

Judicial recognizes the need for digital document accessibility. If you experience inaccessible content and require assistance, please contact us by emailing the Water Court Specialist for Water Division One at grace.moreno@judicial.state.co.us

DISTRICT COURT, WATER DIVISION 1, COLORADO

APRIL 2026 WATER RESUME PUBLICATION

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

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications, and certain amendments filed in the Office of the Water Clerk and/or ordered published during the month of **APRIL 2026** for each County affected. (This publication can be viewed in its entirety on the state court website at: www.coloradojudicial.gov)

CASE NUMBER 2026CW3053 DIANE M. BRODA, 8220 Dahlia St, Henderson, CO, 80640. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California Street, Suite 2600, Denver, CO, 80202. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES IN THE NONTRIBUTARY LOWER ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY DENVER AND UPPER ARAPAHOE AQUIFERS IN ADAMS COUNTY.** Subject Property: A parcel totaling 7.8979 acres generally located in the NW1/4 of the SE1/4 of Section 30, Township 2 South, Range 67 West of the 6th P.M., also known as 8220 Dahlia Street, Henderson, Adams County, State of Colorado, as shown on **Exhibit A** (the “**Subject Property**”). Lien Holder Certification: Applicant certifies there are no mortgage or lien holders therefore no notice is required under C.R.S. § 37-92-302(2)(b). A copy of the vesting deed for the Subject property is attached as **Exhibit B**. Well Permits: There are currently no wells on the Subject Property. Well permits will be applied for and approved prior to construction of any wells. Source of Water Rights: The Denver and Upper Arapahoe aquifers are not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Arapahoe and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicant desires to leave no groundwater adjudicated. Applicant estimates the following volumes may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Estimated Annual Volume (acre-feet)	Estimated Total Volume (acre-feet)
Denver (NNT)	0.71	71
Upper Arapahoe (NNT)	1.21	121
Lower Arapahoe (NT)	1.39	139
Laramie-Fox Hills (NT)	2.48	248

Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). Remarks: Applicant claims the right to withdraw

more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NUMBER 2026CW3054 BRIAN ROBERT WEISSEG LIVING TRUST DATED MAY 15, 2011, AMANDA VINTON WEISSEG LIVING TRUST DATED DECEMBER 10, 2014, c/o Brian Robert Weisseg and Amanda Vinton Weisseg, c/o John P. Justus, CURTIS, JUSTUS, & ZAHEDI, LLC, 1333 W. 120th Ave., Suite 302, Westminster, CO 80234, Telephone: (303) 595-9441, Email: johnj@cjzwaterlaw.com. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES IN EL PASO COUNTY**. 2. A. Background: This application seeks a decree adjudicating all of the nontributary and not nontributary ground water underlying the Applicants' property, described below. Such aquifers may include the Upper Dawson, Lower Dawson, Denver, Upper Arapahoe, Lower Arapahoe and Laramie-Fox Hills aquifers; the actual aquifers will be those that are determined to be available underlying the Subject Property in accordance with the Denver Basin Rules (2 CCR 402-6). B. Property Description: The parcel of land consists of 5.08 acres, more or less, in El Paso County, located in a part of NE 1/4 of the NE 1/4 of Section 9, Township 11 South, Range 65 West of the 6th P.M., also known as Lot 1, Block 3, Table Rock Ranch Filing No. 1, with the legal address of 8770 Moss Rock Road, Colorado Springs, Colorado, 80908 ("Subject Property"). The Subject Property is generally mapped in Exhibit 1, attached to this Application. C. Parcel Ownership: The claim of Applicants to the water underlying the Subject Property is based on ownership of the parcel. D. Source of Water Rights: Upper Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying the Subject Property. E. Estimated Amounts: Applicants estimate the following amounts are representative of the Denver Basin aquifers underlying Applicants' property: Aquifer:, Annual Amount:, Status:; Upper Dawson, 4.6 acre-feet, Not Nontributary; Denver, 3.2 acre-feet, Nontributary; Upper Arapahoe, 2.4 acre-feet, Nontributary; Laramie-Fox Hills, 1.4 acre-feet, Nontributary. F. Requested Uses: The Applicant requests the right to use the groundwater for domestic, commercial, irrigation, livestock watering, fire protection, storage and augmentation purposes, both on and off the Subject Property. 3. Jurisdiction: The water court has jurisdiction over the subject matter of this application pursuant to Sections 37-92-302(2) and 37-90-137(6), C.R.S. 4. Applicants claim the right to withdraw more than the average annual amounts estimated in paragraph 2.E above pursuant to Rule 8A of the Statewide Rules, 2 CCR 402-7. 5. Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same.

CASE NUMBER 2026CW3055 KIMBERLY KILZER and MARCUS ELLER, 655 Hier Lane Castle Rock, Colorado 80109; (720) 737-6252; kimberlykilzer@hotmail.com, ch4marcus@gmail.com. Please send all communications to: Michael Kopp and Lucas O'Brien, TROUT RALEY; 1120 N Lincoln St., Suite 1600; Denver, Colorado 80203; 303-861-1963; mkopp@troutlaw.com, lobrien@troutlaw.com. **APPLICATION FOR UNDERGROUND WATER RIGHTS OF KIMBERLY KILZER AND MARCUS ELLER IN DOUGLAS COUNTY, COLORADO**. 2. Subject Property: Applicants are the owners of a 35-acre parcel located in the E 1/2 of the SW 1/4 of Section 16, Township 8 South, Range 67 West of the 6th P.M. (the "Subject Property"). The legal description of this parcel is more particularly described on Exhibit A hereto, and the location of this parcel is shown on Exhibit B hereto. Applicants are the sole owners of the Subject Property and therefore no notice is required pursuant to C.R.S. § 37-92-302(2). **FIRST CLAIM FOR ABSOLUTE UNDERGROUND WATER RIGHT FOR AN EXEMPT WELL** 3. Applicants seek an absolute water right for their existing exempt well ("Eller-Kilzer Exempt Well") in the Lower Dawson aquifer with Permit No. 293064, the description of which is as follows: A. Location: NE 1/4, SW 1/4, Section 16, Township 8 South, Range 67 W. 6th P.M., 2,131 feet from the south

section line and 2,495 feet from the west section line; UTM coordinates (Meters, Zone: 13, NAD83) Easting: 508951; Northing: 4356024. B. Source of water: Nontributary Lower Dawson aquifer. C. Depth: 800 feet. D. Appropriation date: December 10, 2013, date upon which well permit application was received by the State Engineer's office. Water was first applied to beneficial use on June 4, 2015. Pursuant to C.R.S. § 37-92-602(4), Applicants claim a priority date for the Eller-Kilzer Exempt Well of June 4, 2015, rather than the date of this Application. E. Total amount decreed to structure: 12 gpm. F. Uses: Fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns. G. The Eller-Kilzer Exempt Well was permitted pursuant to C.R.S. § 37-92-602(3)(b)(II)(A). H. The Applicants herein have applied water from the Eller-Kilzer Exempt Well to a beneficial use. SECOND CLAIM FOR UNDERGROUND WATER RIGHTS FROM DENVER BASIN AQUIFERS 4. Applicants seek underground water rights from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers. A. Source of Water Rights: The Lower Dawson, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying the Subject Property are nontributary as defined in C.R.S. § 37-90-103(10.5). The Denver aquifer underlying the Subject Property is not-nontributary as defined in C.R.S. § 37-90-103(10.7). 5. Well Permits: The Eller-Kilzer Exempt Well in the Lower Dawson aquifer operating under Permit No. 293064 is currently the only existing well on the Subject Property. Applicants intend to continue operating the Eller-Kilzer Exempt Well as described in Paragraph 3 herein and shall not withdraw the groundwater which is the subject of this decree through the Eller-Kilzer Exempt Well. Additional well permits will be applied for prior to construction of wells to withdraw the groundwater which is the subject of this application. Applicants request that this Court determine that Applicants have the right to withdraw all the legally available groundwater lying below their respective lands, through any additional wells which may be completed in the future, as Applicants' well fields, subject to Rule 11.B of the Statewide Nontributary Ground Water Rules 2 C.C.R. 402-7. 6. Estimated Amounts: Applicants estimate that the following annual amounts may be available for withdrawal based on a 100-year withdrawal period: Aquifer Annual Amount (acre-feet) Lower Dawson (NT) 7.89* Denver (NNT) 20.74 Upper Arapahoe (NT) 16.31 Laramie-Fox Hills (NT) 9.20 *The amount of groundwater determined to be available for withdrawal from the Lower Dawson aquifer shall be reduced to leave water unappropriated for Applicants' exempt well with Permit No. 293064. 7. Proposed Uses: The groundwater will be used, reused, and successively used for domestic, irrigation (indoor and outdoor), agricultural, commercial, industrial, domestic animal and stock watering, fire suppression, fish and wildlife, storage, and augmentation purposes. 8. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-302(2), 37-92-203(1). 9. Remarks: 9.1 Applicants claim the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. 9.2 Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicants request that this Court (1) determine a water right for the Eller-Kilzer Exempt Well pursuant to C.R.S. §§ 37-92-302 to 37-92-306, (2) approve the above-described underground water rights, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and (3) grant such other and further relief as is appropriate. (9 pages with exhibits.)

CASE NUMBER 2026CW3056 COLORADO PUMPKIN PATCH, LLC, c/o John Chapman, 18065 Saddlewood Road, Monument, Colorado 80132; Please direct all correspondence concerning this application to: Ryan W. Farr, and W. James Tilton, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, Colorado 80921; Telephone Number: (719) 471-1212; Email: rwf@cowaterlaw.com; wjt@cowaterlaw.com. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN EL PASO COUNTY.** Colorado Pumpkin Patch, LLC, a Colorado limited liability company, c/o John Chapman (hereafter "Applicant") seeks to utilize its existing well for

commercial uses, in addition to those it is currently permitted for. Applicant therefore seeks to quantify the Denver Basin groundwater underlying the Applicant’s Property, and approval of a plan for augmentation for the use thereof. Property Description. All wells are and will be located on Applicant’s approximately 40.52 acre property (“Applicant’s Property”) with schedule number 6116000001. Applicant’s Property is depicted on the attached **Exhibit A** map, located in the E1/2 NW1/4 and the W1/2 NE1/4 of Section 16, Township 11 South, Range 66 West of the 6th P.M., and more particularly described as 18065 Saddlewood Road, Monument, CO 80132 Farrar Drive, Colorado Springs, CO 80908 in El Paso County, Colorado. There is an existing well with Division of Water Resources Permit No. 294665 (“Colorado Pumpkin Patch Well”), permitted as an exempt well pursuant to C.R.S. § 37-92-602(3)(b)(II)(A), being the only well on a tract thirty-five acres or larger in size. **Exhibit B**. It is a Dawson aquifer well drilled to a total depth of approximately 305 feet, and is located at UTM Easting: 518455; Northing: 4327483 (Zone 13, NAD83). Following issuance of the decree in this case Applicant will re-permit this well consistent with the terms of the decree in this case. Land Ownership. The land upon which the existing and proposed wells will be constructed is owned by Applicant, Colorado Pumpkin Patch, LLC, a Colorado limited liability company. Not-Nontributary. The ground water to be withdrawn from the Dawson and Denver aquifers underlying the Applicant’s Property is not-nontributary. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in the Dawson and Denver aquifers will require the replacement of actual or four percent stream depletions. Nontributary. The groundwater that will be withdrawn from the Arapahoe and Laramie-Fox Hills aquifers underlying the Applicant’s Property is nontributary. Estimated Rates of Withdrawal. Pumping from the wells will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests a vested right for the withdrawal of all legally available groundwater in the Denver Basin aquifers underlying the Applicant’s Property. Said amounts will be withdrawn over the 100-year life of the aquifers pursuant to C.R.S. § 37-90-137(4). Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant’s Property:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre Feet)	Annual Avg. Withdrawal 100 Years (Acre Feet)
Dawson (NNT)	433.5	3,513.08	35.13
Denver (NNT - 4%)	559.5	3,854.06	38.54
Arapahoe (NT)	258.5	1,780.65	17.8
Laramie Fox Hills (NT)	204.5	1,242.95	12.42

Decreed amounts may vary from the above to conform with the State’s Determination of Facts. Pursuant to C.R.S. § 37-92-305(11), the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. Requested Uses. The Applicant requests the right to use the groundwater for beneficial uses upon the Applicant’s Property consisting of domestic in up to two residences, irrigation of lawn, garden, or greenhouse, domestic animal and stock watering, commercial, equestrian facilities, agricultural, filling of a pond, fire protection, recreation, and also for storage and augmentation purposes associated with such uses. The Applicant also requests that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant’s Property subject, however, to the requirement of C.R.S. § 37-

90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicant shall only be entitled to construct wells or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of the not-nontributary Dawson aquifer in accordance with C.R.S. § 37-90-137(9)(c.5). Well Fields. Applicant requests permission to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant's Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests the entitlement to withdraw an amount of groundwater in excess of the average annual amount decreed to the aquifers beneath the Applicant's Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant's Property. Owner of Land Upon Which Wells are to Be Located. The land upon which the wells are and will be located as well as the underlying groundwater is owned by the Applicant. Statement of Plan for Augmentation. Applicant seeks approval of a plan for augmentation to allow it to utilize the not-nontributary Dawson aquifer underlying the property described herein for all requested uses. The wells to the not-nontributary Dawson aquifer will, during the pumping life of the wells, be augmented by septic return flows resulting from domestic uses, with post pumping depletions provided by pumping of the nontributary Arapahoe and Laramie-Fox Hills aquifers. Structures to be Augmented. The structures to be augmented are the Colorado Pumpkin Patch Well, along with any replacement or additional wells associated therewith, as likewise may be constructed to the Dawson aquifer of the Denver Basin underlying the Applicant's Property as requested and described herein, and a pond on Applicant's property. The pond is more particularly described as follows: Pumpkin Patch Pond: *Legal Description:* SW1/4 NE1/4 of Section 16, Township 11 South, Range 66 West of the 6th P.M., at UTM E: 518629.5, N 4327377.8, (Zone 13, NAD83). *Source:* Exposed groundwater. *Surface Area:* 0.5 acres. *Date of Appropriation:* May 8, 2018. *Uses:* Irrigation, stockwatering, wildlife, firefighting, and recreation. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from the Colorado Pumpkin Patch Well, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifers for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by Colorado Pumpkin Patch Well, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifer for any injurious post pumping depletions. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: Household Use Only: 0.26 acre-feet annually within two single-family dwellings on the property (total 0.52 acre-feet annually), with a maximum of ten percent consumptive use based on non-evaporative septic leach field disposal systems. Landscape Irrigation: 0.566 acre-feet annually per 1,000 square feet (2.18 acre feet per acre) per year, assumed to be a fully consumptive use. Horses (or equivalent livestock): 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. Filling of Pumpkin Patch Pond: Surface area of approximately 0.5 acres x 10 feet deep, estimated 0.5 AF to fill once per year, presumed to be a fully consumptive use. Amounts. Colorado Pumpkin Patch Well will pump a maximum of 3.84 acre-feet from the Dawson aquifer per year. Such use shall be a combination of household use, irrigation of lawn, garden, using water to maintain the natural pond's level, and the watering of horses or equivalent livestock, and other permitted uses described in paragraph III.D., above. An example breakdown of this combination of uses, utilizing the factors described above, is 0.52 acre feet for each residence on the property, outside irrigation of lawn and garden (2.556 annual acre feet), putting water in pond (0.5 annual acre feet), and up to sixteen (16) horses or equivalent livestock boarded on the property (0.264 annual acre feet). See **Exhibit C. Depletions.** Applicant's consultant has determined that maximum stream depletions over the 100-year pumping period for the Dawson aquifer amounts to approximately 8.35% of pumping. **Exhibit D.** Maximum annual depletions for total pumping from Colorado Pumpkin

Patch Well is therefore 0.320 acre-feet in year 100 (i.e. 8.35% of pumping). *Id.* Should Applicant's pumping be less than the annual 3.84 acre-feet total described herein, resulting depletions and required replacements will be correspondingly reduced, so long as depletions resulting from pumping are adequately replaced. Augmentation of Depletions During Pumping. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual stream depletions attributable to pumping of the Colorado Pumpkin Patch Well subject to this augmentation plan. Applicant's consultant has determined that depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. Using a conservative in-house use rate of 0.2 acre-feet per lot per year, total of 0.36 acre-feet will be replaced to the stream system per year, utilizing non-evaporative septic systems. Thus, during pumping, stream depletions will be adequately augmented. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of Colorado Pumpkin Patch Well Applicant will reserve a portion of the nontributary Arapahoe aquifer (392 acre feet; 98% of 392 being 384.16 acre feet, or 3.84 annual acre feet over 100 years), accounting for actual stream depletions replaced during the planned pumping period, as necessary to replace any injurious post pumping depletions. Applicant also reserves the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Arapahoe aquifer groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive a new well permit for Colorado Pumpkin Patch Well for the uses in accordance with this Application and otherwise in compliance with C.R.S. § 37-90-137. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the not-nontributary Dawson aquifer may occur in both the South Platte and the Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system where the majority of such depletions will occur, and it is Applicant's intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte as set forth herein, and for a finding that those replacements are sufficient. The Applicant requests a finding that it has complied with C.R.S. § 37-90-137(4), and that the ground water requested herein is legally available for withdrawal by the requested not-nontributary wells upon the entry of a decree approving an augmentation plan pursuant to C.R.S. § 37-90-137(9)(c.5). The term of this augmentation plan is for 100 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of ground water withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. The Applicant requests a finding that vested water rights of others will not be materially injured by the withdrawals of ground water and the proposed plan for augmentation. The wells shall be installed and metered as reasonably required by the State Engineer. Each well must be equipped with a totalizing flow meter and Applicant shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. The Applicant shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this plan of augmentation. The Applicant waives the 600 feet well spacing requirement for any wells to be located upon the Applicant's Property. Applicant will comply with the lienholder notice provisions set forth in C.R.S. § 37-92-302(2)(b) and § 37-90-137(4)(b.5)(I), and such notice will be sent within 14 days of the filing of this application. 8 pages.

CASE NUMBER 2026CW3057 (19CW3117, 09CW262) PLUM CREEK HOLLOW FARM, LLC ("PCHF"). PLUM CREEK HOLLOW FARM, LLC, 7335 S. Perry Park Road, Larkspur, Colorado 80118. Please send all pleadings and correspondence to: April D. Hendricks, Peter D. Jaacks, Jewell

Jimmerson Natural Resources Law LLC, 333 Perry Street, Suite 310, Castle Rock, CO 80104 (ahendricks@jjnrlaw.com; pjaacks@jjnrlaw.com). **APPLICATION FOR FINDING OF REASONABLE DILIGENCE, IN DOUGLAS COUNTY, COLORADO. 2. Description of Conditional Water Rights and Structures:** (a) Original Decree Awarding Conditional Water Rights: Date of Original Decree: June 30, 2013, Case No. 09CW262, Water Division No. 1. (b) Subsequent Decrees Awarding Findings of Diligence: Date of Decree: April 14, 2020, Case No. 19CW3117, Water Division No. 1. (c) Conditional Direct Flow Water Right: (i) Legal Description of Points of Diversion and Rates of Diversion. Applicant may use any one or more of the three points of diversion described below. Each point of diversion is located on the Applicant's property situated in Sections 13, 14, 23 and 24, Township 9 South, Range 68 West of the 6th P.M. in Douglas County, Colorado, as shown on the map attached hereto and incorporated in **Exhibit 1**. The diversion structure at each point described below will be a surface diversion (headgate) meeting the requirements decreed in Case No. 09CW262. The surface diversion structures described in this paragraph shall only divert surface flow from West Plum Creek and shall not intercept or otherwise divert groundwater. (1) PCHF No. 1 is located in the Northeast 1/4 of the Southwest 1/4 of Section 24, Township 9 South, Range 68 West, of the 6th P.M., at a point 2,580 ft. from the South line and 2,550 ft. from the West line of said Section 24. The rate of diversion at PCHF No. 1 is 2 c.f.s., conditional. (2) PCHF No. 2 is located in the Northwest 1/4 of the Northeast 1/4 of Section 24, Township 9 South, Range 68 West, of the 6th P.M., at a point 1,040 ft. from the North line and 2,335 ft. from the East line of said Section 24. The rate of diversion at PCHF No. 2 is 2 c.f.s., conditional. (3) PCHF No. 3 is located in the Southwest 1/4 of the Northwest 1/4 of Section 13, Township 9 South, Range 68 West, of the 6th P.M., at a point 2,190 ft. from the North line and 1,095 ft. from the West line of said Section 13. The rate of diversion at PCHF No. 3 is 2 c.f.s., conditional. PCHF Points of Diversion Nos. 1, 2, and 3, as described above, may serve as alternate points of diversion for each other, as limited by the terms and conditions of the decree entered in Case No. 09CW262. At no time, however, shall the combined rate of diversion from PCHF Nos. 1, 2, and 3 exceed 6 c.f.s. (d) Conditional Water Storage Right: (i) Legal Description of Places of Storage. Each place of storage will be located on the Applicant's property described in Paragraph 2(c)(i) and shown in **Exhibit 1**. The design and use of these ponds will be subject to all terms and conditions decreed in Case No. 09CW262. (1) Glen Grove Pond No. 1: The center point of the pond will be located in the NW 1/4, NW 1/4, Section 24, T9S, R68W, 6th P.M., at a point approximately 780 feet from the North Section Line and 825 feet from the West Section Line of said Section 24 in Douglas County, Colorado. (2) Glen Grove Pond No. 2: The center point of the pond will be located in the SW 1/4, NW 1/4, Section 13, T9S, R68W, 6th P.M., at a point approximately 2,210 feet from the North Section Line and 360 feet from the West Section line of said Section 13 in Douglas County, Colorado. (3) Glen Grove Pond No. 3: The center point of the pond will be located in the SW 1/4, NE 1/4, Section 14, T9S, R68W, 6th P.M., at a point approximately 2,565 feet from the North Section Line and 1,560 feet from the East Section Line of said Section 14 in Douglas County, Colorado. (4) Glen Grove Pond No. 4: The center point of the pond will be located in the NW 1/4, SE 1/4, Section 14, T9S, R68W, 6th P.M., at a point approximately 1,815 feet from the South Section Line and 2,115 feet from the East Section Line of said Section 14 in Douglas County, Colorado. (5) Glen Grove Pond No. 5: The center point of the pond will be located in the NE 1/4, SW 1/4, Section 24, T9S, R68W, 6th P.M., 2,160 feet from the South Section Line and 1,360 feet from the West Section Line of said Section 24 in Douglas County, Colorado. (i) Maximum height of dam in feet. The Glen Grove Ponds will be constructed below grade and will not have traditional dams. The active capacity of the Ponds will be controlled by the outlet feature and the level of the pump intake for the Ponds. (ii) Decreed Amount. Total storage in the Glen Grove Ponds shall not exceed 200 acre-feet per year, conditional, with the right to one fill and one refill annually. (iii) Points of diversion. PCHF Nos. 1, 2, and 3 Diversions described above. (iv) Fill Rate. The combined maximum rate of fill for the Glen Grove Ponds shall be 6 c.f.s. (v) Releases of Water. Each of the Glen Grove Ponds shall be equipped to allow out-of-priority inflows, such as precipitation and surface runoff from precipitation and irrigation, to be released back to West Plum Creek within 24 hours of impoundment. (e) Source: The source of water for all of the conditional water rights herein is West Plum Creek. (f) Decreed Uses: Water derived from any and all the rights decreed in Case No. 09CW262 will be used by the Applicant for domestic, irrigation of approximately

