

DIVISION 5 WATER COURT- DECEMBER 2025 RESUME

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

SUBSTITUTE WATER SUPPLY PLAN AND PRODUCED NONTRIBUTARY GROUNDWATER NOTIFICATION LIST

Section 37-92-308(6), C.R.S. directs the State Engineer to establish a notification list for each water division for the purpose of notifying interested parties of requests for the State Engineer's approval of substitute water supply plans ("SWSPs") filed in that water division pursuant to section 37-92-308, C.R.S. The SWSP Notification List is also used to provide notice of proposed water right loans to the Colorado Water Conservation Board for use as instream flows under section 37-83-105(2)(b)(II), C.R.S., notice of applications for the State Engineer's approval of interruptible water supply agreements under section 37-92-309(3)(a), C.R.S., notice of applications for fallowing and leasing pilot projects under section 37-60-115(8)(e)(II), C.R.S., notice of fire suppression ponds under section 37-80-124(10)(a)(II)(E), C.R.S., and notice of storm water detention and infiltration facilities under section 37-92-602(8)(d), C.R.S.

Pursuant to Rule 17.5(B)(2) of the Rules and Regulations for the Determination of the Nontributary Nature of Ground Water Produced Through Wells in Conjunction with the Mining of Minerals, at 2 CCR 402-17 ("Rules"), the State Engineer is publishing this invitation to persons to be included on the Produced Nontributary Ground Water Notification List. According to Rule 17.5(B)(2) of the Rules, the State Engineer must establish a Produced Nontributary Ground Water Notification List for each water division within the State of Colorado for the purposes of ensuring that water users within each water division receive adequate notice of proceedings held pursuant to the Rules. In order to establish such notification list, the State Engineer is directed, in January of each year, to cause to have published in the water court resume for each water division this invitation to be included on the Produced Nontributary Ground Water Notification List for the applicable water division.

This notice is an invitation to be included on the SWSP and/or Produced Nontributary Groundwater Notification Lists. Sign up for these or other notification lists maintained by the State Engineer at: <https://dwr.colorado.gov/public-information/notification-lists>. Additional information is available on the Division of Water Resources' website at: <https://dwr.colorado.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 DECEMBER 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.*

25CW3190 MESA COUNTY. Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to Christopher J. Davis, Assistant Attorney General, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 10th Floor, Denver, Colorado 80203. Telephone: (720) 508-6205. Email: christopher.davis@coag.gov. **APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE. Name & Address of Applicant:** Colorado Water Conservation Board, 1313 Sherman Street, Suite 718 Denver, CO 80203, (303) 866-3441. **Name of water right:** Coon Creek Instream Flow Water Right. **Legal Description:** The Coon Creek Instream Flow Water Right is located in the natural stream channel of Coon Creek from the confluence with West Branch Coon Creek to a location 100ft upstream of South Side Canal headgate, a distance of approximately 3.18 miles. A map depicting the approximate location of the Coon Creek Instream Flow Water Right reach is attached as **Exhibit 1** to the application. **Upstream Terminus:** confluence with West Branch Coon Creek at: (1) UTM: Northing: 4329805.62; Easting: 232298.01 (NAD 1983 Zone 13 North); (2) Lat/Long: Latitude 39° 4' 34.76" N; Longitude 108° 5' 40.41" W. **Downstream Terminus:** 100' Upstream of South Side Canal headgate at: (1) UTM: Northing: 4333184.17; Easting: 229006.49 (NAD 1983 Zone 13 North); (2) Lat/Long: Latitude 39° 6' 20.54" N; Longitude 108° 8' 2.04" W. The Universal Transverse Mercator (UTM) of the upstream and downstream termini will be used as the legal description for the decree in this matter. The Lat/Long coordinates are provided as cross-reference locations only. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCB GIS using the National Hydrography Dataset (NHD). **Source:** Coon Creek, tributary to Plateau Creek, tributary to Colorado River. **Date of initiation of appropriation:** January 27, 2025. **How appropriation was initiated:** Appropriation and beneficial use occurred on January 27, 2025, by the action of the CWCB pursuant to sections 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. **Date applied to beneficial use:** January 27, 2025. **Amount of water claimed:** Instream flow of 0.64 cfs (10/01 - 04/15), 3.3 cfs (04/16 - 06/30), 1.1 cfs (07/01 - 09/30), absolute. **Proposed Uses:** Instream flow to preserve the natural environment to a reasonable degree. **Names and addresses of owners or reputed owners of the land upon which any new or existing diversion structure will be located:** The notice required by section 37-92-302(2)(b), C.R.S., to the owners or reputed owners of the land upon which any new or existing diversion or storage structure is or will be constructed is not applicable in this case. This Application is for instream flow water rights, exclusive to the CWCB under the provisions of section 37-92-102(3), C.R.S. As an instream flow water right, the CWCB's appropriation does not require diversion structures or storage. *See Colo. River Water Conservation Dist. v. Colo. Water Conservation Bd.*, 594 P.2d 570, 574 (Colo. 1979); § 37-92-103(4)(c), C.R.S. As a surface water right, the CWCB's appropriation of instream flow water rights does not involve construction of a well. **Remarks:** This appropriation by the CWCB, on behalf of the people of the State of Colorado, is made pursuant to sections 37-92-102(3) & (4) and 37-92-103(3), (4) & (10), C.R.S. The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 21, 2025, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S., that the natural environment of Coon Creek will be preserved to a reasonable degree by the water available for the appropriations to be made; that there is a natural environment that can be preserved to a reasonable degree with the CWCB's water rights herein, if granted; and that such environment can exist without material injury to water rights.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of **FEBRUARY 2026** 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 DECEMBER 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.*

25CW3191 GARFIELD, GUNNISON AND PITKIN COUNTIES, CRYSTAL RIVER TRIBUTARY TO THE ROARING FORK RIVER, TRIBUTARY TO THE COLORADO RIVER. Application For Approval of Plan for Augmentation Including Water Exchange Project, Storage Rights, Surface Rights, and Appropriative Right of Exchange. West Divide Water Conservancy District ("West Divide" or "the District"), c/o Edward B. Olszewski, Esq. Olszewski & Massih, P.C., P.O. Box 916, 1204 Grand Avenue, Glenwood Springs, Colorado 81601, (970) 928-9100; ed@ommpc.com. West Divide operates various existing "umbrella" augmentation plans under which it replaces out-of-priority depletions resulting from the operation of certain structures within specified geographical areas. This Application seeks to establish an umbrella augmentation plan for the "Crystal River Service Area" which can generally be described as an area along the mainstem of the Crystal River from Carbondale to Crystal, Colorado. By Intergovernmental Agreements with the Colorado River Water Conservation District (the "Colorado River District") and the Basalt Water Conservancy District (the "Basalt District"), West Divide has obtained the authority to provide water service within the Crystal River Service Area. Applicant seeks approval of a plan for augmentation to augment depletions from various wells and surface diversions primarily for rural domestic uses and for municipal uses within the Town of Marble, Colorado. Augmentation water will be provided directly and by exchange to augment structures within the Crystal River Service Area via releases from Beaver Lake, Rapid Creek Pond (yet to be constructed), Treasure Mountain Pond (yet to be constructed) and Ruedi Reservoir. Strict accounting and reporting requirements will be implemented to ensure proper administration by the State and Division Engineers. Notice of individual structures to be augmented shall be provided at least annually to the Division Engineer's Office for Water Division No. 5. Further notice of the structures covered by Applicant's umbrella augmentation plan shall be made in subsequent diligence cases related to Applicant's conditional appropriative rights of exchange claimed below. This Application includes a conditional Water Exchange Project and an appropriative right of exchange within Applicant's Crystal River Service Area between the Roaring Fork River and the outer boundary of the Service Area and includes specific points of diversion for wells and surface water rights to be covered by Applicant's plan for augmentation. Structures to be augmented: Existing and future wells and surface water rights with points of depletion located in Applicant's Crystal River Service Area. The initial 17 structures covered by this plan for augmentation are as follows and listed by WDID, Name, UTMx, UTM, Permit No., & Rate (cfs: 1) 3806357, PINES SPRINGER, 310193, 4361978, 34713-F, 0.03; 2) 3808531, CRANDALL/NIESLANIK WELL, 310870, 4361190, 62189-F, 0.05; 3) 3805237, STRATTON WELL, 307009, 4347043, 41692-F, 0.03; 4) 3808042, JARRETT WELL #1, 306903, 4346686, 43952-F, 0.03; 5) 3801141, JOHNSON DITCH, 308918, 4350534, 3.30; 6) 3805215, BREWER WELL NO 1, 309089, 4352667, 81830-F, 0.22; 7) 3806027, SEVEN OAKS COMMONS W 2, 309729, 4355010, 27009-F, 0.07; 8) 3815094, MOUNTAIN MEADOWS WELL NO 1, 310894, 4359710, 46698-F, 0.02; 9) 3805947, ALTERNATE WELL NO 1, 304030, 4331726, 81173-F, 0.10; 10) 3805141, SOMERS CLUSTER SPGS NO 5, 304071, 4332104, 0.20; 11) 3808038, SAHULA WELL #2, 307488, 4342257, 61605-F, 0.03; 12) 3805546, LYON WELL NO 1, 303781, 4331668, 36108-F, 0.10; 13) 3806345, LYON WELL NO 2, 303785, 4331704, 36107-F, 0.10; 14) 3806680, MARBLE WATER COMPANY WELL NO 2, 310697, 4326839, 49103-F, 0.10; 15) 3801173, MARBLE PL AND WTR SYS, 310748, 4327407, 3.16; 16) 3806141, REED WELL, 307489, 4342573, 30309-F, 0.06; 17) 3801261, CRYSTAL SPRINGS D AND PL, 318604, 4325241, 0.80. Water rights to be used for augmentation: Ruedi Reservoir, Beaver Lake, Rapid Creek Pond and Treasure Mountain Pond under the water rights described below. In some cases, the water released from these structures will be exchanged to the point of depletion; in some cases, water released will be delivered directly to calling structures. Ruedi Reservoir. Source: Frying Pan River, tributary to the Roaring Fork River, tributary to the Colorado River. Legal Description: On-channel reservoir located in Sections 7, 8, 9, 11, and 14 through 18, Township 8 South, Range 84 West, 6th P.M. Adjudication date: July 20, 1958. Appropriation date: July 29, 1957. Case No.: C.A. 4613. Court: Garfield County District Court. Decreed Amount: 102,369 acre-feet. Uses: Generation of electric energy, domestic, municipal, piscatorial, industrial, irrigation and stock watering. Remarks: Applicant, West Divide, has an interest in 800 acre-feet of water from Ruedi Reservoir pursuant to Contracts between West Divide and the Bureau of Reclamation, and West Divide and the Colorado River Water Conservation District. West Divide has an option to increase the amount of Ruedi Reservoir water under contract with the Colorado River District and may add additional Ruedi water to this augmentation plan. Beaver Lake-2nd Enlargement. Source: Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River. Legal Description: As originally decreed in CA5884, the initial point of survey of the highwater line of the dike is located at a point whence the Northwest corner of Section 25, Township 11 South, Range 88 West of the Sixth Principal Meridian, and bears North 6° 19' West, a distance of 1753.22 feet. Adjudication date: July 25, 2025. Appropriation date: December 29, 2023. Case No. 23CW3222 Court: District Court, Water Division 5, Colorado. Decreed Amount: 101.23 acre-feet Uses: Augmentation and replacement by direct use and by substitution and exchange. Remarks: Applicant, West Divide, has an interest in 28.73 acre-feet of water from Beaver Lake, which may be increased, pursuant to an Agreement with Colorado Parks and Wildlife dated October 1, 2024. In exchange for this use, West Divide will provide mainstem Colorado River augmentation for Beaver Lake during an irrigation season call originating near Palisade,

CO, which water rights are collectively referred to as the “Cameo Call”. The Cameo Call is senior to the Beaver Lake water rights. The Cameo Call currently occurs more frequently than Crystal River administrative calls which will keep Beaver Lake full for recreational opportunities in years where there is no administrative call within the Crystal River Service Area. The total gross evaporation of 3 feet, based upon NOAA TR-33: Evaporation Atlas for the Conterminous U.S., and total surface area of 27.22 acres results in a total evaporative depletion to be augmented from April through November by exchange is 72.27 acre-feet. The total plan capacity is initially limited to 22 acre-feet of augmented depletions, which considers the potential call periods, until additional supplies are developed. Rapid Creek Pond. Source: Rapid Creek, tributary to the Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River including springs, snowmelt and surface flows that naturally drain into the pond. Rapid Creek Pond will be a lined, off-channel structure filled via either Rapid Creek via the Prospect Ditch or the Crystal River via a pump and pipeline. Filling structures are detailed below. Prospect Ditch Legal Description: NW ¼ SE ¼ of Section 20, Township 11 South, Range 88 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting: 305870, Northing: 4328370. Rapid Creek Pond Crystal River Pump and Pipeline Legal Description: NW ¼ SW ¼ of Section 21, Township 11 South, Range 88 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting: 306769, Northing: 4328222. Adjudication date: to be determined. Appropriation date: April 29, 2022. Case No.: the within case Court: District Court, Water Division 5, Colorado. Amount: 20 acre-feet, conditional, including the right to fill and refill when in priority. Uses: augmentation, exchange, substitution, piscatorial, wildlife, aesthetics, and fire protection. Remarks: Applicant is currently in negotiations with Larry Darien, the owner of the property on which the Rapid Creek Pond will be located, for the construction and use of the Rapid Creek Pond. Use of the Rapid Creek Pond will be conditioned upon an agreement between the Applicant and Mr. Darien. If no such agreement is reached, this structure will be removed from the within Application. Treasure Mountain Ranch Pond No. 1. Source: Springs, seeps, and other surface flows tributary to the South Fork of the Crystal River, tributary to the Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River Legal Description: SW1/4 of Section 27 and NW1/4 of Section 34, Township 11 South, Range 87 West, of the 6th P.M. Adjudication date: Pending Appropriation date: July 29, 2025 Case No. 25CW3112 Court: District Court, Water Division 5, Colorado. Amount: 4.0 acre-feet, conditional Uses: Recreation, piscatorial, fire protection, and augmentation Remarks: Applicant is currently in negotiations with Treasure Mountain Ranch, LLC, the owner of the property on which the Treasure Mountain Ranch Pond No. 1 will be located, for the construction and use of the Treasure Mountain Ranch Pond No. 1. Use of the Treasure Mountain Ranch Pond No. 1 will be conditioned upon an agreement between the Applicant and Treasure Mountain Ranch. Ability to Include Additional Sources West Divide is actively pursuing additional augmentation supplies to supplement the water available to the plan for augmentation. In addition to the sources listed above, WDWCD may seek and contract for additional local water supplies to be used as replacement sources for this plan for augmentation. If additional or alternative augmentation sources are secured, those sources of replacement water may be administratively approved after the entry of the decree herein, in accordance with C.R.S. § 37-92-305(8)(c) and subject to additional terms included in the proposed ruling. None of these sources will be reservoirs on-channel to the Crystal River. Statement of Plan for Augmentation including Water Exchange Project. This umbrella plan for augmentation, including exchange, augments the out-of-priority depletions associated with various structures located in the Crystal River Service Area. The Crystal River Service Area is generally described as including the Town of Crystal on the South Fork of the Crystal River to its confluence with the Roaring Fork River and excluding the following tributary areas: Avalanche Creek, Carbonate Creek above the Marble Pipeline and Water System, Coal Creek above the Beaman Ditch, East Creek above the Redstone Inn East Creek Alternate Point, Hawk Creek above the Addie Pump and Pipeline, Lost Trail Creek, Nettle Creek above the Cloud Ditch, North Fork of the Crystal River, Prince Creek above the Pings No. 1 Ditch, Rapid Creek above the Prospect Ditch, Edgerton Creek above the Wilson Ditch Nos. 1 and 2, Thomas Creek above the Thomas No. 2 Ditch, Thompson Creek, and Yule Creek. The excluded tributary areas were found to have controlling surface water rights and/or ISF reaches that prevent augmentation by exchange under certain stream conditions. While some of these tributaries have not historically been administered, the presence of these water rights with no local augmentation supplies prevents issuance of augmentation contracts and, as such, these areas have not been included in this proposed plan for augmentation. Augmentation water for calling structures within the Crystal River Basin will be provided via both direct releases and a Water Exchange Project. Once structures are enrolled in the augmentation program, they will be classified as: (i) senior to the instream flow, or (ii) junior to the instream flow and categorized by the instream flow (“ISF”) reach the structure falls within. The classification of location and seniority will dictate how the plan operates to prevent injury to the various controlling water rights in the Crystal River Service Area. No augmentation contracts will be issued to structures junior to the ISF above Treasure Mountain Ranch Pond No. 1, which allows for augmentation of other portions of the Town of Crystal. Mainstem Colorado River call. During times when there is no call on the Crystal River, but one is active on the mainstem Colorado River below the confluence with the Roaring Fork River, Crystal River contractees will be augmented by exchange using the Crystal River Service Area Exchange Rights as set forth in the Claims for Conditional Water Exchange Project below, by delivering Ruedi Reservoir water to the confluence of the Crystal River and Roaring Fork Rivers. The water will then be exchanged to the various structures included in the plan for augmentation. Evaporative depletions caused by Beaver Lake will also be augmented by exchange using the appropriate right of exchange. Structures confirmed to benefit from the Green Mountain Reservoir Historic Users Pool will not be augmented with the Water Exchange Project during a mainstem Colorado River call as those depletions are replaced from Green Mountain Reservoir pursuant to Senate Document 80 and the 1984 Green Mountain Reservoir Operating Policy. Crystal River Calls. All Crystal River structures enrolled in the plan for augmentation will be augmented during a senior irrigation call on the Crystal River with direct releases from Beaver Lake, Rapid Creek Pond, or Treasure Mountain Ranch Pond No. 1 which are capable of providing replacements above all senior irrigation calling water rights. If both a Cameo call and local senior Crystal River irrigation call are active simultaneously, no mainstem augmentation will be required as replacements will be made to the Crystal River above the local, calling water right. Structures that are senior to the instream flow and located below all potential irrigation calling water rights will be augmented using the Ruedi conditional exchange project right

described below. ISF Calls Replacements for structures junior to the ISF call will be made by direct release above the point of depletion from Beaver Lake, Rapid Creek Pond, or Treasure Mountain Ranch Pond No. 1, within each ISF reach, during times of valid call from ISF water rights. Based upon existing uses, all structures junior to the ISF can be augmented with direct releases from storage. Future depletions at Treasure Mountain Ranch that will be junior to the ISF will also be augmented with direct releases once Treasure Mountain Ranch Pond No. 1 is constructed. C.R.S. 37-92-102(3)B and Historic User Pool Protections. Many of the initial augmented structures in the Crystal River Service Area benefit from both Historic User Pool (“HUP”) protections as well as being senior to the instream flow. A subset of the initial structures to be augmented have been reviewed for verification of these benefits by identifying water court or well permitting documentation regarding the dates water was applied to beneficial use. While HUP protections are limited to domestic, municipal, and irrigation uses, that is not the case for seniority relative to the CWCB ISF water rights. CRS §37-92-102(3)B includes considerations for uses, decreed or undeclared, that were in use at that time the ISF water rights were appropriated. The dates associated with these protections are October 15, 1977 for HUP, May 1, 1975 for the ISF reaches spanning from the confluence with the Roaring Fork River up to the confluence with Carbonate Creek, and March 17, 1980 for the ISF reaches above the confluence with Carbonate Creek. The table below includes the structures and amounts that are requested for confirmation of both HUP and 37-92-102(3)B protection. Only domestic, municipal, and irrigation uses are included. These structures will only be augmented during a Crystal River senior irrigation call as they benefit from Green Mountain Reservoir releases during a Cameo call and do not require augmentation for ISF calls.

Appro Date	Adj Date	WDIDs	Name	Permit No.	Decreed Rate (cfs)	ISF/HUP Protected Rate
6/12/1910	10/24/1952	3801141	JOHNSON DITCH	-	3.30	3.30
7/10/1971	12/31/1971	3805215	BREWER WELL NO 1	81830-F	0.22	0.22
6/30/1969	12/31/1973	3806027	SEVEN OAKS COMMONS W 2	27009-F	0.07	0.07
12/31/1907	12/31/1973	3806680	MARBLE WATER COMPANY WELL NO 2	49103-F	0.30	0.50
12/31/1907	12/31/1973	3801173	MARBLE PL AND WTR SYS	-	3.16	
5/31/1957	12/31/1972	3806141	REED WELL	30309-F	0.06	0.06
8/30/1916	11/5/1971	3801261	CRYSTAL SPRINGS D AND PL		0.80	0.80

All future contractees will be reviewed to determine if their water right to be augmented is senior or junior to the ISF and/or HUP protected. If replacement supplies cannot be provided above the point of depletion for uses junior to the ISF, the water right will not be augmented under this plan for augmentation. Structures with Additional Considerations. In August 2004, the Area A boundary for WDWCD was modified by the Division Engineer. When this alteration occurred, several structures which had previously been granted augmentation contracts were no longer within Area A, which is defined as locations where replacements can be made to the Roaring Fork River or mainstem Colorado River with no impact from tributary calls. Four of these contracts (Beulah Wilson Wells A-C and Kennedy Well) have had their water rights decreed as Alternate Points of Diversion (“APOD”) to the District’s Avalanche Canal and Siphon water right (Case Nos. CA4613, 93CW0192, 03CW0041, 11CW0093, and 20CW3056) which provides an appropriation date of April 22, 1957 and is senior to the instream flow water rights. Additionally, these structures are located below all senior irrigation rights on the Crystal River. Therefore, these structures will only require augmentation for a Cameo Call using the Ruedi Reservoir Exchange Project Right by virtue of their location and seniority. The depletions associated with the diversions at the alternate points of diversion within the Crystal River Service Area will be based upon the following assumptions: Irrigation:

Elevation	<u>6,000’ – 6,999’</u>	<u>7,000’ – 7,499’</u>	<u>>8,000’</u>
April	0.11	0.03	0.00
May	0.41	0.30	0.09
June	0.52	0.51	0.42
July	0.44	0.38	0.36
August	0.32	0.33	0.22
September	0.16	0.17	0.15
October	<u>0.03</u>	<u>0.01</u>	<u>0.00</u>
Annual	1.99	1.73	1.24

Domestic In-house Use. In-house diversions for single and multi-family residences will be 350 gallons per day per residence. Consumptive water use will be 10% for non-evaporative ISDS systems and 5% for central wastewater treatment systems. Livestock.

