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DISTRICT COURT, WATER DIVISION 1, COLORADO

JULY 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 **JULY 2026** for each County affected. (This publication can be viewed in its entirety on the state court website at: www.coloradojudicial.gov)

CASE NUMBER 2026CW8 JONELLE AND JOHN PAUL HADDAD, P.O. Box 139, Dumont, CO 80436. 720-951-1183. **APPLICATION FOR ABSOLUTE/CONDITIONAL WATER STORAGE RIGHT IN CLEAR CREEK COUNTY**. Date of original decree: 07-30-20 in case 20CW7, WD1. Haddad Pond fka Duke Pond located NE1/4, SE1/4, S19, T3S, R73W, 6th PM at a distance of 1760 ft. from S and 1835 ft. from W. Street address: 635 Mill Creek Road. Subdivision: Happy Thoughts; Lot: 10. Source: Mill Creek. Amount: .385 af conditional. Use: Wildlife and aesthetics.

CASE NUMBER 2026CW3106 STANLEY E. KELLOGG, PO Box 1935 Grand Lake, CO 80447. Direct all pleadings and correspondence to Chris D. Cummins and Sedona E. Chavez, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Dr., Ste. 250, Colorado Springs, CO 80921 (719) 471-1212. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER DOUGLAS COUNTY**. Applicant owns a 10-acre parcel of land and is seeking to quantify the Denver Basin groundwater underlying said property. Property Description. Applicant's property lies in the SW1/4 SW1/4 of Section 28, Township 7 South, Range 65 West of the 6th P.M., Douglas County, Colorado ("Applicant's Property"), as approximately shown in the attached **Exhibit A** map, and as more specifically described as follows: N1/2 E1/2 SW1/4 SW1/4 of Section 28, Township 7 South, Range 65 West of the 6th P.M., together with an easement 15 feet wide along the South 1/8 line of said Section West to Flintwood Road dividing Section 28 and 29 for ingress and egress, County of Douglas, State of Colorado. a.k.a.: 3250 Flintwood Rd., Franktown, CO 80116. The Douglas County Assessor has assigned parcel ID no. 2347-280-00-005 to Applicant's Property. Existing Wells. There is one existing well on Applicant's Property, which is permitted with the Division of Water Resources under Well Permit No. 80555 ("Existing Well"). Water Source. Not-Nontributary. The groundwater to be withdrawn from the Upper Dawson aquifer underlying Applicant's Property is not-nontributary. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation requirements for wells in the Upper Dawson aquifer require the replacement of actual stream depletions. Nontributary. The groundwater to be withdrawn from the Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying Applicant's Property is nontributary. Estimated Rates of Withdrawal. Pumping from the wells on Applicant's Property will vary according to aquifer conditions and well production capabilities. Applicant requests the right to withdraw groundwater at rates of flow necessary to withdraw the entire decreed amounts. Estimated Average Annual Amounts of Groundwater 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 may be withdrawn over a 100-year life of the aquifers, as required under C.R.S. § 37-90-137(4), or longer. Applicant estimates that the following values and average annual amounts are representative of the Denver Basin aquifers underlying the Applicant's Property:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre-Feet)	Annual Avg. Withdrawal 100 Years (Acre-Feet)
Upper Dawson (NNT)	441	167 ¹	1.67
Lower Dawson (NT)	730	126	1.26
Denver (NT)	188.8	321	3.21
Arapahoe (NT)	246.8	420	4.20
Laramie-Fox Hills (NT)	191.2	287	2.87

Decreed amounts may vary based upon 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. Applicant requests the right to use the groundwater for beneficial uses upon the Applicant's Property consisting of full domestic, indoor and outdoor irrigation, watering of stock and domestic animals, agricultural, commercial, fire protection, recreation, fish and wildlife, aesthetic, 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 use water from the not-nontributary Upper Dawson aquifer pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by the use of such not-nontributary aquifer in accordance with C.R.S. § 37-90-137(9)(c.5) or pursuant to an exempt well permit. Well Fields. Applicant requests that he be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying the Applicant's Property through any combination of wells. Applicant requests that these wells be treated as a well field. Averaging of Withdrawals. Applicant requests that he be entitled 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 total withdrawals from all the wells in the aquifers do 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 Applicant's Property. Owner of Land Upon Which Wells are to Be Located. The land and underlying groundwater upon which the wells will be located is owned by the Applicant. Applicant requests a finding that he has complied with C.R.S. § 37-90-137(4), and that the groundwater requested herein is legally available for withdrawal by not-nontributary wells, upon the entry of a decree approving a plan for augmentation pursuant to C.R.S. § 37-90-137(9)(c.5), and nontributary wells. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of groundwater withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. Any wells constructed pursuant to a decree herein as may be authorized by future decree for a plan for augmentation 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 waives the 600-foot well spacing requirement, pursuant to C.R.S. § 37-90-137(2)(b), for any wells to be located on Applicant's Property in relation to one another. This waiver does not apply to wells not located on Applicant's Property and/or not owned by the Applicant.

¹ Applicant reserves 100 acre-feet of Upper Dawson aquifer water to be utilized by the Existing Well, reducing the total amount available in the Dawson aquifer to the amount estimated above.

Applicant owns the Applicant's Property free and clear of any liens, rendering the notice provisions set forth in C.R.S. §§ 37-92-302(2)(b) and 37-90-137(4)(b.5)(I) inapplicable to these proceedings. (Application is 6 Pages.)

CASE NUMBER 2026CW3107 Colorado Division of Parks and Wildlife - Order for Change of Venue to WD2.

CASE NUMBER 2026CW3108 WEITZEL LAND LLC, 28271 Road L, Brush, Colorado 80723, Lawrence Custer Grasmick Jones & Donovan LLP Attorneys for Applicant, Weitzel Land LLC Ryan M. Donovan, #44435 Regan M. O'Donnell, #62937 **APPLICATION TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE IN PART, FOR FINDING OF REASONABLE DILIGENCE AND TO CONTINUE CONDITIONAL WATER RIGHTS IN MORGAN COUNTY** 2. Previous Decrees. The water rights which are the subject of this Application were originally decreed in Case No. 2017CW3081 on July 1, 2020, in Water Division No. 1 (the "Original Decree"). 3. Underground Water Rights. The following conditional underground water rights were adjudicated in the Original Decree. The water rights which are described in this Application are part of Applicant's integrated system as defined in C.R.S. § 37-92-301(4)(b), which integrated system is generally referred to as the "Weitzel Augmentation Plan," which was decreed in the Original Decree. 3.1. Name of Structure. Weitzel Land Well No. 1. 3.1.1. Legal Description of Point of Diversion. Southeast 1/4 of the Southwest 1/4 of Section 2, Township 2 North, Range 56 West of the 6th P.M. in Morgan County at the following coordinates. UTM: 4446516m Northing, 617790m Easting. 3.1.2. Source. Groundwater tributary to the South Platte River. 3.1.3. Appropriation Date. September 15, 2005. 3.1.4. Amount Claimed. 0.45 c.f.s., of which 0.28 c.f.s. is absolute and 0.17 c.f.s. is conditional. 3.1.5. Uses. Industrial and commercial stockwatering and dust suppression. 3.1.6. WDID. 0107980. 3.1.7. Well Permit. 81664-F. 3.2. Name of Structure. Weitzel Land Well No. 2. 3.2.1. Legal Description of Point of Diversion. Northwest 1/4 of the Southwest 1/4 of Section 2, Township 2 North, Range 56 West of the 6th P.M. in Morgan County at the following coordinates: UTM: 4446913m Northing, 617587m Easting. 3.2.2. Source. Groundwater tributary to the South Platte River. 3.2.3. Appropriation Date. September 15, 2005. 3.2.4. Amount Claimed. 0.45 c.f.s., of which 0.28 c.f.s. is absolute and 0.17 c.f.s. is conditional. 3.2.5. Uses. Industrial and commercial stockwatering, and dust suppression. 3.2.6. WDID. 0107981. 3.2.7. Well Permit. 81665-F. 3.3. Name of Structure. Weitzel Land Well No. 3. 3.3.1. Legal Description of Point of Diversion. Southeast 1/4 of the Southwest 1/4 of Section 2, Township 2 North, Range 56 West of the 6th P.M. in Morgan County at the following coordinates: UTM: 4446736m Northing, 617840m Easting. 3.3.2. Source. Groundwater tributary to the South Platte River. 3.3.3. Appropriation Date. June 1, 1985. 3.3.4. Amount Claimed. 0.28 c.f.s., of which 0.18 c.f.s. is absolute and 0.10 c.f.s. is conditional. 3.3.5. Uses. Industrial and commercial stockwatering, and dust suppression. 3.3.6. WDID. 0109986. 3.3.7. Well Permit. 81666-F. 3.4. Name of Structure. Weitzel Land Well No. 4. 3.4.1. Legal Description of Point of Diversion. Southwest 1/4 of the Southeast 1/4 of Section 2, Township 2 North, Range 56 West of the 6th P.M. in Morgan County at the following coordinates: UTM: 4446779m Northing, 618164m Easting. 3.4.2. Source. Groundwater tributary to the South Platte River. 3.4.3. Appropriation Date. August 1, 1993. 3.4.4. Amount Claimed. 0.22 c.f.s., of which 0.14 c.f.s. is absolute and 0.08 c.f.s. is conditional. 3.4.5. Uses. Industrial and commercial stockwatering, and dust suppression. 3.4.6. WDID. 0107223. 3.4.7. Well Permit. 81667-F. 4. Combined Volumetric Limit. Weitzel Land Wells Nos. 1 through 4 (collectively, the "Weitzel Land Wells") have an annual, combined total volumetric limit of 100 acre-feet, of which 3.8 acre-feet was decreed absolute in the Original Decree and 96.2 acre-feet was decreed conditional in the Original Decree. 5. Outline of What Has Been Done Toward Completion. 5.1. Diligence Period. The Diligence period for the conditional rights that are subject of this Application is July 1, 2020, to July 30, 2026. During the diligence period, Applicant made annual projections and conducted annual accounting for the Weitzel Augmentation Plan pursuant to the terms of the decree entered in Case No. 2017CW3081, and Applicant operated the Weitzel Augmentation Plan. During the diligence period, Applicant expended approximately \$35,556.35 in legal and engineering services. 5.2. Beneficial Use. During the diligence period, Applicant diverted and beneficially used a portion of the water rights decreed