322 acres (described in Case No. 09CW262), stock watering, fish and wildlife propagation and preservation, dust suppression, and fire protection purposes. All uses described herein shall occur on the Applicant's property. (g) Appropriation Date: December 28, 2009, for all water rights herein. (3) **Detailed Outline of What Has Been Done Toward Completion or for Completion of the Appropriations and Application of Water to a Beneficial Use as Conditionally Decreed**: The Applicant's decreed conditional direct flow water right and conditional water storage right are individual components of an integrated water supply system serving the Applicant's horse farm in Douglas County. Consequently, work on any one feature of the water rights for this system should be considered in finding that reasonable diligence has been shown in the development of the subject water rights and for all features of the water system. *See* C.R.S. § 37-92-301(4)(b); Decree, Case No. 19CW3117, at Paragraph 9. The Applicant continues to plan for and pursue the use of the subject conditional water rights as components of its integrated water system serving the property in question. The work undertaken by the Applicant during the diligence period includes, but is not limited to, the following activities, all of which relate to the completion of the appropriation and application of the subject conditional water rights to beneficial uses as decreed. (a) Applicant has continued to retain Gina Burke of Jehn Water Consultants, Inc. as its water resource consultant, and from April 2020 to present, has expended over \$14,000 in consulting fees related to the development and protection of the Applicant's integrated water supply system, including the subject water rights. Ms. Burke's work for the Applicant has included the following: (i) Working with Applicant to complete the surface water development plans for Plum Creek Hollow Farm. During the diligence period, this work has included participating in site visits with Tessara Water, Inc., and assisting Applicant in evaluating site investigation and design proposals developed by Tessara Water, Inc. for pond and diversion structure design, including for PCHF Point of Diversion No. 1 and Glen Grove Pond 1. (ii) Reviewing monthly water resumes for Water Division 1, working with legal counsel to identify applications that may potentially impact or injure the Applicant's water rights, and participating in litigation as needed to protect Applicant's water rights. (b) Applicant retained Tessara Water, Inc. to complete initial site investigations and conceptual designs for project infrastructure. Design of the project's infrastructure has continued during the diligence period and is ongoing. During the diligence period, Applicant has expended approximately \$9,500 associated with ongoing site investigations and design development. Once finalized, project designs will comply with the design specifications stated in Paragraph 27 of the 09CW262 Decree, as applicable. Once site selection and designs for the project infrastructure have been finalized, Applicant shall comply with all pre-construction requirements outlined in the 09CW262 Decree, including service of final designs on the parties in Case No. 09CW262 as required by Paragraphs 26.I and 30 in that decree. After all pre-construction requirements have been satisfied, Applicant will proceed with construction. (c) During the diligence period, Applicant has retained legal counsel and has expended over \$15,000 in attorney's fees for work associated with the protection and development of Applicant's water rights, including litigation for the protection of the subject conditional water rights in Case No. 22CW3103, Water Division No. 1 and working with Applicant's consultants, as needed, related to the development of project infrastructure and design. (d) This work evidences Applicant's continuing intent to develop the conditional water rights. Applicant can and will complete the conditionally decreed appropriations for diversion and storage within a reasonable time. Water is legally available at times for diversion by the Applicant at the decreed locations. The construction of the facilities described herein is technically feasible, all facilities will be constructed on the Applicant's property, and the Applicant has sufficient economic means to pay for the design and construction of these facilities. (4) **Names and addresses of owners or reputed owners of the land upon which any new diversion 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**. (a) All structures listed in this Application are located upon land owned by the Applicant. WHEREFORE, the Applicant respectfully requests that this Court enter a decree finding that the Applicant has exercised reasonable diligence in the development of the water rights that are the subject of this Application, and that the conditional water rights be continued in full force and effect for another six years, until the date set for a subsequent application for a finding of reasonable diligence. The Applicant also seeks such other and further relief as this Court deems just and proper. Number of pages in Application: (7).

CASE NUMBER 2026CW3058 (2019CW3162, 2006CW278) APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN JEFFERSON COUNTY. GENESEE WATER & SANITATION DISTRICT c/o Richard J. Mehren, Elizabeth D. Truitt, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Blvd, Ste 240, Boulder, CO 80302 (303) 443-8782 1. Name, address, and telephone number of applicant: Genesee Water & Sanitation District (“Genesee”), c/o, Manager Chris Brownell, 2310 Bitterroot Lane, Golden, CO 80401 2. Name of structure: Genesee Augmentation Reservoir No. 2 (“Reservoir No. 2”). 3. Description of conditional water right: 3.1 Original decree: August 2, 2013, Case No. 2006CW278, District Court, Water Division No. 1. 3.2 Subsequent decrees granting findings of reasonable diligence: April 6, 2020, Case No. 2019CW3162, District Court, Water Division No. 1. 3.3 Legal description: The dam is located in the SE1/4 of Section 25, T4S, R71W of the 6th P.M. The dam impounds the stream channel in the SE1/4 SE1/4 of Section 25, T4S, R71W of the 6th P.M. approximately 639 feet north of the South section line and 230 feet west of the East section line of said Section 25 (UTM coordinates: 476258.1 easting, 4391023.5 northing, NAD 83, Z13). A map depicting the location of Reservoir No. 2 is attached as **Exhibit A**. 3.4 Source: Unnamed gulch, tributary to Cold Springs Gulch, tributary to Bear Creek, tributary to the South Platte River. 3.5 Appropriation date: April 26, 2005. 3.6 Amount: 101 acre-feet, CONDITIONAL with a right to fill when in priority so long as no more than 101 acre-feet is diverted and stored under the Subject Water Right in any single water year, including the right to fill continuously and intermittently when water is physically and legally available and as reservoir space permits. 3.7 Use: Recreation, irrigation, domestic and all municipal purposes including, without limitation, fire protection, irrigation, commercial and industrial use, recreation purposes, fish and wildlife propagation, stock watering, reservoir evaporation replacement, exchange, replacement and augmentation purposes. No reuse shall be allowed. 4. Outline of work and expenditures during the diligence period toward completion of the appropriation and application of water to beneficial use: The conditional water right for Reservoir No. 2 described in paragraph 3 above is referred to in this application as the “Subject Water Right.” Reservoir No. 2 is a fully constructed and operational water storage reservoir. The Subject Water Right and Reservoir No. 2 are part of Genesee’s extensive integrated system for treating and delivering drinking water to residents of a large residential and business development in Jefferson County, Colorado. “When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of the water rights for all features of the entire project or system.” C.R.S. § 37-92-301(4)(b). The diligence period for the Subject Water Right is April 2020 through April 2026 (“Diligence Period”). During the Diligence Period, Genesee worked to develop the Subject Water Right, complete the appropriation, and place the water to beneficial use, as demonstrated by the following representative but non-exhaustive list of activities and expenditures: 4.1 Between April 1 and December of 2020, Genesee spent \$68,972 on a feasibility analysis and preliminary engineering related to increasing capacity in Genesee’s raw water storage system and spent \$37,100 to install a new raw water intake pump with new master metering. 4.2 Between January and December 2021, Genesee spent \$202,701 on design engineering, legal and geotechnical services for the Genesee Augmentation Reservoir No. 1 (“Reservoir No. 1”) expansion project and \$51,825 to replace two vertical turbine pumps and motors at its Larkspur Pump Station. 4.3 Between January and December 2022, Genesee spent \$1,298,651 on design engineering, construction and legal services, and for permits, state design review and equipment for its Reservoir No.1 expansion project and \$63,435 to replace two vertical turbine pumps and motors at its Base Pump Station. 4.4 Between January and December 2023, Genesee spent \$3,906,975 on design engineering and construction services and equipment for its Reservoir No. 1 expansion project and spent \$29,975 on a water supply yield analysis. 4.5 Between January and December 2024, Genesee spent \$975,645 on design engineering and construction services, equipment, and loan origination and interest during construction for its Reservoir No. 1 expansion project. Genesee also spent \$7,954 to install power and water level monitoring for Reservoir No. 2; \$10,224 to replace Pumps 1 and 2 for its Northridge Pump Station; \$29,193 for Phase 1 installation of new aerial power, control and security for its raw water intake system; and \$17,640 for engineering of new standby power for its water transmission and treatment systems. 4.6 Between January and December 2025, Genesee spent \$14,765 on

Phase 2 installation of new aerial power, control, and security for its raw water intake system; \$431,847 for construction services for the completion of new standby power for its water transmission and treatment systems; \$57,987 on standby power upgrades to include new Reservoir No. 1 pump and control systems; \$22,320 on a new pump house for Reservoir No.1 including pump equipment and power; \$57,987 on a new solar deep slow mixer installation for Reservoir No. 2; \$42,029 to replace and upgrade power and control for Dakota Well No.1 and a new well pump and motor for the well; and \$4,343 to replace its Jockey Pump Crossings Pump Station. 4.7 Between January and April 30, 2026, Genesee spent \$5,994 on repairs to the Dakota Well No.1 discharge piping; \$47,617 on a new Bear Creek intake pump; \$12,147 on rebuilding its Larkspur Pump Station vertical turbine pump, and \$5,169 on replacing the low flow pump at its Crossings Pump Station. 4.8 In total, Genesee spent approximately \$7,402,492 on capital expenditures to replace or improve its integrated water supply system. 4.9 Genesee incurred \$8,564,364 in expenses for the operation, maintenance, and repair of its drinking water and wastewater collection, treatment, and delivery systems. 4.10 Genesee spent approximately \$4,988,654 on administrative expenses, insurance and legal and engineering fees to protect, develop, and manage its water rights portfolio that includes the Subject Water Right. Such expenses include: (i) filing and prosecuting statements of opposition in Water Court to protect Genesee's water rights, including the Subject Water Right; (ii) preparing and prosecuting Water Court applications to maintain Genesee's water rights; (iii) developing and maintaining accounting records for its water rights portfolio, including the Subject Water Right; and (iv) engineering support for all of the above.

5. Names and addresses of owner(s) 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: Genesee is the owner of the land where Reservoir No. 2 is located and where the Subject Water Right will be stored. 6. Additional remarks: Genesee has other water rights that can be stored in Reservoir No. 2. Those other water rights are not the subject of this application and therefore, this application has no effect on Genesee's right to use water rights not specifically identified in this application. WHEREFORE, Genesee respectfully requests that the Court enter a decree finding that Genesee has exercised reasonable diligence toward completing the appropriation of the Subject Water Right and placing the water to beneficial use; and continuing the Subject Water Right in full force and effect for an additional diligence period.

CASE NUMBER 2026CW3059 PAHARA INSTITUTE AT LONE ROCK, D/B/A LONE ROCK FOUNDATION, 25587 Conifer Rd, Unit 105-117, Conifer, CO 80433. David S. Hayes, John D. Buchanan, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE PARTIALLY ABSOLUTE IN PARK COUNTY.** Description of conditional appropriative right of exchange: Name of exchange: Dozier Reservoir No. 3 Exchange Prior decree: The Dozier Reservoir No. 3 Exchange was originally adjudicated by the decree entered on April 17, 2020, by the District Court, Water Division No 1, Colorado, in Case No. 18CW3100. Upstream terminus: The upstream terminus is the Dozier Reservoir No. 3, located in the SW1/4 NE1/4 of Section 10, Township 7 South, Range 72 West, 6th P.M., whence the NW corner of said Section 10 bears N 59° W approximately 3,000 feet from the right abutment of the dam, as depicted on Exhibit A. Downstream terminus: The downstream terminus is the confluence of the North Fork of South Platte River and Roland Gulch, in the NW1/4 NE1/4 SE1/4 of Section 30, Township 7 South, Range 71 West, 6th P.M., at UTM coordinates (Zone 13N, NAD83) N: 4362211.83 (meters), and E: 467749.46 (meters), as depicted on Exhibit A. Rate and volume: 5 c.f.s., conditional, up to 3.0 acre-feet per year. Source of replacement water: Retreat Replacement Water, and/or releases of stored Retreat Replacement Water from Dozier Reservoir No. 2. Date of appropriation: June 29, 2018. Use: Storage for augmentation and replacement pursuant to the plan for augmentation approved by the decree entered in Case No. 18CW3100. Detailed outline of work done to complete project and apply water to beneficial use: The Dozier Reservoir No. 3 Exchange described is a component of Applicant's integrated water supply system. During the applicable Diligence Period (April 2020 to the present), Applicant has taken steps to diligently develop the subject exchange, including, without limitation, the activities listed below. This list is not intended to be all inclusive and may be supplemented by additional evidence at any hearing in this

matter. Applicant constructed and commenced operating the first phase of its conference and retreat campus and has engaged in ongoing planning for future phases. The plan for augmentation amended and approved in Case No. 18CW3100, including the subject exchange, supports the campus operations. Applicant shared in the costs to operate and maintain the Deer Creek stream gauge, integral to operation of Applicant's plan for augmentation and the administration of regional water rights. Applicant exercised the subject exchange in 2021 and 2025. Applicant has regularly coordinated its water operations with the Water Commissioner and has prepared and submitted annual accounting as required by the decree in 18CW3100. Applicant filed a statement of opposition in Case No. 20CW3118 to protect Applicant's water rights including the subject exchange, and eventually reached a stipulation with the applicant in that case. Applicant made improvements to the Dozier Reservoir No. 3, including installation of a flume, general maintenance, and obtained a capacity survey for the structure. Applicant is pursuing repairs of Dozier Reservoir No. 2, which structure can be utilized as a replacement source for the subject exchange. Applicant retained water rights engineering and legal consultants and expended substantial funds for the planning, development, operation, and protection of its water rights, including the subject exchange. The work and expenditures listed above are illustrative and not exhaustive. Additional work and additional or revised expenditures may be claimed in support of this application. Claim to make partially absolute: Between October 6, 2025 and October 31, 2025, Applicant, exchanged a total volume of 0.99 acre-feet to storage in Dozier Reservoir No. 3, at a rate of 0.042 c.f.s., pursuant to the conditional Dozier Reservoir No. 3 Exchange water right, thereby making said amount absolute. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant. WHEREFORE, Applicant respectfully requests that the Court enter an order (1) making the Dozier Reservoir No. 3 Exchange partially absolute, in the amount of 0.99 acre-feet and 0.042 c.f.s., (2) finding reasonable diligence for and continuing in full force and effect all remaining conditional amount of the Dozier Reservoir No. 3 Exchange described in Paragraph 2 above, and (3) granting such other relief as may be appropriate.

CASE NUMBER 2026CW3060 (17CW3104) GROVES FARMS AND RIVERVIEW FARMS, LLC (collectively "Applicants"). c/o Mike Groves, 21020 Rd. 6.5, Weldona, Colorado 80653, Email: grovesfarms@gmail.com, Telephone: (970) 768-0662. Direct all pleadings and correspondence to: Stuart B. Corbridge, Katherine Carter, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302, (303) 402-1600. Email: stuart.corbridge@bhgrlaw.com; katherine.carter@bhgrlaw.com. **APPLICATION TO MAKE PORTIONS OF GROUNDWATER RIGHTS ABSOLUTE AND FOR FINDINGS OF REASONABLE DILIGENCE IN MORGAN AND WELD COUNTIES.** 2. Names of structures. A. Groves Barker Well 1 (Permit No. 81729-F, WDID No. 0110925). B. Groves Barker Well 2 (Permit No. 82003-F, WDID No. 0110932) C. Groves Barker Well 3 (Not yet permitted) 3. Prior Decree and Conditional Water Rights. The groundwater rights described in this application (collectively the "17CW3104 Water Rights") were conditionally decreed on April 20, 2020, in Case No. 17CW3104, Water Court, Water Division One ("17CW3104 Decree"). This is the first application to make portions of the 17CW3104 Rights absolute and for findings of diligence for the remaining conditional portions. Groves Barker Well 1, Groves Barker Well 2, and Groves Barker Well 3 are at times referred to in this application as the "Barker Wells." 4. Description of Groundwater Rights. A. Legal Description of Wells. i. Groves Barker Well 1 is located in the SE1/4 NW1/4 of Section 26, Township 5 North, Range 60 West, 6th P.M., approximately 1,915 feet from the north section line and 2,010 feet from the west section line. NAD 83, Zone 13, Northing: 4469659, Easting: 579511 (Information obtained from 17CW3104 Decree). ii. Groves Barker Well 2 is located in the SE1/4 NW1/4 of Section 26, Township 5 North, Range 60 West, 6th P.M., approximately 2,260 feet from the north section line and 2,290 feet from the west section line. NAD 83, Zone 13, Northing: 4469558, Easting: 579600 (Information obtained from 17CW3104 Decree). iii. Groves Barker Well 3 will be located in the SW1/4 NW1/4 of Section 26, Township 5 North, Range 60 West, 6th P.M., approximately 2,580 feet from the north section line and 300 feet from the west section line. NAD 83, Zone 13, Northing: 4469458, Easting: 578990. B. Source. The source of water for the Barker Wells is

groundwater tributary to the South Platte River. C. Depth of Wells. i. Groves Barker Well 1: 75 feet ii. Groves Barker Well 2: 117 feet iii. Groves Barker Well 3: Not yet constructed. D. Dates of Appropriation. i. Groves Barker Well 1: July 31, 2017. ii. Groves Barker Well 2: October 31, 2017. iii. Groves Barker Well 3: August 30, 2019. E. Amounts. i. Groves Barker Well 1: 1,000 gallons per minute (“gpm”) (2.23 cubic feet per second - “cfs”) and up to 960 acre-feet annually, conditional. ii. Groves Barker Well 2: 1,000 gpm (2.23 cfs) and up to 960 acre-feet annually, conditional. iii. Groves Barker Well 3: 1,000 gpm (2.23 cfs) and up to 960 acre-feet annually, conditional. F. Uses. Groundwater diverted by the Barker Wells will be used for irrigation of up to 230 acres on the property owned by the Applicants. This acreage is located in portions of the SW1/4 of Section 23, the NW1/4 of Section 26, and the NE1/4 of Section 27, all in Township 5 North, Range 60 West, 6th P.M., Morgan County, Colorado. The location of the property, the wells, and the irrigated acres is shown on the map attached as Exhibit 1 to the 17CW3104 Decree. The wells will be used as a supplemental source of irrigation water on the described acreage. G. Land ownership information. The property is owned by the Applicants. 5. Claim to Make Absolute. During the subject diligence period running from August 1, 2017, through the date of filing this application, Applicants constructed Groves Barker Well 1 and Groves Barker Well 2 and diverted water under the 17CW3104 Water Rights as set forth below. Applicants claim the described pumping rates and annual volumes as absolute. A. Groves Barker Well 1 was operated in water years 2018, 2019, 2020, and 2021 pursuant to either temporary Substitute Water Supply Plan approvals or the augmentation plan (“04CW81 Plan”) decreed on November 24, 2014, in Case No. 04CW81, Water Court, Water Division 1 (“04CW81 Decree”). i. Amount: Since its construction, Groves Barker Well 1 has pumped groundwater for the decreed beneficial use at a maximum instantaneous pumping rate of 343.0 gpm. A total of 167.25 acre-feet was pumped during the administration period from November 1, 2020, through October 31, 2021. ii. Beneficial Use: Groundwater pumped from Groves Barker Well 1 was applied to the decreed irrigation use on the acres described in Paragraph 4.F, above. B. Groves Barker Well 2 was operated in water years 2018, 2019, 2020, and 2021 pursuant to either temporary Substitute Water Supply Plan approvals or the 04CW81 Plan. i. Amount: Since its construction, Groves Barker Well 2 has pumped groundwater for the decreed beneficial use at a maximum instantaneous pumping rate of 347.6 gpm. A total of 74.00 acre-feet was pumped during the administration period from November 1, 2017, through October 31, 2018. ii. Beneficial Use: Groundwater pumped from Groves Barker Well 2 was applied to the decreed irrigation use on the acres described in Paragraph 4.F, above. 6. Diligence Activities. During the subject diligence period, Applicants engaged in work and activities related to the development of the 17CW3104 Water Rights, including expenditures for the work and activities. As provided in paragraph 70 of the 04CW81 Decree, the water rights, structures, and plan for augmentation comprise an integrated system of water rights and structures under C.R.S. § 37-92-301(4)(b). In Case No. 17CW3104, the Barker Wells were added to the 04CW81 Plan as augmented structures. The development and use of the 17CW3104 Water Rights and the construction and operation of Groves Barker Well 1 and Groves Barker Well 2 are tied to the development and operation of Applicants’ integrated system. The following is a summary of the Applicants’ work during the subject diligence period on the 17CW3104 Water Rights and the integrated system and the Applicants’ efforts toward completion of the appropriations for the 17CW3104 Water Rights and application of water to beneficial use. Expenditures related to this work are also summarized in this paragraph. The Applicants are private farming entities and must allocate available resources, including time, manpower, and finances, to development of both the 17CW3104 Water Rights and operation and maintenance of the 04CW81 Plan, the water rights decreed in Case No. 04CW81, and the described integrated system in a manner that best meets the requirements of annual farming operations. The work, other activities, and expenditures identified in this application are not all inclusive and Applicants reserve the right to provide evidence of other work, activities, and expenditures incurred during the subject diligence period during the proceedings for this application. A. Work to Develop the 17CW3104 Water Rights. i. During the subject diligence period the Applicants prosecuted the application filed in Case No. 17CW3104 to completion. Applicants had expenditures related to Case No. 17CW3104 and to the property where the Barker Wells are located (“Barker Property”). ii. Applicants obtained a monitoring well permit for the Groves Barker Well 1 structure on August 14, 2017, completed construction of the well on August 24, 2017, and obtained Permit No. 81729-F for this well on February 13, 2018. These

