

DIVISION 5 WATER COURT- SEPTEMBER 2025 RESUME

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

1. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3148 GARFIELD COUNTY, Application for Findings of Reasonable Diligence. Applicants: Alicia Mendoza Prado, and Jesus Prado, c/o Scott A. Grosscup & Blake C. Peterson, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; www.balcombgreen.com. Applicants request this Ct. enter findings of reasonable diligence in the conditional Tamburello Spring, First Enlargement, and Tamburello Pond No. 1 water rights ("SWR's"). The SWRs' locations are depicted on Exh. A, on file with the Water Ct. **Claim for Findings of Reasonable Diligence.** Structure: Tamburello Spring, First Enlargement. Original Decree: 94CW145, Dist. Ct., Water Div. 5, entered on 01/11/1997. Subsequent Findings of Reasonable Diligence: The Dist. Ct., Water Div. 5, entered findings of reasonable diligence in the development of the conditional water right described herein in 04CW209, on 3/3/2006, 12CW43, on 3/17/2013, and 19CW3044, on 9/22/2019. Legal Description: A spring gathering point situated in the NW1/4 SE1/4, Sec. 2, T. 6 S., R. 93 W. of the 6th P.M. commencing at the southeast 1/16 corner of Sec. 2, an aluminum cap L. S. No. 27925 found in place, thence N. 41° 10' 28" W., 865.55 ft. to said gathering point, a concrete manhole in place. **Source: A spring, tributary to an unnamed tributary (locally known and hereinafter referred to as "Green Draw"), tributary to the CO River.** Approp. Date: 3/31/1994. Amt.: 0.033 c.f.s., conditional. Uses: In-house Dom. Use in six single-family dwellings and livestock watering (two animals per residence). Structure: Tamburello Pond No. 1. Original Decree: 94CW145, Dist. Ct., Water Div. 5, on 1/11/1997. Subsequent Findings of Reasonable Diligence: The Dist. Ct., Water Div. 5, entered findings of reasonable diligence in the development of the conditional water right described herein in 04CW209, on 3/3/2006, 12CW43, on 3/17/2013, and 19CW3044, on 9/22/2019. Legal Description: At a point 1,700 ft. from the E. Sec. line, and 1,950 ft. from the S. Sec. line of Sec. 2, T. 6, R. 93 W. of the 6th P.M., which appears to be located in the NW1/4 SE1/4 of Sec. 2. Source: Green Draw, tributary to the CO River, and aug. credits from Applicants' water rights in the Lower Cactus Valley Ditch are also stored in the pond pursuant to the decree in 94CW145. Approp. Date: 3/31/1994. Amt.: A total of 10.0 AF, conditional. Uses: 10.0 AF for pisc., and livestock watering, and 5.0 AF conditional for aug. 12CW43 confirmed a separate 4.979 AF is absolute for aug. purposes as changed and stored in the Tamburello Pond No. 2, owned by the Donald G. Perau Revocable Living Trust. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. Name of owner of the land upon which structures are located and where water has been applied to beneficial use: Applicants. Integrated System: Applicants request the Ct. find the SWRs are components of Applicants' integrated system. (5 pages of original application, Exh. A)

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

2. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3150 GARFIELD COUNTY, Application for Findings of Reasonable Diligence. Applicant: Teller Springs Homeowners Association, Inc.; please direct all correspondence to Applicant's attorneys: Mary Elizabeth Geiger, Garfield & Hecht, P.C., 910 Grand Avenue, Suite 201, Glenwood Springs, CO 81601, (970)947-1936, megeiger@garfieldhecht.com. *Applicant requests findings of reasonable diligence with regard to the following water right: Teller Spring Ditch No. 1. Prior Decrees: Case No. 90CW266, originally entered by this Court on February 11, 1993, District Court in and for Water Division No. 5. Subsequent findings of reasonable diligence: Case No. 99CW23, July 3, 2001, Case. No. 07CW137, July 24, 2008, Case No. 10CW267, May 29, 2012, and Case No. 18CW3062, September 15, 2019, all in the District Court in and for Water Division No. 5. Location: the point of diversion for the ditch is at a point on the existing drainage tributary to the Roaring Fork River in the NE ¼ SE ¼, Section 12, Township 7 South, Range 89 West of the 6th P.M. in Garfield County, Colorado, more specifically described as a point when the South ¼ corner of said Section 12 bears South 41°07'00" West, 2,496 feet, also described as 1120 feet from the east section line and 1870 feet from the south section line of Section 12. See Exhibit A attached to the Application. Appropriation Date: December 12, 1990. Source: irrigation return flow seepage from the Robertson Ditch and Robinson Ditch and discharge from the numerous small springs tributary to the Roaring Fork River and/or direct diversions at that point from the Roaring Fork River, tributary to the Colorado River. Uses: irrigation, commercial, fire protection, stockwatering, aesthetic, and domestic. Amount: 2.0 c.f.s., absolute for irrigation of 44 acres and stockwatering purposes; conditional for all other uses. Owner of land upon which structure is or will be located: Chris Butler and Stacey Campos, 652 Lariat Lane, Glenwood Springs, Colorado 81601. Applicant requests findings of reasonable diligence with regard to the following water right: Teller Springs Well No. 2. Prior Decrees: Case No. 90CW267, originally entered by this Court on February 11, 1993. Subsequent findings of reasonable diligence: C Case No. 99CW23, July 3, 2001, Case. No. 07CW137, July 24, 2008, Case No. 10CW267, May 29, 2012, and Case No. 18CW3062, September 15, 2019, all in the District Court in and for Water Division No. 5. Location: NE ¼ NE ¼ Section 13, Township 7 South, Range 89 West of the 6th P.M. in Garfield County, Colorado, more specifically described as a point*

whence the North $\frac{1}{4}$ corner of Said 13 bears North $78^{\circ}47'40''$ West, which is also 130 feet from the North Section line and 890 feet from the East Section line of said Section 13. *See* Exhibit B attached to the Application. *Source*: groundwater tributary to Roaring Fork River, tributary to the Colorado River. *Depth*: approximately 60 feet. *Appropriation date*: October 4, 1990. *Uses*: irrigation, domestic, and livestock watering. *Amount*: 60 g.p.m., 55 g.p.m. of which is absolute for, for irrigation, domestic, stockwatering and fire protection; 5 g.p.m. of which is conditional for these uses. *Remarks*: The annual appropriation amount from this well is limited to 28.7 acre-feet, as described in Case No. 04CW153 (combined amount for Teller Springs Wells Nos. 1-5). This well operates pursuant to Well Permit No. 47774-F. In Case No. 99CW23, the Court decreed this water right absolute in the amount of 25 g.p.m. for domestic, irrigation and stockwatering purposes, including at Teller Springs Well No. 1, which is a decreed alternate point of diversion for Teller Springs Well No. 2 (Case No. 90CW267) described below. In Case No. 07CW137, the Court cancelled municipal, storage, piscatorial, fish and wildlife habitat, augmentation, replacement, exchange, testing and monitoring uses. In Case No. 10CW267, the Court decreed this water right absolute for an additional 30 g.p.m., as diverted through its alternate point of diversion decreed at Teller Springs Well No. 3, described below, for domestic, irrigation, stockwatering and fire protection purposes. *Land to be irrigated*: land located in the South $\frac{1}{2}$ of Section 12 and the North $\frac{1}{2}$ of Section 13 in Township 7 South, Range 89 West of the 6th P.M. in Garfield County, Colorado. *Owner of land upon which well is or will be located*: Emily and William McCarty, 00280 Lariat Lane, Glenwood Springs, CO 81601. *Alternate points of diversion for Teller Springs Well No. 2*: Teller Springs Well No. 1, decreed as an alternate point in Case No. 90CW267. *Location*: NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, Township 7 South, Range 89 West of the 6th P.M. in Garfield County, Colorado, more specifically described as a point whence the North $\frac{1}{4}$ Corner of said Section 13 bears North $80^{\circ}23'00''$ West 1,769 feet, also being described as 955.6 feet from the east section line and 307 feet from the north section line of said Section 13. *See* Exhibit C attached to the Application. *Source*: groundwater tributary to the Roaring Fork River, tributary to the Colorado River. *Depth*: approximately 40 feet. Teller Springs Well No. 3, decreed as an alternate point in Case No. 04CW153. *Location*: the location for this well is anywhere within the Teller Springs Subdivision located in Sections 12 and 13, Township 7 South, Range 89 West of the 6th P.M. in Garfield County Colorado as shown on the final plat for the Teller Springs Subdivision on record with the Garfield County Clerk and Recorder. This well was drilled in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 12, Township 7 South, Range 89 West of the 6th P.M., 1168 from the east section line and 69 feet from the south section line. *See* Exhibit D attached to the Application. *Source*: Groundwater tributary to the Roaring Fork River, tributary to the Colorado River. *Depth*: 49 feet. *Amount*: 60 g.p.m., 30 g.p.m., of which is absolute for all decreed uses; 30 g.p.m. of which remains conditional for all decreed uses. *Uses*: domestic, irrigation, stockwatering and fire protection. Teller Springs Well No. 4, Decreed as an alternate point in Case No. 04CW153. *Location*: The location for this well is anywhere within the Teller Springs Subdivision located in Sections 12 and 13, Township 7 South, Range 89 West of the 6th P.M. in Garfield County Colorado as shown on the final plat for the Teller Springs Subdivision on record with the Garfield County Clerk and Recorder. *Source*: Groundwater tributary to the Roaring Fork River, tributary to the Colorado River. *Amount*: 60 g.p.m., conditional. *Uses*: domestic, irrigation, stockwatering and fire protection. Teller Springs Well No. 5, Decreed as an alternate point in Case No. 04CW153. *Location*: The location for this well is anywhere within the Teller Springs Subdivision located in Sections 12 and 13, Township 7 South, Range 89 West of the 6th P.M. in Garfield County Colorado as shown on the final plat for the Teller Springs Subdivision on record with the Garfield County Clerk and Recorder. *Source*: Groundwater tributary to the Roaring Fork River, tributary to the Colorado River. *Amount*: 60 g.p.m., conditional. *Uses*: domestic, irrigation, stockwatering and fire protection. *Remarks*: Teller Springs Well Nos. 3-5 are alternate points of diversion for the Teller Springs Subdivision water supply in addition to the Teller Springs Well Nos. 1 and 2 decreed in Case No. 90CW267. Case No. 04CW153 added the use of fire protection to the already approved uses of irrigation, domestic, and livestock watering. It is understood that Teller Springs Well Nos. 1-5 can divert 60 g.p.m., each, and the combined volumetric limitation for all wells is diversions of a maximum of 28.7 acre-feet annually, as described in Case No. 04CW153. *Remark*: These wells will be augmented pursuant to the decrees rendered in Case Nos. 90CW267, 94CW081, 99CW023 and 04CW153. The wells shall be operated in accordance with the terms and conditions of the plan for augmentation decreed in those cases. *Applicant requests findings of reasonable diligence with regard to the following water rights: Jeffery Spring Nos. 14 to 16. Prior Decrees*: Case No. 91CW61, originally entered by this Court on February 11, 1993, District Court in and for Water Division No. 5. *Subsequent findings of reasonable diligence*: Case No. 99CW23, July 3, 2001, Case. No. 07CW137, July 24, 2008, Case No. 10CW267, May 29, 2012, and Case No. 18CW3062, September 15, 2019, all in the District Court in and for Water Division No. 5. *Locations & Amounts*: Jeffery Spring No. 14: Section 13, Township 7 South, Range 89 West, 6th P.M., Garfield County, Colorado, at a point whence the N $\frac{1}{4}$ corner of Section 13 bears N $87^{\circ}51'49''$ W, 1,271.88 feet; also described as being in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, 1437 feet from the east section line and 56 feet from the north section line; for 0.089 c.f.s. *See* Exhibit E attached to the Application. Jeffery Spring No. 15: Section 13, Township 7 South, Range 89 West, 6th P.M., Garfield County, Colorado, at a point whence the N $\frac{1}{4}$ corner of Section 13 bears N $83^{\circ}04'33''$ W, 1625.89 feet; also described as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, 1089 feet from the east section line and 207 feet from the north section line; for 0.111 c.f.s. *See* Exhibit F attached to the Application. Jeffery Spring No. 16: Section 13, Township 7 South, Range 89 West of the 6th P.M., Garfield County, Colorado, at a point whence the N $\frac{1}{4}$ corner of Section 13 bears N $83^{\circ}29'04''$ W, 1,789.52 feet; also described as being in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 13, 925 feet from the east section line and 215 feet from the north section line; for 0.111 c.f.s. *See* Exhibit G attached to the Application. *Source*: Springs tributary to the Roaring Fork River, tributary to the Colorado River. *Appropriation date*: April 30, 1991. *Uses*: irrigation of 80 acres within the Teller Springs Subdivision. Jeffery Springs Nos. 14, 15, and 16 were initially decreed for irrigation of 80 acres. In Case No. 99CW23, the Court decreed these water rights absolute for their entire flow for irrigation of 30 acres and continued as conditional for the entire flow amount for the irrigation of an additional 50 acres within the Subdivision. Ex. B shows the general location of these areas to be irrigated. *Remark*: The irrigation water rights associated with the Jeffery Spring Nos. 14-16 are augmented by the plans for augmentation decreed in Case Nos. 91CW61 and 04CW153. *Owner of land upon which springs are located*: Jeffery Spring No. 14 – Applicant; Jeffery Springs Nos. 15 and 16 - Emily and William McCarty, 00280 Lariat Lane, Glenwood Springs,

CO 81601. *Applicant requests that the following water right be made absolute, or, in the alternative, for findings of reasonable diligence: Teller Springs Extension Ditch No. 1 to Kaiser and Sievers Ditch. Prior Decrees:* Case No. 93CW274, originally entered by this Court on September 9, 1994, District Court in and for Water Division No. 5. *Subsequent findings of reasonable diligence:* Case No. 07CW68, June 8, 2008, Case No. 10CW267, May 29, 2012, and Case No. 18CW3062, September 15, 2019, all in the District Court in and for Water Division No. 5. *Source:* The source of water is the Kaiser and Sievers Ditch. The source of the Ditch is the Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River and all return flows, seepage and other infiltration that may occur into the Kaiser and Sievers Ditch. *Appropriation Date:* October 7, 1993. *Date applied to beneficial use:* April 15, 2020. *Amount:* 6.0 c.f.s., conditional, to be made absolute. *Location:* As amended in Case No. 04CW153, the point of diversion is the outfall of the Teller Springs Lake which is located on Lot 19 of the Teller Springs subdivision as shown by the final plat recorded at 428210, and the amended plat recorded at 446368 of the Garfield County Clerk and Recorder, also described as being in the SE ¼ NE ¼ of Section 13, 1203 feet from the east section line and 1444 feet from the north section line. Water which is collected in the Lake located in the NE ¼ of Section 13, Township 7 South, Range 89 West of the 6th P.M. will flow out through the outflow and be used for irrigation. *See Exhibit I* attached to the Application. *Uses:* supplemental irrigation of 80 acres of land generally located within the Teller Springs Subdivision as shown by the final plat recorded at 428210 and amended plat recorded at 446368 of the records of the Garfield County Clerk and Recorder. *How applied to beneficial use:* This water right has been used consistently, when in priority and physically available, as supplemental irrigation through the Applicant's non-potable irrigation system for the full 80 acres (lawn and gardens on the lots as well as irrigation of the common areas). *Owner of land upon which structure is or will be located:* Gib and Lee Plimpton, 00188 Lariat Lane, Glenwood Springs, CO 81601. The Application includes a detailed description of activities undertaken during the diligence period applying the subject water rights to beneficial use. (10 pages).

