

DIVISION 5 WATER COURT- MAY 2026 RESUME

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

1. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3033 APPLICATION FOR CHANGE OF WATER RIGHTS OF THE GRAND RIVER RANCH OWNERS ASSOCIATION, INC. AND BALLYCARRICK RANCH, LLC IN GRAND COUNTY. 1. Name, mailing address and telephone number of Applicant: Grand River Ranch Owners Association, Inc., for itself and as agent for co-applicant Ballycarrick Ranch, LLC, Garth Eichler, Manager, Grand River Ranch, P.O. Box 1568, Kremmling, CO 80459, garth@thegrandriverranch.com, (970) 531-6185; Ballycarrick Ranch, LLC, c/o Michael O'Shaughnessy, P.O. Box 29, Denver, CO 80201, mike@lario.net, (303) 748-0648. Please send all correspondence to counsel for Applicants: Karl D. Ohlsen and Sarah B. Wiedemann, Carlson, Hammond & Paddock, LLC, 1900 N. Grant Street, Suite 1200, Denver, CO 80203-4539, Phone: (303) 861-9000; Fax: (303) 861-9026, kohlsen@chp-law.com, swiedemann@chp-law.com. 2. Introduction: Ballycarrick Ranch, LLC, is the owner of the Continental Divide Pond water right originally decreed in Case No. 05CW276. That decree provides for "an off-stream pond located in the SW1/4 of the SE1/4 and SE1/4 of the SW1/4 of Section 15, T1N, R81W of the 6th P.M." It also provides a point of diversion as follows: The primary source of water for the Continental Divide Pond will be water collected from a spring located approximately 2,100 feet in a northwesterly direction from the pond in the SW1/4 of the SW1/4 of Section 15, T1N, R81W of the 6th P.M. (UTM NAD27 Zone 13 Coordinate N4,433,595: E375,272 Meters). The water will be diverted at this location and carried to the pond. The Continental Divide Pond will also impound water from runoff and seepage, when in priority. In lieu of increasing the size of the existing reservoir, Applicant Ballycarrick Ranch built a second reservoir to store an additional amount of the Continental Divide Pond water right, completed on November 8, 2024 (referred to as the "Upper Continental Divide Pond"). The Upper Continental Divide Pond at full capacity has 0.84 surface acres and a storage capacity of 4.55 acre-feet. Applicant received a June 10, 2024, letter from the Division Engineer's Office for Division 5 acknowledging receipt of a Notice of Intent to Construct a Non-Jurisdictional Water Impoundment Structure, assessing the associated dam as low hazard, and assigning it Dam ID #530227. The as-built structure draws, via pipeline, from the spring adjudicated as the primary source of the Continental Divide Pond water right with a decreed location in the SW1/4 of the SW1/4 of Section 15, T1N, 81W of the 6th P.M. The dam for the Upper Continental Divide Pond is located in the SW1/4 of the SW1/4 of Section 15, about 72 feet from the boundary for the SW1/4 of SE1/4 of Section 15; however, the Continental Divide Pond water right is decreed as located in the SW1/4 of the SE1/4 and SE1/4 of the SW1/4 of Section 15. The constructed Upper Continental Divide Pond comports with all other parameters for the decreed Continental Pond right. Therefore, Applicant Ballycarrick Ranch seeks to change the Continental Divide Pond to include an alternate place of storage, at the location of the as-built Upper Continental Divide Pond, while retaining the right to store in the original decreed place of storage. The point of diversion for the primary source of water (the above-described spring) remains the same, and a pipeline delivers the spring water to the alternate place of storage. 3. Decreed water right for which change is sought: A. Name of structures: Continental Divide Pond. B. Date of original decree: October 14, 2006, Case No. 05CW276, District Court, Water Division No. 5. C. Subsequent decrees: The decree in Case No. 13CW20, District Court, Water Division No. 5, dated August 4, 2013, made the conditional water right absolute in part and entered a finding of reasonable diligence. The decree in Case No. 19CW3104, District Court, Water Division No. 5, dated April 18, 2020, entered a finding of reasonable diligence. A diligence application was filed on April 30, 2026, in District Court, Water Division No. 5 in Case No. 26CW3030. The decree in Case No. 06CW32, District Court, Water Division No. 5, added the Continental Divide Pond as a structure augmented by the augmentation plan originally decreed in Case No. 01CW41. D. Legal description of structure as described in most recent decree that adjudicated the location: an off-stream pond located in the SW1/4 of the SE1/4 and SE1/4 of the SW1/4 of Section 15, T1N, R81W of the 6th P.M. The centerline of the Dam is 2,265 feet from the East Line and 320 feet from the South Line. (UTM NAD27 Zone 13 Coordinate N4,433,536: E375,895 Meters). A map illustrating the location of the structure (in comparison to the location of the new structure) is attached to this Application as Exhibit A. E. Decreed source of water: Spring flow, seepage, and natural runoff on Ranch No. 6 of the Grand River Ranch. F. Appropriation Date: December 23, 2005. G. Total amount decreed to structure: 13.9 acre-feet, with the right to continuously fill and refill, and to conduct freshening flows through the pond when full. In Case No. 13CW20, 1.5 acre-feet was made absolute for all decreed beneficial uses and a finding of reasonable diligence entered as to the remaining conditional portion of 12.4 acre-feet. H. Decreed use or uses: Stock water, piscatorial, wildlife uses consistent with the surface of the pond, recreation, and firefighting. I. Amount of water that Applicant intends to change: The total amount of water decreed to the Continental Divide Pond: 13.9 acre-feet, with the right to continuously fill and refill, and to conduct freshening flows through the pond when full. In Case No. 13CW20, 1.5 acre feet was made absolute for all decreed beneficial uses and a finding of reasonable diligence entered as to the remaining conditional portion of 12.4 acre-feet. 4. Detailed description of proposed change: A. Applicant seeks to change the Continental Divide Pond to include an alternate place of storage at the location of the as-built Upper Continental Divide Pond, while retaining the right to store in the original decreed storage location. The point of diversion for the primary source of water (the above-described spring) remains the same, and a pipeline delivers the spring water to the alternate place of storage. B. No other changes to the Continental Divide Pond water right are requested herein and the Applicant Ballycarrick Ranch will continue to use the water diverted pursuant to water right that for the decreed uses. C. The proposed use of the alternate place of storage will not result in the diversion or consumptive use of a greater amount of water than is decreed to the Continental Divide Pond and shall not exceed the contemplated draft of the remaining conditional water rights decreed to the original structure. D. No injury will occur to other vested water rights or decreed conditional water rights as a result of the change of water right to add the alternate place of storage requested herein. E. Use of the alternate place of storage will be subject to the terms and conditions of the decreed plan for augmentation set forth in Case No. 06CW32. F. Location of the existing and new structures: a)