activities included expenditures for legal and engineering work to obtain the described permits and for the siting, construction, and operation of the well. iii. Applicants obtained a monitoring well permit for the Groves Barker Well 2 structure on October 10, 2017, completed construction of the well on March 28, 2018, and obtained Permit 82003-F for this well on May 10, 2018. These activities included expenditures for legal and engineering work to obtain the permits and for the siting, construction, and operation of the well. iv. Applicants prepared and submitted Substitute Water Supply Plans for the temporary operation of Groves Barker Well 1 and Groves Barker Well 2 in 2017, 2018, and 2019 and operated the wells pursuant to the approvals for those Substitute Water Supply Plans. These activities included expenditures for legal and engineering work to prepare the Substitute Water Supply Plans. B. Work to Develop the Remaining Portions of the Groves Pipeline and Remaining Recharge Ponds. At the time of entry of the 04CW81 Decree, portions of the Groves Pipeline and 8 of the recharge ponds decreed in Case No. 04CW81 (“Recharge Ponds”) had not been constructed. During the subject diligence period the Applicants continued to pursue the full development of the Groves Pipeline and the remaining Recharge Ponds by: 1) continuing to discuss project planning with their legal and engineering consultants; and 2) investigating potential land purchases and other land use issues related to the pipeline routing and the Recharge Pond locations. This work included expenditures for consultant time and planning development. C. Filing of the Application in Case No. 20CW3181. During the subject diligence period, Applicants filed an *Application for Findings of Reasonable Diligence and to Make Absolute* in Case No. 20CW3181, Water Court, Water Division 1. This application sought to make portions of water rights decreed in Case No. 04CW81 absolute and findings of diligence with respect to the remaining conditional portions of the rights confirmed in the 04CW81 Decree. Applicants obtained a decree in Case No. 20CW3181, dated June 3, 2021. D. Operation of the 04CW81 Augmentation Plan. Applicants operate the 04CW81 Plan annually, including accounting and projections required under the plan, obtaining leased replacement water sources, filing required Notices of Use for added replacement sources, operating wells included in the 04CW81 Plan, including Groves Barker Well 1 and Groves Barker Well 2, and conducting agricultural irrigation and cattle operations. E. Expenditures. The following is a summary of expenses incurred by Applicants during the subject diligence period for work related to the 17CW3104 Water Rights, the water rights confirmed in the 04CW81 Decree, the 04CW81 Plan, and the Applicants’ integrated system. i. 17CW3104 Water Rights. Applicants spent approximately \$167,000.00 on development of the Barker Property, the Groves Barker wells, and the 17CW3104 Water Rights. ii. Operation and Maintenance of Groves Pipeline and 04CW81 Plan for Augmentation. Applicants spent approximately \$998,000.00 on items and activities related to the operation and maintenance of the Groves Pipeline and wells included in the 04CW81 Plan, including expenditures for electrical charges. Applicants also spent approximately \$225,500.00 to lease and use replacement water sources in the 04CW81 Plan. iii. Engineering and Legal Consultants. Applicants spent approximately \$210,000.00 on water engineering consultants for work to develop the 17CW3104 wells and the 17CW3104 Water Rights and work on operations of and accounting for the 04CW81 Plan and other engineering consultant work related to the Groves Pipeline and development of the remaining portion of the pipeline and the Recharge Ponds. Applicants also incurred expenses of approximately \$104,000.00 for work by legal consultants related to development of the 17CW3104 Water Rights, the water rights confirmed in the 04CW81 Decree, the 04CW81 Plan, and the Applicants’ integrated system. 7. Continuing Need for Conditional Water Rights. Applicants have a continuing need for all of the 17CW3104 Water Rights, including the remaining conditional portions, at the full decreed diversion rates and annual volumes, and maintain their intent to develop and put the 17CW3104 Water Rights to the decreed beneficial uses at the decreed diversion rates and up to the annual volume limits. Applicants seek entry of a decree by the Court confirming that they have been reasonably diligent in the development of the remaining conditional portions of the 17CW3104 Water Rights during the subject diligence period. 8. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. No new structures or modification to any existing structures is sought by this application. Applicants own the structures identified in this application. WHEREFORE, Applicants seek entry of a decree confirming: 1) that Applicant has made the 17CW3104

Water Rights absolute at the pumping rates and annual volumes described in Paragraph 5 for Groves Barker Well 1 and Groves Barker Well 2; and 2) that Applicants have exercised reasonable diligence toward completion of the appropriations for the remaining conditional portions of the 17CW3104 Water Rights; and continuing the remaining portions of the conditional water rights in full force and effect for another six-year diligence period. 9 pages.

CASE NUMBER 2026CW3061 (19CW3195; 96CW241; 81CW436) JPV ENTERPRISES LLC (“Applicant”), Attn: Patricia Vickland, Manager, 15260 North 83rd St., Longmont, Colorado 80503; Telephone: (303) 502-4819; E-mail: ttherapyctr@aol.com. Please direct all correspondence concerning this Application to: Andrea A. Kehrl, Esq. and Bradley N. Kershaw, Esq., Lyons Gaddis, P.C., P.O. Box 978, Longmont, CO 80502-0978; Telephone: (303) 776-9900; E-mail: akehrl@lyonsgaddis.com and bkershaw@lyonsgaddis.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN BOULDER COUNTY. 2. Summary of the Application: A. Information from Previous Decrees:** i. The original decree was entered in District Court, Water Division No. 1 in Case No. 81CW436 on April 12, 1982. ii. A diligence decree was entered in the District Court, Water Division No. 1 in Case No. 86CW111 on October 1, 1990. iii. A diligence decree was entered in the District Court, Water Division No. 1 in Case No. 96CW241 on May 14, 1997. iv. A diligence decree was entered in the District Court, Water Division No. 1 in Case No. 19CW3195 on April 8, 2020. **B. Descriptions of Conditional Water Rights:** i. **Name of Structures:** Darby Seepage Ditch No. 1, Darby Seepage Ditch No. 2 and Darby Reservoir No. 1 (collectively the “Subject Water Rights”). As described further below, all three structures for the Subject Water Rights are located on the Applicant’s property, which is located at 15260 N. 83rd St., Longmont, Colorado (Boulder County Assessor Parcel No. 120506000036) (the “Property”).ii. **Locations:** a. Darby Seepage Ditch No. 1 is located in the SE1/4, Section 1, T3N, R70W, 6th P.M., Boulder County, Colorado, at a point approximately 180 feet west of the east section line and approximately 1,220 feet north of the south section line of said Section 1. See **EXHIBIT A** for location of structure. b. Darby Seepage Ditch No. 2 is to be located in the NE1/4, SW1/4, Section 6, T3N, R69W, 6th P.M., Boulder County, Colorado, at a point approximately 2,400 feet east of the west section line and approximately 2,350 feet north of the south section line of said Section 6. See **EXHIBIT A** for location of structure. c. Darby Reservoir No. 1 is to be located in the N1/2, SW1/4, Section 6, T3N, R69W, 6th P.M., Boulder County, Colorado. The left abutment of the dam is to be located in the NW1/4, SW1/4, Section 6, T3N, R69W, 6th P.M., Boulder County, Colorado, at a point approximately 1,150 feet east of the west section line and approximately 2,500 feet north of the south section line of said Section 6. See **EXHIBIT A** for location of structure. iii. **Source:** Surface water which is either a part of, or represents water moving toward, an unnamed tributary of the Little Thompson River. The unnamed tributary runs along a southwest-northeast line through the SW1/4, Section 6, T3N, R69W, 6th P.M., Boulder County, Colorado. The water originates from seepage, waste, drainage and tail water associated with natural precipitation, irrigation operations and water storage operations in areas surrounding the above-described points of diversion. iv. **Appropriation dates and amounts:** a. Darby Seepage Ditch No. 1 – June 15, 1955, 0.5 cfs ABSOLUTE, 1.5 cfs, CONDITIONAL b. Darby Seepage Ditch No. 2 – May 31, 1980, 2.0 cfs, CONDITIONAL c. Darby Reservoir No. 1 – June 15, 1955, 30 acre feet, CONDITIONAL, with the right to fill and refill. v. **Uses:** a. Darby Seepage Ditch No. 1 – Domestic, stock watering and irrigation. b. Darby Seepage Ditch No. 2 – Domestic, stock watering and irrigation. c. Darby Reservoir No. 1 – Irrigation, stock watering, domestic, piscatorial, recreational, wildlife propagation and fire protection. **3. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** During the subject diligence period running from October 10, 2019 through the date of filing this Application (“Diligence Period”), Applicant engaged in activities and incurred costs, including but not limited to those activities and costs described in this Paragraph 3, related to the development and use of the Subject Water Rights. The activities and costs identified herein are not exhaustive, and Applicant reserves the right to provide evidence of other work done and costs incurred during the Diligence Period as this case proceeds. **A.** Throughout the Diligence Period, Applicant has engaged in activities and incurred costs related to maintaining the structures associated with the Subject

Water Rights, including phreatophyte removal, removal of fallen trees throughout the unnamed tributary, removing trees from the reservoir site, ditches, and access road; **B.** In October 2022 and November 2022, Applicant engaged legal counsel and engineering consultants to prepare and send correspondence and conduct site visits to a neighboring property regarding the owners' unlawful impoundment of water on the unnamed slough which is the source of the Subject Water Rights; **C.** In 2024, Applicant solicited bids for dredging out the reservoir site associated with Darby Reservoir No. 1, and has a continuing intent to complete this work upon her return to the Property as noted in Paragraph 3.F below; **D.** During the Diligence Period, Applicant re-seeded and has maintained the fields to the west of the unnamed slough that is the source of the Subject Water Rights to help prevent erosion of the slough and the reservoir site associated with Darby Reservoir No. 1; **E.** During the Diligence Period, Applicant commissioned engineering consultants to complete an updated water availability analysis for the period of 2019 through 2025, which demonstrated that water was legally available in-priority to the Subject Water Rights an average of 109 days per year; **F.** In May 2025, the Manager of JPV Enterprises LLC suffered serious and life-threatening injuries after being trampled by a cow, and remained hospitalized for nearly a year. Due to the hospitalization and serious injuries suffered, and the resulting expenses, Applicant was unable to complete the dredging of the reservoir site described above, but intends to complete this work as soon as possible; **G.** In March 2026, Applicant commissioned a site visit with engineering consultants to evaluate the Subject Water Rights and their associated structures and sources; and **H.** During the Diligence Period, Applicant has continued to engage legal counsel and engineering consultants to review and maintain, including by site visits, the structures and sources associated with the Subject Water Rights, and to protect and support the Subject Water Rights from injury, including, but not limited to, the preparation of this Application, and Applicant has incurred costs related to same (approximately \$6,800 for legal support and approximately \$1,750 for engineering consultant support during the Diligence Period). **4. Continuing Need and Intent for the Subject Water Rights:** Applicant has a continuing need for all of the water decreed to the Subject Water Rights and has a continuing plan and intent to develop and put to beneficial use the Subject Water Rights, up to their full decreed amounts and volumes, and has no intention to abandon same. **5. Name 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:** **A.** All three structures are located on Applicant's Property. **WHEREFORE,** Applicant respectfully requests that this Court enter a decree: (1) finding that Applicant has exercised reasonable diligence in the development of the Subject Water Rights; (2) continuing the Subject Water Rights in full force and effect as decreed for an additional diligence period; and (3) for such other and further relief as this Court deems just and proper. (7 pgs., 1 Exhibit)

CASE NUMBER 2026CW3062 PRI #2, LLC ("Applicant"), 2138 Flying Horse Club Drive, Colorado Springs, Colorado 80921. Please forward all correspondence or inquiries regarding this matter to Attorneys for Applicant: Alan G. Hill; Ashley Pollock Zahedi; Nicoli R. Bowley; CURTIS, JUSTUS, & ZAHEDI, LLC, 1333 W. 120th Ave., Suite 302, Westminster, Colorado 80234; Tele: (303) 595-9441; alanh@cjzwaterlaw.com; ashleyz@cjzwaterlaw.com; nicolib@cjzwaterlaw.com. **APPLICATION FOR USE OF GROUNDWATER RIGHTS AND APPROVAL OF A SUPPLEMENT TO PLAN FOR AUGMENTATION FOR USE OF NONTRIBUTARY GROUNDWATER IN EL PASO COUNTY.**

2. Background. a. Applicant owns certain groundwater rights underlying approximately 701 acres, more or less, located generally in Sections 30 and 31, Township 11 South, Range 65 West of the 6th P.M., in El Paso County, which were decreed in Case No. 94CW023(B), Water Division No. 1 (entered June 12, 1996), which amended an original decree in Case No. 85CW446, Water Division No. 1. b. Applicant also owns approximately 640 acres located generally in Section 36, Township 11 South, Range 66 West of the 6th P.M., in El Paso County. Applicant's predecessor-in-interest entered a Groundwater Production Lease, No. OT- 109328, with the State Board of Land Commissioners, pursuant to which Applicant leased the not nontributary and nontributary groundwater underlying the 640 acres, decreed in Case No. 04CW098, Water Division No. 1 (entered May 24, 2005) through February 27, 2048. On that date, all the groundwater rights

revert to the Applicant. c. Applicant also owns certain groundwater rights underlying approximately 71 acres located in Sections 34 and 35, Township 11 South, Range 66 West of the 6th P.M., in El Paso County, which were decreed in Case No. 85CW131, Water Division No. 2 (entered May 18, 1988). The land described in paragraphs 2.a, 2.b, and this paragraph are referred to collectively as “Flying Horse North Parcels.” d. The decrees entered in Case Nos. 16CW3190 and 18CW3185, Water Division No. 1, approved a plan for augmentation, and amendment to the plan for augmentation, for 283 Dawson Aquifer not nontributary wells to serve 283 single family lots, including in-house and irrigation use, located within the Flying Horse North Parcels (“Augmentation Decrees”). e. Applicant also owns certain groundwater rights underlying approximately 99.33 acres located in Section 31, Township 11 South, Range 65 West of the 6th P.M., in El Paso County, Colorado (“Way/Crisler Parcel”), which were decreed in Case No. 24CW3169, Water Division No. 1 (entered December 22, 2025) (“24CW3169 Decree”). f. The 24CW3169 Decree adjudicated: (i) 87.4 acre-feet (based on a 100-year aquifer life), or 29.1 acre-feet (based on a 300-year aquifer life) from the not nontributary Dawson Aquifer underlying the Way/Crisler Parcel; (ii) 86.11 acre-feet (based on a 100-year life) from the nontributary Denver Aquifer; (iii) 38.0 acre-feet (based on a 100-year life) from the nontributary Arapahoe Aquifer; and (iv) 28.3 acre-feet (based on a 100-year life) from the nontributary Laramie-Fox Hills Aquifer (collectively, the “Way/Crisler Adjudicated Water Rights”). g. Of the 29.1 acre-feet from the Dawson Aquifer adjudicated in the 24CW3169 Decree, 21.36 acre-feet was used to supplement the plans for augmentation approved in the Augmentation Decrees for an additional 29 Dawson Aquifer not nontributary wells to serve 28 single family lots and a horse facility located on the Way/Crisler Parcel. h. The Way/Crisler Parcel is contiguous to the Flying Horse North Parcels overlying the not nontributary and nontributary groundwater. The Way/Crisler Parcel and Flying Horse North Parcels are collectively referred to as “Applicant’s Property.” A map of Applicant’s Property is attached as **Exhibit A**, and a legal description is attached as **Exhibit B**. 3. **Purpose of Application.** By this Application, Applicant seeks: a. Approval for the use of the Way/Crisler Adjudicated Water Rights anywhere on Applicant’s Property, as necessary. b. To supplement the plans for augmentation approved in the Augmentation Decrees for the use of the remaining 7.74 acre-feet of not nontributary Dawson Aquifer water adjudicated in the 24CW3169 Decree for an additional 11 Dawson Aquifer wells to provide water for up to 11 single family residential lots located on the Applicant’s Property. 4. Depletions from the operation of the Dawson Aquifer wells for which approval is sought may impact both the South Platte River and Arkansas River basins. Applicant is filing this application in both Water Division No. 1 and Water Division No. 2, and will, after the time for statements of opposition to be filed has run, seek to consolidate the cases. 5. The Water Court has jurisdiction over this application pursuant to C.R.S. § 37-90-137(4) and (9). 6. Applicant owns the property described herein. To the extent that Applicant’s Property is not free and clear of all liens or encumbrances, Applicant shall provide certification of its compliance with the lienholder notice provisions set forth in C.R.S. §§ 37-92-302(2)(b) and 37-90-137(4)(b.5)(I). **APPROVAL OF USE OF THE WAY/CRISLER ADJUDICATED WATER RIGHTS ON APPLICANT’S PROPERTY** 7. The 24CW3169 Decree limits Applicant’s use of the Way/Crisler Adjudicated Water Rights to uses within the Way/Crisler Parcel, namely, for the individual wells for single family lots or a central water system. See 24CW3169 Decree ¶¶ 9, 19. 8. Applicant seeks approval for the use of the Way/Crisler Adjudicated Water Rights, including the 21.36 acre-feet used to serve 28 single family lots on the Way/Crisler Parcel, both on the Way/Crisler Parcels and the Flying Horse North Parcels. The Way/Crisler Parcel is contiguous to the Flying Horse North Parcels. 9. The Way/Crisler Adjudicated Water Rights will be augmented pursuant to the 24CW3169 Decree and Augmentation Decrees, including augmenting the depletions associated with the operation of not nontributary Dawson Aquifer wells through septic return flows, and providing post-pumping replacement water from nontributary Laramie-Fox Hills Aquifer and Denver Aquifer groundwater underlying the Way/Crisler Parcel and adjudicated in the 24CW3169 Decree. 10. Applicant will not construct wells located within 600 feet of any permitted or existing well in the same aquifer, except other wells included within the 24CW3169 Decree or Augmentation Decrees and except as otherwise allowed by statute or rules and regulations. **APPROVAL OF A PLAN FOR AUGMENTATION FOR THE USE OF NOT NONTRIBUTARY DAWSON AQUIFER GROUNDWATER** 11. **Names of Structures to be Augmented.** a. The structures to be augmented are

individual Dawson Aquifer wells to be located within the Applicant's Property for a maximum of 11 single family lots. A well into the Dawson Aquifer will be completed on each lot to serve the domestic and irrigation demands of that lot. b. Well permit applications have not been submitted at the time of this application. Applicant has not determined the specific locations for all the wells required to withdraw groundwater from the Dawson Aquifer; however, each well will be constructed within the Applicant's Property and each well will be designed so that it withdraws water from the Dawson Aquifer. Applicant requests the right to locate the wells required to withdraw its entitlement from the Dawson Aquifer at any point within the Applicant's Property without the necessity of republishing or petitioning the Court for the reopening of any decree. 2 CCR 402-7, Rule 11. 12. **Statement and Description of Plan for Augmentation.** a. **Source of Augmentation Water.** i. The augmentation sources will be the fully augmented not nontributary groundwater in the Dawson Aquifer and the nontributary groundwater in the Denver Aquifer decreed in the 24CW3169 Decree. Such sources may be available by direct discharge to the stream system, by percolation and return to the stream system after domestic use, including septic systems and irrigation return flows. b. **Augmentation and Replacement of Depletions.** i. Stream Systems Affected. Cherry Creek and tributaries of Cherry Creek, tributary to the South Platte River, and Monument Creek and tributaries of Monument Creek, tributary to the Arkansas River. ii. Replacement of Depletions During Pumping Period. 1. Assuming that the development will achieve return flows of 90% of the water used in-house and a minimum of 10% of the water used for irrigation purposes, the total combined return flows at full build-out will exceed the required augmentation amount, including the amounts claimed herein for stock watering. 2. The domestic return flows will be adequate in quantity to replace depletions caused by the withdrawals of not nontributary groundwater from the Dawson Aquifer during the period addressed by this plan. 3. Excess Return Flows. To the extent that lawn irrigation and domestic effluent returns exceed the quantities needed to fully augment all projected stream depletions, Applicant reserves the right to apply for alluvial wells in the Cherry Creek and Monument Creek basins to recapture and reuse such excess returns. iii. Replacement of Depletions During the Post-Pumping Period. 1. Applicant reserves the right to claim and demonstrate that the impact of post-pumping depletions are wholly de minimis and non-injurious and need not be replaced under the law. C.R.S. § 37-90-137(9). 2. Assuming that such additional depletions may be determined to be injurious and replacement is required, Applicant will reserve for such purpose the nontributary groundwater in the Denver Aquifer (2,111.2 acre-feet) pursuant to the 24CW3169 Decree. Such quantity is sufficient to fully replace all water withdrawn under this supplemental plan for augmentation. c. **Summary of Augmentation Plan.** i. The planned development will require up to 7.74 acre-feet per year to be produced from the Dawson Aquifer. Return flows from uses of such groundwater will exceed the annual depletions and will, therefore, adequately replace all projected depletions. ii. To the extent that a "shortfall" in actual return flows occurs in any given time period during the first 300 years of operation, adequate nontributary groundwater reserves exist to compensate for such shortfall. 13. **Administration of Plan for Augmentation.** The Applicant or any successor in interest shall install and maintain such measuring devices and maintain such accounting forms as necessary to demonstrate the adequacy of Applicant's augmentation efforts as a minimum requirement for administration of its augmentation obligations hereunder. Applicant shall make reports to the Division Engineer as required. 14. **Application Filed in Water Division No. 1 and No. 2.** This Application is being filed in Water Division No. 1 and Water Division No. 2 because depletions from the pumping of the Dawson Aquifer may occur in both the South Platte River and Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system where the majority of stream depletions will occur. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte River as set forth herein, and for a finding that those replacements are sufficient. 15. **Retained Jurisdiction.** a. Applicant requests the Court to retain jurisdiction for a period to be determined after the entry of the decree to protect against injury to other water rights. Applicant requests that any party or entity invoking such retained jurisdiction must make a prima facie case that injury to its water rights has been actually caused by Applicant's withdrawals or operation of this plan for augmentation. b. Further, Applicant requests that the Court retain jurisdiction to resolve any controversy which may arise with respect to well construction, well location(s), and amount, timing, and location of replacements

hereunder. c. Finally, Applicant requests the Court to retain jurisdiction to allow Applicant to file a separate application for the recapture and reuse of the excess return flows. (7 pages, 2 exhibits)