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

3. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

25CW3151 (18CW3222) MESA COUNTY- COLORADO RIVER, Ronald E. Tipping and Marie E. Tipping, 1967 Broadway, Grand Junction, CO 81503 c/o Kirsten M. Kurath, McDonough Law Group, 300 Main Street, Suite 102, Grand Junction, Colorado 81501, (970) 776-3311, kirsten@mcdonoughlawgroup.com. APPLICATION TO MAKE CONDITIONAL WATER RIGHTS PARTIALLY ABSOLUTE AND FOR A FINDING OF REASONABLE DILIGENCE. Structure: 23 Road Gravel Pit. Description of conditional water rights: Decreed: September 8, 2019, Case No. 2018CW322, Water Division No. 5, District Court for the State of Colorado. Subsequent Decrees: None. Location: The Pit is located within the E1/2SE1/4 and SE1/4NE1/4 of Section 6 and the SW1/4SW1/4 of Section 5, Township 1 South, Range 1 West, Ute P.M., at the location shown on the map attached to the Application as Figure 1. The center of the final Pit lake will be located at a point approximately 1,340 feet north of the south section line and 640 feet west of the east section line of said Section 6. Source: The Pit is a gravel pit located in alluvial deposits adjacent to the Colorado River and will intercept and withdraw groundwater tributary to the Colorado River. Depth: The estimated total maximum depth of the Pit will be twenty-eight (28) feet and the depth to groundwater is approximately six (6) feet. Appropriation Date: October 1, 1987; Amounts: A. 5.89 acre feet per year for product moisture losses (200,000 tons/year), 1.84 acre feet dust control (10,000 g.p.d. for 60 days of operation/year), and 106.03 aggregate washing (576,000 g.p.d. for 60 days of operation/year), absolute. B. 202.5 acre feet per year for evaporative loss from the 50 acres of exposed groundwater surface area left after mining is complete, conditional. This amount is the annual net evaporation from the 50 surface acres left after mining. The calculation of the annual net evaporative losses claimed is shown on Exhibit A to the Application. C. 1,200 g.p.m. (2.67 c.f.s) is the maximum pumping rate for dewatering the Pit. The Pit is no longer being mined or maintained in a dewatered state. D. 300 g.p.m. (0.67 c.f.s) for irrigation, conditional. Irrigation will be required during mine reclamation and to support post-mine land use of the parcel on which the Pit is located. With a final Pit lake area of 50 acres, there is the potential for irrigation of up to 40 acres of the 90 acre parcel. E. 1,200 g.p.m. (2.67 c.f.s.) for commercial purposes, conditional. Up to 6.14 acre feet of groundwater will be diverted at the Pit and transported for offsite commercial purposes. F. Groundwater exposed under the water right for the Pit will also be used for wildlife and water fowl watering and habitat, piscatorial purposes, fire protection, and non-consumptive recreational uses; all conditional. These uses will occur in-situ within the exposed groundwater of the Pit and no diversions will be made for these uses except when needed for fire protection purposes. G. The water collected in the Pit is not in storage as defined in C.R.S. § 37-92-103 (10.8) and in the administration of the water rights, statutes and other law related to the storage of water, including without limitation, C.R.S. § 37-92-502 (3) shall not be applicable. Claim to Make Water Rights Partially Absolute: The gravel pit lessee, Kilgore Companies, LLC (aka Elam Construction), initiated reclamation activities in March of 2025. Earthwork activities including sloping required by the Colorado Division of Mining Reclamation and Safety, and site leveling with topsoil spreading were conducted by the Applicants. The Applicants have put the groundwater collected in the Pit to the beneficial uses as described herein. There have been no calls on the Colorado River below the Pit since the Applicants began using the groundwater. See CDSS Call Records attached as Exhibit B to the Application. Evaporative Loss: Since the mining has stopped, the maximum exposed groundwater surface area has

been observed to be approximately 39.33 acres. Therefore, the Applicants request that the 23 Road Gravel Pit water right be decreed absolute in the amount of 159.3 acre feet for evaporative loss. See Exhibit C to the Application showing the current Pit surface. Irrigation: The Applicants constructed an irrigation system in July of 2025. The irrigation system consists of a pump and pipeline from the Pit to a regulatory pond, followed by a distribution pump to a sprinkler irrigation system. The topsoil was seeded with a cover crop which has been irrigated. See Exhibit C showing the irrigated acres, currently at 15.3 acres. Water is pumped from the Pit at the rate of 300 g.p.m. (0.67 c.f.s.) and from the regulatory pond at the rate of 440 g.p.m. Therefore, the Applicants request that the 23 Road Gravel Pit water right be decreed absolute for irrigation at the rate of 300 g.p.m. (0.67 c.f.s.). Commercial: Water from the Pit has been used offsite for commercial purposes, but the Applicants have not located accurate records to claim such use as absolute at this time. Wildlife and water fowl habitat, piscatorial, fire protection and recreational purposes: Since the Pit has filled with groundwater, the Applicants have observed wildlife and water fowl using the Pit. There are also fish in the Pit. The Applicants have not yet developed the Pit for the claim recreational purposes but the water is available for fire protection purposes. Finding of Reasonable Diligence: The Application contains a detailed outline of what has been done toward completion of the appropriation of the conditional water rights during this diligence period. Names and addresses of landowners: Applicants. Applicants request that the Court adjudge and decree that the 23 Road Pit water right be decreed absolute in the amount of 159.3 acre feet for evaporative loss, 0.67 c.f.s. (300 g.p.m.) for irrigation use and absolute for the in-situ uses of wildlife and water fowl habitat, piscatorial, and fire protection, that the Applicants have been reasonably diligent in the development of the 23 Road Gravel Pit conditional water rights to the extent the same are not decreed absolute, and that the remaining conditional portions of the 23 Road Gravel Pit conditional water rights be continued in full force and effect. (10 pages)

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4. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3152 (19CW3000, 12CW85, 05CW133). DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO, 109 Eighth Street, Suite 104, Glenwood Springs, CO. 81601. CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CRYSTAL RIVER RANCH CO., LLP, IN EAGLE COUNTY, COLORADO. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. 1. Name and Address of Applicant: Crystal River Ranch Co., LLP, c/o Sue Anschutz-Rodgers, General Partner, 555 Seventeenth Street, Suite 2400, Denver, CO. 80202. Direct all pleadings to, Glenn E. Porzak, Porzak Law, LLC, 1111 Spruce Street, Suite 303, Boulder, Colorado 80302, (303) 589-0909. 2. Name of Structures. (a) Hunter Spring, (b) Little Buck Spring, (c) Indian Spring, (d) Red Gate Spring, (collectively, the "Springs"). Remark: The locations of the Springs listed above are described below in Paragraph 3 can be seen on the map attached herein as Exhibit A. 3. Description of the Conditional Water Rights. The following water rights were decreed by the District Court in and for Water Division No. 5, State of Colorado (the "Water Court") on April 20, 1999, in Case No. 98CW043. Diligence was subsequently found in Case Nos. 05CW133, 12CW85, and 19CW3000. Portions of these water rights were also made absolute in 12CW85 and 19CW3000. (a) HUNTER SPRING, (i) Decreed Location: Section 17, Township 6 South, Range 87 West of the 6th P.M., at a point 4600 feet from the East Section Line and 1975 feet from the South Section Line of said Section 17. (ii) Source: Tributary to West Coulter Creek, tributary to Coulter Creek, tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. (iii) Appropriation Date: 1992. (iv) Amount: 1.0 c.f.s., conditional. (v) Uses: Domestic, livestock watering and irrigation. Hunter Spring will irrigate approximately 100 acres in the SW1/4SE1/4, SE1/4SW1/4 of Section 17, Township 6 South, Range 87 West of the 6th P.M. (b) LITTLE BUCK SPRING, (i) Decreed Location: Section 20, Township 6 South, Range 87 West of the 6th P.M. at a point 1650 feet from the East Section Line and 1650 feet from the South Section Line of said Section 20. (ii) Source: Tributary to West Coulter Creek, tributary to Coulter Creek, tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. (iii) Appropriation Date: 1992. (iv) Amount: 15 g.p.m. (0.333 c.f.s.), conditional for domestic uses, absolute for livestock watering and irrigation. (v) Uses: Domestic, livestock watering and irrigation. (c) INDIAN SPRING, (i) Decreed Location: Section 20, Township 6 South, Range 87 West of the 6th P.M. at a point 2575 feet from the East Section Line and 475 feet from the South Section Line of said Section 20. (ii) Source: Tributary to West Coulter Creek, tributary to Coulter Creek, tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. (iii) Appropriation Date: 1992. (iv) Amount: 15 g.p.m. (0.333 c.f.s.), conditional for domestic and irrigation uses, absolute for livestock watering. (v) Uses: Domestic, livestock watering and irrigation. Indian Spring will irrigate one acre immediately downstream of its point of diversion. (d) RED GATE SPRING, (i) Decreed Location: Section 29, Township 6 South, Range 87 West of the 6th P.M. at a point 1700 feet from the East Section Line and 1175 from the North Section Line of said Section 29. (ii) Source: Tributary to West Coulter Creek, tributary to Coulter Creek, tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. (iii) Appropriation Date: 1992. (iv) Amount: 15 g.p.m. (0.333 c.f.s.), conditional for domestic and irrigation uses, absolute for livestock watering. (v) Uses: Domestic, livestock watering and irrigation. Red Gate Spring will irrigate one acre immediately downstream of its point of diversion. 4. Detailed outline of work done to complete project and apply water to beneficial use. (a) During the subject diligence period, water has continued to be diverted from the Little Buck Spring into a natural collection tank such that excess livestock water flows down gradient and

irrigates the surrounding cattle grazing lands. (b) Applicant has spent in excess of \$400,761.00 on improvements to the stock ponds associated with the Little Buck, Indian and Red Gate Springs, and on systemwide improvements to the Cottonwood Ranch on which the Springs are located. 5. Name and address of the owner of the land on which the subject conditional water rights are located. Applicant. WHEREFORE Applicant requests that the Water Court issue a final decree that (1) finds reasonable diligence in applying the remaining conditional portions of the Springs to beneficial use, (2) continues the conditional portions of the Springs that have not been made absolute, and (3) grants such other and further relief as may be appropriate.

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

5. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3153 GARFIELD COUNTY, COLORADO, GROUNDWATER TRIBUTARY TO WEST LAKE CREEK, TRIBUTARY TO LAKE CREEK, TRIBUTARY TO THE EAGLE RIVER, TRIBUTARY TO THE COLORADO RIVER. Pilgrim Downs Homeowners Association, 102 Pilgrim Drive, Edwards, CO 81632. Please direct all correspondence to Michael J. Sawyer and Danielle T. Skinner of Karp Neu Hanlon, P.C., P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE. FIRST CLAIM: Pilgrim Ranch Well Q. Date of Original Decree:** April 20, 1982, in Consolidated Case Nos. 81CW60 and 80CW549, in the District Court in and for Water Division No. 5. **Subsequent Decrees Awarding Findings of Diligence or Relating to Water Right:** Case No. 83CW141, entered on October 17, 1983, Case No. 86CW49, entered September 26, 1986, Case No. 90CW52, entered December 4, 1990, Case No. 96CW382, entered January 15, 1998, Case No. 04CW08, entered May 16, 2006, Case No. 12CW34, entered March 17, 2013, and Case No. 2019CW3028 entered September 29, 2019, in the District Court in and for Water Division No. 5. **Legal description:** Pilgrim Ranch Well Q is located 545 feet south of the north section line and 1,290 feet east of the west section line of Section 19, Township 5 South, Range 82 West of the 6th P.M. **Source** Groundwater tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. **Appropriation date:** December 22, 1980. **Amount:** 20 g.p.m., conditional. **Uses:** Municipal, domestic, irrigation, stockwatering, and fire protection purposes. **Claim for diligence:** Applicant requests a finding of diligence for the Pilgrim Ranch Well Q in the amount of 20 g.p.m. for municipal, domestic, irrigation, stockwatering, and fire protection purposes. **SECOND CLAIM: Pilgrim Ranch Well X. Date of Original Decree:** November 15, 1988, in Case No. 87CW152, in the District Court in and for Water Division No. 5. **Subsequent Decrees Awarding Findings of Diligence or Relating to Water Right:** Case No. 94CW294 entered on April 4, 1995, Case No. 01CW102 (Ruling 2 of 2) entered on November 8, 2005, Case No. 12CW34, entered March 17, 2013, and Case No. 2019CW3028 entered September 29, 2019, in the District Court in and for Water Division No. 5. **Legal description:** Pilgrim Ranch Well X is located at a point 700 feet north of the south section line and 600 feet west of the east section line, Section 13, Township 5 South, Range 83 West of the 6th P.M. **Source** Groundwater tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. **Appropriation date:** April 20, 1987. **Amount:** 15 g.p.m., conditional. **Uses:** Domestic use including lawn and garden irrigation for a single-family residence and a guest house and/or a caretaker unit. **Claim for diligence:** Applicant requests a finding of diligence for the Pilgrim Ranch Well X in the amount of 15 g.p.m. for domestic use including lawn and garden irrigation for a single-family residence and a guest house and/or a caretaker unit. **Names and addresses of owners of land upon which structures are located:** Pilgrim Ranch Well Q: Applicant. Pilgrim Ranch Well X: Donald J. Gogel and Georgia G. Wall, 955 5th Ave. Apt. 15B, New York, NY 10075. **Integrated Water System.** The Pilgrim Ranch Wells Q and X are components of the integrated water system of Pilgrim Downs Subdivision. The integrated nature of the Pilgrim Downs Subdivision water system was decreed in Case Nos. 86CW49 and 94CW294. Pursuant to C.R.S. §37-92-301(4)(b), when an integrated water system is composed of several features, work on one feature of the system is considered in finding of reasonable diligence has been shown in the development of water rights for all features of the entire system. The following exhibits are on file with the Water Court: maps depicting the location of structures (Figures 1 and 2), a list of diligence activities (Exhibit B), and well permits (Exhibits C and D) (pp. 10 with exhibits).

