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DISTRICT COURT, WATER DIVISION 1, COLORADO

AUGUST 2025 WATER RESUME PUBLICATION

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN WATER DIVISION 1

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications, and certain amendments filed in the Office of the Water Clerk and/or ordered published during the month of **AUGUST 2025** for each County affected. (This publication can be viewed in its entirety on the state court website at: www.coloradojudicial.gov)

CASE NUMBER 2025CW11 ARNOLD J. AND MAUREEN F. UNDZIS, 10667 Abbotswood Ct., Highlands Ranch, CO 80129. 303-915-1323. **APPLICATION FOR CHANGE OF WATER RIGHT IN PARK COUNTY.** Date of Original Decree: 12-18-03, in Case No 1996CW554 in WD1. Date of relevant and subsequent decree: 05-20-10 in Cas No 2010CW8. Name of Structure: Killian Well 65151-FR located NE1/4, SW1/4, S14, T9S, R75W of the 6th PM in Park County. At a point approximately 2584 feet from the South Section line and 2187 feet from the West Section line. Subdivision: Indian Mountain, Lot 408, Filing 26, a/k/a 1324 Palomino Road, Jefferson, CO 80546. Decreed Source: Groundwater. Appropriation date: March 31, 1973. Total amount decreed to structure in gallons per minute: Absolute 4.8 gpm. Decreed Use: Household use only in a single-family dwelling, with no outside irrigation. The return flow from such uses shall be returned to the same stream system in which the well is located. Applicant requests change in augmentation plan requirement from W-7389 to any court approved augmentation plan.

CASE NUMBER 2025CW3106 (19CW3051, 10CW268) CHEYENNE MCENDAFFER, BRANDON MCENDAFFER, 13217 County Road 15, Sterling, Colorado 80751. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE WATER RIGHT ABSOLUTE IN PART IN LOGAN COUNTY.** All correspondence and communications should be sent to: Sheela S. Stack, Esq., Stacy L. Brownhill, Esq., Nazarenus Stack & Wombacher LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, CO 80111, Telephone: (720) 647-5661. 2. **Name and Descriptions of Wells.** 2.1. **Shop Well.** 2.1.1. **Original Decree.** The original decree was entered by the Water Court, Water Division 1, on March 15, 2013, in Case No. 10CW268. 2.1.2. **Subsequent Decree.** A subsequent decree was entered by the Water Court, Water Division 1, on August 23, 2019, in Case No. 19CW3051. 2.1.3. **Legal Description of the Shop Well.** The Shop Well is located in the NW1/4 of the NE1/4 of Section 19, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado, on land owned by Applicant. The Shop Well is located 730 feet from the North section line and 2,225 feet from the East section line. 2.1.4. **Source.** Ground water tributary to the South Platte River and its tributaries. 2.1.5. **Appropriation Date.** January 25, 2011. 2.1.6. **How Appropriation was Initiated.** Issuance of Permit No. 74765F for the Shop Well by the Division of Water Resources. 2.1.7. **Decreed Amount.** 50 g.p.m., conditional. 14.87 g.p.m. was made absolute by the decree entered in Case No. 19CW3051, thereby leaving 35.13 gp.m. remaining as conditional. 2.1.8. **Uses.** Fully consumptive stock watering, feedlot, commercial, and industrial uses. 2.2. **Windmill Well.** 2.2.1. **Original Decree.** The original decree was entered by the Water Court, Water Division 1, on March 15, 2013, in Case No. 10CW268. 2.2.2. **Subsequent Decree.** A subsequent decree was entered by the Water Court, Water Division 1, on August 23, 2019, in Case No. 19CW3051. 2.2.3. **Legal Description of the Well.** The Windmill Well is located in the NW1/4 of the NE1/4 of Section 19, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado, on land owned by Applicant. The Windmill Well is located 1,112 feet from the North section line and 2,518 feet from the East section line. 2.2.4. **Source.** Ground water

tributary to the South Platte River and its tributaries. 2.2.5. Appropriation Date. October 29, 2010. 2.2.6. How Appropriation was Initiated. Filing of the Water Well Permit Application for the Windmill Well, Permit No. 74764-F. 2.2.7. Decreed Amount. 50 g.p.m., conditional. 2.2.8. Uses. Fully consumptive stock watering, feedlot, commercial, and industrial uses. 3. **Outline of Work Done Towards Completion of the Appropriations**. 3.1. Applicants acquired the subject conditional water rights from Lardyn Consulting, LLC, a Nebraska limited liability company (“Lardyn”), in December, 2024. During the diligence period, the following actions have been taken toward completion of the subject conditional water rights: 3.1.1. The Shop Well has been in continuous operation during the diligence period supplying water for the feedlot on the property currently owned by Applicants and previously owned by Lardyn. 3.1.2. North Sterling Irrigation District’s diversion records show that the Shop Well water right was in priority and pumping 20.36 g.p.m. (i.e., 2.7 acre-feet per month in June 2020 for commercial purposes at the feedlot. North Sterling Irrigation District’s diversion record for the Shop Well is attached as **Exhibit 1**. 3.1.3. Applicants have constructed the Windmill Well and included the well in the North Sterling Irrigation District’s augmentation plan. Applicants plan to pump the Windmill Well by the end of 2025. 3.1.4. Applicants have actively protected the subject water rights from potential injury by performing monthly reviews of the Water Division 1 Water Court resumes to determine whether the filing of Statements of Opposition in Water Division 1 was necessary to protect these water rights. 4. **Claim to Make Water Rights Absolute, in Part**. During this diligence period, Applicants have made absolute a total of 5.49 g.p.m. of the conditional right for the Shop Well. 5. **Name(s) and Address(es) of Landowner(s) Upon Which Any New Diversion or Storage Structure or Modification to an Existing Diversion or Storage Structure or Existing Storage Pool Is or Will Be Constructed or Upon Which Water Is or Will be Stored**. No new diversion or storage structures are or will be constructed and no modifications to existing diversion or storage structures or existing storage pool are or will be constructed. The land upon which the Shop and Windmill Wells are located is owned by Applicants. WHEREFORE, Applicants Cheyenne McEndaffer and Brandon McEndaffer request that this Court find the (1) Applicants have exercised reasonable diligence in the development of the conditional water rights as described above and those portions not made absolute herein; (2) Applicants have made absolute 5.49 g.p.m. of the Shop Well water right; and (3) for such other relief, which deems it proper. (5 pages, 1 exhibit).

CASE NUMBER 2025CW3107 BASIN LANDS LLC, PO Box 271029, Louisville, CO 80027-9998, Attn: Jim Schmidt, General Manager. Telephone: (920) 428-7077. Serve all pleadings on Matthew Machado, Casey J. Weaver, Lyons Gaddis, PC, 950 Spruce Street, Unit 1B, Louisville, CO 80027. **APPLICATION FOR NONTRIBUTARY UNDERGROUND WATER RIGHTS IN THE UPPER LARAMIE AQUIFER IN WELD COUNTY**. 1.2. **Landowners**: 1.2.1. The Meader Ranch, Inc. c/o Charles P. Meader 65009 County Road 67 Grover, CO 80729-9604 1.2.2. Gary W. Smith & Norma Jean Smith Living Trust c/o Gary W. Smith P.O. Box 1408 Salome, AZ 85348 1.2.3. HTW Land, LLLP 59970 County Road 67 Grover, CO 80729-9609 1.2.4. JT Wahlert Ranch LLC 29080 County Road 128 Grover, CO 80729-9758 1.2.5. Jeff Wahlert and Tanya Wahlert 29080 County Road 128 Grover, CO 80729-9758 1.2.6. Wahlert Ranch LLLP 29080 County Road 128 Grover, CO 80729-9758 1.2.7. Scott Timm and Stephanie Timm 59970 County Road 67 Grover, CO 80729-9609 2. **Description of Application**: 2.1. **Overview**: Basin is filing this Application pursuant to section 37-92-203, C.R.S., for determination of rights to nontributary groundwater located outside of a designated basin underlying approximately 3,607.80 acres owned by The Meader Ranch, Inc. (“Meader Ranch”); approximately 943.88 acres owned by the Gary W. Smith & Norma Jean Smith Living Trust (“Smith”); and approximately 12,438 acres owned by HTW Land, LLP, JT Wahlert Ranch LLC, Jeff Wahlert and Tanya Wahlert, Wahlert Ranch LLLP, and Scott Timm and Stephanie Timm (collectively, “HTW”); in total, approximately 16,989.68 acres. Section 37-90-137(4), C.R.S. defines the nature and extent of the water rights claimed in this Application. Pursuant to the Nontributary Groundwater Lease, dated July 13, 2023, Basin is leasing and has Meader Ranch’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Meader Ranch’s property (the “Meader Ranch Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Meader Ranch Property is attached as **EXHIBIT A** (the “Meader Ranch Lease”). Pursuant to the Nontributary