CASE NUMBER 2026CW3063 CRYSTAL LAKES WATER AND SEWER ASSOCIATION, 241 Blackfoot Red Feather Lakes, CO 80545 (Please address all correspondence and inquiries regarding this matter to Applicant's Attorney: Robert F.T. Krassa, Krassa & Miller, LLC, 2300 Canyon Blvd, Boulder CO 80302, 303-442-2156 **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER COUNTY. Name of the structure:** Upper Lone Pine Lake, (Second Enlargement) a reservoir **3. Describe conditional water right: a. Date of original decree:** May 25, 1995; Case 91CW116, in this Court. **b. Subsequent diligence decrees:** 01CW216 entered June 7, 2005, 11CW110 entered May 21, 2013 and 19CW3093 entered April 8, 2020, all in this Court. **c. Location:** SE1/4 NE 1/4, Section 23, Township 10 North, Range 74 West of the 6th P.M., Larimer County. Dam axis crosses stream at a point which bears South 13 deg 23 min 30 sec West 1597.4 feet from the Northeast corner of said Section 23. **d. Source of Water:** North Lone Pine and Killpecker Creeks, tributary to Cache la Poudre River. (Note: spelling of Killpecker is correct per said Decree in Case 91CW116 and the USGS Geographic Names Information System.) Crystal Lakes in Case 09CW185 stipulated with Red Feather Storage and Irrigation Company and Cache la Poudre Waters Users Association to the following provision: "Applicant will not use, divert or store water from Killpecker Creek in either Upper Lone Pine Lake reservoir or Lower Lone Pine Lake reservoir except by further written agreement with Red Feather Storage and Irrigation Company, and such stipulation is approved and confirmed by the Court. Further judicial approval shall be required before any such use, diversion or storage of water from Killpecker Creek in either Upper Lone Pine Lake reservoir or Lower Lone Pine Lake reservoir." **e. Appropriation Date:** October 14, 1989 **f. The amount of water:** 125.16 acre feet remain CONDITIONAL after 26.62 acre feet of the original 151.79 acre feet were made absolute by decree of this Court in Case 17CW3061 dated August 16,2018. In that decree, the Court made absolute the entire Original and First Enlargement storage rights for Upper Lone Pine Reservoir, and also made absolute 26.63 acre feet of the Second Enlargement storage right which is the subject of the present diligence application. The 17CW3061 decree provides at paragraph 203.b, "As to the Second Enlargement Decree storage right, 26.63 acre feet thereof have been made absolute herein, and no further diligence proceedings or findings are required to keep the water right for that 26.63 acre feet in full force and effect as an absolute water right. 125.16 acre feet of the originally decreed 151.79 acre feet of the Second Enlargement Storage Right remain conditional." **g. Use:** Municipal, irrigation, recreation, fish and wildlife propagation, augmentation and replacement. **h. Alternate storage location.** The above location information is from the decree in said case 91CW116. On November 22, 2011, this Court issued its Decree in Case 09CW185 approving the site of Lower Lone Pine Reservoir as an alternate storage location for the original, first and second enlargement storage rights of Upper Lone Pine reservoir. That location is described in said decree as follows: The axis of the dam for the enlarged reservoir will cross the thread of Lone Pine Creek at a point which is 485 feet from the east line and 1270 feet from the south line of Section 7, Township 10 North, Range 73 West of the 6th P.M. in Larimer County. Accordingly, all references herein to water storage rights of Upper Lone Pine Reservoir apply equally to alternate site Lower Lone Pine Reservoir. **4. Provide a detailed outline of what has been done toward completion or for completion of appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** Planning, investigations, litigation and negotiations for protecting the water rights necessary to the implementation of the water development plan for Applicant's service area have been continuing since the last diligence decree concerning the subject water right, including the following: **a. The 11th Filing treatment plant** has been upgraded, and work on a larger treatment plant for that Filing is ongoing, with expenditures exceeding \$ 65,000 at this time. **b. Planning for use** of the remaining conditional subject water right along with other of Applicant's water rights as part of the Jenny Creek/North Lone Pine Reservoir Project is ongoing, including the attached Feasibility Analysis of Constructing the Upper Lone Pine Reservoir Pursuant to the Conditional Water Right Granted in Case 91CW116, by LWS/Moore Engineering, Inc. That report is filed herewith as Exhibit A and is incorporated herein by this reference. **c. In addition, Applicant has defended its water rights** during this diligence period by participating as an

Opposer in Alvin Johnson Case 20CW0030 which concluded in May 2022, using the services of engineers and water counsel. **d. The original decree** for the subject water right as entered in said Case 91CW116 provides as follows at paragraph 15 thereof: “Upper Lone Pine Reservoir is a component of an integrated municipal water system, which is generally described in the above-referenced amended decree in consolidated Case Nos. W-7631 and W8540. The conditional water storage right granted in this decree will form a part of an integrated water system which will serve the municipal requirements of Applicant as stated. The system is to be constructed pursuant to a phased development program over a considerable period of time. Large expenditures of funds will be required for development of the system and each reservoir and other part of the system will be constructed as it is needed pursuant to such phased development program. So long as this water storage right is being pursued by Applicant, as part of its municipal water supply system, expenditures on other portions of such system including by way of example and not of limitation, other reservoirs, central wells, and water conveyance facilities, will satisfy the requirement to demonstrate the reasonable diligence concerning this water storage right.” **e. Applicant has in all respects diligently worked** toward placing the subject conditional water right to beneficial use. **5. Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool.** Applicant.

CASE NUMBER 2026CW3064 KRYSTAL L. STEARNS, 1747 Redbank Drive, Colorado Springs, CO 80921; Please direct all correspondence concerning this application to: Chris D. Cummins, and W. James Tilton, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, CO 80921; Telephone Number: (719) 471-1212; Email: cdc@cowaterlaw.com; wjt@cowaterlaw.com. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN EL PASO COUNTY.** Krystal Stearns (hereafter “Applicant”) seeks to construct up to fourteen (14) wells to the non-tributary Dawson aquifer to provide water service to an equivalent number of lots, based on an anticipated subdivision of Applicant’s approximately 75.12 acres parcels of land. Applicant seeks a plan for augmentation utilizing the groundwater beneath Applicant’s property for the use therefore on the overlying land. **Property Description.** All wells will be located on Applicant’s approximately 40 acre property (“Applicant’s 40 Acres”), while the lots will be located on both this property and Applicant’s adjacent approximately 35.12 acre parcel, being a collective 75.12 acres (collectively “Applicant’s Property”) anticipated to be subdivided into up to twenty-four (24) lots total, with current schedule number 610000378 and 510000504. Applicant’s Property is depicted on the attached **Exhibit A** map, located in the SE1/4 NE1/4 of Section 25, Township 11 South, Range 66 West of the 6th P.M., more particularly described as 0 Farrar Drive, Colorado Springs, CO 80908., and in the W1/2 NW1/4 Section 30, Township 11 South, Range 65 West of the 6th P.M. **Proposed Wells.** Applicant proposes that up to fourteen (14) wells will be located on the Applicant’s 40 Acres at specific locations not yet determined (“Stearns Well Nos. 1 through 14”), each to be constructed to the Dawson aquifer (one well per lot subject to this augmentation plan). **Land Ownership.** The land upon which the proposed wells will be constructed is owned by Applicant, Krystal Stearns, as evidenced by the Quitclaim Deed recorded with El Paso County Clerk and Recorder on June 9, 2025, at reception no. 225048418. **Exhibit B.** Applicant also owns the adjacent 35.12 acre parcel, as evidenced by the Quitclaim Deed recorded with El Paso County Clerk and Recorder on June 9, 2025, at reception no. 225048419. **Exhibit C. Water Ownership.** The groundwater beneath Applicant’s 40 Acres was previously adjudicated in Water Court case 2016CW3000, and subsequently conveyed to Applicant by Special Warranty Deed recorded with El Paso County Clerk and Recorder on December 16, 2020, at reception no. 220206172. **Exhibit D. Not-Nontributary.** The ground water to be withdrawn from the Dawson aquifer underlying the Applicant’s Property is not-nontributary. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in the Dawson aquifer will require the replacement of actual stream depletions. **Nontributary.** The groundwater that will be withdrawn from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant’s 40 Acres is

nontributary. Estimated Rates of Withdrawal. Pumping from the wells will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Annual Amounts of Ground Water Available Pursuant to Decree 16CW3000. Applicant requests a vested right for the withdrawal of all legally available ground water in the Denver Basin aquifers underlying the Applicant's Property. Said amounts may be withdrawn over the 300-year life of the aquifers as required by El Paso County, Colorado Land Development Code § 8.4.7(C)(1) which is more stringent than the State of Colorado's 100-year life requirement pursuant to C.R.S. § 37-90-137(4). Based upon Water Division 2 Decree 16CW3000 Applicant owns the following average annual amounts of the Denver Basin aquifers underlying Applicant's 40 Acres:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre Feet)	Annual Avg. Withdrawal 100 Years (Acre Feet)	Annual Avg. Withdrawal 300 Years (Acre Feet)
Dawson (NNT)	490	3,920 ¹	39.2	13.06
Denver (NT)	525	3,570	35.7	11.9
Arapahoe (NT)	230	1,560	15.6	5.3
Laramie Fox Hills (NT)	195	1,170	11.7	3.9

Pursuant to C.R.S. § 37-92-305(11), the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. Requested Uses. The Applicant requests the right to use the groundwater for beneficial uses upon the Applicant's Property consisting of domestic, commercial, industrial, irrigation, domestic animal and livestock watering, fire protection, equestrian facilities, and also for storage and augmentation purposes associated with such uses. The Applicant also request that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant's Property subject, however, to the requirement of C.R.S. § 37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicant shall only be entitled to construct wells or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of the not-nontributary Dawson aquifer in accordance with C.R.S. § 37-90-137(9)(c.5). Well Fields. Applicant requests permission to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant's Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests the entitlement to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Applicant's Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant's Property. Owner of Land

¹ The 16CW3000 Decree reserved 400 acre feet of groundwater for a well associated with well permit no. 252500 on Applicant's Property. That well was never drilled and Applicant is including that groundwater in the calculation of available water supply for this augmentation plan.

Upon Which Wells are to Be Located. The land upon which the wells will be located as well as the underlying groundwater is owned by the Applicant. Statement of Plan for Augmentation. Applicant seeks approval of a plan for augmentation to allow it to utilize the not-nontributary Dawson aquifer underlying the property described herein, including following potential subdivision thereof. All wells to the not-nontributary Dawson aquifer will, during the pumping life of such wells, be augmented by septic return flows resulting from domestic uses, with post pumping depletions provided by pumping of the nontributary Denver and Arapahoe aquifers. Structures to be Augmented. The structures to be augmented are the Stearns Well Nos. 1 through 14, along with any replacement or additional wells associated therewith, as likewise may be constructed to the Dawson aquifer of the Denver Basin underlying the Applicant's 40 Acres as requested and described herein. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from the Stearns Well Nos. 1 through 14, together with water rights from the nontributary Denver and Arapahoe aquifers for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by Stearns Well Nos. 1 through 14, together with water rights from the nontributary Denver and Arapahoe aquifer for any injurious post pumping depletions. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: Household Use Only: 0.26 acre-feet annually within single-family dwellings on up to all fourteen of the lots serviced with Dawson aquifer wells pursuant to this augmentation plan, with a maximum of ten percent consumptive use based on non-evaporative septic leach field disposal systems. Landscape Irrigation: 0.0566 acre-feet annually per 1,000 square feet (2.18 acre feet per acre) per year, presumed to be a fully consumptive use. The annual consumptive use for each 1,000 square feet of lawn and garden irrigated is therefore 0.048 acre-feet. Horses (or equivalent livestock): 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. Amounts. Stearns Well Nos. 1 through 14 will each pump a maximum of 0.82 acre-feet per year per lot, or a maximum total of 11.48 acre-feet shall be withdrawn from the Dawson aquifer per year. Such use shall be a combination of household use, irrigation of lawn, garden, and greenhouse, and the watering of horses or equivalent livestock, and other permitted uses described in paragraph III.D., above. An example breakdown of this combination of use, utilizing the factors described above in paragraph IV.D.1., is 0.26 acre feet for a residence on each of the fourteen lots (total of 3.64 annual acre feet), outside irrigation of lawn, garden, and greenhouses at each lot (total of 8.05 annual acre feet), and up to twenty-eight (28) horses or equivalent livestock between the fourteen lots (0.308 annual acre feet). Depletions. Applicant has estimated, based on the State's determination on an adjacent parcel, that depletions over the 300-year pumping period for the Dawson aquifer amount to approximately 21.83% of pumping. Maximum annual depletions for total pumping from all wells are therefore 2.506 acre-feet in year 300 (i.e. 21.83% of pumping). Should Applicant's pumping be less than the 11.48 total per year described herein, resulting depletions and required replacements will be correspondingly reduced, so long as depletions resulting from pumping are adequately replaced. Augmentation of Depletions During Pumping. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual stream depletions attributable to pumping of the up to fourteen (14) residential wells subject to this augmentation plan. Applicant's consultant has determined that depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. Using a conservative in-house use rate of 0.2 acre-feet per lot per year, total of 2.8 acre-feet from fourteen wells, 2.52 acre-feet is replaced to the stream system per year, utilizing non-evaporative septic systems. Thus, during pumping, stream depletions will be adequately augmented. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the Stearns Well Nos. 1 through 14 Applicant will reserve a portion of the Denver aquifer (2,344 acre feet), and the entirety of the Laramie-Fox Hills aquifer (1,170 acre feet), accounting for actual stream depletions replaced during the planned pumping period, as necessary to replace any injurious post pumping depletions. Applicant also reserves the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even

though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Denver and Laramie-Fox Hills aquifer groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive new well permits for the Stearns Well Nos. 1 through 14 for the uses in accordance with this Application and otherwise in compliance with C.R.S. § 37-90-137. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the not-nontributary Dawson aquifer may occur in both the South Platte and the Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system where the majority of such depletions will occur, and it is Applicant's intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte as set forth herein, and for a finding that those replacements are sufficient. The Applicant requests a finding that it has complied with C.R.S. § 37-90-137(4), and that the ground water requested herein is legally available for withdrawal by the requested not-nontributary wells upon the entry of a decree approving an augmentation plan pursuant to C.R.S. § 37-90-137(9)(c.5). The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of ground water withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. The Applicant requests a finding that vested water rights of others will not be materially injured by the withdrawals of ground water and the proposed plan for augmentation. The wells shall be installed and metered as reasonably required by the State Engineer. Each well must be equipped with a totalizing flow meter and Applicant shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. The Applicant shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this plan of augmentation. The Applicant waives the 600 feet well spacing requirement for any wells to be located upon the Applicant's Property. Applicant will comply with the lienholder notice provisions set forth in C.R.S. § 37-92-302(2)(b) and § 37-90-137(4)(b.5)(I), and such notice will be sent within 14 days of the filing of this application. 7 pages.

CASE NUMBER 2026CW3065 THE DONALD J. ERNST LIVING TRUST AND THE CATHERINE D. ERNST LIVING TRUST (collectively, "Applicants"), c/o Donald J. Ernst & Catherine D. Ernst, Trustees, 5995 Friendly Lane, Elizabeth, Colorado 80107. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN ELBERT COUNTY**. Please send all pleadings and correspondence to: Sheela S. Stack, Esq., Stacy L. Brownhill, Esq., Nazareus Stack & Wombacher LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, Colorado 80111. 2. Overview. Applicants seek to adjudicate the Denver Basin Aquifers underlying approximately 29.66 acres owned by Applicants, located in the NE1/4 of the SE1/4 of Section 21, T7S, R64W of the 6th P.M., Elbert County, Colorado (the "Property"), as depicted on **Exhibit A**. This includes not-nontributary water in the Upper Dawson Aquifer and nontributary water in the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers. Applicants also seek approval of a plan for augmentation for withdrawals of the not-nontributary groundwater from the Upper Dawson Aquifer. 3. Jurisdiction. The Water Court has jurisdiction over the subject matter of this Application pursuant to C.R.S. §§ 37-92-302(2) and 37-90-137(6). 4. Underground Water Rights Claimed. 4.1. Wells. Applicants will withdraw the Upper Dawson aquifer groundwater sought to be decreed by this Application through existing exempt Well No. 173705-A and pursuant to the plan for augmentation sought herein. Prior to withdrawing the groundwater through Well No. 173705-A, Applicants will apply to the State Engineer for a permit in accordance with the final decree entered in this case. Applicants may construct additional wells to withdraw the underground water rights claimed herein, and will apply to the State Engineer for any necessary permit to construct such wells.

Applicants request that the Court require, as a condition of the final decree entered in this case, that all necessary well permits be issued upon application for any such well in accordance with said decree. 4.2. Legal Description of Wells and Subject Property. Applicants seek to adjudicate the Denver Basin Aquifers underlying all of the Property, which is located in the NE1/4 of the SE1/4 of Section 21, T9S, R 65 W of the 6th P.M., Elbert County, Colorado. Well No. 173705-A is located on the Property, and any additional wells that may be constructed will be located on the Property. 4.3. Source of Water Rights. The source of the groundwater to be withdrawn from the Upper Dawson Aquifer is not-nontributary as described in C.R.S. § 37-90-103(10.7). The source of the groundwater to be withdrawn from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers is nontributary. 4.4. Parcel Ownership. Applicants are the sole owners of the Property. There are no mortgage and lien holders. 4.5. Estimated Amounts and Rates of Withdrawal. The wells will withdraw the groundwater at rates of flow necessary to efficiently withdraw the entire decreed amounts. Applicants will withdraw the subject groundwater through wells to be located at any location on the Property, and Applicants waive any 600-foot spacing rule as described in C.R.S. § 37-90-137(2)(b)(I)(B) as applied to and between any wells located on the Property. The estimated average annual amounts of withdrawal available from the subject aquifers as indicated below are based upon the Denver Basin Rules, 2 C.C.R. § 402-6. Applicants, based on the Colorado Division of Water Resources online aquifer determination tool, estimate the following annual amounts of nontributary and not-nontributary underlie the Property:

Water Supply Availability (af/yr)

	Upper Dawson	Lower Dawson	Denver	Upper Arapahoe	Laramie-Fox Hills	Totals
Not-Nontributary (NNT)	8.54	0.00	0.00	0.00	0.00	8.54
Nontributary (NT)	0.00	3.89	13.86	11.78	7.87	37.4
Total Combined NNT and NT						45.94

The water supply availability listed in the table above is based on a 100-year aquifer life in accordance with C.R.S. § 37-90-137(4)(b)(I). Applicants claim the right to withdraw more than the average annual amounts listed above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. § 402-7. Applicants also claim the right to withdraw less than the average amounts listed above so as to extend the life of the water supply. 4.6. Wellfield. Applicants request that this Court determine that they have the right to withdraw all of the legally available groundwater lying below the Property through Well No. 173705-A which is located on the Property and any additional wells which may be completed in the future as part of Applicants' wellfield. As additional wells are constructed, all well permit applications will be filed in accordance with C.R.S. § 37-90-137(10). 4.7. Proposed Uses. Domestic, commercial, irrigation, livestock watering, fire protection, and augmentation purposes, including storage. Applicants also claim the right to reuse and successive uses of the water to extinction, and the right to lease, convey, or otherwise dispose of the water. 4.8. Places of Use. Applicants seek the right to use the legally available groundwater lying below the Property both on and off the Property. Off-Property uses include, but are not limited to, other lands contiguous to the Property and owned by Applicants. 5. Description of Plan for Augmentation. 5.1. Groundwater to be Augmented. All withdrawals of not-nontributary Upper Dawson aquifer groundwater underlying the Property that do not occur through any exempt wells, as requested herein. 5.2. Water Rights to be Used for Augmentation. 5.2.1. Not-nontributary groundwater from the Upper Dawson Aquifer underlying the property as decreed herein; and 5.2.2. Nontributary groundwater from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills aquifers underlying the Property as decreed herein, both directly and in the form of return flows. 5.3. Statement of Plan for Augmentation. During pumping, Applicants will replace depletions associated with the withdrawal of the not-nontributary groundwater decreed herein pursuant to C.R.S. § 37-90-137(9)(c.5) (i.e., actual depletions associated with withdrawals from the not-nontributary Upper Dawson Aquifer). To ensure such replacements are made, Applicants will develop accounting to document replacements that accrue by (i) return flows from irrigation; and (ii) treated wastewater discharges. Further,

direct releases of not-nontributary and nontributary groundwater may be used for augmentation. To meet post-pumping depletion requirements for not-nontributary withdrawals of groundwater underlying the Property, Applicants will reserve an amount of nontributary groundwater equal to the post-pumping depletions. 5.4. Augmentation Plan Assumptions. Applicants will develop augmentation plan assumptions and measuring devices to account for replacement water. Consumptive use is expected to be approximately 10% for all groundwater pumped for indoor use to account for any treatment and inhouse loss. For irrigation, sprinkler irrigation is expected to be approximately 85% consumptive and drip irrigation is expected to be approximately 95% consumptive. Applicants reserve the right to use reclaimed water or gray water for irrigation and will separately measure and account for such uses. WHEREFORE, Applicants respectfully request the Court to enter a ruling that: (1) grants the determination of groundwater rights requested herein for the not-nontributary Upper Dawson Aquifer and the nontributary Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers; (2) grants the plan for augmentation described in Paragraph 5, above; and (3) grants such other and further relief as the Court deems appropriate. (6 pages, 1 exhibit).