to the Weitzel Land Wells, as further described below, for their decreed uses in connection with operating the Applicant's feedlot located in Morgan County. 5.3. Oppositions. During the diligence period, Applicant filed a statement of opposition in Case No. 2020CW3215. 6. Claims to Make Partially Absolute and for Finding of Reasonable Diligence Pursuant to C.R.S. § 37-92-301(4). Applicant's consultant, Adaptive Resources, Inc., reviewed the State Engineer's diversion records and Applicant's records to determine the diversions made pursuant to the conditional water rights described above. Applicant seeks a decree approving the amounts of each water right as absolute, as described in ¶ 6.1 through 6.5 below. The remaining conditional water rights amounts set out in ¶ 3 and its subparts above not made absolute in this matter should remain conditional. As described in ¶ 23 of the Original Decree, the water rights set out in this Application are part of an integrated system under C.R.S. § 37-92-301(4)(b). Work performed and effort or costs expended by Applicant on any water rights or structures which are part of this integrated water system should be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the system as provided in C.R.S. § 37-92-301(4)(b). 6.1. Weitzel Land Well No. 1. 0.45 c.f.s. was the total claimed in the Original Decree, of which 0.28 c.f.s. was decreed absolute in the Original Decree. A max rate of 0.05005 c.f.s. was diverted on September 1, 2022 and should be made absolute in this proceeding. The remaining 0.400 c.f.s. should remain conditional. 6.2. Weitzel Land Well No. 2. 0.45 c.f.s. was the total claimed in the Original Decree, of which 0.28 c.f.s. was decreed absolute in the Original Decree. A maximum rate of 0.057 c.f.s. was diverted on October 1, 2021 and should be made absolute in this proceeding. The remaining 0.393 c.f.s. should remain conditional. 6.3. Weitzel Land Well No. 3. 0.28 c.f.s. was the total claimed in the Original Decree, of which 0.18 c.f.s. was decreed absolute in the Original Decree. A maximum rate of 0.008 c.f.s. was diverted on October 1, 2021 and should be made absolute in this proceeding. The remaining 0.272 c.f.s. should remain conditional. 6.4. Weitzel Land Well No. 4. 0.22 c.f.s. was the total claimed in the Original Decree, of which 0.14 was decreed absolute in the Original Decree. A maximum rate of 0.003 c.f.s. was diverted on September 1, 2020 and should be made absolute in this proceeding. The remaining 0.217 c.f.s. should remain conditional. 6.5. Combined Volumetric Amount. A total of 47.61 acre-feet was diverted by the Weitzel Land Wells in 2022 and should be made absolute; 52.39 acre-feet of the combined volumetric limit of 100 acre-feet should remain conditional. 7. Name and Address of Owners of Structures. Applicant owns the structures and the land upon which the structures are located. 8. WHEREFORE, Applicant requests the Court enter a decree finding that Applicant has satisfied the statutory standard of steady application of effort to complete the appropriation described above in a reasonably expedient and efficient manner under all the facts and circumstances, that reasonable diligence was performed during the diligence period in the development of the conditional water right, that a portion of the water right should be made absolute as described herein, and that the remaining conditional portion of the water right should continue. This document consists of 6 pages.

CASE NUMBER 2026CW3109 ROBERT AND ALLISON JOHNSON, 1100 Shoreline Dr, Windsor, CO 80550, 970-581-2994. Please send all further pleadings to: Daniel K. Brown, Esq. and Whitney Phillips, Esq. Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 E. Prospect Road, Fort Collins, CO 80525. **APPLICATION FOR CHANGE OF WATER RIGHT IN WELD COUNTY.** 2. Decreed Water right for Which Change is Sought. 2.1. Name of Structure. Well No. 2-10675 (the "Well") 2.1.1. Original Decree. Case No. W-3558, Water Division 1, entered July 26, 1979 ("Original Decree"). 2.1.1.1. Location. Approximately 600 feet North and 1320 feet East of the SW corner of Section 24, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado, in the SE 1/4 SW 1/4 of said Section 24. 2.1.1.2. Source. Groundwater. 2.1.1.3. Appropriation Date. April 30, 1938. 2.1.1.4. Amount. 1.55 c.f.s., absolute. 2.1.1.5. Use. Irrigation of 80 acres in the E 1/2 of the SW 1/4 of Section 24, Township 6 North, Range 65 West of the 6th P.M. 2.1.2. 2023 Change Case. Two supplemental locations for the Well were confirmed by the final decree entered on May 21, 2024, in Water Division One Case No. 23CW3095 ("Previous Change Case"). The supplemental wells decreed in the Previous Change Case have not been drilled, although permits have been issued for both. The final decree in that case confirmed the supplemental well locations as follows without making any other modifications to the Original Decree: 2.1.2.1. Supplemental Well 1a: Approximately 170 feet North and 1,950 feet East of the SW corner of Section 24, Township 6 North,

Range 65 West of the 6th P.M., Weld County, Colorado, in the SE 1/4 SW 1/4 of said Section 24. 2.1.2.2. Supplemental Well 2: Approximately 110 feet North and 1,790 feet East of the SW corner of Section 24, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado, in the SE 1/4 SW 1/4 of said Section 24. 3. Detailed Description of Proposed Change. Applicants seek to replace Supplemental Well 1a and Supplemental Well 2 with two new supplemental points of diversion ("New Supplemental Wells"). C.R.S. § 37-90-103(17) provides, "Supplemental well means any well drilled and used, in addition to an original well or other diversion, for the purpose of obtaining the quantity of the original appropriation of the original well, which quantity can no longer be obtained from the original well." Accordingly, the decree entered herein will limit the pumping of the supplemental wells together with the original well to collectively pumping not greater than 1.55 c.f.s for the irrigation of 80 acres in the SE 1/4 of the SW 1/4 of Section 24, Township 6 North, Range 65 West of the 6th P.M. The New Supplemental Wells will also be added to the plan for augmentation ("LPAC Plan") decreed in Consolidated Case Nos. 2004CW25/2006CW295, Water Division No. 1, entered on January 21, 2014 ("LPAC Decree"). The proposed locations of the New Supplemental Wells are as follows: 3.1. Supplemental Well 3 (West Well): In the SE 1/4 SW 1/4 of Section 24, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado. 3.1.1. UTM Coordinates: 532745.58 Easting; 4479422.51 Northing. 3.2. Supplemental Well 3a (East Well): In the SE 1/4 SW 1/4 of Section 24, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado. 3.2.1. UTM Coordinates: 532844.00 Easting; 4479428.00 Northing. 4. Names and addresses of owners of land on which structures are located. Applicants are the owners of the land on which Well No. 2-10675 is located and where the proposed New Supplemental Wells will be located. WHEREFORE, for the foregoing reasons, Applicants respectfully request the Court enter a decree granting the change of water right, and for such other relief as the Court deems proper. (Application consists of 4 pages).

CASE NUMBER 2026CW3110 (Case No. 19CW3038, 09CW279) THE CITY OF AURORA, COLORADO, a municipal corporation of the Counties of Adams, Arapahoe and Douglas acting by and through its Utility Enterprise ("Aurora" or "Applicant"). **APPLICATION FOR A FINDING OF REASONABLE DILIGENCE IN WELD, ADAMS, JEFFERSON, ARAPAHOE, AND DOUGLAS COUNTIES, AND THE CITY AND COUNTY OF DENVER** Attorneys for the City of Aurora, acting by and through its Utility Enterprise, please send all correspondence to: Stephen Cann, #24498 Ian Best, #46020 E-mail: scann@auroragov.org; ibest@auroragov.org. Applicant, the City of Aurora, Colorado, acting by and through its Utility Enterprise, ("Aurora" or "Applicant") hereby submits the following application for a finding of reasonable diligence. **1. NAME, MAILING ADDRESS, AND TELEPHONE NUMBER OF APPLICANT:** The City of Aurora, Colorado, a municipal corporation of the Counties of Adams, Arapahoe and Douglas acting by and through its Utility Enterprise ("Aurora" or "Applicant") 15151 East Alameda Parkway, Suite 5300 Aurora, Colorado 80012-1555 Telephone: 303-739-7030 Email: CityAttorneyNotice@auroragov.org. **2. NAME OF STRUCTURES.** 2.1. Castle Pines North Metropolitan District ("CPNMD") Reservoir #1, Stagecoach Reservoir, and numerous exchange points related to CPNMD South Platte Exchanges which have been purchased by Aurora. See Exhibits 1.1, 1.2 and 1.3. **3. DESCRIPTION OF CONDITIONAL WATER RIGHTS. CPNMD South Platte River Exchanges.** Date of original decree: February 7, 2013, Case No. 09CW279, Water Division 1. Exchange-From Points (Exhibit 1.1): Meadow Island Ditch No.1 Return Facility: Located in the NW1/4 NW1/4, Section 24, Township 3 North, Range 67 West, 6th P.M., approximately 861 feet from the north section line and 458 feet from the west section line. Confluence of Little Dry Creek and South Platte River: Located in the SE1/4 NE1/4, Section 12, Township 2 North, Range 67 West, 6th P.M., 1880 feet from the north section line and 1310 feet from the east section line. Joint Heit / Koenig Outlet: Located in the NW1/4 SW1/4, Section 18, Township 2 North, Range 66 West, 6th P.M., at a point approximately 3,800 feet from the north section line and 1320 feet from the west section line. Thornton NCCI (Reservoir) Outlet: Located in the NE1/4 SW1/4 Section 19, Township 2 North, Range 66 West, 6th P.M., approximately 998 feet from the south section line and 2,368 feet from the west section line. CPNMD Reservoir No. 1 Outlet: Located in the NW1/4 SE1/4, Section 19, Township 2 North, Range 66 West, 6th P.M., 2460 feet from the east section