As-built location of the Continental Divide Pond: 1. Public Land Survey System: An off-stream pond located in the SW1/4 of the SE1/4 and SE1/4 of the SW1/4 of Section 15, T1N, R81W of the 6th P.M. The centerline of the dam is 2,265 feet from the East line and 320 feet from the South line. (Source: decree in Case No. 05CW276, CDSS MapViewer). 2. Location of structure (UTM preferred): UTM NAD27 Zone 13 Coordinates Easting: 375895; Northing: 4,433,536 Meters. (Source: decree in Case No. 05CW276, CDSS MapViewer). (The decreed PLSS and UTM locations of the centerline of the dam as-built differ by approximately 80 feet. The UTM location is slightly more accurate.) b) As-built location of the new Upper Continental Divide Pond: 1. Public Land Survey System: SW1/4 of the SW1/4 of Section 15, Township 1 North, Range 81 West, 6th P.M. Source: CDSS MapViewer. 2. Location in UTM format: The centerline of the dam is located approximately at UTM NAD83 Zone 13 Coordinates Easting: 375308; Northing: 4433811. Source: CDSS MapViewer. The approximate locations of both structures are shown in the map attached to this application as Exhibit A. In addition, maps of the newly constructed Upper Continental Divide Pond (including a USGS Topographic map) are attached as Exhibit B. 5. Name(s) and address(es) of owner(s) or reputed owners of land upon which any new diversion structure, or modification to any existing diversion structure is or will be constructed: The additional structure for the Continental Divide Pond water right, the Upper Continental Divide Pond, is located on land owned by Applicant Ballycarrick Ranch, LLC. WHEREFORE, Applicant requests the Court enter a decree confirming the change in decreed storage locations requested herein.

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

2. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3034 EAGLE COUNTY – ROARING FORK RIVER OR ITS TRIBUTARIES. Hole in the Ground, LLC, c/o Kevin L. Patrick & John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION TO MAKE WATER RIGHT ABSOLUTE IN PART AND FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim:** To Make Water Right Absolute in Part and For Finding of Reasonable Diligence. Name of structure: Crawford Dam No. 2. Date of original decree: May 18, 1978, Case No. W-3368, Division 5 Water Court. Subsequent diligence decrees: August 5, 1981, Case No. 80CW364; June 26, 1986, Case No. 86CW24; October 16, 1992, Case No. 90CW63; March 9, 1999, Case No. 98CW195; March 15, 2007, Case No. 05CW48; November 16, 2013, Case No. 13CW31; March 7, 2020, Case No. 19CW3135, all Division 5 Water Court. Legal description: The SW corner of the centerline of the axis of the dam is located at a point whence the SW corner of Section 26, Township 7 S., Range 87 W. of the 6th P.M. bears South 24°99' W. approximately 1,175 feet (Eagle County). A map is on file with the Court as Exhibit A. Source: Blue Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation date: March 1, 1977. Amount and uses: 56 acre-feet total for piscatorial, recreational, municipal, domestic, irrigation, mechanical, manufacturing, generation of power, power generally, fire protection, sewage treatment, street sprinkling, and watering of parks, lawns, and grounds purposes. The amounts and uses remaining conditional are as follows: 27.59 acre-feet for piscatorial, recreation, irrigation, and watering of parks, lawns, and grounds purposes; 48.6 acre-feet for street sprinkling purposes; and 56 acre-feet for municipal, domestic, mechanical, manufacturing, generation of power, power generally, fire protection, and sewage treatment purposes. Claim to make water right absolute: Date water applied to beneficial use: On or before May 29, 1986. Amount: A total of 28.41 acre-feet. Uses: Street sprinkling, municipal, domestic, mechanical, manufacturing, generation of power, power generally, fire protection, and sewage treatment purposes. Remark: "A decreed conditional water storage right shall be made absolute for all decreed purposes to the extent of the volume of the appropriation that has been captured, possessed, and controlled at the decreed storage structure." C.R.S. §§ 37-92-301(4)(e). Thus, Crawford Dam No. 2 should have previously been made absolute for all beneficial uses in prior decrees to the extent of the capacity of the reservoir. Applicant has exercised reasonable diligence towards completion of the remaining conditional amounts in the Crawford Dam No. 2 water right. Applicant can and will complete the project with reasonable diligence and within a reasonable time. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit B. Applicant owns the land on which the water right is located. Crawford Properties, LLC owns and operates the land where water is placed to beneficial use in accordance with a Water Use Agreement recorded at Reception No. 201306591, Eagle County, Colorado records. The address of Crawford Properties LLC is the same as Applicant, listed above.

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

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26CW3036 PITKIN COUNTY, COLORADO; COLORADO RIVER OR ITS TRIBUTARIES. KATHERINE ADAMS; c/o

Danielle L. Van Arsdale, Esq., Wood Bess Nelson Hastings, LLC, 201 Main Street, Ste. 301, Carbondale, CO 81623 (970) 925-1551.

APPLICATION FOR CHANGE OF WATER RIGHTS AND AMENDMENT TO PLAN FOR AUGMENTATION. **First Claim.**

Water right for which change is sought: Moss Well. Original decree: Case No. 01CW127, Division 5 Water Court; June 3, 2002.

Subsequent decree to make absolute: Case No. 03CW236; November 12, 2004. Legal description: NW ¼ NE ¼ of Section 17, Township

7 S., Range 88 W. of the 6th P.M., 1,320 ft. from the E. section line and 1,195 ft. from the N. section line (Garfield County). A map is

on file with the Court as Figure 1A. **Source:** Alluvial groundwater tributary to Cattle Creek and the Roaring Fork and Colorado

Rivers. Dates of appropriation: October 31, 1994 for the domestic use and April 2, 2001 for the irrigation use. Amount: 0.033 c.f.s. (15

g.p.m.). Uses: Domestic use inside 1 single-family dwelling; and irrigation of 0.39 acre of nursery stock inside a greenhouse and 3,000

sq. ft. of outdoor lawns and gardens. Description of proposed change: Applicant seeks to change the uses of the Moss Well to: (i)

domestic use inside 1 single-family dwelling and 2 ADUs (3 dwellings total); and (ii) irrigation of 0.034 acre of nursery stock and

16,000 sq. ft. of lawns and gardens. The changed uses will be augmented under the amended plan for augmentation described in this

Application. Applicant is *not* seeking to change the decreed location, pump rate, or place of use of the well. The requested change will

not expand the decreed or historic consumptive use at the well. The well is permitted under Permit No. 57982-F. Upon entry of a final

Decree in this case, Application shall secure a new permit that reflects changed uses. Applicant owns the land upon which the well is

located and upon which water is and will be put to beneficial use. A figure showing all uses is on file with the Court as Exhibit A.