CASE NUMBER 2026CW3066 (19CW3055, 12CW155, 88CW272). COORS BREWING COMPANY (“Coors”), c/o Mr. Benjamin Moline, Director, Water Resources and Environmental Policy, Molson Coors Brewing Company, PO Box 4030, 5th Floor BOC, Golden, Colorado 80401-0030, (303) 277-3342. Please send all pleadings and correspondence to: April D. Hendricks, Peter D. Jaacks, Jewell Jimmerson Natural Resources Law LLC, 333 Perry Street, Suite 310, Castle Rock, CO 80104 (ahendricks@jjnrlaw.com; pjaacks@jjnrlaw.com). **APPLICATION FOR FINDING OF REASONABLE DILIGENCE, IN ADAMS, CLEAR CREEK, AND JEFFERSON COUNTIES, COLORADO.** 2. Name of structures from and to which water is to be exchanged: Coors’s Jefferson Storage System Reservoirs (as described in Case Nos. 88CW272 and 88CW206), Standley Lake Reservoir, Croke Canal, Farmers High Line Canal, Agricultural Ditch, Wannamaker Ditch, Rocky Mountain Ditch, Coors Industries Ditch, and Lower Clear Creek Ditch. Description of Decreed Conditional Appropriative Rights of Substitution and Exchange: 2.1. Original Decree: Case No. 88CW272, entered July 20, 1990, Water Division 1. 2.2. Subsequent Diligence Decrees: 19CW3055, entered April 6, 2020; 12CW155, entered March 20, 2013; 04CW262, entered June 2, 2006; 96CW167, entered October 13, 1998 (all Water Division 1). 2.3. Location: The reach of Clear Creek throughout which water will be exchanged is between the point of diversion of the Agricultural Ditch at the uppermost end of that reach and, downstream, the point of diversion of the Lower Clear Creek Ditch at the lower end of that reach. Exchanges may be made to intermediate points within that reach of Clear Creek identified in paragraph 30 of the 88CW272 Decree. 2.4. Source: The sources of supply for the exchanges to be made in the exercise of the conditional appropriative rights of exchange decreed in Case No. 88CW272 are from waters diverted or stored in the exercise of the water rights decreed to the structures listed in paragraph 0 of this Application that Coors has a right to use or the waters diverted to or stored in those facilities in Coors’s exercise of the rights decreed in Case Nos. W-8036(75) and W-8256(76) (consolidated), as modified by decree in Case No. 88CW271, and Case No. 89CW234. 2.5. Appropriation Date: December 15, 1988. 2.6. Amount: 759 acre-feet during the period from November 1 through the next succeeding March 31 at a maximum rate of flow of 5.0 c.f.s., conditional. 2.7. Use: For all of the purposes for which Coors may lawfully use water through the structures to which the exchanges are to be made, consistent with the decrees in Consolidated Case Nos. W-8036(75) and W-8256(76), and Case No. W-152, as applicable: These uses may include industrial, industrial cooling, irrigation, domestic, mechanical, manufacturing, generation of power, power generally, fire protection, sewage treatment, street sprinkling, watering of parks, trees, lawns, and grounds, recreation, golf club, storage reserves, replacement, adjustments to and regulation of the Jefferson Storage System with other uses, ground water storage and recharge, and exchange. 3. Further Description of Exchange: The conditional appropriative rights of substitution and exchange described in this Application were decreed in Case No. 88CW272 to be exercised in conjunction with the rights adjudicated in Case No. 88CW268, and in Consolidated Case Nos. W-8036(75) and W-8256(76), as modified by decree entered in Case No. 88CW271, and in Case Nos. 88CW206 and 89CW234. This substitution and exchange allows Coors, rather

than curtailing its diversion from Clear Creek, to provide a supply of water to protect "Croke Season yield," as that term is defined in 88CW272, and which may be required under paragraphs 7 and 9 of the Agreement dated May 23, 1988 and recorded at Reception Number 88049909, also known as the Cosmic Agreement (and filed with this Court in Case No. 88CW268), to make available for storage in Standley Lake Reservoir to the account of the City of Westminster or the account of the Farmers Reservoir and Irrigation Company ("FRICO") Irrigators for the benefit of the City of Northglenn a substitute supply under the decree in Case No. 88CW272 for such purposes from other sources controlled by Coors, as described in paragraph 13 of the decree in Cases Nos. W-8036/W-8256 and the decree in Case No. 88CW271. In exchange for providing this substitute supply, Coors may divert water from Clear Creek upstream from the headgate of the Croke Canal that would otherwise be available for diversion into that canal in the exercise of the March 4, 1902 water rights decreed to the Standley Lake Reservoir. To the extent return flows resulting from the exchanges described in this Application exceed requirements for replacement flows below the Croke Canal, but no more than an average taken weekly of 11.0 c.f.s., and no more than a maximum instantaneous flow rate of 13.2 c.f.s., Coors may divert through the Lower Clear Creek Ditch or other subsequently approved facilities and store all such increased flow that is not required to discharge its replacement flow obligations under the decree in Consolidated Cases No. W-8036(75) and W-8256(76) as modified in Case No. 88CW271 in the West Gravel Lakes lying below the Lower Clear Creek Ditch. The exchange from West Gravel Lakes to Coors's exchange delivery points of diversion (the Agricultural Ditch, the Farmers High Line Canal, the Wannamaker Ditch, the Rocky Mountain Ditch, and the Coors Industries Ditch Alternate Point of Diversion #3) was separately decreed in Case No. 88CW268.

4. Description of Exchange Structures:

4.1. Structures from which Water are Supplied in Substitution for Diversions by Exchange from Clear Creek:

4.1.1. Coors Jefferson Storage System Reservoirs:

4.1.1.1. Lake B-2 (from 88CW206): Located on a parcel of land in the SW 1/4 of Section 24, T3S, R70W of the 6th P.M., Jefferson County, Colorado, more particularly described as follows: Beginning at the Northeasterly corner of said parcel from whence the Center quarter corner of said Section 24 bears N 62° 37' 40" E for a distance of 398.86 feet; thence S 00° 08' 36" W for a distance of 207.41 feet; thence S 00° 10' 24" E for a distance of 412.72 feet; thence S 22° 15' 36" W for a distance of 188.40 feet to a point on the Northerly right-of-way of State Highway 58; thence S 76° 05' 36" W along said right-of-way for a distance of 922.20 feet; thence continuing along said right-of-way S 78° 13' 06" W for a distance of 114.01 feet to the intersection on the Southerly right-of-way of the Croke Canal; thence N 32° 38' 36" E along said Croke Canal right-of-way for a distance of 120.72 feet; thence continuing along said right-of-way N 57° 21' 24" W for a distance of 75.00 feet; thence N 32° 38' 36" E along said Canal right-of-way for a distance of 915.58 feet to the intersection of the Southerly right-of-way of West 44th Avenue; thence N 69° 45' 00" E along said right-of-way for a distance of 368.45 feet to the Point of Beginning, containing 14.82 acres more or less. Point of diversion: On the left bank of Clear Creek at a point whence the NE Corner of Section 27, T3S, R70W of the 6th P.M., bears N 38° 17.5' E, 2099.64 feet (more commonly known as the headgate of the Wannamaker Ditch). WDID = 0703405. Source: Clear Creek. Amount: 300 acre-feet, absolute. Appropriation Date: October 1965 (Duke's Lake Reservoir).

4.1.1.2. B-6 Lake (from 88CW206): Located on a parcel of land in the NE 1/4, SE 1/4, Section 23, T3S, R70W of the 6th P.M., Jefferson County, Colorado, and more particularly described as follows: Beginning at a point on the Southeasterly corner of said parcel and the Northerly right-of-way of the Burlington Northern Railroad from whence the East quarter corner of said Section 23 bears N 08°03'04" E for a distance of 947.43 feet; thence S 59°44'42" W along said Northerly railroad right-of-way for a distance of 1044.52 feet to a point of intersection of the Northerly right-of-way of West 44th Avenue; thence S 73°54'56" W along said right-of-way for a distance of 177.45 feet to the intersection on the Easterly right-of-way of Salvia Street; thence N 01°51'49" E for a distance of 243.86 feet to a point of intersection on the Southeasterly right-of-way of the Farmers Highline Canal; thence N 42°32'36" E along said Canal for a distance of 69.81 feet to a point of curve; thence on a curve to the left which curve has a central angle of 81°56'00" a radius of 408.20 and an arc length of 134.86 feet to a point of tangent; thence N 23°36'37" E along said Canal right-of-way for a distance of 347.63 feet to a point of curve to the left which curve has a central angle of 19°30'40" a radius of 360.66 feet and an arc length of 122.79 feet to a point of tangent; thence N 04°05'57" E along said Canal right-of-way for a distance of 344.40 feet to a point of curve to the

right which curve has a central angle of 05°02'00" a radius of 1067.53 feet and an arc length of 93.75 feet to a point of tangent; thence N 09°07'56" E along said Canal right-of-way for a distance of 231.32 feet to a point of curve which curve has a central angle of 24°11'37" a radius of 316.61 feet and an arc length of 133.67 feet to a point of tangent; thence N 33°19'34" E along said Canal right-of-way for a distance of 164.26 feet to a point of curve which curve has a central angle of 14°49'45" a radius of 316.07 feet and an arc length of 81.79 feet to the point of tangent; thence N 48°09'19" E along said Canal right-of-way for a distance of 517.59 feet; thence S 27°26'14" E for a distance of 623.40 feet; thence S 00°00'00" E for a distance of 964.32 feet to the Point of Beginning, containing 34.48 acres more or less. Point of Diversion: Through the Wannamaker Ditch at a point on the North bank of Clear Creek in the NE 1/4 of Section 27, T3S, R70W of the 6th P.M., whence the NE Corner of said Section 27 bears N 38°17.5' E, 2099.64 feet. WDID = 0703409. Source: Clear Creek. Amount: 700 acre-feet, absolute. Appropriation Date: October 1965 (Summers Reservoir). 4.1.1.3. B-7 Lake (from 88CW206): Located on a parcel of land in the SW 1/4 of Section 24 and in the SE 1/4 of Section 23, T3S, R70W of the 6th P.M., Jefferson County, Colorado, and more particularly described as follows: Beginning at the Northwesterly corner of said parcel which is on the Southerly right-of-way of 44th Avenue, from whence the Southeast corner of said Section 23 bears S 14°28'29" E a distance of 1418.70 feet; thence S 28°21'00" E for a distance of 225.71 feet to a point on the Northerly right-of-way of the Croke Canal to a point of curve to the right which curve has a central angle of 05°17'53" a radius of 974.12 feet and an arc length of 90.08 feet to a point of reverse curve to the left which curve has a central angle of 06°15'17" a radius of 1392.30 feet and an arc length of 147.94 feet to a point on the East line of said Section 23; thence N 02°51'17" W for a distance of 10.00 feet to a point of curve to the left which curve has a central angle of 03°54'43" a radius of 1382.37 feet and an arc length of 94.38 feet to a point of compound curve to the left which curve has a central angle of 15°45'00" a radius of 768.45 feet and an arc length of 211.24 feet to a point of reverse curve; thence continuing along said Canal right-of-way on said reverse curve to the right which curve has a central angle of 11°40'00" a radius of 909.42 feet and an arc length of 185.18 feet to a point of tangent; thence continuing on said Canal right-of-way N 79°09'00" E for a distance of 545.77 feet to a point of curve to the left which curve has a central angle of 46°30'24" a radius of 514.36 feet and an arc length of 417.50 feet to a point of tangent; thence N 32°38'36" E for a distance of 718.13 to a point on the Southerly right-of-way of West 44th Avenue; thence along said 44th Avenue right-of-way S 69°45'00" W for a distance of 772.28 feet; thence continuing on said right-of-way N 20°15'00" W for a distance of 20.00 feet; thence S 69°45'00" W for a distance of 355.03 feet to the Easterly property line of Public Service Company property; thence along said property S 20°15'00" E for a distance of 259.72 feet; thence continuing along said property S 69°45'00" W for a distance of 294.26 feet; thence continuing along said property N 27°25'00" W for a distance of 261.76 feet to the Southerly right-of-way of West 44th Avenue; thence along said right-of-way S 69°45'00" W for a distance of 308.56 feet; thence continuing along said right-of-way S 38°14'36" E for a distance of 27.46 feet to a point of curve to the left which curve has a central angle of 04°58'00" a radius of 1919.57 feet and an arc length of 166.41 feet to a point of tangent; thence continuing along said right-of-way S 59°44'00" W for a distance of 344.28 feet to the Point of Beginning, containing 18.25 acres more or less. Point of diversion of the structure used to fill the Reservoir: Through the Wannamaker Ditch at a point on the North bank of Clear Creek in the NE 1/4 of Section 27, T3S, R70W of the 6th P.M., Jefferson County, Colorado, whence the NE Corner of said Section 27, bears N 38°17.5' E, 2099.64 feet. WDID = 0703410. Source: Clear Creek. Amount: 280 acre-feet, absolute; 220 acre-feet, conditional. Appropriation Date: October 1965 (Summers Reservoir). 4.1.1.4. Clinton Reservoir (from W-152): Said reservoir is located in the SE 1/4, SW 1/4 of Section 24, and in the NE 1/4, NW 1/4 of Section 25, T3S, R70W of the 6th P.M., Jefferson County, Colorado. Point of diversion: from the right bank of Clear Creek at a point whence the SW Corner of Section 24, T3S, R70W of the 6th P.M. bears S 0° E, 700 feet. WDID = 0704015. Amount: 1,100 acre-feet, conditional. Source: Clear Creek. Appropriation Date: October 1965. 4.1.1.5. Crawford Reservoir (from W-152): Said reservoir is located in the SW 1/4, SW 1/4 of Section 24 and in the NW 1/4, NW 1/4 of Section 25, T3S, R70W of the 6th P.M., Jefferson County, Colorado. Water for said reservoir will be diverted from the right bank of Clear Creek at a point whence the SW Corner of Section 24, T3S, R70W of the 6th P.M. bears S 0° W, 700 feet. WDID = 0704018. Amount: 1,000 acre-feet, conditional. Source: Clear

Creek. Appropriation Date: October 1965. 4.1.2. Standley Lake Reservoir: In the Coors/Thornton Agreement dated May 23, 1988, recorded in Jefferson County, Colorado, Reception No. 88049908, Coors acquired from Thornton the perpetual right to the use of a portion of the storage capacity Thornton owns in Standley Lake Reservoir together with a similar right to have Thornton operate that storage capacity in Standley on behalf of Coors. Thornton has granted Coors the right to acquire firm yield water rights as a part of that agreement, as described in paragraphs 3 and 4 of the Agreement. 4.1.2.1. Place of Storage: Standley Lake or Enlargement of Kinnear Reservoirs (Reservoir Nos. 89 and 90 in the Decree of May 13, 1936, District Court in and for City and County of Denver). 4.1.2.2. Source: From water lawfully stored in Standley Lake Reservoir from Clear Creek and decreed for use for exchange purposes by Coors. 4.1.2.3. The Standley Lake Reservoir structure is more fully described in the decree in Case No. 88CW268. WDID = 0203903. 4.2. Structures to which Substitute Supplies Will Be Made Available Are Described as Follows: 4.2.1. Structure to Receive Substitute Supplies: Standley Lake Reservoir through the Croke Canal (WDID = 0700553) and the Farmers High Line Canal (WDID = 0700569). 4.2.2. Substitute Supply Delivery Points: Deliveries of substitute supplies from the Coors Jefferson Storage System Reservoirs to Standley Lake Reservoir will be made at the following points: 4.2.2.1. A point on the Croke Canal located in the NE 1/4 of Section 24, T3S, R70W, 6th P.M. 4.2.2.2. A point on the Croke Canal located in the SE 1/4 of Section 23, T3S, R70W, 6th P.M. 4.2.2.3. A point on the Croke Canal located in the SW 1/4, Section 24, T3S, R70W, 6th P.M. 4.2.2.4. A point on the Farmers High Line Canal located in the SE 1/4 of Section 23, T3S, R70W, 6th P.M. 4.3. Description of Coors Exchange Diversion Points: 4.3.1. The Agricultural Ditch with a point of diversion in the City of Golden, Jefferson County, Colorado, located on the South bank of Clear Creek in the SW 1/4 of Section 27, T3S, R70W (WDID = 0700502); or 4.3.2. The Wannamaker Ditch with point of diversion located on the North bank of Clear Creek in the NE 1/4 of Section 27, T3S, R70W, Jefferson County, Colorado, whence the NE corner of Section 27, T3S, R70W, 6th P.M. bears N 38°17'17.5" E, 2099.64 feet (WDID = 0700698); or 4.3.3. The Rocky Mountain Ditch with point of diversion located on the South bank of Clear Creek, which is on the south side of the Croke Dam in the NE 1/4 NE 1/4 NW 1/4 of Section 26, T3S, R70W, 6th P.M., and which bears S 18°12'25" W, a distance of 401.11 feet from the North Quarter Corner of said Section 26 (WDID = 0700652); or 4.3.4. Coors Industries Ditch Alternate Points of Diversion #3, with point of diversion located on the South bank of Clear Creek in the SE 1/4 of Section 24, T3S, R70W, 6th P.M., whence the South Quarter Corner of said Section 24 bears S 47°51'47" W, a distance of 1375.04 feet (WDID = 0700726). 4.4. The Locations at which Increased Flows Resulting from the Substitution/Exchange Operations Will Be Diverted from Clear Creek is Described as Follows: 4.4.1. Point of Diversion: Lower Clear Creek Ditch: 4.4.1.1. Point of diversion located on the north branch of Clear Creek at a point 1,400 feet West and 1,200 feet North of the Southeast corner of Section 4, T3S, R68W, 6th P.M., Adams County, Colorado. WDID = 0700547. 4.4.1.2. Source: Clear Creek. 4.4.2. Place of Storage for Diversions: West Gravel Lakes These facilities are owned by the City of Thornton. Coors may not store water in these facilities from its conditional water storage rights without Thornton's prior approval. Location: located just West of the South Platte River about ½ mile East of the intersection E 80th Avenue and North York Street in Thornton, Colorado; in Sections 25 and 36, T2S, R68W, 6th P.M., Adams County, Colorado. Point of diversion of the structure used to fill the Reservoir: Lower Clear Creek Ditch, which point of diversion is located on the North bank of Clear Creek at a point 1,400 feet West and 1,200 feet North of the SE corner of Section 4, T3S, R68W, 6th P.M., Adams County, Colorado. WDID = 0203699. Source: Clear Creek. Amount: Up to 400 acre-feet each from the Frost Reservoir and Waldorf Reservoir rights as changed to alternate places of storage in Case No. 88CW206. Appropriation Date: October 28, 1965 5. Description of Program of Exchange and Substitution: 5.1. Delivery of Substitute Supplies: During the Croke Season of November 1 through March 31, Coors may provide substitute supplies for storage in Standley Lake Reservoir to the account of the City of Westminster or to the account of the FRICO Irrigators for the benefit of the City of Northglenn as described in paragraph 0 of this Application by either one or both of the following described methods: 5.1.1. By withdrawing water as described in paragraph 0 above from storage in the Coors Jefferson Storage System Reservoirs, described in paragraph 0, and delivering it to the Croke Canal or Farmer High Line Canal through the Substitute Supply Delivery Points, described in paragraph 0, for delivery to Standley Lake