Groundwater Lease, dated June 7, 2022, Basin is leasing and has Smith's consent to adjudicate and withdraw the deep aquifer groundwater underlying Smith's property (the "Smith Overlying Land"). The Memorandum of Nontributary Groundwater Lease for the Smith Property is attached as **EXHIBIT B** (the "Smith Lease"). Pursuant to the Nontributary Groundwater Lease, dated October 26, 2021, Basin is leasing and has HTW's consent to adjudicate and withdraw the deep aquifer groundwater underlying HTW's property (the "HTW Overlying Land"). The Memorandum of the Nontributary Groundwater Lease for the HTW Property is attached as **EXHIBIT C** (the "HTW Lease"). This Application refers to the Meader Ranch Overlying Land, the Smith Overlying Land, and the HTW Overlying Land collectively as the "Overlying Land." A map of the Overlying Land is attached as **EXHIBIT D**. This Application seeks a determination of the nontributary character and quantity of the groundwater in the aquifer occurring within the Upper Laramie formation (the "Upper Laramie aquifer") underlying the Overlying Land that is available to Applicant for withdrawal and beneficial use. Applicant's engineering consultants have conducted aquifer testing and analyses and have reviewed available data and analyses of the Upper Laramie aquifer, including the data and analyses conducted for Case No. 11CW275, Application of Total Water Resources; Case No. 19CW3200, Application of 30 Mile Ranch, LLC, Case No. 20CW3113, Application of Lazy D Grazing Association; Case No. 24CW3041, Application of Basin Lands LLC; Case No. 24CW3153, Application of Basin Lands LLC; and the Colorado Supreme Court's decision in *In re the Application for Water Rights of Lazy D Grazing Association*, 2024CO63. The overlying land in those cases is in close proximity to the Overlying Land. Based on information developed by the Applicant's engineering consultants and the technical reports, factual findings, and other precedent from the other nontributary applications in the area, Applicant's engineering consultants have determined that the water in the Upper Laramie aquifer underlying the Overlying Land meets the definition of nontributary groundwater, as defined in section 37-90-103(10.5), C.R.S. 2.2. **Landowners:** Meader Ranch is the owner of the Meader Ranch Overlying Land subject to the Meader Ranch Lease, Smith is the owner of the Smith Overlying Land subject to the Smith Lease, and HTW is the owner of the portion of the HTW Overlying Land subject to the HTW Lease. Each of the leases authorizes Basin to file this Application to adjudicate, permit, withdraw, and use the Upper Laramie aquifer groundwater underlying the Overlying Land. The deeds evidencing Meader Ranch's ownership of the Meader Ranch Overlying Land are attached as **EXHIBIT E**; the deeds evidencing Smith's ownership of the Smith Overlying Land are attached as **EXHIBIT F**; and the deeds evidencing HTW's ownership of the HTW Overlying Land are attached as **EXHIBIT G**. 3. **Jurisdiction:** The Court has jurisdiction over the subject matter of this Application pursuant to sections 37-92-302(2) and 37-90-137(6), C.R.S. The lands are located outside any designated groundwater basin, and, thus, Basin's wells will divert only nontributary groundwater located outside the boundaries of any designated groundwater basin. 4. **Well permits:** Basin will submit well permit applications for the wells that will withdraw the nontributary groundwater adjudicated in this matter when it is prepared to construct the wells and subject to the terms of the decree entered in this case. 5. **Property description and estimated depths of wells:** 5.1. **Property description:** The wells will withdraw groundwater from the Upper Laramie aquifer underlying the Overlying Land, consisting of approximately 16,989.68 acres, including approximately 3,607.80 acres associated with the Meader Ranch Lease, approximately 943.88 acres associated with the Smith Lease, and approximately 12,438 acres associated with the HTW Lease. 5.1.1. The Meader Ranch Overlying Land is located in Weld County and includes portions of Sections 3, 4, 5, 8, 9, 10, and 21, T11N, R63W of the 6th P.M. Legal descriptions for the Meader Overlying Land are contained in the deeds included as EXHIBIT E. 5.1.2. The Smith Overlying Land is located in Weld County and includes portions of Section 2, T11N, R63W of the 6th P.M. and Section 35, T12N, R63W of the 6th P.M. Legal descriptions for the Smith Overlying Land are contained in the deeds included in EXHIBIT F. 5.1.3. The HTW Overlying Land is located in Weld County and includes portions of Sections 3, 4, 5, 10, 12, and 13, T10N, R63W of the 6th P.M.; Section 31, T11N, R62W of the 6th P.M.; Sections 5, 7, 17, 18, 19, 20, 26, 27, 28, 29, 30, 31, 32, 34 and 35, T11N, R63W of the 6th P.M.; and Sections 12, 13, 23, 24, 25, and 35, T11N, R64W of the 6th P.M. Legal descriptions for the Smith Overlying Land are contained in the deeds included in EXHIBIT G. 5.2. **Well locations:** Basin requests the right to construct wells anywhere on the Overlying Land, consistent with the Meader Ranch Lease, the Smith Lease, and the HTW Lease, as needed to apply the water to

beneficial use and to recover the entire allowable annual amount from the Upper Laramie aquifer. 5.3. **Well depths:** The estimated depth to the base of the aquifer will vary depending on the location of each well on the Overlying Land. Actual well completion depths will comply with each applicable well permit but may vary depending on the topography and geology at each location. 6. **Source of water rights:** The Application only seeks a determination with respect to the Upper Laramie aquifer. Basin's geologic analysis indicates that the groundwater contained in the Upper Laramie aquifer underlying the Overlying Land is nontributary as defined in section 37-90-103(10.5), C.R.S. Basin seeks a determination of only the Upper Laramie's nontributary status underlying the Overlying Land and not of any other underlying aquifer. 7. **Date of appropriation:** Not applicable. 8. **Right to groundwater claimed in this Application:** Basin seeks a decree for all nontributary groundwater from the Upper Laramie aquifer underlying the Overlying Land. Pursuant to section 37-90-137(4), C.R.S., Basin may withdraw the nontributary water at an annual rate determined by the Court based on an aquifer life of 100 years without causing material injury to the vested rights of others. 9. **Amounts and rates of withdrawal:** 9.1. **Average annual amount available:** The average annual amount of groundwater available from the Upper Laramie aquifer underlying the Overlying Land, exclusive of any artificial recharge, will be determined based on an analysis of thicknesses of saturated aquifer materials of the aquifer underlying each section of the Overlying Land and using an appropriate specific yield for the Upper Laramie aquifer at the Overlying Land. Using currently available data, Applicant's engineering consultants estimate that a total of 7,543.41 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Overlying Land, as follows: 9.1.1. Applicant's engineering consultants estimate that 1,601.86 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Meader Ranch Overlying Land. Aquifer properties for the Meader Ranch Overlying Land are set forth in the table attached as **EXHIBIT H**. 9.1.2. Applicant's engineering consultants estimate that 419.08 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Smith Overlying Land. Aquifer properties for the Smith Overlying Land are set forth in the table attached as **EXHIBIT I**. 9.1.3. Applicant's engineering consultants estimate that 5,522.47 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the HTW Overlying Land. Aquifer properties for the HTW Overlying Land are set forth in the table attached as **EXHIBIT J**. 9.2. **Final amount:** The aquifer properties and average annual amounts stated herein may change during the pendency of the case or after a decree is entered pursuant to retained jurisdiction based on additional data. 9.3. **Average pumping rates:** The average pumping rates for wells completed in the Upper Laramie aquifer are expected to vary from 200 gpm to 1,000 gpm, although Basin requests pumping rates for each well sufficient to withdraw the full annual amount of nontributary water available from the Upper Laramie aquifer as the Court may determine. 10. **Well field:** Basin seeks the right to withdraw all legally available groundwater in the Upper Laramie aquifer through one or more wells permitted for withdrawal from the Upper Laramie aquifer. Basin requests that all wells completed into the Upper Laramie aquifer located on the Overlying Land be treated as a well field, except any existing wells described in ¶ 12 below. Basin will file well permit applications, in accordance with section 37-90-137(10), C.R.S., prior to the construction of wells. 11. **Proposed uses:** Basin requests the right to use all groundwater that is the subject of this Application for all beneficial uses, including but not limited to agricultural, domestic, irrigation, municipal, commercial, stock watering, industrial, and augmentation uses. The water may be stored, used, and reused to extinction on or off the Overlying Land by Basin or others to whom Basin may lease, sell, assign, or otherwise provide the water, or by Landowner(s) consistent with the terms of their leases. 12. **Other wells located on the Overlying Land:** To the extent an existing well withdraws water from the Upper Laramie aquifer, a portion of the water determined to be available for the Overlying Land will be reserved for or allotted to that existing well. 13. **Name and address of the owner of the land on which structures will be located:** The only diversion or structures involved in the Application will be located on the Overlying Land. 13.1. **Owners of the Overlying Land:** Meader Ranch, Smith, and HTW have leased to Basin all rights to the groundwater in the Upper Laramie aquifer underlying the Overlying Land that is the subject of this Application, including the right to seek a determination of the groundwater and use the groundwater for all beneficial purposes. 13.1.1. Meader Ranch's address is set forth in ¶ 1.2.1.,

above. 13.1.2. Smith's address is set forth in ¶ 1.2.2., above. 13.1.3. HTW's addresses are set forth in ¶¶ 1.2.3, 1.2.4., 1.2.5., 1.2.6, and 1.2.7., above. 13.2. **Notice requirements:** In compliance with section 37-92-302(2)(b), C.R.S., Applicant certifies that no persons or entities have a lien or mortgage on, or a deed of trust to, the Overlying Land recorded in the county in which the Overlying Land is located. **WHEREFORE, Basin requests a ruling and decree granting and awarding:** 14. A determination that the groundwater in the Upper Laramie aquifer underlying the Overlying Land is nontributary groundwater as defined in section 37-90-103(10.5), C.R.S. 15. A quantification and adjudication of the groundwater rights in the Upper Laramie aquifer underlying the Overlying Land which Basin is entitled to develop and use, consistent with the Meader Ranch Lease, the Smith Lease, and the HTW Lease, and exclusive of any artificial recharge. 16. The right to withdraw more than the average annual amounts estimated in paragraph 9.1, above, pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7 (i.e., "banking"). 17. The right to withdraw the amount of water determined to be available with one or more wells in a well field pursuant to Rules 11.B and 14 of the Statewide Rules, 2 C.C.R. 402-7. 18. The right to revise the estimated average annual volume available for withdrawal upward or downward based on better or revised data during the pendency of this case without the necessity of amending this Application or republishing the same. 19. The right to include a provision for retained jurisdiction to adjust the average annual volume available for withdrawal to conform to actual local aquifer characteristics as provided for in section 37-92-302(2)(b), C.R.S. 20. Such other relief as it deems proper on the premises. (8 pages, excluding exhibits)

CASE NUMBER 2025CW3108 QUENTIN DASSONVILLE, 15850 Siesta Grove, Colorado Springs, CO 80908 (Please send all pleadings and correspondence to Chris D. Cummins and W. James Tilton of Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Dr., Ste. 250, Colorado Springs, Colorado 80921 (719) 471-1212). **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN EL PASO COUNTY.** Quentin Dassonville (hereafter "Applicant") seeks to construct up to fourteen wells, including an existing exempt well to the not-nontributary Dawson aquifer to provide water service to an equivalent number of lots, based on an anticipated subdivision of Applicant's approximately 35.08 acre parcel of land. Applicant therefore seeks to quantify the Denver Basin groundwater underlying the Applicant's Property, and approval of a plan for augmentation for the use thereof. Property Description. All wells are and will be located on Applicant's approximately 35.08 acre property ("Applicant's Property") anticipated to be subdivided into up to fourteen (14) lots, with current schedule number 6100000292. Applicant's Property is depicted on the attached **Exhibit A** map, located in the NW1/4 SW1/4 of Section 25, Township 11 South, Range 66 West of the 6th P.M., and more particularly described as 15850 Siesta Grove, Colorado Springs, CO 80908. Existing Well. There is an existing exempt domestic well with Division of Water Resources Permit No. 154431 ("Dassonville Well No. 1"), permit attached as **Exhibit B**. It is a Dawson aquifer well drilled to a total depth of approximately 380 feet, and is located at UTM Easting: 522759.3; Northing: 4323763.8 (Zone 13, NAD83). Applicant intends for this well, permitted pursuant to C.R.S. § 37-92-602(3)(b), to remain exempt and separate from any augmentation plan following the issuance of a decree in this case. Proposed Wells. Applicant proposes that up to thirteen additional wells will be located on the Applicant's Property at specific locations not yet determined ("Dassonville Well Nos. 2 through 14"), each to be constructed to the Dawson aquifer (one well per lot). Land Ownership. The land upon which the existing and proposed wells will be constructed is owned by Applicant, Quentin Dassonville. See **Exhibit C**. Water Source. Not-Nontributary. The ground water to be withdrawn from the Dawson aquifer underlying the Applicant's Property is not-nontributary. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in the Dawson aquifer will require the replacement of actual stream depletions. Nontributary. The groundwater that will be withdrawn from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's Property is nontributary. Estimated Rates of Withdrawal and Ground Water Available. Estimated Rates of Withdrawal. Pumping from the wells will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed

within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests a vested right for the withdrawal of all legally available ground water in the Denver Basin aquifers underlying the Applicant's Property. Said amounts may be withdrawn over the 300-year life of the aquifers as required by El Paso County, Colorado Land Development Code § 8.4.7(C)(1) which is more stringent than the State of Colorado's 100-year life requirement pursuant to C.R.S. § 37-90-137(4). Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant's Property:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre Feet)	Annual Avg. Withdrawal 100 Years (Acre Feet)	Annual Avg. Withdrawal 300 Years (Acre Feet)
Dawson (NNT)	457.9	2,976.35	29.76	9.92
Denver (NT)	539.8	2,982.4	29.82	9.94
Arapahoe (NT)	225	1,243.13	12.43	4.14
Laramie Fox Hills (NT)	194	945.75	9.46	3.15

