

IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4

STATE OF COLORADO

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER
DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of September 2025.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.

Case No. 25CW16 Applicant M2 Trail LLC 100 Waugh Dr Suite 400 Houston TX 77007. Application for Conditional Water Storage Right. Roberts Creek Reservoir – SE1/4SE1/4 Section 11 T11S R90W 6th. Easting 291780.97574 Northing 4331616.66265. E Muddy Creek tributary to North Fork of Gunnison tributary to Gunnison River. Appropriation Date: May 15, 2025. Amount claimed estimated 200 af for industrial, commercial, livestock, piscatorial, wildlife, recreation, fire suppression. Non irrigation industrial and commercial uses not yet known. Location of future non irrigation and commercial uses is dependent on future permitting processes and approvals for natural gas wells from BLM ECMC and Gunnison County. Drift Creek Reservoir - NE1/4NW1/4 Section 18 T11S R90W 6th. Easting 294215.80410 northing 4330999.48640. E Muddy Creek, tributary to North Fork of Gunnison River, tributary to Gunnison River. Appropriation Date: May 15, 2025 Amount claimed: estimated 370 af for industrial, commercial, livestock, piscatorial, wildlife, recreation, fire suppression. Non irrigation industrial and commercial uses not yet known. Location of future non irrigation and commercial uses is dependent of future permitting processes and approvals for natural gas wells from BLM ECMC and Gunnison County. **GUNNISON COUNTY.**

Case No. 25CW17 Applicant James Hutchings 16668 Bull Mesa Road Cedaredge Co 81413. Application for Absolute Surface Water Rights. Young's Reservoir – SW1/4NE1/4 Section 25 T13S R95W 6th. Easting 243372 Northing 4308908. Gunnison River. Appropriation Date: May 15, 1983. Amount claimed: 20 cfs for stock pond, wildlife, irrigation, fire suppression. Young's Pipeline – SW1/4NE1/4 Section 25 T13S R95W 6th Easting 243244 Northing 4309291. Gunnison River. Appropriation Date: May 15, 1983. Amount claimed 20 cfs for stock pond, wildlife, irrigation, fire suppression. **DELTA COUNTY.**

Case No. 25CW18 Applicant Laurie and Jose Perez 38721 Yeoman Road Crawford CO 81415. Application for Absolute Water Storage Right. Perez Pond – SW1/4NE1/4 Section 23 T15S R92W 6th. Easting 270607 Northing 4290627. Tributary to Cottonwood

Creek, tributary to North Fork of Gunnison River. Appropriation Date: May 13, 2024. Amount claimed 1 af for irrigation, wildlife, fire protection. **DELTA COUNTY.**

Case No. 25CW19 (Ref No 06CW39, 12CW104, 19CW6) Applicant Scott and Karen Hughes 353 US Highway 550 Ouray CO 81427. Application for Findings of Diligence and to Make Absolute. Clarkson Spring No 2 – NW1/4SE1/4SE1/4 Section 11 T42N R8W NMPM. Easting 246872 Northing 4264148. Red Mountain Spring Galena Lion Gulch tributary to Uncompahgre River. Appropriation Date: October 1, 2005. Amount claimed 0.011 cfs for domestic use. Clarkson Pond No 1 – NE1/4NW1/4SE1/4 Section 1 T42N R5W NMPM. Easting 263252 Northing 4201026. Galena Lion Gulch Uncompahgre River. Appropriation Date: October 1, 2005. Amount claimed 0.04 af absolute for augmentation. **MONTROSE COUNTY.**

Case No. 24CW3056; San Miguel County – San Miguel River; 1700 Trout Lake LLC; c/o John R. Pierce, DUFFORD WALDECK, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; AMENDED APPLICATION FOR GROUNDWATER RIGHTS, STORAGE RIGHTS, SURFACE RIGHTS, APPROVAL OF PLAN FOR AUGMENTATION, AND APPROPRIATIVE RIGHT OF EXCHANGE; Name, address, and telephone number of Applicant: 1700 Trout Lake LLC, c/o Brad Casebier, 18106 Travis Circle, Lago Vista TX 78645, (512) 789-4715; Request for groundwater right: Name of well: Casebier Pit Well No. 1; Location: Easting: 247883m, Northing: 4188222m, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Groundwater tributary to Lake Fork and the Casebier Recharge Diversion, requested below. The Casebier Recharge Diversion will provide freshening flows through the Casebier Pit Well No. 1 as well as groundwater recharge to raise the surface water elevation of the structure 2-3 feet. The groundwater recharge requested is merely to raise the pit well elevation and Applicant does not request any credit from groundwater recharge as part of its augmentation plan; Information regarding appropriation: Date of appropriation: December 31, 2024; How appropriation was initiated: By filing the Application in this case; Amount: 0.001 c.f.s., 0.28 a.f. annually absolute; Uses: Piscatorial, recreation, wildlife watering directly from pit well, fire protection; Surface area at high water line: 0.1 acres; Height and length of berm: The Casebier Pit Well No. 1 is an existing pit well built primarily by excavation. To the extent there will be an above-ground impoundment, it will be less than 10 feet high; Request for groundwater right: Name of reservoir: Casebier Pit Well No. 2; Location: Easting: 247856m, Northing: 4188225m, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Groundwater tributary to Lake Fork, outflows from Casebier Pit Well No. 1, and flows from the Casebier Recharge Diversion. The Casebier Recharge Diversion will provide freshening flows through the Casebier Pit Well No. 2 as well as groundwater recharge to raise the surface water elevation of the structure 2-3 feet. The groundwater recharge requested is merely to raise the pit well elevation and Applicant does not request any credit from groundwater recharge as part of its augmentation plan; Information regarding appropriation: Date of appropriation: December 31, 2024; How appropriation was initiated: By filing the Application in this case; Amount: 0.001 c.f.s., 0.28 a.f., annually, absolute; Uses: Piscatorial, recreation, wildlife watering directly from pit well, fire

protection; Surface area at high water line: 0.1 acres; Height and length of berm: The Casebier Pit Well No. 2 is an existing pit well built primarily by excavation. To the extent there will be an above-ground impoundment, it will be less than 10 feet high; Request for groundwater right: Name of reservoir: Casebier Pit Well No. 3; Location: Easting: 247687m, Northing: 4188171m, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Groundwater tributary to Lake Fork, outflows from Casebier Pit Well No. 2, and flows from the Casebier Recharge Diversion. The Casebier Recharge Diversion will provide freshening flows through the Casebier Pit Well No. 3 as well as groundwater recharge to raise the surface water elevation of the structure 2-3 feet. The groundwater recharge requested is merely to raise the pit well elevation and Applicant does not request any credit from groundwater recharge as part of its augmentation plan; Information regarding appropriation: Date of appropriation: December 31, 2024; How appropriation was initiated: By filing the Application in this case; Amount: 0.004 c.f.s., 1.32 a.f. annually conditional; Uses: Piscatorial, recreation, wildlife watering directly from pit well, fire protection; Surface area at high water line: 0.5 acres; Height and length of berm: The Casebier Pit Well No. 3 will be built primarily by excavation. To the extent there will be an above-ground impoundment, it will be less than 10 feet high; Request for storage water right: Name of structure: Casebier Pond; Location: Easting: 247780m, Northing: 4188173m, UTM Zone 13, NAD83, in the NW¼ of the NE¼ of Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Surface flows and diversions from the Casebier Pond Diversion, requested below, all tributary to Lake Fork; Date of appropriation: September 17, 2025; How appropriation was initiated: By filing the Amended Application in this case; Amount: 0.25 acre-feet conditional; Use: Augmentation; Surface area of high-water line: 0.06 acres; Height of dam: Less than 10 feet; Length of dam: 50 feet; Capacity: 0.25 acre-feet, all active; Request for surface water right: Name of structure: Casebier Recharge Diversion; Location: Easting: 247883m, Northing: 4188227, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Surface flows from unnamed tributary to Lake Fork and two small unnamed tributaries of Lake Fork; Information regarding appropriation: Date of appropriation: December 31, 2024; How appropriation was initiated: By filing the Application in this case; Amount: 0.5 c.f.s. absolute; Use: Filling and refilling the Casebier Pit Well No. 1, Casebier Pit Well No. 2, and Casebier Pit Well No. 3; Request for surface water right: Name of structure: Casebier Pond Diversion; Location: Easting: 247811m, Northing: 4188218m, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Surface flows from unnamed tributary to Lake Fork and two small unnamed tributaries of Lake Fork; Information regarding appropriation: Date of appropriation: September 17, 2025; How appropriation was initiated: By filing the Amended Application in this case; Amount: 0.5 c.f.s. conditional; Uses: Filling and refilling the Casebier Pond; Request for surface water right: Name of structure: Casebier Domestic Diversion No. 1; Location: Easting: 247917m, Northing: 4188291m, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Surface flows from unnamed tributary to Lake Fork; Information regarding appropriation: Date of appropriation: September 1, 1985; How appropriation was initiated: By putting the water