Reservoir; or 5.1.2. By assigning the right as described in paragraph 0 to the use of up to 759 acre-feet of water less transit and evaporation losses, if any, lawfully held in Standley Lake Reservoir for Coors's use and benefit and decreed for use by Coors for exchange purposes to either the City of Westminster or the FRICO Irrigators for the benefit of the City of Northglenn. 5.2. Diversion of Exchange Supplies: 5.2.1. In exchange for the provision of the substitute supplies, Coors may divert from Clear Creek at any one or more of the upstream Coors Exchange Diversion Points described in paragraph 0 of this Application at a combined rate of diversion not exceeding the rate of flow of 5 c.f.s. without being required to provide replacement flows for such exchange diversions that would otherwise be required under the provisions of the Decree of this Court in Consolidated Case Nos. W-8036(75) and W-8256(76) as modified by decree in Case No. 88CW271. 5.2.2. To the extent that the use by Coors of such exchange supplies results in an increase in the rate of flow of Clear Creek, but no more than an average taken weekly of 11.0 c.f.s., and to no more than a maximum instantaneous flow rate of 13.2 c.f.s. below the headgate of the Croke Canal in excess of the rate of flow which, but for such use, would otherwise have occurred in that stream at that location, and to the extent such water is decreed for successive use or exchange use, Coors may cause to be diverted at the diversion point described in paragraph 0 and deliver through the Lower Clear Creek Ditch for storage in the West Gravel Lakes lying under the Lower Clear Creek Ditch described in paragraph 0 all of such increased flow that is not required to discharge Coors's replacement flow obligations under this Court's decree in Consolidated Case Nos. W-8036(75) and W-8256(76) as modified by decree in Case No. 88CW271. 6. Diligence Toward Development of Conditional Water Rights: During this diligence period (April 2020 – April 2026), in continuing the development of the conditional water rights for this system, Coors has been engaged in use, construction, and completion of some of the diversion and exchange facilities and water rights involved. In addition, Coors has been engaged in the legal defense and protection of its absolute and conditional water rights, and has continued in the planning, designing, and exploration of the physical and business arrangements associated with the construction and use of the diversion and storage facilities and water rights involved. An outline of work done during the diligence period toward completion, or for completion, of the appropriation and application of water to a beneficial use as conditionally decreed, includes the following activities: In its decree in Case No. 12CW155, this Court found that the subject exchanges are an integral part of Coors's unified water system developed by Coors for beverage and food production, malting, irrigation, domestic, and other commercial and industrial uses. Other components of the unified water system include: the Straight Creek Tunnel Drainage and Effluent System (Case Nos. W-1665 in Water Division No. 5 and W-7097 in Water Division No. 1); Jefferson Storage System (Case Nos. W-152, 88CW206, and 18CW3225); Coors Golden Milling Right (Civil Action No. B-9675, Jefferson County District Court), Coors's Underground Springs (Case Nos. W-7809-74, 90CW064 and 95CW081); Augmentation Plan Springs (Case No. 81CW110), Idaho Springs Reservoir (Case No. 84CW671); the nontributary wells that are the subject of Case No. 85CW051, Coors Industries Ditch (Case Nos. W-224 and W-7585), the Coors Augmentation Plans I, II, III, and IV, decreed in Case Nos. W-8036(75), W-8256(76), 88CW271, 89CW234, 99CW236, and 17CW3177; the Cosmic Decree (Case No. 88CW271), and related exchanges decreed in Case Nos. 88CW268 and 96CW1117 (all cases are decrees entered in Water Division No. 1, except where otherwise noted); as well as a complete water treatment, cooling, and distribution system at the plant site in Golden, Colorado. An outline of work done during the diligence period toward completion, or for completion, of the appropriation and application of water to a beneficial use as conditionally decreed, includes the following activities 6.1. As described below, Coors and its affiliated entities, including Molson Coors Brewing Company, MillerCoors LLC, and Rocky Mountain Water Company, have expended substantial effort in the development of Coors's overall unified system of which the rights identified in this Application are integral components. During this diligence period, Coors has continued the development of the unified water supply system of which the exchanges that are the subject of this Application are an integral part. This Court has determined that continued development and maintenance of Coors's unified water system constitutes diligence for the individual water rights associated with that system as found by this Court. *See, e.g.*, Decree in Case No. 12CW155 at pages 21-22, ¶13.2 (March 20, 2013). Coors has also been engaged in the legal defense and protection of said water rights and has continued in the planning, design, and exploration of the physical and business

problems associated with the construction and use of the diversion facilities and water rights involved. During this diligence period, Coors and its affiliates, including MillerCoors, have undertaken the following activities and expended at least \$3,000,000 for the development and maintenance of Coors's unified water supply system: 6.1.1. Expenditures in excess of \$369,000 for contractual obligations under the Cosmic Agreement and related agreements, including expenditures for Standley Lake operations and maintenance; 6.1.2. Coors' activities related to the Jefferson Storage System, including: (1) storage of water in the Jefferson Storage System; (2) completion of Case No. 18CW3225, involving changes of conditional storage locations to reflect a realignment of structures for future construction, and an alternate point of diversion for conditional water storage rights for multiple reservoirs in the Jefferson Storage System; and (3) negotiation of lease of reservoir water surface for several reservoirs in the Jefferson Storage System for floating photovoltaic panels and power generation. 6.1.3. Operation of deliveries and exchanges of water pursuant to Case No. 96CW1117 to the extent water has been available for such deliveries and exchanges; 6.1.4. Engineering costs in excess of \$245,000 relating to Coors's water rights and water supply system; 6.1.5. Expenditures in excess of \$600,000 for ditch companies supporting Coors's unified water system; 6.1.6. Expenditures of approximately \$500,000 for pump installation and replacement, operation, maintenance, and repairs to Coors's underground springs; and 6.1.7. Expenditures in excess of \$1,300,000 on other capital projects in support of Coors' unified water system; 6.2. During the diligence period, Coors and its affiliates have incurred significant legal expenses in furtherance of the unified system and its water rights. Since April 2020, Coors has participated in a number of water cases adjudicating matters required for the production of water used in Coors's unified water system, including but not limited to following cases: 6.2.1. Case No. 17CW3177 (change of Miles and Eskins Ditch for Coors Augmentation Plan IV); 6.2.2. Case No. 18CW3225 (Jefferson Storage System realignment); 6.2.3. Case No. 19CW3037 (diligence and making conditional rights absolute on Jefferson Storage System) 6.2.4. Case No. 20CW3060 (diligence on Coors' Underground Springs) 6.2.5. Case No. 20CW3066 (diligence on Augmentation II Plan Exchange); 6.2.6. Case No. 20CW3087 (diligence on Coors-Golden Exchanges); 6.2.7. Case No. 20CW3137 (diligence on Augmentation III Plan Exchanges); 6.2.8. Case No. 20CW3076 (diligence on Coors Bookover Exchange); 6.2.9. Case No. 21CW3020 (diligence on Idaho Springs Exchange); and 6.2.10. Case No. 21CW3115 (diligence on Coors/Farmers' High Line Canal Exchange, Coors/Croke-Standley Exchange, and Golden/Church Ditch Exchange) Coors has also filed statements of opposition to a number of water court applications to prevent injury to Coors's water rights, including those that are the subject of this Application. Additionally, the Rocky Mountain Water Company, an affiliate of Coors, has also been a party to litigation necessary to protect its interests in the Rocky Mountain Ditch, a structure involved in the exchanges that are the subject of this application. 6.3. The appropriate rights of substitution and exchange described in this Application are to be exercised in conjunction with the water rights adjudicated in Case No. 88CW268 and in Consolidated Case Nos. W-8036-75 and W-8256-76, as modified by decrees entered in Case No. 88CW271 and 88CW206. This substitution and exchange allows Coors, rather than curtailing its diversions from Clear Creek, to provide a supply of water to protect "Croke Season yield" as that term defined in the 88CW272 Decree and that may be required under paragraphs 7 and 9 of the Agreement dated May 23, 1988 and recorded at Reception No. 88049909, also known as the Cosmic Agreement (88CW268), to make available for storage in Standley Lake Reservoir to the account of the City of Westminster or the account of FRICO for the benefit of the City of Northglenn a substitute supply under the decree in this case for such purposes from other sources controlled by Coors. 6.4. To date, conditions have been such that Coors has not had to exercise the appropriate rights of substitution and exchange that are the subject of this Application. Coors can and will exercise such rights when conditions so require. 7. The conditional water rights decreed in this case are part of a series of exchanges implementing the above-referenced "Cosmic Agreement" for which measuring devices are in place at each location necessary to account for these exchange water rights. Upon implementation of any portion of the conditional decreed rights of exchange and consistent with the reporting requirement for these exchange rights first decreed in Case No. 88CW272, Applicant will maintain such measuring devices and maintain such records as the Division Engineer or Water Commissioner may reasonably require for administration of these water rights and shall report the amounts and dates of the water diversions under this Application

on at least an annual basis, upon implementation of any portion of the conditionally decreed exchange water rights, consistently with the reporting requirements for these rights first decreed in Case No. 88CW272. WHEREFORE, the Applicant Coors Brewing Company respectfully requests that the Court enter a decree finding that Applicant has exercised reasonable diligence in developing the conditional appropriative rights of exchange that are the subject of this Application and for such further relief as this Court deems just and proper. Number of pages in Application: (15)

CASE NUMBER 2026CW3067 (17CW3020) CITY OF GREELEY, ACTING BY AND THROUGH ITS WATER AND SEWER BOARD. APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART IN WELD COUNTY. I. Name, Mailing Address, Telephone Number of Applicant: City of Greeley, acting by and through its Water and Sewer Board (“Greeley”), c/o Leah Hubbard, Deputy Director of Water Resources, Greeley Water and Sewer Department, 1001 11th Avenue, 2nd Floor, Greeley, CO 80631. Telephone (970) 350-9820. Please send all correspondence to: Carolyn F. Burr, James M. Noble, Matthew C. Nadel, Welborn Sullivan Meck & Tooley, P.C., 1401 Lawrence St., Suite 1800, Denver, CO 80202, 303-830-2500, cburr@wsmtlaw.com; jnoble@wsmtlaw.com; mnadel@wsmtlaw.com; and Jerrae C. Swanson, Greeley City Attorney’s Office, 1100 10th Street, Suite 401, Greeley, CO 80631, 970-350-9757, jerrae.swanson@greeleygov.com. II. General Description of Application: This is an application for a finding of reasonable diligence and for a partial determination that the water rights have been made absolute for the conditional appropriative rights of exchange (“Subject Water Rights”) decreed, and more particularly described, in Case No. 17CW3020, District Court, Water Division No. 1. III. Name of the Structures for Conditional Rights of Exchange: (1) Leprino WWTP Outfall; (2) Greeley Canal No. Three Headgate; (3) Boyd and Freeman Ditch Headgate; (4) 35th Avenue Reservoir diversion structures; (5) 35th Avenue Drainage Ditch Diversion Point; (6) Boomerang Reservoir No. 1; and (7) Boomerang Reservoir No. 2, all as further described below. IV. Description of Conditional Rights of Exchange. A. Original Decree: Case No. 17CW3020, District Court, Water Division No. 1, entered on April 17, 2020 (the “17CW3020 Decree”). B. Description: The Subject Water Rights, as described in the 17CW3020 Decree, are described as follows. 1. Exchange Reach: The exchange reaches are located on the Cache la Poudre River, from the outfall of the Leprino WWTP to the headgate of the Greeley Canal No. 3, and on Sheep Draw and an unnamed tributary thereof, from that draw’s confluence with the Cache la Poudre River to the locations of the Boomerang Reservoirs decreed in Case No. 05CW326. **See Exhibit A.** 2. Exchange-From Point: The Leprino WWTP Outfall, located in the SW1/4 of the SW1/4 of Section 4, Township 5 North, Range 65 West, 6th P.M., Weld County, Colorado, as shown on **Exhibit A.** 3. Exchange-To Points: a. Greeley Canal No. 3 Headgate: The decreed location of the Greeley Canal No. 3 headgate is in the NW1/4 of the SE1/4, Section 32, Township 6 North, Range 66 West, at a point approximately 1900 feet West of the East section line and 2200 feet North of the South section line of said Section 32. b. Boyd and Freeman Ditch Headgate: The decreed location of the Boyd and Freeman Ditch headgate is on the South side of the Cache la Poudre River in Section 34, Township 6 North, Range 66 West. c. 35th Avenue Reservoir Diversion Structures: A diversion structure or structures for the purpose of diverting water tributary to the Cache la Poudre River, to be located on the south or east bank of such river in the NE1/4 of Section 34 or the NE1/4 or NW1/4 of Section 35, Township 6 North, Range 66 West. d. 35th Avenue Drainage Ditch Diversion Point: A diversion structure located on the 35th Avenue Drainage Ditch in the SW1/4 of the NW1/4 of Section 36, Township 6 North, Range 66 West. e. Boomerang Reservoir No. 1: An on-channel reservoir to be located on Sheep Draw, tributary to the Cache la Poudre River in the SE1/4 of Section 14, and the SW1/4 of Section 13, Township 5 North, Range 67 West. f. Boomerang Reservoir No. 2: An on-channel reservoir to be located on an unnamed drainage, tributary to Sheep Draw, tributary to the Cache la Poudre River in the SW1/4 of Section 18, Township 5 North, Range 66 West. 4. Exchange Rate: 7.5 c.f.s., conditional, as further shown on the Exchange Matrix attached hereto as **Exhibit B.** 5. Sources of Substitute Supply: a. Greeley’s ownership of shares in the Greeley and Loveland Irrigation Company and Seven Lakes Reservoir Company, and ownership of rights in the Loveland and Greeley Reservoir, a.k.a. Lake Loveland, as changed in Case Nos. 87CW329, 95CW042, and 99CW235. b. Greeley’s ownership of shares in the Water Supply and Storage Company

("WSSC"), as changed in Case No. 07CW190. c. Greeley's ownership of shares of Class B common stock in the Windsor Reservoir and Canal Company, as changed in Case No. 06CW258; such shares entitle Greeley to a portion of the water diverted under water rights decreed to the Laramie River Tunnel and the related collection ditches and reservoirs known as the Laramie River System, to which water Windsor Reservoir and Canal Company is entitled by virtue of its ownership of stock in the Tunnel Water Company. d. Greeley's ownership of allotment contracts with the Municipal Subdistrict, Northern Colorado Water Conservancy District, which entitle Greeley to a portion of the water in, or naturally tributary to, the Colorado River decreed to the Windy Gap Project, which water rights are more particularly described in the decrees entered by the District Court for Water Division No. 5 in Civil Action No. 1768 and Case Nos. W-4001 and 80CW108, and/or in Case No. 89CW298. e. Water sources currently owned by Greeley but that have not been changed for municipal use, which were identified in Exhibit 6 to the 17CW3020 Decree, consisting of shares in Seven Lakes Reservoir Company, WRCC, Owl Creek Supply & Irrigation Company, Larimer & Weld Irrigation Company, Water Supply and Storage Company, New Cache La Poudre Irrigation Company, Cache La Poudre Reservoir Company, North Poudre Irrigation Company, Greeley-Loveland Irrigation Company, Loveland and Greeley Reservoir Company, and laterals to those companies. f. Any other water rights that may be owned or acquired by Greeley to the extent that these water rights are decreed for municipal use, the water rights are decreed for or are otherwise legally available for reuse, successive use, and disposition to extinction, and the water rights are authorized to be claimed as part of the effluent from the Leprino Plant pursuant to Paragraph 26(A) of the 17CW3020 Decree. g. Dairy Byproduct Water, consisting of water removed from milk by Leprino Foods Company at the Leprino Plant that is delivered to the Cache la Poudre River at the Leprino WWTP Outfall, described above. 6. Appropriation Date: February 14, 2017. 7. Uses: a. Greeley Reusable Supplies described in Paragraph IV.B.5(a)-(f) above. Greeley will use the effluent attributable to its fully reusable and consumable City Water supplies described in Paragraph IV.B.5(a)-(f) for all municipal purposes in accordance with Greeley's decrees for those sources. Greeley may reuse, successively use, and dispose of to extinction such water in accordance with Greeley's decrees by direct use or exchange, or by storage and subsequent release. b. Dairy Byproduct Water. Greeley may use the effluent discharged from the Leprino Plant that is attributable to the Dairy Byproduct Water described in Paragraph IV.B.5(g) for all municipal purposes, including, without limitation, domestic, irrigation, watering of lawns, parks, and grounds, commercial, industrial, mechanical, manufacturing, power generation, fire protection, sewage treatment, recreation, fish and wildlife preservation and propagation, replacement of lake and reservoir evaporation, maintenance of adequate storage reserves, maintenance of historical return flows as required by judicial or administrative order, wetlands creation, maintenance, and enhancement, environmental mitigation and restoration, and replacement, augmentation, recharge, or substitution, by direct use or exchange, including without limitation the Subject Water Rights or by storage and subsequent release. The water will be used within Greeley's service area and areas served by Greeley's present and future extra-territorial customers, lessees, and contractees. Greeley has the right to use, reuse, successively use, and dispose of to extinction the Dairy Byproduct Water. Greeley's use of the Dairy Byproduct Water is subject to the terms of its license agreement with Leprino and the 17CW3020 Decree. 8. Places of Storage Following Exchange: Following Greeley's diversion of water by exchange, water will be stored simultaneously in the places of storage described in Paragraph 4.3.1 of the 17CW3020 Decree, and/or such other places of storage to be constructed in Sections 32, 33, 34, and/or 35, Township 6 North, Range 66 West, 6th P.M., Weld County, Colorado, in which Greeley may acquire a right to store water, including without limitation W.W. Farm Lakes, more particularly described in the decree entered in Case No. 90CW23, and 35th Avenue Reservoir, more particularly described in the decree entered in Case No. 98CW476. Greeley intends to fill and repeatedly refill these reservoirs by exchange. V. Claim for Finding of Reasonable Diligence: A. Integrated System: The Subject Water Rights originally decreed in Case No. 17CW3020 were and are conceived and planned to be operated as a component of Greeley's municipal water supply system, which is an integrated system comprised of several different water rights, features, and facilities. Work on one or more features of this integrated system constitutes effort toward development of the water rights for all features of the system. B. Detailed outline of what has been done toward completion of the appropriation and application of water

to a beneficial use as conditionally decreed, including expenditures: 1. In compliance with paragraph 28.A.i of the 17CW3020 Decree, Greeley and Leprino determined the maximum as-built capacity and maximum discharge rate of the Leprino WWTP as 7.35 cfs. Accordingly, Greeley seeks a finding of reasonable diligence for the Subject Water Rights up to a rate of 7.35 cfs. 2. In compliance with paragraph 28.A.ii of the 17CW3020 Decree, Greeley conducted stream flow measurement on Sheep Draw, and observed a flow rate of 0.6 cfs. Accordingly, Greeley seeks a finding of reasonable diligence for diversions by exchange at Boomerang Reservoir Nos. 1 and 2 at a rate of 0.6 cfs. 3. Greeley filed the application in Division 1 Case No. 22CW3042 to change the use of shares in the Water Supply and Storage Company, which shares are identified as sources of supply to be used in the exchange described herein. 4. Greeley conducted major operations in the development of the Poudre Ponds, which are identified as places of storage following operation of the exchange, at an approximate cost of \$2,358,325 during the diligence period. 5. Greeley conducted significant rehabilitation of its water transmission and distribution system, which will be used for delivery of the water, at an approximate cost of \$12,779,387 during the diligence period. 6. Greeley participated in numerous water court cases as an objector and as an applicant for protection of its water rights, including the exchange described herein, at an approximate cost of \$2,268,023 during the diligence period. 7. Greeley constructed major improvements to its Bellvue water treatment plant, at an approximate cost of \$37,013,854 during the diligence period. The Bellvue plant is part of Greeley's integrated system, which is used to treat water delivered to the Leprino Plant and used as a source of supply in the exchange. 8. Greeley completed significant maintenance and improvements to its high mountain reservoir system, along with its Hourglass and Comanche Reservoirs, and the Milton-Seaman Reservoir, all of which are part of Greeley's integrated system, at an approximate cost of \$697,391 during the diligence period. 9. Greeley conducted maintenance and repair of the Laramie River Tunnel, which is part of Greeley's integrated system, at an approximate cost of \$279,000 during the diligence period. 10. Greeley operated the Subject Water Rights on numerous occasions during the diligence period. 11. Greeley's Water and Sewer Department staff regularly monitored river conditions to assess whether water may be exchanged under the Subject Water Rights. VI. Claim to Make Conditional Rights of Exchange Absolute, in Part: During this diligence period, Greeley made the exchange partially absolute. Since the 17CW3020 Decree was entered, Greeley made absolute the following portions of the conditional exchange: A. On January 24, 2026, Greeley operated the exchange at a rate of 1.32 cfs from the Leprino WWTP Outfall to the 35th Avenue Drainage Ditch Diversion Point. B. On January 28, 2026, Greeley operated the exchange at a rate of 2.53 cfs from the Leprino WWTP Outfall to the Boyd and Freeman Ditch Headgate. See Greeley's Water Rights Accounting Summary, attached as **Exhibit C**. VII. 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: A. Greeley Canal No. 3: Applicant and Greeley Irrigation Company, 3005 W 29th Street, Suite G1, Greeley, CO 80631. B. Boyd and Freeman Ditch Headgate: Boyd Irrigation Company, 1001 11th Ave, Suite 200, Greeley, CO 80631; Tim and Jeanne Iverson, 5011 F Street, Greeley, CO 80631. C. 35th Avenue Reservoir Diversion Structures: Martin Marietta Materials, Inc., 1627 Cole Blvd, Suite 200, Lakewood, CO 80401. D. 35th Avenue Drainage Ditch Diversion Point: Applicant. E. Boomerang Reservoir No. 1: Shupe Bros. Co., P.O. Box 1447, Greeley, CO 80632; TOMORA LLC, 1130 50th Ave., Greeley, CO 80634; Matthew J. Chismar Irrevocable Trust, 2577 E. CR 60, Wellington, CO 80549. F. Boomerang Reservoir No. 2: Matthew J. Chismar Irrevocable Trust, 2577 E. CR 60, Wellington, CO 80549. WHEREFORE: Greeley requests the Court enter a decree finding (1) that Greeley has exercised reasonable diligence toward completion of the appropriation for the Subject Water Rights, as decreed in Case No. 17CW3020, and continuing said conditional water rights for another six-year diligence period, subject to the limitations described in Paragraphs V.B.1 and 2 above; and (2) that Greeley has made the rights partially absolute as described in Paragraph VI for the decreed uses in the amounts claimed above.