Decreed amounts may vary from the above to conform with the State's Determination of Facts. Pursuant to C.R.S. § 37-92-305(11), the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. Requested Uses. The Applicant requests the right to use the ground water for beneficial uses upon the Applicant's Property consisting of domestic, irrigation, domestic animal and stock watering, equestrian facilities, agricultural, commercial, filling of a swimming pool and/or hot tub, fire protection, recreation, and also for storage and augmentation purposes associated with such uses. The Applicant also request that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant's Property subject, however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicant shall only be entitled to construct wells or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of the not-nontributary Dawson aquifer in accordance with C.R.S. § 37-90-137(9)(c.5). Well Fields. Applicant requests permission to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant's Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests the entitlement to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Applicant's Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant's Property. Owner of Land Upon Which Wells are to Be Located. The land upon which the wells are and will be located as well as the underlying groundwater is owned by the Applicant. Application for Approval of Plan for Augmentation. Statement of Plan for Augmentation. Applicant seeks approval of a plan for augmentation to allow it to utilize the not-nontributary Dawson aquifer underlying the property described herein, including following potential subdivision thereof. All wells to the not-nontributary Dawson aquifer will, during the pumping life of such wells, be augmented by septic return flows resulting from domestic uses, with post pumping depletions provided by pumping of the nontributary Denver aquifer. Structures to be Augmented. The structures to be augmented are the Dassonville Well Nos. 2 through 14, along with

any replacement or additional wells associated therewith, as likewise may be constructed to the Dawson aquifer of the Denver Basin underlying the Applicant's Property as requested and described herein. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from the Dassonville Well Nos. 2 through 14, together with water rights from the nontributary Denver aquifer for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by Dassonville Well Nos. 2 through 14, together with water rights from the nontributary Denver aquifer for any injurious post pumping depletions. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: Household Use Only. 0.26 acre-feet annually within single-family dwellings on up to all thirteen (13) potential lots, with a maximum of ten percent consumptive use based on non-evaporative septic leach field disposal systems. Landscape Irrigation. 0.0566 acre-feet annually per 1,000 square feet (2.18 acre feet per acre) per year, with an 85% assumed consumptive use rate. The annual consumptive use for each 1,000 square feet of lawn and garden irrigated is therefore 0.048 acre-feet. Horses (or equivalent livestock). 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. Amounts. Dassonville Well Nos. 2 through 14 will each pump a maximum of 0.76 acre-feet per year per lot, or a maximum total of 9.88 acre-feet shall be withdrawn from the Dawson aquifer per year. Such use shall be a combination of household use, irrigation of lawn, garden, and greenhouse, and the watering of horses or equivalent livestock, and other permitted uses described in paragraph III.D., above. An example breakdown of this combination of use, utilizing the factors described above, for each lot, is in-house use of 0.26 acre-feet of water per year, with the additional 0.5 acre-feet per year available for irrigation of lawn, garden, and greenhouse, and the watering of horses or equivalent livestock and poultry on each lot. Depletions. Applicant's consultant has determined that maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 22.19% of pumping. **Exhibit D.** Maximum annual depletions for total pumping from all wells are therefore 2.19 acre-feet in year 300 (i.e. 22.29% of pumping). *Id.* Should Applicant's pumping be less than the 9.88 total per year described herein, resulting depletions and required replacements will be correspondingly reduced, so long as depletions resulting from pumping are adequately replaced. Augmentation of Depletions During Pumping. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual stream depletions attributable to pumping of the up to thirteen (13) residential wells subject to this augmentation plan. Applicant's consultant has determined that depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. Using a conservative in-house use rate of 0.2 acre-feet per lot per year, total of 2.6 acre-feet from thirteen wells, 2.34 acre-feet is replaced to the stream system per year, utilizing non-evaporative septic systems. Thus, during pumping, stream depletions will be adequately augmented. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the Dassonville Well Nos. 2 through 14 Applicant will reserve the entirety of the nontributary Denver aquifer, accounting for actual stream depletions replaced during the planned pumping period, as necessary to replace any injurious post pumping depletions. Applicant also reserves the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Denver aquifer groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive a new well permits for the Dassonville Well Nos. 2 through 14 for the uses in accordance with this Application and otherwise in compliance with C.R.S. § 37-90-137. (8 pages)

CASE NUMBER 2025CW3109 Applicant: **KEVIN LAFLEUR**, 4051 Roaring Fork Dr., Loveland, CO 80538, 970-219-9033 with all correspondence connected herewith being sent to David P. Jones, Lawrence Custer Grasmick Jones & Donovan, LLP., 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 805034, 970-622-8181. **APPLICATION TO MAKE WATER RIGHT ABSOLUTE IN PART AND FOR FINDING OF REASONABLE DILIGENCE IN LOGAN COUNTY**. 2. Previous Decrees: Case No. 03CW3211, decree dated April 26, 2006; Case No. 12CW85, dated November 21, 2012; Case No. 18CW3190, dated August 5, 2019. 2.1. Name of Structure. Ramsey Ditch Recharge Project. 2.1.1. Legal Description of Diversion Point: In the SE 1/4 of Section 33, Township 10 North, Range 50 West of the 6th P.M., Logan County, Colorado at the diversion works of the Ramsey Ditch. 2.1.2. Source of Water: The South Platte River. 2.1.3. Date of Appropriation: April 23, 2003. 2.1.4. Amount: Amount: 34 c.f.s. (12.15 c.f.s., made absolute, and 21.85 c.f.s. maintained as conditional in 12CW85). 2.1.5. Uses: Augmentation of water rights used for irrigation, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery pursuant to the terms and conditions of the Lower Logan Well Users, Inc. plan for augmentation decreed in Case No. 03CW208. 2.2. Detailed Outline of Work Toward Completion of the Appropriation and Application of Water to a Beneficial Use as Conditionally Decreed: During the diligence period, Applicant operated and maintained the Ramsey Ditch Recharge Project (RDRP), diverted water to recharge when water was available for purposes of developing recharge accretions for augmentation of well depletions of wells owned by Applicant, and others, augmented under the plan for augmentation decreed in Case No. 03CW208. In 2023, Applicant performed work on the wells that are augmented with water diverted under the RDRP. Additionally, Applicant entered into an agreement with Ducks Unlimited regarding improvements for irrigated wetlands and undertook such improvements; the RDRP supports irrigation for the wetlands project. 2.3. Claim to Make Water Right Absolute in Part and for Finding of Reasonable Diligence: The Applicant seeks an order making the RDRP water right absolute for an additional 8.21 cfs for a total of 20.36 cfs absolute, and a finding that it has been reasonably diligent in the development of the remainder of RDRP conditional water right, and to continue the appropriation in the amount of 11.64 c.f.s., as conditional, and such other relief as is just and proper. The original application consists of 3 pages.

CASE NUMBER 2025CW3110 Applicant: **WIGGINS FARMS, LLC**, c/o Chris Dinsdale, 1660 17th Street, Suite 300, Denver, CO 80202, 303-606-7842 with all correspondence connected herewith being sent to David P. Jones, Lawrence Custer Grasmick Jones & Donovan, LLP., 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534, 970-622-8181. **APPLICATION TO MAKE WATER RIGHT ABSOLUTE IN PART AND FOR FINDING OF REASONABLE DILIGENCE IN WELD, MORGAN AND WASHINGTON COUNTIES**. 2. Previous Decrees: Case No. 09CW07, Water Division No. 1, dated December 7, 2012; Case No. 18CW3209, Water Division No. 1, dated August 30, 2019 3. Conditional Water Right 3.1. Name: Recharge Project No. 1. 3.2. Diversion Points. 3.2.1. Recharge Well No. 1 (WDID 0109884), Permit No. 59501-F. Location: In the NW 1/4 NE 1/4 of Section 1, Township 4 North, Range 60 West, 6th P. M., Morgan County, Colorado, 300 feet from the North section line and 1450 feet from the East section line. 3.2.2. Recharge Well No. 2 55918-F. Location: In the NW1/4 NE1/4 of Section 1, Township 4 North, Range 60 West, 6th P.M., Morgan County, Colorado, 600 feet from the North section line and 2500 feet from the East section line. 3.2.3. Pump Station No. 1. Location: In the South Platte River adjacent to the location of Recharge Well No. 1, in the NW1/4 NE1/4 of Section 1, Township 4 North, Range 60 West, 6th P.M., Morgan County, Colorado. 3.2.4. Pump Station No. 2. Location: In the South Platte River adjacent to the location of Recharge Well No. 2, in the NW1/4 NE1/4 of Section 1, Township 4 North, Range 60 West, 6th P.M., Morgan County, Colorado. 3.3. Source: The South Platte River (Pump Stations No. 1 and No. 2) ground water in the South Platte River alluvium (Recharge Well No. 2). 3.4. Dates of Appropriation: 3.4.1. Recharge Well No. 1: August 16, 2003. 3.4.2. Recharge Well No. 2: May 1, 2011 3.4.3. Pump Station No. 1: January 21, 2009 3.4.4. Pump Station No. 2: January 21, 2009 3.5. Amounts: 3.5.1. Recharge Well No. 1. 1500 gpm, absolute. Date water was first diverted and applied to beneficial use: August 16, 2003. 3.5.2. Recharge Well No. 2. August 2003 priority: 1500 gpm, absolute. Date water was first diverted and applied to beneficial use: August 1, 2003. May 1, 2011 priority: 58 gpm,