Second Claim. Water right for which change is sought: Moss Pump and Pipeline. Original decree: Case No. 01CW127, Division 5

Water Court; June 3, 2002. Subsequent decree to make absolute: Case No. 03CW236; November 12, 2004. Legal description: NW ¼

NE ¼ of Section 17, Township 7 S., Range 88 W. of the 6th P.M., 1,360 ft. from the E. section line and 1,320 ft. from the N. section

line (Garfield County). A map is on file with the Court as Figure 1A. **Source:** Cattle Creek, tributary to the Roaring Fork and Colorado

Rivers. Date of appropriation: April 2, 2001. Amount: 0.055 c.f.s. (50 g.p.m.). Uses: Irrigation of 0.39 acre of nursery stock inside a

greenhouse and 3,000 sq. ft. of outdoor lawns and gardens. Description of proposed change: Applicant seeks to change the uses of the

Moss Pump and Pipeline to irrigation of 0.034 acre of nursery stock and 16,000 sq. ft. of lawns and gardens. The changed uses will be

augmented under the amended plan for augmentation described in this Application. Applicant is *not* seeking to change the location,

decreed diversion rate, or place of use of the structure. The requested change will *not* expand the decreed or historic consumptive use at

the structure. Applicant owns the land upon which the structure is located and upon which water is and will be put to beneficial use. A

figure showing all uses is on file with the Court as Exhibit A. **Third Claim.** Description of original plan for augmentation: Original

decree: Case No. 01CW127, Division 5 Water Court; June 3, 2002. Augmented structures: Moss Well and Mose Pump and Pipeline.

Replacement sources: (i) Park Ditch and Reservoir Company water rights pursuant to contract with Carbondale Land Development

Company. Applicant owns an option to perpetually lease 1.1 acre-feet of historic consumptive use decreed in Case No. 79CW097,

Division 5 Water Court, and described in the 01CW127 Decree. (ii) Basalt Water Conservancy District water marketing supplies.

Applicant owns BWCD Water Allotment Contract No. 384b for releases of 0.1 acre-foot of the water rights described in the 01CW127

Decree. Statement of original augmentation plan: The 01CW127 Decree replaces year-round domestic use at the Moss Well inside 1

single-family dwelling; irrigation of 0.39 acre of nursery crops from March through October; and irrigation of 3,000 sq. ft. of lawns and

gardens from April through October. The annual consumptive use associated with these uses is 1.204 acre-feet total. A water

requirements summary of the annual and monthly depletions is attached to the 01CW127 Decree at Exhibit C. Description of proposed

amendment. The purpose of this amendment is to support Applicant's plans to develop her property with up to 2 ADUs, and to conform

the plan for augmentation to the water uses developed on the property at some point subsequent to entry of the 01CW127 and 03CW236

Decrees. A 2025 survey of the property on file with the Court as Exhibit C shows the size of the existing as-built greenhouse as

approximately 1,480 sq. ft. (0.034 acre). Aerial imaging of the property at Exhibit A shows an irrigated lawn area of approximately

20,000 sq. ft. Applicant seeks to augment the changed uses at the Moss Well and Moss Pump and Pipeline as described in this Applicant

to replace year-round domestic use at the Moss Well inside 3 dwellings; irrigation of 0.034 acre of nursery crops inside a greenhouse

from March through October; and irrigation of 16,000 sq. ft. of outdoor lawns and gardens from April through October. Applicant used

all assumptions from 01CW127 Decree. A water requirements summary of the annual and monthly depletions for the changed uses is

on file with the Court as Exhibit B. The annual consumptive use associated with the changed uses and structures is 1.134 acre-feet total,

which is a reduction of 0.07 acre-feet of consumptive use from the original decree. The CLCD water provides the replacement source

from May through October with total depletions, including transit losses, at 1.053 acre-feet. The BWCD water provides the replacement

source from November through April, with total depletions, including transit losses, at 0.081 acre-foot. The requested changes of use at

the Moss Well and Moss Pump and Pipeline will *decrease* the total annual depletions associated with these structures. In addition, the

total monthly depletions will *decrease* in all months except November through February, which are months when there has historically

been no call on the relevant stream and river segments. There will be no change to the location of depletions. The requested amendment

does *not* require any new or additional replacement water, and there will be no change to the source or location of replacements. Upon

completion of construction of any ADUs, Applicant will certify to the Division Engineer's Office that it has permanently removed a

minimum of 4,000 square feet of lawns and gardens from irrigation.

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attorney, and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601.

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26CW3037 GARFIELD COUNTY, S. CANYON CREEK. Amended App for Finding of Reasonable Diligence and/or to make Absolute. Applicant: High Country Farm-Colorado LLC c/o Sherry Caloia PC PO Box 443, Glenwood Sp, CO 81602. Water Right: SRR Spring D, Amt: 1 gpm, Desc: UTM Zone 13 NAD83 Coord: E 294,230.8 m N 4,376,138.9m GPS Accu 3 m. Approp. 6/1/2018. Water Right: SRR Spring E: Amt: 100 gpm, Desc: UTM Zone 13 NAD83 Coord: E 294,565.7m N 4,375,959.9m GPS Accu: 3 m. Approp. 6/1/2018. Water Right: SRR Pond D: Amt: 0.196 AF w/100 gpm fill rate, surf area: 0.5 A, Hght: less than 10 ft, Lgth: 100 ft., Active cap: 0.196 AF, Desc: UTM Zone 13 NAD83 Coord: E 294,565.7m N 4,375,959.9 m Source: GPS Accu: 3 m, Approp. 6/1/2009 Source: SRR Springs D and E. SRR Pond D was built and stores water, pur to CRS 37-92-301(4) (e) 2013 decreed cond water storage right shall be made abs for all decreed purposes to extent vol of approp has been captured, possessed, and controlled. For all 3 water rights above: Decreed in Case 19CW3039, Water Div 5 on 2/1/2020, put to ben use: 5/22/2026, Uses: Livestock, Fire protection and Irrigation, Source: **springs trib to unnamed trib to S Canyon Crk trib to CO River**, Place of Irr use: Up to 60 acres in S1/2 SE1/4 and NW1/4 SE1/4 Sec 23, and SW1/4 SW1/4 Sec 24 in T6S R90W 6 PM Garfield County, CO, based on BLM dig sec lines, supplements irr on lands irr by Richardson Ditch 3 and 4. All structures on Applicant's land. All water rights for property constitute an integrated water supply system. Absolute status claimed for all and/or finding of diligence sought. Diligent efforts to develop structures and put water to beneficial use listed. 8 pages, Exh A locations and B Irr Area attached.