CASE NUMBER 2026CW3068 LOWER LOGAN WELL USERS, INC. ("LLWU") 30608 Road 385 Iliff, Colorado, 80736 (970) 521-1028 **GOLDEN EAGLE FARM LLC** ("GEF") 213 S. Bemiston, Suite 800 Saint Louis, MO 63105 (314) 285-8992, Lawrence Custer Grasmick Jones & Donovan, LLP Attorneys

for Applicant, Lower Logan Well Users, Inc., Ryan M. Donovan, #44435, Lyons Gaddis, PC, Matthew Machado, #31233 Casey J. Weaver, #56605 **APPLICATION TO AMEND DECREE IN CASE NO. 12CW292 IN LOGAN, MORGAN, WASHINGTON AND SEDGWICK COUNTIES**. 2. Overview. The Decree in Case No. 12CW292 approved the addition of two recharge wells (“Recharge Wells”) to the Decree in Case No. 03CW208, Application of LLWU, pursuant to ¶35.1 of the 03CW208 Decree. The Recharge Wells include the Saltgrass Meadow Well (Well Permit No. 85641-F) and the South Side Well (Well Permit No. 77827-F). Those Recharge Wells and the land on which the Recharge Wells are located (“the Property”) are owned by Co-Applicant Golden Eagle Farms, LLC, the successor to Golden Eagle Ranch, LLC. Co-Applicants filed this Application to: (a) increase the pumping rate of the Saltgrass Meadow Well from 1500 g.p.m. to 2000 g.p.m.; (b) lengthen by two weeks the period during which water will be pumped from the Recharge Wells into the Recharge Ponds; and (c) increase the volume of pumping from the Saltgrass Meadow Well to 1069 acre feet and the Southside Well to 1356 acre feet. The Recharge Wells are used to fill the recharge ponds on the Property. Those recharge ponds were modified following flood damage in 2015 (collectively, the “Recharge Ponds”). The modifications to the Recharge Ponds are being incorporated into the 03CW208 Decree by a separate notice filed pursuant to ¶ 10 of the 03CW208 Decree. 3. Increase in Pumping Rate and Volume for the Saltgrass Meadow Well. 3.1. Owner. GEF. 3.2. Location pursuant to ¶ 7.2 of the 12CW292 Decree: In the SW¼ SE¼ of Section 32, Township 10 North, Range 50 West of the 6th P.M., Logan County, Colorado at a point 519 feet from the south section line and 2258 feet from the east section line. The location of the Saltgrass Meadow Well is depicted on EXHIBIT A. 3.3. Appropriation date: The appropriation date for the original appropriation is December 27, 2012 pursuant to ¶ 7.3 of the 12CW292 Decree. The appropriation date for the supplemental appropriation sought herein is April 30, 2026, the date of filing the Application herein. 3.4. Amount: Pursuant to ¶ 7.4 of the 12CW292 Decree, the original appropriation for the Saltgrass Meadow Well is 1500 g.p.m., conditional, with an annual volumetric limit of 715 acre feet. This Application seeks approval of a supplemental appropriation for the well to increase the pumping rate to 2000 g.p.m. and to increase the annual volumetric limit to 1,069 acre feet. 3.5. Source pursuant to ¶ 7.5 of the 12CW292 Decree: Groundwater tributary to the South Platte River. 3.6. Use: Wildlife and wildlife recovery and recharge by diversion into the Recharge Ponds. The Recharge Ponds as modified are described below. The use of the Recharge Ponds shall be the uses specified in ¶10.6 of the 03CW208 Decree, which include augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 3.7. Salt Grass Meadow Well aquifer parameters pursuant to ¶ 7.6 of the 12CW292 Decree: W = 9,000 feet, X = 1,340 feet, Harmonic T = 192,000 gpd/ft. 4. Increase in Volume for the South Side Well. 4.1. Owner. GEF. 4.2. Location pursuant to ¶ 8.2 of the 12CW292 Decree: In the NE¼ SE¼ of Section 6, Township 9 North, Range 50 West of the 6th P.M., Logan County, Colorado at a point 1500 feet from the south section line and 450 feet from the east section line. The location of the Saltgrass Meadow Well is depicted on EXHIBIT A. 4.3. Appropriation date: The appropriation date for the original appropriation is December 27, 2012 pursuant to ¶ 8.3 of the 12CW292 Decree. The appropriation date for the supplemental appropriation sought herein is April 30, 2026, the date of filing the Application herein. 4.4. Amount: Pursuant to ¶ 8.4 of the 12CW292 Decree, the original appropriation for the South Side Well is 2500 g.p.m., conditional, with an annual volumetric limit of 1,193 acre feet. This Application seeks approval of a supplemental appropriation to increase the annual volumetric limit to 1,356 acre feet. 4.5. Source pursuant to ¶ 8.5 of the 12CW292 Decree: Groundwater tributary to the South Platte River. 4.6. Use: Wildlife and wildlife recovery and recharge by diversion into the Recharge Ponds. The Recharge Ponds as modified are described below. The use of the Recharge Ponds shall be the uses specified in ¶10.6 of the 03CW208 Decree, which include augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 4.7. South Side Well aquifer parameters pursuant to ¶ 8.7 of the 12CW292 Decree: W = 10,600 feet, X = 1,250 feet, Harmonic T = 374,000 gpd/ft. 5. Recharge Ponds. Co-Applicants are seeking approval of the modifications to the Recharge Ponds pursuant to separate notice procedure described at ¶10.4 of the 03CW208 Decree. The locations of the modified Recharge Ponds are depicted on EXHIBIT A. Additional information regarding the modified Recharge Ponds, including the locations of the centroids and the pond

volumes and surface areas, is set forth in EXHIBIT B. The descriptions of the Recharge Ponds in ¶¶ 7.6.1, 7.6.2, 8.6.1, and 8.6.2 of the 12CW292 Decree will be modified accordingly. No separate water rights for the Recharge Ponds are claimed herein. 6. Revised Pumping Season: Pursuant to ¶¶ 25.2 of the 12CW292, the Recharge Wells are allowed to pump water into the Recharge Ponds from October 16 – January 31. Co-Applicants seek to lengthen that period by two weeks, so that water can be pumped from the Recharge Wells into the Recharge Ponds from October 16–February 15. 7. Miscellaneous. The Recharge Wells and the Recharge Ponds will continue to be operated under the plan for augmentation approved in Case No. 03CW208, including the terms and conditions of the 03CW208 Decree, and also pursuant to the terms of the 12CW292 Decree and any additional terms in a decree entered in this case. The Recharge Wells will be re-permitted following entry of a decree in this case. 8. Name(s) of Owner(s) of the Land Upon Which any Modification to any Existing Storage Structure is Constructed or Upon Which Water Will be Stored: Co-Applicant GEF. This application consists of 7 pages.

CASE NUMBER 2026CW3069 CALVARY ELIZABETH FELLOWSHIP, PO Box 338, Elizabeth, CO 80107. (505) 699-3965. Please direct all correspondence to Applicant’s counsel: Michael A. Kopp, Lucas O’Brien; Trout Raley, 1120 Lincoln Street, Suite 1600, Denver, CO 80203; (303) 861-1963; mkopp@troutlaw.com, lobrien@troutlaw.com. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER RIGHTS AND APPROVAL OF PLAN FOR AUGMENTATION IN ELBERT COUNTY.** 2. Subject Property. Applicant seeks to adjudicate the Denver Basin aquifers underlying approximately 2.14 acres owned by the Applicant in Elbert County, Colorado (“Property”). The Property is depicted on **Exhibit A** and is located in the Northwest 1/4 of the Northwest 1/4 of Section 17, Township 8 South, Range 64 West of the 6th P.M. Applicants are the sole owners of the Property and therefore no notice is required pursuant to C.R.S. § 37-92-302(2). 3. Well Permits. There is currently one Upper Dawson well at the Property with expired permit no. 17283-F located at 4031 Park Lane, Elizabeth, Colorado 80107, UTM Easting: 535433; Northing 4356599 (Zone 13, NAD83). Upon entry of a decree in this matter, this well will be re-permitted in accordance with the plan for augmentation described below. Additional well permits will be applied for prior to construction of wells to withdraw the groundwater found to be available in the nontributary Denver Basin aquifers underlying the Property in accordance with C.R.S. § 37-90-137(10). The exact location of the well or wells to be constructed has not yet been determined, but such well(s) will be located on the Property, subject to C.R.S. § 37-90-137(4). Applicant requests the right to construct such wells anywhere on the Property in order to recover the entire amount of groundwater found to be available in the subject aquifers underlying the Property. Applicant requests the right to withdraw all of the available groundwater in the subject aquifers underlying the Property through any well(s) initially permitted in such aquifers and any additional well(s) that may in the future become part of a well field for the Property. 4. Source of Water Rights. 4.1 Nontributary Groundwater. The groundwater to be withdrawn from the Lower Dawson, Denver, Upper Arapahoe and Laramie-Fox Hills aquifers underlying the Property is nontributary as defined in C.R.S. § 37-90-103(10.5). 4.2 Not-Nontributary Groundwater. The groundwater to be withdrawn from the Upper Dawson aquifer underlying the Property is not-nontributary as defined in C.R.S. § 37-90-103(10.7). Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in the Upper Dawson aquifer will require the replacement of actual stream depletions. 5. Estimated Amounts. Using the Colorado Division of Water Resources online aquifer determination tool, Applicant estimates the following annual amounts of not-nontributary and nontributary may be available for withdrawal from the subject aquifers underlying the Property:

Aquifer	Annual Amount (acre-feet)
Upper Dawson (NNT Actual)	0.62
Lower Dawson (NT)	0.45
Denver (NT)	0.90
Arapahoe (NT)	0.80
Laramie-Fox Hills (NT)	0.71

The water supply availability listed in the above table is based on a 100-year aquifer life in accordance with C.R.S. § 37-90-137(4)(b)(I). Applicant claims the right to withdraw more than the average annual amounts listed above pursuant to Rule 8A of the Statewide Nontributary Ground Water Rules, 2 C.C.R. § 402-7. Pursuant to C.R.S. § 37-92-305(11), Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer based on actual local aquifer characteristics. 6. Requested Uses. Applicant requests the right to use, reuse, and successively use the groundwater withdrawn from the subject aquifers underlying the Property for domestic, irrigation, commercial, industrial, fire suppression, and augmentation purposes. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. 7. Well Fields. Applicant requests that this Court determine that Applicant has the right to withdraw all the legally available groundwater from the subject aquifers underlying the Property through any combination of wells. Applicant requests that these wells be treated as a well field. 8. Plan for Augmentation. 8.1. Structures to be Augmented. The structures to be augmented are the existing well on the Property constructed into the Upper Dawson aquifer, described above in paragraph 3, along with any replacement or additional wells constructed on the Property into the Upper Dawson aquifer. 8.2. Water Rights to be Used for Augmentation. The water rights to be used for augmentation are the return flows resulting from the pumping of the wells to be augmented, together with water pumped from the nontributary aquifers underlying the Property, including return flows from the use thereof, for any required replacement during pumping or the post-pumping period. 8.3. Statement of Plan for Augmentation. Applicant seeks to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Upper Dawson aquifer as described herein. Water use criteria and their consumptive use component for replacement of actual depletions for the Property are estimated as follows: 8.3.1. Uses. Commercial indoor use for a church of approximately 0.061 acre-feet per year; outdoor irrigation of lawn and garden of approximately 0.52 acre-feet per year. 8.3.2. Depletions. It is estimated that maximum stream depletions over the 100-year pumping period for the Upper Dawson aquifer amounts to approximately 0.06 acre-feet in year 100. Should Applicant's pumping be less than the 0.581 acre-feet per year total described herein, resulting depletions and required replacements will be proportionally reduced. 8.3.3. Augmentation of Depletions During Pumping. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual depletions associated with pumping from the Upper Dawson aquifer. Depletions during pumping will be effectively replaced by return flows from the commercial use of water through non-evaporative septic systems and irrigation return flows from water applied to landscaping. The annual consumptive use for non-evaporative septic systems is no more than 10% per year, resulting in an estimated annual replacement of 0.055 acre-feet per year. In addition, irrigation return flows are expected to be approximately 0.078 acre-feet per year. Thus, during pumping, stream depletions will be more than adequately augmented through a combination of indoor commercial use and outdoor irrigation. 8.3.4. Augmentation of Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the Upper Dawson wells on the Property, Applicant will reserve up to 55 acre-feet of the nontributary Denver aquifer to replace any injurious post-pumping depletions. Applicant also reserves the right to substitute other legally available augmentation sources for such post-pumping depletions upon further approval of the Court under its retained jurisdiction. 9. Upon entry of a decree in this case, Applicant will be entitled to apply for and receive a new well permit for the existing Upper Dawson well identified in paragraph 3 above, along with any replacement or additional wells, for the uses in accordance with this application and otherwise in compliance with C.R.S. § 37-90-137. Applicant requests the Court find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. (7 pages, including 1 exhibit)

CASE NUMBER 2026CW3070 HOME RUN RESTORATIONS, INC., a Nevada corporation, c/o Shawn Shaffer, 710 S. Blaney Road, Colorado Springs, CO 80929; Please direct all correspondence concerning this application to: Chris D. Cummins, and W. James Tilton, Monson, Cummins, Shohet &

Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, CO 80921; Telephone Number: (719) 471-1212; Email: cdc@cowaterlaw.com; wjt@cowaterlaw.com. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN EL PASO COUNTY.** Home Run Restorations, Inc., a Nevada corporation, in the care of Shawn Shaffer (hereafter “Applicant”) seeks to construct up to two wells, including an existing exempt well to the not-nontributary Dawson aquifer to provide water service to an equivalent number of lots, based on an anticipated minor subdivision of Applicant’s approximately 10 acre parcel of land. Applicant therefore seeks to quantify the Denver Basin groundwater underlying the Applicant’s Property, and approval of a plan for augmentation for the use thereof. Property Description. All wells are and will be located on Applicant’s approximately ten (10) acre property (“Applicant’s Property”) anticipated to be subdivided into two (2) lots, with current schedule number 5115003006. Applicant’s Property is depicted on the attached **Exhibit A** map, located in the SW¼ NW¼ of Section 15, Township 11 South, Range 65 West of the 6th P.M., and more particularly described as 18050 Quarterhorse Lane, Colorado Springs, CO 80908. Existing Well. There is an existing exempt domestic well with Division of Water Resources Permit No. 210961 (“Home Run Restorations Well No. 1”) located on Applicant’s property that provides water to the existing residence. It is a Dawson aquifer well drilled to a total depth of approximately 500 feet, and is located at UTM Easting: 529284; Northing: 4327166 (Zone 13, NAD83). Applicant is in the process of updating the Division of Water Resources’ records to correct the location for this well. Applicant intends for this well to be re-permitted following the issuance of a decree in this case. Proposed Wells. Applicant proposes that one additional well will be located on the Applicant’s Property at a specific location not yet determined, to be constructed to the Dawson aquifer (“Home Run Restorations Well No. 2”). Land Ownership. The land upon which the existing and proposed wells will be constructed is owned by Applicant, Home Run Restorations, Inc. Applicant acquired the property on March 27, 2026, pursuant to the Warranty Deed recorded with El Paso County Clerk and Recorder at instrument no. 226028543. **Exhibit B. Not-Nontributary.** The ground water to be withdrawn from the Dawson and Denver aquifers underlying the Applicant’s Property is not-nontributary. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in the Dawson and Denver aquifers will require the replacement of actual stream depletions. Nontributary. The groundwater that will be withdrawn from the Arapahoe and Laramie-Fox Hills aquifers underlying the Applicant’s Property is nontributary. Estimated Rates of Withdrawal. Pumping from the wells will not exceed 100 g.p.m. The actual pumping rates for each well will vary according to aquifer conditions and well production capabilities. The Applicant requests the right to withdraw ground water at rates of flow necessary to withdraw the entire decreed amounts. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions. Estimated Average Annual Amounts of Ground Water Available. Applicant requests a vested right for the withdrawal of all legally available ground water in the Denver Basin aquifers underlying the Applicant’s Property. Said amounts may be withdrawn over the 300-year life of the aquifers as required by El Paso County, Colorado Land Development Code § 8.4.7(C)(1) which is more stringent than the State of Colorado’s 100-year life requirement pursuant to C.R.S. § 37-90-137(4). Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying Applicant’s Property:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre Feet)	Annual Avg. Withdrawal 100 Years (Acre Feet)	Annual Avg. Withdrawal 300 Years (Acre Feet)
Dawson (NNT)	466.7	933.4	9.33	3.11
Denver (NNT)	398.7	677.79	6.78	2.26

Arapahoe (NT)	266	452.2	4.52	1.51
Laramie Fox Hills (NT)	189.2	283.8	2.84	0.95

Decreed amounts may vary from the above to conform with the State’s Determination of Facts. Pursuant to C.R.S. § 37-92-305(11), the Applicant further requests that the Court retain jurisdiction to finally determine the amount of water available for appropriation and withdrawal from each aquifer. Requested Uses. The Applicant requests the right to use the ground water for beneficial uses upon the Applicant’s Property consisting of domestic, irrigation, domestic animal and stock watering, equestrian facilities, agricultural, commercial, filling of a swimming pool and/or hot tub, fire protection, recreation, and also for storage and augmentation purposes associated with such uses. The Applicant also request that the nontributary water may be used, reused, and successively used to extinction, both on and off the Applicant’s Property subject, however, to the requirement of C.R.S. §37-90-137(9)(b), that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided, however, Applicant shall only be entitled to construct wells or use water from the not-nontributary Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of the not-nontributary Dawson aquifer in accordance with C.R.S. § 37-90-137(9)(c.5). Well Fields. Applicant requests permission to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant’s Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests the entitlement to withdraw an amount of ground water in excess of the average annual amount decreed to the aquifers beneath the Applicant’s Property, so long as the sum of the total withdrawals from all the wells in the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of a decree herein, whichever comes first, multiplied by the average annual volume of water which the Applicant is entitled to withdraw from the aquifers underlying the Applicant’s Property. Owner of Land Upon Which Wells are to Be Located. The land upon which the wells are and will be located as well as the underlying groundwater is owned by the Applicant. Statement of Plan for Augmentation. Applicant seeks approval of a plan for augmentation to allow it to utilize the not-nontributary Dawson aquifer underlying the property described herein, including following potential subdivision thereof. All wells to the not-nontributary Dawson aquifer will, during the pumping life of such wells, be augmented by septic return flows resulting from domestic uses, with post pumping depletions provided by pumping of the nontributary Denver aquifer. Structures to be Augmented. The structures to be augmented are the Home Run Restorations Well Nos. 1 and 2, along with any replacement or additional wells associated therewith, as likewise may be constructed to the Dawson aquifer of the Denver Basin underlying the Applicant’s Property as requested and described herein. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from the Home Run Restorations Well Nos. 1 and 2, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifers for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by Home Run Restorations Well Nos. 1 and 2, together with water rights from the nontributary Arapahoe and

Laramie-Fox Hills aquifers for any injurious post pumping depletions. Potential water use criteria and their consumptive use component for replacement of actual depletions for the lots are estimated as follows: Household Use Only: 0.26 acre-feet annually within single-family dwellings on each of the two lots, with a maximum of ten percent consumptive use based on non-evaporative septic leach field disposal systems. Landscape Irrigation: 0.0566 acre-feet annually per 1,000 square feet (2.18 acre feet per acre) per year, with an assumed 100% consumptive use rate. Horses (or equivalent livestock): 0.011 acre-feet annually (10 gallons per day) per head with a one hundred percent consumptive use component. Amounts. Home Run Restorations Well Nos. 1 and 2 will each pump a maximum of 0.927 acre-feet per year, or a maximum total of 1.85 acre-feet shall be withdrawn from the Dawson aquifer per year. Such use shall be a combination of household use, irrigation of lawn, garden, and greenhouse, and the watering of horses or equivalent livestock, and other permitted uses described in paragraph III.D., above. An example breakdown of this combination of use, utilizing the factors described above, for each lot, is in-house use of 0.26 acre-feet of water per year, with the additional 0.667 acre-feet per year available for irrigation of lawn, garden, and greenhouse, and the watering of horses or equivalent livestock and poultry on each lot. Depletions. Applicant's consultant has determined that maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 18.84% of pumping. **Exhibit C**. Maximum annual depletions for total pumping from both wells are therefore 0.349 acre-feet in year 300 (i.e. 18.84% of pumping). *Id.* Should Applicant's pumping be less than the 1.85 total per year described herein, resulting depletions and required replacements will be correspondingly reduced, so long as depletions resulting from pumping are adequately replaced. Augmentation of Depletions During Pumping. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual stream depletions attributable to pumping of the two (2) residential wells subject to this augmentation plan. Applicant's consultant has determined that depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. Using a conservative in-house use rate of 0.2 acre-feet per lot per year, being 0.18 acre-feet annually from each residence, 0.36 acre-feet is replaced to the stream system per year, utilizing non-evaporative septic systems. The 0.36 annual acre feet replaced is greater than the maximum annual depletion for total pumping in year 300. Thus, during pumping, stream depletions will be adequately augmented. Augmentation for Post Pumping Depletions. For the replacement of any injurious post-pumping depletions which may be associated with the use of the Home Run Restorations Well Nos. 1 and 2 Applicant will reserve the entirety of the nontributary Laramie-Fox Hills aquifer, and a portion of the nontributary Arapahoe aquifer, accounting for actual stream depletions replaced during the planned pumping period, as necessary to replace any injurious post pumping depletions. Applicant also reserves the right to substitute other legally available augmentation sources for such post pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post pumping depletions will be noninjurious. The reserved nontributary Arapahoe and Laramie-Fox Hills aquifer groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive new well permits for Home Run Restorations Well Nos. 1 and 2 for the uses in accordance with this Application and otherwise in compliance with C.R.S. § 37-90-137. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the not-nontributary Dawson aquifer may occur in both the South Platte and the Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system where the majority of such depletions will occur, and it is Applicant's intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte as set forth herein, and for a finding that those replacements are sufficient. The Applicant requests a finding that it has complied with C.R.S. § 37-90-137(4), and that the ground water requested herein is legally available for withdrawal by the requested not-nontributary wells upon the entry of a decree approving an augmentation plan pursuant to C.R.S. § 37-90-137(9)(c.5). The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan

pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of ground water withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. The Applicant requests a finding that vested water rights of others will not be materially injured by the withdrawals of ground water and the proposed plan for augmentation. The wells shall be installed and metered as reasonably required by the State Engineer. Each well must be equipped with a totalizing flow meter and Applicant shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. The Applicant shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this plan of augmentation. The Applicant waives the 600 feet well spacing requirement for any wells to be located upon the Applicant's Property. There is a lien on Applicant's property. Applicant will provide the lien holder with notice of this application pursuant to C.R.S. § 37-92-302(2)(b) and § 37-90-137(4)(b.5)(I) within fourteen (14) days of submitting this application. 7 pages.