line and 2440 feet from the south section line. Platteville Ditch Return: Located in the SW1/4 SE1/4, Section 19, Township 2 North, Range 66 West, 6th P.M., 660 feet from the south section line and 2630 feet from the east section line. CCWCD Augmentation Return: Located in the SW1/4 SE1/4, Section 19, Township 2 North, Range 66 West, 6th P.M., 660 feet from the south section line and 2630 feet from the east section line. Fulton Ditch Combined Aug Return II: Located in the SW1/4 SE1/4, Section 19, Township 2 North, Range 66 West, 6th P.M., 660 feet from the south section line and 2630 feet from the east section line. Aurora Everist Complex Outlet: Located the SW1/4 NE1/4, Section 30, Township 2 North, Range 66 West 6th P.M., 1400 feet from the east section line and 1450 feet from the north section line. Walker Reservoir Outlet: Located on the quarter section line between the SW1/4 NW1/4 and the NW1/4 SW1/4, Section 31, Township 1 North, Range 66 West, 6th P.M., 2640 feet from the south section line and 1200 feet from the west section line. Tucson South Reservoir Outlet: Located in the NE1/4 SE1/4, Section 1, Township 1 South, Range 67 West, 6th P.M., 2200 feet from the south section line and 40 feet from the east section line. Worthing Reservoir Outlet: Located in the NE1/4 NW1/4, Section 26, Township 1 South, Range 67 West, 6th P.M., 1100 feet from the north section line and 1520 feet from the west section line. Stagecoach Reservoir Outlet: Located in the NE1/4 NE1/4, Section 34, Township 1 South, Range 67 West, 6th P.M., 600 feet from the north section line and 150 feet from the east section line. Fulton Ditch Combined Aug Return I: Located in the SE1/4 NE1/4, of Section 17, Township 2 South, Range 67 West, 6th P.M. 2170 feet from the North section line and 10 feet from the east section line. Exchange-To Points (Exhibit 1.2): Koenig / Heit Pump Station: Location: In the NW1/4 SW1/4, Section 18, Township 2 North, Range 66 West, 6th P.M., 3800 feet from the north section line and 500 feet from the west section line. Maximum rate of exchange: 10 cfs. For storage in Heit and Koenig Reservoirs. Meadow Island No. 1 Ditch Headgate: PLSS Location: In the NE1/4 SW1/4, of Section 19, Township 2 North, Range 66 West, 6th P.M., 2060 feet from the south section line and 2275 feet from the west section line. Maximum rate of exchange: 50 cfs. For storage in Heit and Koenig Reservoirs. Platteville Ditch Headgate: PLSS Location: In the NW1/4 SE1/4, Section 31, Township 2 North, Range 66 West, 6th P.M., 2600 feet from the south section line and 2320 feet from the east section line. Maximum rate of exchange: 50 cfs. For storage in CPNMD Reservoir No. 1. Lupton Bottom Ditch Headgate: PLSS Location: In the NW1/4 SW1/4, Section 19, Township 1 North, Range 66 West, 6th P.M., 2110 feet from the south section line and 60 feet from the west section line. Maximum rate of exchange: 50 cfs. For storage in Heit, Koenig, Thornton NCCI Reservoirs and Aurora Everist Complex. Walker Reservoir Pump Station: Location: In the SW1/4 NW1/4, Section 31, Township 1 North, Range 66 West, 6th P.M., 2400 feet from the north line and 1300 feet from the west line. Maximum rate of exchange: 50 cfs. For storage in Walker Reservoir. Brighton Ditch Headgate: Location: In the SE1/4 SE1/4, Section 11, Township 1 South, Range 67 West, 6th P.M., 650 feet from the south line and 1260 feet from the east line. Maximum rate of exchange: 44.78 cfs. For storage in Walker Reservoir and ARR-B / Tucson South Reservoir. United Water and Sanitation District Diversion No. 3: 3.1.3.7.1. Location: In the NE1/4 SW1/4, Section 26, Township 1 South, Range 67 West, 6th P.M., 1480 feet from the south section line and 1860 feet from the west section line. Maximum rate of exchange: 50 cfs. For storage in United Reservoir No. 3 and Stagecoach Reservoir. Fulton Ditch Headgate: Location: In the NE1/4 SE1/4, Section 17, Township 2 South, Range 67 West, 6th P.M., 2450 feet from the south section line and 175 feet from the east section line. Maximum rate of exchange: 50 cfs. For storage in Worthing Reservoir, Stagecoach Reservoir and CPNMD Reservoir No. 1. Chatfield Reservoir: Location: The right abutment of the dam is located in Douglas County, Colorado, in Sections 6 and 7, Township 6 South, Range 68 West, 6th P.M., and the left abutment is located in Jefferson County, Colorado, in Section 1, Township 6 South, Range 69 West, 6th P.M. The center of the dam is located in the NE1/4 SE1/4, Section 1, Township 6 South, Range 69 West, 6th P.M., 1000 feet from the east section line and 2200 feet from the south section line. Maximum rate of exchange: 50 cfs. Locations of storage following exchange (Exhibit 1.3): Heit Reservoir (referred to as “Heit Pit” in the 09CW279 decree): An off-channel reservoir located in the NW1/4 SE1/4, the NE1/4 SE1/4, the SW1/4 NE1/4, and the SE1/4 NE1/4, Section 13, Township 2 North, Range 67 West, 6th P.M., the centroid being approximately 2300 feet from the south section line and 920 feet from the east section line. Koenig Reservoir: An off-channel reservoir located in the SW1/4 SE1/4, and the SE1/4 SE1/4, Section 13, Township 2 North, Range 67 West, 6th P.M., the centroid being approximately

660 feet from the east section line and 660 feet from the south section line. Thornton NCCI Reservoir: An off-channel reservoir located in the NW1/4 SE1/4, the NE1/4 SE1/4, the SE1/4 SE1/4, SW1/4 SE1/4, SW1/4 NE1/4, the NW1/4 NE1/4, and the SE1/4 NE1/4, Section 24, Township 2 North, Range 67 West, 6th P.M., the centroid being approximately 750 feet from the east section line and 660 feet from the south section line. CPNMD Reservoir No. 1: An off-channel reservoir located in the SW1/4 SE1/4, the SE1/4 SE1/4, the NW1/4 SE1/4, the NE1/4 SE1/4, the SE1/4 SW1/4, and the NE1/4 SW1/4, Section 19, Township 2 North, Range 66 West, 6th PM, the centroid being approximately 1330 feet from the south section line and 1160 feet from the east section line. Aurora Everist Reservoir Complex No. 1: A group of interconnected, off channel reservoirs located in the NE1/4 NE1/4, the SE1/4 NE1/4, the NW1/4 NE1/4, and the SW1/4 NE1/4, Section 25, Township 2 North, Range 67 West, and the NE1/4 NW1/4, the SE1/4 NW1/4, the NW1/4 NW1/4, the SW1/4 NW1/4, the NW1/4 NE1/4, and the SW1/4 NE1/4, Section 30, Township 2 North, Range 66 West 6th P.M., the centroid being approximately 1600 feet from the north line and 2000 feet from the west line. Walker Reservoir: A pair of off-channel reservoirs, Walker North being located in the SW1/4 NE1/4, and the SE1/4 NE1/4, of Section 36, Township 1 North, Range 67 West, 6th P.M., the centroid being approximately 2,181 feet from the north section line and 836 feet from the east section line, and Walker South being located in the NW1/4 SE1/4, NE1/4 SE1/4, SW1/4 SE1/4, and the SE1/4 SE1/4 Section 36, Township 1 North, Range 67 West, 6th P.M., the centroid being approximately 1,800 feet from the south section line and 900 feet from the east section line. ARR-B / Tucson South Reservoir: An off-channel reservoir to be located in the NE1/4 SW1/4, the NW1/4 SE1/4, the NE1/4 SE1/4, the SE1/4 SW1/4, the NW1/4 SW1/4, the SW1/4 SW1/4, and the SW1/4 SE1/4, all in Section 1, Township 1 South, Range 67 West, 6th P.M., the centroid being approximately 1320 feet from the south section line and 2200 feet from the east section line. Worthing Reservoir: An off-channel reservoir located in the NE1/4 NW1/4, the SW1/4 NE1/4, the NW1/4 NE1/4, the NE1/4 NE1/4, the NE1/4 SW1/4, the SE1/4 NW1/4, and the NW1/4 SE1/4, Section 26, Township 1 South, Range 67 West, 6th P.M., the centroid being approximately 2350 feet from the west section line and 1400 feet from the north section line. Stagecoach Reservoir: An off-channel reservoir located in the NW1/4 NW1/4, the SW1/4 NW1/4, and the NE1/4 NW1/4, Section 35, Township 1 South, Range 67 West, 6th P.M., the centroid of the reservoir being approximately 660 feet from the west section line and 900 feet from the north section line. Chatfield Reservoir: As stated in Paragraph 3.1.3.9.1 above. Source: The source of the water diverted by exchange is the South Platte River and its tributaries upstream of the applicable point of diversion. The sources of substitute supply for these appropriative rights of exchange are the following water rights owned by Aurora: The water rights represented by 55 shares of the capital stock of the Fulton Irrigating Ditch Company (changed in 09CW279); Aurora owns 55 of the original 105 shares changed by CPNMD; The water rights represented by 1/2 share of the capital stock of the PIMC (changed in 09CW279); Water stored pursuant to the conditional water storage right for Stagecoach Reservoir (decreed in 09CW279); Water stored pursuant to the water storage right in CPNMD Reservoir No. 1 pursuant to the conditional water storage right (decreed in 09CW279); The water rights represented by 2.25 shares of the capital stock of the Lupton Bottom Ditch Company (the subject of the change in 19CW3038, currently pending); and The water rights represented by 7 shares of capital stock in the Meadow Island #1 Irrigation Company (the subject of the change in 19CW3038, currently pending). Appropriation date of all exchanges: December 30, 2009. Amount: The exchanges are subject to various flow rate and volumetric limitations as set forth in the original decree. **CPNMD Reservoir No. 1**: Date of original decree: February 7, 2013, Case No. 09CW279, Water Division 1. Legal description: As stated in Paragraph 3.1.4.4., above. Point of Diversion: Fulton Ditch Headgate and Platteville Ditch Headgate, as described above. Maximum Rates of Diversion: 11 cfs through the Anders Platteville Ditch farm headgate, and 8 cfs through the Anders Fulton Ditch farm headgate. Source: South Platte River. Appropriation date: December 31, 2009. Amount: 5,500 acre-feet, conditional, with right to fill and refill. **Stagecoach Reservoir**: Date of original decree: February 7, 2013, Case No. 09CW279, Water Division 1. Legal description: As stated in Paragraph 3.1.4.9. above. Point of Diversion: Fulton Ditch Headgate, described above. Maximum Rate of Diversion: 32 cfs. Amount: 500 acre-feet, conditional, with one refill. Source: South Platte River and its tributaries upstream of the point of diversion. Appropriation date: December 31, 2009. Decreed Uses for all water rights identified above: All

municipal purposes within the District's service area as it now exists and as it may exist in the future, including but not limited to recreation, fish and wildlife habitat, and aesthetic purposes while stored in reservoir, and augmentation replacement and exchange, and such water may be reused, successively used, and fully consumed, in connection with such uses consistent with – and subject to – the terms of the 09CW279 and 19CW3038 decrees. **4. 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.** These water rights are now part of an extensive unified system for the collection, treatment and distribution of water operated by Aurora. For the purposes of showing diligence as to completion of the appropriative rights of exchange and water storage rights decreed in the original decree, diligence as to the development of any part of the Aurora water rights system infrastructure used to operate or benefit from these storage rights and exchanges is considered to be diligence as to the completion of these water rights. **Project Specific Efforts:** Aurora purchased the ditch company shares, conditional junior storage rights, and conditional rights of exchange from CPNMD in 2022 for over \$15,000,000, adding this portfolio of rights into Aurora's unified system. **Systemwide Efforts:** During the diligence period, Aurora has accomplished at least the following systemwide efforts that will be used to operate or benefit the conditional rights (expenditure numbers are rounded to the nearest \$1,000). South Platte River Basin: Aurora made the following diligent efforts with regard to its water supply system components in the South Platte River Basin which are necessary for continuation of its reusable supplies from the South Platte River Basin. **Metro Wastewater Reclamation District Charges:** Aurora expended at least \$213,369,000 during this diligence period for fees for wastewater treatment of its water at the Metro Wastewater Reclamation facility. Such treatment is necessary for release of this water into the South Platte River Basin as a replacement source enabling maximum efficient use of the water conveyed to Aurora under its operations in the South Platte Basin. **Sand Creek Water Reuse Plant Improvements:** Aurora operates this 5-million-gallon per day facility that provides treated water used for irrigation throughout the City and for discharge into Sand Creek for use as a replacement source for the exchanges herein. Improvements of this facility and operating costs completed during this diligence period cost at least \$21,325,000. These improvements are necessary for use of this water as a substitute supply that enables maximum use of the water conveyed to Aurora under its operations in the South Platte Basin. **Quantification and Determination of Lawn Irrigation Return Flows:** Aurora obtained a decree in Case No. 02CW341, Water Division 1, on September 25, 2008, quantifying LIRFs from its municipal system (and subsequent requantifications as required by the Decree in 02CW341), generated as a result of use of transmountain water rights, fully consumable in-basin water rights, decreed and permitted non-tributary sources and any other fully consumable water available to Aurora. During this diligence period, Aurora has expended over \$3,000 in engineering costs requantifying the LIRFs adjudicated in Case No. 02CW341 available for exchange which enables maximum use of the water conveyed to Aurora by its operations in the South Platte Basin. **Griswold Water Treatment Plant Renovations:** This facility treats a portion of the raw water that is received from Spinney Mountain Reservoir before it is delivered to Aurora's customers. More than \$82,233,000 was spent by Aurora during this diligence period for improvements to this facility. This includes expenditures directly by Aurora for renovation of the facility. **Wemlinger Water Treatment Plant Improvements:** During this diligence period, Aurora spent more than \$30,186,000 for improvements to the Wemlinger Water Treatment Plant. This facility treats a portion of the raw water before it is delivered to Aurora's customers. **Rampart Reservoir Improvement:** More than \$24,422,000 was spent by Aurora during this diligence period for improvements to the Rampart Reservoir delivery system, including improvements to the 54" raw water transmission pipeline between Rampart Reservoir and storage and water treatment facilities within the city. Rampart Reservoir is used to store the water that has been exchanged from the Arkansas and Colorado River Basins and transported to the South Platte River before it is transported through the parallel 54" and 40" pipelines to Aurora. Rampart Reservoir is important for regulation of the flow through these parallel pipelines. **Improvements to Extend or Improve Water Service in and to Aurora:** More than \$164,159,000 was spent by Aurora during this diligence period for extension and upgrade of its water transmission and distribution system necessary to deliver the water to Aurora's customers. **Prairie Waters Project:** The Prairie Waters

