled and refilled in-priority. Diversion rate: 3.0 c.f.s., conditional. Work towards completion of the appropriation was included with the Application. The Applicant owns the land on which the structures are located and the water will be put to beneficial use.

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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 JULY 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.*

25CW3120 GRAND COUNTY. Application for Change of Conditional Water Storage Rights. Applicant: GRCO, LLC, c/o Christopher L. Geiger & Andrea J. Hall, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; www.balcombgreen.com. In 97CW290, Water Div. No. 5, Ct. confirmed alt. places of storage for the Lake Val Moritz water right confirmed in W-2119 ("1973 Priority") to the Lake Val Moritz Alternates No. 1, 9, 10, 11, and 12. The Ct. also confirmed a 1997 priority (a refill priority) for Lake Val Moritz Alternates No. 1, 9, 10, 11, and 12 ("1997 Priorities"). Applicant requests additional places of storage for 220 AF of the conditional 1973 Priority as well as alt. places of storage for the 1997 Priorities in new structures named Lake Val Moritz Alternate No. 13, Lake Val Moritz Alternate No. 14, Lake Val Moritz Alternate No. 15, and Lake Val Moritz Alternate No. 16. Structure: Lake Val Moritz. Original Decree: W-2119, 5/29/1974, Dist. Ct., Water Div. No. 5 ("1973 Priority"). Decrees awarding findings of diligence: W-2119-77 on 5/17/1978; 81CW298 on 4/29/1982; 85CW287 on 4/4/1986; 89CW245 on 3/26/1990; 96CW79 on 10/15/1996; 02CW240 on 9/8/2003; 09CW123 on 7/22/2012; and 18CW3117 on 9/22/2019, all in the Dist. Ct., Water Div. No. 5. Decreed Legal Description: The E. abutment of the dam at its intersection with the center line of the axis of the dam is located whence the NW Corner of Sec. 16, T. 1 N., R. 86 W. of the 6th P.M. bears N. 52°30' W., 2,670 ft. This location may also be described as follows: The E. abutment of the dam at its intersection with the center line of the axis of the dam is located in the SE1/4 of the NW1/4 of Sec. 16, T. 1 N., R. 67 W. of the 6th P.M. at a distance of 1,440 ft. from N. Sec. line and 2,060 ft. from the W. Sec. line in Grand Cty., CO. A map showing the decreed location and decreed alt. places of storage is shown in Exh. A, on file with the water Ct. (All Exhs. mentioned herein are incorporated by reference and may be inspected at the office of the clerk of this Ct.) The place of use for the is identified as the "Combined Service Area" shown on Exh. B. Sources: 1973 Priority: As decreed in W-2119, DeBerard Draw, tributary to the Fraser River, diffused surface runoff, and the Fraser River through the Val Moritz Muni. System. In 97CW290, Dist. Ct., Water Div. No. 5, the Ct. confirmed that its Decree in W-1881 defined the Val Moritz Muni. System to include the Val Moritz Wells No. 1 through 4 (decreed in W-1748, August 24, 1973, Dist. Ct., Water Div. No. 5), and subsequent wells to be constructed as required and allowed under the W-1881 Decree, e.g.- the SilverCreek Muni. Wells No. 5 through 10 (decreed in 97CW290, July 31, 2013, Dist. Ct., Water Div. No. 5). See Decree, 97CW290, ¶s 19.B.(3), pg. 22, and 19.C.(1), pg. 23. In 97CW290, Dist. Ct., Water Div. No. 5, the Ct. confirmed that water may be diverted under the Lake Val Moritz priority via surface diversions from the Fraser River through: 1) the SilverCreek Pump and Pipeline No. 1 at any of its points decreed in said case; 2) the DeBerard Ditch; 3) the SilverCreek Pump and Pipeline No. 3 decreed in said case; and, 4) the SilverCreek Muni. Wells No. 5-10 decreed in said case, for storage at any of the locations decreed for Lake Val Moritz in that case. See Decree 97CW290, ¶ 19.B.(4), pg. 23. Approp. Date: 6/19/1973. Amt.: 520 AF, of which 63.52 AF was confirmed absolute in 18CW3117 through storage in Lake Val Moritz Alternate No. 1, Lake Val Moritz Alternate No. 9, and Lake Val Moritz Alternate No. 10 in the Amts. of 24.91 AF, 33.44 AF, and 5.17 AF, respectively. 