absolute, 442 gpm, conditional. Date water was first diverted and applied to beneficial use: May 30, 2011. 3.5.3. Pump Station No. 1: 1500 gpm, conditional. 3.5.4. Pump Station No. 2: 1500 gpm, conditional. 3.6. Uses: Augmentation, recharge, and replacement as described in the 09CW7 and 18CW3209 Decrees. 3.7. Remarks: In Case No. 18CW3209, Recharge Well No. 2 was made absolute for an additional 64 gpm for a total absolute of 122 gpm; Pump Station 1 and 2 were made absolute in their entirety. 4. Conditional Water Right. 4.1. Name of Structure: Recharge Project No. 2. 4.2. Diversion Points. 4.2.1. Recharge Well No. 3 59901-F. Location: In the NW1/4 NW1/4 of Section 23, Township 4 North, Range 61 West, 6th P.M., Weld County, Colorado, 550 feet from the North section line and 450 feet from the West section line. 4.2.2. Pump Station No. 3. Location: In the South Platte River adjacent to the location of Recharge Well No. 3, in the NW1/4 NW1/4 of Section 23, Township 4 North, Range 61 West, 6th P.M., Weld County, Colorado. 4.3. Source: The South Platte River (Pump Station No. 3) and ground water in the South Platte River alluvium (Recharge Well No. 3). 4.4. Dates of appropriation: 4.4.1. Recharge Well No. 3: August 1, 2003. 4.4.2. Pump Station No. 3: January 21, 2009. 4.5. Amounts. 4.5.1. Recharge Well No. 3. 2000 gpm, absolute, 1000 gpm, conditional. 4.5.2. Pump Station No. 3: 3000 gpm, conditional. 4.6. Uses. Augmentation, recharge, and replacement as described in the 09CW07 Decree. 4.7. Remarks. Recharge Well No. 3 was made absolute in its entirety in Case No. 18CW3209. 5. Appropriative Right of Exchange. 5.1. Description of Exchange-To Points: Pump Stations No. 1 through 3, the locations of which are described above. 5.2. Description of the reach of the exchange: From a downstream point on the South Platte River in Section 13, Township 5 North, Range 55 West, 6th P.M., Washington County, Colorado, at a point approximately 3700 feet upgradient from the Balzac gauge station to an upstream point at the location of Pump Station No. 3 described above. 5.3. Date of appropriation: January 21, 2009. 5.4. Amount: 13.4 cfs (6000 gpm), conditional. 5.5. Uses: Augmentation, replacement, aquifer recharge and exchange as described in the 09CW7 Decree. 5.6. Remarks: In Case No. 18CW3209, the water exchange right was made absolute in the amount of 1462 gallons per minute, and 4538 gallons per minute was maintained as conditional. 6. Outline of work performed toward completion of appropriations: During the diligence period, Applicant operated and made diversions under Recharge Projects 1 and 2. Applicant operated its appropriative right of exchange to exchange water for recharge purposes. The water diverted was used after recharge as a replacement source in the plan for augmentation decreed in Case No. 09CW07. Applicant performed work and made upgrades to Pump Station 1. Applicant installed a new pipeline and made recharge pond improvements to several recharge ponds. Applicant maintained Recharge Wells 1-3 and Pump Stations 1 and 2. In total, Applicant's expenses during the diligence period related to these activities totaled approximately \$400,000. Pump Station 3 has not yet been constructed. 7. Claim to make water right absolute in whole or in part: Applicant seeks to make the appropriative right of exchange absolute for an additional 1934 gallons per minute. 8. Applicant seeks a decree finding that it has been diligent in the completion of the appropriations of the water rights described herein, making the water rights absolute in the amounts described herein, continuing the remaining portions of the water rights as conditional, and such other relief as the Court deems appropriate. 9. Names and addresses of owners of land on which structures are located: Recharge Well No. 2 is located on lands owned by Mary Anne Rothe, 15160 Highway 144 #16, Fort Morgan, CO, 80701; Recharge Well No. 3 and related structures are located on lands owned by Sublette, Inc., c/o Sheldon Skovgaard, P.O. Box 21, Orchard, CO 80644; all other structures are located on lands owned by Applicant. The original application consists of five pages.

CASE NUMBER 2025CW3111 THE CITY AND COUNTY OF DENVER, ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS ("Denver Water" or "Applicant"), 1600 West 12th Avenue, Denver, Colorado 80204. Jessica R. Brody, General Counsel, Daniel J. Arnold, James M. Wittler, Crystal J. Easom. APPLICATION FOR FINDING OF REASONABLE DILIGENCE, CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CITY AND COUNTY OF DENVER ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS IN THE SOUTH PLATTE RIVER AND ITS TRIBUTARIES IN THE CITY AND COUNTY OF DENVER. Number of pages of Application 5. 2. Name of Water Rights for Which Diligence is Sought. Operations Complex Redevelopment ("OCR") Cistern Storage Right. 3. Description of OCR Cistern Storage Right. a.

Name of Structure. OCR Cistern. b. Legal Description. The OCR Cistern is a below ground water storage structure that is generally located at Denver Water's new administration building in the southeast quarter (SE 1/4) of the northwest quarter (NW 1/4) of Section 4, Township 4 South, Range 68 West of the 6th P.M. in the City and County of Denver, State of Colorado. The location of the new Denver Water administration building and parking garage are illustrated on the figure attached as **Exhibit A**. c. Size of Cistern. 75,000 gallons (0.23 acre feet). d. Source. On-site precipitation from the rooftops of the administration building and parking garage that is tributary to the mainstem of the South Platte River. e. Amount Conditional. 0.23 acre-feet, conditional, with the right to successively refill so as to replenish the Cistern, up to 2.79 acre-feet in any single calendar year. f. Diversion Season. Denver Water will capture precipitation under the OCR Cistern Storage Right only from the months of March through October (irrigation season). g. Appropriation Date. December 14, 2016. h. Place of Use. Water stored under the OCR Cistern Storage Right will be used at the Denver Water Operations Complex as generally depicted on the figure labeled **Exhibit A**. i. Beneficial Uses. The water captured and impounded in the OCR Cistern will be stored and then used directly for municipal irrigation at the OCR Complex as shown on **Exhibit A**; and fire protection at the OCR Complex. The first use of the OCR Cistern Storage Right is limited to these uses. Denver Water also seeks the right to reuse and successively use return flows from the first and successive uses of the OCR Cistern Storage Right after the return flows from the OCR Cistern Storage Right leave the OCR campus as lawn irrigation return flow. No specific plan for reuse or successive use is decreed herein. Prior to reuse and successive use of water diverted under the OCR Cistern Storage Right, Denver Water shall file a new application with the Water Court and obtain a decree from the Water Court quantifying the rate, timing, and location of reusable return flows available for such reuse and successive use, and approving the points of diversion or re-diversion for the reusable return flows available for such use and successive use to extinction. **Claim for Finding of Reasonable Diligence 4. Claim for Finding of Reasonable Diligence.** During the most recent diligence period, Denver Water completed the following work which allows for the reasonably diligent completion of the OCR Cistern Storage Right and application of water to beneficial use within a reasonable time: a. In 2018, the OCR Cistern was installed at the Denver Water Operations Campus. The total cost of procurement and installation was \$430,000. b. In 2020, Denver Water completed the redevelopment of its Operations Campus. The construction of the Administration Building and Parking Garage resulted in 31,920 and 54,220 square feet of impervious area, respectively, for harvested rainwater to be captured in the OCR Cistern. c. In 2025, the OCR Cistern was surveyed to develop a stage-area capacity table for the operation of the OCR Cistern Storage Right. d. Since installation of the OCR Cistern, Denver Water has spent approximately \$40,000 for electrical equipment, sensors and meters necessary for operation of the OCR Cistern Storage Right. e. Denver Water reserves the right to claim additional diligence activities as proof of its reasonable diligence in developing the conditional portion of the water right. **5. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool.** Denver Water owns the land upon which the OCR Cistern is located. Denver Water is not proposing new diversion or storage structures that do not already exist, nor is Denver Water proposing modifications to any existing diversion or storage structure for the diversion of the water rights described herein. WHEREFORE, Denver Water respectfully requests that the Water Court enter a decree finding that Denver Water has been reasonably diligent in the development of the conditional portion of the OCR Cistern Storage Right

CASE NUMBER 2025CW3112 (Former Cases No. 18CW3191, 08CW208, 98CW295) APPLICATION FOR FINDING OF REASONABLE DILIGENCE OF DISTRICT 64 RESERVOIR COMPANY, IN SEDGWICK COUNTY, COLORADO. 1. Name, address, telephone number, and email address of Applicant: DISTRICT 64 RESERVOIR COMPANY ("Applicant" or "District 64"), c/o Joe Frank, P.E., 615 South 10th Avenue, Sterling, CO 80751, Email: jmfrank@lspwcd.org, Phone: 970-522-1378. Please direct all correspondence and pleadings regarding this case to Mason H. Brown and Sarah B. Wiedemann, Carlson, Hammond & Paddock, LLC, 1900 N. Grant Street, Suite 1200, Denver, CO 80203, Phone Number: (303) 861-9000, E-Mail: mbrown@chp-law.com, swiedemann@chp-law.com. 2. Name of