Consumptive use for horses, cows and other types of livestock will be 11 gallons per day per animal and considered to be 100% consumptive. This equates to a total net depletion of 0.0123 acre-feet per head per year. Office Buildings. Water use for office buildings will be based on 20 gallons per capita per day. Consumptive water use will be 10% for non-evaporative ISDS systems and 5% for central wastewater treatment systems. Motel/Hotel Lodging. Water diversions associated with motel/hotel lodging will be based on 50 gallons per day per person. The associated depletion will be assumed to be 10% for non-evaporative individual sewage disposal systems and 5% for central wastewater treatment systems. Water Hauling. All water hauled for commercial and industrial purposes is assumed to be 100% consumptive. Other Uses Including Uses Within the Town of Marble, Colorado. Water uses not included as presumptive values shall be quantified by a water resources professional and reviewed by the Division Engineer for verification to the quantity and timing of depletions. Town of Marble: The water demands for the Town of Marble have been independently quantified according to the Marble Water Company Rules and recognizing the seasonal use of many residences within the Town. Marble Water Company Rules allow 1,000 sq ft of irrigation per tap as well as an allowable use of 8,000 gallons per month per tap. The water demands are conservatively estimated based upon 10,000 gallons per month per tap, which is inclusive of irrigation uses. The Town of Marble Water Demands and Depletions are included in Exhibit C to the application. Delayed Depletions from Ground Water Diversions. The amount of stream depletion will be calculated using delayed depletion factors and delayed return flow factors based on a Glover analysis of well diversions. Wells are grouped in six separate categories based on location and aquifer characteristics as follows: A1) Alluvial wells less than 1000 ft. from stream, T = 20,000 GPD/FT, S = 0.15; A2) Alluvial wells between 1000-2000 ft. from stream, T = 20,000 GPD/FT, S = 0.15; A3) Alluvial wells greater than 2000 ft from stream, T=20,000, GPD/FT, S = 0.15; B1) Bedrock wells less than 1000 ft. from stream, T = 500 GPD/FT, S = 0.05; B2) Bedrock wells between 1000-2000 ft. from stream, T = 500 GPD/FT, S = 0.05; B3) Bedrock wells greater than 2000 ft. from stream, T = 500 GPD/FT, S = 0.05. The delayed depletion factors will be applied for each category. Transit Losses. Transit losses will be assessed on deliveries of replacement/substitute supplies from their point of introduction to the point of depletion associated with the augmented structures. Transit losses will be assessed by the Division Engineer per C.R.S. § 37-80-102(7) and 37-83-104. Schedules of depletions and replacements are included with the Application. Applicant will provide detailed accounting of diversions and depletions to the State and Division Engineers as required by the State and Division Engineers to administer the within augmentation plan. Measuring devices will be required for all surface and groundwater diversions. Names and addresses of owners or reputed owners of land upon which augmentation structures are located: Ruedi Reservoir and: United States Department of Interior, Bureau of Reclamation, Eastern Colorado Area Office, 11056 West County Road 18E, Loveland, CO 80537-9711; Beaver Lake, Colorado Parks and Wildlife, 6060 Broadway, Denver, CO 80216; Rapid Creek Pond, Larry Darien, 2880 County Road 3 Marble CO 81623; Treasure Mountain Pond, Treasure Mountain Ranch, LLC, c/o Stuart Gillespie, 1203 Colorado Avenue, Glenwood Springs, CO 81601. Claim For Water Storage Right. Rapid Creek Pond. Location of Structure: SW ¼ SW ¼ and SE ¼ SW ¼ Section 21, Township 11 South, Range 88 West, of the 6th P.M., Gunnison County, Colorado the centroid of which is expected to be at a point described as Zone 13, NAD83, Easting: 306734, Northing: 4328041 Sources: Rapid Creek, tributary to the Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River. Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River. Snowmelt, surface water, and springs which naturally drain into the pond. Filling structures: Prospect Ditch NPD (WDID 3801777) NW ¼ SE ¼ of Section 20, Township 11 South, Range 88 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting: 305870, Northing: 4328370. Rapid Creek Pond Crystal River Pump and Pipeline with an intake located in the NW ¼ SW ¼ of Section 21, Township 11 South, Range 88 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting: 306769, Northing: 4328222. Rate of fill: 2 cfs, combined between both filling structures. Appropriation: Appropriation date: April 29, 2022; How appropriation initiated: By meeting with landowner, touring property, and conducting preliminary studies for constructing a reservoir. Amount: 20 acre-feet, conditional, including the right to fill and refill when in priority. Uses: augmentation, exchange, substitution, piscatorial, wildlife, aesthetics, and fire protection. Description of Structure: Surface Area at the High-Water Line: 3.5 acres. Height of Dam: less than 10 feet in height and non-jurisdictional. Length of Dam 1,000 feet long and less than 10 feet in height and non-jurisdictional. Total Capacity: 20 acre-feet; Dead Storage: 5 acre-feet. Remarks: Rapid Creek Pond is an off-channel structure. West Divide is in discussions with owner of the property on which this reservoir is situated and will enter into a long-term lease agreement with the property owner prior to constructing the reservoir or using water therefrom in its' plan for augmentation. If no such agreement is reached, this structure will be removed from the within Application. Claim For Conditional Surface Water Rights. Prospect Ditch – Rapid Creek Pond Enlargement: Location: NW ¼ SE ¼ of Section 20, Township 11 South, Range 88 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting: 305870, Northing: 4328370. Source: Rapid Creek, tributary to the Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River. Date of appropriation: April 29, 2022, on which date a meeting was held with the landowner, touring property, and conducting preliminary studies for constructing a reservoir. Amount: 2 cfs, conditional. Uses: To fill and refill Rapid Creek Pond for augmentation purposes, in priority. Remarks: Applicant is currently in negotiations with Larry Darien, the owner of the property on which the Prospect Ditch - Rapid Creek Pond Enlargement will be located, for the construction and use of the water right. Use of the Prospect Ditch - Rapid Creek Pond Enlargement will be conditioned upon an agreement between the Applicant and Mr. Darien. If no such agreement is reached, this structure will be removed from the within Application. Rapid Creek Pond Crystal River Pump and Pipeline: Location: with an intake located in the NW ¼ SW ¼ of Section 21, Township 11 South, Range 88 West, of the 6th P.M., at a point described as Zone 13, NAD83, Easting: 306769, Northing: 4328222. Source: Crystal River, tributary to the Roaring Fork River, tributary to the Colorado River. Date of appropriation: April 29, 2022, on which date a meeting was held with the landowner, touring property, and conducting preliminary studies for constructing a reservoir. Amount: 2 cfs, conditional. Uses: To fill and refill Rapid Creek Pond for augmentation purposes, in priority. Applicant is currently in negotiations with Larry Darien, the owner of the property on which the Rapid Creek Pond Crystal River Pump and Pipeline will be located, for the construction and use of the water right. Use of the Rapid Creek Pond Crystal River Pump and Pipeline will be conditioned upon an agreement between the

Applicant and Mr. Darien. If no such agreement is reached, this structure will be removed from the within Application. Claim for Conditional Appropriative Rights of Exchange and Water Exchange Project Applicant claims the following conditional appropriative rights of exchange within its Crystal River Service Area: Beaver Lake Appropriative Right of Exchange. An appropriative right of exchange is being sought to exchange Ruedi Reservoir supplies from the confluence of the Crystal and Roaring Fork Rivers during a Colorado River mainstem call. The exchange will allow refill of Beaver Lake for evaporative losses or augmentation releases when there is no call within the Crystal River Service Area, but there is an active call on the mainstem Colorado River. Additionally, this exchange can replace evaporative losses (not augmentation releases) when there is an instream flow call on the Crystal, but not a senior irrigation call, as the evaporative losses and refill are pre-existing uses to the ISF pursuant to CRS 37-92-102(3)(b). The refill of augmentation releases would require no call on the Crystal River. The exchange rate is based upon the ability to refill Beaver Lake within approximately 5 days. The exchange volume requested is the amount needed to refill Beaver Lake. The exchange reach and monthly evaporative depletions are included with the Application. The specifics of this exchange are as follows: Downstream Terminus: Confluence of the Crystal River and the Roaring Fork River in the SW ¼ NW ¼ Section 28, Township 7S, Range 88W of the 6th P.M. Upstream Terminus: Beaver Lake (WDID 3804000) point of diversion on the Crystal River in the NW ¼ SW ¼ Section 25, Township 11S, Range 88W of the 6th P.M. described as Zone 13, NAD83, Easting: 311592, Northing: 4326627. Rate: 10 cfs Volume: 101.23 acre-feet Appropriation Date: October 1, 2024 through agreement with CPW which includes the intent to augment Beaver Lake via exchange. Ruedi Reservoir Exchange Project Right with No Local Call. An Exchange Project Right is being requested to augment the structures enrolled in the Crystal River augmentation plan during times where there is no call on the Crystal River, but there is an active call on the mainstem Colorado River to preserve local Crystal River augmentation supplies. The exchange rate and volume exclude the depletions associated with HUP protected structures and doubles the rate and volume of non-HUP protected depletions to allow for plan expansion. An exchange matrix is provided with the Application. The specifics of this exchange are as follows: Downstream Terminus: Confluence of the Crystal River and the Roaring Fork River in the SW ¼ NW ¼ Section 28, Township 7S, Range 88W of the 6th P.M. Upstream Termini: locations of various augmented structures within the Crystal River basin but generally defined as the upstream extent of the defined service area. Rate: 0.02 cfs Volume: 7.5 acre-feet Appropriation Date: October 1, 2024 through agreement with CPW which includes the intent to augment structures enrolled in an augmentation plan via exchange. Beaver Lake and Rapid Creek Pond Exchange Project Right with Local Call An Exchange Project Right is being requested to augment structures that are senior to the ISF water rights during an irrigation call with downstream supplies. In this instance, a release would be made for structures upstream of the Rapid Creek Pond or Beaver Lake with downstream replacements. Currently, there is only one structure located above Beaver Lake, Crystal Springs Ditch and Pipeline, which will be augmented via exchange for uses senior to the ISF at a rate up to 0.01 cfs. The Beaver Lake EPR exchange rate is based upon two times the quantified depletion rate and volume associated with the Crystal Spring Ditch and Pipeline depletions which allows for future plan expansion. There are 3 structures upstream of Rapid Creek Pond which are senior to the ISF and include the Town of Marble and Crystal Springs Ditch and Pipeline. The Rapid Creek Pond exchange rate and volume adds the Town of Marble depletions to the Beaver Lake EPR, assuming the Town demands represent full buildout. The specifics of these exchanges are as follows: Beaver Lake. Downstream Termini: Beaver Lake Outlet at a point in the SW ¼ NW ¼ of Section 25, Township 11S, Range 88W of the 6th P.M. described as Zone 13, NAD83, Easting: 311300, Northing: 4326820. Upstream Termini: locations of various augmented structures within the Crystal River basin but generally described as the upstream extent of the defined service area. Rate: 0.01 cfs Volume: 2.3 acre-feet Appropriation Date: October 1, 2024 through agreement with CPW which includes the intent to augment structures enrolled in an augmentation plan via exchange. Rapid Creek Pond Downstream Termini: Rapid Creek Pond point of delivery to the Crystal River in the SW ¼ SW ¼ Section 21, Township 11 South, Range 88 West, of the 6th P.M at a point described as Zone 13, NAD83, Easting: 306769, Northing: 4328222. Upstream Termini: locations of various augmented structures within the Crystal River basin but generally described as the upstream extent of the defined service area. Rate: 0.03 cfs Volume: 12.6 acre-feet Appropriation Date: October 1, 2024 through agreement with CPW which includes the intent to augment structures enrolled in an augmentation plan via exchange. Approval of the subject Application will not result in injury to any vested or decreed conditional water rights. Applicant requests the Court approve its Application for Plan for Augmentation, Storage Water Rights, Surface Water Rights, and Claims for Exchange upon such terms and conditions as are just and proper. (17 pages, 12 exhibits)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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 DECEMBER 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.*

25CW3192 EAGLE COUNTY - Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to William V. Allen, Senior Assistant Attorney General, Water Conservation Unit, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 10th Floor, Denver, Colorado 80203. Telephone: (720) 508-6632. Email: will.allen@coag.gov **APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE 1. Name & Address of Applicant:** Colorado Water Conservation

Board ("CWCBS"), 1313 Sherman Street, Suite 718 Denver, CO 80203, (303) 866-3441 **2. Name of water right:** Derby Creek Instream Flow Water Right. **3. Legal Description:** The Derby Creek Instream Flow Water Right is located in the natural stream channel of Derby Creek from confluence with South Derby Creek to the confluence with the Colorado River, a distance of approximately 8.4 miles. A map depicting the approximate location of the Derby Creek Instream Flow Water Right reach is attached as **Exhibit 1. A. Upstream Terminus:** The confluence with South Derby Creek at: 1. UTM: Northing: 4419932.41; Easting: 325757.86 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 39° 54' 41.68" N; Longitude 107° 2' 18.84" W B. **Downstream Terminus:** The confluence with the Colorado River at: 1. UTM: Northing: 4414917.25; Easting: 337113.78 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 39° 52' 7.23" N; Longitude 106° 54' 16.30" W C. The Universal Transverse Mercator (UTM) of the upstream and downstream termini will be used as the legal description for the decree in this matter. The Lat/Long coordinates are provided as cross-reference locations only. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCBS GIS using the National Hydrography Dataset (NHD). **4. Source:** Derby Creek, tributary to the Colorado River. **5. A. Date of initiation of appropriation:** January 27, 2025. **B. How appropriation was initiated:** Appropriation and beneficial use occurred on January 27, 2025, by the action of the CWCBS pursuant to §§ 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. **C. Date applied to beneficial use:** January 27, 2025. **6. Amount of water claimed in cubic feet per second, cfs:** Instream flow of 3.1 (04/01 - 06/30), absolute. **7. Proposed Uses:** Instream flow to preserve the natural environment to a reasonable degree. **8. Increase to previously decreed ISF Water Right:** The CWCBS has an existing ISF Water Right on Derby Creek from the confluence with South Derby Creek to the confluence with the Colorado River, in the amount of 7.5 cfs (01/01 - 12/31), decreed in Case No. 85CW0261 with an appropriation date of May 3, 1985. The flow rates sought herein are in addition to the amount of the existing ISF water rights. **9. Names and addresses of owners or reputed owners of the land upon which any new or existing diversion structure will be located:** The notice required by § 37-92-302(2)(b), C.R.S., to the owners or reputed owners of the land upon which any new or existing diversion or storage structure is or will be constructed is not applicable in this case. This Application is for instream flow water rights, exclusive to the CWCBS under the provisions of § 37-92-102(3), C.R.S. As an instream flow water right, the CWCBS's appropriation does not require diversion structures or storage. *See Colo. River Water Conservation Dist. v. Colo. Water Conservation Bd.*, 594 P.2d 570, 574 (Colo. 1979); § 37-92-103(4)(c), C.R.S. As a surface water right, the CWCBS's appropriation of instream flow water rights does not involve construction of a well. **10. Remarks:** This appropriation by the CWCBS, on behalf of the people of the State of Colorado, is made pursuant to §§ 37-92-102(3) & (4) and 37-92-103(3), (4) & (10), C.R.S. The purpose of the CWCBS's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 21, 2025, the CWCBS determined, pursuant to § 37-92-102(3)(c), C.R.S., that the natural environment of Derby Creek will be preserved to a reasonable degree by the water available for the appropriations to be made; that there is a natural environment that can be preserved to a reasonable degree with the CWCBS's water rights herein, if granted; and that such environment can exist without material injury to water rights.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

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

25CW3193 PITKIN COUNTY – SURFACE WATER DIVERTED THROUGH ASPEN PRESERVE PUMP & PIPELINE, DIVERTING FROM ROARING FORK RIVER. Aspen Preserve Homeowners' Association, Inc. c/o Kevin L. Patrick & John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030. APPLICATION FOR CLARIFICATION OR FOR FINDING OF REASONABLE DILIGENCE. **First Claim:** Aspen Preserve Augmentation Pond. Original Decree: July 28, 2013, Case No. 11CW97. Subsequent diligence decree: December 28, 2019, Case No. 19CW3080. Legal Description: The outlet of the Aspen Preserve Augmentation Pond is located in the NW1/4 NW1/4 of Section 20, Township 10 South, Range 84 West of the 6th P.M., 290 feet South of the North section line, and 340 feet East of the West section line in Pitkin County. **Source:** Surface water diverted through the Aspen Preserve Pump & Pipeline, which diverts from the Roaring Fork River, tributary to the Colorado River. Legal Description of point of diversion: Aspen Preserve Pump & Pipeline: SE1/4 SW1/4 of Section 17, Township 10 South, Range 84 West of the 6th P.M., 150 feet North of the South section line, and 1,430 feet East of the West section line in Pitkin County. Rate: 0.5 cfs. The Aspen Preserve Pump & Pipeline will also be used to fill the Aspen Preserve Augmentation Pond, by exchange, with water which Applicant controls under BWCD Allotment Contract No. 341 and the US Green Ditch under Agreement dated August 1, 1998. Appropriation Date: December 30, 2009. Amount: 1.5 acre-feet conditional. Use: Augmentation and recreation. Surface area: 0.25 acre. Vertical dam height: under 10 ft. Dam length: 150 ft. Active capacity: 1.5 acre-feet. Dead storage: 0 acre-feet. Request for clarification: Applicant requests clarification from the Division Engineer and the Court that the Case No. 98CW191 plan for augmentation is sufficient to fully replace out-of-priority depletions from the Preserve Pond Well as constructed. If the court finds that the Aspen Preserve Augmentation Pond water right is not necessary for the as-constructed facility, Applicant will agree to cancel this water right upon such confirmation. In the alternative, if the Court does find that the Aspen Preserve Augmentation Pond water right is necessary for the as-constructed facility, Applicant requests a finding of reasonable diligence. Applicant owns the land on which the water right is located

and where water will be placed to beneficial use. **Second Claim:** Aspen Preserve Supplemental Appropriative Right of Exchange. Original Decree: July 28, 2013, Case No. 11CW97. Subsequent diligence decree: December 28, 2019, Case No. 19CW3080. Legal Description of exchange reach: Downstream termini: The points of diversion for the BWCD's allotted augmenting water rights described in the plan for augmentation decreed in Case No. 11CW97. Upstream terminus: The Aspen Preserve Pump & Pipeline headgate, which is located in the SE ¼ SW ¼ of Section 17, Township 10 South, Range 84 West of the 6th P.M., 150 feet North of the South section line and 1,430 feet East of the West section line in Pitkin County. Source: BWCD Contract No. 341, as described in the Decree in Case No. 11CW97. Appropriation Date: December 30, 2009. Amount: 0.5 cfs with a volumetric annual limit of 3.0 acre-feet, conditional. Request for clarification: Applicant requests clarification from the Division Engineer and the Court that the Case No. 98CW191 plan for augmentation is sufficient to fully replace out-of-priority depletions from the Preserve Pond Well as constructed. If the court finds that the Aspen Preserve Augmentation Pond water right is not necessary for the as-constructed facility, Applicant will agree to cancel this water right upon such confirmation. In the alternative, if the Court does find that the Aspen Preserve Augmentation Pond water right is necessary for the as-constructed facility, Applicant requests a finding of reasonable diligence for the subject exchange, Applicant requests a finding of reasonable diligence. Remarks as to both claims: In support of the fact that the Preserve Pond Well described herein has been reduced in size back to an open water surface area of 1.3 acres, as authorized in Case No. 98CW191. Maps and supporting documentation are on file with the court.