to beneficial use for all decreed uses; Amount: 0.25 c.f.s., absolute; Uses: Domestic, irrigation of 0.23 acres of lawn and garden, both uses in or near the existing single-family dwelling; Request for surface water right: Name of structure: Casebier Domestic Diversion No. 2; Location: Easting: 247936m, Northing: 4188273m, UTM Zone 13 NAD83, in the NW¼ of the NE¼, Section 21, Township 41 North, Range 9 West of the New Mexico Principal Meridian; Source: Surface flows from unnamed tributary to Lake Fork; Information regarding appropriation: Date of appropriation: September 17, 2025; How appropriation was initiated: By filing the Amended Application in this case; Amount: 0.25 c.f.s. conditional; Uses: Domestic, irrigation of 0.23 acres of lawn and garden, both uses in or near a future single-family dwelling located on Applicant's property; Irrigation: The Casebier Domestic Diversion No. 2 will be used for irrigation of 0.23 acres surrounding an additional single-family dwelling location on Applicant's property. The exact location of the irrigated acreage has not been determined; Request for water storage right: Name of structure: Trout Lake Reservoir, Casebier Enlargement; Location: NE¼ of the SW¼ of Section 8, Township 41 North, Range 9 West of the New Mexico Principal Meridian, UTM Zone 13 NAD83, 245807mE, 4190829m N; Source: Lake Fork of the San Miguel River; Information regarding appropriation: Date of appropriation: December 31, 2024; How appropriation was initiated: By filing the Application in this case; Amount claimed: 3.0 a.f. conditional; Use: Augmentation and exchange pursuant to the plan for augmentation and exchange project requested in this case, or pursuant to such plans for augmentation or exchange projects as may be decreed in future cases; Request for approval of plan for augmentation: Summary: Applicant seeks to augment out-of-priority depletions from Lake Fork with a combination of a three-acre-foot water storage right in Trout Lake Reservoir and releases from the Casebier Pond, both requested above. The augmentation plan will include an exchange project, requested below, which will exchange water from outlet of Trout Lake up the Lake Fork to the point of depletion. The augmentation plan will protect the Casebier Pit Wells Nos. 1-3, the Casebier Pond, and the Casebier Domestic Diversion Nos. 1 and 2 against calls by all senior downstream water users. (The Casebier Recharge Diversion and Casebier Pond Diversion do not require augmentation because they do not cause depletions beyond the evaporative depletions in the Casebier Pit Well Nos. 1-3 and the Casebier Pond, which are already addressed under the augmentation plan); Downstream calls on the San Miguel River will be addressed with releases from Trout Lake. A local call is possible by the Colorado Water Conservation Board ("CWCB") pursuant to its instream flow right on the Lake Fork, decreed for 2.5 c.f.s. in Case No. 84CW0431. If an instream flow call occurs when the Casebier Pit Wells are not frozen, Applicant will make releases from the Casebier Pond to offset out-of-priority depletions to the Lake Fork; Name of structures to be augmented: Casebier Pit Wells Nos. 1-3, Casebier Pond, Casebier Domestic Diversion Nos 1 and 2; Water right to be used for augmentation: Trout Lake Reservoir, Casebier Enlargement; Statement of plan for augmentation: This plan for augmentation provides the replacement water required to offset potential out-of-priority depletions attributed to Casebier Pit Wells Nos. 1, 2, and 3, the Casebier Pond, and the Casebier Domestic Diversion Nos. 1 and 2. Applicant has requested a three-acre-foot water storage right in Trout Lake above and will obtain a water supply contract from Public Service Company of Colorado (dba Xcel Energy). The replacement obligation for potential out-of-priority depletions is 2.7 acre-feet per year. The augmentation plan will include an exchange project requested below (1700

Trout Lake LLC Exchange Project), in the amount of 0.009 c.f.s. The 1700 Trout Lake LLC Exchange Project will transfer water released from the Trout Lake Reservoir, Casebier Enlargement (lower terminus), to the point of depletion on Lake Fork (upper terminus). The CWCB Board holds an instream flow right on the Lake Fork, decreed for 2.5 c.f.s. in Case No. 84CW0431. Although the CWCB has never placed a call on Lake Fork upstream of Trout Lake, it could potentially occur. Historically, flows in Lake Fork have only dropped below the CWCB 2.5 c.f.s instream flow right during the months of December through March based on monthly mean gauge data for Lake Fork at Trout Lake Reservoir for water years 2012 through 2023. During these months, Casebier Pit Well Nos. 1, 2, and 3 normally would have been frozen based on climate data reported for the Telluride 4WNW, CO station. However, there is recent evidence that the structures may not be fully frozen during the entire month of March in some years. Accordingly, the plan for augmentation provides replacement water in the Casebier Pond to offset potential out-of-priority depletions attributed to evaporation from Casebier Pit Wells Nos. 1, 2, and 3 during the entire month of March. The replacement obligation for potential out-of-priority depletions attributed to evaporation from Casebier Pit Wells Nos. 1, 2, and 3 in response to calls on Lake Fork upstream of Trout Lake Reservoir in March is 0.1 acre-feet. Additionally, in the event of a CWCB call above Trout Lake, Applicant will not make diversions from the Casebier Domestic Diversions No. 1 and No. 2 or the Casebier Pond Diversion. Instead, during such times Applicant will rely on its domestic exempt well (permit no. 32565) to supply water for domestic and irrigation use for the two residences; Request for exchange project associated with an augmentation plan: Name of exchange project: 1700 Trout Lake LLC Exchange Project; Location: The downstream terminus of the 1700 Trout Lake LLC Exchange Project is the Trout Lake Reservoir, Casebier Enlargement, which is in the NE¼ of the SW¼ of Section 8, Township 41 North, Range 9 West of the New Mexico Principal Meridian; UTM Zone 13, NAD83; 245807m E; 4190829m N. The upstream terminus of the 1700 Trout Lake LLC Exchange Project is at the point of depletion on Lake Fork which is in the SW¼ of the NE¼ of Section 21, Township 41 North, Range 90 West, New Mexico Principal Meridian (UTM Zone 13, NAD83; 247705m E; 4188025m N); Source: Releases of water stored under the Trout Lake Reservoir, Casebier Enlargement, pursuant to water supply contract with Public Service Company of Colorado (dba Xcel Energy); Information regarding appropriation: Date of appropriation: December 31, 2024; How appropriation was initiated: By filing the Application in this case; Amount: 0.009 c.f.s.; Uses: Augmentation to support the augmentation plan decreed in this case. (10 pages) **SAN MIGUEL COUNTY.**

Case No. 25CW3042 Delta County. Application for Change of Water Rights, Underground Water Right and Request for Approval of Plan for Augmentation.

Applicant: Honey Rock, LLC, c/o John T. Howe, Hoskin Farina & Kampf, P.C., 200 Grand Avenue, Suite 400, Grand Junction, Colorado 81501; (970) 986-3400. Attorney for Applicant: John T. Howe, Hoskin, Farina & Kampf, Professional Corporation, Post Office Box 40, Grand Junction, Colorado 81502; (970) 986-3400. **Summary of Application:** The District Court for Water Division 4 awarded Applicant conditional underground water rights for the Manager's Residence Well, Manager's Residence Well – Enlargement, Pole Barn Well, Greenhouse Well and Greenhouse Well – Enlargement in Case Nos. 2021CW3060 and 2024CW3006, Water Division 4. The court approved

plans for augmentation in both cases. In this Application, Applicant seeks: (1) a change of water rights for each of the underground water rights to an alternate point of diversion known as the Underdrain Well; (2) a groundwater right for the Underdrain Well, and (2) approval of a plan for augmentation for additional out-of-priority depletions that would result from use of the Underdrain Well water right and the Underdrain Well as an alternate point of diversion. **Claim for Change of Water Rights.** **Name of Structures for which the change is sought:** (1) Manager's Residence Well. **Permit Number:** 87634-F. **Date of original decree:** Case No. 2021CW3060, Water Division 4, September 26, 2022. **Location of Well:** SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 14 South, Range 98 West of the 6th P.M., 2,060 feet from the North section line and 360 feet from the East section line. UTM Coordinates: 211217 Easting, 4299033 Northing, Zone 13. **Decreed source of water:** groundwater tributary to the Gunnison River. **Depth of Well:** 128 feet. **Appropriation Date:** November 30, 2020. **Decreed amount:** 15 gpm conditional; 1.44 acre feet annually. **Decreed uses:** domestic use inside four residences and for a campground. **Amount of water that Applicant intends to change:** 15 gpm; 1.44 acre feet annually. (2) Manager's Residence Well – Enlargement. **Permit Number:** 89635-F. **Date of original decree:** Case No. 2024CW3006, Water Division 4, September 3, 2024. **Location of Well:** SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 14 South, Range 98 West of the 6th P.M., 2,060 feet from the North section line and 360 feet from the East section line. UTM Coordinates: 211217 Easting, 4299033 Northing, Zone 13. **Decreed source of water:** groundwater tributary to the Gunnison River. **Depth of Well:** 128 feet. **Appropriation Date:** February 2, 2024. **Decreed amount:** 25 gpm conditional; 0.69 acre feet annually. **Decreed uses:** domestic use inside three (3) residences and seven (7) single bedroom units, and commercial for a campground consisting of ten (10) spaces. **Amount of water that Applicant intends to change:** 25 gpm; 0.69 acre feet annually. (3) Pole Barn Well. **Permit Number:** 87633-F. **Date of original decree:** Case No. 2021CW3060, Water Division 4, September 26, 2022. **Location of Well:** The Pole Barn Well is located in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 98 West of the 6th P.M., 240 feet from the North section line and 730 feet from the West section line. UTM Coordinates: 211522 Easting, 4299582 Northing, Zone 13. For the purposes of tabulation of the Pole Barn Well groundwater right, the Colorado Decision Support System shows the location in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 98 West of the 6th P.M. **Decreed source of water:** groundwater tributary to the Gunnison River. **Depth of Well:** 99 feet. **Appropriation Date:** July 1, 2020. **Decreed amount:** 35 gpm conditional; 0.84 acre feet annually. **Decreed uses:** domestic use in employee housing for seasonal workers and commercial use for a juicing facility. **Amount of water that Applicant intends to change:** 35 gpm; 0.84 acre feet annually. (4) Greenhouse Well. **Permit Number:** 87635-F. **Date of original decree:** Case No. 2021CW3060, Water Division 4, September 26, 2022. **Location of Well:** The Greenhouse Well is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 98 West of the 6th P.M., 2,371 feet from the North section line and 1,160 feet from the West section line. UTM Coordinates: 211681 Easting, 4298930 Northing, Zone 13. For the purposes of tabulation of the Greenhouse Well groundwater right, the Colorado Decision Support System shows the location in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 14 South, Range 98 West of the 6th P.M. **Decreed source of water:** groundwater tributary to the Gunnison River. **Depth of Well:** 215 feet. **Appropriation**