456.48 AF remain conditional, of which 200 AF are the subject of this application. Uses: Muni. (including com., industrial, dom. and irr. incidental thereto), irr., snowmaking, fish and wildlife propagation, and all other beneficial uses. In addition, the water stored in Lake Val Moritz will be used for the exchange of water to the Fraser River to compensate for stream depletions caused by Val Moritz well (sic) pursuant to its Plan for Aug. in W-1881 as confirmed in 97CW290. In 97CW290, the Ct. confirmed that the Lake Val Moritz 1973 Priority may be used for creation and maintenance of wetlands, as these uses are consistent with and effectively included within the fish and wildlife propagation uses awarded by this Ct.'s Decree in W-2119. See Decree, 97CW290, ¶ 19.B.(1), pg. 22. In 97CW290, the Ct. found that the release of water from Lake Val Moritz under its 1973 priority for exchange of water to the Fraser River to compensate for stream depletions is "effectively an aug. use as that term is now understood." See Decree, 97CW290, ¶ 19.A.(7), pg. 22. Remarks: Up to 400 AF of consumptive use credit quantified in W-1881 may be stored in Lake Val Moritz at its alt. locations pursuant to the decrees entered in W-1881 and 97CW290/98CW97 (consolidated). See Decree, W-1881, ¶ 5, pg. 5, and Decree Case No. 97CW290/98CW97, paragraphs 19.C(2) and 19.D(2). Applicant owns 196.16 AF of this consumptive use credit. Upon information and belief, the Town of Granby owns 126 AF, the SilverCreek Water and Sanitation District owns 70 AF, and GP Granby Holdings, LLC owns 7.84 AF, of these consumptive use credits. The Applicant may permit these other owners to utilize storage in Lake Val Moritz and its decreed alternate places of storage to store their consumptive use credits. Artificial Snowmelt: Applicant may store run off from artificially made snow in Lake Val Moritz (including at its alt. locations) pursuant to the decrees entered in Cases No. 80CW297 82CW43 82CW181 (consolidated), and 97CW290. Structure: Lake Val Moritz Alternate No. 1. Original Decree: 97CW290 on 7/31/2013, in Dist. Ct., Water Div. 5. Decreed Location: The dam is located in the E1/2 SW1/4 of Sec. 9, T. 1 N., R. 76 W. of the 6th P.M. The right (E.) abutment of the dam at its centerline is located at a point 1,310 ft. from the S. line and 2,380 ft. from the W. line of said Sec. 9. Sources: DeBerard Draw; the Fraser River via the SilverCreek Pump and Pipeline No. 1; and groundwater tributary to the Fraser River diverted via the SilverCreek Muni. Wells No. 5 through 10, all tributary to the CO. River, as decreed in 97CW290. Approp. Date: 12/22/1997. Amt.: 74 AF, conditional. Remarks: The reservoir may be constructed in stages, up to the total capacity of 74 AF. Use of the 1997 Priority for Lake Val Moritz Alternate No. 1 is limited to provide one refill of the structure for rec. (including without limitation use as a golf course water hazard) and piscatorial purposes after the structure is first filled under the Lake Val Moritz priority changed for storage at this location. See Decree 97CW290, ¶7.E(1), pg. 4. Water remaining in storage under the 1997 Priority after Oct. 31 of any yr. may be booked over for the next yr. as storage under the original Lake Val Moritz priority as changed in 97CW290. See Decree, 97CW290, ¶ 7.E(2), pg. 4. Rate of diversion in c.f.s. for filling the reservoir: Fraser River: 10 c.f.s. SilverCreek Muni. Wells No. 5 through 10: 5 c.f.s. Use: Rec. and