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

6. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3154 EAGLE COUNTY – GYPSUM CREEK OR ITS TRIBUTARIES. Cotton Ranch Metropolitan District and the Town of Gypsum c/o Kevin L. Patrick and Jason M. Groves, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDING OF REASONABLE DILIGENCE First Claim: Cotton Ranch Pond No. 4, First Enlargement. Original Decree: November 4, 2012, Case No. 04CW239, Water Division 5. Diligence decree: 18CW3191, Water Division 5. Legal: SE ¼ of the NE ¼ of Section 7, Township 5 South, Range 85 West of the 6th P.M., at a point approximately 175 feet from the east section line and 1,400 feet from the north section line of said Section 7. Source: Gypsum Creek and its tributaries including the Swamp Ditch via Cotton Ranch Diversion and Cotton Pond. Appropriation date: June 29, 2007. Amount: 1.25 acre-feet conditional. Uses: Irrigation, fire protection, augmentation and replacement (either by direct diversion and subsequent storage releases or by exchange) as described in the decree in Case No. 04CW239, recreational, piscatorial, and wildlife purposes. Landowner information: Applicant, Town of Gypsum. **Second Claim:** Cotton Ranch Exchange. Original Decree: November 4, 2012, Case No. 04CW239, Water Division 5. Legal: Downstream Locations: When Wolford Mountain Reservoir supplies and being used, the downstream point of the exchange reach will be the confluence of the Colorado River with the Eagle River located in the SW ¼ of the NE ¼ of Section 5, Township 5 South, Range 86 West of the 6th P.M., at a point 2,100 feet from the east section line, and 2,880 feet from the south section line. When Ruedi Reservoir supplies are used, the downstream point will be the confluence of the Roaring Fork River with the Colorado River located in the SE ¼ of the NW ¼ of section 9, Township 6 South, Range 89 West of the 6th P.M. at a point 2,940 feet from the east section line, and 3,150 feet from the south section line. Upstream Locations: Ulin Ditch: Located in the SW ¼ of the NW ¼ of Section 8, Township 5 South, Range 85 West of the 6th P.M., at a point approximately 720 feet from the west section line and 2,050 feet from the north section line of said Section 8. Chatfield and Bartholomew Ditch: Located in the NW ¼ of the SE ¼ of Section 18, Township 5 South, Range 85 West of the 6th P.M., at a point approximately 1,885 feet from the east section line and 1,650 feet from the south section line of said Section 18. Grundell Brothers Ditch: Located in the NE ¼ of the NE ¼ of Section 18, Township 5 South, Range 85 West of the 6th P.M., at a point approximately 500 feet from the east section line and 200 feet from the north section line of said Section 18. Gypsum Eagle River Pumping Pipeline: Water exchanged to the Gypsum Eagle River Pumping Pipeline may be delivered into storage in Cotton Pond or into one of more of the other ponds within Cotton Ranch for subsequent augmentation use, or the water may be delivered directly into Gypsum Creek. On the south bank of the Eagle River in the NW ¼ of the NW ¼ of Section 5, Township 5 South, Range 85 West of the 6th P.M. at a point whence the northwest corner of said Section 5 bears north 37° 30', west a distance of 1,730 feet. Source: Colorado River augmentation supplies from Wolford Mountain Reservoir or Ruedi Reservoir via Water Supply Contract CW04022 with the Colorado River Water Conservation District. Appropriation date: December 17, 2004. Amount: 3.6 c.f.s., conditional; 26.035 acre-feet per year, conditional. Landowner information: Wolford Reservoir: Colorado River Water Conservation District, 201 Centennial, Glenwood Springs, CO 81601; Ruedi Reservoir: United States Forest Service, c/o Forest Supervisor, 802 Grand Ave., Glenwood Springs, CO 81601; Ulin Ditch: Applicant, Town of Gypsum; Chatfield and Bartholomew Ditch: Eugene E. Slaughter III Trust and Laurie M. Slaughter Trust, P.O. Box 414, Gypsum, CO 81637; Grundell Brothers Ditch: 803 Cottonwood Pass, P.O. Box 3849, Gypsum, CO 81637; Gypsum Eagle River Pumping Pipeline, Pilas-Rodriguez LLC, P.O. Box 187, Eagle, CO 81631. The conditional water rights are components of the Town of Gypsum's integrated water supply system C.R.S. § 37-92-301(4)(b). Maps and a detailed outline of the work done toward completion are on file with the Court.

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

7. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3155 PITKIN COUNTY. Application for Findings of Reasonable Diligence. Applicant: Aspen Valley Downs Homeowners Association, Attn: Ms. Laura Barbieur, c/o Sara M. Dunn & Andrea J. Hall, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; www.balcombgreen.com. Applicant requests the ct. find it has exercised reasonable diligence in the development of the conditional water rights decreed to the Aspen Valley Downs Wells No. 1-4, AVR Ponds 1 and 5-9, and AVR Well No. 5, ("SWR's"). In Cases No. 19CW3114 and 18CW3114, the ct. granted Applicant's motion requesting leave of ct. to combine the upcoming diligence applications in these cases into a single application pursuant to Uniform Water Ct. Rule 3(c). See Exhs., A, and B for maps depicting the SWR's location, on file with the water court. **Claim for Findings of Reasonable Diligence.** Structures: Ponds. Original Decree: 95CW264 on 12/26/1977, in Dist. Court, Water Div. 5. Subsequent Decrees Awarding Findings of Diligence: 03CW313 on 3/28/2005, 11CW44 on 6/22/2012, and 18CW3114 on 9/15/2019, all in Dist. Court, Water Div. 5. **Source: All ponds described herein are off-channel res. that will be filled at a rate of 1.0 c.f.s. (for all ponds combined) from the Salvation Ditch, which diverts from the Roaring Fork River, tributary to the CO River.** The Salvation Ditch is located on the N. bank of the Roaring Fork River from whence the E1/4 Corner of Sec. 7, T. 10 S., R. 84 West, 6th P.M. bears N. 2°48' W. 5,633.4 ft. The ponds shall not have as a decreed source of supply natural inflow from other sources, including, but not limited to, Dry Woody Creek drainage or irr. return flows which originate from the Waco or Salvation Ditches. Approp. Date: 8/17/1995. Structure: AVR Pond 1. Legal Description: NW1/4 NE1/4 of Sec. 9, T. 9 S., R. 85 W. of the 6th P.M., a distance of 680 ft. from the N. line and 1,980 ft. from the E. line of Sec. 9.

Amt.: 2.0 acre-feet. ("AF"), conditional. Physical Properties: Dam Height: 8 ft. Dam Length: 200 ft. Surface Area: 0.50 acres. Capacity: 2.0 AF, of which 1.5 AF will be active storage with 0.5 AF of dead storage. Uses: Operational storage for irr. systems, aesthetic, rec., and fire protection. Up to 9.18 acres may be irrigated on Lot 1 of the Subdivision. Structure: AVR Pond 5. Legal Description: SE1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 970 ft. from the S. line and 2,450 ft. from the W. line of Sec. 4. Amt.: 1.0 AF, conditional. Physical Properties: Dam Height: 6 ft. Dam Length: 180 ft. Surface Area: 0.25 acres. Capacity: 1.0 AF, all of which will be active storage. Uses: Operational storage for irr. systems, aesthetic, rec., and fire protection. Up to 2.34 acres may be irrigated on Lot 5 of the Subdivision. Structure: AVR Pond 6. Legal Description: SE1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 1,250 ft. from the S. line and 1,500 ft. from the W. line of Sec. 4. Amt.: 0.3 AF, conditional. Physical Properties: Dam Height: 4 ft. Dam Length: 100 ft. Surface Area: 0.10 acres. Capacity: 0.3 AF, all of which will be active storage. Uses: Operational storage for irr. systems, aesthetic, rec., and fire protection. Up to 1.1 acres may be irrigated on Lot 6 of the Subdivision. Structure: AVR Pond 7. Legal Description: NE1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 1,600 ft. from the S. line and 1,500 ft. from the W. line of Sec. 4. Amt.: 0.3 AF, conditional. Physical Properties: Dam Height: 4 ft. Dam Length: 130 ft. Surface Area: 0.10 acres. Capacity: 0.3 AF, all of which will be active storage. Use: Operational storage for irr. systems, aesthetic, rec., and fire protection. Up to 1.2 acres may be irrigated on Lot 7 of the Subdivision. Structure: AVR Pond 8. Legal Description: NW1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 1,980 ft. from the S. line and 850 ft. from the W. line of Sec. 4. Amt.: 0.3 AF, conditional. Physical Properties: Dam Height: 4 ft. Dam Length: 100 ft. Surface Area: 0.10 acres. Capacity of the Dam: 0.3 AF, all of which will be active storage. Use: Operational storage for irr. systems, aesthetic, rec., and fire protection. Up to 1.13 acres may be irrigated on Lot 7 of the Subdivision. Structure: AVR Pond 9. Legal Description: NE1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 2,120 ft. from the S. line and 600 ft. from the W. line of Sec. 4. Amt.: 1.0 AF, conditional. Physical Properties: Dam Height: 5 ft. Dam Length: 180 ft. Surface Area: 0.25 acres. Capacity: 1.0 AF, all of which will be active storage. Use: Operational storage for irr. systems, aesthetic, rec., and fire protection. Up to 2.88 acres may be irrigated on Lot 9 of the Subdivision. Structures: Wells. AVR Well No. 5: Original Decree: 95CW264 entered on December 26, 1997 in Dist. Court, Water Div. 5. Subsequent Decrees Awarding Findings of Diligence: 03CW313 on 3/28/2005, 11CW44 on 6/22/2012, and 18CW3114 on 9/15/2019, all in Dist. Court, Water Div. 5. Aspen Valley Downs Wells No. 1-4: Original Decree: 89CW291 entered on May 30, 1991, in Dist. Court, Water Div. 5. Subsequent Decrees Awarding Findings of Diligence: 97CW111 on 9/4/1997, and amended on 9/5/2001, 03CW217 on 12/11/2006, 12CW170 on 8/25/2013, and 19CW3114 on 3/24/2020, all in Dist. Court, Water Div. 5. Sources: tributary to Dry Woody Creek, tributary to the Roaring Fork River, tributary to the CO River. Approp. Date: 12/27/1989. Structure: AVR Well No. 5. Legal Description: SW1/4 SE1/4 of Sec. 4, T. 9 S., R. 85 West, 6th P.M., a distance of 350 ft. from the S. line and 3,550 ft. from the W. line of Sec. 4. The as-built location, as confirmed in 11CW44, is in the SW1/4 SE1/4 of Sec. 4, T. 9 S. R. 85 West, 6th P.M., a distance of 110 ft. from the S. line and 3,260 ft. from the W. line of Sec. 4. Amt.: 50 gallons per minute (g.p.m.), of which 20 g.p.m. remains conditional. Well Depth: 400 ft. Permit No.: 56445-F. Use: Dom. use for 20 houses and irr. of up to 1.56 acres, in conjunction with the Aspen Valley Ranch Well Nos. 1 through 4 decreed in 89CW291. Structure: Aspen Valley Downs Well No. 1 (aka "AVD Well No. 1 on Lot 7"). Legal Description: NW1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 1,150 ft. from the W. line and 1,890 ft. from the S. line, as changed in 95CW264. Amt.: 50 g.p.m., conditional. Well Depth: 300 ft. Use: Irr. and dom. purposes. Structure: Aspen Valley Downs Well No. 2 (aka "AVD Well No. 2 on Lot 5"). Legal Description: SW1/4 SW1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 940 ft. from the W. line and 1,200 ft. from the S. line, as changed in 95CW264. Amt.: 50 g.p.m., of which 34 g.p.m. is absolute (03CW217) and 16 g.p.m. is conditional. Well Depth: 200 ft., as built. Permit No.: 53123-F. Use: Irr. and dom. purposes. Structure: Aspen Valley Downs Well No. 3 (aka "AVD Well No. 3 on Lot 4"). Legal Description: SW1/4 SE1/4 of Sec. 4, T. 9 S., R. 85 W. of the 6th P.M., a distance of 2,860 ft. from the W. line and 750 ft. from the S. line, as changed in 95CW264. Amt.: 50 g.p.m., of which 15 g.p.m. is absolute (03CW217) and 35 g.p.m. is conditional. Well Depth: 273 ft., as built. Permit No.: 53124-F-R. Use: Irr. and dom. purposes. Structure: Aspen Valley Downs Well No. 4 (aka "AVD Well No. 4 on Lot 3"). Legal Description: NW1/4 NE1/4 of Sec. 9, T. 9 S., R. 85 W. of the 6th P.M., a distance of 3,170 ft. from the W. line and 660 ft. from the N. line, as changed in 95CW264. Amt.: 50 g.p.m., of which 27 g.p.m. is absolute (03CW217) and 23 g.p.m. is conditional. Well Depth: 220 ft. Permit No.: 46018-F. Use: Irr. and dom. purposes. Remarks: The ct. decreed the names for the Aspen Valley Ranch Wells No. 1-4 as changed to the Aspen Valley Downs Wells No. 1-4, respectively, in 03CW217. The combined annual withdrawal from the Aspen Valley Downs Wells No. 1-4 shall not exceed 15 AF (*see* 03CW217); the combined use of the wells is limited to supplying water for 20 housing units and 1.56 acres of lawns and garden as described in 89CW291. Applicant abandoned the originally decreed municipal use of the wells in 03CW217. Applicant operates the Aspen Valley Downs Wells No. 1-4 in accordance with the terms and conditions of the plan for aug. decreed in 89CW291 and as amended in 95CW264. Integrated System: As decreed in 03CW313, and 03CW217, the ct. recognized the SWR's, respectively, as components of an integrated water supply for Applicant's property and water supply operation. Each of the SWR's benefits properties owned by either Applicant or Applicant's members, or those owned by adjacent property owners pursuant to an agreement between Applicant and Aspen Valley Ranch. Each of the SWR's is a component of Applicant's integrated supply system. C.R.S §37-92-301(4). A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. Name of owner of the land upon which structures are located: AVR Pond 1 and Aspen Valley Downs Well No. 4: James Leo Edelstein Revocable Trust, c/o Mary Edelstein. PO Box 521 Woody Creek, CO 81656. AVR Pond 5 and Aspen Valley Downs Well No. 2: BPCP 725 AVD, LLC, c/o Brennan Cox. Bay Point Advisors, 3050 Peachtree Road NW, Suite 740, Atlanta, GA 30305. AVR Pond 6: Aspen Valley Ranch HOA, c/o Maria Johnson. PO Box 421, Woody Creek, CO 81656. AVR Ponds No. 7, 8, and 9: Aspen Ranch Acquisition, LLC, c/o Michael Neary. Bay Point Advisors, 3050 Peachtree Road NW, Suite 740, Atlanta, GA 30305. AVR Well No. 5: Saxon Woods, c/o Kelly Porter. 4781 Fay Drive, Couth Euclid, OH 44121. Aspen Valley Downs Well No. 1: Aspen Ranch Acquisition, LLC, c/o Michael