Date: May 12, 2021. Decreed amount: 25 gpm conditional; 2.50 acre feet annually. Decreed uses: commercial via irrigation of mixed crops inside high efficiency greenhouses. Amount of water that Applicant intends to change: 25 gpm; 2.50 acre feet annually. (5) Greenhouse Well – Enlargement. Permit Number: 89635-F. Date of original decree: Case No. 2024CW3006, Water Division 4, September 3, 2024. Location of Well: The Greenhouse Well – Enlargement is located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 14 South, Range 98 West of the 6th P.M., 2,371 feet from the North section line and 1,160 feet from the West section line. UTM Coordinates: 211681 Easting, 4298930 Northing, Zone 13. For the purposes of tabulation of the Greenhouse Well – Enlargement groundwater right, the Colorado Decision Support System shows the location in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 35, Township 14 South, Range 98 West of the 6th P.M. Decreed source of water: groundwater tributary to the Gunnison River. Depth of Well: 215 feet. Appropriation Date: February 2, 2024. Decreed amount: 25 gpm conditional; 3.27 acre feet annually. Decreed uses: domestic use inside two (2) residences and irrigation of mixed crops inside three (3) greenhouses. Amount of water that Applicant intends to change: 25 gpm; 2.50 acre feet annually. Detailed description of proposed change. Complete statement of change: Applicant seeks a decree for the Underdrain Well as an alternate point of diversion for the Manager's Residence Well, Manager's Residence Well – Enlargement, Pole Barn Well, Greenhouse Well and Greenhouse Well – Enlargement totaling 8.73 acre feet per year. The location of use of each of the wells will not change as a result of the diversion through the Underdrain Well. A request for approval of a plan for augmentation for the Underdrain Well as an alternate point of diversion is included in this Application. Location of Alternate Point of Diversion: The centroid of the Underdrain Well is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 14 South, Range 98 West of the 6th P.M., 2,558 ft from the North Section Line and 144 ft from the East Section Line. UTM coordinates: 211280 Easting, 4298880 Northing, Zone 13. **Request for Underground Water Right**: Name of Well: Underdrain Well. Source: groundwater tributary to the Gunnison River. Depth of Well: 16 feet. Permit Number: The Underdrain Well does not currently have a permit; Applicant will apply for a permit and a variance once a decree is entered for the well. Location: The centroid of the Underdrain Well is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 14 South, Range 98 West of the 6th P.M., 2,558 ft from the North Section Line and 144 ft from the East Section Line. UTM Coordinates: 211280 Easting, 4298880 Northing, Zone 13. Source of Water: groundwater tributary to the Gunnison River. Appropriation Date: September 8, 2025. Amount: 40 gpm; 15.96 acre feet annually. Uses: evaporation from one outdoor pond and one indoor pond, indoor and outdoor pond refill, additional irrigation, residential, retail and commercial uses. The Underdrain Well is a collection gallery well located beneath a lined pond in the groundwater alluvium of the Gunnison River. The centroid of the well is located 99 feet from the Gunnison River. The Transmissivity of the well is 25,000 gpd/feet and the specific yield is 0.2. The Unit Response Function (URF) for the well is shown in Table 3 and 100 percent of the well depletions occur in the same month as the pumping. The Underdrain Well meets the definition of a headgate well and Applicant requests that it be decreed as such. Plan for Augmentation. The Underdrain Well will be operated according to a plan for augmentation, approval for which is sought in this application. Landowner: Applicant. Comments: The total demand for the Underdrain Well is 24.69 acre feet per year and

includes the uses claimed in this case and the uses decreed in Case Nos. 2021CW3060 and 2024CW3006 diverted as an alternate point of diversion at the Underdrain Well. **Request for Approval of Plan for Augmentation:** **Name of Structures to be augmented:** Underdrain Well and Underdrain Well as Alternate Point of Diversion for Manager's Residence Well, Manager's Residence Well – Enlargement, Pole Barn Well, Greenhouse Well and Greenhouse Well – Enlargement. **Water Rights to be Used for Augmentation:** Aspinall Unit – Blue Mesa Reservoir, decreed in Civil Action No. 6981 and Civil Action No. 10045. The initial point of survey of Blue Mesa Dam is located at a point on the right abutment being the intersection of the center line of the axis of the dam and the center line of the outlet works tunnel, whence the Southwest corner of Section 31, T 49 N, R 4 W, N.M.P.M., bears N 78°36'44" W a distance of 3,207.07 feet. Source of water is the Gunnison River. Appropriation date is November 11, 1957. Amount decreed to Blue Mesa Reservoir is 939,204 acre-feet decreed in Case No. 6981 and 124,253 acre-feet transferred to the reservoir in Case No. 10045; total amount decreed is 1,063,457 acre-feet. The amount to be included in this plan for augmentation is 3.00 acre feet per year. Decreed uses are domestic, municipal, irrigation, stock watering, industrial, stock watering, hydropower generation, piscatorial, wildlife, recreation and other purposes. **Statement of Plan for Augmentation:** **Water Demands.** The Manager's Residence Well water demands (original decree and Enlargement) for three (3) residences, seven (7) single bedroom units and a ten (10) space campground total 2.14 acre feet per year. This total is based on three (3) residences using 350 gallons per day per residence and seven single bedroom units using 75 gallons per day per unit, assuming year-round occupancy. The total water use of the three (3) residences and seven single bedroom units is 1.79 acre feet per year. The water demand from the Manager's Residence Well for ten (10) campsites using 50 gallons per day each from April through October is 0.35 acre feet per year. The Pole Barn Well water demands for domestic use in employee housing and commercial purposes total 0.84 acre feet per year. H-2A housing served by the Pole Barn Well has the following occupancy schedule: from January 15 through April 15, the occupancy is 50 percent; from April 15 through October 15, the occupancy is 100 percent; and from October 15 through January 15, the occupancy is 15 percent. 100 percent occupancy is based on 50 gallons per person per day for 20 seasonal workers occupying the H-2A housing per CDPHE standards. In total, the H-2A Housing water demand equals 0.74 acre feet per year. The Greenhouse Well water demands (original decree and Enlargement) for growing mixed crops inside three (3) greenhouses and for domestic use inside two (2) residences total 5.77 acre feet per year. This total is based on two (2) residences using 350 gallons per day with year-round occupancy, with a total of 0.79 acre feet annually. Greenhouse water use is planned for three (3) greenhouse each covering 9,000 square feet. The total water demands for the Manager's Well, Manager's Well – Enlargement, Pole Barn Well, Green House Well and Greenhouse Well – Enlargement decreed in Case Nos. 2021CW3060 and 20224CW3006 total 8.73 acre feet per year. The Underdrain Well's water demands are based on evaporation from an outdoor pond (surface area of 1849 sq ft) and an indoor pond (surface area of 230 sq ft), indoor and outdoor pond refill, additional irrigation, residential, retail, and commercial use and total 15.96 acre feet per year. The total Underdrain Well water demands are 24.69 acre feet per year. **Return Flows:** Return flows are calculated based on the return

flow factors used in Case Nos. 2021CW3060 and 2024CW3006 except for the return flows from indoor and outdoor pond evaporation which is assumed to be fully consumed with no return flows. Return flows from additional residential, retail, and commercial uses which is based on a standard septic system with an 85 percent return flow factor and return flows from additional greenhouse irrigation are based on a return flow factor of 10 percent, as used in Case Nos. 2021CW3060 and 2024CW3006. Return Flows for the additional greenhouse irrigation, residential, retail and commercial uses are modelled from a centroid of the leach fields and irrigated agriculture to the river. Return flows from full utilization of the Underdrain Well totals 15.83 acre feet per year.

Depletions. Lagged water depletions to the river are calculated by subtracting the lagged return flows from the lagged water demands from the Underdrain Well. The total lagged depletions equal 8.87 acre feet per year. River Administration. The call from the Redlands Power Canal is not typically administered. Thus, to assess potential future calls from the Redlands Power Canal, the streamflow of the Gunnison River at the Whitewater Gage was compared to the decreed water rights of the Redlands Power Canal. When the gauged flow for the Gunnison River at Whitewater was less than the senior 650 c.f.s. water right, a potential call is assumed. This augmentation plan uses the call period for augmentation plans for the Redlands Canal provided by the Division Engineer for the analysis as they represented a water year under extreme drought conditions. The percent of days per month out of priority are provided in the Application.

Out-of-Priority Depletions and Augmentation Releases. The total lagged depletions to the Gunnison River equal 8.87 acre feet per year and are calculated by subtracting the total lagged return flows from the total lagged demands. The call schedule discussed above for the Redlands Power Canal was applied to the total lagged depletions and calculated a total potential out-of-priority depletion of 2.48 acre feet per year. The required monthly augmentation releases from Blue Mesa Reservoir needed to replace out-of-priority depletions total 3.00 acre feet per year. The total amount needed from Blue Mesa Reservoir was calculated for each segment of the Gunnison River identified by the Division of Water Resources and added across the total distance from Blue Mesa Reservoir to Honey Rock Landing. From Crystal Dam to the confluence with the North Fork of the Gunnison (30.5 miles), transit loss on the South Fork of the Gunnison is 0.15 percent per mile. Transit loss along the Gunnison River from North Fork of the Gunnison to Delta (17.3 miles) is 0.25 percent per mile. Transit loss on the Gunnison River from Delta to Honey Rock Landing (20.8 miles) is 0.5 percent per mile. Applicant has entered into a water supply contract with the United States for augmentation water in the amount of 1.0 acre foot of water per year. Prior to or upon approval of this plan for augmentation, Applicant will obtain additional augmentation water from the United States in the amount of 2.0 acre foot of water per year for a total of 3.0 acre feet. Applicant can lease additional replacement water as needed if, under future conditions, the potential out-of-priority depletions exceed 3.00 acre feet per year. 4. Names and addresses of owners of 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 modifications to the existing pool: all structures are located on land owned by Applicant. **DELTA COUNTY.**

Case No. 25CW3043 (Ref No 2018CW3019, 06CW123) - In the Gunnison River and its tributaries IN GUNNISON COUNTY - APPLICATION FOR FINDING OF