piscatorial. Surface Area of High Water Line: 246,000 sq. ft. (5.65 acres at 8,150 ft. elevation). Max. Height of Dam: 29 ft. Length of Dam: 490 ft. Total Capacity of Reservoir: 74 AF. Active Capacity: 74 AF Dead Storage: 0 AF. Structure: Lake Val Moritz Alternate No. 9. Original Decree: 97CW290 on 7/31/2013, in Dist. Ct., Water Div. 5. Decreed Location: The reservoir is located in the SW1/4 of Sec. 9, T. 1 N., R. 76 W. of the 6th P.M. The right (E.) abutment of the dam at its centerline is located at a point approximately 980 ft. from the S. line and 1,540 ft. from the W. line of said Sec. 9. Sources: Local runoff; DeBerard Draw via the SilverCreek Gravity Pipeline Diversion; the Fraser River via the SilverCreek Pump and Pipeline No. 1; and groundwater tributary to the Fraser River diverted via the SilverCreek Muni. Wells No. 5-10, all tributary to the CO. River, as decreed in 97CW290. Approp. Date: 12/22/1997. Amt.: 320 AF, conditional. Remarks: The reservoir may be constructed in stages, up to the total capacity of 320 AF. Use of the 1997 Priority for Lake Val Moritz Alternate No. 9 is limited to provide one refill of the structure for rec. (including without limitation use as a golf course water hazard) and piscatorial purposes after the structure is first filled under the Lake Val Moritz priority changed for storage at this location. *See Decree, 97CW290, ¶ 8.E(1), pg. 6.* Water remaining in storage under the 1997 Priority after Oct. 31 of any yr. may be booked over for the next yr. as storage under the original Lake Val Moritz priority as changed in 97CW290. *See Decree, 97CW290, ¶ 8.E(2), pg. 6.* Rate of diversion in c.f.s. for filling the reservoir: DeBerard Draw: 10 c.f.s. Fraser River: 10 c.f.s. SilverCreek Muni. Wells No. 5 through 10: 5 c.f.s. Use: Rec. and piscatorial. Surface Area of High Water Line: 13.7 acres (at 8,141 ft. elevation). Max. Height of Dam: 40 ft. Length of Dam: 1,155 ft. Total Capacity of Reservoir: 320 AF. Active Capacity: 320 AF. Dead Storage: 0 AF. Remark: The reservoir has sometimes been referred to as Reservoir B in engineering reports and development documents for the Granby Ranch Project. Structure: Lake Val Moritz Alternate No. 10. Original Decree: 97CW290 on 7/31/2013, in Dist. Ct., Water Div. 5. Decreed Location: The reservoir is located in the N1/2 SW1/4 SE1/4 of Sec. 4, T. 1 N., R. 76 W. of the 6th P.M. The center of the spillway at the high water line is located at a point approximately 860 ft. from the S. line and 2,310 ft. from the E. line of said Sec. 4. Sources: The Fraser River via the DeBerard Ditch and the SilverCreek Pump and Pipeline No. 1; and groundwater tributary to the Fraser River diverted via the SilverCreek Muni. Wells No. 5-10, all tributary to the CO. River, as decreed in 97CW290. Approp. Date: 12/22/1997. Amt.: 20 AF, conditional. Remarks: The reservoir may be constructed in stages, up to the total capacity of 20 AF. Use of the 1997 Priority for Lake Val Moritz Alternate No. 10 is limited to provide one refill of the structure for rec. (including without limitation use as a golf course water hazard) and piscatorial purposes after the structure is first filled under the Lake Val Moritz priority changed for storage at this location. *See Decree, 97CW290, ¶ 9.E(1), pg. 7.* Water remaining in storage under the 1997 Priority after Oct. 31 of any yr. may be booked over for the next yr. as storage under the original Lake Val Moritz priority as changed in 97CW290. *See Decree, 97CW290, ¶ 9.E(2), pg. 7.* Rate of diversion in c.f.s. for filling the reservoir: Fraser River: 10 c.f.s. SilverCreek Muni. Wells No. 5 through 10: 5 c.f.s. Use: Rec. and piscatorial. Surface Area of High Water Line: 2 acres. The reservoir is an excavated structure, and a dam was not constructed. Total Capacity of Reservoir: 20 AF. Active Capacity: 20 AF. Dead Storage: 0 AF. Remarks: The reservoir has sometimes been referred to as Reservoir A or the Front 9 Pond in engineering reports and development documents for the Granby Ranch Project. Structure: Lake Val Moritz Alternate No. 11. Original Decree: 97CW290 on 7/31/2013, in Dist. Ct., Water Div. 5. Decreed Location: The dam is located in the NE1/4 NW1/4 of Sec. 21, T. 1 N., R. 76 W. of the 6th P.M. The right (E.) abutment of the dam at its centerline is located at a point 540 ft. from the N. line and 1,880 ft. from the W. line of said Sec. 21. Sources: DeBerard Draw, both direct and via the SilverCreek Pump and Pipeline No. 3; the Fraser River via the SilverCreek Pump and