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26CW3038 GROUNDWATER TRIBUTARY TO THE FRYING PAN RIVER, FROM THE MAROON FORMATION, TRIBUTARY TO THE ROARING FORK RIVER, TRIBUTARY TO THE COLORADO RIVER. (EAGLE COUNTY)Ruedi Shores Metropolitan District, Susan Atchison, President, c/o Robertson & Marchetti, P.C., 28 Second St., Ste. 213, Eagle, CO 81632. Direct all correspondence to Karl J. Hanlon and Danielle T. Skinner of Karp Neu Hanlon, P.C., P. O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE. FIRST CLAIM: *Ruedi Shores Well No. 2.*** Date of Original Decree: February 6, 1992, in Case No. 91CW096, District Court in and for Water Division No. 5. Subsequent Decrees Awarding Findings of Diligence: August 19, 1998, in Case No. 98CW33; April 7, 2006, in Case No. 04CW124; November 20, 2012, in Case No. 12CW58; and May 3, 2020, in Case No. 2018CW3195, all in Water Division No. 5. Legal Description: NE/4SW/4 of Section 6, Township 8 South, Range 84 West of the 6th P.M. at a point whence the SW corner of said Section 6 bears South 54 degrees 15 minutes West a distance of 2,340 feet, also described as 1,900 feet from the West section line and 1,360 feet from the South section line of said Section 6. Source: Groundwater tributary to the Frying Pan River, from the Maroon formation, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation Date: December 31, 1990. Amount: 32 g.p.m., conditional, and 18 g.p.m., absolute (50 g.p.m. total). Uses: Irrigation of lawns, gardens, and open space within and adjacent to the Ruedi Shores Subdivision, Eagle County, Colorado as well as domestic and fire protection uses. Name and Address of Owner of Land on Which Structure is Located: Applicant. Claim for Diligence: Applicant requests a finding of diligence in the amount of 32 g.p.m., conditional, for the Ruedi Shores Well No. 2. for irrigation of lawns, gardens, and open space within and adjacent to the Ruedi Shores Subdivision, Eagle County, Colorado as well as domestic and fire protection uses. **SECOND CLAIM: *Ruedi Shores Spring.*** Date of Original Decree: February 6, 1992, in Case No. 91CW096, District Court in and for Water Division No. 5. Subsequent Decrees Awarding Findings of Diligence: August 19, 1998, in Case No. 98CW32; April 7, 2006, in Case 04CW124; November 20, 2012, in Case No. 12CW58; and May 3, 2020, in Case No. 2018CW3195, all in Water Division No. 5. Legal Description: NW/4SW/4 of Section 6, Township 8 South, Range 84 West of the 6th P.M., at a point whence the SW corner of said Section 6 bears South 21 degrees 22 minutes West a distance of 1,850 feet, also described as 670 feet from the West section line and 1,720 feet from the South section line of said Section 6. Source: Groundwater tributary to the Frying Pan River, from the Maroon formation, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation Date: April 15, 1991. Amount: 35 g.p.m., conditional, and 15 g.p.m., absolute (50 g.p.m. total). Uses: Irrigation of lawns, gardens, and open space within and adjacent to the Ruedi Shores Subdivision, Eagle County, Colorado as well as domestic and fire protection uses. Names and Address of Owners of Land on Which Structure is Located: Cecilia J. Huntsman and Andrew M. Huntsman, 180 N. 7th Street, Carbondale, CO 81623. Claim for Diligence: Applicant requests a finding of

diligence in the amount of 35 g.p.m., conditional, for the Ruedi Shores Spring for irrigation of lawns, gardens, and open space within and adjacent to the Ruedi Shores Subdivision, Eagle County, Colorado as well as domestic and fire protection uses. Integrated Water System. By decrees entered in Cases No. 98CW32, 04CW124, and 18CW3195, this Court has previously determined that the Ruedi Shores Well No. 2 and the Ruedi Shores Spring, together with the Ruedi Shores Well No. 1, are part of the integrated water supply system for Ruedi Shores Metropolitan District pursuant to C.R.S. § 37-92-301(4)(b). When an integrated system is comprised of several features, work on one feature of the 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 system. The following exhibits are on file with the Water Court: a map depicting the location of structures (Exhibit A), and a description of diligence activities (Exhibit B), (pp. 8 with exhibits).

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6. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3039 COLORADO RIVER, EAGLE COUNTY, APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE. Applicant: Levi Schofield Trust c/o Sherry A Caloia PO Box 443, Glenwood Springs, CO 81602. Water Right: Wolter Well, Amt: 25 gpm (14 gpm abs) for in-house use and livestock and irri of .40 acres and 25 gpm conditional for irr, dom, livestock and one add dwelling. Approp date: 7/27/2023, Decreed: 23CW30096 on 8/12/2024 Source: groundwater trib to Colorado River Uses: Dom r 2 houses, irr of .4 acres, and livestock. Irr land in SW¼ SE¼ and SE¼ SW¼ Sec 3, T4S, R86W, 6th PM. Location of well SE1/4SW1/4 Sec 3 T4S R86W 6 PM UTM coordinates E(x) 326597.5 N(y) 4399428.3, Applied to ben use: 5/1/2025, Amt: 15 gpm Use: 2 single family dwellings, irr 0.4 acres and watering livestock. Applicant owns 15.5 acres located on the Colorado River. The property is shown on the attached map as Parcel C-1 of the Wolter and Ellard exemption located in SW¼ SE¼ and SE1/4 SW¼ Sec 3 T4S R86W 6th PM. Evidence of use provided, well located on App land. 3 pages 6 exhibits.

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

7. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3040 EAGLE COUNTY – COLORADO RIVER OR ITS TRIBUTARIES. Casteel Creek Ranch Property Owners Association, c/o Paul L. Noto & John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim:** Name of structure: Brereton Pump and Pipeline No. 1 Enlargement. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: On Casteel Creek Ranch at a point 507 feet East of the West line and 1,503 feet South of the North line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. **Source: Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River.** Appropriation date: April 28, 2001. Amount: 0.3 c.f.s., conditional. Uses: Fire protection, domestic, irrigation, stock watering, car washing, augmentation, piscatorial, and aesthetic. Applicant has exercised reasonable diligence towards completion of the Brereton Pump and Pipeline No. 1 Enlargement water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land on which the water right is located and on which the water will be put to beneficial use. **Second Claim:** Name of structure: Brereton Pump and Pipeline No. 2 Enlargement. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: On Casteel Creek Ranch at a point 420 feet East of the West line and 3,650 feet South of the North line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. **Source: Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River.** Appropriation date: April 28, 2001. Amount: 0.3 c.f.s., conditional. Uses: Fire protection, domestic, irrigation, stock watering, car washing, augmentation for 01CW235 rights only), piscatorial, and aesthetic. Applicant has exercised reasonable diligence towards completion of the Brereton Pump and Pipeline No. 2 Enlargement water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land on which the water right is located and on which the water will be put to beneficial use. **Third Claim:** Name of structure: Casteel Creek