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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 DECEMBER 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* 25CW3194 EAGLE COUNTY. Colorado Division of Parks and Wildlife and Parks and Wildlife Commission ("CPW") 6060 Broadway, Denver, CO 80216. Please direct communications regarding this case to Ema I. G. Schultz, Second Assistant Attorney General, Elizabeth M. Joyce, Senior Assistant Attorney General, 1300 Broadway, 10th Floor Denver, Colorado 80203; ema.schultz@coag.gov | 720-508-6307; elizabeth.joyce@coag.gov; 720-508-6761. **APPLICATION FOR CONDITIONAL WATER RIGHT (SURFACE).** **1. Name, mailing address, e-mail address, and telephone number of Applicant:** Colorado Division of Parks and Wildlife and Parks and Wildlife Commission ("CPW") 6060 Broadway, Denver, CO 80216; Attn: Pete Conovitz, Water Rights Program Administrator (970) 666-1365; pete.conovitz@state.co.us. **2. Background:** CPW owns and manages the Gypsum Ponds State Wildlife Area ("SWA"). The Gypsum Ponds SWA is located north of the Town of Gypsum and the Eagle River, and south of Interstate 70. Gypsum Ponds SWA encompasses a total of 92 acres that provides habitat for a variety of waterfowl, raptors, river otter, beaver, elk, and deer. The purpose of this Application is to adjudicate a conditional water right for wetland irrigation from the Eagle River. **3. Application for Conditional Water Rights:** A. Name of Structure: Gypsum Ponds SWA Diversion - 1st enlargement. B. Location of Structure: See **Exhibit A** for the location map. i. Legal Description: The diversion is located in the NW ¼, NE ¼, Section 4, T5S, R85W, 6th P.M., at a point from which the Southwest corner of said Section 4 bears South 33° West 6025 feet. ii. UTM Coordinates: NAD 83, 334357.0 Easting, 4391000.0 Northing, Zone 13 (GPS location copied from DWR structure file). C. **Source: Eagle River, tributary to the Colorado River.** D. Date of Appropriation: Date the application is filed; i. How appropriation was initiated: na; ii. Date water applied to beneficial use: na E. Amount Claimed: 7 cfs conditional. i. 7 cfs will allow the wetland cells to be filled in a day. This ability would allow the area to be irrigated in short periods if/when the downstream calls are released for brief periods of time, i.g. Shoshone has a short outage. ii. The irrigation will be that of a wetland which requires heavy application to get 1.5-2 ft of water depth in the wetland cells. F. Uses: Irrigation, wildlife and waterfowl habitat i. Irrigated area: 7.75 acres located in the NW ¼, NW ¼ and the NE ¼, NW ¼ Section 4, T5S, R85W, 6th P.M. ii. A portion of the proposed irrigated area lies within the historical footprint of a pre-1981 gravel pit. An outlet was installed in the southernmost gravel pit in 2011. Historical aerial imagery and concurrent ground observations by CPW confirm that the gravel pit has been drained and dry since the outlet was installed. G. Remarks: The amount claimed will allow the wetland cells to be filled in a single day. To accomplish wetland irrigation, the wetland cells must be filled with 1.5-2 feet of water at a single time. The diversion rate exceeds the standard duty of water for irrigation in this area because wetland irrigation differs significantly from typical crop irrigation practices. The wetland cells will fill in short periods of time when the water right is in priority while still accomplishing the wetland irrigation. Gypsum Ponds SWA is managed to provide habitat for waterfowl, raptors, otters, beaver, and other wildlife. Healthy wetlands support these wildlife as well as others. **4. Name of owners of land upon which structures are located:** Applicant. WHEREFORE, CPW respectfully requests this Court enter a decree adjudicating the conditional surface water right as described herein, and for such other relief as this Court deems just and proper.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

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25CW3195 GARFIELD COUNTY. Colorado Water Conservation Board (“CWCB”), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to Jennifer Mele, First Assistant Attorney General, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 10th Floor, Denver, Colorado 80203. Telephone: (720) 508-6282. Email: jen.mele@coag.gov. **APPLICATION TO MAKE A PORTION OF WATER RIGHT ABSOLUTE. Name, mailing address, email address and telephone number of applicant:** Department of Transportation, State of Colorado (“CDOT”) c/o Chief Engineer 4201 E. Arkansas Ave. Denver, CO 80222 (303) 757-9206. **Name of well and permit number:** Grizzly Creek Rest Area Well Permit No. 86779-F. **Legal Description of Well:** UTM Zone 13, Easting: 306588.6, Northing: 4381429.7 NW1/4 SW1/4, Sec. 5, T6S, R88W, 6th P.M., Garfield County, CO. A map showing the location of the Grizzly Creek Rest Area Well is attached as **Exhibit 1. Source: Source of water: Groundwater tributary to Colorado River.** Depth of well: 60 feet. **Uses:** Commercial uses, including drinking and sanitary uses at CDOT’s Grizzly Creek Rest Area. **Prior Decree:** Original decree entered in Case No. 18CW3213, Water Division 5. Absolute water right. Date of appropriation: April 9, 1991. How appropriation was initiated: By pumping of water and placement to beneficial use. Date water applied to beneficial use: April 9, 1991. Amount in gallons per minute: 5 gpm, absolute. Amount in acre feet annually: maximum of 0.1 acre feet. The 5 gpm absolute water right for the Grizzly Creek Rest Area Well is not affected or in any way changed by this application. Conditional water right. Date of appropriation: December 21, 2018. How appropriation was initiated: by filing application in water court. Amount in gallons per minute: 15 gpm, conditional. Amount in acre feet annually: maximum of 4.04 acre feet. **Claim to make conditional water right absolute:** CDOT has diverted the Grizzly Creek Rest Area Well for beneficial use at the Grizzly Creek Rest Area a total of 19 gpm and therefore CDOT claims to make 14 gpm of the 15 gpm conditional water right absolute. CDOT will relinquish the remaining 1 gpm. **Claim for diligence in the alternative to making conditional water right absolute:** In the event the Court does not approve CDOT’s claim to make 14 gpm of the 15 gpm of the conditional water right absolute, CDOT claims that it has diligently worked towards completing the appropriation and perfecting the conditional water right and seeks a finding of diligence pursuant to section 37-92-301(4), C.R.S. **Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored:** Not applicable.

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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 DECEMBER 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.*

25CW3196 PITKIN COUNTY – ROARING FORK RIVER OR ITS TRIBUTARIES. Difficult Popcorn Holdings, LLC, c/o Paul L. Noto and Jason M. Groves, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621, (970) 920-1030. **APPLICATION TO MAKE ABSOLUTE AND FOR FINDINGS OF REASONABLE DILIGENCE. First Claim:** Skokos Wildwood Pump Diversion. Original Decree: October 12, 2012, Case No. 2010CW286. Subsequent diligence decree (for all structures): December 28, 2019, Case No. 2018CW3139. Legal: NW ¼, SW ¼, of Section 28, Township 10 South, Range 84 West of the 6th P.M. at a point located 690 feet east of the west section line and 1,340 feet north of the south section line. Source: Roaring Fork River, tributary to the Colorado River. Appropriation date: November 30, 2010. Amount: 0.10 c.f.s., conditional. Uses: Irrigation and filling and refilling the Skokos Wildwood Tanks for subsequent use of fire protection and augmentation when water is physically and legally available. Claim to make absolute in part: Amount and uses: 0.045 c.f.s. (20 g.p.m.) for irrigation and filling the Skokos Wildwood Tanks. Date of beneficial use: May 1, 2022. Applicant attaches evidence supporting the claim as Exhibit B. Place of use: Applicant’s property in the NW ¼ SW ¼ of Section 28, Township 10 South, Range 84 West of the 6th P.M. Request for finding of reasonable diligence: Applicant requests a finding of reasonable diligence for the Skokos Wildwood Pump in the alternative and for any portion of the conditional water right that is not made absolute in this case. Landowner information: Applicant. **Second Claim:** Skokos Wildwood Well. Legal: NW ¼, SW ¼, of Section 28, Township 10 South, Range 84 West of the 6th P.M. at a point located 700 feet east of the west section line and 1,540 feet north of the south section line. Source: Roaring Fork River alluvium, tributary to the Colorado River. Appropriation date: November 30, 2010. Amount: 30 g.p.m., conditional up to 0.56 acre-foot annually. Uses: Domestic in-house use for two dwelling units, including fire protection and storage in the Applicant’s fire protection tank. Depth: 90 feet. Request for finding of reasonable diligence: A detailed outline of work done toward completing the conditional appropriation is on file with the court. Landowner information: Applicant. **Third Claim:** Skokos Wildwood Tanks. Legal: NW ¼, SW ¼, of Section 28, Township 10 South, Range 84 West of the 6th P.M. near a point located 790 feet east of the west section line and 1,430 feet north of the south section line. Source: Roaring Fork River, tributary to the Colorado River. Appropriation date: November 30, 2010. Amount: 0.30 acre-foot, conditional. Uses: Fire protection and

augmentation. Claim to make absolute in part: Amount and uses: 0.064 acre-foot (21,000 gallons) for fire protection and augmentation. Date of beneficial use: May 1, 2022. Place of use: Applicant's property in the NW ¼ SW ¼ of Section 28, Township 10 South, Range 84 West of the 6th P.M. Request for finding of reasonable diligence: Applicant requests a finding of reasonable diligence for the Skokos Wildwood Tanks in the alternative and for any portion of the conditional water right that is not made absolute in this case. Landowner information: Applicant. **Fourth Claim:** Skokos Appropriative Right of Exchange. Lower termini: Wolford or Green Mountain Reservoir Releases: The confluence of the Roaring Fork River and the Colorado River, located in the SE ¼, NW ¼ of Section 9, Township 6 South, Range 89 West of the 6th P.M., at a point approximately 2,200 feet from the north section line and 2,350 feet from the west section line. Ruedi Reservoir Releases: The confluence of the Fryling Pan River and the Roaring Fork River, located in the SE ¼ of Section 7, Township 8 South, Range 86 West of the 6th P.M. Upper termini: Skokos Wildwood Pump Diversion: NW ¼, SW ¼, of Section 28, Township 10 South, Range 84 West of the 6th P.M. at a point located 690 feet east of the west section line and 1,340 feet north of the south section line. Skokos Wildwood Well: NW ¼, SW ¼, of Section 28, Township 10 South, Range 84 West of the 6th P.M. at a point located 700 feet east of the west section line and 1,540 feet north of the south section line. Source: Basalt Water Conservancy District water allotment contract. Appropriation date: November 30, 2010. Amount: 0.10 c.f.s., conditional and 30 g.p.m., conditional. Uses: Augmentation by exchange. Request for finding of reasonable diligence: A detailed outline of work done toward completing the conditional appropriation is on file with the court. Landowner information: Applicant. Remarks applicable to all claims: The water rights are components of an integrated water supply system for the Applicant's property. Decree ¶ 43, Case No. 2010CW286. Maps and supporting documentation are on file with the court.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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 DECEMBER 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.*

25CW3197 MESA COUNTY - COLORADO River; Seal Construction Development, LLC; c/o John R. Pierce, DUFFORD WALDECK, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; **APPLICATION FOR SURFACE RIGHTS, GROUNDWATER RIGHT, AND STORAGE RIGHTS; Name and contact information of Applicant:** Seal Construction Development, LLC, 1560 River Road, Fruita, CO 81521, (970) 902-0403; **Request for surface right: Name of structure:** River Canyon Pump & Pipeline, First Enlargement; **Location:** At the point of diversion for the River Canyon Pump & Pipeline as decreed in Case No. 2007CW129: in the NE/4 of the SW/4 of Section 28, Township 1 North, Range 2 West of the Ute P.M., at a point 1,700 feet from the south section line and 3,000 feet from the east section line. That location can also be described in UTM coordinates as Easting 179108.0, Northing 4337243.8, Zone 13; **Source:** Colorado River; **Information regarding appropriation:** **Date of appropriation:** December 19, 2025; **How appropriation was initiated:** By filing the Application in this case; **Amount:** 0.95 c.f.s., conditional (in addition to the 0.17 c.f.s. that was decreed to the River Canyon Pump and Pipeline in Case No. 2007CW129); **Uses:** Irrigation, filling, and refilling the River Canyon Pond Nos 1-4; **Number of acres irrigated:** 34.41 acres within the S/2 of Section 28 and N/2 of Section 33, Township 1 North, Range 2 West of the Ute P.M. and within the existing property boundary. This irrigated acreage is in addition to the 6.15 acres irrigated with the water rights decreed in Case No. 2007CW129; **Remarks:** The Division of Water Resources has recently expressed a preference that surface rights used to fill reservoirs be included in claims for the associated reservoirs rather than claimed separately. In the event that the Division of Water Resources or the Court requests that Applicant assert the portion of this right as a component of the storage right for the River Canyon Pond Nos. 1-4, Applicant reserves the right to amend its Application to make that change without republication; **Request for surface right: Name of structure:** River Canyon Pump & Pipeline Alternate Point, First Enlargement; **Location:** At the point of diversion for the River Canyon Pump & Pipeline Alternate Point as decreed in Case No. 2007CW129: in the NE/4 SW/4 of Section 28, Township 1 North, Range 2 West of the Ute Principal Meridian, at a point 1,500 feet from the south section line and 2,650 feet from the east section line. That location can also be described in UTM coordinates as Easting 179208.4, Northing 4337175.4, Zone 13; **Source:** Colorado River; **Information regarding appropriation:** **Date of appropriation:** December 19, 2025; **How appropriation was initiated:** By filing the Application in this case; **Amount:** 0.95 c.f.s., conditional, as an alternate point for the River Canyon Pump & Pipeline, First Enlargement, requested above (and in addition to the 0.17 c.f.s. that was decreed to the River Canyon Pump and Pipeline Alternate Point in Case No. 2007CW129); **Uses:** Irrigation, filling, and refilling the River Canyon Pond Nos 1-4; **Number of acres irrigated:** 34.41 acres within the S/2 of Section 28 and N/2 of Section 33, Township 1 North, Range 2 West of the Ute P.M. and within the existing property boundary. This irrigated acreage is in addition to the 6.15 acres irrigated with the water rights decreed in Case No. 2007CW129; **Remarks:** The Division of Water Resources has recently expressed a preference that surface rights used to fill reservoirs be included in claims for the associated reservoirs rather than claimed separately. In the event that the Division of Water Resources or the Court requests that Applicant assert the portion of this right as a component of the storage right for the River Canyon Pond Nos. 1-4, Applicant reserves the right to amend its Application to make that change without republication; **Request for groundwater right:** River Heights Estates Well; **Introduction:** The River Heights Estates Well is requested as an alternate point of diversion for four water rights (all under the junior priority date established in this case); River Canyon Pump & Pipeline; River Canyon Pump & Pipeline, First

Enlargement; River Canyon Pump & Pipeline Alternate Point; River Canyon Pump & Pipeline Alternate Point, First Enlargement; Name of structure: River Heights Estates Well; Location: SW/4 SE/4 of Section 28, Township 1 North, Range 2 West of the Ute P.M., at a point described in UTM coordinates as Easting: 179604.3, Northing: 4336930.7, Zone 13; Source: Groundwater tributary to the Colorado River; Depth of well: Applicant estimates that the well will be constructed to a depth of 30 feet but provides notice to any interested parties that well depth could be as deep as 100 feet; Information regarding appropriation: Date of appropriation: December 19, 2025; How appropriation was initiated: By filing the Application in this case; Amount: 1.12 c.f.s., 233 a.f. annually, conditional; Does the well operate pursuant to a decreed augmentation plan: No. The well is located on a section of the Colorado River that is under-appropriated; Uses: Irrigation, filling, and refilling the River Canyon Pond Nos. 1-4 (all as an alternate point for the structures identified in paragraph 4.a above); Acreage irrigated: 40.56 acres within the S/2 of Section 28 and N/2 of Section 33, Township 1 North, Range 2 West of the Ute P.M. and within the existing property boundary. (This acreage is made up of the 6.15 acres irrigated with the water rights decreed in Case No. 2007CW129 together with the 34.41 acres irrigated with the enlargements requested in this Application.); Request for use enlargement of groundwater right: Name of structure: River Canyon Pond Nos. 1-4, First Enlargement; Location: River Canyon Pond No. 1: The decree in Case No. 2007CW13 described the location of Pond No. 1 as in the SE/4 SW/4 of Section 28, Township 1, North, Range 2 West of the Ute Principal Meridian at a point 700 feet from the south section line and 3,400 feet from the east section line of Section 28. That location can also be described in UTM coordinates as Easting 178978, Northing 4336932, Zone 13; River Canyon Pond No. 2: The decree in Case No. 2007CW13 described the location of Pond No. 2 as in the SE/4 SW/4 of Section 28, Township 1, North, Range 2 West of the Ute Principal Meridian at a point 400 feet from the south section line and 3,400 feet from the east section line of Section 28. That location can also be described in UTM coordinates as Easting 179052, Northing 4336861, Zone 13; River Canyon Pond No. 3: The decree in Case No. 2007CW13 described the location of Pond No. 3 as in the SE/4 SW/4 of Section 28, Township 1, North, Range 2 West of the Ute Principal Meridian at a point 300 feet from the south section line and 3,000 feet from the east section line of Section 28. That location can also be described in UTM coordinates as Easting 179122, Northing 4336818, Zone 13; River Canyon Pond No. 4: The decree in Case No. 2007CW13 described the location of Pond No. 4 as in the SW/4 SE/4 of Section 28, Township 1, North, Range 2 West of the Ute Principal Meridian at a point 100 feet from the south section line and 2,200 feet from the east section line of Section 28. That location can also be described in UTM coordinates as Easting 179152, Northing 4336421, Zone 13; Source: Colorado River, delivered through the following points of diversion: River Canyon Pump & Pipeline; River Canyon Pump & Pipeline, First Enlargement; River Canyon Pump & Pipeline Alternate Point; River Canyon Pump & Pipeline Alternate Point, First Enlargement; River Heights Estates Well; Information regarding appropriation: Appropriation date: December 19, 2025; How appropriation was initiated: By filing the Application in this case; Amount: 197 a.f., conditional. Note: The capacity of the River Canyon Pond Nos. 1-4 will not be physically enlarged but the annual irrigation use will be enlarged by an additional 34.41 acres in addition to the irrigation of 6.15 acres approved in Case No. 2007CW13, for a total irrigated area equal to 40.56 acres; Use: The use enlargement requested in this claim is only for irrigation of additional acreage, described above. (7 pages)

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25CW3198 PITKIN COUNTY – ROARING FORK RIVER ALLUVIUM Mountain Queen, Inc. c/o Paul L. Noto & John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621 (970) 920-1030. APPLICATION TO MAKE WATER RIGHT ABSOLUTE. **First Claim**: Lewis Well No. 1, Permit No. 66036-F. Original Decree: April 5, 2005, Case No. 03CW213, Division 5 Water Court. Subsequent diligence decrees: October 2, 2012, Case No. 11CW122; December 28, 2019, Case No. 18CW3159, all Division 5 Water Court. Legal: NW ¼, NE ¼ of Section 29, Township 10 S., Range 84 W. of the 6th P.M., at a point approximately 1,180 feet from the north section line and 1,452 feet from the east section line. **Source**: **Roaring Fork River alluvium, tributary to the Roaring Fork River, tributary to the Colorado River.** Appropriation date: March 20, 2003. Amount: 0.076 c.f.s. (34.0 g.p.m.). The court previously made 0.011 c.f.s. (5.0 g.p.m.) absolute for irrigation use and filling the Mountain Queen Reservoir System for subsequent aesthetic, recreational, piscatorial, irrigation, and augmentation purposes. 0.065 c.f.s. (29.0 g.p.m.) remains conditional. Uses: Irrigation and to fill the Mountain Queen Reservoir System for subsequent aesthetic, recreational, piscatorial, irrigation, and augmentation purposes. Irrigation will occur on Applicant's property. Note: The well was decreed absolute for domestic purposes in Case No. 03CW231. The Mountain Queen Reservoir System was decreed in Case No. 03CW231 and made fully absolute in Case No. 11CW122. Depth: Approximately 50 feet. Claim for absolute: Applicant diverted up to 31 g.p.m. from the Lewis Well No. 1 and placed that water to beneficial use for all decreed uses. Date of beneficial use: July 26, 2025. Amount: An additional 0.058 c.f.s. (26 g.p.m.); 0.069 c.f.s. (31 g.p.m.) total. Uses: Irrigation and to fill the Mountain Queen Reservoir System for subsequent aesthetic, recreational, piscatorial, irrigation, and augmentation purposes. Applicant owns the land upon which the Lewis Well No. 1 is located and where water is put to beneficial use. Applicant agrees to cancellation of the remaining 0.007 c.f.s. (3 g.p.m.) for all uses. To the extent the Lewis

Well No. 1 is not confirmed as absolute for a total of 29 g.p.m. for all decreed uses, Applicant requests a finding of reasonable diligence on the remaining conditional amounts and uses. Maps and supporting documentation are on file with the court.