Pipeline No. 1; and groundwater tributary to the Fraser River diverted via the SilverCreek Muni. Well Nos. 5 through 10, all tributary to the CO. River, as decreed in 97CW290. Approp. Date: 12/22/1997. Amt.: 93.5 AF, conditional. Remarks: The reservoir may be constructed in stages, up to the total capacity of 93.5 AF. Use of the 1997 Priority for Lake Val Moritz Alternate No. 11 is limited to provide one refill of the structure for rec. (including without limitation use as a golf course water hazard) and piscatorial purposes after the structure is first filled under the Lake Val Moritz priority changed for storage at this location. *See Decree, 97CW290, ¶ 10.E(1), pg. 9.* Water remaining in storage under the 1997 Priority after Oct. 31 of any yr. may be booked over for the next yr. as storage under the original Lake Val Moritz priority as changed in 97CW290. *See Decree, 97CW290, ¶ 10.E(2), pg. 9.* Rate of diversion in c.f.s. for filling the reservoir: DeBerard Draw: 10 c.f.s. Fraser River: 10 c.f.s. SilverCreek Muni. Wells No. 5 through 10: 5 c.f.s. Val Moritz Wells No. 1 through 4: 5 c.f.s. Use: Rec. and piscatorial. Surface Area of High Water Line: 208,000 sq. ft.; (4.78 acres at 8,513 ft. elevation). Max. Height of Dam: 48 ft. Length of Dam: 400 ft. Total Capacity of Reservoir: 93.5 AF. Active Capacity: 93.5 AF Dead Storage: 0 AF. Structure: Lake Val Moritz Alternate No. 12. Original Decree: 97CW290 on 7/31/2013, in Dist. Ct., Water Div. 5. Decreed Location: The dam is located in the SW1/4 NE1/4 of Sec. 16, T. 1 N., R. 76 W. of the 6th P.M. The right (E.) abutment of the dam at its centerline is located at a point 2,590 ft. from the N. line and 2,190 ft. from the E. line of said Sec. 16. Sources: DeBerard Draw, tributary of the Fraser River via the SilverCreek Pump and Pipeline No. 3; the Fraser River via the SilverCreek Pump and Pipeline No. 1; and groundwater tributary to the Fraser River diverted via the SilverCreek Muni. Wells No. 5-10, all tributary to the CO. River, as decreed in 97CW290. Approp. Date: 12/22/1997. Amt.: 30 AF, conditional. Remarks: The reservoir may be constructed in stages, up to the total capacity of 30 AF. Use of the 1997 Priority for Lake Val Moritz Alternate No. 12 is limited to provide one refill of the structure for rec. (including without limitation use as a golf course water hazard) and piscatorial purposes after the structure is first filled under the Lake Val Moritz priority changed for storage at this location. *See Decree, 97CW290, ¶ 11.E(1), pg. 10.* Water remaining in storage under the 1997 Priority after Oct. 31 of any yr. may be booked over for the next yr. as storage under the original Lake Val Moritz priority as changed in 97CW290. *See Decree, 97CW290, ¶ 11.E(2), pg. 10.* Rate of diversion in c.f.s. for filling the reservoir: DeBerard Draw: 10 c.f.s. Fraser River: 10 c.f.s. SilverCreek Muni. Wells No. 5 through 10: 5 c.f.s. Use: Rec. and piscatorial. Surface Area of High Water Line: 77,100 sq. ft. (1.77 acres at 8,382 ft. elevation). Max. Height of Dam: 35 ft. Length of Dam: 390 ft. Total Capacity of Reservoir: 30 AF. Active Capacity: 30 AF. Dead Storage: 0 AF. Remarks: The reservoir has sometimes been referred to as Reservoir B in engineering reports and development documents for the Granby Ranch Project. Proposed Changes: Applicant requests alt. places of storage for up to 220 AF of the conditional portion of the 1973 Priority and up to 220 AF of the 1997 Priorities at the structures described below. Water stored under the 1997 Priorities