Neary. Bay Point Advisors, 3050 Peachtree Road NW, Suite 740, Atlanta, GA 30305. Aspen Valley Downs Well No. 3: Running Mare Ridge, LLC, c/o Tracy Shopkorn. 136 E. 79th St., Apt. 14A, New York, NY 10075-03. (11 pages of original application, Exhs. A, B) **YOU ARE HEREBY 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 this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.**

8. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3156 (prior cases: Case No. 01CW40, 06CW32, 11CW85, and 18CW3227) Application for Finding of Reasonable Diligence and to Make Conditional Water Rights Absolute in Part of the Grand River Ranch Owners Association, Inc., Don Davis, Y Recreation & Therapy, LLC, Wildest Dreams, LLC, Rose City Holdings, LLC, and Rocky Mountain Legacy, LLC,, in **GRAND COUNTY**. 1. Name, mailing address, email address, and home telephone number of applicant(s): Grand River Ranch Owners Association, Inc., for itself and as agent for all co-applicants, Garth Eichler, Manager, Grand River Ranch, P.O. Box 1568, Kremmling, CO 80459, garth@thegrandriverranch.com, 970-531-6185; Don Davis, c/o Don and Gemma Davis, 8568 South Hwy. 59, Nacogdoches, TX 75964, greattexas@aol.com, gemmadavistx@aol.com, 970-724-8912; Y Recreation & Therapy, LLC, Logan Reese, 56072 Sylvan Meadows, Bristol, IN 46507, loganrees@nationalsupplyllc.com, 970-724-8912; Wildest Dreams, LLC, c/o Glenn Lange, One Best Drive, P.O. Box 158, Ferdinand, IN 47532, glange@besthf.com, 812-367-0166; Rose City Holdings, LLC, P.O. Box 100, Huntingburg, IN 47542, hmenke@ofs.com, ken.mulzerjr@mulzer.com, 812-683-4848; Rocky Mountain Legacy, LLC, 15748 N. 1000 E. Santa Clause, IN 47579, kenmulzerjr@mulzer.com, 812-453-9711. Please send all correspondence, pleadings or other court filings to: Karl D. Ohlsen and Sarah B. Wiedemann, Carlson, Hammond & Paddock, L.L.C., 1900 Grant Street, Suite 1200, Denver, CO 80203; (303) 861-9000; kohlsen@chp-law.com, swiedemann@chp-law.com. 2. Name of structures: Beavers Pond, Collett Pond, Low Aspen Pond and feeder ditch, P.J. Martin Ponds, Middle Fork Ponds, North Fork Pump Station, Lodge Well No. 1, and appropriative rights of substitution involving: 6.0 c.f.s. of the West End Ditch No. 1 decreed to an alternate point of diversion at the Jones Diversion Ditch, the Kremmling North Feeder Ditch, and the Kremmling Sheep Creek Ditch. 3. Describe conditional water rights including the following information from the Referee's Ruling and Judgment and Decree: A. Beavers Pond. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of Beavers Pond: as decreed in Case No. 01CW40 – An off-stream pond located in the NW¼ NE¼ of Section 9, T1N, R81W of the 6th P.M. in Grand County, Colorado, at a point 2,274 feet from the East section line and 313 feet from the North section line. State Plane Coordinates: NAD83 N-Zone: N 1,270,564; E 2,727,392. This is an off-stream pond whose point of diversion is on the South bank of the Middle Fork of Sheep Creek, at a point whence the SW corner of Section 4, T1N, R81W, 6th P.M. bears North 81°40'59" West a distance of 3,021 feet. The rate of diversion is 0.5 c.f.s. iv. Source of water: Middle Fork of Sheep Creek. v. Appropriation Date: September 7, 2000. vi. Amount: 63.7 acre-feet conditional with the right to continuously fill and refill in priority, and to maintain a freshening flow through the pond. By this Application, Applicants seek a finding of reasonable diligence regarding this conditional water right. vii. Use: Stock water, piscatorial, wildlife, recreation, and firefighting. B. Collett Pond. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5, changed by the decree entered on March 18, 2009, in Case No. 06CW32, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of Collett Pond: as decreed in Case No. 06CW32 – in the Building Area on Grand River Ranch, Parcel 98 (f.k.a. Parcel 14), located in parts of the S½ of the SE¼ of Section 32, T2N, R81W, parts of Section 32, T1½N, R81W, and parts of the N½ of the N½ of Section 5, T1N, R81W, within the drainage of the No. 2 Branch of the North Fork of Sheep Creek, in Grand County, Colorado. The Collett Pond is a succession of small, connected ponds, with a total storage capacity not to exceed 14.6 acre-feet and a total water surface area not to exceed 1.9 acres. The approximate centroid of the proposed ponds is located in the SE¼ of the SE¼ of Section 32, T2N, R81W of the 6th P.M. at a point 60 feet from the South Line and 1,080 feet from the East Line of Section 32. (UTM NAD27 Zone 13 Coordinate N4,438,673; E373,258 Meters). iv. Source of water: The DeBerard Spring No. 5, and the Middle Fork and North Fork of Sheep Creek delivered through the P.J. Martin Ditch No. 2. v. Points of Diversion: (1) DeBerard Spring No. 5, located at a point whence the NE corner of Section 32, T1½N, R81W of the 6th P.M. bears South 86°35' East a distance of 1,415 feet. (2) P.J. Martin Ditch No. 2 Middle Fork Headgate, located on the Middle Fork of Sheep Creek in the SW¼ NE¼ of Section 5, T1N, R81W of the 6th P.M. at a point 2,524 feet from the North section line and 2,532 feet from the East section line. State Plane Coordinates: NAD83 N-Zone N 1,273,796; E 2,271,486. (3) The P.J. Martin Ditch No. 2 from Headgate No. 1 at a point on the North bank of No. 1 Branch of Sheep Creek whence the SW corner of Section 33, T2N, R81W of the 6th P.M. bears North 41°45' East a distance of 2,850 feet. (4) The P.J. Martin Ditch No. 2 from Headgate No. 2 at a point on the North bank of No. 2 Branch of Sheep Creek whence the SW corner of Section 33, T2N, R81W of the 6th P.M. bears North 83° East a distance of 1,220 feet. vi. Rate of Diversion: 20 g.p.m. from DeBerard Spring No. 5 and 1.0 c.f.s. from P.J. Martin Ditch No. 2. vii. Appropriation Date: January 23, 2001, as to the first 0.5 c.f.s. of inflow from the P.J. Martin Ditch No. 2, and March 23, 2006 as to the second 0.5 c.f.s. of inflow from the P.J. Martin Ditch No. 2. viii. Amount: 14.6 acre-feet with the

right to continuously fill and refill in priority, and to maintain a freshening flow through the pond. 2.94 acre-feet of the water right was decreed absolute in Case No. 11CW85 for all decreed beneficial uses except piscatorial. 2.94 acre-feet of the water right was decreed absolute in Case No. 18CW8227 for all decreed beneficial uses, and 11.66 acre-feet remain a conditional water right. By this Application, Applicants seek a finding of reasonable diligence regarding the 11.66 acre-feet of the water right that remain conditional.

ix. Use: Stock water, piscatorial, wildlife, recreation, and firefighting. C. Low Aspen Pond. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of the Low Aspen Pond: Located on an intermittent tributary of the South Fork of Sheep Creek in the SE¼ NW¼ of Section 10, T1N, R81W of the 6th P.M. at a point 1,619 feet from the West section line and 2,283 feet from the North section line of Section 10, Grand County, Colorado. State Plane Coordinates: NAD83 N-Zone: N 1,268,717; E 2,731,303. iv. Source of Water: Unnamed tributary to the South Fork of Sheep Creek, and 2.0 c.f.s. from the South Fork of Sheep Creek through the proposed Low Aspen Feeder Ditch, from a headgate to be located at a point whence the SW corner of Section 4, T1N, R81W of the 6th P.M. bears North 69°34'39" West a distance of 5,737.5 feet. v. Appropriation Date: January 23, 2001. vi. Amount: 50.8 acre-feet conditional with the right to continuously fill and refill in priority, and to maintain a freshening flow through the pond. 32 acre-feet was decreed absolute in Case No. 18CW3227 for all decreed beneficial uses and 18.8 acre-feet remained conditional for all decreed beneficial uses. By this Application, Applicants seek a finding of reasonable diligence regarding the 18.8 acre-feet of the water right that remain conditional.

vii. Use: Stock water, piscatorial, wildlife, recreation, and firefighting. D. P. J. Martin Ponds. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of the P. J. Martin Ponds: Two adjacent ponds located in the SE¼ NE¼ of Section 5, T1N, R81W of the 6th P.M., in Grand County, Colorado. The North Pond is located 1,744 feet from the North section line, and 679 feet from the East section line of said Section 5. The South Pond is located 1,907 feet from the North section line, and 789 feet from the East section line in said Section 5. State Plane Coordinates: North Pond: NAD83 N-Zone: N 1,274,537; E 2,723,724; South Pond: NAD83 N-Zone: N 1,274,374; E 2,723,614. iv. Source of Water: Middle Fork Sheep Creek through the P.J. Martin Ditch No. 2. v. Appropriation Date: September 9, 2000. vi. Amount: 3.4 acre-feet with the right to continuously fill and refill in priority, and to maintain a freshening flow through the pond. The conditional water right was decreed absolute in the amount of 2.1 acre-feet in Case No. 11CW85 for the decreed beneficial uses of stock watering, wildlife and firefighting, and remained conditional for recreation and piscatorial uses, and 1.3 acre-feet remained conditional for all decreed beneficial uses. The same 2.1 acre-feet was decreed absolute for all decreed beneficial uses in Case No. 18CW3227, and 1.3 acre-feet remained conditional for all decreed beneficial uses. By this Application, Applicants seek a finding of reasonable diligence regarding the 1.3 acre-feet of the water right that remain conditional. vii. Use: Stock water, piscatorial, wildlife, recreation, and firefighting. E. Middle Fork Ponds. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of the Middle Fork Ponds: Three adjacent ponds located in the SW¼ NW¼ of Section 5, T1N, R81W of the 6th P.M., in Grand County, Colorado. The Upper Pond is located at a point from whence the SE corner of said Section 5 bears South 56°07'13" East a distance of 5,473.2 feet. State Plane Coordinates: NAD83 N-Zone: N 1,274,052; E 2,719,859; The Middle Pond is located at a point from whence the SE corner of said Section 5 bears South 54°44'44" East a distance of 5,321.3 feet. State Plane Coordinates: NAD83 N-Zone: N 1,274,072; E 2,720,058; The Lower Pond is located at a point from whence the SE corner of said Section 5 bears South 52°47'44" East a distance of 5,083.3 feet. State Plane Coordinates: NAD83 N-Zone: N 1,274,074; E 2,720,354. The following additional legal description is an approximation and is not intended to supersede the decreed legal description: Grand County, SW¼ of the NW¼, Section 5, Township 1 North, Range 81 West, 6th P.M. Distance from section lines: Upper Pond - 685 feet from the West section line and 2,285 feet from the North section line; Middle Pond - 885 feet from the West section line and 2,264 feet from the North section line; Lower Pond - 1,180 feet from the West section line and 2,262 feet from the North section line. iv. Source of Water: Middle Fork of Sheep Creek. v. Appropriation Date: September 7, 2000. vi. Amount: 2.9 acre-feet total conditional for all three ponds, with the right to continuously fill and refill in priority, and to maintain a freshening flow through the ponds; Upper Pond: 0.4 acre-feet; Middle Pond: 0.9 acre-feet; and Lower Pond: 1.6 acre-feet. By this Application, Applicant seeks to make the right absolute in whole for all decreed beneficial uses. vii. Use: Stock water, piscatorial, wildlife, recreation, and firefighting. F. North Fork Pump Station. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of the North Fork Pump Station: A pumped diversion from North Fork of Sheep Creek, located in the SE¼ NW¼ of Section 4, T1N, R81W of the 6th P.M. at a point whence the SE¼ of Section 32, T2N, R81W bears North 26°26'59" West a distance of 2,921.02 feet, in Grand County, Colorado. State Plane Coordinates: NAD83 N-Zone: N 1,274,748; E 2,726,198. The following additional legal description is an approximation and is not intended to supersede the decreed legal description: Grand County, SE¼ of the NW¼, Section 4, Township 1 North, Range 81 West, 6th P.M. Distance from section lines: 1,813 feet from the West section line and 1,546 feet from the North section line. iv. Source of Water: Groundwater tributary to the North Fork of Sheep Creek. v. Appropriation Date: April 23, 2001. vi. Amount: 50 g.p.m. conditional. By this Application, Applicants seek a finding of reasonable diligence for this water right. vii. Use: Stock water, fire protection, and irrigation of two acres in the NW¼ of Section 4, T1N, R81W.