Project is a large comprehensive water recapture, supply, storage and treatment project which in part recovers reusable return flows from Aurora's water sources from the South Platte River. To facilitate this project Aurora obtained various decrees in Case Nos. 06CW104, 03CW414, and 03CW415, Water Division 1. This project allows further reuse of much of the water decreed to Aurora, including water conveyed to its municipal system by the rights herein. Reuse water recovered by this project is one of the sources at Aurora's water treatment plants for replacement under the operations at issue here. During the diligence period, Aurora obtained a decree in Case No. 13CW3088 (decreed November 4, 2020) and Aurora obtained a decree in Case No. 21CW3028, WD-1, (decreed December 9, 2021) finding reasonable diligence for the water rights decreed conditionally in 03CW415 (decreed March 2, 2015) and in 14CW3065, and Aurora filed an application in Case No. 23CW3175 seeking to make absolute portions of the rights decreed conditionally in Case No. 06CW104, and 15CW3064, WD-1, and seeking a finding of reasonable diligence on the remainder. Aurora has expended at least \$33,866,000 on elements of the Prairie Waters Project during this diligence period. Automated Meter Reading System: Aurora spent more than \$20,722,000 during this diligence period for upgrades to its automated utility reading system. Binney Water Purification Facility: This state-of-the-art water purification and recycling plant owned and operated by Aurora treats water for use throughout the city. Over \$19,812,000 was spent by Aurora during the diligence period for improvements to this facility. Wild Horse Reservoir: Aurora is constructing an approximately 95,000 acre-foot off channel reservoir in Park County that will integrate with Aurora's Spinney Mountain Reservoir storage operations. <https://wildhorsereservoir.org>. Arkansas River Basin: Aurora made the following diligent efforts with regard to maintaining and enlarging its water supply system components in the Arkansas River Basin which are necessary for continuation and transport of its reusable supplies from the Arkansas River Basin. Revegetation: Aurora has expended at least \$1,057,000 during this diligence period for revegetation, including expenditures for expert revegetation classifications and reports, actual revegetation and weed control costs, as well as farm equipment purchases, office overhead and personnel costs, under Case No. 83CW18 and for revegetation and continued farming of historically irrigated lands pursuant to the decree in Case No. 99CW169(A). Pueblo Reservoir Storage: During the diligence period, Aurora paid the Bureau of Reclamation more than \$5,979,000 for use of Pueblo Reservoir in the storage and exchange of Arkansas River Basin water upstream for transport and use by Aurora in the South Platte Basin. Intergovernmental Agreement with SECWCD. On October 3, 2003, Aurora entered into an Intergovernmental Agreement with the Southeastern Colorado Water Conservancy District ("SECWCD"), replacing an agreement between the parties dated December 7, 2001. Aurora's use of Fryngpan-Arkansas facilities for certain water rights is discussed under this IGA. During the diligence period, Aurora made payments of more than \$1,021,000 to SECWCD under the IGA. Agreements for Use of the Holbrook Reservoir System Facilities: On March 1, 2005, Aurora entered into two agreements pertaining to the use of the diversion, conveyance and storage facilities of the Holbrook Mutual Irrigating Company ("Holbrook"). These agreements implement a program to recapture and store yield from foregone diversions of senior water rights. During this diligence period, Aurora made payments of approximately \$507,000 to Holbrook under this agreement. Aurora and Holbrook extended the storage Agreement on February 6, 2025, for an additional 5-year term. Recovery of Yield ("ROY"): On August 17, 2016, Aurora, along with Colorado Springs, the Pueblo Board of Water Works, the City of Fountain, and the Southeastern Colorado Water Conservancy District, obtained a decree in Case No. 06CW120 adjudicating exchanges necessary as a result of the 2004 Regional Intergovernmental Agreement ("IGA") between the various water providers and the City of Pueblo, whereby the water providers agreed to allow certain of their senior flows to pass through Pueblo's RICD reaches on the condition those flows could be diverted downstream and exchanged back upstream. Aurora expended significant sums on these efforts during the diligence period. The ROY partners have acquired land to prospectively be used as a reservoir site at a cost of more than \$945,000 to Aurora. The ROY partners are in the process of executing an agreement to form a water authority to facilitate the cooperative efforts of the ROY entities. The principals have executed the formation agreement, and the initial meeting of the ROY Authority is being scheduled. Box Creek Reservoir: Entered into a mining lease with Titan Au to mine precious metals within the Box Creek site for a term through December of 2028, providing resources to fund Aurora's water system development.

Completed 30% design of the Box Creek Reservoir and appurtenant facilities in 2019. Intake pipeline alignment study to avoid potential wetlands bank on SLB property for \$5,000. Payment for assessments of Rocky Ford Ditch shares. Aurora spent more than \$1,713,000.00 during this diligence period for the original Rocky Ford Ditch shares changed in Case No. 83CW18 and 99CW169(A), Div. 2. Colorado River Basin: Aurora made the following diligent efforts with regard to its water supply system components in the Colorado River Basin that are necessary for continuation of its reusable supplies from the Colorado River Basin. Aurora has continued to pursue development of a joint project or projects as contemplated in a 1998 Memorandum of Understanding with Vail Associates, Upper Eagle River Regional Water Authority, Eagle River Water and Sanitation District, Cypress Climax Mining Company and the Colorado River Water Conservation District. On June 21, 2004, the City of Aurora entered into an additional Water Exchange Agreement with the Eagle Park Reservoir Company, the Colorado River Water Conservation District, the Eagle River Water and Sanitation District, the Upper Eagle Regional Water Authority, and Vail Associates, Inc. to supplement a 1998 Water Exchange Agreement. This agreement affects operations of the Homestake water rights and deliveries of reusable water to Aurora for use in the exchanges herein. On January 5, 2010, the City of Aurora entered into a Consolidated Water Exchange Agreement to supplement, merge and consolidate the 1998 and 2004 agreements. Aurora seeks to further maximize the operations of the Homestake water rights with these projects. A diligence application was filed by the parties to the agreements in regard to the subject exchange rights in 2023CW3087, W.D. 5. Homestake Project: During this diligence period, work was done on the Homestake Arkansas River Diversion Channel to reduce erosion, including riprap and installation of a new roadway culvert. Additionally, Homestake Reservoir underwent resurfacing and improvement. Once water is transported under the Continental Divide to Twin Lakes Reservoir and then from there, through the Otero Pump Station and Homestake Pipeline, it is then transported to Spinney Mountain Reservoir in the South Platte Basin. During this diligence period, Aurora prosecuted Case No. 2023CW3031, 2020CW3024 and 2023CW3087 in Water Division 5 through the Homestake Partners, comprising the City of Aurora and the City of Colorado Springs Utility. These water court matters seek a decree confirming diligence and continuing in effect the conditional water rights originally decreed in Case No. 98CW270, which comprise part of the Homestake Project. During this diligence period, Aurora executed a Recovery Agreement (March 27, 2020) with the United States and Wildlife Service regarding the Recovery Implementation Program for Endangered Fish Species in the Upper Colorado River Basin (Recovery Program). The purpose of the Recovery Agreement is to formalize Aurora's participation in the Recovery Program, provide certainty that Aurora's Colorado River depletions can occur consistent with the Endangered Species Act, and provide that Aurora will take reasonable actions to support implementation for the Recovery Elements specified in the 1999 Programmatic Biological Opinion. During the previous diligence period, the Upper Colorado River Endangered Fish Recovery Program, Recovery Implementation Program and Recovery Action Plan Participation Agreement (November 1, 2013) was executed with Northern Colorado Water Conservancy District, and a Ruedi Insurance Water Cost Participation Agreement (November 1, 2013) with the City and County of Denver. Through implementation of these agreements, the east slope water users' commitment for 5412.5 acre-feet of water annually to the Recovery Program is being met. Aurora has and continues to provide its annual pro rata share of operation and maintenance costs associated with these agreements. In addition, Aurora participates and annually contributes to the Colorado Water Congress Colorado River Project for collaboration and support of the Recovery Program by the water users in Colorado, Utah, and Wyoming. Non-Basin Specific: Protection Efforts: During this diligence period, Aurora spent more than \$5,000,000 on legal services for participation in Water Divisions 1, 2 and 5 cases to protect the rights and interests of Aurora with regard to its water supply system and prosecution of changes of water rights to integrate acquired water rights into Aurora's municipal water rights portfolio. Aurora reserves the right to identify additional relevant efforts that may be later discovered or to make upward adjustments to amounts expended on certain projects. Aurora has an extensive water rights portfolio, an extensive and complex water supply, collection, treatment and reuse system, and an extensive number of agreements, contracts, leases, etc. related to its facilities and the use, reuse and storage of its water rights. It is involved in many legal actions related to the collection, treatment, reuse and protection of its water rights. Further, the management,

protection, and operation of the water rights and the facilities system involve numerous City of Aurora departments and staff members throughout the state. Aurora made diligent efforts with regard to this application to determine and quantify all efforts made by the City toward completion of the appropriations and application of the water rights decreed in the Original Decree to beneficial use. However, it is reasonably possible that relevant efforts or expenditures may have been overlooked or need further upward adjustment.