REASONABLE DILIGENCE City of Gunnison Jennifer M. DiLalla, Cameron J. Abatti, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Boulevard, Suite 240, Boulder, CO 80302 1. Name, address, and telephone number of applicant: City of Gunnison, a Colorado Municipal Corporation, c/o Peter Rice, Public Works Director, 201 W. Virginia Avenue, Gunnison, CO 81230 2. Prior decrees: The conditional water rights for which Gunnison seeks a finding of reasonable diligence are described in paragraphs 2.1 through 2.7 below ("Gunnison Rising Conditional Water Rights"). The Gunnison Rising Conditional Water Rights were confirmed by the decree entered on April 3, 2012, in Case No. 06CW123 ("06CW123 Decree"); and were continued as conditional by the decree entered on September 23, 2019, in Case No. 18CW3019. 2.1 Garfield Well No. 1: 2.1.1 Permit No.: 236850 (monitoring). 2.1.2 Decreed location: NW1/4 NE1/4 Section 6, T49N, R1E, N.M.P.M., Gunnison County, approximately 650 feet from the north line and 1,120 feet from the east line of said Section 6, as shown on **Exhibit A**. 2.1.3 Source of water: Ground water tributary to Tomichi Creek, tributary to the Gunnison River. 2.1.4 Appropriation date: June 19, 2002. 2.1.5 Depth, rate, and volume: 120 feet; 500 gpm; 750 acre-feet per year, cumulative with the volume decreed to Garfield Well No. 2, as described in paragraph 2.2 below, together with any replacement or additional wells. 2.1.6 Use: Municipal (including domestic use and lawn and landscape irrigation), commercial, industrial, stock watering, piscatorial, and wildlife uses. 2.2 Garfield Well No. 2: 2.2.1 Permit No.: 236851 (monitoring). 2.2.2 Decreed location: NW1/4 NW1/4 Section 5, T49N, R1E, N.M.P.M., Gunnison County, approximately 1,000 feet from the north line and 870 feet from the west line of said Section 5, as shown on **Exhibit A**. 2.2.3 Source of water: Ground water tributary to Tomichi Creek, tributary to the Gunnison River. 2.2.4 Appropriation date: June 19, 2002. 2.2.5 Depth, rate, and volume: 93 feet; 500 gpm; 750 acre-feet per year, cumulative with the volume decreed to Garfield Well No. 1, as described in paragraph 2.1 above, together with any replacement or additional wells. 2.2.6 Use: As described in paragraph 2.1.6 above. 2.3 Gateway Pond North: 2.3.1 Decreed location: NE1/4 SW1/4 of Section 31, T50N, R1E, N.M.P.M., approximately 2,200 feet from the south line and 2,300 feet from the west line of said Section 31, as shown on **Exhibit A**. 2.3.2 Source of water: Gunnison River through the Gunnison and Tomichi Valley Ditch Association Ditch, Ditch No. 17 First Enlargement; Tomichi Creek through the Adams Ranch Well, as decreed in Case No. 97CW144. 2.3.3 Appropriation date: May 11, 2006. 2.3.4 Amount: 25 acre-feet, with the right to fill and re-fill whenever in priority. 2.3.5 Use: Recreation, piscatorial, and wildlife uses. 2.4 Gateway Pond South: 2.4.1 Decreed location: SE1/4 SW1/4 Section 31, T50N, R1E, N.M.P.M., approximately 250 feet from the south line and 1,800 feet from the west line of said Section 31, as shown on **Exhibit A**. 2.4.2 Source of water: As described in paragraph 2.3.2 above. 2.4.3 Appropriation date: May 11, 2006. 2.4.4 Amount: 25 acre-feet, with the right to fill and re-fill whenever in priority. 2.4.5 Use: As described in paragraph 2.3.5 above. 2.5 Peaceful Pond West: 2.5.1 Additional relevant decree: The decreed location of Peaceful Pond West was corrected by the decree entered in Case No. 18CW3040 on April 1, 2019. 2.5.2 Decreed location: NW1/4 NW1/4 Section 5, T49N, R1E, N.M.P.M., approximately 800 feet from the north line and 750 feet from the west line of said

Section 5, as shown on **Exhibit A**. 2.5.3 Source of water: Tomichi Creek through the Biebel Ditches Nos. 1 and 2 First Enlargement. 2.5.4 Appropriation date: May 11, 2006. 2.5.5 Amount: 30 acre-feet, with the right to fill and re-fill whenever in priority. 2.5.6 Use: As described in paragraph 2.3.5 above. 2.6 Gunnison and Tomichi Valley Ditch Association Ditch, Ditch No. 17 First Enlargement: 2.6.1 Decreed location: The decreed location of the headgate is at a point on the southeast bank of the Gunnison River whence the east quarter corner of Section 8, T50N, R1E, N.M.P.M., bears South 70° 30' East a distance of 1,085 feet. The headgate location determined by the Division Engineer is at a point in the SE1/4 NE1/4 of Section 8, T50N, R1E, N.M.P.M., at a point approximately 1,977 feet from the north line and 729 feet from the east line of said Section 8, as shown on **Exhibit A**. 2.6.2 Source of water: Gunnison River. 2.6.3 Appropriation date: May 11, 2006. 2.6.4 Amount: 2.5 cfs. 2.6.5 Use: Filling and refilling of Gateway Pond North and Gateway Pond South for recreation, piscatorial, and wildlife uses. 2.7 Biebel Ditches Nos. 1 and 2 First Enlargement: 2.7.1 Decreed location: The decreed location of the headgate of Ditch No. 1 is at a point on the north bank of Tomichi Creek from which the quarter corner between Sections 3 and 4, T49N, R1E, N.M.P.M., bears 73° West a distance of 930 feet. The headgate location determined by the Division Engineer is at a point in the NW1/4 SW1/4 of Section 3, T49N, R1E, N.M.P.M., approximately 2,119 feet from the south line and 1,088 feet from the west line of said Section 3, as shown on **Exhibit A**. 2.7.2 Source of water: Tomichi Creek, tributary to the Gunnison River. 2.7.3 Appropriation date: May 11, 2006. 2.7.4 Amount: 2.1 cfs. 2.7.5 Use: Filling and refilling of Peaceful Pond West for recreation, piscatorial, and wildlife uses. 3. Outline of work and expenditures during the diligence period toward completion of the appropriations and application of water to beneficial use: The Gunnison Rising Conditional Water Rights are part of the integrated system by which Gunnison will deliver a municipal water supply to the "Gunnison Rising Project" described in paragraphs 7 through 17 of the 06CW123 Decree. The integrated system water rights deeded to the City as part of the Gunnison Rising annexation are summarized on the deed attached as **Exhibit B**. "When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of the water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). The diligence period for the Gunnison Rising Conditional Water Rights is September 2019 through September 2025 ("Diligence Period"). During the Diligence Period, Gunnison worked diligently to develop the Gunnison Rising Conditional Water Rights, complete the appropriations, and place the water to beneficial use, as demonstrated by the activities and expenditures summarized in paragraphs 3.1 through 3.7 below. Most of Gunnison Rising remains in the planning and subdivision phase, such that further construction on the development has not yet been approved beyond the two sites in the Government Campus Subdivision. 3.1 The City negotiated a Biebel Ditch Augmentation Station Agreement with Oldcastle SW Group, Inc., for cost-sharing in and operation of an augmentation station to be installed on the Biebel Ditch No. 1. Biebel Ditch No. 1 and Biebel Ditch No. 2 are decreed to fill Peaceful Pond West, which is one of the Gunnison Rising Conditional Water Rights; and Biebel Ditch No. 1 is a key component of the City's integrated system. Under the Augmentation Station Agreement, the City paid \$25,000 (1/3 of the cost) for construction and installation of the

augmentation station. 3.2 Gunnison Rising was re-envisioned in 2020, and a new Planned Unit Development (PUD) and Development Standards were approved by the City. In addition, the annexation agreement was amended and recorded in 2020. A small subdivision known as Government Campus and consisting of 25.41 acres south of Highway 50 was approved by the City in 2021, and two light industrial use sites were improved. 3.3 The City is proceeding with a project named the East Gunnison Feeder that will serve the PUD with needed electrical capacity. The City has approved \$2,800,000 for the East Gunnison Feeder, with additional materials costs estimated to be an \$800,000. 3.4 The City engaged JDS-Hydro Consultants, Inc., to develop an updated Water Master Plan that includes documentation of build-out demand of an additional 892,300 gallons per day (approximately 1,000 acre-feet per year) at Gunnison Rising. The Water Master Plan recites that “Gunnison Rising represents nearly a doubling in the required water production for the City when it is built out” and documents the City’s water infrastructure and other water planning for municipal service at Gunnison Rising. 3.5 The City is actively advancing the development of its municipal water supply system through a multi-phase Water Treatment Plant (WTP) Capital Improvement Project. This effort includes planning, permitting, design, and eventual construction of major infrastructure intended to increase system capacity, operational reliability, and treatment performance to meet projected municipal demands. The WTP project is integral to the City’s future ability to divert, treat, and deliver potable water under vested and decreed conditional water rights. Final design of the raw water components is closed, with bids going out in the fall of 2025 for construction in 2026; geotechnical and hydrogeological investigations, surveying, and utility coordination are already completed or underway. The new WTP is projected to treat up to 15 MGD to allow for future growth for Gunnison. The full WTP capital program represents a major undertaking for the community, with total costs currently estimated at over \$47 million. A summary of the City’s budgeted and obligated financial commitments for the project is given in **Exhibit C**. 3.6 The City spent approximately \$152,943 in legal fees to protect its water rights, including its Tomichi Creek interests and the Gunnison Rising Conditional Water Rights, from injury; and to develop its integrated municipal system through planning work and through the filing of water court applications in Case Nos. 20CW3029, 20CW3095, 21CW3071, 21CW3065, 23CW3005, and 23CW3035. 3.7 The City spent approximately \$44,638 in costs for engineering consultants in support of the Water Court activity described in paragraph 3.6 above. 4. 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: Gateway Pond North, Gateway Pond South, and Peaceful Pond West: Gunnison Valley Properties, LLC, 864 West South Boulder Road, Suite 200, Louisville, Colorado 80027. WHEREFORE, the City requests that the Water Court enter a decree finding that the City has exercised reasonable diligence with respect to the Gunnison Rising Conditional Water Rights and continuing those conditional water rights in full force and effect for an additional diligence period. The application on file with the Water Court contains an outline of the work performed during the diligence period. **GUNNISON COUNTY.**

Case No. 25CW3044 DELTA COUNTY. 1. Applicant: Kevin M. Conlon and Erin K. Conlon, 8022 2200 Rd, Delta, CO 81416-8398. kconlon@skybeam.com, (303) 517-8981. Please direct all correspondence concerning this Application to: David L. Kueter, Esq., and Kent Holsinger, Esq., Holsinger Law, LLC, 1800 Glenarm Place, Suite 500, Denver, CO 80202, (303)722-2828, dkueter@holsingerlaw.com, kholsinger@holsingerlaw.com. **APPLICATION FOR ABSOLUTE WATER RIGHTS (SURFACE) IN THE GUNNISON RIVER OR ITS TRIBUTARIES IN DELTA COUNTY, COLORADO** 2. Name of structure: Conlon Wastewater Ditch. 3. Location of Structure A. Legal Description: Delta County, NW1/4 of the NW1/4, Section 7, Township 15 S, Range 94 W, 6th Principal Meridian. B. Point of diversion: 1. Location information in UTM format: UTM coordinates Easting 243718.25; Northing 4294979.39 Zone 13; Street Address: 8022 2200 Rd, Delta, CO 81416-8398; Source of UTMs: Hand-held GPS. See Exhibit A. 4. Source: Wastewater tributary to the Gunnison River. 5. A. Date of appropriation: August 8, 2025. B. How appropriation was initiated: By pumping of water and placing it to beneficial use. C. Date water applied to beneficial use: August 8, 2025. 6. Amount claimed: 2.5 cfs absolute. 7. List All Uses or Proposed Uses: Irrigation, stock watering. A. If irrigation, complete the following: Number of acres historically irrigated: 50.0 acres. Does the Applicant intend to use this water right to supplement irrigation on an area of land already irrigated under another water right? Yes, the water will supplement water delivered from the Uncompahgre Valley Water Users Association. Legal description of irrigated acreage: SW1/4 SW1/4 Section 6 and NW1/4 NW1/4 Section 7, Township 15 South, Range 94 W, 6th Principal Meridian. See Exhibit A. B. If non-irrigation, describe purpose fully. Stock watering of livestock on the above property. 8. Name and address of owner or reputed owner of the land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicants. (Application is __ pages and 1 page of exhibits) **DELTA COUNTY.**