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25CW3199 Division 5. DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO. 109 8th Street, Suite 104, Glenwood Springs, CO 81601. CONCERNING THE APPLICATION FOR WATER RIGHTS OF TROON CORDILLERA, LLC IN EAGLE COUNTY, COLORADO. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND TO MAKE PARTIALLY ABSOLUTE. 1. Name, mailing address, email address, and telephone number of applicant: Troon Cordillera, LLC ("Troon") c/o Troon Golf, L.L.C. 15044 N. Scottsdale Road, Suite 300 Scottsdale, AZ 85254. Direct all pleadings to: Courtney Shephard & Christopher Thorne. Greenberg Traurig, LLP. 1144 15th Street, Suite 3000. Denver, CO 80202. (303) 572-6531 2. Names of structures: Groff Ditch-Cottonwood Enlargement, Cottonwood Pump and Pipeline, Golf Course Pond No. 2, Golf Course Pond No. 3, Golf Course Pond No. 4, and Golf Course Pond No. 5, all located in Eagle County, Colorado ("Subject Water Rights"). 3. Description of Subject Water Rights: a. Date of original decree: December 8, 1992, in Case No. 91CW033. b. Subsequent findings of diligence: May 23, 1999, in Case No. 98CW249; August 24, 2006, in Case No. 05CW095; March 17, 2013, in Case No. 12CW137; December 28, 2019, in Case No. 19CW3049. c. Legal descriptions: Attached as Exhibit A is a map depicting the decreed locations of the Subject Water Rights: i. Groff Ditch-Cottonwood Enlargement: The headgate is located at a point on the east bank of Spring Creek in the NE¼ NE¼ of Section 36, T. 4 S., R. 83 W. of the 6th P.M. whence the E¼ corner of said Section 36 bears S. 3° 30' E. 2,145 feet. ii. Cottonwood Pump and Pipeline: The headgate is located at a point on the north bank of the Eagle River in the SW¼ SW¼ of Section 31, T. 4 S., R. 82 W. of the 6th P.M. whence the SW corner of said Section 31 bears S. 5° W. 500 feet. iii. Golf Course Pond No. 2: The pond is located in the SE¼ NW¼ of Section 31, T. 4 S., R. 82 W. of the 6th P.M., whence the W¼ corner of said Section 31 bears S. 77° 45' W. 2,270 feet. iv. Golf Course Pond No. 3: The pond is located in the NW¼ SE¼ of Section 31, T. 4 S., R. 82 W. of the 6th P.M., whence the S¼ corner of said Section 31 bears S. 29° 30' W. 2,060 feet. v. Golf Course Pond No. 4: The pond is located in the SW¼ SE¼ of Section 31, T. 4 S., R. 82 W. of the 6th P.M., whence the S¼ corner of said Section 31 bears S. 57° 15' W. 1,520 feet. vi. Golf Course Pond No. 5: The pond is located in the SW¼ SW¼ of Section 32, T. 4 S., R. 82 W. of the 6th P.M., whence the SW corner of said Section 32 bears S. 48° W. 1,300 feet. d. Sources of water: i. Groff Ditch-Cottonwood Enlargement: Spring Creek, a tributary of the Eagle River, a tributary of the Colorado River. ii. Cottonwood Pump and Pipeline: Eagle River, a tributary of the Colorado River. iii. Golf Course Pond Nos. 2, 3, 4, and 5: Spring Creek via the Groff Ditch-Cottonwood Enlargement (1 c.f.s.); Burnison Creek via the Root Ditch (1.6 c.f.s.) decreed in Eagle County District Court, Civil Action No. 687; Deadhorse Gulch via the Root Ditch-Reynolds Enlargement (1 c.f.s.) decreed in Case No. 82CW341; and the Eagle River via the Cottonwood Pump and Pipeline (2 c.f.s.). The maximum height of the embankment for each reservoir is less than 10 feet. e. Appropriation dates: July 13, 1990, for all the conditional water rights herein. f. Beneficial uses: Irrigation, recreation, and piscatorial uses. g. Amounts: i. Groff Ditch-Cottonwood Enlargement: 0.2 c.f.s., conditional, for irrigation uses; and 0.07 c.f.s., conditional, for recreation and piscatorial uses (the decree entered in Case No. 05CW095 made 0.8 c.f.s. absolute for irrigation uses, and 0.93 c.f.s. absolute for recreation and piscatorial uses). ii. Cottonwood Pump and Pipeline: 2.0 c.f.s., conditional. iii. Golf Course Pond No. 2: 2.0 a.f., conditional. iv. Golf Course Pond No. 3: 6.0 a.f., conditional. v. Golf Course Pond No. 4: 20.0 a.f., conditional. vi. Golf Course Pond No. 5: 4.0 a.f., conditional. 4. Activities during the diligence period: Pursuant to C.R.S. § 37-92-301(4)(b), "[t]he measure of reasonable diligence is the steady application of effort to complete the appropriation in a reasonably expedient and efficient manner under all the facts and circumstances. When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." The Subject Water Rights are part of the water rights system for the Club at Cordillera Valley Course ("CVC"); together, the CVC water rights comprise an integrated system of water rights and structures as defined by C.R.S. § 37-92-301(4)(b). Since December 2019, Troon and its predecessor-in-interest diligently prosecuted the water rights, including the activities and expenditures described below. a. On December 10, 2024, Troon purchased the Club at Cordillera, inclusive of the CVC water system, from Wind Rose Properties, LLC. b. Water system development activities: Troon and its predecessor-in-interest spent more than \$10,000 to maintain and improve the infrastructure to divert and beneficially use the Subject Water Rights and the integrated CVC water system during the diligence period including but not limited to: i. Assessing the Subject Water Rights through onsite visits and investigations. ii. Developing plans for future uses of the Root Ditch water rights and future pond locations. c. Engineering and water consulting activities: Troon and its predecessor-in-interest spent more than \$60,000 on water engineering and consulting activities for the Subject Water Rights and the integrated CVC water system during the diligence period including but not limited to: i. Preparing and submitting monthly accounting to the Division Engineer's Office. ii. Completing field work for the Subject Water Rights including diversion point site observations, flume observations, stream gaging, pond observations, and headgate and ditch observations and measurements. iii. Completing water

resource and water right analyses and planning, including headgate and ditch capacity analyses, flume measurements, and streamflow projections. iv. Compiling water resource and water right reports, memoranda, maps, and accounting, and completing field work for Troon's purchase of the Club at Cordillera water system. v. Completing a water availability analysis for Beard (aka Burnison) Creek to support negotiations in Case No. 25CW3058. d. Water counsel actions: Troon spent more than \$10,000 on legal services to acquire, protect, and maintain the Subject Water Rights and the integrated CVC water system during the diligence period including, but not limited to: i. Completing a comprehensive due diligence review of the Club at Cordillera water system as part of the Troon purchase of the Club at Cordillera. ii. Protecting the Club at Cordillera water system by entering into a stipulation in lieu of opposition in Case No. 25CW3058. 5. Claim to make partially absolute. Troon seeks to make the remaining conditional portion of the Groff Ditch-Cottonwood Enlargement water right absolute. a. Date water was applied to beneficial use: May 15, 2020, for recreation and piscatorial uses, and June 19, 2025, for irrigation use. b. Amount: 0.2 c.f.s. for irrigation use (the decree entered in Case No. 05CW095 made 0.8 c.f.s. absolute for irrigation uses), and 0.07 c.f.s. for recreation and piscatorial uses (the decree entered in Case No. 05CW095 made 0.93 c.f.s. absolute for recreation and piscatorial uses). c. Beneficial uses: Irrigation, recreation, and piscatorial uses. d. Places of use: Irrigation within the decreed area, i.e., the Valley Golf Course, and recreation and piscatorial uses in Golf Course Pond No. 1. *See Exhibit A*. 6. Names and address of owner 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. i. Groff Ditch-Cottonwood Enlargement: JMCG Colorado LLC, 240 North Compass Drive, Fort Lauderdale, FL 33308-2019. ii. Cottonwood Pump and Pipeline: Eagle River Water & Sanitation District, 846 Forest Road, Vail, CO 81657-5704. iii. Golf Course Pond Nos. 2, 3, 4, and 5: Troon. WHEREFORE, Troon requests that the Court enter a decree: A. Pursuant to C.R.S. § 37-92-103(4)(a), making the following remaining conditional portions of the Groff Ditch-Cottonwood Enlargement water right absolute: 0.2 c.f.s. for irrigation use, and 0.07 c.f.s. for recreation and piscatorial uses. If approved, the full 1.0 c.f.s. of the Groff Ditch-Cottonwood Enlargement water right will be absolute for all decreed uses. To the extent the Court denies this claim, Troon requests that the Court find that Troon has been reasonably diligent in finalizing the entire appropriation and continue it in full force and effect. B. Finding that Troon has been reasonably diligent in finalizing the following appropriations and continuing the rights in full force and effect: 1. Cottonwood Pump and Pipeline: 2.0 c.f.s., conditional, for irrigation, recreation, and piscatorial uses. 2. Golf Course Pond No. 2: 2.0 a.f., conditional, for irrigation, recreation, and piscatorial uses. 3. Golf Course Pond No. 3: 6.0 a.f., conditional, for irrigation, recreation, and piscatorial uses. 4. Golf Course Pond No. 4: 20.0 a.f., conditional, for irrigation, recreation, and piscatorial uses. 5. Golf Course Pond No. 5: 4.0 a.f., conditional, for irrigation, recreation, and piscatorial uses. C. Granting such other relief as the Court deems just and proper. **YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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 DECEMBER 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.*

25CW3200 PITKIN COUNTY(81CW432, 93CW28, 04CW14, 12CW125, 19CW3057). JOINT APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Co-Applicants: Roaring River Ranch, LLC c/o Mr. Richard Kinder, 2929 Lazy Lane Boulevard, Houston, TX 77019, (713) 529-0922; Aspen Village Metropolitan District, P.O. Box 4100, 350 Market Street, Suite 304, Basalt, CO 81621, (970) 925-3475. Please direct all pleadings and correspondence to Co-Applicants' counsel: Mark E. Hamilton and Samantha L. Ogden, Holland & Hart LLP, 600 East Main St., Suite 104, Aspen, CO 81611, (970) 925-3476, mehamilton@hollandhart.com, slogden@hollandhart.com; Michael A. Kopp, Trout Raley PC, 1120 Lincoln St., Suite 1600, Denver, CO 80203, (303) 861-1963, mkopp@troutlaw.com. Name of Structure. Aspen Village Storage Reservoir. Information from Previous Decrees. Date of Original Decree: The original decree in Case No. 81CW432, District Court, Water Division No. 5, was entered on April 22, 1983. Subsequent Findings of Diligence: Findings of reasonable diligence were made on January 16, 1998, in Case No. 93CW28, on July 14, 2006, in Case No. 04CW14, on March 14, 2013, in Case No. 12CW125, and on December 28, 2019, in Case No. 19CW3057 (in which portions of the water right were made absolute, as described in more detail below). In Case No. 07CW52 (Water Div. 5), Co-Applicants filed a joint application for changes of water rights, seeking an alternate place of storage for the Aspen Village Storage Reservoir in two ponds on Roaring River Ranch and an alternate point of diversion for filling the Aspen Village Storage Reservoir at the Pines Grove Pipeline on the Roaring Fork River. The decree entered in Case No. 07CW52 granted an alternate place of storage for the Aspen Village Storage Reservoir in Pond Nos. 2 and 3 of the RRR Pond System as described in paragraph 3.d below. The decree also granted an alternate point of diversion for filling the Aspen Village Storage Reservoir as described in paragraph 3.e below. Location of Reservoir: The decreed location of the Aspen Village Storage Reservoir is in Section 6, Township 9 South, Range 85 West of the 6th P.M., the center of the embankment being South 76 degrees, 40 minutes East 4,216 feet from a brass cap set for the west 1/4 corner of said section 6. The Aspen Village Storage Reservoir, as constructed, consists of a portion of a larger pond system that contains three ponds and an interconnecting stream channel, known as the Roaring River Ranch Pond System ("RRR Pond System"), which is depicted on the location map attached hereto as **Exhibits A-1 and A-2**. The decree in Case No. 07CW52 (Water Div. 5) granted

alternative places of storage for the Aspen Village Storage Reservoir in Pond Nos. 2 and 3 of the RRR Pond System, which are located within the decreed location for the Aspen Village Storage Reservoir. The legal descriptions for Pond Nos. 2 and 3 are as follows: Roaring River Ranch Pond No. 2 ("Pond No. 2"): The center of Pond No. 2 is located at a point in the NE 1/4 of the SE 1/4 of Section 6, Township 9 South, Range 85 West of the 6th P.M., approximately 1400 feet from the South section line and 1000 feet from the East section line. Pond No. 2 has a total storage volume of 1.66 acre-feet, including active storage of 1.55 acre-feet. Roaring River Ranch Pond No. 3 ("Pond No. 3"): The center of Pond No. 3 is located at a point in the NE 1/4 of the SE 1/4 of Section 6, Township 9 South, Range 85 West of the 6th P.M., approximately 1575 feet from the South section line and 1225 feet from the East section line. Pond No. 3 has a total storage volume of 2.08 acre-feet, including active storage of 1.84 acre-feet. **Source: Brush Creek, tributary to the Roaring Fork River, through the Brush Creek Ditch.** Pursuant to the decree granted to Co-Applicants in Case No. 07CW52 (Water Div. 5), the Aspen Village Storage Reservoir may also be filled through the Pines Grove Pipeline. *Appropriation date:* November 21, 1981. *Amount:* 5.0 acre-feet. RRR owns the right to 3.05 acre-feet, and Aspen Village owns the right to 1.95 acre-feet. With respect to RRR's portion of the water right, 3.05 acre-feet was made absolute for recreation and fire protection uses in Case No. 12CW125. In Case No. 12CW125, the water right remained conditional for the remaining 1.95 acre-feet of recreation and fire protection use, and for the full 5 acre-feet for all other decreed uses. In Case No. 19CW3057, 3.74 acre-feet were made absolute for all decreed uses, and the remaining 1.26 acre-feet of the water right was continued as conditional. *Use:* Irrigation, municipal, commercial, domestic, fire protection, and recreation, either directly or by exchange, and for operation of the plan for augmentation decreed in Case No. 81CW432. Except that in Case No. 04CW14, Water Division No. 5, use by exchange and municipal use were cancelled for RRR's portion of the water right. *Remarks:* The Aspen Village Storage Reservoir was intended, in part, to provide for storage and release of water for augmentation of out-of- priority winter depletions from the Aspen Village Wells pursuant to the plan for augmentation decreed in Case No. 81CW432. Water may be stored in the Aspen Village Storage Reservoir for this purpose under the priority decreed to the Aspen Village Storage Reservoir water right or the Brush Creek Ditch water rights that were changed for augmentation use in Case No. 81CW432. Additional capacity in and uses for the RRR Pond System were decreed in Case Nos. 03CW137 and 03CW138 (Water Div. 5). A small portion of Pond No. 2 of the RRR Pond System was previously decreed absolute for 0.25 acre-feet as a part of the Pines Grove Pond System in Case No. 02CW28 (originally decreed in Case No. 94CW80). Detailed outline of what has been done toward completion of the appropriation and application of water to beneficial use as conditionally decreed. Co-Applicants seek findings of reasonable diligence with respect to the remaining conditional amounts and uses of the Aspen Village Reservoir water right and state as follows. During the most recent diligence period, Co-Applicants have continued to take steps to diligently develop the remaining conditional portion of the Aspen Village Storage Reservoir water right including, without limitation, the activities described below. This list is not intended to be all-inclusive and may be supplemented by additional evidence. RRR regularly cleans and maintains, and has improved the RRR Pond System, including pond treatment and aeration systems, operating the low- level outlet valves, and maintaining landscaping around the ponds in order to put water under the subject conditional water right to beneficial use. From 2019 through 2025, RRR performed pond and stream course maintenance, pump river vault maintenance, irrigation, and general water scheduling at an approximate cost of \$660,000. Specifically, RRR conducted operation, maintenance, repair, and replacement of the river diversion pumps, pipeline, and flow meters related to diversions into the RRR Pond System and the pumps, pipelines, valves and sprinklers associated with the irrigation system served out of the RRR Pond System. RRR installed a new flow meter on the inlet pipeline to the Aspen Village Storage Reservoir in October 2025. RRR has maintained measurement devices, maintained records of its diversions from their various water rights, and communicated with staff of the Division Engineer's Office regarding measurement and accounting of the subject conditional water rights. During the diligence period, RRR spent approximately \$8,000 repairing, operating and maintaining the RRR Pond System. RRR and Aspen Village retained Colorado River Engineering, Inc. ("CRE") to develop a monthly water rights accounting spreadsheet including the subject Aspen Village Storage Reservoir. CRE conducted a site visit on July 22, 2022 and reviewed all diversions, ponds, pump stations, and flow meters. In Case No. 20CW3186, RRR successfully prosecuted an application to make water rights absolute with respect to the RRR Snowmass Divide Ditch Exchange, originally decreed in Case No. 03CW136, under which RRR's Snowmass Divide Ditch Water rights may be exchanged for diversion at the Pines Grove Pipeline, a component of RRR's water system referenced in paragraph 3.e above. A decree making the exchange absolute was entered by the Water Court on August 11, 2021. In Case No. 21CW3076, RRR successfully prosecuted an application to make water rights absolute and for findings of reasonable diligence with respect to the Pines Grove Pipeline Enlargement, originally decreed in Case No. 03CW138, under which delivery of water into storage in Pines Grove Pond and RRR Pond System may occur, a component of RRR's water system referenced in paragraph 3.e above. A decree making the enlargement partially absolute was entered by the Water Court on December 22, 2022, and the next request for findings of diligence for the remaining 0.135 cfs for irrigation use and 0.29 cfs for piscatorial, recreation, and wildlife purposes is due December 2028. In Case No. 21CW3076, RRR successfully prosecuted an application to make water rights absolute with respect to the RRR Pond System, originally decreed in Case No. 03CW138, under which water may be stored, a component of RRR's water system referenced in paragraph 3.e above. A decree making the water right absolute was entered by the Water Court on December 22, 2022. From 2020 through 2025, RRR spent approximately \$20,000 in Engineering Fees for work performed by CRE and LRE Water. RRR paid its share of costs for operation, maintenance and repair of the Brush Creek Ditch which conveys water to the Reservoir. RRR, Aspen Village, Holland and Hart, and CRE conducted meetings in Fall 2024 to collaborate on water rights accounting and address questions from DWR regarding the joint and separate responsibilities related to water rights of both entities. From 2019 through 2021, Aspen Village spent approximately \$26,000 clearing and improving the Brush

Creek Ditch, which conveys water to the Reservoir. Water diverted pursuant to the Brush Creek Ditch water right may also be stored in the Reservoir as provided in the Case No. 81CW432 decree. During the diligence period, Aspen Village spent approximately \$480,000 repairing, operating and maintaining its water distribution and irrigation systems, which the Reservoir is a critical component of. Co-Applicants monitored new water rights applications and activities of other appropriators in order to protect the Aspen Village Storage Reservoir water right. Names and addresses of owners of land on which structure is located and upon which water is placed to beneficial use: The RRR Pond System serving as the Aspen Village Storage Reservoir is located on land owned by Co-Applicant, Roaring River Ranch LLC. WHEREFORE, Applicants respectfully request that the Court: enter a decree finding that the activities outlined herein are sufficient to support findings of reasonable diligence on the remaining conditional portions of the Aspen Village Storage Reservoir for all of its remaining conditional uses, as described in paragraph 3.g. above, that Co-Applicants have been reasonably diligent in developing such conditional water right, and continuing such conditional water right in full force and effect in accordance with the original decree; and grant such other relief as the Court deems just and proper. (10 pages, including 2 exhibits)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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 DECEMBER 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.*

25CW3201 EAGLE COUNTY, SURFACE WATER TRIBUTARY TO WARREN GULCH AND THE EAGLE RIVER AND GROUNDWATER TRIBUTARY TO THE EAGLE RIVER, TRIBUTARY TO THE COLORADO RIVER. Diamond S Ranch, Inc., a Colorado corporation, c/o Edward B. Olszewski, Olszewski & Massih, P.C., P.O. 916, Glenwood Springs, CO 81602 (970) 928-9100; ed@ommpc.com Application for Finding of Reasonable Diligence and for Award of Absolute Water Rights. Applicant requests entry of a decree in this case finding that it has shown reasonable diligence in completing the appropriation of the following-described conditional water rights decreed by the Water Court in Case No. 07CW61, awarding certain of these water rights absolute and continuing the remaining conditional water rights for an additional 6-year diligence period. The conditional water rights, which are the subject of the application are described as follows: (1) Diamond Star Ranch Headquarters Well, 0.044 cfs, cond., diverted from groundwater tributary to Eagle River at a point in Tract 54, T.4S., R.84W., 6th P.M., Ind. Res., protracted within SW¼NW¼ Sec. 25, T.4S., R.84W. at a point 1,610 ft. from N. line and 685 ft. from W. line of Sec. 25, for domestic, commercial, irrigation, livestock watering, dust suppression, equestrian purposes and vehicle washing with an appropriation date of March 30, 2007, 0.011 cfs requested to be continued conditional, Applicant is the land owner at the point of diversion which, is located within Parcel 13, Diamond Star Ranch; (2) Hollingsworth Ditch, Lake Oleson Pump & Pipeline Enl., 3.0 cfs, cond., diverted from the Eagle River at the headgate of the L-J Enlargement and Extension of the Hollingsworth Ditch which point of diversion was previously established by the Eagle County District Court in C.A. 930 as being located on the left bank of the Eagle River whence the Southeast Corner of said Sec. 24 bears S.16 deg. 45 min. E. 2,971.9 ft. and which diversion point is also described as being located within Lot 7 of said Sec. 24 at a point 2,900 ft. from S. line and 900 ft. from E. line of Sec. 24, for filling Lake Oleson for irrigation, piscatorial, fire protection, wildlife watering and recreational uses, and also for directly irrigating 5.51 acres of land with an appropriation date of Mar. 30, 2007, 1.62 cfs requested to be continued conditional, the United States Department of Interior, Bureau of Land Management, Silt Field Office, 2300 River Frontage Road, Silt, CO 81652 (hereinafter, "BLM"), manages the land owned by the United States upon which, the point of diversion is located; (3) Lake Oleson, 23.78 af, cond., stored in an off-channel jurisdictional structure located in said Tract 54 protracted as being within the NW¼SW¼ said Sec. 25 at a point 2,635 ft. from S. line and 4,482 ft. from E. line of Sec. 25, filled from Hollingsworth Ditch, Lake Oleson Pump & Pipeline, First Enlargement, Warren Gulch Ditch, Diamond Star Ranch Enlargement described herein and also previously awarded changes of the Hollingsworth Ditch, Priority 141, water right for irrigation, piscatorial, fire protection, wildlife watering and recreation uses with an appropriation date of March 30, 2007, entire 23.78 af being claimed absolute, Lake Oleson is located on Parcel 21, Diamond Star Ranch, which is owned by the Applicant; (4) Line Cabin Pond Ditch, 1.0 cfs, cond., diverted from unnamed tributary of Warren Gulch at a point in the NE¼NW¼ said Sec. 31, 4,320 ft. from S. line and 3,330 ft. from E. line of Sec. 31, for filling the Line Cabin Pond for piscatorial, fire protection, wildlife watering and recreation uses with an appropriation date of Mar. 30, 2007, 0.44 cfs requested to be continued conditional, Line Cabin Pond Ditch is located on Parcel 24, owned by Diamond Star Ranch, which is owned by Aspen D/S Holdings, LLC, 5950 Sherry Ln STE 550, Dallas, TX 75225-6535; (5) West Sherman Spring & Pipeline, First Enlargement, 0.044 cfs, cond., diverted from an unnamed tributary of Warren Gulch at a point in Lot 5 of said Sec. 25, 2,870 ft. from S. line and 750 ft. from E. line of Sec. 25, for domestic and commercial uses with an appropriation date of March 30, 2007, 0.03 cfs requested to be continued conditional, The BLM manages the land owned by the United States upon which, the point of diversion is located. Application contains description of reasonably diligent efforts made and the associated diligence costs incurred during the six-year conditional water rights diligence period. (11 pages with map exhibits).