5. NAMES AND ADDRESSES OF OWNERS OF THE LAND UPON WHICH ANY NEW DIVERSION OR STORAGE STRUCTURE OR MODIFICATION TO ANY EXISTING DIVERSION OR STORAGE STRUCTURE OR EXISTING STORAGE POOL IS OR WILL BE CONSTRUCTED OR UPON WHICH WATER IS OR WILL BE STORED.

Structure Meadow Island Ditch No.1 Return Facility **Owner** Magness Investment Group, LLC **Address** 4643 S Ulster St, Ste 1400, Denver, CO 80237 **Structure** Confluence of Little Dry Creek and South Platte River **Owner** Pioneer Land Company, LLC City of Aurora **Address** 4409 Coriolis Way, Frederick, CO 80504 15151 E Alameda Pkwy, Aurora, CO 80012 **Structure** Joint Heit / Koenig Outlet **Owner** 45 Acres LLC **Address** 9378 County Road 25, Fort Lupton, CO 80621 **Structure** Thornton NCCI Reservoir Outlet **Owner** Darrell and Nelva Bearson **Address** 9208 County Road 25, Fort Lupton, CO 80621 **Structure** CPNMD Reservoir No. 1 Outlet **Owner** Parker Family Land Company, LLC **Address** 12877 County Road 18, Fort Lupton, CO 80621 **Structure** Platteville Ditch Return **Owner** Mark and Kelly Kinnear **Address** 12875 County Road 18, Fort Lupton, CO 80621 **Structure** CCWCD Augmentation Return **Owner** Mark and Kelly Kinnear **Address** 12875 County Road 18, Fort Lupton, CO 80621 **Structure** Fulton Ditch Combined Aug Return II **Owner** Mark and Kelly Kinnear **Address** 12875 County Road 18, Fort Lupton, CO 80621 **Structure** Aurora Everist Complex Outlet **Owner** City of Aurora **Address** 15151 E Alameda Pkwy, #3600, Aurora, CO 80012 **Structure** Walker Reservoir Outlet **Owner** Carl Eiberger **Address** 303 S Broadway, Unit B-200, Denver, CO 80209 **Structure** Tucson South Reservoir Outlet **Owner** Aggregate Industries-WCR Inc. **Address** 6211 N Ann Arbor Rd, Dundee, MI 48131 **Structure** Worthing Reservoir Outlet **Owner** Henderson Aggregate, LTD **Address** 2722 Erie Ave, Ste 219 PMB 210462, Cincinnati, OH 45208 **Structure** Stagecoach Reservoir Outlet **Owner** Unknown **Structure** Fulton Ditch Combined Aug Return I **Owner** City of Thornton **Address** 9500 Civic Center Dr, Thornton, CO 80229 **Structure** Koenig / Heit Pump Station **Owner** 45 Acres LLC **Address** 9378 County Road 25, Fort Lupton, CO 80621 **Structure** Meadow Island No. 1 Ditch Headgate **Owner** LG Everist Incorporated **Address** 350 S Main Ave, Ste 400, Sioux Falls, SD 57104 **Structure** Platteville Ditch Headgate **Owner** South Platte Valley Historical Society **Address** PO Box 663, Fort Lupton, CO 80621 **Structure** Lupton Bottom Ditch Headgate **Owner** City of Aurora **Address** 15151 E Alameda Pkwy, Aurora, CO 80012 **Structure** Walker Reservoir Pump Station **Owner** Carl Eiberger **Address** 303 S Broadway, Unit B-200, Denver, CO 80209 **Structure** Brighton Ditch Headgate **Owner** Brighton Ditch Company **Address** 3268 Weld County Road 23, Ft Lupton, CO 80621 **Structure** United Water and Sanitation District Diversion No. 3 **Owner** Henderson Aggregate, LTD **Address** 2722 Erie Ave, Ste 219 PMB 210462, Cincinnati, OH 45208 **Structure** Fulton Ditch Headgate **Owner** Fulton Irrigation Ditch Co **Address** 9798 E 136th Ave, Brighton, CO 80601 **Structure** Chatfield Reservoir **Owner** United States of America State of Colorado Parks Dept **Address** 8277 Blakeland Dr, Littleton, CO 80125 **Structure** Heit Reservoir **Owner** City of Broomfield **Address** 1 Descombes Dr, Broomfield, CO 80020 **Structure** Koenig Reservoir **Owner** Central Colorado Water Conservancy District **Address** Groundwater Mgmt Subdistrict, 3209 W 28th St, Greeley, CO 80634 **Structure** Thornton NCCI Reservoir **Owner** City of Thornton **Address** 9500 Civic Center Dr, Thornton, CO 80229 **Structure** CPNMD Reservoir No. 1 **Owner** Castle Pines North Metro District **Address** 7404 Yorkshire Dr, Castle Pines, CO 80108 **Structure** Aurora Everist Reservoir Complex No. 1 **Owner** City of Aurora **Address** 15151 E Alameda Pkwy, Ste 3600, Aurora, CO 80012 **Structure** Walker Reservoir **Owner** City of Aurora **Address** 15151 E Alameda Pkwy, Ste 3600, Aurora, CO 80012 **Structure** ARR-B / Tucson South Reservoir **Owner** Aggregate Industries-WCR Inc. **Address** 6211 N Ann Arbor Rd, Dundee, MI 48131 **Structure** Worthing Reservoir **Owner** Henderson Aggregate, LTD Dennis and Debra Deardorff **Address** 2722 Erie Ave, Ste 219 PMB 210462, Cincinnati, OH 45208 13293 Brighton Rd, Brighton, CO 80601 **Structure** Stagecoach Reservoir **Owner** AR & MJ Frei Limited Partnership C/O Intax Inc. **Address** PO Box 54788, Lexington, KY 40555 Wherefore, Applicant respectfully requests that the Court find diligence

in the development of the appropriate rights described herein, and continue the conditional decree for said structures and remaining conditional amounts for the statutory period, and provide any other relief it finds just and appropriate in these circumstances.

CASE NUMBER 2026CW3111 CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION, IN WELD COUNTY; Colorado Division of Parks and Wildlife and the Parks and Wildlife Commission (“CPW”), 6060 Broadway, Denver, CO 80216. Please direct communications regarding this case to: Christopher R. Stork, Senior Assistant Attorney General; Ema I.G. Schultz, Second Assistant Attorney General; 1300 Broadway, 10th Floor, Denver, CO 80203; christopher.stork@coag.gov, 720-508-6311; ema.schultz@coag.gov, 720-508-6307. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN WELD COUNTY. 1. Name, mailing address, e-mail address, and telephone number of Applicant:** CPW Attn: Pete Conovitz, Water Rights Program Administrator, 6060 Broadway, Denver, Colorado, 80216, 970-666-1365; pete.conovitz@state.co.us **2. CPW requests a finding of reasonable diligence for the following water right:** A. Name of structures: Blue Heron Reservoir B. Original Decree: October 4, 2013, Case No. 98CW427, District Court, Water Division 1. C. List of Subsequent Decrees: July 6, 2020, Case No. 19CW3204, District Court, Water Division 1; February 3, 2016, Case No. 14CW3157, District Court, Water Division 1. D. Legal Description: The Blue Heron Reservoir is located in the SW1/4 of Section 3, T2N, R68W of the 6th PM, Weld County, Colorado. The approximate center point of the Reservoir is 1,570 feet North of the South section line and 1,185 feet East of the West section line of Section 3. This location is approximately one mile downstream (south) from the St. Vrain Creek and Boulder Creek confluence. A map depicting CPW’s Property and the general locations of the Reservoir and the diversion points is attached as Exhibit A to the Application. E. Sources: Boulder Creek and St. Vrain Creek, tributaries to the South Platte River. F. Dates of Appropriation: i. The date of appropriation for diversions at the St. Vrain Creek Diversion for the initial fill is December 17, 1998. ii. The date of appropriation for diversions from Boulder Creek at the Rural Ditch Headgate for the initial fill is March 30, 2000. iii. The date of appropriation for the refill right for all points of diversion is September 28, 2000. B. Points of Diversion: i. Rural Ditch Headgate: Water will be diverted from Boulder Creek through the Rural Ditch. The Rural Ditch headgate is located in the NE 1/4 of Section 20, T2N, R68W of the 6th P.M., Weld County, Colorado. Water diverted from Boulder Creek is conveyed down the Rural Ditch to a point where the Rural Ditch and Idaho Creek converge into the single channel. Water then flows down the combined Rural Ditch/Idaho Creek channel to a point where the Rural Ditch and Idaho Creek bifurcate and then down the Rural Ditch to the Rademacher Lateral headgate located in the Northeast ¼ of Section 10, T2N, R68W of the 6th PM, Weld County, as shown on Exhibit A. CPW will divert water at the Rural Ditch Headgate at a rate no greater than 7 c.f.s. per the ditch carriage agreement. ii. St. Vrain Creek Diversion: The diversion point from St. Vrain Creek into the Reservoir is located in the NW ¼ of Section 3, T2N, R68W of the 6th PM, Weld County, Colorado as shown on Exhibit A. CPW will divert water at the St. Vrain Creek Diversion at a rate no greater than 20 c.f.s. A. Amount: 900 acre-feet ABSOLUTE with the right to one partial refill in the conditional amount of 150 acre-feet. Annual diversions to storage shall be limited to 900 acre-feet, less carry over from the previous year, plus the refill. The refill right is limited to replacement of evaporation losses after the Reservoir’s first fill, limited to 150 acre-feet annually. B. Uses: Recreation, fish and wildlife propagation, and fire protection within the Property. Recreation and fish and wildlife propagation uses shall take place within the high water line of the Reservoir. **3. Outline of what has been done toward completion of this appropriation and application of water to beneficial use as conditionally decreed, including expenditures:** During the diligence period, CPW completed the following activities: A. CPW completed a concrete trail on the North, West, and East sides of the Reservoir for a total cost of \$418,390. B. CPW also completed repairs on the Northwest shoulder of the trail for a total cost of \$13,500. C. CPW, along with youth corps, completed weed mitigation at the Reservoir for a total cost of \$5,500. D. CPW completed several signage projects for the benefit of the public recreating on the Reservoir: i. Life Jacket Loaner Station signage for a total cost of \$1,720. ii. Fishing Regulations signage for a total cost of \$236. iii. Bike Repair station signage for a total cost of \$1,475. E. CPW completed the

following work on roads and parking serving the Reservoir: i. On November 1, 2020, CPW completed parking lot and mastic work for a total cost of \$7,500. ii. On December 16, 2026, CPW completed additional parking lot work including crack sealing and stripping for a total cost of \$9,264. iii. In June of 2026, CPW completed work consisting of the installation of new road base, dust control on the roads, and installation of parking barriers for a total of \$29,475. F. CPW completed pump maintenance for the Reservoir including the following: i. On June 30, 2020, CPW completed repairs on the pumps including rebuilding of control panels for a total cost of \$4,975. ii. On March 27, 2020, CPW rebuilt the second pump serving the Reservoir and completed electrical work for a total of \$9,555. iii. On June 2, 2026, CPW completed diagnostics on the pumps for a total cost of \$1,072. G. CPW paid approximately \$26,048 in electricity bills for lights and pumps at the Reservoir from 2020 to 2026. H. CPW has continually managed the Reservoir during the diligence period by installing and removing courtesy docks used by the public for the launching of recreational boats and removes the docks for winter operations. **4. Names of owners of land upon which structure is located:** A. CPW, 6060 Broadway, Denver, CO 80216. . Colorado State Land Board, 1127 Sherman St, Denver, CO 80203. WHEREFORE, CPW respectfully requests that this Court enter a decree finding that CPW has exercised reasonable diligence in the development of the conditional portion of the Blue Heron Reservoir described herein, continue the water right in full force as decreed, and for such other relief as this Court deems just and proper.