Case No. 25CW3045 (Ref No. 18CW3027, 10CW139, 03CW52, 91CW25 THROUGH 91CW30, (CONSOLIDATED) 87CW73, 87CW74, 87CW75, 87CW77, 87CW78, 87CW79, 82CW292, 82CW293, 82CW294, 82CW296, 82CW297, 82CW298, 80CW405, W1562, W1563, W1564, W1566, W1567) San Miguel Cty. Application for Findings of Reasonable Diligence. Applicant: TSG, Ski and Golf, LLC ("TSG"), and Town of Mountain Village ("TMV"), c/o Christopher L. Geiger & Blake C. Peterson, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546. Summary of Application: TSG and TMV (collectively the "Applicants") request findings of reasonable diligence in the development of the following cond. water rights, herein referred to as the "SWR's": Park Spring; Vance Creek Spring Nos. 1 and 2; Big Spring; Little Spring; W. Prospect Creek Spring; Government Spring Nos. 1, 2, and 3; Gorrone Spring Nos. 1 and 2; McKnight Spring Nos. 1 and 2; Nelson Spring; Jennings Spring Nos. 1 and 2; Mamouth Spring; Camels Garden Spring Nos. 1 and 2; Needle Rock Spring; Kid Spring; Telco Well Nos. 3, 4, 5, 7, 8, and 11; Village Well Nos. 1 and 2; and Hole 7 Extension of the Wagner Ditch First Enlargement. See Exhs. 1A and 1B for maps depicting the structure's locations on file with the Water Ct. Claim for Findings of Reasonable Diligence. Structure: Park Spring. Original Decree: W-1562, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW292; 87CW73; 91CW25 through 91CW30

(consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. 25 deg. 00' W. a distance of 580 ft. This may also be described as being in the NW1/4 of the NW1/4 Sec. 9, T. 42 N., R. 9 W., N.M.P.M., 526 ft. from the N. line and 243 ft. from the W. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/13/1949, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.002 cubic ft. per second ("c.f.s.") abs. for dom. purposes; 0.002 c.f.s. cond. for comm. and muni. purposes. Structure: Vance Creek Spring No. 1. Original Decree: W-1562, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW292; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. 14 deg. 30' W. a distance of 4,450 ft. This may also be described as being in the SW1/4 of the SW1/4, Sec. 9, T. 42 N., R. 9 W., N.M.P.M., 930 ft. from the S. line and 976 ft. from the W. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/13/1949, for irr. purposes; 12/29/1972, for dom., comm., and muni. purposes. Amts. and Uses: 0.5 c.f.s. abs. for irr. purposes; 0.5 c.f.s. cond. for dom., comm., and muni. purposes. Structure: Vance Creek Spring No. 2. Original Decree: W-1562, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW292; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. a distance of 2,700 ft. This may also be described as being in the NE1/4 of the SE1/4 Sec. 8, T. 42 N., R. 9 W., N.M.P.M., 2,575 ft. from the S. line and 80 ft. from the E. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 6/13/1949, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.07 c.f.s. abs. for dom. purposes; 0.07 c.f.s. cond. for comm. and muni. purposes. Structure: Big Spring. Original Decree: W-1563, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW292; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the NW corner of Sec. 9, T. 42 N., R. 9 W., N.M.P.M., bears N. 75 deg. 20' W. a distance of 14,400 ft. This may also be described as being located in the SW1/4 of the SE1/4 Sec. 11, T. 42 N., R. 9 W., N.M.P.M., at a point 1,107 ft. from the S. line and 1,821 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 251,296 m. and Northing 4,199,840 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M.

This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/1/1942, for irr. purposes; 12/29/1972, for comm., muni., and dom. purposes. Amt. and Uses: 1.0 c.f.s. abs. for irr. purposes; 1.0 c.f.s. cond. for comm., muni., and dom. purposes. Structure: Little Spring. Original Decree: W-1563, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW292; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the NW corner of Sec. 9, T. 42 N., R. 9 W., N.M.P.M., bears N. 73 deg. 40' W. a distance of 14,350 ft. This may also be described as being located in the SW1/4 of the SE1/4 Sec. 11, T. 42 N., R. 9 W., N.M.P.M., at a point 723 ft. from the S. line and 1,995 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 251,240 m. and Northing 4,199,724 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/1/1942, for irr. purposes; 12/29/1972, for comm., muni., and dom. purposes. Amt. and Uses: 1.0 c.f.s. abs. for irr. purposes; 1.0 c.f.s. cond. for comm., muni., and dom. purposes. Structure: W. Prospect Creek Spring. Original Decree: W-1563, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW292; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the NW corner of Sec. 16, T. 42 N., R. 9 W., N.M.P.M., bears N. 71 deg. 20' W. a distance of 11,500 ft. This may also be described as being in the SW1/4 of the SW1/4 Sec. 14, T. 42 N., R. 9 W., N.M.P.M., at a point 1,187 ft. from the S. line and 450 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,325 m. and Northing 4,198,285 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/1/1942, for irr. and dom. purposes; 12/29/1972, for dom. purposes exceeding 0.02 c.f.s., and for comm. and muni. purposes. Amt. and Uses: 0.25 c.f.s. abs. for irr. purposes; 0.02 c.f.s. abs. for dom. purposes; 0.23 c.f.s. cond. for dom. purposes; 0.25 c.f.s. cond. for comm. and muni. purposes. Structure: Government Spring No. 1. Original Decree: W-1564, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence:

82CW294; 87CW75; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of one hundred ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 77 deg. 00' W. a distance of 3,700 ft. This may also be described as being located in the SW1/4 of the SE1/4 Sec. 4, T. 42 N., R. 9 W., N.M.P.M., 703 ft. from the S. line and 1,378 ft. from the E. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/20/1946, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.07 c.f.s. abs. for dom. purposes; 0.07 c.f.s. cond. for comm. and muni. purposes. Structure: Government Spring No. 2. Original Decree: W-1564, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW294; 87CW75; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a strip of land having the shape of a rectangle having 200-foot-long ends and 700-foot-long sides, the midpoint of one end being located at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. 70 deg. 57' W. a distance of 4,996 ft. from whence the midpoint of the other end bears N. 79 deg. E. a distance of 700 ft. This may also be described as being in the SE1/4 of the NE1/4 Sec. 9, T. 42 N., R. 9 W., N.M.P.M., at a point 1,800 ft. from the N. line and 356 ft. from the E. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/20/1946, for 0.03 c.f.s. for dom. purposes; 12/29/1972, for dom. purposes exceeding 0.03 c.f.s., and for comm. and muni. purposes. Amts. and Uses: 0.03 c.f.s. abs. for dom. purposes; 0.04 c.f.s. cond. for dom. purposes; 0.07 c.f.s. cond. for comm. and muni. purposes. Structure: Government Spring No. 3. Original Decree: W-1564, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW294; 87CW75; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. 60 deg. 40' W. a distance of 4,900 ft. This may also be described as being located in the SE1/4 of the NE1/4 Sec. 9, T. 42 N., R. 9 W., N.M.P.M., at a point 2,552 ft. from the N. line and 836 ft. from the E. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/20/1946, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.03 c.f.s. abs. for dom. purposes; 0.03 c.f.s. cond. for comm. and muni. purposes. Structure: Gorrano Spring No. 1. Original Decree: W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 78 deg. 00' W. a distance of 11,400 ft. This may also be described as being located in the NW1/4 of the SW1/4 Sec. 2, T. 42 N., R. 9 W., N.M.P.M., at a point 1,936 ft. from the S. line and 966 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,569 m. and Northing 4,201,724 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting

250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 8/1/1938, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.01 c.f.s. abs. for dom. purposes; 0.01 c.f.s. cond. for comm. and muni. purposes. Structure: Gorrano Spring No. 2. Original Decree W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 75 deg. 10' W. a distance of 11,000 ft. This may also be described as being located in the NW1/4 of the SW1/4 Sec. 2, T. 42 N., R. 9 W., N.M.P.M., 2,404 ft. from the S. line, 465 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,420 m. and Northing 4,201,870 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 8/1/1938, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.01 c.f.s. abs. for dom. purposes; 0.01 c.f.s. cond. for comm. and muni. purposes. Structure: McKnight Spring No. 1 Original Decree: W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 82 deg. 30' W. a distance of 12,300 ft. This may also be described as being located in the SE1/4 of the SW1/4 Sec. 2, T. 42 N., R. 9 W., N.M.P.M., 1,127 ft. from the S. line, 1,982 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,871 m. and Northing 4,201,471 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 10/5/1940, for irr. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 1.0 c.f.s.

abs. for irr. purposes; 0.02 c.f.s. abs. for snowmaking purposes; 1.0 c.f.s. cond. for comm. and muni. purposes. Structure: McKnight Spring No. 2. Original Decree: W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 83 deg. 10' W. a distance of 11,800 ft. This may also be described as being in the SE1/4 of the SW1/4 Sec. 2, T. 42 N., R. 9 W., N.M.P.M., 946 ft. from the S. line, 1,497 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,722 m. and Northing 4,201,419 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 8/1/1938, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.01 c.f.s. abs. for irr., dom., and snowmaking purposes; 0.01 c.f.s. cond. for comm. and muni. purposes. Structure: Nelson Spring. Original Decree: W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. 89 deg. 20' W. a distance of 12,300 ft. This may also be described as being located in the NE1/4 of the NW1/4 Sec. 11, T. 42 N., R. 9 W., N.M.P.M., 624 ft. from the N. line and 2,022 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,869 m. and Northing 4,200,937 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 8/1/1938, for dom. purposes; 10/5/1940, for irr. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.1 c.f.s. abs. for dom. and irr. purposes; 0.1 c.f.s. cond. for comm. and muni. purposes. Structure: Jennings Spring No. 1. Original Decree: W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of