Ranch Pond System. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: On the channel of the Brereton Pumps and Pipelines ditch within the E ½ SW ¼ NW ¼ and the W ½ SE ¼ NW ¼, Section 30, T. 5 S., R. 82 W. of the 6th P.M. Source: Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 8.0 acre-feet, conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, piscatorial, augmentation (for 01CW235 rights only), recreational, and aesthetic. Applicant has exercised reasonable diligence towards completion of the Casteel Creek Ranch Pond System water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land on which the water right is located and where water is put to beneficial use. **Fourth Claim:** Name of structure: Casteel Creek Ranch Pond No. 3. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: On the channel of West Lake Creek at a point 350 feet South of the North line and 900 feet from the East line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. Note: The pond as constructed is located off-channel of West Lake Creek. The dam is located at UTM NAD83 Z13: Northing – 4383932, Easting – 361651. Source: West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 1.0 acre-foot, conditional. Uses: Piscatorial, fire protection, and aesthetic. Applicant has exercised reasonable diligence towards completion of the Casteel Creek Ranch Pond No. 3 water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Sean and Jinger Cozzens own the land on which the water right is located and where water is placed to beneficial use. **Fifth Claim:** Name of structure: Scherer Replacement Well. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: At a point 2,200 feet from the North line and 1,000 feet from the West line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the Scherer Replacement Well water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Coyote Lodge Property LLC owns the land where the water right is located and where water will be put to beneficial use. **Sixth Claim:** Name of structure: CCR Well #1. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: At a point 700 feet from the South line and 3,000 feet from the East line of Section 19, T. 5 S., R. 82 W. of the 6th P.M. Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the CCR Well #1 water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land where the water right is located and where water will be put to beneficial use. **Seventh Claim:** Name of structure: CCR Well #2. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: As revised in the Corrected Findings of Fact, Conclusions of Law, Judgment and Decree entered by the Division 5 Water Court on August 2, 2013: At a point 260 feet from the North line and 2,610 feet from the East line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. The UTM coordinates for the CCR Well No. 2/Car Barn Well are: 361147.48 E, 4384910.58 N (NAD 83 Zone 13N). Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the CCR Well #2 water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land where the water right is located and where water will be put to beneficial use. **Eighth Claim:** Name of structure: CCR Well #3. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: At a point 1,600 feet from the North line and 3,300 feet from the East line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the CCR Well #3 water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land where the water right is located and where water will be put to beneficial use. **Ninth Claim:** Name of structure: CCR Well #4. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: At a point 700 feet from the South line and 400 feet from the West line of Section 19, T. 5 S., R. 82 W. of the 6th P.M. Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the CCR Well #4 water right. A detailed outline of the work performed towards

completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land where the water right is located and where water will be put to beneficial use. **Tenth Claim:** Name of structure: CCR Well #5. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: At a point 2,150 feet from the North line and 2,900 feet from the East line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the CCR Well #5 water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land where the water right is located and where water will be put to beneficial use. **Eleventh Claim:** Name of structure: CCR Well #6. Date of original decree: August 24, 2006, Case No. 01CW235, Division 5 Water Court. Subsequent diligence decrees: November 10, 2013, Case No. 12CW139; May 3, 2020, Case No. 19CW3151, all Division 5 Water Court. Legal description: At a point 2,300 feet from the North line and 300 feet from the West line of Section 30, T. 5 S., R. 82 W. of the 6th P.M. Source: Groundwater tributary to Casteel Creek, tributary to West Lake Creek, tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: April 28, 2001. Amount: 15 g.p.m., conditional. Uses: Domestic, irrigation, stock watering, car washing, fire protection, and aesthetic. Depth: 100 feet. Applicant has exercised reasonable diligence towards completion of the CCR Well #6 water right. A detailed outline of the work performed towards completion of the appropriation, including expenditures, is on file with the Court as Exhibit A. Casteel Creek LLC owns the land where the water right is located and where water will be put to beneficial use. Remarks (as to all water rights): Paragraph 18 of the 01CW235 Decree confirms the water rights described above, except for Casteel Creek Ranch Pond No. 3, are part of an integrated water supply system for Casteel Creek Ranch. Diligence on one part of the system constitutes diligence on the entire system. C.R.S. § 37-92-301(4)(b).

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8. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3041 EAGLE COUNTY. COLORADO RIVER OR ITS TRIBUTARIES, AVLT Special Projects, LLC, c/o Scott C. Miller and John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim: Polaris Reservoir. Original decree: July 23, 1971, Case No. W-222, Water Division 5. Subsequent diligence decrees: August 2, 1973, Case No. W-1696; July 24, 2000, Case No. 97CW97; January 15, 2007, Case No. 06CW170; August 4, 2013, Case No. 13CW10; May 3, 2010, Case No. 19CW3094, all Water Division 5. Legal: The reservoir is located in Section 36, Township 6 South, Range 87 West of the 6th P.M. beginning at a point from whence the South Quarter Corner of said Section 36 bears S. 43°16' E 1218 feet; thence N. 52°30' E. 169.0 feet; thence N. 65°04' E 113.2 feet; thence S. 45°30' E 296.0 feet; thence S. S. 55°02' E. 78.9 feet; thence S. 28°15' E. 214.7 feet; thence S. 26°07' E. 36.0 feet; thence N. 59°54' E. 117.5 feet; thence N. 20°17' E. 158.9 feet; thence N. 26°29' E. 104.3 feet; thence N. 27°51' E. 202.4 feet; thence N. 20°17' E. 113.6 feet; thence N. 32°28' E. 169.4 feet; thence N. 39°00' E. 99.0 feet; thence N. 09°56' W. 334.1 feet; thence N. 02°52' E. 305.0 feet; thence N. 17°27' E. 254.9 feet; thence N. 25°19' E. 505.0 feet; thence N. 80°51' W. 148.9 feet; thence S. 82°36' W. 189.0 feet; thence N. 63°33' W. 118.4 feet; thence S. 63°49' W. 388.9 feet; thence S. 69°10' W. 301.0 feet; thence S. 70°12' W. 145.0 feet; thence S. 44°58' W. 299.4 feet; thence S. 68°50' W. 242.0 feet; thence S. 60°36' W. 194.0 feet; thence S. 25°07' W. 176.1 feet; thence S. 14°57' W. 173.0 feet; thence S. 09°35' W. 211.0 feet; thence S. 05°26' W. 250.3 feet; thence S. 09°43' W. 179.1 feet; thence S. 35°01' E. 104.9 feet; thence S. 57°37' E. 485.9 feet; and thence N. 48°30' E. 242.0 feet, all in Eagle County, Colorado. Source: The first, second, and third branches of Cottonwood Creek and drainage from all lands in the South half of Sections 26, 27, and 28 of Township 6 South Range 86 West of the 6th P.M. Appropriation date: November 12, 1944. Amount: 437 acre-feet total; 337 acre-feet of which remains conditional. Use: Irrigation. Remarks: The Polaris Reservoir is filled in part via the Best Ditch. Claim for finding of reasonable diligence: Applicant has exercised reasonable diligence towards completion of the Polaris Reservoir water right. Applicant owns the land on which the water right is located and where water is put to beneficial use. Maps and supporting documentation are on file with the court.**