CASE NUMBER 2026CW3112 (2019CW3233, 2013CW3067, 2002CW138) APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN JEFFERSON COUNTY, RED ROCKS COUNTRY CLUB c/o Richard J. Mehren, Cameron J. Abatti, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Boulevard, Suite 240, Boulder, CO 80302 (303) 443-8782 1. Name, address, and telephone number of applicant: Red Rocks Country Club (“Red Rocks”), c/o Ron Rottmann, Manager, 16235 West Belleview Avenue, Morrison, Colorado 80465 2. Description of subject conditional water rights: 2.1 Kingfisher Lake No. C702 (WDID 0904297): 2.1.1 Original decree: June 19, 2007, Case No. 02CW138, District Court in and for Water Division No. 1 (“02CW138 Decree”). 2.1.2 Subsequent decrees granting findings of reasonable diligence: Case No. 13CW3067, entered December 15, 2013, District Court in and for Water Division No. 1 (“13CW3067 Decree”), and Case No. 19CW3233, entered July 6, 2020, District Court in and for Water Division No. 1 (“19CW3233 Decree”). 2.1.3 Legal description: Located in Section 13, T5S, R70W of the 6th P.M., Jefferson County, Colorado, the initial point of survey of the high water line being located at a point whence the West 1/4 corner of said Section 13 bears North 87° west, 1150 feet. A map showing the location of Kingfisher Lake is attached as **Exhibit A**. 2.1.4 Source: Turkey Creek, tributary to Bear Creek, tributary to the South Platte River. 2.1.5 Appropriation date: June 28, 2002. 2.1.6 Name and capacity of ditches used to fill: 2.1.6.1 Red Rocks Country Club Supply Canal: 10 cfs, CONDITIONAL. 2.1.6.2 Independent High Line Ditch: 2.73 cfs absolute; 7.27 cfs, CONDITIONAL. 2.1.7 Amount: 18.1 acre-feet absolute, 131.9 acre-feet CONDITIONAL, with a right to fill and refill on a continuous basis when in priority. 2.1.8 Use: Irrigation of approximately 73 acres in Section 13, 14, 23, and 24, T5S, R70W, 6th P.M. as shown on **Exhibit A**, and for recreation, augmentation, fish and wildlife preservation and propagation, and other beneficial uses incidental to the recreational use made by Red Rocks. 2.2 Willow Springs Reservoir No. C1081 (WDID 0903332): 2.2.1 Original decree: 02CW138 Decree. 2.2.2 Subsequent decrees granting findings of reasonable diligence: 13CW3067 Decree and 19CW3233 Decree. 2.2.3 Legal description: Located in Section 13, T5S, R70W of the 6th P.M., Jefferson County, Colorado, the initial point of survey of the high water line being located at a point whence the West 1/4 corner of said Section 13 bears South 38° 40' west, 745 feet. A map showing the location of Willow Springs Reservoir is attached as **Exhibit A**. 2.2.4 Source: Turkey Creek, tributary to Bear Creek, tributary to the South Platte River. 2.2.5 Appropriation date: June 28, 2002. 2.2.6 Name and capacity of ditches used to fill: 2.2.6.1 Red Rocks Country Club Supply Canal: 10 cfs, CONDITIONAL. 2.2.6.2 Independent High Line Ditch: 10 cfs, CONDITIONAL. 2.2.7 Amount: 150 acre-feet, conditional, with a right to fill and refill on a continuous basis when in priority. 2.2.8 Use: The uses described in paragraph 2.1.8 above. 2.3 Red Rocks Country Club Supply Canal (WDID 0901052): 2.3.1 Original decree: 02CW138 Decree. 2.3.2 Subsequent decrees granting findings of reasonable diligence: 13CW3067 Decree and 19CW3233

Decree. 2.3.3 Legal description: The point of diversion into the Red Rocks Country Club Supply Canal is a point located in the NW1/4 NE1/4 of Section 14, T5S, R70W, 6th P.M., Jefferson County, Colorado, said point being 725 feet from the North section line and 2,097 feet from the East section line of said Section 14. A map showing the location of the Red Rocks Supply Canal is attached as **Exhibit A**. 2.3.4 Source: Turkey Creek, tributary to Bear Creek, tributary to the South Platte River. 2.3.5 Appropriation date: June 28, 2002. 2.3.6 Amount: 10 cfs, CONDITIONAL. 2.3.7 Use: The uses described in paragraph 2.1.8 above. 2.4 Independent High Line Ditch (WDID 0900767): 2.4.1 Original decree: 02CW138 Decree. 2.4.2 Subsequent decrees granting findings of reasonable diligence: 13CW3067 Decree and 19CW3233 Decree. 2.4.3 Legal description: The headgate of the Independent High Line Ditch is located on the south side of Turkey Creek near the center of the NW1/4 of Section 14, T5S, R70W of the 6th P.M., Jefferson County, Colorado. A map showing the location of the Independent High Line Ditch is attached as **Exhibit A**. 2.4.4 Source: Turkey Creek, tributary to Bear Creek, tributary to the South Platte River. 2.4.5 Appropriation date: June 28, 2002. 2.4.6 Amount: 10 cfs, CONDITIONAL. 2.4.7 Use: The uses described in paragraph 2.1.8 above. 3. Outline of work and expenditures during the diligence period toward completion of the appropriation and application of water to beneficial use: The conditional water rights described in paragraph 2 above that are the subject of this application are referred to herein as the “Subject Conditional Water Rights.” Kingfisher Lake and Willow Springs Reservoir are fully constructed and operational water storage reservoirs and the Independent High Line Ditch is also constructed and operational. The Subject Conditional Water Rights are part of Red Rocks’ integrated system that is used to provide a water supply for Red Rocks. “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 Conditional Water Rights is July 2020 through July 2026 (“Diligence Period”). During the Diligence Period, Red Rocks worked to develop the Subject Conditional Water Rights, complete the appropriations, and place the water to beneficial use, as demonstrated by the following representative but non-exhaustive list of activities and expenditures: 3.1 Red Rocks spent approximately \$130,356 for leasing sources of substitute supply to use in its decreed exchanges. 3.2 Red Rocks paid more than \$29,920 in legal fees related to developing and protecting its water rights portfolio, including the Subject Conditional Water Rights. Costs included filing and prosecuting statements of opposition in Water Court to protect Red Rocks’ water rights from injury; and preparing and prosecuting Water Court applications to maintain the water rights that make up Red Rocks’ integrated irrigation system for the golf course. 3.3 Red Rocks paid its engineering consultants approximately \$317,052 for engineering services to support the legal work described in paragraph 3.2 above; to support completion of the lining of Willow Springs Reservoir; and for other general engineering services related to protecting and developing its water rights portfolio, including the Subject Conditional Water Rights. 3.4 On average during the Diligence Period, Red Rocks spent between \$1.6 million to \$1.7 million annually on general operating and maintenance expenses related to running the Red Rocks Country Club and golf course. 3.5 Over the course of the Diligence Period, Red Rocks spent more than \$9,450,502 on water capital projects including, but not limited to the following: \$1,779,309 on a winter watering system; \$1,367,467 on a french drain and a toe drain for Willow Springs Reservoir, rip-rap armoring for Kingfisher Lake, a new irrigation water transfer line across Belleview Avenue to move water between Willow Springs Reservoir and Kingfisher Lake, and for a new valve box to manage diversions of water from Turkey Creek; \$3,789,768 to renovate several greens on the golf course; \$28,570.00 on an acid injection system that is part of the Red Rocks irrigation system; \$50,220 to replace a pump house motor that is used to provide irrigation water to the golf course; \$3,321 on electrical upgrades for a pump station that is used to provide irrigation water to the golf course; \$11,413 on fountain pond improvements for a water feature on the golf course; \$26,579 on irrigation design for the golf course irrigation system; \$2,377,595 on a reservoir lining project for Willow Springs Reservoir that is used to supply water to the golf course; and \$16,260 on a water aeration system that is used to improve the water quality in Willow Springs Reservoir and King Fisher Lake. 4. 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: 4.1

Kingfisher Lake: Red Rocks. 4.2 Willow Springs Reservoir: Red Rocks. 4.3 Red Rocks Country Club Supply Canal: Lost Eden, LLC, 17041 Foxmoor Ct., Morrison, CO 80465. WHEREFORE, Red Rocks respectfully requests that the Court enter a decree (i) finding that Red Rocks has exercised reasonable diligence in completing the appropriation of the Subject Conditional Water Rights during the Diligence Period; and (ii) continuing those portions of the Subject Conditional Water Rights that remain conditional in full force and effect for an additional diligence period.

CASE NUMBER 2026CW3113 APPLICATION FOR CHANGE OF WATER RIGHT TO ADD ALTERNATE POINT OF DIVERSION IN WELD COUNTY. 1. Name and Address of Applicant.