may be stored independently or in combination with each other in these alt. places of storage. When operated as alt. places of storage for the 1973 Priority and 1997 Priorities, these structures will be first filled under the 1973 Priority decreed in W-2119 and refilled under the 1997 Priorities decreed in 97CW290. Structure: Lake Val Moritz Alternate No. 13. Legal Description: The right abutment of the dam is located at a point in the SE1/4 SE1/4 Sec. 4, T. 1 N., R. 76 W. of the 6th P.M. Also described as UTM Zone 13, NAD 83, Y424,227.294 m and X4,436,104.532 m, as shown on Exh. C. Surface Area: 130,000 sq. ft. Dam Length: 600 ft. Dam Height: 14 ft. Capacity: 40 AF. Structure: Lake Val Moritz Alternate No. 14. Legal Description: The right abutment of the dam is located at a point in the NE1/4 NE1/4 Sec. 9, T. 1 N., R. 76 W. of the 6th P.M. Also described as UTM Zone 13, NAD 83, Y424,365.582 m and X4,435,948.786 m, as shown on Exh. C. Surface Area: 360,000 sq. ft. Dam Length: 2,400 ft. Dam Height: 14 ft. Capacity: 70 AF. Structure: Lake Val Moritz Alternate No. 15. Legal Description: The left abutment of the dam is located at a point in the NW1/4 NE1/4 Sec. 9, T. 1 N., R. 76 W. of the 6th P.M. Also described as UTM Zone 13, NAD 83, Y423,708.107 m and X4,435,767.733 m, as shown on Exh. D. Surface Area: 160,000 sq. ft. Dam Length: 400 ft. Dam Height: 42 ft. Capacity: 50 AF. Structure: Lake Val Moritz Alternate No. 16. Legal Description: The right abutment of the dam is located at a point in the SW1/4 NE1/4 Sec. 9, T. 1 N., R. 76 W. of the 6th P.M. Also described as UTM Zone 13, NAD 83 Y423,612.385 m and X4,435,603.386 m, as shown on Exh. D. Surface Area: 320,000 sq. ft. Dam Length: 350 ft. Dam Height: 20 ft. Capacity: 60 AF. **No Injury in Alternate Place of Storage:** Pursuant to the decree entered in 97CW290, pg. 23, ¶ 19.D, the following terms and conditions shall apply. Diversions at the Val Moritz Wells No. 1 through 4 are senior to the instream flow yr.-round. Diversions through these Val Moritz Wells No. 1 through 4 into storage in Lake Val Moritz at any location decreed by this Ct. will be made under the priority awarded to Lake Val Moritz in W-2119 and not under the earlier priorities awarded to the four wells in W- 1748. In accordance with the decree in W-1881, during the irr. season, diversions at the SilverCreek Muni. Wells No. 5 through 10 and the DeBerard Ditch into storage at the Lake Val Moritz Alternate No. 13, Lake Val Moritz Alternate No. 14, Lake Val Moritz Alternate No. 15, and Lake Val Moritz Alternate No. 16 will be administered as senior to the CWCB instream flow, provided that the total combined diversions of the SilverCreek Muni. Wells No. 5-10, Val Moritz Wells No. 1 through 4, and the DeBerard Ditch do not exceed 400 AF of annual depletions. During the non-irr. season, SilverCreek Muni. Wells No. 5 through 10, SilverCreek Pump and Pipeline No. 1, SilverCreek Pump and Pipeline No. 3, and the DeBerard Ditch will be administered in the following manner. To the extent that the CWCB's instream flow right is being met, SilverCreek Muni. Wells No. 5 through 10, SilverCreek Pump and Pipelines No. 1 and 3, and/or the DeBerard Ditch can be operated to fill Lake Val Moritz Alternate No. 13, Lake Val Moritz Alternate No. 14, Lake Val Moritz Alternate No. 15, and Lake Val Moritz Alternate No. 16 under the Lake Val Moritz 1973 Priority. If the CWCB's instream flow right is not met from the DeBerard Ditch down to the point of diversion at Val Moritz Well No. 1, to the extent that Applicant is unable to divert through Val Moritz Well No. 1, Applicant may divert water, which could have otherwise been withdrawn from Lake Val Moritz Well No. 1, through SilverCreek Muni. Wells No. 5 through 10; however such diversions shall occur only at that well (among the SilverCreek Muni. Wells No. 5 through 10) which is physically and operationally capable of providing such water, and is closest to Val Moritz Well No. 1. Applicant shall also have the option to operate SilverCreek Muni. Wells No. 5 through 10, SilverCreek Pump and Pipeline, and/or the DeBerard Ditch when the instream flow is not being met, if diversions through the SilverCreek Muni. Wells No. 5 through 10 (other than the Val Moritz Well No. 1 withdrawals described above), SilverCreek Pump and Pipeline No. 1 and/or the DeBerard Ditch are replaced by reservoir releases at a point upstream of the diversions. Except as provided within this subparagraph [19.D(3) of the Case No. 97CW290 Decree], during the non-irr. season, Applicant shall curtail diversions at the SilverCreek Muni. Wells No. 5 through 10, SilverCreek Pump and Pipelines No. 1 and 3, and/or the DeBerard Ditch to fill Lake Val Moritz Alternate No. 13, Lake Val Moritz Alternate No. 14, Lake Val Moritz Alternate No. 15, and Lake Val Moritz Alternate No. 16 under the Lake Val Moritz 1973 Priority when the CWCB's instream flow is not met. If Applicant so curtails, Applicant can fill Lake Val Moritz Alternate No. 13, Lake Val Moritz Alternate No. 14, Lake Val Moritz Alternate No. 15, and Lake Val Moritz Alternate No. 16 under the Lake Val Moritz 1973 Priority by diversions at the Val Moritz Wells No. 1 through 4 and/or from DeBerard Draw. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant and its affiliates. (16 pages of original application, Exhs. A-D)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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.

12. 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 JULY 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.*

25CW6 (19CW1) GARFIELD COUNTY - TRIBUTARY TO EAST DIVIDE CREEK TRIBUTARY TO DIVIDE CREEK TRIBUTARY TO THE COLORADO RIVER. Chris Leverich; Suite 5A, 555 E. Durant; Aspen, CO 81611. (970)925- 5400. Leverich Pond #1, Leverich Pond # 2, Leverich Pond #3, Leverich Pond #4, Leverich Pond #5, Leverich Pond #6, Leverich Pond #7 and Leverich #8-Application for Finding of Reasonable Diligence. Locations: Leverich Pond #1 - NW¼SE¼ of Sec. 25, T.7S, R.91W. of the 6th P.M. 1,950 ft. from the east sec. line and 1,850 ft. from the south sec. line; Leverich Pond #2- NE¼SW¼ of Sec. 25, T.7S, R.91W. of the 6th P.M. 3,683 ft. from the east sec. line and 1,510 ft. from the south sec. line. Leverich Pond #3- SE¼NE¼ of Sec. 35, T.7S, R.91W. of

the 6th P.M. 725 ft. from the east sec. line and 2,750 ft. from the south sec. line. Leverich Pond #4- SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T.7S, R.91W. of the 6th P.M. 650 ft. from the east sec. line and 3,138 ft. from the south sec. line. Leverich Pond #5- SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 35, T.7S, R.91W. of the 6th P.M. 703 ft. from the east sec. line and 2,940 ft. from the south sec. line. Leverich Pond #6- SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T.7S, R.91W. of the 6th P.M. 2,067 ft. from the east sec. line and 1,072 ft. from the south sec. line. Leverich Pond #7- SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T.7S, R.91W. of the 6th P.M. 2,132 ft. from the east sec. line and 452 ft. from the south sec. line. Leverich Pond #8- SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T.7S, R.91W. of the 6th P.M. 2,132 ft. from the east sec. line and 203 ft. from the south sec. line. Appropriation date and Amount claimed for each structure: April 26, 1994 – 10.0 a.f., conditional. Uses: Livestock watering, piscatorial, wildlife watering and fire protection purposes. An outline of activities completed during the diligence period is included in the application.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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 JULY 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.*

25CW7 (18CW13) MESA COUNTY- EAST BRANCH OF REED WASH TRIBUTARY TO REED WASH TRIBUTARY TO THE COLORADO RIVER. Paul & Kelley Simones; 1316 Raymond Ct., Loma, CO 81524. (720)552-1232. Simones Ditch-Application to Make Absolute. Location: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 35, T.2N, R.3W. of the Ute P.M. 395 ft. from the south sec. line and 2, 076 from the west sec. line. UTM: E308886 N4340682 Z12. Date of Appropriation: Oct. 11, 2018. Amount: 0.033 c.f.s., absolute. Uses: Watering trees and planting grass for preservation of natural environment. An outline of work performed during the diligence period is included in the application.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of SEPTEMBER 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.