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9. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER

CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3042 GARFIELD COUNTY. Application for Findings of Reasonable Diligence and to Make Absolute in Part. Branded Rock Canyon, L.L.C., c/o Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; **Claim for Finding of Reasonable Diligence.** Original Decree: 01CW373, Dist. Ct., Water Div. 5, on 12/23/2005. Subsequent Decrees containing Findings of Reasonable Diligence: 11CW200 on 11/16/2013 and 19CW3148 on 5/3/2020, all in Dist. Ct., Water Div. 5. Ditches: Bridges Hayes Ditch CNR Enlargement, NE1/4 NE1/4 Sec. 10, T. 6 S., R. 99 W., 6th P.M. 559 ft. from E. line and 1,151 ft. from N. line, 2.0 c.f.s. supply source for ponds and reservoirs, wildlife and piscatorial uses. CNR Lower Ditch, NE1/4 SW1/4 Sec. 24, T. 6 S., R. 99 W., 6th P.M. 1,787 ft. from W. line and 3,450 ft. from N. line, 2.0 c.f.s. supply source for ponds and reservoirs, wildlife, and piscatorial uses. Secluded Ditch NE1/4 SW1/4 Sec. 31, T. 5 S., R. 98 W., 6th P.M. 1,515 ft. from W. line and 1,635 ft. from S. line, 2.0 c.f.s. supply source for ponds and reservoirs, wildlife, and piscatorial uses, and irrigation of 12 acres in SE1/4 SW1/4 and SW1/4 SE1/4, Sec. 31, T. 5 S., R. 98 W. 6th P.M. **Source: Brush Creek, tributary of Roan Creek, tributary of Colorado River.** Approp. Date: 6/15/2001. Remarks: Applicant abandons conditional water rights decreed to Secluded Ditch. Springs: CNR Spring No. 1, NW1/4 NE1/4 Sec. 24, T. 6 S., R. 99 W., 6th P.M. 1,850 ft. from E. line and 1,217 ft. from N. line, 0.034 c.f.s., conditional for wildlife use adjacent to spring, livestock watering, domestic, and commercial. Elk Cabin Spring, NE1/4 NE1/4 Sec. 2, T. 6 S., R. 99 W., 6th P.M. 905 ft. from E. line and 721 ft. from N. line, 0.01 c.f.s., conditional for domestic, commercial, wildlife use adjacent to spring, livestock watering and irrigation of approx. 500 sq. ft. under Elk Cabin Spring located in NE1/4 SE1/4 Sec. 2, T. 6 S., R. 99 W., 6th P.M. **Source: Springs tributary to unnamed creeks tributary to Brush Creek, tributary of Roan Creek, tributary of Colorado River.** Approp. Date: 6/15/2001. Remarks: Applicant abandons conditional water right to Elk Cabin Spring in 0.01 c.f.s. for irrigation use. Remaining conditional uses will remain in effect. Wells: CNR Lodge Well, NE1/4 SW1/4 Sec. 3, T. 6 S., R. 99 W., 6th P.M. 2,830 ft from E. line and 380 ft. from N. line, 0.217 c.f.s., conditional, for domestic, commercial, irrigation up to 1 acre within NW1/4 SE1/4, Sec. 3, T. 6 S., R. 99 W., 6th P.M. CNR Office Well, NE1/4 SW1/4 Sec. 24, T. 6 S., R. 99 W., 6th P.M. 3,286 ft. from E. line and 1,780 ft. from S. line, 0.250 c.f.s., conditional, for domestic, commercial, livestock watering, and irrigation up to 15,000 sq. ft. in the NW1/4 SE1/4, S. 24, T. 6 S., R. 99 W., 6th P.M. CNR Fish Camp Well, NW1/4 SW1/4 of Sec. 31, T. 5 S., R. 98 W., 6th P.M. 890 ft. from W. line and 2,380 ft. from S. line, 0.250 c.f.s., conditional, for domestic, commercial, and irrigation up to 15,000 sq. ft. in the NW1/4 SW1/4, Sec. 31, T. 5 S., R. 98 W., 6th P.M. 7.1.4. CNR Irrigation Well No.1, NW1/4 SW1/4 Sec. 31, T. 5 S., R. 98 W., 6th P.M. 797 ft. from W. line and 2,383 ft. from S. line. 0.250 c.f.s., conditional, for irrigation up to 10 acres in SE1/4 NE1/4 of Sec. 36, T. 5 S., R. 99 W., and W1/2 of Sec. 31, T. 5 S., R. 98 W., 6th P.M. **Source: Groundwater tributary to Brush Creek, tributary of Roan Creek, tributary of Colorado River.** CNR Lodge Well and CNR Irrigation Well No. 1 Approp. Date: 6/15/2001. CNR Lodge Well and CNR Irrigation Well No. 1 Approp. Date: 8/28/2002. Remarks: Applicant abandons CNR Irrigation Well No. 1 in entirety. Applicant abandons 0.15 c.f.s. of water right decreed to CNR Lodge Well for all decreed uses; requests finding of diligence on remaining 0.067 c.f.s. Applicant intend abandons 0.195 c.f.s. of water right decreed to CNR Office Well for all decreed uses; requests finding of diligence on remaining 0.055 c.f.s. Applicant abandons 0.15 c.f.s. of water right decreed to CNR Fish Camp Well for all decreed uses; requests finding of diligence on the remaining 0.10 c.f.s. Ponds: CNR Pond No. 1, center of the Pond is located in the SW1/4 SE1/4 Sec. 11, T. 6 S., R. 99 W., 6th P.M. 2,573 ft. from E. line and 370 ft. from S. line. Approp. Date: 6/15/2001 for 2.4 AF, 8/28/2002 for next 14.0 AF. 16.4 AF, conditional, for piscatorial, recreational, wildlife use adjacent to the pond, and augmentation. CNR Pond No. 2, center of the Pond located in SW1/4 SE1/4 Sec. 11, T. 6 S., R. 99 W., 6th P.M. 2,240 ft. from E. line and 510 ft. from S. line. Approp. Date: 6/15/2001 for 2.4 AF, 8/28/2002 for next 24.6 AF. 27.0 AF, conditional, for piscatorial, recreational, wildlife use adjacent to pond, and augmentation. CNR Pond No. 3, center of the Pond located in SW1/4 SE1/4 Sec. 11, T. 6 S., R. 99 W., 6th P.M. 2,490 ft. from E. line and 920 ft. from S. line. Approp. Date: 6/15/2001 for 5.6 AF, 8/28/2002 for next 8.4 AF. 14.0 AF, conditional, for piscatorial, recreational, wildlife use adjacent to pond, and augmentation. CNR Pond No. 4, center of the Pond is located in SW1/4 NW1/4 Sec. 11, T. 6 S., R. 99 W., 6th P.M. 1,220 ft. from W. line and 2,540 ft. from N. line, Approp. Date: 6/15/2001 for 5.6 AF, 8/28/2002 for next 10.8 AF. 16.4 AF, conditional, for piscatorial, recreational, wildlife use adjacent to pond, and augmentation. CNR Pond No. 7, center of Pond located in SE1/4 SW1/4 Sec. 31, T. 5 S., R. 98 W., 6th P.M. 2,720 ft. from E. line and 220 ft. from S. line. Approp. Date: 6/15/2001 for 8.0 AF, 8/28/2002 for next 8.4 AF. 16.4 AF conditional, for piscatorial, recreational, wildlife use adjacent to pond, and augmentation. CNR Pond No. 8, center of Pond located in SE1/4 SW1/4 Sec. 31, T. 5 S., R. 98 W., 6th P.M. 3,075 ft. from E. line and 1,025 ft. from S. line. Approp. Date: 6/15/2001 for 8.0 AF, 8/28/2002 for next 3.9 AF. 11.9 AF, conditional, for piscatorial, recreational, wildlife use adjacent to pond, and augmentation. CNR Pond No. 10, center of the Pond located in SE1/4 NE1/4 Sec. 36, T. 5 S., R. 99 W., 6th P.M. 475 feet from ft. E. line and 1,780 ft. from N. line. Approp. Date: 6/15/2001 for 1.12 total AF. 1.12 AF, conditional for augmentation; 0.35 AF conditional for piscatorial, recreational, and wildlife use adjacent to pond. **Source all ponds: Brush Creek, tributary of Roan Creek, tributary of Colorado River.** CNR Ponds 1-4 filled through Bridges Hayes Ditch CNR Enlargement, 2.0 c.f.s. CNR Ponds 7, 8 filled through Secluded Ditch, 2.0 c.f.s. CNR Pond 10 filled through Krepis Ditch CNR Enlargement, 2.0 c.f.s. Remarks: Applicant abandons remaining conditional 0.35 AF decreed to CNR Pond No. 10 for piscatorial, recreational, wildlife uses, and 0.35 AF of remaining conditional 1.12 AF for augmentation uses. Applicant abandons conditional water rights decreed to CNR Ponds No. 1, 2, 3, 4, 7 and 8 in entirety. Reservoirs: CNR Reservoir No. 1, SE1/4 SW1/4 Sec. 24, T. 6 S., R. 99 W., 6th P.M. 1,995 ft. from W. line and 1,115 ft. from S. line. Filled through CNR Lower Ditch, 2.0 c.f.s. Approp. Date: 6/15/2001 for 8.0 AF. 8.0 AF, conditional, for recreational, wildlife use adjacent to reservoir, augmentation, piscatorial, and irrigation of up to 30 acres within E1/2 NW1/4 Sec. 25 and E1/2 SW1/4 of Sec. 24, T. 6 S., R. 99 W., 6th P.M. CNR Reservoir No. 2, NW1/4 NE1/4 Sec. 14, T. 6 S., R. 99 W., 6th P.M. 1,890 ft. from E. line and 675 ft. from N. line. Filled through Bridges Hayes Ditch CNR Enlargement, 2.0 c.f.s. Approp. Date: 6/15/2001 for 8.0 AF, 8/28/2002 for the next 37.0 AF. 45.0