GWIP, LLC, 252 Clayton Street, Fourth Floor, Denver, Colorado 80206. Copies of all pleadings and other correspondence to: Stephen C. Larson, David F. Bower and Cameron C. Frazier, Johnson & Repucci LLP, 850 W. South Boulder Road, Suite 100, Louisville, Colorado 80027; Phone: (303) 442-1900; E-mail: sclarson@j-rlaw.com, dfbower@j-rlaw.com; ccfrazier@j-rlaw.com. 2. Overview. The Great Western Surface Diversions and the Great Western Reservoir Nos. 1, 2 and 3 are decreed for uses related to the development of real property owned by Applicant and known as the Great Western Industrial Park in Windsor, Colorado (the “Great Western Property”). By this Application, Applicant seeks to add an alternate point of diversion for the Great Western Surface Diversions, to be known as Great Western Surface Diversion No. 4, which will also serve as an alternate point of diversion for the Great Western Reservoirs. A general location map depicting all of these structures is attached to the application as **Exhibit A**. 3. Original and Subsequent Decrees. The Great Western Surface Diversions and Great Western Reservoirs were originally decreed on December 1, 2017, in Case No. 07CW326, Water Division 1. By decree dated September 27, 2025, in Case No. 23CW3169, Water Division 1, the Great Western Surface Diversions were made absolute in the amount of 1.1 c.f.s. and continued as conditional in the amount of 18.9 c.f.s. The decree in Case No. 23CW3169 additionally continued the conditional water storage rights for the Great Western Reservoirs for a total amount of 1,800 acre-feet. 4. Description of Surface Water Right to be Changed. a. Name of Water Right. Great Western Surface Diversions. b. Name of Structures Comprising the Water Right. Great Western Surface Diversion Nos. 1, 2, and 3 [WDIDs 300930, 300525 and 300526, respectively]. c. Decreed Locations of Structures. The Great Western Surface Diversions are decreed to divert at the following locations: i. Great Western Surface Diversion No. 1 (a/k/a Whitney Irrigating Ditch). NW1/4 of the SE1/4 of Section 19, Township 6 North, Range 67 West of the 6th P.M. UTM coordinates: Zone 13, NAD83, Easting 505490, Northing 4480060. ii. Great Western Surface Diversion No. 2. N1/2 of the SE1/4 of Section 35, Township 6 North, Range 67 West of the 6th P.M. UTM coordinates: Zone 13, NAD83, Easting 512211, Northing 4476733. iii. Great Western Surface Diversion No. 3. N1/2 of the SW1/4 or the S1/2 of the NW1/4 of Section 36, Township 6 North, Range 67 West of the 6th P.M. UTM coordinates: Zone 13, NAD83, Easting 512410, Northing 4477035. d. Source. Cache la Poudre River, tributary to the South Platte River. e. Appropriation Date. December 28, 2007. f. Amount. 20.0 c.f.s., of which 1.1 c.f.s. is absolute and 18.9 c.f.s. is conditional. The maximum cumulative rate of diversion for the Great Western Surface Diversions will not exceed 20.0 c.f.s. g. Use. Non-potable municipal, commercial, industrial (including process water), non-agricultural irrigation, construction and dust suppression, and fire protection use on the Great Western Property. 5. Description of Water Storage Right to be Changed. a. Name of Structures. Great Western Reservoir Nos. 1, 2 and 3 [WDIDs 303315, 303313 and 303314, respectively]. b. Decreed Locations of Structures. i. Great Western Reservoir No. 1. S1/2 of Section 27, Township 6 North, Range 67 West of the 6th P.M. ii. Great Western Reservoir No. 2. E1/2 of Section 35, Township 6 North, Range 67 West of the 6th P.M. iii. Great Western Reservoir No. 3. W1/2 of Section 36, Township 6 North, Range 67 West of the 6th P.M. c. Decreed Points of Diversion. In addition to surface runoff and precipitation, the Great Western Reservoirs fill from the Great Western Surface Diversions, described in paragraph 4, above. d. Source. Cache la Poudre River, tributary to the South Platte River, including surface runoff and precipitation tributary to the Cache la Poudre River. e. Rate of Fill. 20.0 c.f.s. conditional, for each of the Great Western Reservoirs. The maximum cumulative rate of diversion to fill the Great Western Reservoirs will not exceed 20.0 c.f.s. f. Amount. 1,800 acre-feet, conditional, for all of the Great Western Reservoirs. g. Appropriation Date. December 28, 2007. h. Use. Non-potable

municipal, commercial, industrial (including process water), non-agricultural irrigation, recreation, piscatorial, construction and dust suppression, fish and wildlife habitat, fire protection, wetlands creation and maintenance, and augmentation and replacement use on the Great Western Property, as more particularly described and limited in the decree entered in Case No. 23CW3169. 6. Description of Proposed Change. a. Complete Statement of Change. Applicant requests that the Court decree one alternate point of diversion, to be known as Great Western Surface Diversion No. 4, at the location described in paragraph 6(b) below. Great Western Surface Diversion No. 4 shall constitute: (1) an alternate point of diversion for the Great Western Surface Diversions water right described in paragraph 4 above; and (2) an additional point of diversion from which the Great Western Reservoirs described in paragraph 5 above may fill. All existing decreed points of diversion are retained. The source, appropriation dates, amounts, decreed uses, and place of use of the subject water rights are unchanged, and the priority dates of the subject water rights are not changed by this Application. The combined rate of diversion at all points of diversion will not exceed the rates decreed to the subject water rights, namely 20.0 c.f.s. for the Great Western Surface Diversions, combined, and a cumulative 20.0 c.f.s. rate of fill for the Great Western Reservoirs. The addition of Great Western Surface Diversion No. 4 will not enlarge the subject water rights and will not result in the diversion of a greater quantity of water than is decreed and is physically and legally available. The change requested to the Great Western Reservoirs consists solely of adding the new Great Western Surface Diversion No. 4 as an additional point of diversion for filling these reservoirs. The water rights to be changed by this application remain, and the alternate point of diversion requested is, conditional to the extent set forth in paragraph 4 above; and are subject to the diligence requirements of the decree entered in Case No. 23CW3169, and the filing deadline for the next diligence application set forth therein. No other change is sought by this Application. b. Location of Alternate Point of Diversion. Great Western Surface Diversion No. 4 will be located on the north bank of the Cache la Poudre River in the SE1/4 of the NW1/4 of Section 36, Township 6 North, Range 67 West of the 6th P.M. UTM coordinates: Zone 13, NAD83, Easting 513264, Northing 4477186. 7. Name and Address of Owner of Land Upon Which Any New or Modified Diversion or Storage Structure Is or Will Be Located. All of the structures are located on land owned by Applicant. **WHEREFORE**, Applicant respectfully requests that the Court enter a decree that: (1) finds that the requested change of water right will not injuriously affect the owner of or persons entitled to use water under a vested water right or a decreed conditional water right; (2) approves Great Western Surface Diversion No. 4 as an additional alternate point of diversion for the Great Western Surface Diversions; and (3) approves Great Western Surface Diversion No. 4 as an additional point of diversion from which the Great Western Reservoirs may fill. (5 pages plus exhibit)

CASE NUMBER 2026CW3114 CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE COUNTY OF BOULDER (SUCCESSOR TO CEMEX, INC.) APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN BOULDER COUNTY. Attorneys for applicant: Andrea L. Benson, Esq., Reg. No. 33176, Gilbert Y. Marchand, Jr., Esq., Reg. No. 19870, Alperstein & Covell, P.C., 2299 Pearl Street, Suite 400-C Boulder, CO 80302, Phone: (303) 894-8191, alb@alpersteincovell.com; gym@alpersteincovell.com. **1. Name, mailing address, email address and telephone number of Applicant:** County of Boulder, a body corporate and politic, Parks and Open Space Department, c/o Darren Beck, Water Resources Program Manager, 5201 St. Vrain Road, Longmont, Colorado 80503, (303) 678-6230; dbeck@bouldercounty.gov. **2. Project description:** Pursuant to a quitclaim deed dated June 23, 2026 and recorded on June 30, 2026 in the real property records of Boulder County, Boulder County acquired from Cemex, Inc., all of Cemex's rights in, title to, and interest in the conditional water storage right for the Southdown Reservoir(s) that are the subject of this application. Cemex, through its wholly owned subsidiaries, has owned and operated a cement plant on property near Lyons, Colorado (the "Plant Site"). Certain property near the Plant Site, known as Dowe Flats, contains limestone and shales which Cemex has mined and used as raw materials in the manufacture of cement. Given its proximity to the St. Vrain River, St. Vrain Supply Canal, and several irrigation ditches, Dowe Flats can be developed for off-channel water storage. Mining can create open pits or backfill pits suitable for water storage and the mine overburden and waste rock can be used for dam construction. Depending upon the actual mining and eventual reclamation

of Dowe Flats by Cemex in accordance with state and local governmental requirements over the course of the lengthy mining period, one or more reservoirs are anticipated to be constructed. Lands in and around Dowe Flats are suitable for agricultural, residential, commercial, industrial and open space development, which future uses will require additional water supply and water storage. Boulder County owns or has conservation easements on lands that can be served by the Southdown Reservoir(s) storage right. Boulder County also owns interests in the Supply Ditch, Highland Ditch, Rough and Ready Ditch, and St. Vrain and Palmerton Ditch, which were decreed to fill Southdown Reservoir(s). Boulder County intends to complete the appropriation(s) associated with the Southdown Reservoir(s) storage right. **3. Description of subject conditional water storage and fill right:** On May 31, 1994, in Case No. 83CW374, District Court, Water Division No. 1, Southdown, Inc. (predecessor of Cemex) was granted a decree for conditional water storage rights totaling 5,900 acre-feet for reservoirs to be constructed at Dowe Flats. Subsequent findings of reasonable diligence were made by this Court in Case Nos. 00CW70 (on October 31, 2000), 06CW264 (on September 5, 2007), 13CW3104 (on February 27, 2014), and 20CW3034 (on July 23, 2020). The number, exact location and size of the reservoirs will not be known for some time as the mining and associated reclamation progress over the mine life; consequently, Southdown and its successors were decreed the right to construct such reservoir or reservoirs at any location within Dowe Flats. For these purposes, the location of the Dowe Flats reservoir field was decreed generally as the property north of Highway 66 and south and east of the St. Vrain Supply Canal in all or portions of sections 9, 10, 15, 16, 17, 20, 21, 22 and 23, T3N, R70W, 6th P.M., Boulder County, Colorado. The conditional water storage right was decreed in Case No. 83CW374, Water Division 1 as follows: **3.1 Name of structure(s):** Southdown Reservoir(s), to be one or more reservoirs located within Dowe Flats or additional property adjacent thereto which is owned or may be acquired by Boulder County in the future. Each reservoir shall be an alternate and supplemental place of storage for the other. The number and location of the Southdown Reservoir(s) to be constructed will be determined in Boulder County's discretion. **3.2 Legal description:** *See generally* the legal description of the reservoir field in paragraph 3, above. The Southdown Reservoir(s) will be located within Dowe Flats or additional property adjacent thereto. The exact locations and capacities of each of the Southdown Reservoirs will be specified in the application to make absolute the conditional water right. **3.3 Source of water:** St. Vrain Creek and unnamed tributaries thereto, including runoff and groundwater seepage into the reservoirs. **3.4 Filling structures:** The Southdown Reservoir(s) are decreed to be filled via one or more of the following structures (the "Filling Structures"): **3.4.1** The Town of Lyons Intake Structure, whose headgate is located in the SW1/4 SW1/4 of Section 1, T3N, R71W, 6th P.M., at a point approximately 100 feet north of the South section line and approximately 1,050 feet east of the South section line of said Section 1. **3.4.2** At a point on the north bank of St. Vrain Creek in the SE1/4 SE1/4 of Section 18, T3N, R70W, 6th P.M., located approximately 450 feet north of the South section line and approximately 650 feet west of the East section line of said Section 18. **3.4.3** The Supply Ditch, whose headgate is located in the NW1/4 NW1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 25 feet south of the North section line and approximately 470 feet east of the West section line of said Section 20. **3.4.4** The Highland Ditch, whose headgate is located in the NW1/4 NW1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 1,300 feet south of the North section line and approximately 1,100 feet east of the West section line of said Section 20. **3.4.5** The Rough and Ready Ditch, whose headgate is located in the SW1/4 NE1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 2,100 feet south of the North section line and approximately 2,850 feet east of the West section line of said Section 20. **3.4.6** The St. Vrain and Palmerton Ditch, whose headgate is located in the SW1/4 NE1/4 of Section 20, T3N, R70W, 6th P.M., at a point approximately 2,150 feet south of the North section line and approximately 2,875 feet east of the West section line of said Section 20. Water will be diverted at the Filling Structures at a cumulative rate not to exceed 75 c.f.s. Before a particular Filling Structure can be so used, Boulder County must obtain the right to use said structure. No rights to use any structures not owned by the applicant were granted in the prior decrees. **3.5 Amount:** 5,900 acre-feet, conditional. If more than one Southdown Reservoir is constructed, a total of no more than 5,900 acre-feet can be stored annually in all of the reservoirs combined. **3.6 Date of appropriation:** December 22, 1983. **3.7 Decreed uses:** Domestic, commercial, industrial, recreational, piscatorial, irrigation, agricultural, augmentation,