G. Lodge Well No. 1. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Legal description of the Lodge Well: Located in the SW¼ NW¼ of

Section 4, T1N, R81W of the 6th P.M. at a point 912 feet from the West section line and 1,480 feet from the North section line. State Plane Coordinates: NAD83 N-Zone: N 1,274,825; E 2,725,294. iv. Source of Water: Groundwater tributary to the North Fork of Sheep Creek, Well Permit No. 234735. v. Appropriation Date: February 26, 2001. vi. Amount: 30 g.p.m. conditional, 10 acre-feet average annual appropriation. This water right was made absolute in the amount of 8 g.p.m. and 0.5 acre-feet in Case No. 11CW85 for domestic irrigation of 0.19 acres and fire protection, while 22 g.p.m. and 9.5 acre-feet remained conditional as to the beneficial uses of domestic, irrigation of 1.81 acres, and fire protection, and 30 g.p.m. and 10 acre-feet remained conditional as to the beneficial use of stock watering. By this Application, Applicants seek a finding of reasonable diligence for the remaining conditional water right. vii. Use: Domestic, stock watering, irrigation of two acres and fire protection. H. Appropriative Rights of Substitution. i. Date of Original Decree: May 9, 2005, Case No. 01CW40, District Court, Water Division No. 5. ii. Subsequent decrees awarding findings of diligence: December 19, 2012, Case No. 11CW85, District Court, Water Division No. 5; September 22, 2019, Case No. 18CW3227, District Court, Division No. 5. iii. Description of Appropriate Rights of Substitution. The structure used in the substitution is the Jones Diversion Ditch, located on South Sheep Creek at a point on the North bank thereof whence the NE corner of Section 15, T1N, R81W of the 6th P.M. bears South 65°25' East a distance of 6,608 feet. (1) Water Right Used in Substitution: 6.0 c.f.s. in the West End Ditch No. 1 changed to the Jones Diversion Ditch in Case No. W-273, by decree entered on October 6, 1971, by the District Court, Water Division No. 5. (2) Description of Substitution: Subject to the Agreement dated April 14, 1981, between the Grand River Ranch Corporation and the Town of Kremmling, the Applicants will forego diversion of up to 6 c.f.s. of the water lawfully and physically available in priority to the West End Ditch No. 1 at the Jones Diversion Ditch on the South Fork of Sheep Creek, thus making additional water available for use by the Town from the South Fork of Sheep Creek. The amount of substitute water not diverted by Applicants and thus made available to the Town will be equal to the quantity of water that otherwise would have been physically available in priority to the Town of Kremmling's water right in the Kremmling North Feeder Ditch and the Kremmling Sheep Creek Ditch, less transit losses to the South Fork of Sheep Creek. (3) Substitution Reaches: The reaches of the streams in the Sheep Creek Basin that are subject to the appropriative right of substitution are (1) on the South Fork of Sheep Creek from the point of diversion for the Jones Diversion Ditch to the point of diversion for the Jones Feeder Ditch and the Jones Reservoir No. 2; and (2) on the Middle Fork and North Fork of Sheep Creek from the points of diversion for the Kremmling North Feeder Ditch and the Kremmling Sheep Creek Ditch. (4) Rate of Substitution. The maximum rate of flow is 6.0 c.f.s. This appropriative right of substitution was made absolute in the amount of 2.0 c.f.s. in Case No. 11CW85, and 4.0 c.f.s. remain a conditional water right. By this Application, Applicants seek a finding of reasonable diligence for the remaining conditional water right. iv. Source of Water: Sheep Creek Basin. v. Appropriation Date: December 12, 2000. vi. Use: The decreed uses for the West End Ditch No. 1, the Kremmling North Feeder Ditch, and the Kremmling Sheep Creek Ditch. I. The water rights that are the subject of this application, as described in Section 3, are hereafter referred to as the "Subject Water Rights." J. Integrated System: As decreed in Case Nos. 01CW40, 11CW85, and 18CW3227, the Subject Water Rights herein are part of the integrated water supply project and system that serves development on the Grand River Ranch, and that work conducted on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project and system. 4. Diligence Activities. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures. During the diligence period and since the Application was filed in Case No. 18CW3227, Applicants have done the following toward completion of the decreed conditional water rights and the integrated water supply project and system: A. Applicant Rocky Mountain Legacy, LLC, has continued to diligently pursue the water rights of the Middle Fork Ponds, and seeks to make the right absolute in whole with this Application. The three on-channel ponds have been filled to capacity while wildlife, as well as cattle associated with the GRROA grazing lease, have been observed utilizing the ponds. The ponds are built as decreed, with a combined surface area of 0.5 acres. Therefore, the Middle Fork Ponds water right has been applied to the beneficial uses of stock water and wildlife, and Applicants seek to make the right absolute for all uses pursuant to CRS § 37-92-301(4)(e). B. Sunset Cliff, LLC, conveyed its interest in the Low Aspen Pond to Wildest Dreams, LLC, and provided notice to the court of the transfer on September 25, 2025. The notice explains that Wildest Dreams, LLC's predecessor in interest conveyed the Low Aspen Pond by deed dated December 31, 2020, and recorded in the real property records of Grand County, Colorado on January 11, 2021, with reception number 2021000319. C. Applicants Wildest Dreams, LLC have performed the following diligence activities for the Low Aspen Pond: Since January 2021, Wildest Dreams, LLC's property manager conducted repairs and hired third-party contractors to repair water leaks at Low Aspen Pond. Third-party costs related to that repair and maintenance work totaled \$1,364.70. Wildest Dreams, LLC's manager also conducts regular repairs to the dock at the Low Aspen Pond. Applicants regularly stocks Low Aspen Pond rainbow trout, cutthroat trout, and brook trout for fishing and other recreational activities. Low Aspen Pond is also used as a source of water for domestic and wild animals, including cattle under GRROA's grazing lease. D. John J. and Anna M. Sie conveyed their interest in the Collett Ponds to Don Davis and provided notice to the court of the transfer on August 19, 2025. The notice explains that Don Davis's predecessor in interest conveyed the Collett Pond conditional water right to him by deed dated October 14, 2020. The deed was recorded in the real property records of Grand County, Colorado, on December 16, 2021, with reception number 2021013968. E. Applicant Don Davis has performed the following diligence activities for the Collett Pond: paved, repaired, and maintained the road access to all ponds, costing \$175,000 initially and \$1,500 per year to maintain; removal of invasive animals in ponds, costing \$2,000; repaired, replaced and maintained agricultural drains, costing \$2,500; installed, repaired, and maintained the three 10hp pumps for water supply, as well as all additional plumbing, costing \$15,000; clearing obstructions from the creeks that supply the ponds, including deadfall, windblown material, and animal made structures to ensure the proper flow of water, costing \$4,000. The Collett Pond continued to be used for its decreed uses of stock water, wildlife, recreation, and in anticipation of potential firefighting need. F. Applicants GRROA have performed the following diligence activities for the Lodge Well No. 1: yearly inspection and maintenance, upgrades to the landscaping irrigation system to conserve water usage, replacing the well pump contractor

coil (2x); performing water testing to maintain safe drinking water; and weed control, all costing approximately \$15,000 over the diligence period. G. Applicants Y Recreation & Therapy, LLC, have maintained the P.J. Martin Ponds to their full capacity and continue their intent to enlarge the capacity to store the additional 1.3 acre-feet in the future. Applicants Y Recreation & Therapy, LLC performs the following diligence activities on Parcel 12, which includes the P.J. Martin Ponds and Aspen Meadow Springs Nos. 1 and 2, which are an additional source of supply for the P.J. Martin Ponds and are decreed components of the integrated water supply system: maintains roads for accessibility, including sediment maintenance, costing approximately \$18,000 for the diligence cycle, and sprays noxious weeds with an approximate total cost of \$15,000 for the diligence cycle. Applicants also obtained a finding of diligence on the Aspen Meadow Spring Nos. 1 and 2 in Case No. 24CW3107. H. On August 14, 2025, Applicant Rose City Holdings, LLC filed a Notice of Transfer of Conditional Water Rights in Case No. 18CW3227. The notice explains that its predecessor in interest, Patricia L. McDonnell Revocable Trust, conveyed the Beavers Pond conditional water right, among other water rights, to Rose City Holdings, LLC by deed dated October 14, 2020. The deed was recorded in the real property records of Grand County, Colorado, on October 16, 2020, with reception number 2020009824. I. During the diligence period, Applicant Rose City Holdings, LLC spent the following amounts for Parcel 11 at the Grand River Ranch: a) \$2,800 for fish restocking; b) \$31,500 for the installation, repair, and maintenance of a dry fire hydrant and accompanying materials; c) \$23,000 for maintenance of road access to ponds and repair and maintenance of ponds and banks – including sediment maintenance and mowing; d) \$2,000 for reconnaissance and removal of invasive animals from ponds, and e) \$3,000 to repair, replace, and maintain agricultural drains. These amounts encompass all water rights on Parcel 11, which include Gould Pond Nos. 1 and 2, the Strawberry Ditch, and Beavers Pond. J. Applicant GRROA performed annual activities that include, but are not limited to: a) data collection and recordkeeping for reporting to the Colorado Division of Water Resources; b) monthly water flow adjustments to coincide with water rights; c) filling of reservoirs and irrigation rights across Grand River Ranch; d) general maintenance of walking trails, removal of vegetative overgrowth, and cleaning out of rocks and sediment; e) removal of snow pack and ice from the Jones Reservoir No. 1 Feeder Ditch to allow for the proper flow of water in early spring at an average cost of \$2,000 a year; and f) spraying of noxious weeds on waterways, dams, and ditches as needed at a cost of \$2,500 a year. In 2025, GRROA spent \$875 to add cobble and 1.5” rock to the Parshall flume at the Jones Reservoir No. 1 Feeder Ditch. K. On August 28, 2019, Applicant GRROA and Applicant Rose City Holdings, LLC’s predecessor in interest, Patricia L. McDonnell Revocable Trust, filed an application in Case No. 19CW3100 in Water Division No. 5 seeking a finding of reasonable diligence for the Muddy Pond, Jones Reservoir No. 2, Jones Reservoir No. 3, Jones Reservoir Supply Ditch Headgate No. 2, the Strawberry Ditch, the P.J. Martin Ditch No. 2, Middle Fork Headgate, the Low Aspen Feeder Ditch, and the North Fork Pump Station, all of which are a part of the integrated water supply project and system for the Applicants in the current application. GRROA and the Patricia L. McDonnell Revocable Trust successfully prosecuted the application and a decree was entered on October 25, 2020. L. On September 30, 2022, Applicant GRROA filed an application in Case No. 22CW3104 with the water court in Water Division No. 5 seeking a finding of reasonable diligence for the conditional water right for the Martin Dairy Well enlargement, a part of the plan for augmentation decreed in Case No. 01CW41 (as amended in Case No. 06CW32), both of which are a part of the integrated water supply project and system for the Applicants in the current Application. Applicant successfully prosecuted the application and a decree was entered on September 15, 2023. M. On September 29, 2023, Applicant GRROA filed an application in Case No. 23CW3145 with the water court in Water Division No. 5 seeking a finding of reasonable diligence in the development of the remaining portion of conditional water rights in Jones Reservoir No. 1 (second filling) and Jones Reservoir No. 2 (second filling). These water rights are part of the integrated water supply project and system for the Applicants in this Application. Applicant successfully prosecuted the application and a decree was entered on April 15, 2024. N. On July 31, 2025, Applicant GRROA filed an application in Case No. 25CW3117 with the water court in Water Division No. 5 seeking a finding of reasonable diligence in the development of the remaining portion of conditional water rights for Gould Ponds Nos. 1 and 2 and the Kid’s Pond Enlargement. These water rights are part of the integrated water supply project and system for the Applicants in this Application. O. Applicant GRROA has continued to engage ranch managers for the members/owners, contractors and GRROA employees to monitor flows and all flumes, gages and streams to ensure the continuous and accurate operation of the augmentation plan decreed in Case No. 01CW41 that benefit all the water rights and infrastructure that makes up the integrated water supply project and system for the Applicants in this matter. Included in this work is the accurate measurement and recording of water available at flumes and measuring devices, including, but not limited to, those in Lower Sheep Creek, the Cipoletti Weir-Shale Ditch, Sheep Creek Ditch, Middle Fork Sheep Creek, the Jones Reservoir No. 2 Inlet Flume, the Jones Reservoir No. 1 Feeder Ditch, the Kremmling South Feeder Ditch, the Jones Reservoir No. 2 Outlet, the Jones Reservoir No. 2 level gage, the Jones Reservoir No. 1 level gage, the Jones Reservoir No. 1 outlet flume, the Siphon Ditch flume, the Middle Fork above the P.J. Martin diversion flume, and the Middle Fork below the P.J. Martin diversion flume, the P.J. Martin diversion above the Island Pond flume, the Strawberry Ditch diversion flume, the Jones diversion ditch to the North Fork flume, the DeBerard overflow, the Muddy Creek Pump Station meter, the Town Pumping Plant exchange, Wolford Reservoir releases for the benefit of the integrated water supply project and system, the Low Aspen Pond flow and gages, the Martin Dairy Well meter for deliveries to the Tailwater Cabins, the Jones domestic water meter, the Jones irrigation water meter, and the Lodge domestic and irrigation water meter for Lodge Well No. 1. These measurements are made and reported on a daily and monthly basis when water is available. Member/Owner Applicants pay annual association fees to the GRROA to ensure continued compliance with the requirements of the augmentation plan and related water rights decrees. P. In 2023, Applicant GRROA removed an old fence surrounding the Martin Dairy Well and rebuilt a new fence and access gate for approximately \$3,800. During this time, GRROA also collaborated with the Town of Kremmling to cut, remove, and burn willows on the Jones Reservoir No. 2 dam face. GRROA also hauled in 4 loads of ¾” road base to resurface the dam road for \$4,500. GRROA’s collaboration with Kremmling cost approximately \$4,500 for labor and equipment. GRROA also cut, removed, and burned vegetation on the Jones Reservoir No. 1 dam face at a cost of \$1,250. Q. The GRROA has also continued grazing leases for property adjacent to and surrounding the structures that are the subject of this