Structures and description of water rights: 2.1. Ovid Reservoir: 2.1.1. Date of Original Decree: September 5, 2002, Case No. 98CW295, District Court in and for Water Division No. 1, Colorado. 2.1.2. Subsequent decrees awarding findings of diligence: November 6, 2012, Case No. 08CW208, District Court in and for Water Division No. 1, Colorado; August 21, 2019, Case No. 18CW3191, District Court in and for Water Division No. 1, Colorado. 2.1.3. Decreed Point of Diversion: Peterson Canal a/k/a the Peterson Ditch a/k/a the Petersen Canal a/k/a the Petersen Ditch (“Peterson Canal”), an existing canal owned and operated by the Petersen Canal and Reservoir Company and the Julesburg Irrigation District. The point of diversion of the Peterson Canal is located on the north bank of the South Platte River in the N.E. ¼ N.W. ¼ Section 24 Township 11 North Range 47 West of the 6 PM Sedgwick County Colorado from which the N.W. Corner of said Section bears N. 77° 2’ W. 1,815.2 feet. The decreed capacity of the Peterson Canal is 184 cfs. Water will be diverted through the Peterson Canal to a new structure to be built by Applicant on the south bank of the canal at a location near and above the reservoir. 2.1.4. Location: Ovid Reservoir is an off-channel reservoir that will be located in the N. 1/2 and N. 1/2 S.1/2 of Section 6, Township 11 North, Range 45 West of the 6th P.M. lying north of Highway No. 138, Sedgwick County, Colorado. 2.1.5. Source: South Platte River. 2.1.6. Appropriation Date: June 30, 1998. 2.1.7. Amount: 5,772 acre-feet, conditional, with the right to fill and refill the reservoir whenever water is physically available in priority. 2.1.8. Use: Water stored in Ovid Reservoir will be released to the South Platte River through the outlet pipe for replacement of out-of-priority depletions to senior surface water rights in Colorado caused by diversion of ground water through wells owned by members of Applicant and replacement of depletions caused by diversions of ground water through wells owned by members of Applicant under water rights having dates of priority subsequent to June 14, 1897, which will diminish the flow of the South Platte River at the Interstate Station between April 1 and October 15 below a mean flow of 120 cfs. Ovid Reservoir may also be used by District 64 or others under contract with District 64 to reregulate flows of the South Platte River for lawful purposes, including fish and wildlife purposes. 2.2. The water right that is the subject of this application, as described in section 2.1, is hereafter referred to as the “Subject Water Right.” 2.3. A map depicting the location of the Subject Water Right is attached as **Exhibit 1.** **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:** 3.1. Background: The District 64 Reservoir Company was incorporated on November 22, 2006, as a Colorado mutual ditch and reservoir company for the purposes of purchasing, developing, operating, and using Ovid Reservoir. District 64’s shareholders are comprised of a combination of well owners, recharge project owners and other water users and local interests in the lower South Platte River basin. District 64 completed a comprehensive feasibility study of Ovid Reservoir in 2011. That study included a detailed evaluation of reservoir operating scenarios; an analysis and evaluation of exchange potential including water deliveries and constraints requested by the Platte River Recovery Implementation Program; and consideration of augmentation replacements, recharge accretions, non-consumptive options, exchange considerations and alternative points of diversion to the reservoir. The study confirmed the feasibility of the Ovid Reservoir project and the need of the District 64 shareholders for the water. 3.2. On December 26, 2020, Applicant entered into a carriage agreement with the Peterson Canal and Reservoir Company for the use of the Peterson Canal to convey and deliver water to Ovid Reservoir. As part of this agreement, District 64 raised and contributed approximately \$330,000 towards the rehabilitation of the Peterson Canal diversion structure. District 64 also spent a significant sum of money on legal fees and other costs associated with drafting and negotiating the agreement. Rehabilitation of the Peterson Canal diversion structure was completed in May 2021. 3.3. During the diligence period, Applicant continued to operate a groundwater monitoring plan in the vicinity of the Ovid Reservoir site for the purposes of studying existing groundwater levels in the area of Ovid Reservoir. 3.4. During the diligence period, and in addition to the expenses described above, Applicant incurred more than \$75,000 in expenses related to operating the Company and to evaluate the future construction and operation of Ovid Reservoir. **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. District 64 Reservoir Company (Applicant).

4.2. Peterson Canal and Reservoir Company, 315 Cedar Street, Suite 150, Julesburg, CO 80737. **WHEREFORE**, Applicant respectfully requests that a finding of reasonable diligence be entered, and that the Subject Water Right be continued in force.

CASE NUMBER 2025CW3113 (89CW230A, 97CW340, 05CW6, 12CW42, 18CW3142) SHAMBHALA USA (“SUSA”) and DRALA MOUNTAIN CENTER (“DMC,” and collectively, “Applicants”). SUSA was formerly known as Shambhala International (Vajradhatu), and DMC was formerly known as Shambhala Mountain Center. Shambhala USA, 1345 Spruce Street, Boulder, CO 80302, (970) 881-2184. Drala Mountain Center, 151 Shambhala Way, Red Feather Lakes, CO 80545. Please send all pleadings and correspondence to: April D. Hendricks, Peter D. Jaacks, Jewell Jimmerson Natural Resources Law LLC, 333 Perry Street, Suite 310, Castle Rock, CO 80104 (ahendricks@jjnrlaw.com; pjaacks@jjnrlaw.com), and Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202 (plopez@fwlaw.com; etrout@fwlaw.com). **APPLICATION FOR FINDING OF REASONABLE DILIGENCE, IN LARIMER COUNTY, COLORADO.**

2. Description of Conditional Water Rights and Structures:

2.1. Lake Sheahan (RMDC filing):

2.1.1. Date of Original Decree: December 30, 1991, Case No. 89CW230A (Division 1).

2.1.2. Subsequent decrees awarding findings of diligence: Case Nos. 97CW340, entered on January 12, 1999; 05CW6, entered on February 23, 2006; 12CW42, entered on August 14, 2012; and 18CW3142, entered on August 21, 2019.

2.1.3. Date of Appropriation: December 1, 1989.

2.1.4. Decreed Amount: 3.8 acre-feet, conditional.

2.1.5. Location: NW 1/4 NW 1/4, Section 23, T9N, R73W of the 6th P.M. in Larimer County, Colorado.

2.1.6. Source: Manhattan Creek, tributary to Elkhorn Creek and the Cache La Poudre River, filled through Manhattan Ditch.

2.1.7. Uses: Domestic, residential, camp, commercial, irrigation, fire protection, dust suppression, piscatorial, recreation, storage, augmentation, and exchange.

2.2. Camp Amakulo Reservoir (RMDC filing):

2.2.1. Date of Original Decree: December 30, 1991, Case No. 89CW230A (Division 1).

2.2.2. Subsequent decrees awarding findings of diligence: Case Nos. 97CW340, entered on January 12, 1999; 05CW6, entered on February 23, 2006; 12CW42, entered on August 14, 2012; and 18CW3142, entered on August 21, 2019.

2.2.3. Date of Appropriation: December 1, 1989.

2.2.4. Decreed Amount: 2.0 acre-feet, conditional.

2.2.5. Location: SW 1/4 SW 1/4 of Section 14, T9N, R73W of the 6th P.M. in Larimer County, Colorado.

2.2.6. Source: Manhattan Creek and natural drainage of basin, tributary to Elkhorn Creek and the Cache La Poudre River.

2.2.7. Uses: Domestic, residential, camp, commercial, irrigation, fire protection, dust suppression, piscatorial, recreation, storage, augmentation, and exchange.

2.3. Lake Sunyata, First Enlargement:

2.3.1. Date of Original Decree: December 30, 1991, Case No. 89CW230A (Water Division 1).

2.3.2. Subsequent decrees awarding findings of diligence: Case Nos. 97CW340, entered on January 12, 1999; 05CW6, entered on February 23, 2006; 12CW42, entered on August 14, 2012; and 18CW3142, entered on August 21, 2019.

2.3.3. Date of Appropriation: December 1, 1989.

2.3.4. Decreed Amount: 20 acre-feet enlargement, conditional.

2.3.5. Location: NW ¼ NE ¼, Section 23, T9N, R73W of the 6th P.M. in Larimer County, Colorado.

2.3.6. Source: Manhattan Creek and Rio RMDC, tributaries to Elkhorn Creek and the Cache La Poudre River, filled through Manhattan Ditch, natural drainage of the basin, and RMDC wells.

2.3.7. Uses: Domestic, residential, camp, commercial, irrigation, fire protection, dust suppression, piscatorial, recreation, storage, and augmentation.

2.4. RMDC Lake No. 2:

2.4.1. Date of Original Decree: December 30, 1991, Case No. 89CW230A (Water Division 1).

2.4.2. Subsequent decrees awarding findings of diligence: Case Nos. 97CW340, entered on January 12, 1999; 05CW6, entered on February 23, 2006; 12CW42, entered on August 14, 2012; and 18CW3142, entered on August 21, 2019.

2.4.3. Date of Appropriation: December 1, 1989.

2.4.4. Decreed Amount: 20 acre-feet conditional.

2.4.5. Location: NE 1/4 NE 1/4, Section 23, T9N, R73W of the 6th P.M. in Larimer County, Colorado.

2.4.6. Source: Manhattan Creek and Rio RMDC, tributaries to Elkhorn Creek and the Cache La Poudre River, filled through Manhattan Ditch, natural drainage of the basin, and RMDC wells.

2.4.7. Uses: Domestic, residential, camp, commercial, irrigation, fire protection, dust suppression, piscatorial, recreation, storage, augmentation, and exchange.

3. Detailed Outline of What Has Been Done Toward Completion or for Completion of the Appropriations and Application of Water to a Beneficial Use as Conditionally Decreed: On its 600-acre property in Larimer County, DMC offers a

spiritual and community center that provides a wide variety of lodging and dining facilities, meeting facilities, meditation retreats, and numerous on-site and online educational programs, classes, trainings and workshops. DMC's year-round programs attract participants from across the United States and around the world. DMC encourages members of the public to visit its facilities and to attend its in-person and online programs. Applicants use their water rights as part of an integrated water resources system, including wastewater treatment and the water rights and augmentation plans decreed in Case Nos. 85CW204 and 89CW230A, as amended in Case No. 08CW307. *See Findings of Facts, Conclusions of Law, Ruling of Referee and Decree of the Water Court*, Case No. 12CW42 at ¶ 8 (August 14, 2012). As such, work done on any aspect of the water rights used at the Applicants' property constitutes diligence towards all of the water rights decreed for use at the property. C.R.S. § 37-92-301(4)(b). The continued development, operation, and maintenance of this integrated water supply system is essential to DMC's ability to offer its educational programs and continue its educational mission within its community. During the diligence period, from August 2019 through August 2025, Applicants continued to plan for and pursue the use of the subject conditional water rights as a component of the integrated water supply system. In furtherance of such use, Applicants expended in excess of \$1,800,000 on its integrated water supply system and its property related to development of its conditional water rights. The work undertaken by the Applicants during the diligence period includes, but is not limited to, the following activities and noted expenditures. During the diligence period, DMC has expended in excess of \$238,000 to operate and maintain its water system facilities and wastewater treatment plant, and to complete its new wastewater collection system. These expenses included the installation of a new ultrafiltration membrane system for its public water system (approximately \$43,000) and the operation and maintenance of a new sewer collection system, which collects wastewater to be processed at the treatment plant. The sewer collection system was completed in the fall of 2018 at a cost of \$1.4 million, while the Applicants' previous diligence case was pending. The sewer collection system, as installed, includes nearly one mile of piping installation and upgrades. The collection and treatment of wastewater is intended to be used in conjunction with Applicants' augmentation plan as a means to reduce or replace out-of-priority depletions. During the diligence period, Applicants have also operated and maintained Lake Sunyata, Lake Sheahan, and the Camp Amakulo Reservoir, and they have used the absolute storage rights decreed to each of these structures. Activities include, but are not limited to, monitoring lake levels, operating, maintaining and repairing inlet and outlet works, accounting and record keeping activities, and general maintenance activities. Operation and use of these reservoirs are an integral component of the Applicants' integrated system and conditional water rights. During the diligence period, Applicants spent more than \$1,050,000 on capital improvements to its facilities and property, which included design and engineering, legal, architectural, surveying, and geotechnical services, as well as permit fees, construction and equipment, post-fire land remediation, and other related expenditures. These expenses include approximately \$100,000 for maintenance and updates to the lodges at the property and the purchase of new residential and dining tents. These expenses also include SUSA's expense of approximately \$775,000 for design, construction, and landscaping related to SUSA's development of the Great Stupa Welcome Center. These expenditures are a component of the Applicants' development plan to accommodate anticipated summer and winter residents and guests, and thereby relate to the exercise and use of the subject conditional water rights. To manage its infrastructure improvement and focus on long-term development, DMC continues to employ a full-time Master Planner who coordinates and oversees projects related to its integrated water resource system. Cameron Peak Wildfire Impacts and Recovery. In August 2020, the Cameron Peak wildfire significantly impacted the Applicants' property and infrastructure, destroying 15 buildings and tent platforms and damaging water, sewer, and electrical systems on the DMC property. By the time the wildfire was fully contained in October 2020, DMC sustained property damage of more than \$1.9 million. Following the Cameron Peak wildfire, DMC donors contributed more than \$600,000 for capital improvement efforts to rebuild and repair the buildings and utility systems on its properties. These donations included \$380,000, used to rebuild staff housing, and \$100,000, used to rebuild the platforms for its main shrine tent and for its summer dining tent. Following the Cameron Peak fire, DMC has continued to focus on post-fire recovery, infrastructure rebuilding (including portions of its damaged water and sewer system), and ongoing ecological restoration. DMC has