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of **FEBRUARY 2026** 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 DECEMBER 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.*

25CW3202 Leigh and Achille ("Kelly") DiNatale, 4833 Valhalla Dr., Boulder, Colorado 80301, Telephone: (303)-349-3668. **APPLICATION FOR ABSOLUTE WATER RIGHTS AND PLAN FOR AUGMENTATION in GRAND COUNTY.** Please send all pleadings and correspondence to: William D. Wombacher, Esq., Stacy L. Brownhill, Esq., NAZARENUS STACK & WOMBACHER LLC, 5105 DTC Parkway, Suite 200, Greenwood Village Colorado 80111. **ABSOLUTE SURFACE WATER RIGHT 2. Rimrock Canyon Ranch Direct Flow Right.** 2.1. **Location.** The Rimrock Canyon Ranch Direct Flow Right will initially be a pumped diversion, which may be converted into a permanent diversion structure if the banks of Corral Creek stabilize in the future. This is necessary because Corral Creek has shifted multiple times in recent years, which make it difficult at this time to construct a new permanent diversion structure or rehabilitate the historical structure. The point of diversion will be located within 500 feet of the following UTM coordinates – 13T E:398685.203, N:443851.946. 2.2. **Source.** Corral Creek, tributary to the Colorado River. 2.3. **Amount Claimed.** 0.334 cfs, absolute. 2.4. **Appropriation Date.** September 30, 1994. 2.4.1. **How Appropriation Was Initiated.** The appropriation date is based upon an aerial photo dated September 1994 showing the presence of a surface diversion and the presence of a historical irrigation ditch on the property. 2.4.2. **Date Water First Applied to Beneficial Use.** May 13, 1995, based upon the first day the diversion was in priority after the documented completion of the diversion structure on or before September 1994. 2.5. **Uses.** Irrigation of up to 8 acres on Rimrock Canyon Ranch, located in the SW1/4 of the SE1/4 of Section 1, Township 1 North, Range 79 West of the 6th P.M. in Grand County, Colorado, including the use of the return flows for augmentation to offset out of priority depletions. **ABSOLUTE WATER STORAGE RIGHT 3. Rimrock Canyon Ranch Pond.** 3.1. **Location.** Rimrock Canyon Ranch Pond is an off-channel pond located in a portion of the SW1/4 of the SE1/4 of Section 1, Township 1 North, Range 79 West of the 6th P.M. in Grand County, Colorado. A map depicting the location of Rimrock Canyon Ranch Pond is attached as **Exhibit 1**. The point of diversion for Rimrock Canyon Ranch Pond is located at UTM location 13T E:398663.180, N:4436741.891. 3.2. **Surface Area.** Rimrock Canyon Ranch Pond has a maximum surface area of 0.60 acres. 3.3. **Capacity.** Rimrock Canyon Ranch Pond has a capacity of 9.0 acre-feet. 3.4. **Source.** Corral Creek, tributary to the Colorado River. 3.5. **Amount Claimed.** 9.0 acre-feet absolute at a flow rate of 0.334 cfs with the right to one refill in the amount of 9.0 acre-feet. 3.6. **Appropriation Date.** September 30, 1994. 3.6.1. **How Appropriation Was Initiated.** The pond and associated property was acquired by Etienne Messinger, Jr. and Kathryn G. Messinger on November 4, 1985. Sometime between November 4, 1984 and September 1994, the diversion from Corral Creek to the pond was constructed as shown on aerial photos. 3.6.2. **Date Water First Applied to Beneficial Use.** The appropriation date is based on the aerial photo from September 1994, although the initial diversion was an unknown earlier date. The claimed date of September 30, 1994 is the latest date of appropriation as the aerials show the pond as full and the existence of the diversion. 3.7. **Uses.** Fish culture, including but not limited to the right to freshening flows, domestic, irrigation, stock water, firefighting, and augmentation, including the right of reuse and successive use to extinction. **PLAN FOR AUGMENTATION 4. Description of Plan for Augmentation.** The plan for augmentation is intended to replace out of priority depletions resulting from the use of the Rimrock Canyon Ranch Direct Flow Right and Rimrock Canyon Ranch Pond. 4.1. **Name of Structures to be Augmented.** 4.1.1. Rimrock Canyon Ranch Direct Flow Right, as described in paragraph 2, above. 4.1.2. Rimrock Canyon Ranch Pond, as described in paragraph 3, above. 4.2. **Replacement Supplies to be Used for Augmentation.** 4.2.1. Releases and seepage from Rimrock Canyon Ranch Pond. 4.2.2. Return flows resulting from the irrigation of Rimrock Canyon Ranch. 4.2.3. Up to 6.0 acre-feet of water released under contract with the Colorado River Water Conservation District ("River District"), from the following structures. 4.2.3.1. **Wolford Mountain Reservoir.** The River District owns and operates Wolford Mountain Reservoir (f/k/a Gunsight Pass Reservoir) which has the following water rights. 4.2.3.1.1. **Case No. 87CW283.** 4.2.3.1.1.1. **Decree Date.** November 20, 1989. 4.2.3.1.1.2. **Name of Structure.** Gunsight Pass Reservoir. 4.2.3.1.1.3. **Legal Description of Place of Storage.** The dam is located in the SW1/4 of the NE1/4 of Section 25, Township 2 North, Range 81 West of the 6th P.M. in Grand County, Colorado. The intersection of the dam axis with the right abutment will occur at a point which bears S. 54°54'20" E. a distance of 3,716.46 feet from the NW Corner of said Section 25. 4.2.3.1.1.4. **Source.** Muddy Creek and its tributaries, all tributary to the Colorado River. 4.2.3.1.1.5. **Amount.** 59,993 acre-feet conditional; of this amount, 32,986 acre-feet were made absolute for piscatorial and recreational uses pursuant to the decree entered in Case No. 95CW251, District Court, Water Division 5, and the full amount was made absolute for all purposes by decree entered in Case No. 02CW107, District Court, Water Division 5. 4.2.3.1.1.6. **Appropriation Date.** December 14, 1987. 4.2.3.1.1.7. **Uses.** All beneficial uses, including but not limited to domestic, municipal, agricultural and recreational uses, which uses satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District ("Windy Gap Settlement"); use to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area; and use to meet the terms of a lease agreement executed March 3, 1987, between the River District and the City and County of Denver ("Denver"). 4.2.3.1.2. **Case No. 95CW281.** 4.2.3.1.2.1. **Decree Date.** August 26, 1997. 4.2.3.1.2.2. **Name of Structure.** Wolford Mountain Reservoir Enlargement. 4.2.3.1.2.3. **Legal Description of Place of Storage.** The dam is located in the SW1/4 of the

NE1/4 of Section 25, Township 2 North, Range 81 West of the 6th P.M. in Grand County, Colorado. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94 ("Construction Drawing"), occurs at a point which bears S. 53°24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75° 28' 29" E. 4.2.3.1.2.4. Source. Muddy Creek and its tributaries, all tributary to the Colorado River. 4.2.3.1.2.5. Amount. 6,000 acre-feet, conditional. 4.2.3.1.2.6. Appropriation Date. January 16, 1995. 4.2.3.1.2.7. Uses. All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Project; such uses will be made directly or by substitution, augmentation, or exchange. None of the water stored in the exercise of the right will be delivered directly or by exchange, substitution, or otherwise for use outside of Colorado Water Division 5. 4.2.3.1.3. Case No. 98CW237. 4.2.3.1.3.1. Decree Date. July 6, 2000. 4.2.3.1.3.2. Name of Structure. Wolford Mountain Reservoir. 4.2.3.1.3.3. Legal Description of place of storage. As described in paragraph 4.2.3.1.2.3, above. 4.2.3.1.3.4. Source. Muddy Creek and its tributaries, all tributary to the Colorado River. 4.2.3.1.3.5. Amount. 30,000 acre-feet conditional, with 15,895 acre-feet being absolute for recreational and piscatorial and flood control. 4.2.3.1.3.6. Appropriation Date. November 17, 1998. 4.2.3.1.3.7. Uses. Certain of the beneficial uses previously adjudicated for Wolford Mountain Reservoir in Case No. 87CW283, District Court for Colorado, Water Division No. 5 (November 20, 1989 Judgment and Decree), and Case No. 95CW281, District Court, for Colorado Water Division No. 5 (August 26, 1997 Judgment and Decree). 4.2.3.1.3.7.1. 87CW283. The reservoir will be used to satisfy the requirements of the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District. This will involve all uses, including but not limited to domestic, municipal, agricultural, and recreational uses. The reservoir will also be used to meet the water requirements of the inhabitants of the River District for all uses, including uses in the Middle Park area. 4.2.3.1.3.7.2. 95CW281. All beneficial uses by and for the benefit of the inhabitants of the Colorado River Water Conservation District, including but not limited to domestic, municipal, industrial, irrigation, agricultural, piscatorial and recreational; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly or by substitution, augmentation, or exchange. 4.2.3.1.3.7.3. Remarks. The Refill Right described herein will be exercised to provide supply for the Western Slope uses of water from Wolford Mountain Reservoir described above, including flood control, other operational purposes, and environmental mitigation and enhancement for the benefit of uses within the District. The Refill Right will not be used in conjunction with the Reservoir capacity (24,000 acre-feet) which is allocated for the supply of water to the Denver Board of Water Commissioners under Applicant's contractual relationship with Denver, or the Reservoir capacity (6,000 acre-feet), which is allocated for Colorado River endangered fish releases. 4.2.3.1.4. Case No. 03CW302. 4.2.3.1.4.1. Decree Date. October 19, 2014. 4.2.3.1.4.2. Name of Structure. Wolford Mountain Reservoir Second Enlargement. 4.2.3.1.4.3. Legal description of place of storage. The dam is located in the SW1/4 of the NE1/4 of Section 25, Township 2 North, Range 81 West of the 6th P.M. in Grand County, Colorado. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point which bears S. 53° 24'56" E. a distance of 3,395.51 feet from the NW Corner of said Section 25; the bearing of said dam axis from Sta. 19+35.61 to Sta. 0+00 being S. 75° 28' 29" E. 4.2.3.1.4.4. Source. Muddy Creek and its tributaries, all tributary to the Colorado River. 4.2.3.1.4.5. Amount. The amount is 9,775 acre-feet for the initial fill, with the right to refill when in priority, subject to a maximum amount of 9,775 acre-feet, conditional. 4.2.3.1.4.6. Appropriation Date. November 17, 2003. 4.2.3.1.4.7. Uses. 4.2.3.1.4.7.1. The WMR Second Enlargement storage right may be used for the purposes previously decreed to the Wolford Mountain Reservoir, including uses consistent with the Windy Gap Settlement made with the Municipal Subdistrict of the Northern Colorado Water Conservancy District; meeting the water requirements of the inhabitants of the River District for all uses; and uses consistent with the terms of a lease agreement executed March 3, 1987, between the River District and the City and County of Denver, as amended. 4.2.3.1.4.7.2. The WMR Second Enlargement storage right also may be used for all beneficial uses, including but not limited to municipal, commercial, industrial, domestic, irrigation, agricultural, livestock, hydro-power production, evaporation, piscatorial and recreational (including in-reservoir and in-river fish habitat and river flow maintenance and enhancement uses, and uses in furtherance of the Upper Colorado River Basin Fishes Recovery Program) with the right to reuse and successively use the water to extinction; such uses will include environmental mitigation, including environmental mitigation requirements associated with the Wolford Mountain Reservoir Project; such uses will be made directly or by substitution, augmentation, replacement or exchange in Water Divisions 1, 2, and/or 5. 4.2.3.1.4.7.3. Agreed Constraints on Use. Pursuant to the February 12, 2014, stipulation entered in this case between the River District and the GVVUA, the UWCD, and the OMID, the River District agrees that it will make water stored pursuant to the WMR Second Enlargement storage right available for uses within or to facilitate the diversion of water from Water Division No. 5 into Water Division No. 1 or Water Division 2 only pursuant to, and subject to the terms, of the express written consent of the GVVUA, the UWCD, and the OMID. Pursuant to paragraph III.E.19 of the CRCA, any use of the WMR Second Enlargement storage right for the benefit of Denver Water will require the prior approval of the Grand County Commissioners and the River District. 4.2.3.1.5. PLSS. The dam is located in the SW1/4 of the NE1/4 of Section 25, Township 2 North, Range 81 West of the 6th P.M. in Grand County, Colorado. The as-built intersection of the dam axis (Sta. D19+35.61) with the West Access Road (Sta. WR50+55.05), as shown on the Colorado River Water Conservation District, Wolford Mountain Project, Ritschard Dam construction drawing "Dimensional Dam Layout" sheet 8 of 94, occurs at a point 1,940 feet south of the North section line and 2,760 feet east of the West section line of said Section 25. 4.2.3.2. Ruedi Reservoir. The River District holds Contract Nos. 009D6C0111 (500 acre-feet), 009D6C0118 (700 acre-feet), 039F6C0011 (530 acre-feet), 079D6C0106 (5,000 acre-feet), and 139D6C0101 (4,683.5 acre-feet) from the United States Bureau of Reclamation for 11,413.5 acre-feet of annual supply from Ruedi

Reservoir. This water will be used in addition to and substitution for Wolford Mountain Reservoir water in appropriate circumstances where Ruedi water is physically equivalent to Wolford water. 4.2.3.2.1. Legal Description of Place of Storage. Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, Township 8 South, Range 84 West of the 6th P.M. in Eagle and Pitkin Counties, Colorado. The dam axis intersects the right abutment at a point whence the SW corner of Section 7, Township 8 South, Range 84 West of the 6th P.M. bears N. 82°10'W. a distance of 1,285 feet. 4.2.3.2.2. Source. Fryngpan River. 4.2.3.2.3. Previous Storage Decrees. 4.2.3.2.3.1. Civil Action No. 4613. 4.2.3.2.3.1.1. Decree Date. June 20, 1958. 4.2.3.2.3.1.2. Court. Garfield County District Court. 4.2.3.2.3.1.3. Amount. 140,697.3 acre-feet, reduced to 102,369 acre-feet pursuant to an order of the Water Court in Case No. W-789-76. The full amount was made absolute in Case No. 88CW85. 4.2.3.2.3.1.4. Appropriation Date. July 29, 1957. 4.2.3.2.3.1.5. Use. Domestic, municipal, irrigation, industrial, generation of electrical energy, stock watering and piscatorial. 4.2.3.2.3.2. Case No. 81CW34. 4.2.3.2.3.2.1. Decree Date. April 8, 1985. 4.2.3.2.3.2.2. Court. District Court, Water Division 5. 4.2.3.2.3.2.3. Amount. 101,280 acre-feet (refill); of this amount, 44,509 acre-feet were made absolute in Case No. 95CW95, District Court, Water Division 5 and 25,257 acre-feet were made absolute in Case No. 01CW269, District Court, Water Division 5, for a total of 69,766 acre-feet absolute. 4.2.3.2.3.2.4. Appropriation Date. January 22, 1981. 4.2.3.2.3.2.5. Use. Irrigation, domestic, municipal, generation of electrical energy, stock watering, industrial, piscatorial, recreation and maintenance of sufficient storage reserves to fulfill contractual obligations and provide stored water for recreation in times of drought. 4.2.3.2.4. PLSS. Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, Township 8 South, Range 84 West of the 6th P.M. in Eagle and Pitkin Counties. The dam axis intersects the right abutment at a point 130 feet south of the North section line and 1,280 feet east of the West section line of Section 7, Township 8 South, Range 84 West of the 6th P.M. 4.2.4. Additional Sources. Applicant intends to include procedures in the decree to add leased, purchased, or other additional replacement supplies that Applicant may acquire the right to use pursuant to C.R.S. § 37-92-305(8). 4.3. Statement of Plan for Augmentation. 4.3.1. Rimrock Canyon Ranch Direct Flow Right. During times of a call on the Colorado River that is downstream of the confluence of Corral Creek and the Colorado River, Applicant seeks the right to continue diversions under the Rimrock Canyon Ranch Direct Flow Right, so long as out of priority depletions are replaced by the sources described in paragraph 4.2, above. During times of a valid call on Corral Creek, Applicant will cease diversions under the Rimrock Canyon Ranch Direct Flow Right but may continue to irrigate Rimrock Canyon Ranch with water previously stored in the Rimrock Canyon Ranch Pond. 4.3.2. Rimrock Canyon Ranch Pond. During times of a call on the Colorado River that is downstream of the confluence of Corral Creek and the Colorado River, Applicant seeks the right to continue diversions under the Rimrock Canyon Ranch Pond, so long as out of priority depletions are replaced by the sources described in paragraph 4.2, above. Diversions into the Rimrock Canyon Ranch Pond for purposes of filling the pond during times of a downstream call shall be assumed to be 100% depletive to the river. During times of a call on Corral Creek, Applicant will cease diversions under the Rimrock Canyon Ranch Pond water right. 5. Names and Addresses of Owners of Land on Which Structures are Located. Applicant, 1211 County Road 213, Parshall, CO 80426. WHEREFORE, Applicant respectfully requests that the Court enter a decree granting the absolute water rights and plan for augmentation described herein and for such other relief which it deems proper. (11 pages, 1 exhibit).