CASE NUMBER 2026CW3071 OGILVY AUGMENTATION COMPANY, 8209 West 20th Street, Suite A, Greeley, CO 80634, (970) 352-7766. Please send all further pleadings to: Daniel K. Brown and Whitney Phillips Coulter, Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 East Prospect Road, Fort Collins, CO 80525. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN WELD COUNTY**. 3. Previous Decrees: Applicant obtained a decree for conditional storage and direct flow rights in Case No. 07CW331, District Court, Water Division 1 on November 2, 2016 (the "Original Decree"). Applicant filed an application to amend the Original Decree in Case No. 18CW3009, District Court, Water Division 1 on January 26, 2018 ("Amendment Case"), seeking a limited amendment to the Original Decree to clarify Paragraph 15.6 of the Original Decree to allow Applicant may to deliver water attributable to other water rights to the recharge ponds but only to the extent authorized by separate decree or approval by the State Engineer, Division 1 Engineer or their designated representative. A Decree was entered in the Amendment Case on April 27, 2020, (the "Amended Decree") replacing the Original Decree in its entirety. This Application is the first diligence application for the conditional water storage right and the conditional surface water right confirmed by the Amended Decree ("Subject Conditional Water Rights"). 4. Conditional Surface Water Right. The Amended Decree adjudicated a conditional surface water right (hereinafter "Ogilvy Ditch Water Right") to be diverted at the existing headgate of the Ogilvy Ditch. 4.1. Name of Structure: Ogilvy Ditch. 4.2. Location: The location of the diversion is the location of the existing headgate of the Ogilvy Ditch on the north bank of the Cache la Poudre River in the SE 1/4 of the SE 1/4 of the SW 1/4 of Section 4, Township 5 North, Range 65 West, 6th P.M. 4.3. Source: Cache la Poudre River. 4.4. Date of Appropriation: December 31, 2007. 4.5. Amount: 100 c.f.s., CONDITIONAL. 4.6. Use: Augmentation and replacement of depletions from wells included in the plan for augmentation decreed in Case No. 03CW150 by delivering water diverted under the Ogilvy Ditch Water Right to recharge structures pursuant to Paragraph 15.6 of the Amended Decree to generate accretions, and such accretions will either be placed to direct use or use by substitution and exchange. Applicant's rights to use the water diverted pursuant to this water right by substitution and exchange shall be limited to diversion of recharge accretions by exchange in accordance with Paragraph 15.7 of the Amended Decree, including exchange to the headgate of the Greeley Canal No. 2 for delivery to and storage in Seeley Lake for use as described in the following paragraph. 5. Conditional Storage Water Right. The Amended Decree adjudicated a conditional water storage right as described below. 5.1. Name of Structure: Seeley Lake. 5.2. Location: Seeley Lake is an existing off-channel reservoir located in parts of the SE 1/4 of Section 23, the SW 1/4 of Section 24, the NW 1/4 of Section 25, and the NE 1/4 of Section 26, Township 6 North, Range 66 West, 6th P.M. 5.3. Source: Cache la Poudre River, and springs, seepage and runoff from surrounding lands that accrues directly to the reservoir and/or its inlet ditch located in the E 1/2 of Section 23 and the SE 1/4 of Section 14, Township 6 North, Range 66 West, 6th P.M. Water will be diverted from the Cache la Poudre River for storage in Seeley Lake through the Greeley Canal No. 2, the river headgate for which is located on the north bank of the Cache la Poudre River in the SW 1/4 of the SE 1/4

of the NE 1/4 of Section 11, Township 6 North, Range 68 West, 6th P.M. The maximum rate for diversions from the Cache la Poudre River through the Greeley Canal No. 2 is 490 cfs. 5.4. Date of Appropriation: December 31, 2007. 5.5. Amount: 1187.3 acre-feet, CONDITIONAL, with the right to one fill in any water year (November 1 through October 31). 5.6. Use: Augmentation and replacement of depletions from wells included in the plan for augmentation decreed in Case No. 03CW150 by delivering water directly to the river for augmentation or for subsequent diversion at the Ogilvy Ditch river headgate and delivery to recharge structures pursuant to Paragraph 15.6 of the Amended Decree to generate accretions, and such accretions will either be placed to direct use or use by substitution and exchange. Applicant's rights to use the water diverted pursuant to this water right by substitution and exchange shall be limited to the diversion of recharge accretions by exchange in accordance with Paragraph 15.7 of the Amended Decree, including exchange to the headgate of the Greeley Canal No. 2 for delivery to and storage in Seeley Lake for use. 6. Claim to Make Absolute. Applicant seeks to make the following amounts absolute. 6.1. Ogilvy Ditch Water Right: 13.26 cfs, with 86.74 cfs remaining conditional. 6.2. Seeley Lake Storage Right (per Paragraph 5 above) 87 acre feet, with 1,100.3 acre feet remaining conditional. 7. Claim to Continue Conditional Right. Applicant, along with the Ogilvy Irrigating and Land Company, operates the augmentation plan decreed in Case No. 03CW150 ("Ogilvy Augmentation Plan") comprised of multiple features and water rights, which system constitutes an integrated system within the meaning of C.R.S. § 37-92-301(4). The Subject Conditional Water Rights are a source of supply of augmentation water for the Ogilvy Augmentation Plan. In the event that the Court concludes that all or any portion of the foregoing Subject Conditional Water Rights have not been made absolute, Applicant requests that said portion continues as a conditional water right and further provides the following outline of what has been done toward completion of the conditional appropriations: 7.1. Applicant has been reasonably diligent in seeking to perfect the Subject Conditional Water Rights. Applicant has operated the Ogilvy Augmentation Plan every year, utilizing the Subject Conditional Water Rights as a source of augmentation and recharge water. Applicant has also participated in several projects involving the acquisition, development and/or rehabilitation of structures to improve the overall operation of the Ogilvy Augmentation Plan, including in particular: (1) the purchase and development of the Loloff Pit located the NW 1/4 of Section 4, Township 5 North, Range 65 West, as well as the Loloff pipeline (facilitating delivery of water to and from the Pit and the Ogilvy Ditch), (2) the East 8th Street Pit, located in the S 1/2 of Section 4, Township 5 North, Range 65 West, and the dredging of Seeley Lake, located at the intersection of Sections 23, 24, 25 and 26, Township 6 North, Range 66 West. Applicant expended at least \$1,150,000 on the foregoing projects. Additionally, Applicant filed an application in Case No. 24CW3119 to add the East 8th Street Pit as a structure to be augmented in the Ogilvy Augmentation Plan and a diligence application for the Loloff Section 4 Ditch, the water from which is intended to be an additional source of augmentation in the Ogilvy Augmentation Plan. Applicant has also expended approximately \$200,000 for legal and engineering services related to the foregoing projects and water court filings. 8. Right to Supplement and Present Additional Information. Applicant reserves the right to supplement this Application with additional information related to its claim for diligence and may present additional information related to its claim for diligence before and during trial in this matter. 9. 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: There are no new diversion or storage structures, or modification to any existing diversion or storage structures. WHEREFORE, Applicant respectfully requests a ruling and decree for the following: A. Applicant has made the Subject Conditional Water Rights ABSOLUTE, in the amounts set forth in Paragraph 6 above; B. In the event that for whatever reason the Court concludes that any portion of the Subject Conditional Water Rights has not been made absolute, Applicant has exercised due and reasonable diligence during the six years following entry of the decree in Case No. 18CW3009 towards completion or for completion of the appropriation and application of water therein decreed, and for such other relief as the Court may determine proper; and C. Applicant has demonstrated continued intent and progress towards finalizing the remaining portion of the Subject Conditional Water Rights and further demonstrated that it has satisfied the requirements of "can and will."(Application consists of 6 pages).

CASE NUMBER 2026CW3072 Applicant. **THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT AND THE GROUNDWATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT** (collectively “Applicant” or “Central”), 3209 W. 28th Street, Greeley, CO 80631, 970-330-4540 with all correspondence connected herewith being sent to Applicant’s counsel, Bradley C. Grasmick or David P. Jones, Lawrence Custer Grasmick Jones & Donovan, LLC 80534, 970-622-8181. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART IN WELD COUNTY**. 2. **Description of Conditional Water Right.** 2.1. Name of Structure. Western Mutual Ditch Recharge Project (WMDRP). 2.2. Date of Original Decree. June 21, 1991, Case No. 87CW304, District Court, Water Division No. 1 (“87CW304 Decree”). 2.3. Diligence Decrees. Case Nos. 97CW161, 04CW255, 12CW98, and 18CW3224, Water Division No. 1. 2.4. Legal Description of Point of Diversion. In the SE 1/4 of the SW 1/4 of Section 11, Township 3 North, Range 67 West of the 6th P.M., Weld County, Colorado at the diversion works of the Western Mutual Ditch (aka Hewes and Cook) on the east bank of the South Platte River. 2.5. Source. The South Platte River and its tributaries. 2.6. Date of Appropriation. March 17, 1987. 2.7. Amount. 75 c.f.s. of which 55.0 c.f.s., conditional and 20 c.f.s. absolute. (of the 55 c.f.s. originally decreed as conditional, an additional 9 c.f.s. was made absolute in 97CW161, an additional 2.4 c.f.s. was made absolute in 04CW255, and an additional 27.73 c.f.s. was made absolute in Case No. 18CW3224 for a total of 59.13 c.f.s. absolute, and 15.87 retained as conditional). 2.8. Use of Water. Augmentation, recharge, replacement and exchange. 2.9. Description. Waters are diverted into the Western Mutual Ditch at its existing headgate and are allowed to percolate into the underground aquifer and flow toward the South Platte River for the purpose of developing accretions to offset out of priority depletions associated with well pumping for irrigation and other beneficial uses of water. The water diverted may also be delivered through the ditch to facilities proximate to the ditch for such use. Applicant has an agreement with the Wester Mutual Ditch Company which allows the operation of this project. 2.10. Date of Previous Diligence Decree. April 30, 2020 in Case No. 18CW3224. 2.11. Volumetric Limits. The 87CW304 Decree was previously amended by order of the Court dated October 22, 2012. Pursuant to stipulations with parties to that amendment incorporated into paragraph 16 of said Decree, diversions under this water right may not exceed 13,500 acre feet in any single water year of October 1 through September 30 and count toward the 25,000 acre foot volume limit set forth in paragraph 19.4.2 of the decree entered in Case No. 05CW331. Additionally, based on stipulations entered in Case No. 05CW331 diversions by this water right also count toward the cumulative annual and rolling average volume limits set forth in paragraphs 24.1 and 24.2 of the 05CW331 decree. Any and all amounts of water diverted under this water right count toward these volumetric limitations, irrespective of whether such diversions occur pursuant to a call by the water right or under free river conditions. Once 13,500 acre-feet has been diverted under this water right in any water year (from October 1 through September 30) as described above, Applicant shall no longer be entitled to call for water under this water right during the same water year. 2.12. Remarks on Proximate Facilities. The 85CW370 Decree was amended in Case No. 13CW13 entered on December 15, 2013, in Case No. 14CW3129 entered on August 17, 2017, in Case No. 22CW3192 entered on November 5, 2024, and a current amendment is pending in Case No. 26CW3001 filed on January 15, 2026. Applicants anticipate future amendments. 3. **Detailed Outline of Actions Towards Completion of the Appropriation During the Diligence Period, Including Expenditures.** During the diligence period, water was diverted and delivered to recharge and the resulting accretions were used a source of augmentation and replacement in Central’s Plans for Augmentation decreed in Case Nos. 02CW335 and 16CW3202. Additionally, the water right listed herein is part of Central’s integrated system of water rights. Central has operated and developed its integrated system during the diligence period, including its Plans for Augmentation and has retained legal counsel and engineering consultants to assist in such operation and development. Central has filed and prosecuted applications for the addition and removal of wells to and from its Plans. Central has acquired water rights represented by shares in various ditch companies and has prosecuted applications changing those water rights for use by Central in its Plans. Central has acquired various gravel pits and made capital improvements for storage of water. Central has appropriated new water rights and has leased water rights on a temporary basis for use in its Plans. Central has participated as an opposer in numerous water court

applications to protect its water rights. Central has prosecuted water court applications to perfect its water rights as absolute and/or to maintain its conditionally decreed rights. Central and its parent district the Central Colorado Water Conservancy District have expended more than \$150,000,000 towards the operation, development and protection of the water rights decreed herein and its integrated system during the diligence period. 4. **Claim for Finding of Reasonable Diligence and to Make Absolute in Part:** During the diligence period, water was diverted and recharged under the WMDRP. A maximum rate of diversion of 74.42 c.f.s. occurred on May 16, 2023. Pursuant to §37-92-304 C.R.S., Central seeks a decree: 1) making the water right absolute for an additional amount of 15.29 c.f.s. for a total of 74.42 c.f.s. absolute and .58 c.f.s conditional; 2) for a finding that Applicant has been reasonably diligent in the development of the conditional water right; and 3) to maintain and continue the conditional portion for an additional statutory period, which is currently six years. 5. **Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool.** N/A. The original Application consists of 4 pages.

CASE NUMBER 2026CW3073 EMILY M BENNETT AND ANNIE L. BENNETT, 11709 S Forest Ave, Jenks, OK 74037, Eric Trout, Fairfield & Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202, **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER DAWSON AQUIFER IN ELBERT COUNTY.** 2. Subject Property: A parcel totaling 40 acres located in the NW1/4 of the NE1/4 of Section 15, Township 9 South, Range 65 West of the 6th P.M., also know as 911 Private Road 112, Elizabeth, VO, 80107, Elbert County, State of Colorado, as shown on **Exhibit A** (“Subject Property”). 3. Lien Holder Certification: Applicants certify that there are no mortgage or lien holders and therefore no notice is required under C.R.S. § 37-92-302(2)(b). A copy of the vesting deed is attached as **Exhibit B**. 4. Well Permits: There is one existing unregistered Upper Dawson well on the Subject Property. Applicants will apply for a new well permit once an inspection of the well is complete. The inspection is scheduled for June 1, 2026. Additional well permits will be applied for prior to construction of additional wells. 5. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). 6. Estimated Volume: Applicants desire to leave no additional groundwater adjudicated. Applicants estimate the following volumes may be available for withdrawal:

Aquifer	Annual Volume 100 Years (acre-feet)	Annual Volume 300 Years (acre-feet)	Total Volume (acre-feet)
Upper Dawson (NNT)*	14.78	4.93	1,478
Lower Dawson (NT)	11.17	3.72	1,117
Denver (NT)	16.08	5.36	1,608
Arapahoe (NT)	15.82	5.27	1,582
Laramie-Fox Hills (NT)	11.70	3.90	1,170

*The total estimated volume in the not-nontributary Upper Dawson Aquifer is 18.78 acre-feet per year for a 100-year withdrawal period. 4 acre-feet per year is reserved for any future exempt purposes, including through the existing well which will be inspected and permitted with the State Engineer. 7. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of

depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. 8. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). 9. Remarks: 9.1 Applicants claim the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. 9.2 Applicants request the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicants request the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. (7 pages with exhibits)

CASE NUMBER 2026CW3074 PETER ALLEN GIACALONE AND RICHARD JOSEPH KINSCH, 39540 County Road 13, Elizabeth, CO 80107; Philip E. Lopez, Eric K. Trout, Fairfield & Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202, **APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER DAWSON IN ELBERT COUNTY**. 2. Subject Property: A parcel totaling approximately 49.309 acres generally located in the W1/2 of the W1/2 of Section 18, Township 7 South, Range 64 West of the 6th P.M., also known as 39540 County Road 13, Elizabeth, CO 80107, as shown on **Exhibit A** (“Subject Property”). 3. Lien Holder Certification: Applicants certify that there are no mortgage or lien holders, therefore no notice is required under C.R.S. § 37-92-302(2)(b). A copy of the vesting deed is attached at **Exhibit B**. 4. Well Permits: There is an Upper Dawson exempt well on the Subject Property under Well Permit Number 228093. This well will be re-permitted under the plan for augmentation requested in this application. Additional well permits will be applied for prior to construction of additional wells. 5. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). 6. Prior Decree: The groundwater underlying the Subject Property was adjudicated in Case No. 1998CW344, District Court, Water Division 1, by decree entered March 23, 1999 (the "98CW344 Decree"). The Subject Property constitutes approximately 13.04% of the total area covered by the 98CW344 Decree, and the volumes set forth below are calculated on that proportionate basis. 7. Decreed Volumes: Applicants desire to leave no groundwater unadjudicated. The following volumes are available for withdrawal:

Aquifer	Estimated Annual Volume 100 Years (acre-feet)	Estimated Annual Volume 300 Years (acre-feet)	Estimated Total Volume (acre-feet)
Upper Dawson (NNT)	10.29	3.43	1,028.86
Lower Dawson (NT)	4.34	1.45	434.23
Denver (NT)	15.92	5.31	1,592.18
Arapahoe (NT)	22.70	7.57	2,270.26
Laramie-Fox Hills (NT)	12.65	4.22	1,264.88

8. 98CW344 Decreed Uses: The water withdrawn from the subject aquifers will be used, reused, successively used, and after use leased, sold, or otherwise disposed of for the following beneficial purposes: municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Subject Property. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for

augmentation purposes. 9. **Jurisdiction:** The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). 10. **Summary of Plan for Augmentation:** 10.1 **Groundwater to be Augmented:** 2.6 acre-feet per year of not-nontributary Upper Dawson Aquifer groundwater for 300 years. 10.2 **Water Rights to be Used for Augmentation:** Return flows from the use of not-nontributary and nontributary groundwater and direct discharge of nontributary groundwater. 10.3 **Statement of Plan for Augmentation:** The not-nontributary Upper Dawson Aquifer groundwater will be used in up to four (4) wells. Each well will provide in-house use in one (1) single-family dwelling (0.3 acre-feet per year per well, 1.2 acre-feet per year total), outdoor irrigation of home lawn, garden, pasture, and trees up to 6,000 square-feet (0.3 acre-feet per year per well, 1.2 acre-feet per year total), watering of up to 4 large domestic animals per lot (0.05 are-feet per year per well, 0.2 acre-feet per year total) fire protection, and storage anywhere on the Subject Property. Applicants reserve the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use and return flow from irrigation use will be approximately 15% of that use. During pumping Applicants will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the South Platte River stream system and return flows accrue to that stream system and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicants will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post-pumping augmentation requirements. Applicants request the Court approve the above underground water rights and augmentation plan, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. (11 pages with exhibits)

CASE NUMBER 2026CW3075 MITCH O’CONNELL, 28505 County Road 5, Elizabeth, CO 80107; Philip E. Lopez, Eric K. Trout, Fairfield & Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202, APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES AND APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER DAWSON IN ELBERT COUNTY.

2. **Subject Property:** A parcel totaling approximately 40 acres located in the NE1/4 of the SE1/4 of Section 10, Township 9 South, Range 65 West of the 6th P.M., Elbert County, also known as 28505 County Road 5, Elizabeth, CO, 80107, as shown on **Exhibit A** (“Subject Property”). 3. **Lien Holder Certification:** There are no parties who are mortgage or lien holders, therefore no notice is required under C.R.S. § 37-92-302(2)(b). A copy of the vesting deed is attached as **Exhibit B**. 4. **Well Permits:** There is one exempt Upper Dawson well on the Subject Property under Well Permit Number 162559. This well will be re-permitted under the plan for augmentation requested in this application. Additional well permits will be applied for prior to construction of additional wells. 5. **Source of Water Rights:** The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). 6. **Estimated Volumes:** Applicant desires to leave no groundwater unadjudicated. Applicant estimates the following volumes may be available for withdrawal:

Aquifer	Estimated Annual Volume 100 Years (acre-feet)	Estimated Annual Volume 300 Years (acre-feet)	Estimated Total Volume (acre-feet)
Upper Dawson (NNT)	18.36	6.12	1,836
Lower Dawson (NT)	10.63	3.54	1,063
Denver (NT)	15.67	5.22	1,567
Arapahoe (NT)	15.36	5.12	1,536

Laramie-Fox Hills (NT)	11.98	3.99	1,198
---------------------------	-------	------	-------

7. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. 8. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). 9. Summary of Plan for Augmentation: 9.1 Groundwater to be Augmented: 4 acre-feet per year of not-nontributary Upper Dawson Aquifer groundwater for 300 years. 9.2 Water Rights to be Used for Augmentation: Return flows from the use of not-nontributary and nontributary groundwater and direct discharge of nontributary groundwater. 9.3 Statement of Plan for Augmentation: The not-nontributary Upper Dawson Aquifer groundwater will be used in up to four (4) wells. Each well will provide in-house use in up to two (2) single-family dwellings or their equivalent (0.6 acre-feet per year per well, 2.4 acre-feet per year total), outdoor irrigation of up to 7,000 square-feet (0.35 acre-feet per year per well, 1.4 acre-feet per year total), water of up to 4 large domestic animals (0.05 acre-feet per year per well, 0.2 acre-feet per year total), fire protection, and storage before use anywhere on the Subject Property. Applicant reserves the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use and return flow from irrigation use will be approximately 15% of that use. During pumping Applicant will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the South Platte River stream system and return flows accrue to that stream system and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicant will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post-pumping augmentation requirements. Applicant requests the Court approve the above underground water rights and augmentation plan, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate.

CASE NUMBER 2026CW3076 LANDVIEW INVESTMENTS LLC, ATTN: Mohamed Habeeb Radi, 12109 N 5th Street, Parker, CO 80134; Philip E. Lopez, Eric K. Trout, Fairfield & Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202, **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER DAWSON AQUIFER IN ELBERT COUNTY**. 2. Subject Property: A parcel totaling 40 acres located in the NW1/4 of the NW1/4 of Section 22, Township 7 South, Range 65 West of the 6th P.M., Elbert County, State of Colorado, also known as 400 County Road 158, Elizabeth, 80107 as shown on **Exhibit A** (“Subject Property”). 3. Lien Holder Certification: Applicant certifies that no party is a mortgage or lien holder, therefore no notice is required under C.R.S. § 37-92-302(2)(b). A copy of the vesting deed is attached as **Exhibit B**. 4. Well Permits: There is one existing exempt Upper Dawson well on the Subject Property under Well Permit No. 156530, which will be re-permitted under the augmentation plan applied for below. Additional well permits will be applied for and approved prior to construction of further wells. 5. Source of Water Rights: The Upper Dawson Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5).

6. Estimated Volume: Applicant desires to leave no additional groundwater unadjudicated. Applicant estimates the following volumes may be available for withdrawal:

Aquifer	Annual Volume 100 Years (acre-feet)	Annual Volume 300 Years (acre-feet)	Total Volume (acre-feet)
Upper Dawson (NNT)	14.39	4.80	1,439
Lower Dawson (NT)	4.48	1.49	448
Denver (NT)	16.23	5.41	1,623
Arapahoe (NT)	16.14	5.38	1,614
Laramie-Fox Hills (NT)	11.02	3.67	1,102

7. Proposed Uses: Groundwater withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property will be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to, domestic, including in-house use, commercial, irrigation, stock watering, fire protection, recreational, fish and wildlife, and augmentation purposes, including storage. The water may be immediately used or stored for subsequent use, used for exchange purposes, for direct replacement of depletions, and for other augmentation purposes, including taking credit for all return flows resulting from the use of such water for augmentation of, or as an offset against, any out-of-priority depletions. The water may be leased, sold, or otherwise disposed of for all the above uses both on and off the Subject Property. 8. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). 9. Remarks: 9.1 Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. 9.2 Applicant requests the right to revise the estimates upward or downward, based on better or revised data, without the necessity of amending this application or republishing the same. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate.

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

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of **JUNE 2026** (forms available on www.courts.state.co.us or in the Clerk's office), and must be filed as an Original and include **\$192.00** filing fee. A copy of each Statement of Opposition must also be served upon the Applicant or Applicant's Attorney and an affidavit or certificate of such service of mailing shall be filed with the Water Clerk.