also expended approximately \$40,000 for post-fire site maintenance and cleanup between 2022-2025, including the removal of debris from fire-damaged structures. DMC's ongoing recovery efforts have included new fundraising campaigns and calls for volunteers to support upcoming projects, ensuring DMC's ability to host retreats and programs into the future. SUSA also engaged in fire remediation and restoration of the Great Stupa after the Cameron Peak fire. These efforts and expenditures are integral to DMC's development plans and for accommodating anticipated summer and winter residents and guests; therefore, these efforts are closely related to the exercise and use of the subject conditional water rights. Forest Restoration Efforts. Throughout the diligence period, the Applicants have also continued its implementation of conservation eco-forestry projects, in partnership with regional agencies (including the Natural Resources Conservation Service and the Fort Collins Conservation District). These efforts began in 2017, driven by concerns over forest health, wildfire risk, and ecosystem resilience, and have continued throughout the current diligence period to promote and sustain healthy and resilient ecosystems across the Applicants' 600-acre property. These conservation projects are part of a broader set of ecological and forest health initiatives undertaken in response to both ongoing land stewardship goals and the impacts of the 2020 Cameron Peak fire. As part of these efforts, DMC has treated several hundred acres of its property through mechanical thinning, which significantly reduces tree density, encourages greater biodiversity, improves wildlife habitat, and increases resilience to pests, disease, and wildfire. The effectiveness of these treatments was dramatically demonstrated during the 2020 Cameron Peak Fire. This restoration work likely prevented the total loss of DMC's buildings, infrastructure, and surrounding forest. DMC's efforts have focused on both upland forest and riparian areas, aiming to restore native habitats, control erosion, and manage invasive species. In furtherance of these efforts, DMC has been awarded government grants to implement its forestry conservation work. The grant funding has been used to fund a multi-phase project to restore and apply wildfire mitigation techniques to several hundred forest acres. From 2018 through 2021, DMC was awarded approximately \$450,000 from the USDA Natural Resource Conservation Service and \$73,000 from the Colorado State Forest Service for its forest restoration work. DMC's restoration efforts have received regional recognition, including the Larimer County Land Stewardship Award in 2019. This award was given by the Larimer County Commissioners in recognition of the first phase of DMC's project, which included 125 acres of forest restoration. Impacts of COVID-19 Pandemic. In recent years prior to the COVID-19 shut-down, DMC hosted, on average, more than 10,000 overnight guests and day visitors per year and received over 5,500 individual donations, totaling on average over \$750,000 per year. The global COVID-19 pandemic temporarily forced DMC to close its facilities to the public, from March 2020 to July 2021. In July 2021, while still rebuilding from the Cameron Peak wildfire, DMC re-opened its facilities on a limited basis under COVID-19 guidelines developed in consultation with an epidemiologist and federal, state, and local recommendations. Since re-opening, DMC has hosted programs that have been over-subscribed, with more than 3,000 virtual participants and 6,000 in-person participants and day visitors. Since January 1, 2023, DMC received donations in excess of \$2,165,000 from over 1,000 donors, which was reinvested in DMC's ongoing development efforts, programming, and infrastructure improvements. **4. Names and Addresses of Landowners:** 4.1. Camp Amakulo Reservoir is on land owned by No Big Deal Associates, c/o Mark Smith, 500 Mohawk Drive #108, Boulder CO 80303. 4.2. All other structures are on lands owned by the Applicants. **WHEREFORE**, the Applicants respectfully request that this Court enter a decree finding that the Applicants have exercised reasonable diligence in the development of the water rights that are the subject of this Application, that the conditional water rights be continued in full force and effect, and that a date be set for a subsequent application for a finding of reasonable diligence. Applicants also seek such other and further relief as this Court deems just and proper. Number of pages of Application: 8.

CASE NUMBER 2025CW3114 JULIA AND WILLIAM EVANS, 2160 Hawthorn Lane, Franktown, CO 80116, (303) 773-0971. Please send all pleadings and correspondence to: April D. Hendricks, Peter D. Jaacks, Jewell Jimmerson Natural Resources Law LLC, 333 Perry Street, Suite 310, Castle Rock, CO 80104. **APPLICATION FOR UNDERGROUND WATER RIGHTS IN THE DENVER BASIN AQUIFERS, IN DOUGLAS COUNTY, COLORADO.** Subject Property: The parcel of land consists

of 2 acres, more or less, in Douglas County, located generally in the SW 1/4 of the SE 1/4 of Section 33, Township 7 South, Range 65 West of the 6th P.M., shown on the map field with the Application as Exhibit A (“Subject Property”). The Applicants certify that they are the owners of the Subject Property free and clear of all liens and encumbrances and that no other person or entity has a financial interest in the Subject Property; therefore, Applicants certify compliance with the notice requirements of § 37-92-302(2), C.R.S. **Existing Wells:** There are two existing wells on the property. Well Permit No. 297017 is an exempt Upper Dawson well approved pursuant to § 37-92-602(3)(b)(II)(A), C.R.S. Well Permit No. 78874-F was issued pursuant to § 37-90-137(4), C.R.S., for 15 GPM for domestic animal watering. This application seeks to adjudicate the existing Lower Dawson well, Well Permit No. 78874-F, located on the Subject Property. This application does not seek to adjudicate the existing exempt Upper Dawson well, Well Permit No. 297017. **Source of Water Rights:** This application seeks a decree adjudicating the available nontributary and not nontributary groundwater in the Denver Basin aquifers underlying the Subject Property. The source for the groundwater to be withdrawn from the Lower Dawson, Denver, Upper Arapahoe and Laramie -Fox Hills aquifers is nontributary groundwater as described in § 37-90-103(10.5), C.R.S. The groundwater that may be withdrawn from the Upper Dawson aquifer is not nontributary groundwater as defined in Sections § 37-90-103(10.7) and 37-90-137(9)(c.5), C.R.S. **Estimated Amounts and Rates of Withdrawal:** Wells on the Subject Property will withdraw the subject amounts of groundwater at rates of flow necessary to efficiently withdraw the entire decreed amounts. Applicants will withdraw the subject groundwater through wells to be located at any location on the Subject Property. The estimated average annual amounts of withdrawal available from the subject aquifers as indicated below, are based upon the Denver Basin Rules, 2 C.C.R. 402-6. Applicants estimate the following annual amounts are representative of the Dawson, Denver, Upper Arapahoe and Laramie -Fox Hills aquifers underlying the Subject Property:

Aquifer	Saturated Thickness	Annual Amount
Upper Dawson	141.0 feet	0.56 acre-feet*
Lower Dawson	70.1 feet	0.28 acre-feet
Denver	185.3 feet	0.63 acre-feet
Upper Arapahoe	252.5 feet	0.86 acre-feet
Laramie-Fox Hills	202.0 feet	0.61 acre-feet

*Applicants will reserve 0.3 acre-feet of the annual amount for use by the existing exempt Well Permit No. 297017. The average annual amounts available for withdrawal from the subject aquifers will depend on the hydrogeology and the legal entitlement of the Applicants, and this application represents a claim to all nontributary and not nontributary groundwater underlying the Subject Property. Applicants reserve the right to continue using the existing wells with Permit Nos. 297017 and 78874-F, subject to compliance with the terms of their existing or subsequently issued permit(s) and the terms and conditions of any decree ultimately entered in this case. Applicants request that this Court determine that Applicants have the right to withdraw all of the legally available groundwater lying below the Subject Property, through the wells requested herein, including the existing wells, and any additional wells or well fields which may be completed in the future. As additional wells are constructed, well permit applications will be filed in accordance with § 37-90-137(10), C.R.S. Applicants claim a right to withdraw more than the average annual amounts estimated in this Paragraph 5 pursuant to Rule 8A of the Statewide Nontributary Groundwater Rules. Although Applicants have estimated the amounts of water available for withdrawal from the subject aquifers based on estimates of relative values for specific yield and saturated thickness, Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Any withdrawal of water from the not nontributary Upper Dawson aquifer in the future, except by exempt Well Permit No. 297017, will be subject to a subsequently approved plan for augmentation. **Proposed Use:** The water will be used, reused, successively used, leased, sold, or otherwise disposed of for the following beneficial purposes: domestic, commercial, irrigation, livestock watering, recreational, fish and wildlife, and fire protection uses. Said water will be produced for immediate application to said uses, both on and off the Subject Property, for storage and subsequent application to said uses, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes. **WHEREFORE**, Applicants respectfully request that the Court

grant the application and award the water rights claimed herein, specifically finding that: (1) Applicants have complied with 37-90-137(4). C.R.S., and water is legally available for withdrawal by wells as proposed herein; (2) the groundwater underlying the Subject Property in the Lower Dawson, Denver, Upper Arapahoe and Laramie-Fox Hills aquifers is nontributary groundwater and the groundwater in the Upper Dawson aquifer is not nontributary groundwater; (3) vested or conditionally decreed water rights of others will not be materially injured by the withdrawals of groundwater proposed herein; and (4) any such further relief as the Court deems proper. Pages: 4.