Application, and that allow use of some features of the integrated water supply project and system for stock watering. This includes a grazing lease with Farrell Livestock, which transitioned from a year-by-year lease with the GRROA in May 2024. R. During the diligence period Application GRROA approximately \$50,000 on legal services related to the Grand River Ranch's integrated water supply project and system described above. These entities also spent approximately \$30,000 on engineering and administrative services in connection with the activities described above and other activities in furtherance of the development of the integrated water supply project and system. S. Applicant GRROA continued to operate pursuant to a Water Supply Contract with the Colorado River Water Conservation District for deliveries of water from Wolford Mountain Reservoir. Pursuant to that contract, Applicant GRROA is entitled to 100 acre-feet of water annually for 40 years and contracted to annually pay a share of project operations and maintenance. Currently, the GRROA pays annual fees of \$4,125 for this agreement to cover operational and maintenance costs. T. Applicant Rose City Holdings, LLC, continued to maintain fresh flows to the Gould Ponds through the Strawberry Ditch, continue to check flows at the Strawberry Ditch flume, monitor creek flows that would supply the planned Beaver Ponds, engaged a ranch manager to record diversions into the Strawberry Ditch, continued to maintain appropriate water levels in the ponds throughout the year, cleaned ditches in the Gould Meadow for continued irrigation, used water from the Gould Ponds to irrigate, maintained and repaired overflow pipes on the Gould Ponds, periodically maintained algae and aquatic weeds in the ponds, allowed access to the ponds for stock and wildlife, continued to keep roads accessible for firefighting purposes as needed, and stocked the constructed ponds with fish periodically. Applicants intend to continue actively pursuing the development of the remaining conditional portion of these water rights. In 2025, GRROA cleaned and removed debris on and around the Strawberry Ditch Parshall flume for \$200. U. Bison Ridge Ranch annually conducts basic maintenance operations at the P.J. Martin Ditch No. 2 (a source of water for the partially conditional Collett Pond right, subject of this Application) and performs weed control on ditch areas. V. Since 2019, Applicant Aspen Hills Ranch, LLC has performed regular maintenance on Kid's Pond, which is part of the integrated water supply system. Specifically, Aspen Hills Ranch, LLC has cleaned the pond's pipes to prevent dam washout, removed beavers that were attempting to clog up the pond's overflow pipe, and repaired the pond's aerator and its accompanying windmill. The total cost for Aspen Hills Ranch, LLC's maintenance work during the diligence period was approximately \$2,870. GRROA's ranch manager also regularly performs maintenance for Kid's Pond involving weed control and removal of vegetative overgrowth. W. Applicant Aspen Hills Ranch, LLC annually restocks Kid's Pond with rainbow trout for fishing and recreational activities. Applicants also utilize Kid's Pond for GRROA's grazing lease with Farrell Livestock. Kid's Pond is further used as an attraction for wildlife linked to Applicants' hunting activities. The cost to restock Kid's Pond with rainbow trout during the diligence period totaled \$3,588. Attached to this application as Exhibit A is a map showing the location of the conditional water rights and the lands that have been or in the future may be irrigated by the conditional water rights. The Applicants request a finding that the Middle Fork Ponds conditional water right has been made absolute in whole, and that they have exercised reasonable diligence in the development of each of the conditional water rights listed above, and that these water rights remain a part of the Grand River Ranch integrated water supply system for purposes of finding of reasonable diligence. The Applicants further seek a decree continuing the remaining conditional water rights for an additional six years from the date of any decree herein, to the extent not made absolute water rights. 5. Application to Make Absolute In Part. The Applicants seek to make the following conditional water right absolute to the extent stated here: A. Middle Fork Ponds: 2.9 acre-feet absolute for all three ponds and for all decreed beneficial uses pursuant to C.R.S. §37-92-301(4)(e), with the right to continuously fill and refill in priority, and to maintain a freshening flow through the ponds; Upper Pond: 0.4 acre-feet; Middle Pond: 0.9 acre-feet; and Lower Pond: 1.6 acre-feet. 6. Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. A. Grand River Ranch Owners Association, North Fork Pump Station, Lodge Well No. 1, Stated above. B. Don Davis, Collett Pond, Stated above. C. Y Recreation & Therapy, LLC, P. J. Martin Ponds, Stated above. D. Wildest Dreams, LLC, Low Aspen Pond, Stated above. E. Rose City Holdings, LLC, Beavers Pond, Stated above. F. Rocky Mountain Legacy, LLC, Middle Fork Ponds, Stated above. 7. Remarks or any other pertinent information: Since the Applicants are the owners of the land on which the structures and storage pools are located, no notice is required to be served on others by section 37-92-302(2) (b) (II), C.R.S. (2010).

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

9. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3157 MESA COUNTY. COLORADO RIVER OR ITS TRIBUTARIES, COURTNEY TSCHANZ AND MATTHEW BAILEY, c/o Scott C. Miller, Esq. and John M. Sittler, Esq., Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION INCLUDING EXCHANGE. First Claim: For Approval of Plan for Augmentation. Name of structure to be augmented: Schlenzig Pump and Pond. Description of structure to be augmented: Date of original decree: March 11, 1996, Case No. 95CW154, District Court, Water Division 5. Legal description: A point on Coon Creek 624 feet from the West line and 868 feet from the South line within the SE ¼ SW ¼ SW ¼, Section 9, T. 11 S., R. 96

W. of the 6th P.M. Source: Coon Creek, tributary to Plateau Creek, tributary to the Colorado River. Appropriation date: August 15, 1991. Amount: 0.10 c.f.s., absolute. Uses: Irrigation, domestic, fire protection, and fish propagation. Water rights to be used for augmentation: Colorado River Water Conservation District Contract from the sources described in the application. Complete statement of plan for augmentation: Background: Applicants own and operate the Schlenzig Pump and Pond for use on their property. Applicant uses this water right for pasture grass irrigation, domestic irrigation inside a small green house, and fill and refill of fire protection and fishponds. Although the Schlenzig Pump and Pipeline is occasionally out-of-priority due to downstream senior calls, the water right was not historically administered. The water commissioner began administration and curtailment of the Schlenzig Pump and Pond during the 2025 irrigation season. Applicants obtained a River District contract to replace out-of-priority depletions in July 2025. Applicants also obtained approval for an administrative exchange from the Division 5 Engineer on July 28, 2025. The plan for augmentation including exchange applied for in this case will legalize that operation for future seasons. Water requirements: The Schlenzig Pump and Pond is decreed for 0.10 c.f.s., absolute. However, Applicants do not operate the Schlenzig Pump and Pond at this maximum flow rate continuously throughout the year. Applicants hold River District Contract CW25002 for 5.0 acre-feet per year, allocated as follows: July – 1.6 acre-feet; August – 1.7 acre-feet; September – 1.7 acre-feet. Call operation: If the calling water right is below the confluence of Plateau Creek and the Colorado River, Applicants will augment out-of-priority depletions by using water rights owned or controlled by the River District, as described above. Applicants' augmentation water allows for partial use of the Schlenzig Pump and Pond during a call in July, August, and September. Assuming diversion at the fully decreed 0.10 c.f.s. rate, Applicants have sufficient augmentation water for approximately 194 hours in July and 206 hours in each of August and September. If Applicants' River District contract water is not sufficient to fully replace depletions, or the contract water cannot be used because the Schlenzig Pump and Pond Exchange is out-of-priority due to a call on Plateau Creek or Coon Creek, Applicants will curtail all diversions at the Schlenzig Pump and Pond. Fifth Claim: For Exchange Project. Name of structure: Schlenzig Pump and Pond Exchange. Description of water right: Location of downstream terminus: The confluence of Plateau Creek and the Colorado River, located in the NE ¼ SW ¼ of Section 13, Township 10 South, Range 98 West of the 6th P.M., at a point approximately 1,417 feet from the South section line and 2,104 feet from the West section line of Section 13 (Mesa County). Location of upstream terminus: The point of diversion for the Schlenzig Pump and Pond, as described in paragraph 4.B. A map is on file with the Court as Exhibit A. Source: The water rights on the Colorado River owned or controlled by the River District and for which Applicant holds an allotment contract for the use of, as described in paragraph 5. Appropriation date: September 30, 2025. How appropriation was initiated: Formulation of intent to apply water to beneficial use, application to the River District for an Allotment Contract, and filing this Application. Date water applied to beneficial use: N/A. Amount: 0.10 c.f.s., up to 5.0 acre-feet per year. Use: Exchange to implement the plan for augmentation applied for in this case.

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

10. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3158 (19CW3021) GRAND COUNTY, COLORADO. The Town of Fraser, Colorado (the "Applicant"), by and through its counsel, Greenberg Traurig, LLP; Christopher L. Thorne #20003 and Matthew K. Tieslau #47483, 1144 15th Street, Suite 3300, Denver, Colorado 80202, Telephone: (303) 572-6500, requests approval of this Application For Finding of Reasonable Diligence ("Application"). In support of this Application, Applicant states as follows: Town of Fraser, Attn: Town Manager, P.O. Box 120, Fraser, CO 80442, Phone: (970) 726-5491. This application requests a finding of reasonable diligence regarding a conditional appropriative right of exchange originally decreed in Case No. 90CW235 relying upon 80 acre feet of water stored in Granby Reservoir (the "Subject Exchange") and contracted for by Applicant with the Middle Park Water Conservancy District (the "District"). The structures to which the Subject Exchange may be operated include Fraser Wells Nos. 1, 2, 4, and 5; the Gaskill Ditch; Wells RM-5, RM-6 and RM-7; Detention Reservoirs K-1a, K-1b, K-2, J-2, J-3, E-F; and Maryvale Reservoir (referred to collectively herein as the "Fraser Structures"). Information from previous decree: Original decree: Case No. 90CW235 Date entered: June 8, 1995 District Court, Water Division No. 5 Subsequent decrees: 01CW155; 08CW64; and 19CW3021 (decree entered September 22, 2019). Decreed point of diversion: Locations of the points of diversion are as follows: (1) Fraser Well No. 1: In the SE1/4NE1/4 of Section 19, Township 1 South, Range 75 West of the 6th P.M. at a point 1,550 feet South of the North line and 450 feet West of the East line of said Section 19. (2) Fraser Well No. 2: In the NE1/4NE1/4 of Section 19, Township 1 South, Range 75 West of the 6th P.M. at a point 950 feet South of the North line and 325 feet West of the East line of said Section 19. (3) Fraser Well No. 4: In the NE1/4NE1/4 of Section 19, Township 1 South, Range 75 West of the 6th P.M. at a point 475 feet South of the North line and 375 feet West of the East line of said Section 19. (4) Fraser Well No. 5: In the NE1/4NE1/4 of Section 19, Township 1 South, Range 75 West of the 6th P.M. at a point 50 feet South of the North line and 475 feet West of the East line of said Section 19. (5) Gaskill Ditch: The point of diversion is located on the East Bank of the St. Louis Creek at a point whence the SW corner of Section 25, Township 1 South, Range 76 West of the 6th P.M. bears South 27°19'30" West, 3,896.2 feet. (6) Well RM-5: In the SE1/4SE1/4, Section 20, Township 1 South, Range 75 West of the 6th P.M., 425 feet from South section line and 225 feet from East section line. (7) Well RM-6: In the SE1/4SE1/4, Section 20, Township 1 South,

Range 75 West of the 6th P.M., 800 feet from South section line and 225 feet from East section line. (8) Well RM-7: In the SW1/4SE1/4, Section 20, Township 1 South, Range 75 West of the 6th P.M., 1,300 feet from South section line and 2,300 feet from East section line. (9) One or more of six Detention Reservoirs to be located as follows:

<u>Reservoir</u>	<u>Located in T1S, R75W</u>	<u>Volume in Acre-Feet</u>
K-1a	NW1/4NE1/4, Section 29	7.0
K-1b	NE1/4NE1/4, Section 29	5.0
K-2	NE1/4NE1/4 and SE1/4NE1/4, Section 29	10.0
J-2	NE1/4NE1/4, Section 29 and NW1/4NW1/4, Section 28	2.0
J-3	NW1/4NW1/4 and SW1/4NW1/4, Section 28	6.0
E-F	SE1/4NW1/4, Section 28	6.0