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

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 DECEMBER 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.*

25CW3203 ROUTT COUNTY. Application for Findings of Reasonable Diligence and to Confirm Absolute. Applicant: L&J Ranch Investments, LLC, c/o Merv Lapin, Scott A. Grosscup & Blake C. Peterson, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; www.balcombgreen.com. Applicant requests this Ct. find it has exercised reasonable diligence in the development of the Lapin Spring No. 1, Lapin Spring No. 2, and Buck Pond, Lapin First Enlargement conditional water rights ("SWRs"). Applicant also requests this Ct. confirm portions of the SWRs as abs. The SWRs' locations are depicted in Exhs. 1A, 1B, 2, and 3 on file with the Water Ct. **First Claim for Findings of Reasonable Diligence.** Name of Structure: Lapin Spring No. 1. Decree Inf.: Original Decree: Case No. 98CW281, Dist. Ct., Water Div. No. 5, entered on 8/3/1999. Subsequent Findings of Reasonable Diligence: The Dist. Ct., Water Div. No. 5, entered findings of reasonable diligence in Case No. 05CW166, entered on 6/1/2006, Case No. 12CW112, entered 1/12/2013, and Case No. 19CW3019, entered on 12/28/2019. Decreed Location: Located in Sec. 21, T. 1 S., R. 84 W. of the 6th P.M. at a point 2,100 ft. W. of the E. Sec. line and 600 ft. N. of the S. Sec. line of said Sec. 21. Source: Spring tributary to the Elk Creek, tributary to the CO River. Approp. Date: 7/1/1998. Amt.(s) and Uses: A total of 10 gallons per minute ("g.p.m.") (0.022 cubic ft. per second ("c.f.s."), comprised of 10 g.p.m. (0.022 c.f.s.) abs. for Irr. use as decreed in Case No. 12CW112, and 10 g.p.m. (0.022 c.f.s.) cond. to fill Wohler Reservoir. Name of Structure: Lapin Spring No. 2. Decree Inf.: Original Decree: Case No. 98CW281, Dist. Ct., Water Div. No. 5, entered on August 3, 1999. Subsequent Findings of Reasonable Diligence: The Dist. Ct., Water Div. No. 5, entered findings of reasonable diligence in Case No. 05CW166, entered on June 1, 2006, Case No. 12CW112, entered January 12, 2013, and Case No. 19CW3019, entered on December 28, 2019. Decreed Location: Located in Sec. 21, T. 1 S., R. 84 W. of the 6th P.M. at a point 600 ft. W. of the E. Sec. line and 1400 ft. N. of the S. Sec. line of said Sec. 21. **Source: Spring tributary to the**

Elk Creek, tributary to the CO River. Approp. Date: 7/1/1998. Amt.(s) and Uses: A total of 50 g.p.m (0.111 c.f.s.), comprised of 25 g.p.m. (0.055 c.f.s.) abs. for Irr. use, as decreed in Case No. 12CW112, 25 g.p.m. (0.055 c.f.s.) cond. for Irr. use, and 50 g.p.m. (0.111 c.f.s.) cond. to fill Wohler Reservoir. Name of Structure: Buck Pond, Lapin First Enlargement. Decree Inf.: Original Decree: Case No. 98CW282, Dist. Ct., Water Div. No. 5, entered on 8/3/1999. Subsequent Findings of Reasonable Diligence: The Dist. Ct., Water Div. No. 5, entered findings of reasonable diligence in Case No. 05CW162, entered on 6/1/2006, Case No. 12CW112, entered 1/12/2013, and Case No. 19CW3019, entered on 12/28/2019. Decreed Location: NE1/4, NW1/4, Sec. 22, T. 1 S., R. 84 W., 6th P.M. at a point whence the NW corner of said Sec. 22 bears N. 69°21' W. a distance of 2,428 ft. and 2,282 ft. from the W. Sec. line and 906 ft. from the N. Sec. line. Source: Spring tributary to the Antelope Creek, tributary to the CO River. Approp. Date: 5/15/1992. Amt.(s) and Uses: A total of 16.8 acre-ft. ("AF"), comprised of 4.6 AF abs. for Irr., as decreed in Case No. 12CW112, and 12.2 AF cond. for Irr., with right to refill in priority. Location of Irrigated Lands: 10 acres located in the NE1/2 of the N1/2 of Sec. 22, and the SE1/4 SW1/4 and SW1/4 SE1/4 Sec. 15, T. 1 S., R. 84 W. of the 6th P.M. in Routt Cty., Colorado. Surface Area of High-Water Line: 3.5 acres. Maximum Height of Dam: 10 ft. Length of Dam: 350 ft.. Remark: The reservoir's actual as-built surface area is 4.0 acres, as depicted in the stage area capacity survey attached as Exh. 2. Total Capacity of Reservoir: 16.8 AF as decreed in Case No. 91CW92. Active Capacity: 16.8 AF. Dead Storage: 0 AF. Remark: The reservoir's actual as-built capacity is 29.8 AF (cut volume of 1,298,118.5 cubic ft. / 43,560 cubic ft. per AF = 29.8 AF), as depicted in Exh. 2. Integrated Water System: In Case No. 12CW112, the Ct. recognized the SWRs as components of an integrated water supply for Applicant's property and water supply operation. "When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. **Second Claim to Confirm Absolute Water Right.** Summary of Claim: Applicant requests the Ct. confirm the Lapin Spring No. 1 and Buck Pond, Lapin First Enlargement as abs. by Applicant's applications to beneficial use as follows: Name of Water Right: Lapin Spring No. 1. Date of Beneficial Use: 8/31/2020. Amt. Claimed Abs.: 10.0 g.p.m. (0.022 c.f.s.). Amt. Remaining Conditional: 0.0 g.p.m. (0.0 c.f.s.). Uses: To fill Wohler Reservoir. Description of Beneficial Use: On 8/31/2020, Applicant diverted water from Lapin Spring No. 1 and conveyed it to Wohler Reservoir using a 3-inch hose and a gasoline-powered Meiho Trash Pump (Model MTK-80) rated at 4.9 horsepower. From the spring, the water was pumped generally southwesterly down into the Elk Creek valley, across Elk Creek, and then up the opposite side to Wohler Reservoir. The pump is capable of pumping up to 317 g.p.m. under favorable conditions. On August 31, 2020, Applicant conveyed the spring's entire 10 g.p.m. flow for roughly five hours. Photographs of the pump are attached as Exh. 3. Name of Water Right: Buck Pond, Lapin First Enlargement. Date of Beneficial Use: 9/25/2025. Amt. Claimed Abs.: An additional 12.2 AF beyond the 4.6 AF decreed in Case No. 12CW112, for a total of 16.8 AF. Amt. Remaining Conditional: 0.0 AF. Use: Irr.. Description of Beneficial Use: On 9/25/2025, Applicant stored 16.8 AF in the Buck Pond under the Buck Pond, Lapin First Enlargement. Applicant subsequently applied the water stored therein for Irr. use on Applicant's ranch. See C.R.S. § 37-92-301(4)(e). Remark: As described above and depicted in Exh. 2, the Buck Pond has an as-built capacity of 29.8 AF. Applicant anticipates filing a separate application requesting a second enlargement right in Buck Pond for the additional 13.0 AF beyond the 16.8 AF already decreed to the pond. Name of owner of the land upon which the subject water right is located: Applicant. (6 pages of original application. Exhs, 1A, 1B, 2, and 3)

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

15. 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 DECEMBER 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.*

25CW3204 ROUTT COUNTY, APPLICATION FOR SURFACE WATER RIGHT. Name, address, telephone number of applicant: United States Department of the Interior, Bureau of Land Management, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652. 2. Name of structure: Samalander Spring. 3. Legal description of point of diversion: All UTM data are from Zone 13 and use the NAD 83 (CONUS) Datum. Located on public lands in the NW/4 NE/4, Section 32, T1N R84W, Sixth P.M., 343561mE 4430983mN4. **Source: Unnamed tributary to Sutton Creek/King Creek/Egeria Creek/Rock Creek/Colorado River** 5. A. Date of appropriation: 12/31/2025 B. How appropriation was initiated: Bureau of Land Management (BLM) personnel inventoried the quantity and quality of water available for livestock and wildlife use. BLM provided notice of the appropriation by filing this application with the water court. C. Date water applied to beneficial use: 12/31/2025. 6. Amount claimed: 0.011 cfs, absolute. 7. Use(s): Livestock and wildlife. The spring provides water for a herd of up to 220 cattle on the North King Mountain Allotment. The spring also provides water, forage, and cover for elk, deer, bear, coyotes, mountain lions, small mammals, birds, amphibians and reptiles. 8. Name(s) and address(es) of owner(s) of land on which point of diversion and place of use(s) is (are) located: United States Department of the Interior, Bureau of Land Management, Colorado River Valley Field Office, 2300 River Frontage Road, Silt, CO 81652.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

16. 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 DECEMBER 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.*

25CW3205 IN CATTLE CREEK, TRIBUTARY TO THE ROARING FORK RIVER, TRIBUTARY TO THE COLORADO RIVER, GARFIELD COUNTY. Gary and Eileen Jones c/o JVAM PLLC, 305 Gold Rivers Ct., Ste 200, Basalt, CO 81621. APPLICATION FOR PARTIALLY ABSOLUTE AND PARTIALLY CONDITIONAL STORAGE RIGHT AND CONDITIONAL UNDERGROUND WATER RIGHT. Property: 4396 CR 113, Carbondale, CO 81623. Source: tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Application to re-adjudicate conditional rights that have been cancelled, to operate pursuant to the aug plan decreed in 01CW185. FIRST CLAIM FOR RELIEF: APPLICATION FOR PARTIALLY ABSOLUTE AND PARTIALLY CONDITIONAL WATER STORAGE RIGHT. Name of structure: BB Lot 5 Pond. Location: NW1/4 SE1/4 of Sec 11, T 7 S, Range 88 West of the 6th P.M., UTM (Zone 13): 311773(x), 4369991(y), via the BB Lot 5 Ditch headgate located in the NW1/4 SE1/4 of Sec 11, T 7 S, Range 88 West of the 6th P.M., UTM (Zone 13): 311891(x), 4369935.4(y). Appropriation date: June 18, 2001. Amount: 0.5 acre-feet total with right to fill and refill in priority; 0.232 acre-feet, absolute & 0.268 acre-feet, conditional. Uses: Recreation, piscatorial, aesthetic, wildlife & stockwatering. Active Capacity: 0.202 AF. Dead Storage: 0.03 AF. SECOND CLAIM FOR RELIEF: APPLICATION FOR CONDITIONAL UNDERGROUND WATER RIGHT. Name of structure: BB Lot No. 5 Well First Enlargement (Well Permit No. 64835-F). Location: NE1/4 SW1/4 of Sec 11, T 7 S, Range 88 West of the 6th PM, UTM (Zone 13): 311813(x), 4369995(y). Appropriation date: June 15, 2001. Amount: 15 gpm conditional. Uses: domestic inside a second single-family dwelling on Lot 5A of the Baby Beans subdivision, as described on the plat recorded at Reception No. 631262. Cumulative annual diversions from BB Lot 5 Well under the BB Lot 5 Well water right and the subject water right is 1.048 acre-feet. Additional information: Applicants request entry of a decree confirming partially absolute and partially conditional water storage right for BB Lot 5 Pond & confirming conditional underground water right for BB Lot No. 5 Well First Enlargement. Application, figures and exhibits contain additional information to support request (5 pages, 3 exhibits).

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

17. 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 DECEMBER 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.*

25CW3206 PITKIN COUNTY, APPLICATION FOR WATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION AND EXCHANGE 1. Name and address of Applicant: Wildcat Ranch Association ("Wildcat" or "Applicant") c/o President P.O. Box 274 Snowmass, Colorado 81654 wildcatranchassociation@gmail.com *Direct all pleadings to:* Kristin H. Moseley Michael W. Daugherty Lindsey A. Ratcliff Somach Simmons & Dunn, P.C. 1155 Canyon Blvd, Suite 110 Boulder, Colorado 80302 2. Overview: The Application for Water Rights and Approval of Plan for Augmentation and Exchange (the "Application") in the above captioned matter seeks to decree new absolute water storage rights (as described in paragraph 3), approval of a plan for augmentation and appropriative rights of exchange (as described in paragraph 4); and to conform existing water rights to as-built storage amounts. The augmentation plan will offset out-of-priority depletions by making releases from Ruedi Reservoir pursuant to Wildcat's repayment contract with the U.S. Bureau of Reclamation ("BOR") and from Wildcat Reservoir. 3. Description of new absolute water storage and groundwater rights to be adjudicated and augmented: 3.1. Wildcat Pond No. 1 First Enlargement: 3.1.1. Location: NW1/4 NE1/4 of Section 18, T. 9 S., R. 85 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4349163.2 m N, 334135.0 m E. 3.1.2. Source: **Besancon Gulch, tributary to the Roaring Fork River, tributary to the Colorado River, and seeps and area springs located above the pond.** 3.1.3. Appropriation date: August 22, 2025. 3.1.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.1.5. Date water applied to beneficial use: November 14, 2003. 3.1.6. Amount: 0.172 acre-feet ("af"), absolute, which is in addition to the 0.2 af previously decreed for Wildcat Pond No. 1. 3.1.7. Surface area: 0.258 acres. 3.1.8. Total capacity: 0.372 af. 3.1.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.2. Wildcat Pond No. 2C First Enlargement: 3.2.1. Location: 1,700 feet south and 1,100 feet east of the NW corner of Section 18, T. 9 S., R. 85 W. of the 6th P.M. A portion of the dam and water's edge are within 200 feet of the decreed location at UTM NAD83 Zone 13 coordinates: 4348792.7 m N, 333449.4 m E. 3.2.2. Source: Unnamed tributary to Wildcat Creek, tributary to Snowmass Creek, tributary to the Roaring Fork River, tributary to the Colorado River, and seeps and area springs located above the pond. 3.2.3. Appropriation date: August 22, 2025. 3.2.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.2.5. Date water applied to beneficial use: July 6, 2009. 3.2.6. Amount: 1.425 af, absolute, which is in addition to the 2.75 af previously decreed for Wildcat Pond No. 2C. 3.2.7. Surface area: 1.196 acres.

3.2.8. Total capacity: 4.175 af. 3.2.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.3. Wildcat Pond No. 3A First Enlargement: 3.3.1. Location: 2,000 feet south and 150 feet west of the NE corner of Section 13, T. 9 S., R. 86 W. of the 6th P.M. The dam and outlet are within 200 feet of the decreed location at UTM NAD83 Zone 13 coordinates: 4348663.7 m N, 333051.5 m E. 3.3.2. Source: Unnamed tributaries to Wildcat Creek, tributary to Snowmass Creek, tributary to the Roaring Fork River, tributary to the Colorado River, Snowmass Ditch, and seeps and area springs located above the pond. Snowmass Ditch is decreed to divert from Snowmass Creek and is located in the NW1/4 SW1/4 of Section 23, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Zone 13 coordinates: 4346952 m N, 329851 m E. 3.3.3. Appropriation date: August 22, 2025. 3.3.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.3.5. Date water applied to beneficial use: July 6, 2009. 3.3.6. Amount: 1.483 af, absolute, which is in addition to the 4.0 af previously decreed for Wildcat Pond No. 3A. 3.3.7. Surface area: 1.405 acres. 3.3.8. Total capacity: 5.483 af. 3.3.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.4. Wildcat Pond No. 3A1: 3.4.1. Location: SE1/4 NE1/4 of Section 13, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4348635.1 m N, 332917.7 m E. 3.4.2. Source: Snowmass Ditch and seeps and area springs located above the pond. Snowmass Ditch is further described in paragraph 3.3.2. 3.4.3. Appropriation date: August 22, 2025. 3.4.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.4.5. Date water applied to beneficial use: November 14, 2003. 3.4.6. Amount: 0.298 af, absolute. 3.4.7. Surface area: 0.264 acres. 3.4.8. Total capacity: 0.298 af. 3.4.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.5. Wildcat Pond No. 3A2: 3.5.1. Location: SE1/4 NE1/4 of Section 13, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4348717.5 m N, 333056.3 m E. 3.5.2. Source: Unnamed tributaries of Wildcat Creek, tributary to Snowmass Creek, the Roaring Fork River, tributary to the Colorado River, Snowmass Ditch, and seeps and area springs located above the pond. Snowmass Ditch is further described in paragraph 3.3.2. 3.5.3. Appropriation date: August 22, 2025. 3.5.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.5.5. Date water applied to beneficial use: November 11, 2003. 3.5.6. Amount: 0.318 af, absolute. 3.5.7. Surface area: 0.131 acres. 3.5.8. Total capacity: 0.318 af. 3.5.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.6. Wildcat Pond No. 3A3: 3.6.1. Location: SE1/4 NE1/4 of Section 13, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4348779.9 m N, 332997.1 m E. 3.6.2. Source: Unnamed tributaries of Wildcat Creek, tributary to Snowmass Creek, the Roaring Fork River, tributary to the Colorado River, Snowmass Ditch, and seeps and area springs located above the pond. Snowmass Ditch is further described in paragraph 3.3.2. 3.6.3. Appropriation date: August 22, 2025. 3.6.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.6.5. Date water applied to beneficial use: November 14, 2003. 3.6.6. Amount: 4.868 af, absolute. 3.6.7. Surface area: 0.811 acres. 3.6.8. Total capacity: 4.868 af. 3.6.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.7. Wildcat Pond No. 4 First Enlargement: 3.7.1. Location: The location as decreed by the District Court in Water Division 5 on October 11, 1994, in Case No. 92CW253 ("Case No. 92CW253") is SE1/4 SW1/4 of Section 24, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4346084.9 m N, 332002.8 m E. However, the as-built location is SE1/4 SW1/4 of Section 24, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Z13: 4346084.9 m N, 332002.8 m E. Wildcat Pond No. 4 is the subject of the Application to Correct Established but Erroneously Described Points of Diversion in Case No. 25CW3178, filed on November 21, 2025 (the "25CW3178 Application"). 3.7.2. Source: McKenzie-Wildcat Ditch, which may be diverted at the following locations pursuant to the decree entered by District Court in and for Water Division No. 5 in Case No. 93CW44 ("Case No. 93CW44"): 3.7.2.1. Original Point of Diversion: On the east bank of the East Fork of East Snowmass Creek at a point whence the NE corner of Section 9, T. 10 S., R. 86 West of the 6th P.M. bears North 31° 26' West, 2084 feet; 3.7.2.2. Wildcat Ranch Point of Diversion: At or within 500 feet of a point on the east bank of Snowmass Creek from whence the NE corner of Section 3, T. 10 S., R. 86 W. of the 6th P.M. bears South 34° 08' East, 4225 feet; and 3.7.2.3. Snowmass Creek Pipeline Point of Diversion: At a point on the right bank of Snowmass Creek whence the SE corner of Section 3, T. 10 S., R. 86 W. of the 6th P.M. bears South 57° 34' East, 3417 feet. 3.7.3. Appropriation date: August 22, 2025. 3.7.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.7.5. Date water applied to beneficial use: November 14, 2003. 3.7.6. Amount: 0.767 af, absolute, which is in addition to the 0.9 af previously decreed for Wildcat Pond No. 4. 3.7.7. Surface area: 0.371 acres. 3.7.8. Total capacity: 1.667 af. 3.7.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.8. Wildcat Pond No. 8C: 3.8.1. Location: SE1/4 NE1/4 of Section 23, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4347239.7 m N, 331218.2 m E. 3.8.2. Source: McKenzie-Wildcat Ditch, and seeps and area springs located above the pond. McKenzie-Wildcat Ditch is further described in paragraph 3.7.2. 3.8.3. Appropriation date: August 22, 2025. 3.8.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.8.5. Date water applied to beneficial use: November 14, 2003. 3.8.6. Amount: 4.495 af, absolute. 3.8.7. Surface area: 0.938 acres. 3.8.8. Total capacity: 4.495 af. 3.8.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.9. Wildcat Pond No. 8D: 3.9.1. Location: SW1/4 NW1/4 of Section 24, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4347154.7 m N, 331379.4 m E. 3.9.2. Source: Wildcat Creek, tributary to Snowmass Creek, tributary to the Roaring Fork River, tributary to the Colorado River, and the McKenzie-Wildcat Ditch, which is further described in paragraph 3.7.2. 3.9.3. Appropriation date: August 22, 2025. 3.9.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.9.5. Date water applied to beneficial use: November 14, 2023. 3.9.6. Amount: 0.035 af, absolute. 3.9.7. Surface area: 0.046 acres. 3.9.8. Total capacity: 0.035 af. 3.9.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.10. Wildcat Pond No. 10C: 3.10.1. Location: SW1/4 SE1/4 of Section 12, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4349599.4 m N, 332629.7 m E. 3.10.2. Source: Snowmass Ditch and seeps and area springs located above the pond. Snowmass Ditch is further described in paragraph 3.3.2. 3.10.3. Appropriation date: August 22, 2025. 3.10.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.10.5. Date water applied to beneficial use: November 14, 2003. 3.10.6. Amount: 1.387 af, absolute. 3.10.7. Surface area: 0.467 acres. 3.10.8. Total capacity: 1.387 af. 3.10.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.11. Wildcat Pond No. 10D: 3.11.1. Location: SE1/4 SE1/4 of Section 12, T. 9 S., R. 86 W.