CASE NUMBER 2025CW3115 TARRYALL ESTATES CLUB, LTD., 13395 Voyager Pkwy, Suite 130 #1091, Colorado Springs, CO 80921. James J. Petrock, John D Buchanan, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN PARK COUNTY.** Decree Information: Decreed on September 20, 1999, in Case No. 96CW1137, District Court, Water Division 1. A finding of reasonable diligence was decreed in Case No. 19CW3040 on August 20, 2019. Name of structure: Bayou Salado Lake. Source of water: Tarryall Creek, tributary to South Platte River. Date of appropriation: October 19, 1996. Amount of water claimed: 195 acre-feet refill right (conditional). Uses: Non-consumptive recreation, wildlife habitat, and fish propagation. Location of Dam and Point of Diversion: The right abutment of the dam is located in an apparently undivided township which would appear to be in the NE1/4 of Section 32, T10S, R72W of the 6th P.M., at a point whence the NE corner of Section 31, T10S, R72W of the 6th P.M., bears N 64° 30' W, a distance of 3500 feet, more or less. Water is diverted through the Bayou Salado Inlet Ditch located on the right bank of Tarryall Creek in an apparently undivided township which would appear to be in the SW1/4 of Section 29, T10S, R72W of the 6th P.M., at a point from whence the NE corner of Section 31, T10S, R72W, bears S 86° W, a distance of 1750 feet, more or less. This Application for Finding of Reasonable Diligence is filed pursuant to the Water Right Determination and Administration Act of 1969, §37-92-302, C.R.S. During this diligence period, in continuing the development of the conditional water rights, Applicant has been engaged in the legal defense and protection of said water rights and has been diligent in the continued use and development of the water rights involved, including maintaining and making improvements to the reservoir, including the following: In 2020 Applicant installed new Parshal Flume Inlet at a cost of \$5,845.25. In 2021 Applicant sprayed for thistles and stocked grass carp for weed control at a cost of \$1,200.00. In 2022 Applicant reset Parshal Flume and sprayed for thistles at a cost of \$5,826.51. In 2023, Applicant sprayed for thistles, performed blue algae tests and stocked grass carp for weed control at a cost of \$1,380.00. In 2024, Applicant stocked grass carp for weed control, removed willows from dam and applied two blue algae kits at a cost of \$1,675.00. In 2025, Applicant applied two blue algae kits at a cost of \$400.00. During the diligence period, Applicant has continued to fill and operate the reservoir for its absolute amount of storage. During the diligence period, Applicant has continued to fill and operate the reservoir for its absolute amount of storage. WHEREFORE, Applicant prays that this Court enter a decree finding that Applicant has exercised reasonable diligence in the development of the remaining conditional water rights, and for such other and further relief as this Court deems just and proper in the premises. 4 pages.

CASE NUMBER 2025CW3116 (18CW3163, 10CW248, 02CW182) MAGNESS LAND HOLDINGS, LLC AND BEDDO LLC. 4643 s. Ulster Street, #1400, Denver CO 80237. All pleadings and correspondence to Applicants' counsel: William H. Caile, Holland & Hart LLP, 555 17th St. Suite 3200, Denver CO 80202; telephone: (303) 295-8000; email: whcaile@hollandhart.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN WELD COUNTY.** 2. Background: A. Through this application, Applicants seek a finding of reasonable diligence in the development of conditional water rights originally decreed in Case No. 02CW182, Water Division 1, for diversion and storage of water for recharge, augmentation, and exchange purposes, as well as wildlife habitat, fish and game, piscatorial, irrigation, stock watering, and recreational purposes. The conditional water rights for diversion of water through the Meadow Island Ditch No. 2 and the Beeman Ditch will be used for the purpose of recharging water into the alluvial aquifer through seepage from the ditch segments and for storing water in various specified water

storage facilities. The conditional water storage rights for the Sunata Recharge Pond No. 1, Sunata Reservoir No. 1, Waddle Reservoir No. 1, Waddle Reservoir No. 2, Lorenz Reservoir No. 1, Funk Reservoir No. 1, Beddo Reservoir No. 1 and Beddo Reservoir No. 2 will be used to store water for the purposes identified above. The recharge pond and reservoirs will be filled with water transported through the Meadow Island Ditch No. 2 and the Beeman Ditch, or from the alluvial wells identified below. Water stored in the recharge pond and reservoirs will be used, among other things, to recharge the South Platte River alluvial aquifer and for augmentation of out of priority depletions associated with pumping of wells owned by Applicants. Water may also be directly released from the reservoirs for augmentation of out of priority depletions associated with pumping of wells owned by Applicants. B. Applicants do not seek approval of an augmentation plan through this application. Water diverted and stored pursuant to the subject water rights shall be used for augmentation, recharge, or exchange purposes only pursuant to a decreed plan for augmentation, a decreed recharge plan that quantifies the amount, timing, and location of recharge accretions, an approved substitute water supply plan, or a decreed appropriative right of exchange or water exchange project.

3. Name of Structures: A. Meadow Island Ditch No. 2; B. Beeman Ditch; C. Sunata Recharge Pond No. 1; D. Sunata Reservoir No. 1; E. Waddle Reservoir No. 1; F. Waddle Reservoir No. 2; G. Lorenz Reservoir No. 1; H. Funk Reservoir No. 1; I. Beddo Reservoir No. 1; J. Beddo Reservoir No. 2; K. Lorenz Well No. 2; L. Hansen Well No. 3; M. Funk Well No. 1. The general locations of the subject water rights are shown on the location map on file with the Water Court as Exhibit A.

4. Information from Previous Decrees: A. Date of Original Decree: September 22, 2004, Case No 02CW182, Water Division No. 1. B. Subsequent decrees awarding diligence: September 18, 2012, in Case No. 10CW248, Water Division 1; August 30, 2019, in Case No. 18CW3163, Water Division 1.

5. Description of Conditional Water Rights: A. Meadow Island Ditch No. 2: a. Legal Description: The point of diversion is located on the west bank of the South Platte River at a point located in the SE 1/4 of the NW 1/4 of Section 1, Township 2 North, Range 67 West, 6th P.M., in Weld County, Colorado, at a point 1900 feet from the West Section Line and 1700 feet from the North Section Line. b. Source: South Platte River. c. Appropriation date: September 20, 2000. d. Amount: 40 cfs, conditional. e. Uses: Recharge of alluvial aquifer from seepage from ditch segments, storage in Sunata Recharge Pond No. 1, Sunata Reservoir No. 1, Waddle Reservoir Nos. 1 and 2, Beddo Reservoirs Nos. 1 and 2 for augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. B. Beeman Ditch: a. Legal Description: The point of diversion is located on the west bank of the South Platte River at a point located in the SE 1/4 of the NW 1/4 of Section 1, Township 2 North, Range 67 West, 6th P.M., in Weld County, Colorado, at a point 1900 feet from the West Section Line and 1700 feet from the North Section Line. The Beeman Ditch shares a common river diversion point with the Meadow Island Ditch No. 2. b. Source: South Platte River. c. Appropriation date: September 20, 2000. d. Amount: 50 cfs, conditional. e. Uses: Diversion for recharge from ditch segments, storage in Sunata Reservoir No. 1, Waddle Reservoir Nos. 1 and 2 for augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. C. Sunata Recharge Pond No. 1: a. Legal Description: Located in the E 1/2, SE 1/4 and the E 1/2, NE 1/4 of Section 26, Township 3 North, Range 67 West, 6th P.M., in Weld County, Colorado. Sunata Recharge Pond No. 1 is a combined facility with Sunata Reservoir No. 1. The portion of this facility that is unlined will constitute Sunata Recharge Pond No. 1. b. Source: Seepage, return flows from upland irrigated areas, and deliveries from the South Platte River through the Beeman Ditch or the Meadow Island Ditch No. 2. c. Appropriation Date: September 20, 2000. d. Amount: 400 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation, and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: 6 feet. ii. Length of dam in feet: 650 feet. iii. Surface area: 120 acres. iv. Capacity: 400 acre-feet, all active capacity. D. Sunata Reservoir No. 1: a. Legal Description: Located in the E 1/2, SE 1/4 and the E 1/2, NE 1/4 of Section 26, Township 3 North, Range 67 West, 6th P.M., in Weld County, Colorado. Sunata Reservoir No. 1 is a combined facility with Sunata Recharge Pond No. 1. This reservoir will consist of lined and unlined portions. The portion of this facility that is unlined will constitute Sunata Recharge Pond No. 1. b. Source: Seepage, return flows from upland irrigated areas, and

deliveries from the South Platte River through the Beeman Ditch or the Meadow Island Ditch No. 2. c. Appropriation Date: September 20, 2000. d. Amount: 250 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: 6 feet. ii. Length of dam in feet: 600 feet. iii. Surface area: 120 acres. iv. Capacity: 250 acre-feet, all active capacity. E. Waddle Reservoir No. 1: a. Legal Description: Located in the SE 1/4 of the NW 1/4 of Section 24, Township 3 North, Range 67 West, 6th P.M., in Weld County, Colorado. b. Source: Seepage, return flows from upland irrigated areas, and deliveries from the South Platte River through the Meadow Island Ditch No. 2. c. Appropriation Date: September 20, 2000. d. Amount: 5 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: N/A. ii. Length of dam in feet: N/A. iii. Surface area: 1 acre. iv. Capacity: 5 acre-feet, all active capacity. F. Waddle Reservoir No. 2: a. Legal Description: Located in the N 1/2 of the NW 1/4 of Section 24, Township 3 North, Range 67 West of the 6th P.M., in Weld County, Colorado. b. Source: Seepage, return flows from upland irrigated areas, and deliveries from the South Platte River through the Meadow Island Ditch No. 2. c. Appropriation Date: September 20, 2000. d. Amount: 25 acre-feet, conditional. e. Uses: Storage for recharge purposes, wildlife habitat, fish and game purposes, piscatorial, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: N/A. ii. Length of dam in feet: N/A. iii. Surface area: 5 acres. iv. Capacity: 25 acre-feet, all active capacity. G. Lorenz Reservoir No. 1: a. Legal Description: Located in the SW 1/4 of the SW 1/4 Section 30, Township 3 North, Range 66 West, 6th P.M., in Weld County, Colorado. b. Source: Seepage, return flows from upland irrigated areas, ground water tributary to the South Platte River diverted from the Lorenz Well No. 2 or the Hansen Well No. 3. c. Appropriation Date: September 20, 2000. d. Amount: 250 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: N/A. ii. Length of dam in feet: N/A. iii. Surface area: 40 acres. iv. Capacity: 250 acre-feet, all active capacity. Anticipated to be excavated below land surface. H. Funk Reservoir No. 1: a. Legal Description: Located in the NW 1/4 of the NE 1/4 of Section 1, Township 2 North, Range 67 West, 6th P.M., in Weld County, Colorado. b. Source: Seepage, return flows from upland irrigated areas, ground water tributary to the South Platte River diverted from Funk Well No. 1. c. Appropriation Date: September 20, 2000. d. Amount: 200 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: N/A. ii. Length of dam in feet: N/A. iii. Surface area: 20 acres. iv. Capacity: 200 acre-feet, all active capacity. Anticipated to be excavated below land surface. I. Beddo Reservoir No. 1: a. Legal Description: Located in the SW 1/4 of the NE 1/4 of Section 25, Township 3 North, Range 67 West, 6th P.M., in Weld County, Colorado. b. Source: Seepage, return flows from upland irrigated areas, and deliveries from the South Platte River through the Meadow Island Ditch No. 2. c. Appropriation Date: September 20, 2000. d. Amount: 5 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: N/A. ii. Length of dam in feet: N/A. iii. Surface area: 1 acre. iv. Capacity: 5 acre-feet, all active capacity. J. Beddo Reservoir No. 2: a. Legal Description: Located in the NW 1/4 of the NE 1/4 and the SW 1/4 of the NE 1/4 of Section 25, Township 3 North, Range 67 West, 6th P.M., in Weld County, Colorado. b. Source: Seepage, return flows from upland irrigated areas, and deliveries from the South Platte River through the Meadow Island Ditch No. 2. c. Appropriation Date: September 20, 2000. d. Amount: 25 acre-feet, conditional. e. Uses: Storage for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial,