100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 71 deg. 30' W. a distance of 9,800 ft. This may also be described as being located in the SE1/4 of the NE1/4 Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 2,524 ft. from the N. line and 863 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,018 m. and Northing 4,201,985 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 8/1/1938, for dom. purposes; 10/5/1940, for irr. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.01 c.f.s. abs. for dom. and irr. purposes; 0.01 c.f.s. cond. for comm. and muni. purposes. Structure: Jennings Spring No. 2. Original Decree: W-1566, on 10/23/1973, as amended on 8/4/1978, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW296; 87CW77; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. No. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 72 deg. 10' W. a distance of 9,150 ft. This may also be described as being located in the NW1/4 of the SE1/4 Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 2,469 ft. from the S. line and 1,457 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 249,835 m. and Northing 4,201,903 m. Alternate Points of Diversion (decreed in 90CW112): Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504 m. (this is the location as corrected in 10CW141); and/or Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Dates: 8/1/1938, for dom. purposes; 10/5/1940, for irr. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.01 c.f.s. abs. for dom. and irr. purposes; 0.01 c.f.s. cond. for comm. and muni. purposes. Structure: Mamouth Spring. Original Decree: W-1567, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW297; 87CW78; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears N. 88 deg. 10' W. a distance of 16,850 ft. This may also be described as being located in the NW1/4 of the NW1/4 Sec. 12, T. 42 N., R. 9 W., N.M.P.M., 1,209 ft. from the N. line and 1,198 ft. from the W. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/25/1938, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.05 c.f.s. abs. for dom. purposes; 0.05 c.f.s. cond. for

comm. and muni. purposes. Structure: Camels Garden Spring No. 1. Original Decree: W-1567, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW297; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 85 deg. 30' W. a distance of 17,000 ft. This may also be described as being located in the SW1/4 of the SW1/4 Sec. 1, T. 42 N., R. 9 W., N.M.P.M., 658 ft. from the S. line and 1,374 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 252,311 m. and Northing 4,201,295 m. Alternate Points of Diversion (decreed in 90CW112), Oak St. Pump and Pipeline: Located in the NE1/4 NW1/4, Sec. 1, T. 42 N., R. 9 W., N.M.P.M., 942 ft. from N. line and 2,521 ft. from W. line. Also described as UTM Zone 13N, NAD83, Easting 252,688 m. and Northing 4,202,399M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Date: 7/25/1938, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.05 c.f.s. abs. for dom. purposes; 0.05 c.f.s. cond. for comm. and muni. purposes. Structure: Camels Garden Spring No. 2. Original Decree: W-1567, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW297; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 84 deg. 30' W. a distance of 16,700 ft. This may also be described as being located in the SW1/4 of the SW1/4 Sec. 1, T. 42 N., R. 9 W., N.M.P.M., 936 ft. from the S. line and 1,061 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 252,218 m. and Northing 4,201,382 m. Alternate Points of Diversion (decreed in 90CW112), Oak St. Pump and Pipeline: Located in the NE1/4 NW1/4, Sec. 1, T. 42 N., R. 9 W., N.M.P.M., 942 ft. from N. line and 2,521 ft. from W. line. Also described as UTM Zone 13N, NAD83, Easting 252,688 m. and Northing 4,202,399M. This is the location as corrected in 10CW141. Source: Spring tributary of the San Miguel River. Approp. Date: 6/23/1937, for irr. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.1 c.f.s. abs. for irr. purposes; 0.03 c.f.s. abs. for snowmaking purposes; 0.1 c.f.s. cond. for comm. and muni. purposes. Structure: Needle Rock Spring. Original Decree: W-1567, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW297; 87CW78; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: An area of springs and seepage located within a circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 85 deg. 00' W. a distance of 15,600 ft. This may also be described as being located in the SE1/4 of the SE1/4 Sec. 2, T. 42 N., R. 9 W., N.M.P.M., 736 ft. from the S. line and 30 ft. from the E. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 7/25/1938, for dom. purposes; 12/29/1972, for comm. and muni. purposes. Amts. and Uses: 0.05 c.f.s. abs. for dom. purposes; 0.05 c.f.s. cond. for comm. and muni. purposes. Structure: Kid Spring. Original Decree: W-1567, on 10/23/1973, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW297; 87CW73; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: An area of springs and seepage located within a

circle having a diameter of 100 ft. and having its center at a point from which the SW corner of Sec. 4, T. 42 N., R. 9 W., N.M.P.M., bears S. 76 deg. 30' W. a distance of 17,600 ft. This may also be described as being located in the SE1/4 for the NW1/4 Sec. 1, T. 42 N., R. 9 W., N.M.P.M., 1,829 ft. from the N. line and 1,651 ft. from the W. line. Source: Spring tributary of the San Miguel River. Approp. Dates: 6/23/1937, for irr. purposes; 12/29/1972, for comm. and muni. purposes. Amt. and Uses: 0.15 c.f.s. abs. for irr. purposes; 0.15 c.f.s. cond. for comm. and muni. purposes. Structure: Telco Well Nos. 3 and 5. Original Decree: 80CW405, on 7/9/1982, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW298; 87CW79; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Other Decree: The Dist. Ct., Water Div. 4, changed the POD for Telco Well No. 3/5 A9 in 12CW115 on 3/4/2013. Legal Descriptions: Telco Well No. 3: Located in the SE1/4 NE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 1,321 ft. from the N. line and 26 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 247,068 m. and Northing 4,199,213M. This is the location as corrected in 10CW141. Telco Well No. 5: Located in the NE1/4 SE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., at a point that bears S. 03 deg. 30' W. a distance of 3,900 ft. from the SW corner of Sec. 9, T. 42 N., R. 9 W. (as changed in 90CW112). Also described as the NE1/4 SE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 1,360 ft. from the S. line and 438 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 246,935 m. and Northing 4,198,438 m. Alternate Points of Diversion for Telco Well Nos. 3 and 5 (decreed in 90CW112): Telco Well No. 3/5 A1: Located in the NE1/4 NW1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 279 ft. from the N. line and 1,755 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 246,026 m. and Northing 4,199,547M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A2: Located in the NE1/4 NW1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 605 ft. from the N. line and 1,658 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 245,995 m. and Northing 4,199,448M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A3: Located in the SE1/4 NW1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 1,366 ft. from the N. line and 1,830 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 246,045 m. and Northing 4,199,216M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A4: Located in the SE1/4 NW1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 2,420 ft. from the N. line and 2,154 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 246,139 m. and Northing 4,198,893M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A5: Located in the NW1/4 SE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 2,589 ft. from the N. line and 2,584 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 246,270 m. and Northing 4,198,839M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A6: Located in the NW1/4 SE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 2,166 ft. from the S. line and 2,276 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 246,377 m. and Northing 4,198,696M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A7: Located in the NW1/4 SE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., 1,833 ft. from the S. line and 1,643 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 246,569 m. and Northing 4,198,590M. This is the location as corrected in 10CW141. Telco Well No. 3/5 A8: Located in the SW1/4 NE1/4, Sec. 9, T. 42 N., R. 9 W., N.M.P.M., 1,359 ft. from the N. line 2,439 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 247,857 m. and Northing 4,200,786M. This is the location as

corrected in 10CW141. Telco Well No. 3/5 A9: Located in the SE1/4 NE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M., at a point 1,384 ft. from the N. Line and 42 ft. from the E. line of said Sec. 17. Also described as UTM Zone 13N, NAD83, Easting 247,063 m. and Northing 4,199,194M. This is the location as changed in 12CW115. Sources: Watersheds of the Turkey Creek and Vance Creek, tributary to the S. Fork of the San Miguel, tributary to the San Miguel River. Approp. Dates: 10/1/1980. Amts. and Uses: Telco Well No. 3: 139 gallons per minute ("g.p.m.") abs. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use; 461 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use. Telco Well No. 5: 139 g.p.m. abs. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use; 461 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use. Total cumulative peak pumping rates at Telco Well Nos. 3, 5, and 3/5 A1 through 3/5 A9, inclusive, shall not exceed 300 g.p.m. Depths: Telco Well No. 3: 220 ft. Telco Well No. 5: not drilled; abs. water produced at an alternate point of diversion. Remarks: Pursuant to a Stipulation between Applicants and the Zoline Family Partnership in 90CW112, Applicants limit total depletions tributary to Turkey and Vance Creeks from Telco Wells No. 3 and 5 at the original points of diversion or any alternative points of diversion decreed thereto, and depletions from Applicants' Hole 7 Extension of the Wagner Ditch water right, to a maximum of 234.00 a.f. per annum and 66.1 a.f. per month. Pursuant to a stipulation between the Applicants and opposer ER Homeowners Corporation, the use of water diverted to the Telco Well No. 3 and Telco Well No. 3/5 A9 shall be limited to dom., irr. and firefighting purposes within the Elk Run Sub Div. and these wells will not be connected to the Town's distribution system for use by the Town of Mountain Village or TSG Ski & Golf, LLC. Structure: Telco Well Nos. 4 and 7. Original Decree: 80CW405, on 7/9/1982, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW298; 87CW79; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Other Decree: The Dist. Ct., Water Div. 4, changed the location of Telco Well No. 4/7 A1 in 18CW3067 on 7/8/2019. Legal Descriptions: Telco Well No. 4: Located in the SE1/4 NW1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,218 ft. from the N. line and 1,694 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,157 m. and Northing 4,200,491M. This is the location as corrected in 10CW141. Telco Well No. 7: Located in the SE1/4 NW1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,056 ft. from the N. line and 1,815 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,195 m. and Northing 4,200,539M. This is the location as corrected in 10CW141. Alternate POD for Telco Wells No. 4 and 7 (decreed in 90CW112), Telco Well No. 4/7 A1: Located at a point in the SW1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., that bears N. 67 deg. 45' E. a distance of 7,650 ft. from the SW Corner, Sec. 9, T. 42 N., R. 9 W., also described as the SE1/4 NW1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,636 ft. from the N. line and 2,155 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,294 m. and Northing 4,200,360 m. As decreed in 18CW3067; NW/4 SW/4 NW/4 of Sec. 10, T. 42 N., R. 9 W., N.M.P.M. at a point 1,522 ft. from the N. Sec. line and 161 ft. from the W. Sec. line; UTM Zone 13N, NAD83, Easting 248,695 m. and Northing 4,200,714 m. Source: Watershed of Skunk Creek, tributary of the San Miguel River. Approp. Dates: 10/1/1980. Amts. and