AF, conditional, for recreational, wildlife uses adjacent to reservoir, augmentation, piscatorial, and irrigation of up to 78 acres within portion of Sec. 11, 13, 14, T. 6 S., R. 99 W., 6th P.M. Source for all: Brush Creek, tributary of Roan Creek, tributary of Colorado River. Integrated System: Ct. previously found and decreed conditional Subject Water Rights components of Applicant's integrated system. See Decree, Case No. 11CW200, ¶13; Decree, Case No. 01CW373, ¶75. Diligence Activities: The application on file with the Ct. contains a detailed outline of the work performed during the diligence period. **Claim to Confirm Abs., In Part.** Applicant requests finding that conditional water rights decreed to structures described below have been made absolute by application to beneficial use as follows. CNR Pond No. 10, Absolute Claim 0.77 AF for augmentation uses. Beneficial Use Date: 8/1/2010, Pursuant to C.R.S. § 37-92-301(4)(e), decreed uses of piscatorial, recreational, and wildlife were confirmed absolute in Case No. 11CW200 in amount of 0.77 AF. Stage capacity survey of CNR Pond No. 10 is attached as Figure 4. CNR Office Well, Absolute Claim 0.027 c.f.s for domestic, commercial, livestock watering uses. Beneficial Use Date: 5/29/2026. Water right diverting under the plan for augmentation decreed under plan for augmentation decreed in Case No. 01CW373 on this date. Applicant measured the production of the CNR Office Well at 0.027 c.f.s. on this date. CNR Lodge Well, Absolute Claim 0.011 c.f.s. all uses. Beneficial Use Date: 5/29/2026. Water right diverting under the plan for augmentation decreed under plan for augmentation decreed in Case No. 01CW373 on this date. Applicant measured the production of the CNR Lodge Well at 0.044 c.f.s. on this date. Landowner Information: Applicant owns the land upon which all structures and features in this application are located. WHEREFORE, Applicant requests Ct. enter a decree: 1) Finding Applicant has been reasonably diligent in development of all conditional Subject Water Rights; 2) confirming that water rights for CNR Pond No. 10, CNR Office Well, and CNR Lodge Well have been made absolute; 3) continuing all conditional Subject Water Rights in full force and effect for an additional six years unless otherwise expressed; and 4) for such other relief as the Ct. deems proper.

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

10. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF MAY 2026. *The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.*

26CW3043 GARFIELD COUNTY – COLORADO RIVER OR ITS TRIBUTARIES. Jesse Allen, c/o Paul L. Noto & John M. Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION FOR UNDERGROUND WATER RIGHTS, STORAGE WATER RIGHT, AND APPROVAL OF PLAN FOR AUGMENTATION INCLUDING EXCHANGE.