irrigation, stock watering, and recreational purposes. f. Surface Area of High Water Line and Total Capacity of Recharge Ponds and Storage Facilities: i. Maximum height of dam in feet: N/A. ii. Length of dam in feet: N/A. iii. Surface area: 5 acres. iv. Capacity: 25 acre-feet, all active capacity. K. Lorenz Well No. 2: a. Legal Description: Located in the SE 1/4 of the SE 1/4 Section 25, Township 3 North, Range 67 West, 6th P.M. (600 feet north and 350 feet west from the SE corner of Section 25). b. Source: Ground water tributary to the South Platte River. c. Appropriation date: September 20, 2000. d. Amount: 2.5 cfs, conditional. e. Uses: Storage in Lorenz Reservoir No. 1 for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. Lorenz Well No. 2 is an existing well identified by Well Permit No. R-14192. L. Hansen Well No. 3: a. Legal Description: Located in the SE 1/4 of the SE 1/4 of Section 25, Township 3 North, Range 67 West, 6th P.M. (380 feet north and 20 feet west of the SE Corner of Section 25). In Case No. 21CW3232, Water Division 1, this location was corrected to be at a point 875 feet north 20 feet west of the SE Section Corner of said Section 25. b. Source: Ground water tributary to the South Platte River. c. Appropriation date: September 20, 2000. d. Amount: 2.5 cfs, conditional. e. Uses: Storage in Lorenz Reservoir No. 1 for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. Hansen Well No. 3 is an existing well identified by Well Permit No. 8953-F. M. Funk Well No. 1: a. Legal Description: Located in the NW 1/4 of the NE 1/4 of Section 1, Township 2 North, Range 67 West, 6th P.M. (750 feet south and 2600 feet east from the NW corner of Section 1). b. Source: Ground water tributary to the South Platte River. c. Appropriation date: September 20, 2000. d. Amount: 2.5 cfs, conditional. e. Uses: Storage in Funk Reservoir No. 1 for recharge purposes, augmentation and exchange, wildlife habitat, fish and game purposes, piscatorial, irrigation, stock watering, and recreational purposes. Funk Well No. 1 is a proposed well and will be used to withdraw ground water tributary to the South Platte River. 6. Uses: A. The water diverted, placed in recharge facilities, and stored under the subject conditional water rights will be used for augmentation, recharge, exchange, wildlife habitat, fish and game, piscatorial, irrigation, stock watering, and recreational purposes. Water diverted and/or stored for recharge purposes will be allowed to percolate into the underground aquifer and flow towards the South Platte River for the purpose of developing accretions to offset out of priority well depletions caused by pumping of wells owned by Applicants. Water Diverted and stored pursuant to the subject water rights shall be used for augmentation, recharge, or exchange purposes only pursuant to a decreed plan for augmentation, recharge project, or exchange plan that quantifies the amount, timing and location of recharge accretions, an approved substitute water supply plan pursuant to C.R.S. § 37-92-308(4), or a decreed appropriative right of exchange. B. The water stored in priority in each identified storage facility may be used and reused to extinction. No such reuse and successive use will occur unless and until Applicants have received Water Court approval of the quantity of water available for reuse and successive use as part of a plan for augmentation, a decreed recharge plan, an approved substitute water supply plan pursuant to C.R.S. § 37-92-308(4), or a decreed appropriative right of exchange. 7. Place of use: All use of water diverted or stored under the subject water rights shall be restricted to the lands and properties owned by Applicants. The legal descriptions of these lands and properties are on file with the Water Court as Exhibit B. Of those lands, approximately 1,012 acres may be irrigated by the conditional water rights requested herein. Use for wildlife, fish and game, piscatorial, and recreational purposes will take place at or surrounding the various water diversion and storage facilities described herein. Use for augmentation, exchange, and/or recharge shall be for the purpose of replacing out of priority depletions associated with pumping of the wells owned by Applicants on the lands described in Exhibit B. 8. Additional terms and conditions regarding development of conditional water rights: All other terms and conditions regarding the development and use of the subject conditional water rights pursuant to the decrees in Case Nos. 02CW182, 10CW248, and 18CW3163 are incorporated herein and will be included in any final decree entered upon this Application. 9. Detailed outline of work performed towards completion of the appropriations and application of water to beneficial uses: A. During the applicable diligence period the Applicants, either individually or collectively, have undertaken the following activities and expenditures towards development of the subject conditional water rights: i. Applicants own and operate irrigation wells on the lands to be served by the subject conditional water rights. Applicants are also shareholders in the Meadow

Island Ditch Company No. 2 and the Beeman Irrigating Ditch & Milling Company (“Beeman Ditch Company”). Pursuant to their share ownership, Applicants have received and used water, paid assessments, participated in shareholder meetings, and otherwise maintained their standing as shareholders in the Meadow Island Ditch Company No. 2 and the Beeman Ditch Company. Applicants’ standing and participation as shareholders in these companies is important to and in furtherance of their ability to develop the subject conditional water rights. ii. Applicant Magness filed and prosecuted an application in Case No. 21CW3232, Water Division 1, in order to correct the decreed location of the Hansen Well No. 8953-F. iii. Magness successfully protested the inclusion of the Lorenz Well No. 1 on the 2020 Decennial Abandonment List for Water Division 1 in Case No. 22CW3011. iv. Applicants have negotiated and entered into farming and grazing leases for lands owned by Applicants that will be served by the subject conditional water rights. v. Applicants have maintained measurement devices and communicated with staff of the Division Engineer’s Office regarding measurement and accounting for the subject conditional water rights. vi. Magness coordinated with and provided input and materials cost to the Colorado Department of Transportation (CDOT) regarding improvements at the intersection of Weld County Road 21 and Highway 66, including the replacement of a siphon to carry irrigation water. vii. Applicants performed routine maintenance on the Hansen Well No. 3 and operated the well for irrigation uses. viii. Applicants participated, through their share ownership in the member ditch companies and attendance at meetings, in the activities of the Consolidated Ditches of Water District 2 involving the use of water supplies in the South Platte River Basin. ix. Applicants have engaged the services of consultants and legal counsel in connection with the work above. Magness has monitored the monthly resumes of Water Court filings in Water Division 1, and has filed statements of opposition and participated in numerous cases in order to protect its water rights, including the subject conditional water rights. Cases in which Magness participated as an objector during the subject diligence period include Case Nos. 20CW3068, 20CW3215, 21CW3194, 24CW3183, 24CW3187. B. The list of activities herein is not intended to be exhaustive, and Applicants reserve the right to supplement the Application with additional evidence of reasonable diligence as appropriate. C. Total expenditures during the diligence period are difficult to calculate, but are conservatively estimated to be in excess of \$250,000. 10. Owners of land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be located or upon which water is or will be stored: A. Meadow Island Ditch Company No. 2, P.O. Box 190, Platteville, Colorado 80651. B. Beeman Irrigating Ditch & Milling Company, 1800 Larimer Street, Suite 1100, Denver, CO 80202. C. Applicants. Applicants respectfully request that the Court enter a judgment and decree finding that the Applicants have been reasonably diligent in the development of the subject conditional water rights, continuing the subject conditional water rights in full force and effect and in accordance with the original decree, and for such other relief as the Court deems just and proper.

CASE NUMBER 2025CW3117 PANACEA LAND HORSE AND CATTLE LLC, 9406 East Parker Road, Parker, CO, 80138. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California Street, Suite 2600. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER DAWSON AQUIFER IN DOUGLAS COUNTY.** Subject Property: A parcel totaling 78.489 acres located in the E1/2 of the NW1/4 of Section 19, Township 6 South, Range 65 West of the 6th P.M., also known as 9456 East Parker Road, Parker, Douglas County, State of Colorado, 80138, as shown on **Exhibit A** (the “Subject Property”). Lien Holder Certification: Applicant certifies that there are no mortgage or lien holders for the Subject Property and therefore no notice is required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one exiting exempt Upper Dawson Aquifer well on the Subject Property. Additional well permits will be applied for and obtained prior to construction of any additional wells. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Volumes: Applicant estimates the following volumes may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Volume (acre-feet)	Total Volume (acre-feet)
Upper Dawson (NNT)*	0.93	93
Lower Dawson (NT)	21.27	2,127
Denver (NT)	45.26	4,526
Arapahoe (NT)	30.92	3,092
Laramie-Fox Hills (NT)	24.57	2,457

*Applicant desires to leave 8 acre-feet per year, 80 acre-feet total of the Upper Dawson Aquifer unadjudicated and available for any future exempt purposes. No further groundwater will be left unadjudicated. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NUMBER 2025CW3118 STEPHEN P SCHAUER, 9406 East Parker Road, Parker, CO, 80138. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California Street, Suite 2600. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER DAWSON AQUIFER IN DOUGLAS COUNTY.** Subject Property: A parcel totaling 4.593 acres located in the SE1/4 of the NW1/4 of Section 19, Township 6 South, Range 65 West of the 6th P.M., also known as 9406 East Parker Road, Parker, Douglas County, State of Colorado, 80138, as shown on **Exhibit A** (the “Subject Property”). Lien Holder Certification: Applicant certifies that there are no mortgage or lien holders for the Subject Property and therefore no notice is required under C.R.S. § 37-92-302(2)(b). Well Permits: There is one existing Lower Dawson Aquifer domestic use well on the Subject Property under Well Permit Number 129849, which will continue operating under its existing permit. Additional well permits will be applied for and obtained prior to construction of additional wells. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Volumes: Applicant desires to leave no groundwater unadjudicated. Applicant estimates the following volumes may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Volume (acre-feet)	Total Volume (acre-feet)
Upper Dawson (NNT)	0.53	53
Lower Dawson (NT)	1.27	127
Denver (NT)	2.71	271
Arapahoe (NT)	1.77	177
Laramie-Fox Hills (NT)	1.43	143

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

THE WATER RIGHTS CLAIMED BY THESE APPLICATIONS MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT WITHIN THE TIME PROVIDED BY STATUTE OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of **OCTOBER 2025** (forms available on www.courts.state.co.us or in the Clerk's office), and must be filed as an Original and include **\$192.00** filing fee. A copy of each Statement of Opposition must also be served upon the Applicant or Applicant's Attorney and an affidavit or certificate of such service of mailing shall be filed with the Water Clerk.