Uses: Telco Well No. 4: 85 g.p.m. abs. for muni., comm., dom., irr., fire protection, rec., snowmaking and aesthetic purposes by direct diversion or storage for later use; 515 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking and aesthetic purposes by direct diversion or storage for later use. Telco Well No. 7: 129 g.p.m. abs. for muni., comm., dom., irr., fire protection, rec., snowmaking and aesthetic purposes by direct diversion or storage for later use; 471 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking and aesthetic purposes by direct diversion or storage for later use. Total cumulative peak pumping rates at Telco Well Nos. 4, 7, and 4/7 A1 shall be equal to or less than 300 g.p.m. Depths: Telco Well No. 4: 212 ft. Telco Well No. 7: 220 ft. Structure: Telco Well No. 8. Original Decree: 80CW405, on 7/9/1982, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW298; 87CW79; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: Located in the SE1/4 NW1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 1,422 ft. from the N. line and 2,011 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,260 m. and Northing 4,200,731M. This is the location as corrected in 10CW141. Alternate Points of Diversion for Telco Well No. 8 (decreed in 90CW112 and 96CW232): Telco Well No. 6/8 A1: Located in the NE1/4 NW1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 585 ft. from the N. line and 1,820 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,208 m. and Northing 4,200,988M. This is the location as corrected in 10CW141. Telco Well No. 6/8 A2: Located in the NE1/4 NW1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 684 ft. from the N. line and 2,535 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,425 m. and Northing 4,200,952M. This is the location as corrected in 10CW141. Telco Well No. 6/8 A3: Located in the NE1/4 NW1/4, Sec. 14, T. 42 N., R. 9 W., N.M.P.M., at a point that bears S. 85 deg. 00' E. a distance of 12,200 ft. from the SW Corner, Sec. 9, T. 42 N., R. 9 W. Also described as NE1/4 NW1/4, Sec. 14, T. 42 N., R. 9 W., N.M.P.M., 1,514 ft. from the N. line and 1,813 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,759 m. and Northing 4,199,056 m. Telco Well No. 6/8 A4: Located in the SE1/4 NW1/4, Sec. 14, T. 42 N., R. 9 W., N.M.P.M., at a point that bears S. 80 deg. 00' E. a distance of 12,175 ft. from the SW Corner, Sec. 9, T. 42 N., R. 80 deg. Also described as the SE1/4 NW1/4, Sec. 14, T. 42 N., R. 9 W., N.M.P.M., 2,558 ft. from the N. line and 1,607 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,689 m. and Northing 4,198,740M. Telco Well No. 6/8 A5: Located in the SE1/4 SE1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 36 ft. from the S. line and 807 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,012 m. and Northing 4,201,157M. This is the location as corrected in 10CW141. Telco Well No. 6/8 A6: Located in the NW1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 1,167 ft. from the N. line and 2,201 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 249,578 m. and Northing 4,200,801M. This is the location as corrected in 10CW141. Telco Well No. 6/8 A7: Located in the SW1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., at a point that bears N. 66 deg. 48' E. a distance of 9,139 ft. from the SW Corner, Sec. 9, T. 42 N., R. 9 W. Also described as SW1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 1,986 ft. from the N. line and 1,750 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 249,709 m. and Northing 4,200,548 m. Telco Well No. 6/8 A8: Located in the NW1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., at a point that bears N. 61 deg. 38' E. a distance of 9,262 ft. from the SW Corner, Sec. 9, T. 42 N., R. 9 W. Also described

as NW1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 1,177 ft. from the N. line and 1,968 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 249,649 m. and Northing 4,200,796M. Telco Well No. 6/8 A9: Located in the SE1/4 SE1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 502 ft. from the S. line and 945 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 249,974 m. and Northing 4,201,300M. This is the location as corrected in 10CW141. Telco Well No. 6/8 A10: Located in the NE1/4 SE1/4, Sec. 15, T. 42 N., R. 9 W., N.M.P.M., 2,568 ft. from the S. line and 300 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,107 m. and Northing 4,198,712M. Telco Well No. 6/8 A11: Located in the NW1/4 NE1/4, Sec. 14, T. 42 N., R. 9 W., N.M.P.M., at a point 496 ft. from the N. Sec. line and 2,126 ft. from the E. Sec. line. Also described as UTM Zone 13N, NAD83, Easting 251,190 m. and Northing 4,199,354M. This is the location as corrected in 11CW102. Prospect Creek Hole No. 2/17 Diversion Facility: Located in the NE1/4 NW1/4, Sec. 3, T. 42 N., R. 9 W., N.M.P.M., 357 ft. from the N. line and 1,427 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 249,132 m. and Northing 4,202,668M. This is the location as corrected in 10CW141. Upper Prospect Creek Snowmaking Pumping Plant and Pipeline: Located in the SE1/4 NE1/4, Sec. 10, T. 42 N., R. 9 W., N.M.P.M., 2,093 ft. from the N. line and 183 ft. from the E. line. Also described as UTM Zone 13N, NAD83, Easting 250,186 m. and Northing 4,200,504M. This is the location as corrected in 10CW141. Source: Watershed of Prospect Creek, tributary of the San Miguel River. Date of Appropriation: 10/1/1980. Amts. and Uses: 595 g.p.m. abs. for muni., comm., dom., irr., fire protection, rec., snowmaking and aesthetic purposes by direct diversion or storage for later use; 5 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking and aesthetic purposes by direct diversion or storage for later use. Total cumulative peak pumping rates at the Telco Wells No. 6 and 8 and alternative points decreed thereto shall be equal to or less than 900 g.p.m. Depth: 220 ft. Structure: Telco Well No. 11. Original Decree: 80CW405, on 7/9/1982, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW298; 87CW79; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: Located at a point that bears N. 43 deg. E. a distance of 15,700 ft. from the SouthW. corner of Sec. 9, T. 42 N., R. 9 W., N.M.P.M. This may also be described as being located in the SW1/4 of the SW1/4, Sec. 35, T. 43 N., R. 9 W., N.M.P.M., 521 ft. from the S. line and 795 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,564 m. and Northing 4,202,900 m. Alternate POD (decreed in 90CW112): Located in the NW1/4 NW1/4, Sec. 1, T. 42 N., R. 9 W. of the N.M.P.M., at a point that bears N. 57 deg. 30' E. a distance of 19,700 ft. from the SW Corner, Sec. 9, T. 42 N., R. 9 W. Also described as the NW1/4 of the NW1/4, Sec. 1, T. 42 N., R. 9 W., N.M.P.M., 605 ft. from the N. line and 1,385 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 252,344 m. and Northing 4,202,511 m. Source: San Miguel River alluvium. Date of Appropriation: 10/1/1980. Amts. and Uses: 600 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use. The total cumulative peak pumping rate at Telco Wells No. 9, 10, and 11 shall not exceed 1,200 g.p.m. Depth: Not drilled. Structure: Village Well No. 1. Original Decree: 80CW405, on 7/9/1982, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW298; 87CW79; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: Located in the NE1/4 SW1/4, Sec. 2, T. 42 N., R. 9

W., N.M.P.M., 1,866 ft. from the S. line and 2,340 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,987 m. and Northing 4,201,694M. This is the location as corrected in 10CW141. Source: Watershed of Prospect Creek, tributary of the San Miguel River. Date of Appropriation: 10/1/1980. Amts. and Uses: 15 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use. Depth: 385 ft. Structure: Village Well No. 2. Original Decree: 80CW405, on 7/9/1982, Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 82CW298; 87CW79; 91CW25 through 91CW30 (consolidated); 03CW52; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: Located in the NW1/4 SW1/4, Sec. 2 T. 42 N., R. 9 W., N.M.P.M., 2,146 ft. from the S. line and 453 ft. from the W. line. Also described as UTM Zone 13N, NAD83, Easting 250,414 m. and Northing 4,201,791 m. This is the location as corrected in 10CW141. Source: Watershed of Prospect Creek, tributary of the San Miguel River. Approp. Date: 10/1/1980. Amts. and Uses: 25 g.p.m. cond. for muni., comm., dom., irr., fire protection, rec., snowmaking, and aesthetic purposes by direct diversion or storage for later use. Depth: 550 ft. Structure: Hole 7 Extension of the Wagner Ditch First Enlargement. Original Decree: 95CW199, on 4/20/2000 Dist. Ct., Water Div. No. 4. Subsequent Decrees Awarding Diligence: 03CW52; 06CW76; 10CW139; and 18CW3027 in Dist. Ct., Water Div. 4. Legal Description: Located in the NW1/4 NE1/4 of Sec. 17, T. 42 N., R. 9 W., N.M.P.M., at a point S. 69 deg. 50'50" W., 2,398.29 ft. from the NE Corner of said Sec. 17. Also described (as recited in decree in 06CW076) as the NW1/4 NE1/4, Sec. 17, T. 42 N., R. 9 W., N.M.P.M. at a point 1029 ft. S. of the N. Sec. line and 2294 ft. E. of the W. Sec. line of said Sec. 17. Also described as UTM Zone 13N, NAD83, Easting 246,391 m. and Northing 4,199,386 m. Sources: Turkey Creek and Slaughterhouse Creek. Approp. Date: 2/26/1993. Amts. and Uses: 0.5 c.f.s. abs. for piscatorial, fill and refill of Hole 7 Pond and entrance water features continually when in priority, and replacement of evaporation; 0.44 c.f.s. cond. for irrigation. Irr. will be up to 20 acres within the Telluride Golf Club, located in the E1/2 NE1/4, Sec. 5, N1/2 Sec. 4, N1/2 Sec. 3, T. 42 N., R. 9 W., N.M.P.M.; and in the S1/2 Sec. 34 and S1/2 Sec. 33, T. 43 N., R. 9 W., N.M.P.M. Water diverted from Slaughterhouse Creek and Skunk Creek is not decreed for irr. and other consumptive purposes, except for the fill and refill of the water features for pisc. purposes and the replacement of evaporation; such replacement of evaporation is also augmented by the Hole 7 Extension of the Wagner Ditch and the Wagner Ditch as provided in the Decree in 90CW112. Remark: The amt. of water diverted for irr. under the Hole 7 Extension of the Wagner Ditch First Enlargement shall not exceed the amt. of importations from Turkey Creek to the Skunk Creek basin either in quantity or timing. Integrated System: As decreed in 10CW206, each of the water rights described herein is a component of Applicants' integrated water supply system for service to the Town of Mountain Village and TSG Ski & Golf, LLC's resort facilities. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. Name and address of owners of land on which structures are or will be located, upon which water is or will be stored or upon which water is or will be placed to beneficial use: Applicants. United States Forest Service, 2740 Highway 145, Telluride, CO 81435. (32 pages of original application. Exhs., 1A, 1B) The application on file with the Water Court contains an outline of the work performed during the diligence period. **SAN MIGUEL COUNTY.**

Case No. 25CW3046 (Ref No 19CW3016, 12CW137, 06CW103, 97CW114) San Miguel Cty. Application for Findings of Reasonable Diligence. Applicant: Lizard Head Wilderness, LLC, c/o Sara M. Dunn, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; www.balcombgreen.com. Claim for Finding of Reasonable Diligence. Original Decree: 97CW114, Dist. Ct., Water Div. 4, on 5/4/2000. Subsequent Decrees containing Findings of Reasonable Diligence: 06CW103 on 11/28/2006, 12CW137 on 4/16/2013, and 19CW3016 on 9/9/2019, all in Dist. Ct., Water Div. 4.