First Claim: Structure: Allen Well No. 1. Legal: The Allen Well No. 1 is located in the SW ¼ NW ¼ of Section 34, Township 6 South, Range 92 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 4374014.31, Easting – 271082.36. A map is on file with the court as Figure 1. **Source: Groundwater tributary to Dry Hollow Creek, tributary to the Colorado River.** Appropriation date: May 29, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 0.033 c.f.s. (15 g.p.m.), up to 0.68 acre-feet per year, conditional. Uses: Domestic, fire protection, and stock watering. Applicant owns the land on which the water right is located and where water will be put to beneficial use. **Second Claim:** Structure: Allen Well No. 2. Legal: The Allen Well No. 2 is located in the SW ¼ NW ¼ of Section 34, Township 6 South, Range 92 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 4374125.15, Easting – 271265.91. A map is on file with the court as Figure 1. **Source: Groundwater tributary to Dry Hollow Creek, tributary to the Colorado River.** Appropriation date: May 29, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 0.033 c.f.s. (15 g.p.m.), up to 0.78 acre-feet per year, conditional. Uses: Domestic, fire protection, and stock watering. Remarks: This well is currently permitted as exempt well permit no. 113058. Applicant will re-permit the well upon issuance of the final decree in this case. Applicant owns the land on which the water right is located and where water will be put to beneficial use. **Third Claim:** Structure: Allen Well No. 3. Legal: The Allen Well No. 3 is located in the SW ¼ NW ¼ of Section 34, Township 6 South, Range 92 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 4374014.12, Easting – 271274.48. A map is on file with the court as Figure 1. **Source: Groundwater tributary to Dry Hollow Creek, tributary to the Colorado River.** Appropriation date: May 29, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 0.033 c.f.s. (15 g.p.m.), up to 0.68 acre-feet per year, conditional. Uses: Domestic, fire protection, and stock watering. Applicant owns the land on which the water right is located and where water will be put to beneficial use. **Fourth Claim:** Structure: Allen Pond. Legal: The Allen Pond is located in the SW ¼ NW ¼ of Section 34, Township 6 South, Range 92 West of the 6th P.M. (Garfield County). UTM NAD83 Z13: Northing – 4373985.23, Easting – 271163.70. A map is on file with the court as Figure 1. **Source: Dry Hollow Creek, via the Davis Ditch, tributary to the Colorado River.** Fill ditch information: Legal description of point of diversion: As decreed in Civil Action 1178: On the west bank of Dry Gulch at a point about 1200 feet south of the center of Section 3, T. 7 S., R. 92 W. As clarified in Civil Action 1522: On the west bank of Dry Gulch at a point whence the quarter corner to Sections 3 and 10, Township 7 South, Range 92 West of the Sixth Principal Meridian bears South 3°46' West 1204 feet. A map is on file with the court as Figure 1. Fill rate: 0.93 c.f.s. Appropriation date: May 29, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use and filing of this Application. Date water applied to beneficial use: N/A. Amount: 18 acre-feet, conditional. Uses: Aesthetic, fire protection, recreation, and augmentation. Applicant may

also use the Allend Pond as an irrigation control structure for his senior water rights in the Davis Ditch. Surface area of high water line: 2.0 acres. Vertical height of dam: Less than 10 feet. Length of dam: 350 feet. Total capacity: 18 acre-feet. Active capacity: 18 acre-feet. Dead storage: 0. Applicant owns the land on which the water right is located and where water will be put to beneficial use. **Fifth Claim:** Structures to be augmented: Allen Well No. 1, as described above. Allen Well No. 2, as described above. Allen Well No. 3, as described above. Allen Pond, as described above. Water right to be used for augmentation: West Divide Water Conservancy District (“WDWCD”) allotment contract from the sources listed at paragraph 17.A of the application. Allen Pond, as described above. Complete statement of plan for augmentation: Background: Applicant will subdivide his property into three lots, all to be served by an individual well. One well, applied for as the Allen Well No. 2, currently exists and is permitted as exempt well permit no. 113058. Applicant will re-permit the well after obtaining the decree in this case. Applicant will replace out-of-priority depletions from the three wells using releases from a WDWCD contract and releases from the Allen Pond. Water requirements: Each of the three lots will have a single-family home and ADU. There is also a caretaker’s cabin on lot 2. Applicant’s engineer assumed a demand of 350 gallons per day for each single-family home, 200 gallons per day for each ADU, and 100 gallons per day for the caretaker’s cabin. Each well will provide stock water for four horses, 12 horses total. Applicant’s engineer assumed 12 gallons per day per horse for a total annual demand of 0.161 acre-feet. Total annual demand from all wells is 2.117 acre-feet, as shown on Table 2. Each lot will utilize a non-evaporative septic tank and leach field wastewater disposal system which results in 90 percent of all domestic water deliveries being returned to the stream. Stockwatering use is 100 percent consumptive. Total annual depletions from the wells is 0.357 acre-feet per year, as shown on Table 2. Applicant’s engineer calculated the lagged depletions from the Allen Well Nos. 1-3 using a Glover analysis. Figure 2 on file with the Court shows the well locations and Glover analysis parameters. The lagging pattern and resulting lagged depletions are summarized in Table 2. Applicant’s engineer calculated the evaporative depletions from the Allen Pond using NOAA Technical Report NWS 33 annual evaporation atlases evaluated in GIS. The annual gross evaporation is distributed using the State Engineer’s Office monthly distribution for elevations below 6,500 feet. Total evaporative depletion for the 2.0 acre of surface area is 7.02 acre-feet per year, as shown in Table 1. Evaporation is 100 percent consumptive. Applicant’s engineer conservatively assumed an ice-covered period from late November through mid-February. Total depletions from the wells and the pond are 7.381 acre-feet per year, as shown on Table 2. Mainstem call: During a Colorado River mainstem call, Applicant will augment the out-of-priority depletions by using water rights owned or controlled by WDWCD, as described above. Applicant is in the process of obtaining an allotment contract for 5.7 acre-feet of water, annually. The allotment covers domestic depletions from the Allen Well Nos. 1-3 and evaporative loss from the Allen Pond. The plan for augmentation will be administered through the Allen Exchange Project, applied for below. Applicant’s engineer estimates that up to 5.71 acre-feet, including transit loss, of WDWCD water may be required. Table 2 on file with the Court outlines an augmentation schedule for a Colorado River mainstem call, such as the Cameo call. Local call: In the event of a local call on Dry Hollow Creek, Applicant will replace out-of-priority depletions through releases from the Allen Pond. Applicant will release water from the Allen Pond through a pipeline directly back to Dry Hollow Creek. Table 2 shows that up to 6.49 acre-feet of releases per year may be required. Table 3 on file with the Court outlines the Allen Pond augmentation operations. **Sixth Claim:** Structure: Allen Exchange. Location of downstream terminus: The confluence of Dry Hollow Creek and the Colorado River, located in the NW ¼ SW ¼ of Section 10, Township 6 South, Range 92 West of the 6th P.M. UTM NAD83 Z13: Northing – 4379937.089, Easting – 271533.098. Location of upstream terminus: The point of diversion for the Davis Ditch, as described above. A map is on file with the court as Figure 3. Source: Water rights owned or controlled by WDWCD for which Applicant has an allotment contract for the use of, as described above. Appropriation date: May 29, 2026. How appropriation was initiated: Formulation of intent to apply water to beneficial use, application to WDWCD for an allotment contract, and filing of this Application. Date water applied to beneficial use: N/A. Amount: 0.020 c.f.s., conditional, up to 5.137 acre-feet per year. Use: Exchange to implement the plan for augmentation applied for in this case. Remarks (as to all claims): All water rights described above are component parts of an integrated water supply plan for Applicant’s property.

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