The decreed locations for the six detention reservoirs are the same locations as six of the storage ponds described in the Application in Case No. 99CW314, where the detention ponds are identified as Maryvale K-1a Reservoir, Maryvale K-1b Reservoir, Maryvale K-2 Reservoir, Maryvale J-2 Reservoir, Maryvale J-3 Reservoir, and Maryvale E-F Reservoir. (1) Maryvale Reservoir: In the S1/2NW1/4 Section 28, T1S, R75W. The initial point of the survey of the high water line of the Maryvale Reservoir is located at a point whence the West Quarter Corner of Section 28, T. 1S., R. 75W. of the 6th P.M. bears S. 51°10'W. a distance of approximately 1753.8 feet. Attached hereto as **Exhibit A** is a map depicting the decreed locations of the Fraser Structures. Description of Exchange Reach: The affected reach of the Fraser River is between the location of the Fraser Structures as specified in Paragraph 3.B, above, and the point of confluence of the Fraser and the Colorado Rivers in Section 25, Township 2 North, Range 77 West of the 6th P.M. The downstream terminus of the exchange at the confluence of the Fraser and Colorado Rivers is more particularly described as the SW1/4 of the SW1/4 of Section 25, Township 2 North, Range 77 West approximately 575 feet north of the southern section boundary and 682 feet east of the western section boundary. Source of Exchange Water: Applicant entered a Water Allotment Contract dated August 1, 1989, with the Middle Park Water Conservancy District for the annual right to 80 acre feet of water. This water is a portion of the 3,000 acre feet which the Northern Colorado Water Conservancy District, Municipal Subdistrict, agreed to annually place in storage in Granby Reservoir, which is located on the Colorado River upstream of the confluence of the Fraser and Colorado Rivers, Grand County, Colorado. Additional provisions of this Agreement are outlined in the "Agreement Concerning the Windy Gap Project and the Azure Reservoir and Power Project," dated and signed April 30, 1980 and approved by Water Court, Water Division No. 5, Civil Action 1768, by Interlocutory Decree dated October 27, 1980, and "Supplement to Agreement of April 30, 1980," duly decreed in Case No. 85-CW-135. Appropriation Information: The decreed appropriation date for the exchange to the Fraser Structures is August 1, 1989. Amount: The maximum amount of water to be utilized in the exchange is 80 acre feet from a combination of all the Fraser Structures identified in Paragraph 2, above. The specific flow rates for the exchange to each structure shall be as follows:

Fraser Well No. 1:	119 g.p.m.
Fraser Well No. 2:	119 g.p.m.
Fraser Well No. 4:	70 g.p.m.
Fraser Well No. 5:	18 g.p.m.
Gaskill Ditch:	1 cfs
Well RM-5: }	
Well RM-6: }	225 g.p.m. TOTAL
Well RM-7: }	
Maryvale Reservoir:	0.5 cfs

Use of exchange water: Water diverted pursuant to the decreed exchange may be used for the following purposes at the following structures: Wells RM-5, RM-6 and RM-7 for irrigation purposes; Fraser Well Nos. 1, 2, 4 and 5 for irrigation, domestic, industrial and all other municipal uses; the Gaskill Ditch for irrigation, domestic, fire and sanitation district purposes, garden and lawn irrigation and other household uses; the Detention Reservoirs for irrigation, aesthetic, piscatorial, recreation, municipal, commercial, industrial, and for augmentation and exchange purposes; and Maryvale Reservoir for domestic, recreational, irrigation, fish culture uses, and augmentation (pursuant to the decree entered in Case No. 98CW041, Water Division No. 5). The water exchanged to the Fraser Structures under the subject exchange will be used within the municipal boundaries and/or service area of the Town, as those boundaries and/or service area currently exist and as they may be modified in the future. Maps showing the service areas of the Town of Fraser are attached as **Exhibits B** and **C**. Evidence of reasonable diligence: The Fraser Structures and associated conditional water rights are components of an integrated water supply system, as most recently confirmed by the Water Court in Paragraph 11 in the final decree entered in Case No. 19CW3021 (and in prior decrees). Consequently, diligence with respect to any one component of the integrated water supply system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of Applicant's integrated water supply system. *See C.R.S.*

§ 37-92-301(4)(b). During the most recent diligence period, Applicant has continued to take steps to diligently develop the conditional water rights including, without limitation, the activities listed below. This list is not intended to be inclusive and may be supplemented by additional evidence. Applicant performed all routine maintenance on the Fraser Wells and made various upgrades and improvements to the Fraser Wells. In particular, Applicant cleaned all wells using the "brush and bail" method; all well pumps/motors were replaced with new pumps and piping; and all well meters were upgraded to magnetic flow meters and calibrated. Applicant also performed regular water quality monitoring and analysis on the water pumped from the Fraser Wells. Applicant initiated, and continues with implementation of, a "smart water meter" replacement project, which provides real time data to promote water efficiency in the community. Applicant applied for and was awarded a 2026 WaterSMART grant by the Bureau of Reclamation, in connection with implementation of the meter replacement project. The grant is in the amount of \$100,000 with a total meter replacement cost of approximately \$400,000. Applicant invested in an acoustic correlation leak detection system (\$30,000) and has used it to find and repair leaks. Applicant continued development of, and completed in 2020, the "Town of Fraser Water Supply Plan", which was adopted by the Fraser Town Board. Among other things, this effort and plan demonstrated Applicant's continued need for use of the subject exchange to provide a prudent and reliable municipal water supply for current and future development within Applicant's service area. In addition, Applicant completed the additional evaluations/reports: 10-year Water CIP Report, Water Rate Study, and Water Efficiency Plan. Applicant monitored new water rights applications and activities of other water users in order to protect its decreed water rights. Applicant filed statements of opposition and actively participated in multiple cases in Water Division No. 5, including Case Nos. 19CW3129, 20CW3138, 20CW3189, 21CW3031, 23CW3066, 24CW3043, and 25CW3008. In Case No. 23CW3208, Applicant filed an Application for Finding of Reasonable Diligence related to water released from Granby Reservoir pursuant to a contract with the Middle Park Water Conservancy District. The Court approved the application by decree entered June 24, 2024. In Case No. 24CW303, Applicant filed, along with other co-applicants, an Application for Finding of Reasonable Diligence on conditional water rights relating to the "Clinton Reservoir-Fraser River Agreement." The Court approved the application by decree entered December 11, 2024. Applicant evaluated and implemented various improvements and repairs to the Maryvale Reservoir (originally decreed in Case No. W-462, Water Division No. 5, and approved as an augmentation supply for the wells known as the "Maryvale Wells" and other structures in Case No. 98CW41). Applicant engaged the services of water resource engineers, hydrologists, environmental consultants, and civil engineers for advice with respect to the above-described activities and associated water rights matters. Applicant engaged Greenberg Traurig LLP to provide legal advice in connection with the above-described activities and associated water rights matters. Upon information and belief, the owners of the land upon which any new diversion structure or modification to any existing diversion structure is or will be constructed may include: (a) Applicant; (b) Rendezvous Colorado, LLC, P.O. Box 149, Winter Park, CO 80482; (c) Cornerstone Holdings, P.O. Box 30, Winter Park, CO 80482; (d) Daniel D. and Anne O. Berkeley, 5046 W. Hinsdale Circle, Littleton, CO 80128. Applicant respectfully requests that the Court enter an order and decree: finding that Applicant is making reasonably diligent efforts to complete the appropriation and to divert and make beneficial use of water available under the decreed conditional water rights; finding that all of the conditional water rights continue in full force and effect; and granting such further relief to Applicant as the Court deems just and proper.

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

11. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3159 (2014CW3095) IN PITKIN COUNTY, COLORADO APPLICATION FOR FINDING OF REASONABLE DILIGENCE 1. Name, Address, and Telephone Number of Applicant Basalt Real Estate LLC ("Applicant" or "Basalt Real Estate") c/o Richard Hurd 5959 Village View Drive, 2nd Floor West Des Moines, Iowa 50266. Please send all pleadings and correspondence to Applicant's counsel at BROWNSTEIN HYATT FARBER SCHRECK, LLP, Steven O. Sims, Colo. Atty. Reg No. 9961 and Katherine J. Duncan, Colo. Atty. Reg. No. 47890 at 675 Fifteenth Street, Suite 2900 Denver, CO 80202-4432 Phone Number: 303.223.1100 E-mail: ssims@bhfs.com; kduncan@bhfs.com 2. Summary of Application. Applicant requests a finding of reasonable diligence for its conditional groundwater, surface, storage, and exchange rights associated with a commercial greenhouse located at 24480 Highway 82 in Basalt, Colorado (the "Property"). The adjudicated water rights are prefaced with the abbreviation "HVF," an abbreviation for High Valley Farms, the former owner of the Property and water rights. A map depicting the location of the facility and the subject water rights is attached hereto as Exhibit A and incorporated herein. 3. Description of Conditional Water Rights 3.1. Name of water right diversion structure: HVF Well 3.1.1. Decree: Case No. 2014CW3095 entered on September 20, 2019 in District Court, Water Division 5. 3.1.2. Legal Description: The Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 730 feet from the South Section line and 2,508 feet from the East Section line, Pitkin County, Colorado. The HVF Well is more generally located at 24480 Highway 82, Basalt, Colorado. 3.1.3. Permit Number and WDID: Well permit number 78746-F. 3.1.4 Depth: 46 feet. 3.1.5. Source: Aquifer tributary to the Roaring Fork River, tributary to the Colorado River. 3.1.6. Appropriation Date: October 16, 2013 for conditional uses (all non-domestic uses), and March 20, 1972 for absolute uses (domestic uses). 3.1.7. Amount: 15 gpm,

conditional for all non-domestic uses. 5 gpm (0.17 acre-feet) has already been made absolute for domestic purposes inside a single-family residence. The total volumetric limit of the HVF Well is 2.372 acre-feet annual and 0.1976 acre-feet monthly. 3.1.8. Uses: Domestic, augmentation, irrigation within the greenhouse facility and/or lawn grass irrigation, fire protection, commercial and industrial uses associated with operation of a marijuana cultivation facility, which includes, but is not limited to irrigation within a 25,000 square foot greenhouse, in-house uses within the one single-family residence located on the greenhouse premises. To the extent the water is not fully consumed during its initial use, the Applicant shall have the right to reuse, subsequently use and dispose of the right to reuse the water diverted to extinction for all of its claimed purposes. 3.2. Name of water right diversion structure: HVF Pump and Pipeline. 3.2.1. Decree: Case No. 2014CW3095 entered on September 20, 2019 in District Court, Water Division 5. 3.2.2. Legal Description: The Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 138 feet from the South Section line and 2,283 feet from the East Section line, Pitkin County, Colorado. The HVF Pump and Pipeline diverts at the same point of diversion and through the same structure as the HVF Greenhouse Pump and Pipeline (see Paragraph 3.3, below). Both structures are located at 24480 Highway 82, Basalt, Colorado. 3.2.3. Source: Roaring Fork River, tributary to the Colorado River. 3.2.4. Appropriation Date: August 15, 2014. 3.2.5. Amount: 0.5 cfs, conditional. 3.2.6. Uses: Direct flow and diversion into storage for domestic, augmentation, irrigation within the greenhouse facility and/or lawn grass irrigation, fire protection, commercial and industrial uses associated with operation of a marijuana cultivation facility, which includes, but is not limited to irrigation within a 37,500 square foot greenhouse, in-house uses within the one single family residence located on the greenhouse premises. To the extent the water is not fully consumed during its initial use, the Applicant shall have the right to reuse, subsequently use and dispose of the right to reuse the water diverted to extinction for all of its claimed purposes. 3.3. Name of water right storage structure: HVF Greenhouse Pump and Pipeline. 3.3.1. Decree: Case No. 2014CW3095 entered on September 20, 2019 in District Court, Water Division 5. 3.3.2. Legal description: The Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 138 feet from the South Section line and 2,283 feet from the East Section line, Pitkin County, Colorado. The HVF Greenhouse Pump and Pipeline diverts at the same point of diversion and through the same structure as the HVF Pump and Pipeline (see Paragraph 3.2, above). Both structures are located at 24480 Highway 82, Basalt, Colorado. 3.3.3. Source: Roaring Fork River, tributary to the Colorado River. 3.3.4. Appropriation Date: August 15, 2024. 3.3.5. Amount: 25 gpm (0.056 cfs), conditional. 3.3.6. Uses: Direct flow and diversion into storage for domestic, augmentation, irrigation within the greenhouse facility and/or lawn grass irrigation, fire protection, commercial and industrial uses associated with operation of a marijuana cultivation facility, which includes, but is not limited to irrigation within a 37,500 square foot greenhouse, in-house uses within the one single-family residence located on the greenhouse premises. To the extent the water is not fully consumed during its initial use, the Applicant shall have the right to reuse, subsequently use and dispose of the right to reuse the water diverted to extinction for all of its claimed purposes. 3.4. Name of water right storage structure: HVF Storage Tanks. Applicant will divert water from the HVF Pump and Pipeline for storage in the HVF Storage Tanks. The HVF Storage Tanks consist of one or more underground storage tanks with a cumulative capacity of 0.51 acre-feet, all of which is active storage. If the HVF Storage Tanks water right is comprised of more than one storage tank, the locations of all tanks must be within 200 feet of the decreed location. The tanks are interconnected and through the use of a pump, water can be directly released from the tanks into the Roaring Fork River through an outlet pipe. 3.4.1. Decree: Case No. 2014CW3095 entered on September 20, 2019 in District Court, Water Division 5. 3.4.2. Legal description: The Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 400 feet from the South Section line and 2,250 feet from the East Section line, Pitkin County, Colorado. 3.4.3. Source: Roaring Fork River, tributary to the Colorado River. The HVF Storage Tanks will be filled through the HVF Pump and Pipeline described in Paragraph 3.2 above. 3.4.4. Appropriation Date: August 15, 2024. 3.4.5. Amount: 0.51 acre-feet, conditional, at the rate of 0.5 c.f.s. 3.4.6. Uses: Direct flow and diversion into storage for domestic, augmentation, irrigation within the greenhouse facility and/or lawn grass irrigation, fire protection, commercial and industrial uses associated with operation of a marijuana cultivation facility, which includes, but is not limited to irrigation within a 37,500 square foot greenhouse, in-house uses within the one single-family residence located on the greenhouse premises. To the extent the water is not fully consumed during its initial use, the Applicant shall have the right to reuse, subsequently use and dispose of the right to reuse the water diverted to extinction for all of its claimed purposes. 3.5. Name of water right storage structure: HVF Operational Tank. The HVF Operational Tank has been constructed underground and is lined such that it does not intercept groundwater. 3.5.1. Decree: Case No. 2014CW3095 entered on September 20, 2019 in District Court, Water Division 5. 3.5.2. Legal description: The Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 620 feet from the South Section line and 2,400 feet from the East Section line, Pitkin County, Colorado. 3.5.3. Source: Roaring Fork River, tributary to the Colorado River. The HVF Operational Tank will divert water from the HVF Pump and Pipeline, as that structure is more particularly described above in Paragraph 3.4 above. 3.5.4. Appropriation Date: August 15, 2024. 3.5.5. Amount: 0.10 acre-feet, conditional, fill and refill all active storage. 3.5.6. Uses: Domestic, augmentation, irrigation within the greenhouse facility and/or lawn grass irrigation, fire protection, commercial and industrial uses associated with operation of a marijuana cultivation facility, which includes, but is not limited to irrigation within a 37,500 square foot greenhouse, in-house uses within the one single-family residence located on the greenhouse premises. To the extent the water is not fully consumed during its initial use, the Applicant shall have the right to reuse, subsequently use and dispose of the right to reuse the water diverted to extinction for all of its claimed purposes. 3.6. Name of water right storage structure: HVF Exchange. 3.6.1. Description of the HVF Exchange. The HVF Exchange is an appropriative right of exchange that Applicant will use to deliver its downstream augmentation water to the actual point of depletion if required pursuant to the plan for augmentation. The sources of substituted supply are the augmentation water supplies at or downstream of the confluence of the Roaring Fork River and the Frying Pan River supplied by contract between Applicant and the Colorado River Water Conservation District, acting by and through its Colorado River Water Projects Enterprise ("River District") or Basalt Water Conservancy District ("BWCD") contracts. 3.6.2. Decree: Case No. 2014CW3095 entered on September 20, 2019 in District Court,