of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4349667.0 m N, 332774.0 m E. 3.11.2. Source: Snowmass Ditch, as described in paragraph 3.3.2, via water pumped from Pond 10C, and seeps and area springs located above the pond. 3.11.3. Appropriation date: August 22, 2025. 3.11.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.11.5. Date water applied to beneficial use: November 14, 2003. 3.11.6. Amount: 3.545 af, absolute. 3.11.7. Surface area: 0.508 acres. 3.11.8. Total capacity: 3.545 af. 3.11.9. Uses: Piscatorial, wildlife enhancement, recreation, aesthetic, and fire protection. 3.12. Wildcat Pond No. 10 First Enlargement: 3.12.1. Location: SW1/4 SW1/4 of Section 12, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4349579.9 m N, 331781.3 m E. 3.12.2. Source: Groundwater, tributary to Wildcat Creek, tributary to Snowmass Creek, tributary to the Roaring Fork River, tributary to the Colorado River, and Snowmass Ditch, which is further described in paragraph 3.3.2. 3.12.3. Appropriation date: August 22, 2025. 3.12.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.12.5. Amount: 0.848 af, absolute, which is in addition to the 2.75 af previously decreed for Wildcat Pond No. 10. 3.12.6. Surface area: 0.967 acres. 3.12.7. Total capacity: 3.598 af. 3.12.8. Uses: Piscatorial, wildlife enhancement, recreation, aesthetics, and fire protection. 3.13. Wildcat Pond No. 10A: 3.13.1. Location: SE1/4 SW1/4 of Section 12, T. 9 S., R. 86 W. of the 6th P.M., at UTM NAD83 Zone 13 coordinates: 4349644.6 m N, 331971.4 m E. 3.13.2. Source: Groundwater, tributary to Wildcat Creek, tributary to Snowmass Creek, tributary to the Roaring Fork River, tributary to the Colorado River, and Snowmass Ditch, which is further described in paragraph 3.3.2. 3.13.3. Appropriation date: August 22, 2025. 3.13.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.13.5. Amount: 2.620 af, absolute. 3.13.6. Surface area: 0.725 acres. 3.13.7. Total capacity: 2.620 af. 3.13.8. Uses: Piscatorial, wildlife enhancement, recreation, aesthetics, and fire protection. 3.14. Wildcat Pond No. 10B: 3.14.1. Location: SE1/4 SW1/4 of Section 12, T. 9 S., R. 86 W., 6 P.M. at UTM NAD83 Zone 13 coordinates: 4349650.0 m N, 332079.4 m E. 3.14.2. Source: Groundwater, tributary to Wildcat Creek, tributary to Snowmass Creek, tributary to the Roaring Fork River, tributary to the Colorado River, and Snowmass Ditch, which is further described in paragraph 3.3.2. 3.14.3. Appropriation date: August 22, 2025. 3.14.4. How appropriation was initiated: Construction of pond and impoundment of water. 3.14.5. Amount: 1.914 af, absolute. 3.14.6. Surface area: 0.481 acres. 3.14.7. Total capacity: 1.914 af. 3.14.8. Uses: Piscatorial, wildlife enhancement, recreation, aesthetics, and fire protection. 3.15. Well permits: Prior to entry of a final decree in this matter, Wildcat will apply for and secure pond well permits for the ponds described in paragraphs 3.12, 3.13, and 3.14. In the alternative, if Wildcat is unable to secure valid pond well permits prior to entry of a final decree, Wildcat requests that the ponds described in paragraphs 3.12, 3.13, and 3.14 be decreed as conditional, and Wildcat will seek to make them absolute by subsequent application. A map depicting the general locations of the water rights described in paragraphs 3.1 through 3.14 is attached as **Exhibit A**. 4. Description of plan for augmentation and exchange to be approved and adjudicated: 4.1. Summary: Wildcat seeks approval of a plan for augmentation and exchange that will replace out-of-priority diversions with water stored in Ruedi Reservoir, or in the alternative, Wildcat Reservoir. Wildcat has the contractual right to 140 af of water annually from Ruedi Reservoir pursuant to a repayment contract between BOR and Wildcat (Contract No. 139D6C0114) at a rate of 0.25 cfs for senior calls originating below the confluence of the Fryingpan River and Roaring Fork River. In the event of a valid local call, releases from Wildcat Reservoir can be made. This plan will replace up to 35 af of consumptive use associated with approximately 10 acres of surface evaporation and will prevent injury to existing water rights and maintain compliance with interstate compacts. 4.2. Description of water rights to be augmented: The structures and water rights to be augmented by this augmentation plan include all of those described in paragraph 3, above, in addition to the following: 4.2.1. Wildcat Pond No. 1: 4.2.1.1. Decree: Case No. 92CW253. 4.2.1.2. Location: 750 feet South and 3,100 feet east of the NW corner of Section 18, T. 9 S., R. 85 W., 6th P.M. 4.2.1.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.1.4. Appropriation date: October 1, 1991. 4.2.1.5. Amount: 0.2 af, absolute. 4.2.1.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.2. Wildcat Pond No. 2A: 4.2.2.1. Decree: Case No. 92CW253. 4.2.2.2. Location: 900 feet South and 2,800 feet east of the NW corner of Section 18, T. 9 S., R. 85 W., 6th P.M. 4.2.2.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.2.4. Appropriation date: October 1, 1991. 4.2.2.5. Amount: 0.2 af, absolute. 4.2.2.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.3. Wildcat Pond No. 2B: 4.2.3.1. Decree: Case No. 92CW253. 4.2.3.2. Location: 1,250 feet South and 2,650 feet east of the NW corner of Section 18, T. 9 S., R. 85 W., 6th P.M. 4.2.3.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.3.4. Appropriation date: October 1, 1991. 4.2.3.5. Amount: 0.2 af, absolute. 4.2.3.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.4. Wildcat Pond No. 2C: 4.2.4.1. Decree: Case No. 92CW253. 4.2.4.2. Location: 1,700 feet South and 1,100 feet east of the NW corner of Section 18, T. 9 S., R. 85 W., 6th P.M. 4.2.4.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.4.4. Appropriation date: October 1, 1991. 4.2.4.5. Amount: 2.75 af, absolute. 4.2.4.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.5. Wildcat Pond No. 3A: 4.2.5.1. Decree: Case No. 92CW253. 4.2.5.2. Location: 2,000 feet South and 150 feet west of the NE corner of Section 13, T. 9 S., R. 86 W., 6th P.M. 4.2.5.3. Source: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.5.4. Appropriation date: October 1, 1991. 4.2.5.5. Amount: 4.0 af, absolute. 4.2.5.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.6. Wildcat Pond No. 3B: 4.2.6.1. Decree: Case No. 92CW253. 4.2.6.2. Location: The location as decreed in Case No. 92CW253 is 1,700 feet south and 4,300 feet west of the NE corner of Section 13, T. 9 S., R. 86 W., 6th P.M. However, the as-

built location is NE1/4 NW1/4 of Section 13, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Zone 13 coordinates: 4349013.1 m N, 331995.4 m E. Wildcat Pond No. 3B is the subject of the 25CW3178 Application. 4.2.6.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.6.4. Appropriation date: October 1, 1991. 4.2.6.5. Amount: 1.0 af, absolute. 4.2.6.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.7. Wildcat Pond No. 4: 4.2.7.1. Decree: Case No. 92CW253. 4.2.7.2. Location: The location as decreed in Case No. 92CW253 is 200 feet north and 5,100 feet west of the SE corner of Section 13, T. 9 S., R. 86 W., 6th P.M. However, the as-built location is SE1/4 SW1/4 of Section 24, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Zone 13 coordinates: 4346084.9 m N, 332002.8 m E. Wildcat Pond No. 4 is the subject of the 25CW3178 Application. 4.2.7.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.7.4. Appropriation date: October 1, 1991. 4.2.7.5. Amount: 0.9 af, absolute. 4.2.7.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.8. Wildcat Pond No. 6: 4.2.8.1. Decree: Case No. 92CW253. 4.2.8.2. Location: The location as decreed in Case No. 92CW253 is 1,750 feet South and 1,900 feet east of the NW corner of Section 36, T. 9 S., R. 86 W., 6th P.M. However, the as-built location is NW1/4 NW1/4 of Section 36, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Zone 13 coordinates: 4344288.9 m N, 331807.5 m E. Wildcat Pond No. 6 is the subject of the 25CW3178 Application. 4.2.8.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.8.4. Appropriation date: October 1, 1991. 4.2.8.5. Amount: 1.84 af, absolute. 4.2.8.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.9. Wildcat Pond No. 8A: 4.2.9.1. Decree: Case No. 92CW253. 4.2.9.2. Location: 50 feet South and 230 feet west of the NE corner of Section 23, T. 9 S., R. 86 W., 6th P.M. 4.2.9.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.9.4. Appropriation date: October 1, 1991. 4.2.9.5. Amount: 1.8 af, absolute. 4.2.9.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.10. Wildcat Pond No. 8B: 4.2.10.1. Decree: Case No. 92CW253. 4.2.10.2. Location: 4,200 feet South and 5,100 feet west of the NE corner of Section 24, T. 9 S., R. 86 W., 6th P.M. 4.2.10.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.10.4. Appropriation date: October 1, 1991. 4.2.10.5. Amount: 0.5 af, absolute. 4.2.10.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.11. Wildcat Pond No. 10: 4.2.11.1. Decree: Case No. 92CW253. 4.2.11.2. Location: 950 feet North and 1,200 feet east of the SW corner of Section 12, T. 9 S., R. 86 W., 6th P.M. 4.2.11.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.11.4. Appropriation date: October 1, 1991. 4.2.11.5. Amount: 2.75 af, absolute. 4.2.11.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.2.12. Wildcat Pond No. 11: 4.2.12.1. Decree: Case No. 92CW253. 4.2.12.2. Location: 3,200 feet South and 3,400 feet east of the NW corner of Section 8, T. 9 S., R. 85 W., 6th P.M. 4.2.12.3. Source: As decreed in Case No. 92CW253: Wildcat Creek, return flows from McKenzie-Wildcat Ditch and Snowmass Ditch, as described above in paragraphs 3.3.2 and 3.7.2, which divert from East Snowmass and Snowmass Creeks, respectively, and seeps and area springs. 4.2.12.4. Appropriation date: October 1, 1991. 4.2.12.5. Amount: 0.2 af, absolute. 4.2.12.6. Uses: Piscatorial, wildlife enhancement, recreation, irrigation, and fish propagation purposes. 4.3. Description of water rights to be used as sources of augmentation water: 4.3.1. Ruedi Reservoir: Up to 140 af of water annually from Ruedi Reservoir, which was originally decreed in the Garfield County District Court in Civil Action No. 4613 for domestic, municipal, irrigation, industrial, generation of electrical energy, stockwatering and piscatorial uses, with an appropriation date of July 29, 1957. By subsequent order of the Court entered in Case No. W-789-76, the decreed amount of this reservoir has been fixed at 102,369 af. Ruedi Reservoir is located in Sections 7, 8, 9, 11 and 14 through 18, T. 8 S., R. 84 W., of the Sixth P.M., in Eagle and Pitkin Counties, and derives its water supply from the Fryingpan River. Wildcat owns a BOR repayment contract for 140 af of water annually from Ruedi Reservoir. 4.3.2. Wildcat Reservoir: Wildcat Reservoir will be used for augmentation releases if there is a valid local call and Wildcat does not curtail out of priority diversions. Wildcat Reservoir is decreed as follows: 4.3.2.1. Decrees: Wildcat Reservoir was decreed in the Water Court in and for Water Division No. 5 in Case No. W-21 on May 27, 1991, with an appropriation date of September 28, 1968. The Wildcat Reservoir Second Filling was decreed in Case No. 91CW234 on May 12, 1993, with an appropriation date of June 1, 1976. In Case No. 12CW184 on December 31, 2014, the Water Court decreed a plan for augmentation and conditional appropriative right of exchange with a priority date of December 31, 2012. 4.3.2.2. Legal description: The left abutment of the dam is located on the west bank of Wildcat Creek at a point whence the SW corner of Section 30, T. 9 S., R. 85 W. of the 6th P.M. bears S.53°31'E., 6,800 feet. For reference (without altering the decreed location), it may also be described as being in the SW1/4 NW1/4 of Section 25, T. 9 S., R. 86 W., 6th P.M., at a point 1,591 feet from the north section line and 129 feet from the west section line (UTM NAD83 Zone 13 coordinates: 4345589.2 m N, 331398.8 m E). 4.3.2.3. Source: The sources of supply of water are Wildcat Creek and East Snowmass Creek, tributary to the Roaring Fork River. 4.3.2.4. Amount: 1,140 af, absolute. 4.3.2.5. Uses: Municipal, irrigation, and recreation. 4.4. Description of appropriate right of exchange: The subject exchange reaches are illustrated on the figure attached as **Exhibit B**. 4.4.1. Downstream terminus: The point of replacement on the Roaring Fork and/or Colorado Rivers with the BWCD's water rights described as follows: 4.4.1.1. Lower terminus (exchange of Ruedi Reservoir): The confluence of the Roaring Fork and Frying Pan Rivers located in the SW1/4 SE1/4 of Section 7, T. 8 S., R. 86 W. of the 6th P.M., at a point UTM NAD83 Zone 13 X = 324743.9 m E; Y = 4359431.9 m N). 4.4.2. Upstream termini:

4.4.2.1. Upstream terminus 1: The upstream terminus of the portion of the exchange utilizing Wildcat Creek as a filling source is located above the inlet to Wildcat Reservoir at a point in the SE1/4 NW1/4 of Section 36, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Z13: 4343845.9 m N, 331893.7 m E. 4.4.2.2. Upstream terminus 2: The upstream terminus of the portion of the exchange utilizing East Snowmass Creek as a filling source is the location of McKenzie-Wildcat Ditch located at on East Snowmass Creek at a point whence the NE corner of Section 9, T. 10 S., R. 86 W. of the 6th P.M. bears North 31°26' West 2,084 feet or at a point UTM NAD83 Z13: 4340668.3 m N, 328490.6 m E. 4.4.2.3. Upstream terminus 3: The upstream terminus of the portion of the exchange utilizing Snowmass Creek as a filling source is the location of Snowmass Ditch located in the NW1/4 SW1/4 of Section 23, T. 9 S., R. 86 W. of the 6th P.M. at a point UTM NAD83 Z13: 4346952 m N, 329851 m E. 4.4.3. Source of substitute supply: Water stored in Ruedi Reservoir pursuant to a BOR contract or Wildcat Reservoir. 4.4.4. Amount of exchange: 0.25 cfs, which is three times the maximum monthly depletion rate. 4.4.5. Total volume: 34.818 af, which constitutes the total amount of depletions under the subject augmentation plan. 4.4.6. Appropriation date: August 22, 2025. 5. Name and address of owner of land upon which structures are or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use: Wildcat. WHEREFORE, Wildcat requests that this Court decree new absolute water rights as described in paragraph 3, approve the plan for augmentation and exchange described in paragraph 4, and grant any additional relief that the Court deems just and proper.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

18. 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 DECEMBER 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.*

25CW3207 PITKIN COUNTY, CASTLE CREEK. Application for Findings of Reasonable Diligence. *Applicant*: Jay and Linda Sandrich Trust, c/o Mark E. Hamilton, Esq. and Samantha L. Ogden, Esq., Holland & Hart LLP, 600 East Main Street, Suite 104, Aspen, CO 81611, 970-925-3476, mehamilton@hollandhart.com, slogden@hollandhart.com. *Name of structure*: CCVR Sup. Well No. 2B. *Decree information*: Original Decree: District Court, Water Div. 5., Case No: 90CW243, 4/3/1992. Subsequent decrees: 93CW129, 98CW62, 05CW17, 11CW164, and 19CW3055. *Location*: Sec. 23, T. 10 S., R. 85 W. of the 6th P.M. whence the northwest corner of Sec. 23, bears N. 44°58'00" W. 3730.28 ft., Pitkin County, Colorado. (Also described as being at a point within the SE¼ of the NW¼ of Sec. 23, T. 10 S., R. 85 West of the 6th P.M., at a point 2,540 feet from the North section line and 2,680 feet from the W. sec. line of said Sec. 23, Pitkin County, Colorado) A map of the location is attached to the Application as Figure 1. ***Source: Castle Creek alluvium and/or the Maroon formation, tributary to Castle Creek, tributary of the Roaring Fork River and its successor, the Colorado River.*** *Appropriation date*: 7/24/1989. *Amount*: 15 g.p.m. (0.067 c.f.s.), conditional for irrigation and stockwatering; 15 g.p.m. (0.067 c.f.s.), absolute (Case No. 98CW61, Water Div. 5) for irrigation and stockwatering and as an alternate point of diversion for CCVR Well No. 2. *Use*: irrigation and stockwatering and as an alternate point of diversion for CCVR Well No. 2 (Case No. 90CW243, dated 4/30/1992, awarded water rights to CCVR Well No. 2 for domestic, irrigation, stockwatering, and fire protection uses.). *Well Permit No.*: 42098-F. *Well Depth*: 300 feet. A detailed outline of activity during the diligence period is included in the Application. The subject water right is located upon Applicant's property. (5 pages)

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19. 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 DECEMBER 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.*

25CW3208 (17CW3226) EAGLE COUNTY. APPLICATION TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE OR FOR FINDING OF REASONABLE DILIGENCE. 1. Name, Address, Telephone Number and Email Address of Applicant: G. Joufflas Ranches, LLC, Attn: Greg Joufflas, 113 Mira Monte Rd., Grand Junction, CO 81507. Please direct all pleadings and correspondence to Applicant's counsel: William H. Caile, Holland & Hart LLP, 55517th Street, Suite 3200, Denver CO 80202; telephone: (303) 295-8000; email: whcaile@hollandhart.com. 2. Names of Structures: a. Margaret Pond; b. Trail Pond; c. Luke Pond; d. Oliver Pond; e. Lower Travis Pond; f. Upper Travis Pond, collectively referred to in the Application as the "Subject Ponds." 3. Description of Conditional Water Rights: a. Prior Decrees: i. Original Decree: Case No. 94CW82 (Water Div. 5), decree dated March 9, 1995. ii. Subsequent decrees awarding diligence: A finding of reasonable diligence was most recently made by this Court in Case No. 17CW3226, Water Division 5, by decree dated December 28, 2019. b. Location of the Structures: The Subject Ponds are

all located in Township 4 South, Range 83 West, 6th P.M. in Eagle County, Colorado. The specific location of each pond within the Township and Range is identified in the following chart and on the map on file with the Water Court as **Exhibit A**.

STRUCTURE	QTR/QTR SECTION	DISTANCE FROM SOUTH SEC. LINE (Ft.)	DISTANCE FROM EAST SEC. LINE (Ft.)
Margaret Pond	SW/SE 16	1150	1900
Trail Pond	NE/NE 20	5200	980
Luke Pond	NW/NE 20	4100	1350
Oliver Pond	NW/SE 20	1740	2100
Lower Travis Pond	NW/NW 34	4700	4100
Upper Travis Pond	NW/NW 34	4280	4220

c. **Source:** The Subject Ponds are off-channel reservoirs, supplied by surface runoff and/or springs tributary to the Eagle River which were decreed in Case No. 91CW155 in the District Court, Water Division 5. The springs decreed in Case No. 91CW155 are located in Township 4 South, Range 83 West, 6th P.M. in Eagle County, Colorado. The specific location of each spring within the Township and Range is as follows:

Legal Description & Identification of Springs Used to Fill the Subject Ponds						
Pond	Joufflas Spring No.	Sec.	40 qtr	160 qtr	Distance from S. Sec. Line	Distance From E. Sec. Line
Margaret	15*	16	SW	SE	1100	1850
Trail	23*	20	NE	NE	5100	1000
Luke	20	20	SE	NE	2950	1150
	21	20	SE	NE	3750	850
Oliver	18	20	NW	SE	1550	2150
Lower Travis	51*	34	NW	NW	4650	4100
Upper Travis	50*	34	NW	NW	4200	4200

*Springs included in the 97CW298 Augmentation Plan.

d. **Appropriation Information:** The appropriation date for all Subject Ponds is April 15, 1994. e. **Amount:** The amount decreed conditional, surface area and storage capacity of each pond are as follows:

STRUCTURE	SURFACE AREA (ACRES)	STORAGE CAPACITY (ACRE FEET)		
		ACTIVE	DEAD	TOTAL
Margaret Pond	5.0	20	5	25
Trail Pond	1.5	17*	0	17*
Luke Pond	0.5	10	0	10
Oliver Pond	5.0	13	5	18
Lower Travis Pond	2.5	15	5	20
Upper Travis Pond	2.5	15	5	20