Structure: Faraway Well No. 1. Diversion point location. SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T. 42 N., R. 10 W., N.M.P.M., within a 200-foot radius of a point approx. 3,200 ft. distant from the E. Sec. line and Approx. 2,750 ft. distant from the S. Sec. line of said Sec. 8. See, Exh. A, map on file with the Ct. Diversion rate and annual diversion amt. 0.056 c.f.s. (25 g.p.m.), conditional. Source. Groundwater tributary to Big Bear Creek and the San Miguel River. Depth. Approx. 300 ft. Beneficial uses. Dom. use and the irr. of one (1) acre of lawns and gardens. The acreage to be irrigated will be located in portions of Secs. 5 and 8, T 42 N., R. 10 W., N.M.P.M. Approp. Date. 9/20/1994. Land ownership at point of diversion: Applicant.

Structure: Faraway Well No. 2. Diversion point location. NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 8, T. 42 N., R. 10 W., N.M.P.M. within a 200-foot radius of a point approx. 3,100 ft. distant from the E. Sec. line and approx. 80 ft. distant from the N. Sec. line of said Sec. 8. Diversion rate. 0.056 c.f.s. (25 g.p.m.), conditional. Source. Groundwater tributary to Big Bear Creek and the San Miguel River. Depth. Approx. 290 ft. Beneficial uses. dom. uses and the irr. of one (1) acre of lawns and gardens. The acreage to be irrigated will be located in portions of Secs. 5 and 8 of T. 42 N., R. 10 W., N.M.P.M. Approp. Date. 9/20/1994. Land ownership at point of diversion: Applicant.

Structure: Faraway Well No. 3. Diversion point location. NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T. 42 N., R. 10 W., N.M.P.M. within a 200-foot radius of a point approx. 4,270 ft. distant from the E. Sec. line and approx. 2,520 ft. distant from the S. Sec. line of said Sec. 8. Diversion rate. 0.056 c.f.s. (25 g.p.m.), conditional. Source. Groundwater tributary to Big Bear Creek and the San Miguel River. Depth. Approx. 400 ft. Beneficial uses. Dom. uses and the irr. of one (1) acre of lawns and gardens. The acreage to be irrigated will be located in portions of Sec. 5 and 8, of T. 42 N., R. 10 W., N.M.P.M. Approp. Date. 9/20/1994. Land ownership at point of diversion: Applicant.

Structure: Faraway Well No. 4. Diversion point location. NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T. 42 N., R. 10 W., N.M.P.M. within a 200-foot radius of a point approx. 5,060 ft. distant from the E. Sec. line and approx. 2,400 ft. distant from the S. Sec. line of said Sec. 8. Diversion rate. 0.056 c.f.s. (25 g.p.m.), conditional. Source. Groundwater tributary to Big Bear Creek and the San Miguel River. Depth. Approx. 500 ft. Beneficial uses. Dom. uses and the irr. of one (1) acre of lawns and gardens. The acreage to be irrigated will be located in portions of Secs. 5 and 8, T. 42 N., R. 10 W., N.M.P.M. Approp. Date. 9/20/1994. Land ownership at point of diversion: Applicant.

Structure: Homestead Pond. Structure location. NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T. 42 N., R. 10 W., N.M.P.M. The dam location is described in prior decrees as bearing approx. S. 18 deg. 15' E. a distance of 8,450 ft. from the NW corner of Sec. 5, T. 42 N., R. 10 W., N.M.P.M. CDSS also describes this structure location according to the following Universal Transverse Mercator ("UTM"), Zone 13, NAD 83 coordinates: 4,200,618 m. North; 236,696 m. E. Source. Homestead Spring at a rate of 0.05 c.f.s. and runoff and precipitation flowing into Homestead Pond immediately above its dam location at a

combined rate of 0.2 c.f.s., all tributary to Big Bear Creek and the San Miguel River. Approp. Date: 9/20/1994. Storage capacity. 2.4 acre-ft. (hereinafter, "AF"), conditional, all active capacity with a right to fill and refill in priority Uses. Stock watering, rec., wildlife, pisc., fire protection and aug. purposes. Surface area at high water line. 0.40 acre. Dam height. Less than 10 ft. Dam length. Approx. 100 ft. Land ownership at POD and place of storage: Applicant. Structure: Strawberry Roan Pond No. 1. Structure location. W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, T. 42 N., R. 10 W., N.M.P.M. The dam location is described in prior decrees as bearing approx. S. 31 deg. 20' E. a distance of 5,310 ft. from the northwest corner of said Sec. 5. CDSS also describes this structure location according to the following UTM coordinates: 4,201,825 m. North; 236,932 m. E. FAR Spring 1 at a rate of 0.022 c.f.s. and runoff and precipitation flowing into Strawberry Roan Pond No. 1 immediately above its dam location at a combined rate of 0.2 c.f.s., all tributary to Big Bear Creek and the San Miguel River. Approp. Date: 9/20/1994. Storage capacity. 1.44 AF, conditional, all active capacity with a right to fill and refill in priority. Uses. Stock watering, rec., wildlife, pisc., fire protection and aug. purposes. Surface area at high water line. 0.24 acre. Dam height. Less than 10 ft. Dam length. Approx. 100 ft. Land ownership at POD and place of storage: Applicant. Structure: Strawberry Roan Pond No. 2. Structure location. E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T. 42 N., R. 10 W., N.M.P.M. The dam location is described in prior decrees as bearing approx. S. 29 deg. 30' E. a distance of 5,200 ft. from the northwest corner of said Sec. 5. CDSS also describes this structure location according to the following UTM coordinates: 4,201,832 m. North; 236,733 m. E. FAR Spring 1 at a rate of 0.022 c.f.s. and runoff and precipitation flowing into Strawberry Roan Pond No. 2 immediately above its dam location at a combined rate of 0.2 c.f.s., all tributary to Big Bear Creek and the San Miguel River. Approp. Date: 9/20/1994. Storage capacity. 2.64 AF, conditional, all active capacity with a right to fill and refill in priority. Uses. Stock watering, rec., wildlife, pisc., fire protection and aug. purposes. Surface area at high water line. 0.44 acre. Dam height. Less than 10 ft. Dam length. Approx. 210 ft. Land ownership at POD and place of storage: Applicant. Structure: Strawberry Roan Pond No. 3. Structure location. E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T. 42 N., R. 10 W., N.M.P.M. The dam location is described in prior decrees as bearing approx. S. 27 deg. 35' E. a distance of 5,100 ft. from the northwest corner of said Sec. 5. CDSS also describes this structure location according to the following UTM coordinates: 4,201,832 m. North; 236,733 m. E. FAR Spring 1 at a rate of 0.022 c.f.s. and runoff and precipitation flowing into Strawberry Roan Pond No. 3 immediately above its dam location at a combined rate of 0.2 c.f.s., all tributary to Big Bear Creek and the San Miguel River. Approp. Date: 9/20/1994. Storage capacity. 1.89 AF, conditional, all active capacity with a right to fill and refill in priority. In 19CW3016, 0.03 AF, of the total 1.92 AF conditional capacity decreed in 97CW114, was awarded absolute in for all previously decreed beneficial uses. Uses. Stock watering, rec., wildlife, pisc., fire protection and aug. purposes. Surface area at high water line. 0.32 acre at full build-out. Dam height. Less than 10 ft. Dam length. Approx. 150 ft. at full build-out. Land ownership at POD and place of storage: Applicant. Structure: Zebulon Pond. Structure location. NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T. 42 N., R. 10 W., N.M.P.M. The dam location is described in prior decrees as bearing approx. S. 47 deg. 00' E. a distance of 6,250 ft. from the northwest corner of said Sec. 7. CDSS also describes this structure location according to the following UTM coordinates: 4,200,446 m. North; 235,895 m. E. Zeke Spring at a rate of 0.05 c.f.s. and runoff and precipitation flowing into Zebulon Pond all tributary to Big

Bear Creek and the San Miguel River. Approp. Date: 2/26/1982. Storage capacity. 3.0 AF, conditional, all active capacity with a right to fill and refill in priority. Uses. Aug. storage. Surface area at high water line. 0.35 acre. Dam height. As constructed, 9 ft. Dam length. Approx. 180 ft. Land ownership at POD and place of storage: Applicant. Structure: FAR Spring 1. Diversion point location. SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 5, T. 42 N., R. 10 W., N.M.P.M., at a point bearing S. 35 deg. 20' W. a distance of 5,880 ft. from the northeast corner of said Sec. 5. CDSS also describes this diversion point according to the following UTM coordinates: 4,201,631 m. North; 236,730 m. E. Diversion rate. 0.022 c.f.s., conditional. Source. Surface water tributary to Big Bear Creek and the San Miguel River. Beneficial uses. Filling Strawberry Roan Pond Nos. 1, 2 and 3 for the beneficial uses and for aug. purposes. Approp. Date. 9/20/1994, for filling Strawberry Roan Pond Nos. 1, 2 and 3. Land ownership at point of diversion: Applicant. Structure: Homestead Spring. Diversion point location. NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 8, T. 42 N., R. 10 W., N.M.P.M., at a point bearing S. 22 deg. 30' W. a distance of 8,670 ft. from the northeast corner of Sec. 5, T. 42 N., R. 10 W., N.M.P.M. CDSS also describes this diversion point according to the following UTM coordinates: 4,201,017 m. North; 236,910 m. E. Diversion rate. 0.05 c.f.s., conditional. Source. Surface water tributary to Big Bear Creek and the San Miguel River. Beneficial uses. Filling Homestead Pond for the beneficial uses and for aug. storage. Approp. Date. 9/20/1994, for filling Homestead Pond. Land ownership at point of diversion: Applicant. Structure: Zeke Spring. Diversion point location. NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 7, T. 42 N., R. 10 W., N.M.P.M., at a point bearing S. 46 deg. 30' E. a distance of 6,120 ft. from the northwest corner of said Sec. 7. CDSS also describes this diversion point according to the following UTM coordinates: 4,200,274 m. North; 235,696 m. E. or 4,200,456 m. North; 235,871 m. E. (note: the CDSS records for the UTM diversion point coordinates for "Zeke Spring" and for "Zeke Springs" may be confused). Diversion rate. 0.05 c.f.s., conditional. Source. Surface water tributary to Big Bear Creek and the San Miguel River. Beneficial uses. Filling Zebulon Pond for aug. storage. Approp. Date. 2/26/1982, for filling Zebulon Pond. Land ownership at point of diversion: Applicant. Integrated Water System: The SWR's are a component of Applicant's integrated water supply system. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. (13 pages of original application. Exh A Map) The application on file with the Water Court contains an outline of the work performed during the diligence period. **SAN MIGUEL COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of November 2025 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at [Division 4 | Colorado Judicial Branch](#) This publication can be viewed in its entirety on the state court website at: [Division 4 | Colorado Judicial Branch](#).) JODI HANSON, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401
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