Water Division 5. 3.6.3. Appropriation Date: August 15, 2024. 3.6.4. Amount: 2.96 acre-feet per year at the rate of 0.011 cfs, conditional. 3.6.5. Upstream Exchange Termini (location where water is diverted by exchange): 3.6.5.1. The point of diversion of the HVF Pump and Pipeline and the HVF Greenhouse Pump and Pipeline at the Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 138 feet from the South Section line and 2,283 feet from the East Section line, Pitkin County, Colorado; and 3.6.5.2. The point on the Roaring Fork River where the HVF Well depletions affect the river which is: in the Southwest quarter of the Southeast quarter, Section 17, Township 8 South, Range 86 West of the 6th P.M., 730 feet from the South Section line and 2,508 feet from the East Section line (Pitkin County). 3.6.6. Downstream Exchange Termini (location where water is provided in substitution and/or exchange): 3.6.6.1. The confluence of the Frying Pan River and the Roaring Fork River for the exchange of Troy and Edith Ditch water; and 3.6.6.2. The confluence of the Roaring Fork River and the Colorado River for the exchange of Welford Mountain Reservoir Water. 3.6.7. Sources of substitute supply: 3.6.7.1. Water made available pursuant to the existing or additional BWCD Water Allotment Contract for water from the Troy and Edith Ditch rights. 3.6.7.2. Water made available pursuant to the existing or additional River District Water Service Contract for delivery of water from the Welford Mountain Reservoir rights. 3.6.7.3. Future acquired water supplies added for a limited duration consistent with the notice provisions of paragraph 15.3 of the 14CW3095 decree, by a new application for a plan for augmentation, by amendment of the plan for augmentation in the original 14CW3095 decree. 3.6.8. Terms and conditions of the exchange: 3.6.8.1. The HVF Exchange may only be operated with the prior approval of the Water Commissioner or Division Engineer in order to prevent injury to other water rights. 3.6.8.2. Replacements, including slug releases, from Welford Mountain Reservoir and Troy and Edith Ditch require an exchange through the Colorado Water Conservation's Board's ("CWCB") existing instream flow rights decreed in Case Nos. 85CW646, 85CW639, and 10CW184 ("Instream Flow Rights"). The exchanges shall not operate any time the CWCB has placed a valid call within Applicant's exchange reaches for the Instream Flow Rights. At such time, releases from on-site storage tanks upstream of well depletions will be made to replace any out-of-priority depletions then occurring. 4. The name and address of the owner of land upon which the point of diversion is located: Basalt Real Estate LLC (Applicant) c/o Richard Hurd 5959 Village View Drive, 2nd Floor West Des Moines, Iowa 50266 5. Detailed outline of activity during the diligence period. During the relevant diligence period, Applicant has taken steps to diligently develop the subject water rights including, but not limited to, the activities described below. 5.1 Since September 2019, Applicant, Applicant's predecessors-in-interest, and Applicant's lessee have spent time, money, and effort constructing and maintaining the HVF Well, HVF Pump and Pipeline, HVF Greenhouse Pump and Pipeline, HVF Storage Tanks, HVF Irrigation Storage Tank, and HVF Operational Tank. 5.2 Applicant, its predecessors-in-interest, and Applicant's lessee have paid the River District for access to water in Welford Reservoir to meet its exchange and return flow obligations under the 2014CW3095 decree. 5.3 Applicant, its predecessors-in-interest, and its lessee have also continued activities on the property during the diligence period designed to put the water to beneficial use and have actually used a portion of the conditional water rights. Applicant's lessee worked to improve and maximize usage of the greenhouse on the Property. WHEREFORE, Applicant respectfully requests: 1. A finding of reasonable diligence as to all of the subject conditional water rights; 2. Continuing the subject conditional water rights in full force and effect; and 3. Such other relief as the Court deems just and proper.

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

12. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW3160 PITKIN COUNTY – IN THE ROARING FORK RIVER OR ITS TRIBUTARIES. APPLICATION FOR CHANGE OF WATER RIGHTS AND FOR CONDITIONAL WATER RIGHT. Applicant: JCH, LLC, c/o Scott C. Miller and Lauren N. Hoover, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621 (970) 920-1030. First Claim: For Change of Water Rights. Decreed name of structures for which change is sought: JCH Augmentation Tank, Mosher Pond Nos. 1 and 2. Date of original and all relevant subsequent decrees: JCH Augmentation Tank: Case No. 17CW3229, March 17, 2019; diligence finding in Case No. 25CW3041, September 10, 2025. Mosher Pond Nos. 1 and 2: Case No. 89CW237, April 30, 1990; made absolute in Case No. 94CW041, January 19, 1995. Legal description of structures: JCH Augmentation Tank: One or more storage tanks located on Applicant's property within 200 feet of a point in the NE ¼ NE ¼ of Section 26, Township 10 S., Range 85 W. of the 6th P.M., approximately 1090 feet from the North section line and 1110 feet from the East section line (Pitkin County) (UTM X = 340564.78, UTM Y = 4335819.84). Mosher Pond No. 1: The centerpoint of the Mosher Pond No. 1 dam is situated at a point whence the Northeast corner of Section 26, T. 10 S., R. 85 W. of the 6th P.M. bears North 49°32'56" East 1,492.6 feet. Mosher Pond No. 2: The centerpoint of the Mosher Pond No. 2 dam is situated at a point whence the Northeast corner of Section 26, T. 10 S., R. 85 W. of 6th P.M. bears North 49°17'06" East 1,531.5 feet. A map is on file with the Court as Exhibit A. Source: Queen's Gulch, tributary to Castle Creek and the Roaring Fork and Colorado Rivers, via deliveries from the Mosher Ditch and Pipeline structure. Legal description: The point of diversion of the Mosher Ditch and Pipeline, as recited in Case No. 01CW53 when the Court decreed the water right as absolute, is the SW ¼ NE ¼ of Section 26, Township 10 S., Range 85 W. of the 6th P.M. at a point approximately 2118 feet from the North section line and 860 feet from the East section

line (Pitkin County) (UTM X = 340635.11; UTM Y = 4335501.16). Date of appropriation: JCH Augmentation Tank: November 30, 2017. Mosher Pond Nos. 1 and 2: September 1, 1989. Amount decreed and amount intending to change: JCH Augmentation Tank: 0.38 acre-feet, conditional. Fill rate of 0.25 c.f.s. Mosher Pond No. 1: 0.1 acre-feet, absolute. Mosher Pond No. 2: 0.1 acre-feet, absolute. Decreed uses: JCH Augmentation Tank: Augmentation and replacement. Mosher Pond Nos. 1 and 2: Irrigation, aesthetic, piscatorial, stock watering, and recreational purposes. Detailed description of proposed change: Applicant owns the Mosher Pond Nos. 1 and 2, and the JCH Augmentation Tank. Applicant requests to consolidate the Mosher Ponds and the JCH Augmentation Tank into a single pond structure, to be used for all decreed purposes listed above. This pond will be located at UTM Zone 13N Northing: 4335828; Easting 340551, described further Paragraph 11.A. below. There are no intervening water rights between the new place of storage for Mosher Ponds and the original decreed places of storage. The fill source for this structure will not change. The pond will be filled by Queen's Gulch via deliveries from the Mosher Ditch and Pipeline structure, which is the decreed fill source for the Mosher Pond Nos. 1 and 2, as well as the JCH Augmentation Tank. The Mosher Pond Nos. 1 and 2 were made absolute in Case No. 94CW041 and are filled each year. The pond will be filled during free river conditions in the spring. Mosher Pond Nos. 1 and 2 are decreed for 0.1 acre-feet each (0.2 are-feet total). The JCH Augmentation Tank is decreed for 0.38 acre-feet, for a total combined volume of 0.58 acre-feet. The consolidated pond as designed has a capacity of 0.725 acre-feet. Applicant seeks an enlargement right for the additional 0.145 acre-feet of storage in the Second Claim below. Applicant will release augmentation supplies from the pond as described in the plan for augmentation decreed in Case No. 17CW3229 under the 2017 priority date for the JCH Augmentation Tank. There is no other change to the augmentation plan in Case No. 17CW3229. Applicant does not plan to augment evaporative depletions from the consolidated pond. Even with evaporation drawdown on the pond, there will be enough water left for augmentation releases. Applicant owns the property on which the JCH Augmentation Tank, Mosher Pond No. 1, and Mosher Pond No. 2 are located. The JCH Augmentation Pond will be placed to beneficial use on Applicant's property. The point of diversion of the Mosher Ditch and Pipeline fill source is located on land owned by the United States Forest Service. Second Claim: For Conditional Water Storage Right Name of structure: JCH Augmentation Pond, First Enlargement. Legal description: Centerpoint of the dam will be located in the NE ¼ NE ¼ of Section 26, Township 10 S., Range 85 W. of the 6th P.M., UTM Zone 13 Coordinates, Northing: 4335828; Easting: 340551 (Pitkin County). A map is on file with the Court as Exhibit A. **Source: Queen's Gulch, tributary to Castle Creek and the Roaring Fork and Colorado Rivers, via deliveries from the Mosher Ditch and Pipeline structure.** Date of appropriation: September 26, 2025. How appropriation was initiated: Survey, engineering analysis and design, formulation of intent to apply water to beneficial use, and filing an application with the water court. Date water applied to beneficial use: N/A. Amount: 0.145 acre-feet, conditional. Fill rate: 0.25 c.f.s. Uses: Irrigation, aesthetic, piscatorial, stock watering, recreational purposes, and augmentation and replacement. The JCH Augmentation Pond, First Enlargement will be placed to use on land owned by the Applicant. The point of diversion of the Mosher Ditch and Pipeline is located on land owned by the United States Forest Service. Applicant respectfully requests the Court to confirm the change in water rights and decree the conditional water right applied for herein.

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

13. PURSUANT TO C.R.S., § 37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW8 MESA COUNTY- WASTEWATER FROM REDLANDS WATER & POWER FIRST LIFT CANAL TRIBUTARY TO THE COLORADO RIVER. Richard Roush; 2090 S. Broadway; Grand Junction, CO 81507. Application for Conditional Water Rights (Surface). Structure: AV8 Springs. Location: NENW Sec. 26 T11S R101W 6th PM. UTM Z13 E183521 N4331565. Source: wastewater from the Redland First Lift Canal, tributary to the Colorado River. Appropriation date: June 10, 2013. Amount: 11.0 g.p.m., conditional. Uses: Irrigation for field and lawn, dirt tank for livestock and wildlife.

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14. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2025. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

25CW10 (18CW19) EAGLE COUNTY- SOUTH DERBY CREEK TRIBUTARY TO THE COLORADO RIVER. Albertson Cattle Co., LLLP c/o Jelaine Wahlert; P.O. Box 23; Burns, CO 80426; (970)653-4327 and Eight Bar Ranch, LLLP c/o Kendra Scott;

P.O. Box 33; Burns, CO 80426 (970)653-4395. Mackinaw Lake Reservoir No. 2 – Application for Finding of Reasonable Diligence. Location: SE Corner of Sec. 1, T.2S, R87W of the 6th P.M. bears South 82°52' East 20,037 feet. Appropriation date: Nov. 18, 1935. Amount: 59.001 acre-feet, conditional. Use: irrigation and livestock water. An outline of work performed during the diligence period is included in the application.

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25CW11 (14CW3084) ROUTT COUNTY-SOUTH EGERIA CREEK TRIBUTARY TO EGERIA CREEK TRIBUARY TO ROCK CREEK TRIBUTARY TO THE COLORADO RIVER. Egeria Park, LLC c/o Carl Luppens; P.O. Box 5950; Eagle, CO 81631. (303)478-7352. Egeria Park Pond No. 3- Application to Make Absolute. Location: SW¼NE¼ of the Sec. 32, T.1N, R85W. of the 6th P.M. 1,575 ft. from the north sec. line and 1,460 ft. from the east sec. line. UTM: E40.01233 N-106.94755 Appropriation date: July 10, 1014. Amount: 24.0 acre-ft., absolute, with right to fill and refill. Uses: Stock watering and fish and wildlife habitat in furtherance of perpetual conservation easement held by the Rocky Mountain Elk Foundation. An outline of work performed during the diligence period is included in the application.

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