*In Case No. 05CW107, 7 acre feet of the conditional storage water right in Oliver Pond was changed to Trail Pond.f. **Decreed Uses:** The Subject Ponds were decreed absolute for stockwatering purposes in Case No. 94CW82. Additionally, in Case No. 01CW61, the water rights for the Luke Pond and Trail Pond were decreed absolute in the amount of 10 acre-feet each for piscatorial, fire protection and recreational purposes. The remainder of the water rights for the Subject Ponds are decreed conditional for domestic, fire protection, commercial, recreation, piscatorial, and augmentation releases (for all of the above purposes). 4. **Integrated System:** The subject water rights are part of Applicant's integrated water supply system, which includes a number of ditches, ponds, wells and water supply plans, for use on Applicant's property. See, e.g., decrees in Case Nos. 94CW155 (involving the springs decreed to fill the Subject Ponds); 98CW29 (where this court stated that the springs adjudicated in Case No. 91CW155, as updated in Case No. 94CW288, which are used to fill both the Subject Ponds herein and the ponds at issue in Case No. 98CW29, are part of an integrated water supply for Applicant's property); 97CW298 (approving augmentation plan including various water rights owned by Applicant). Consequently, diligence with respect to any one component of the Applicant's integrated water system should be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the Applicant's integrated system. See C.R.S. § 37-92-301(4)(b). 5. **Claim to make conditional water storage rights absolute pursuant to C.R.S. § 37-92-301(4)(e):** In Case No. 94CW82, by decree dated March 9, 1995, the Subject Ponds were decreed absolute water rights for stockwater purposes. Additionally, in Case No. 01CW61, the water rights for the Luke Pond and Trail Pond were decreed absolute in the amount of 10 acre-feet each for piscatorial, fire protection

and recreational purposes. The Subject Ponds have been filled in priority at various times since 1995 and is evidenced through aerial photographs including the May 12, 2023 Google Earth aerial photograph. Stage-capacity tables for each of the Subject Ponds are on file with the Water Court as Exhibit B. Call records demonstrating that the ponds filled in priority in 2023 are on file with the Water Court as Exhibit C. Pursuant to C.R.S. § 37-92-301(4)(e), Applicant requests a ruling and decree finding that the Subject Ponds have been made absolute for all decreed purposes in the amounts stated in Paragraph 3.e, above. 6. Claim for finding of reasonable diligence and detailed outline of what has been done toward completion of the appropriation and application of water to beneficial use, including expenditures: In the alternative and as necessary, Applicant requests a finding of reasonable diligence for any remaining conditional portions of the Subject Ponds. a. During the applicable diligence period, Applicant has undertaken the following activities in furtherance of the development of the subject conditional water rights and the integrated system of which they are a part. i. Applicant has operated the ponds and conducted routine maintenance activities on the Subject Ponds. ii. Applicant has also made repairs and improvements on, and engaged in ongoing operation and maintenance of, other structures and water rights included within Applicant's integrated system, including several other ponds and springs on Applicant's property. iii. Applicant maintained several of the ponds for piscatorial purposes, including periodic re-stocking to maintain fish populations and operation of guided fishing, flyfishing lessons, and other recreational activities. iv. Conducted a site visit investigation with Colorado River Engineering in August of 2024, which included inspection of a number of the Subject Ponds, including Luke Pond, Trail Pond, and Margaret Pond. v. Obtained bids and developed conceptual plans for improvements to certain structures including Golden Pond and Miranda Pond. vi. Maintained the conditional water rights associated with Applicant's integrated system, including filing and prosecuting applications in Case Nos. 19CW3059; 23CW3148; and 24CW3108. vii. Together with co-applicant The Vail Corporation d/b/a Vail Associates, Inc., filed and prosecuted an application in Case No. 22CW3065 for findings of reasonable diligence and to make absolute in part the conditional water right for the Vail-Joufflas Eagle River Diversion. viii. In Case No. 21CW3174, Applicant adjudicated absolute and conditional water rights associated with the Vail Rod & Gun Club. Applicant also remodeled the Rod & Gun Club facilities and expanded its operations, including guided fishing and flyfishing lessons. ix. Reviewed water court resumes, filed statements of opposition and participated in cases in order to protect Applicant's water rights, including without limitation in Case Nos. 18CW3138, 19CW3124, and 21CW3005. x. Although prior to the current diligence period, in late 2019 Applicant negotiated an easement agreement with the Diamond S Ranch, for access to the Oliver Pond. xi. Applicant marketed and negotiated with potential buyers of a substantial portion of Applicant's property, including certain water rights. Applicant engaged the services of engineering consultants and attorneys to assist with these efforts, including preparation of an updated water right analysis in March of 2022. xii. Applicant engaged the services of consultants, contractors, and attorneys in connection with the activities listed above. b. The list of activities above is not meant to be exhaustive, and Applicant reserves the right to present additional evidence as appropriate. c. Total expenditures during the diligence period are difficult to calculate, but are conservatively estimated to be in excess of \$75,000. 7. Name and address of owners of land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: a. Oliver Pond is located on land owned by: Diamond S Ranch, Inc., P.O. Box 3777, Eagle, CO 81631. b. All other ponds involved in this Application are located on land owned by the Applicant. Applicant respectfully requests that the Court enter a ruling and decree finding that all remaining conditional portions of the subject water rights as continued in Case No. 17CW3226 have been made absolute for all decreed purposes pursuant to C.R.S. § 37-92-301(4)(e); in the alternative, finding that Applicant has demonstrated reasonable diligence in the development of all remaining conditional portions of the subject water rights, and continuing the conditional water rights in full force and effect; and for such other relief as the Court deems just and proper.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of FEBRUARY 2026 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.

20. 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 DECEMBER 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.*

25CW3209 GARFIELD COUNTY – THE COLORADO RIVER OR ITS TRIBUTARIES Western Slope Materials LLC c/o Scott C. Miller and John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621 (970) 920-1030; Gary Hill c/o Sherry Caolia, PO Box 443, Glenwood Springs, CO 81602 (970) 987-1492. APPLICATION FOR UNDERGROUND WATER RIGHT, CHANGE OF WATER RIGHT AND APPROVAL OF PLAN FOR AUGMENTATION. **First Claim:** North Hangs Gravel Pit Well. Legal description: The North Hangs Gravel Pit Well is located in the SW ¼ NW ¼ of Section 9, Township 6 South, Range 92 West of the 6th P.M. (Garfield County). UTM NAD 83 Z13: Northing – 4380566, Easting – 269866. A map is on file with the court as Exhibit A. Source: Alluvial aquifer tributary to the Colorado River. Surface Area: During the active gravel mining operations phase, the total surface area of the North Hangs Gravel Pit Well (which will be sequence of smaller ponds during this phase) will be approximately 1 acre. After completion of all mining operations and during the reclamation phase the maximum surface area of the North Hangs Gravel Pit Well will be 30 acres. Appropriation date: March 4, 2020. How appropriation was initiated: Purchase of the North Hangs Ranch property with the intent to mine the property and appropriate groundwater as described above; inspection of property and water planning for proposed uses. Amount claimed (conditional): 34 acre feet annual amount during the active gravel mining operations phase; and 93

acre feet for the final reclamation phase. Proposed uses: Industrial, including, but not limited to, dewatering, product absorption, dust suppression and aggregate washing and processing in connection with mining of sand, gravel and related products; and evaporation associated with exposed pond surface water area; and recreation, aesthetics, wildlife, aquatic habitat, augmentation and fire protection in connection with final reclamation. Well permit: Pursuant to § 37-90-137(11), upon the issuance of a decree in this case, Applicant will submit an application for a well permit to the Colorado Division of Water Resources. Name and address of owner upon which new structure will be constructed: North Hangs Ranch LLC, 950 Smile Way, York, PA 17404. **Second Claim:** Red Dirt Ditch. Original decree: Case No. 113, Grand County District Court, August 11, 1906. Subsequent decree: Case No. 96CW126, Division 5 Water Court, March 5, 1997, quantifying historical consumptive use. Legal: Originally decreed to divert from south bank of Red Dirt Creek at a point whence the North quarter corner of Section 12, Township 2 N, Range 81 W bears Southeast 50 rods and 10.5 feet. In Case No. 96CW126, the Court changed the Red Dirt Ditch water right point of diversion to the Goldman Ditch Pump and Pipeline, which is located in the NE ¼, SW ¼, Section 12, Township 6 South, Range 92 West, 6th P.M., Garfield County, Colorado, at a point whence the northwest corner of said Section 12 bears N 35° 48' 58" 3,861.25 feet. The Court changed the place of use to the McLin Ranch, located in Sections 7 and 18, T 6 S, R 91 W, and Sections 12 and 13, T 6 S, R 92 W, 6th P.M., Garfield County. Source: Red Dirt Creek. Appropriation date: May 31, 1885. Amount: 1.75 c.f.s., quantified as 161 acre-feet of historic consumptive use credits in Case No. 96CW126. Use: Irrigation, and fully consumable water used to meet any consumptive requirement, including transit losses, incidental consumptive use, and beneficial consumptive use, as set forth in Case No. 96CW126. Amount of water Applicant intends to change: 1.75 c.f.s.; 161 acre-feet of quantified historical consumptive use credits. Detailed description of proposed change: The Red Dirt Ditch was originally decreed in Case No. 113, Grand County District Court, on August 11, 1906, for irrigation uses. In Case No. 96CW126, the Division 5 Water Court quantified the historical consumptive use volume for the Red Dirt Ditch water right and associated flow rate. The 96CW126 Decree also changed the diversion and utilization of the historical consumptive use credits to the Goldman Pump and Pipeline, described above, for use on the McLin Ranch in Garfield County, Colorado. Applicant requests to change the use of the Red Dirt Ditch 161 acre-feet of historical consumptive use water and corresponding flow rates to new places of use. Most immediately, the Red Dirt Ditch water right will be changed to the North Hangs Ranch, LLC property located in Section 9, Township 6 South, Range 92 West of the 6th P.M. Applicant will use a portion of the Red Dirt Ditch historical consumptive use credits as a water source to augment out-of-priority depletions associated with the North Hangs gravel pit operations and reclamation. In addition to using the changed water right for augmentation at the North Hangs property, Applicant may also use the water right for direct irrigation and/or pond filling (via pump and pipeline or direct gravity diversion from the Colorado River adjacent to the North Hangs property) within the parameters of the 96CW126 decree, as shown on the map on file with the Court as Exhibit A. This point of diversion, labelled "North Hangs POD" on the Exhibit A map, is located in the SE ¼ NW ¼ of Section 9, Township 6 South, Range 92 West of the 6th P.M. (UTM NAD83 Z13: Northing – 4380595, Easting – 270083). This a downstream transfer and will enhance flow between the original point of diversion (and/or the McLin Ranch point of diversion) for the Red Dirt Ditch to the North Hangs location and therefore, there will be no injury by virtue of this change. Applicant also requests to change the use of any unused or excess amounts of the Red Dirt Ditch 161 acre-feet of historical consumptive use credits and corresponding flow rates not utilized at the North Hangs Ranch property to the following additional, new places of use: North 70 Ranch, LLC property located at 5127 N. County Rd 346, Rifle, CO 81650; Sunrise Holdings, LP property located at 4155 N. County Rd 346, Rifle, CO 81650; and River Rock Ranch property located at 1412 County Rd 311, Silt, CO 81652. Use of the changed water at the additional, new places of use will be irrigation and industrial purposes in gravel operations and reclamation, similar to the uses at the North Hangs property. Applicant will file separate cases for any proposed gravel pit wells and/or plans for augmentation at those additional, new places of use. **Third Claim:** North Hangs Gravel Pit Well. Water rights to be used for augmentation: Red Dirt Ditch consumptive use credits, as changed and described above. Applicant has obtained or will obtain a water service contract through the West Divide Water Conservancy District (WDWCD) to supplement the Red Dirt Ditch consumptive use credits and to replace out-of-priority depletions during the non-irrigation season. Contract water may come from Ruedi Reservoir and Green Mountain Reservoir (as described in the application) or other facilities available to WDWCD that may serve as the water supply source to the District. Water Requirements: The water requirements are described in detail in paragraph 7 of the application. Gravel operations: 28.10 acre-feet. Wash Pond Evaporation: The ponds have a combined surface area of 1 acre with annual evaporation of 3.01 feet/acre, resulting in annual evaporative depletions of 3.01 acre-feet. Gravel Mining – Processing: With production at 100,000 tons per year, this will result in a consumption of 1.22 acre-feet of water per year. Dust control: The water use is 100% consumptive for total dust control depletions of 1.36 acre-feet per year at maximum build out. Reclamation Phase: The final lake will have a surface area of 30 acres. Using the same calculation methods, lake evaporation will consume 90.31 acre-feet of water per year. Groundwater Depletions and Delayed Depletions: 33.68 acre feet of annual lagged groundwater depletions during the mining phase; and 92.44 acre feet of lagged depletions during the reclamation phase. Applicant's annual augmentation requirements will be calculated based on the depletions associated with actual mining phases and operations at that time, within the limits of this decree. Statement of Plan for Augmentation. The projected out-of-priority lagged depletions to be augmented during a valid administered call during each Phase are shown on Exhibit B, on file with the court. Applicant Western Slope Materials' 161 acre feet of Red Dirt Ditch historic consumptive credits are distributed monthly according to Table 7.3 of the Case No. 96CW126 decree. For any months where Red Dirt Ditch consumptive use credits are insufficient, Applicant will contract with the River District for sufficient augmentation water to make up any difference and cover all out-of-priority depletions. Excess consumptive use credits. Any consumptive use credits not needed, dedicated or used for augmentation or replacement of depletions from the North Hangs Gravel Pit Well will be retained for future use at any of the changed locations by Applicant Western Slope Materials, LLC, and/or its successors and assigns. Names and addresses of owners of the land upon which any new diversion or modification to any existing diversion is located: Goldman Ditch Pump and Pipeline; Nicholson, Richard E Exempt Property Trust UDT 08/09/2007, PO Box 460329, Dept 909, Houston,

TX 77056; Karstiensen, Dean A Living Trust DTD 01/24/2023, 3775 W Minooka Road, Morris, IL 60450. The owners and locations listed above.

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21. 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 DECEMBER 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.*

25CW3210 MESA COUNTY. Application for Abs. Surface Water Right and Abs. Storage Water Right. Jason and Venessa Petermen, c/o Sara M. Dunn and J. Drew Hancherick, Balcomb & Green, P.C. Drawer 790, Glenwood Springs, CO 81602; (970)945-6546; www.balcombgreen.com. Applicants request an abs. surface water right for the Lyndsay's Pump No. 1 Use Enlgt. as well as an abs. storage water right for the Lyndsay's Reservoir First Enlgt. First Claim for Abs. Surface Water Right. Lyndsay's Pump No. 1 Use Enlgt. Legal Description of POD. N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute P.M. 100 ft. from the N. Sec. line and 2,030 ft. from the E. Sec. line of Sec. 24. **Source: Springs, natural runoff and other water flowing in unnamed /tributary to the CO River.** Approp. date: 06/17/15. Installation was completed on May 29, 2015. The pump was operated to deliver water into storage and for other beneficial uses starting on 06/17/15. Date Water Applied to Beneficial Use: 06/17/15. Amt. Claimed: 0.2 c.f.s., abs. Use or Proposed Use: Irr. of pasture and/or other crops, limited to not more than 10 acres, and to fill and refill Lyndsay's Reservoir First Enlgt. for subsequent uses of Irr., stock watering, and wildlife watering. Acres Proposed to be Irrigated: Approx. 10 acres. Depicted on Figure 1 a map on file with the water ct. The area irrigated is located within Applicants' property. Legal Description: N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute P.M. 100 ft. from the N. Sec. line and 2,030 ft. from the E. Sec. line of said Sec. 24. Applicants own the land on which water will be put to beneficial use. Lyndsay's Pump No. 1 is located on the Applicants' property. Second Claim for Storage Water Right. Lyndsay's Reservoir First Enlgt. An off-channel pond located within the N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute P.M. 420 ft. from the N. Sec. line and 2,270 ft. from the E. Sec. line of said Sec. 24. See Figure 2 on file with the water ct. **Source: Springs, natural runoff and other water flowing in unnamed tributary to the CO River.** Approp. Date: 06/17/15. How approp. was initiated: Construction of the reservoir was completed on 05/01/15. Applicants began diverting water into the reservoir via Lyndsay's Pump No. 1 Use Enlgt. on 06/17/15 and continued for 10 days until the reservoir was full. Date Water Applied to Beneficial Use: 06/17/15. Amt. Claimed: 1.82 A.F., abs. with the right to refill. Filling Source: Lyndsay's Pump No. 1 Use Enlgt. described in this Application at a rate of 0.2 c.f.s. Surface Area: 0.42 acres. Pond Depth: 10.0 ft. Total Storage Capacity: 2.32 AF. Lyndsay's Reservoir was decreed for 0.5 A.F. in Case No. 04CW197. Use or Proposed Use: Irr., stock watering, and wildlife watering. Approx. 10 acres proposed to be irrigated. Land irrigated within Applicants' property described as the N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute P.M. 100 ft. from the N. Sec. line and 2,030 ft. from the E. Sec. line of said Sec. 24. WHEREFORE, Applicants respectfully request the Ct. enter a decree (1) granting the abs. surface water right for Lyndsay's Pump No. 1 Use Enlgt.; (2) granting the abs. storage water right for Lyndsay's Reservoir First Enlgt.; and (3) for such further relief that the Ct. may deem appropriate. (5 pgs. + 2 Figures).

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22. 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 DECEMBER 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.*

25CW3211 MESA COUNTY. Application for Finding of Reasonable Diligence and to Confirm Abs.. Jason and Venessa Petermen, c/o Sara M. Dunn and J. Drew Hancherick, Balcomb & Green, P.C. Drawer 790, Glenwood Springs, CO 81602; (970)945-6546; www.balcombgreen.com. Applicants request a finding of reasonable diligence in the development of their cond. water rights for Lyndsay's Pump No. 1 and Lyndsay's Reservoir (the "SWR's") and confirmation that the SWR's have been made abs.. **Claim for Finding of Reasonable Diligence.** The SWR's were originally decreed in Case No. 04CW197 in Dist. Ct., Water Div. No. 5, entered on May 29, 2007. Subsequent decrees finding reasonable diligence were entered in Cases No. 13CW55, decreed December 15, 2013, and 19CW13, decreed August 16, 2020, both in Dist. Ct., Water Div. No. 5. **Lyndsay's Pump No. 1. Source: Springs, natural runoff and other water flowing in unnamed tributary of the CO River.** Legal Description of POD N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute Principal Meridian 100 ft. from the N. Sec. line and 2,030 ft. from the E. Sec. line of Sec. 24. Approp. Date: 10/29/04. Amt.: 0.20 c.f.s., cond. Uses: Irr. of pasture and/or other crops, limited to not more than 4 acres, wildlife habitat and lawn Irr., limited to not more than 4.5 acres all located in the N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute Principal Meridian, stock watering,

and to fill Lyndsay's Reservoir for subsequent uses. See Figure 1 map on file with the ct.. **Lyndsay's Reservoir**. Legal Description: N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute Principal Meridian 420 ft. from the N. Sec. line and 2,270 ft. from the E. Sec. line of said Sec. 24. Source: Lyndsay's Pump No. 1, springs, natural runoff and other water flowing in unnamed tributary of the CO River. Approp. Date: 10/29/04. Amt.: 0.5 A.F., cond., with the right to fill and refill in priority. Uses: Irr. of pasture and/or other crops, limited to not more than 4 acres, aesthetic, rec., piscatorial, wildlife habitat and lawn Irr., limited to not more than 4.5 acres and stock watering all located in the N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute Principal Meridian. In the six years preceding the filing of the Application, Applicants have diligently pursued development of the SWR's. The application on file with the Ct. contains a detailed outline of the work performed during the diligence period. Applicants are the landowners upon which the SWS are located. **Claim to Confirm Abs.** Lyndsay's Pump No. 1. Amt.: 0.20 c.f.s., abs.. Uses: Irr. of pasture and/or other crops, limited to not more than 4 acres, wildlife habitat and lawn Irr., limited to not more than 4.5 acres all located in the N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute Principal Meridian, stock watering, and to fill Lyndsay's Reservoir for subsequent use. On 06/27/15, Applicants placed the full amt. of water under the Lyndsay's Pump No. 1 water right to beneficial use in priority and stored the full amt. of water under the Lyndsay's Reservoir water right in priority. There were no calls in effect on the unnamed tributary of the CO River or on the CO River downstream of its confluence with the unnamed tributary. Applicants have continuously used the SWR's for all their decreed purposes since that time. Applicants reserve the right to establish other dates of beneficial use. **Lyndsay's Reservoir**. Amt.: 0.5 acre-ft., abs.. Uses: Irr. of pasture and/or other crops, limited to not more than 4 acres, aesthetic, rec., piscatorial, wildlife habitat and lawn Irr., limited to not more than 4.5 acres and stock watering all located in the N.W. 1/4 N.E. 1/4 of Sec. 24, T. 1 S., R. 1 E. of the Ute Principal Meridian. Date Applied to Beneficial Use: 06/27/15. Applicants reserve the right to establish other dates of beneficial use. There were no calls in effect on the unnamed tributary of the CO River or on the CO River downstream of its confluence with the unnamed tributary. Filling the reservoir with Applicants' Lyndsay's Pump No. 1. WHEREFORE, Applicants request the Ct. enter a decree: (1) finding the Applicants have exercised reasonable diligence in the development of the cond. water rights described herein; and (2) confirming Applicants have placed the above-described water rights to beneficial use and that they are abs. in the amt.s and for the uses described herein; and (3) continuing as cond. any portion of the cond. water rights not confirmed abs. herein for an additional six years

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23. 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 DECEMBER 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.*

25CW16 MESA COUNTY-UNNAMED TRIBUTARY TO PARK CREEK TRIBUTARY TO VEGA RESERVOIR. Jeremy C. Ratliff and Kristy R. Martin; P.O. Box 87; Collbran, CO 81624. (970)623-6998. Moose Print Spring-Application for Absolute Water Rights (Surface). Location: NW1/4SW1/4 of Sec. 8, T.10S., R.93W. of the 6th P.M. 3,129 ft. from the south sec. line and 1,621 ft. from the west sec. line. UTM: E8,474,65.049 N14,248, 890.399 Z13. Date of appropriation: Dec. 15, 2025. Amount: 6 to 7 g.p.m., absolute. Uses: dust control and fire mitigation.

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25CW13 MESA COUNTY- TAILWATER TRIBUTARY TO THE COLORADO RIVER. Josh and Wende Jackson; P.O. Box 151, 1626 10 Road, Mack, CO 81525. (970)250-9964. Ditch Fed Pond-Application for Absolute Water Rights (Surface). Location: Sec.18, T.2N., R.3W. of the 6th P.M. UTM: N4345523.0 E684153.0 Z12. Source is tributary to an unnamed wash tributary to the Colorado River. Date of appropriation: Sept. 1, 2024. Amount: 1.2391 g.p.m., totaling 2.0 a.f. per year (Apr.-Oct.), absolute. Use: lawn irrigation.

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