replacement, and exchange purposes. **3.8 Place of use:** All water diverted under the conditional water storage right shall be limited to use upon or in connection with use or development of the lands that can be served by the Southdown Reservoir(s) storage rights, which use shall under all circumstances be within the boundaries of the St. Vrain & Left Hand Water Conservancy District. If the District is dissolved and no longer exists, then, in any event, such use shall be within the boundaries of the drainage basins of the St. Vrain River and Left Hand Creek. **4. Evidence of reasonable diligence:** During the Diligence Period (July 2020 to present), a variety of efforts were undertaken in furtherance of perfecting the conditional water storage right described herein, including, without limitation: **4.1** Cemex conducted mining operations at Dowe Flats, involving multiple excavations, haul roads, crushing equipment, a conveyor belt system to transport mined materials from Dowe Flats to Cemex's cement manufacturing plant site, and land reclamation activities. Mining operations include mining, stockpiling and/or removal of limestone, shales, and/or overburden at Dowe Flats. **4.2** Cemex implemented, operated under, and satisfied various obligations related to the permits, approvals and agreements governing mining at Dowe Flats, including, without limitation, periodic review submissions to Boulder County as required by Cemex's Special Use Permit and Site Development Plan approvals. **4.3** It is believed that these diligence efforts of Cemex have resulted in substantial expenditures during the Diligence Period and have enabled Cemex to continue to pursue water storage development as part of its operations and activities at the Dowe Flats property. The foregoing list is not intended to be all inclusive and may be supplemented by additional evidence at any hearing in this matter and/or as this case proceeds toward decree. **4.4** Cemex and Boulder County negotiated regarding transfer of the Southdown Reservoir(s) storage rights, and Cemex transferred the right(s) to Boulder County via quitclaim deed executed on June 23, 2026. Since acquisition of the rights, Boulder County has maintained an intent to develop the storage right(s), filed a notice of transfer of the conditional right, and proceeded diligently toward preparation of this diligence application. **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:** **5.1** The Town of Lyons Intake Structure is located on property owned by the Town of Lyons, c/o Town Administrator, 432 5th Avenue, P.O. Box 49, Lyons, CO 80540. **5.2** The filling structure on the north bank of Saint Vrain Creek is located on property owned by the Town of Lyons, c/o Town Administrator, 432 5th Avenue, P.O. Box 49, Lyons, CO 80540. **5.3** The headgate of the Supply Ditch is located on property owned by the Supply Irrigating Ditch Company, P.O. Box 1826, Longmont, CO 80502. **5.4** The headgate of the Highland Ditch is located on property owned by the Highland Ditch Company, 4309 State Highway 66, Longmont, CO 80504. **5.5** The headgate of the Rough and Ready Ditch is located on property owned by the Rough and Ready Ditch Company, P.O. Box 1826, Longmont, CO 80502. **5.6** The headgate of the St. Vrain and Palmerton Ditch is located on property owned by the Palmerton Consolidated Ditch Company, 12788 N. 66th Street, Longmont, CO 80503. **5.7** Applicant, County of Boulder, whose address is P.O. Box 471, Boulder, CO 80306, is the owner of certain parcels within Dowe Flats. **5.8** Cemex, Inc., whose address is c/o Plant Manager, 5134 Ute Highway, P.O. Box 529, Lyons, Colorado 80540, is the owner of certain lands within Dowe Flats. **WHEREFORE**, Boulder County respectfully requests that this Court enter a decree finding reasonable diligence for, and continuing in full force and effect, the conditional Southdown Reservoir(s) water right described herein. Number of pages: 6.

CASE NUMBER 2026CW3115 DORADO AND RAMIRO ROSALES, 14551 Imboden Rd, Hudson, CO 80642. James J Petrock, John D Buchanan, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY DENVER BASIN AQUIFERS AND FOR APPROVAL OF PLAN FOR AUGMENTATION IN THE NOT-NONTRIBUTARY UPPER ARAPAHOE AQUIFER IN ADAMS COUNTY.** Subject Property: A parcel totaling approximately 40 acres generally located in the North 1/2 of the South 1/2 of the SE 1/4 of Section 18, Township 1 South, Range 64 West of the 6th Principal Meridian, County of Adams, State of Colorado as shown on **Exhibit A** ("Subject Property"). Lien Holder Certification: Notice not required - no mortgage or lien holders. Well

Permits: There is one exempt well on the Subject Property permitted under Well Permit Number 308762 in the Upper Arapahoe not non-tributary aquifer. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Upper Arapahoe Aquifer and Denver Aquifer 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: Applicants estimate the following amounts may be available for withdrawal, based on a 100-year and 300-year withdrawal period:

Aquifer	Annual Amount for 100 year Withdrawals (acre feet)	Annual Amount for 300-year Withdrawals (acre feet)
Denver (NNT)	2.3	0.8
Upper Arapahoe (NNT)	5.4*	1.8
Lower Arapahoe (NT)	5.8	1.9
Laramie Fox Hills (NT)	9	3

* Applicants may leave 0.3 acre-feet per year of the total 5.4 acre-feet otherwise available in the Upper Arapahoe aquifer unadjudicated for continued use in the existing well permit no. 308762, pursuant to CRS 37-92-602(3)(b)(IV), which would leave 5.1 acre-feet per year based on a 100-year aquifer life and 1.7 acre-feet per year based on a 300-year aquifer life available for adjudication. If the existing well is re-permitted and included in the plan for augmentation, 1.8 acre feet on a 300 year basis is available. Proposed Uses: The Subject Property will be divided under Adams County regulations into 10 residential lots. 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. Five lots will be served with Upper Arapahoe not-nontributary water, including water withdrawn under the augmentation plan described in this application, and one lot that may be served by the existing exempt well if the well can be re-permitted under CRS § 37-92-602. Five of the lots will be served by wells in the nontributary Lower Arapahoe aquifer. 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. Summary of Plan for Augmentation: Groundwater to be Augmented: Up to 1.8 acre-feet per year of not-nontributary Upper Arapahoe Aquifer groundwater for 300 years. Water Rights to be Used for Augmentation: Return flows from the use of not-nontributary and nontributary groundwater and direct discharge of nontributary groundwater. Statement of Plan for Augmentation: Up to 5 lots will be served under the plan for augmentation. The not-nontributary Upper Arapahoe Aquifer groundwater will be used to provide in-house use in up to 5 single-family dwellings with 0.3 acre-foot in-house use per house per year, totaling 1.5 acre-feet per year; irrigation of up to 5,000 square feet of lawn, garden, trees, and landscaping, totaling 0.25 acre-foot per year; and watering of up to five domestic animals totaling 0.05 acre-foot per year. The water will be used directly and/or after storage anywhere on the Subject Property. Applicants reserve the right to amend the amounts and uses of water estimated for each use 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 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 four percent of the amount of water withdrawn on an annual basis pursuant to C.R.S. § 37-90-137(9)(c.5)(C). 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 non-tributary 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 that 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 2026CW3116 ROBERT D HOFFMANN AND AMY LEE HOFFMANN, 4962 N State Highway 67, Sedalia, CO, 80135. 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 ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY DENVER AQUIFER IN DOUGLAS COUNTY.** Subject Property: A parcel totaling 40 acres located in the SW1/4 of the NE1/4, Section 22, Township 7 South, Range 68 West of the 6th P.M., also known as 4962 N State Highway 67, Sedalia, Douglas County, State of Colorado as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicants certify that they have provided notice to all mortgage or lien holders as required under C.R.S. § 37-92-302(2)(b). The vesting deed is attached as **Exhibit B**. Well Permits: There is one existing Denver Aquifer well on the Subject Property under Well Permit Number 111228, which will continue operating under its existing permit. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The Denver Aquifer is not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Arapahoe and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Volume: Applicants desire to leave no additional groundwater unadjudicated, beyond the volume needed for Well Permit No. 111228. Applicants estimate the following volumes may be available for withdrawal, based on a 100-year withdrawal period:

Aquifer	Annual Volume (acre-feet)	Total Volume (acre-feet)
Denver (NNT)*	22.49	2,249
Arapahoe (NT)	23.45	2,345
Laramie-Fox Hills (NT)	10.60	1,060

*The total estimated volume in the not-nontributary Denver Aquifer is 23.49 acre-feet per year, 2.49 acre-feet total. 1 acre-foot per year, 100 acre-feet total, is reserved for existing Well Permit No. 111228. 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: 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. 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 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. 4 pages.

CASE NUMBER 2026CW3117 LOWER POUDRE AUGMENTATION COMPANY, THE NEW CACHE LA POUDRE IRRIGATING COMPANY, AND THE CACHE LA POUDRE RESERVOIR COMPANY, 33040 Railroad Avenue, P.O. Box 104, Lucerne, CO 80646, (970) 352-0222. Please send all further pleadings to: Brent A. Bartlett, Esq. and Whitney Phillips, Esq. Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 E. Prospect Road, Fort Collins, CO 80525. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES**. 2. Previous Decrees. 2.1. Original Decree. The decree in Consolidated Case No. 04CW25/06CW295, District Court, Water Division 1, dated January 21, 2014 (“Original Decree”) confirmed the Lower Poudre Augmentation Plan (“LPAC Plan”) whereby wells that previously pumped under the augmentation program of the Ground Water Appropriators of the South Platte (“GASP”) may continue to pump. In part, that Original Decree confirmed conditional groundwater rights for 7 wells (“Conditional Wells”), the water from which will be used as a source of augmentation and replacement under the LPAC Plan. 2.2. Findings of Reasonable Diligence. Case No. 20CW3012, District Court, Water Division 1, dated July 30, 2020. 3. Description of the Subject Water Rights: 3.1. Hungenberg Well No. 1-13422. 3.1.1. Location: NW 1/4 of the NW 1/4 of Section 17, 40 feet from the north section line and 885 feet from the west section line of said Section 17, Township 6 North, Range 65 West, 6th P.M. 3.1.2. Date of Appropriation: February 5, 2004. 3.1.3. Amount claimed: 675 gpm, CONDITIONAL. 3.1.4. Location of releases: The Hungenberg Well No. 1-13422 discharges water to Eaton Draw in the NW 1/4 of the NE 1/4 of Section 17, Township 6 North, Range 65 West, 6th P.M., a tributary to the Cache la Poudre River, by means of a pipeline which feeds into the cement ditch along the south side of County Rd. 70. Augmentation water from Hungenberg Well No. 1-13422 delivered into Eaton Draw shall be delivered into the Greeley No. 2 Canal, located at the confluence of Eaton Draw with the Greeley No. 2 Canal, located in the NW 1/4 of the NE 1/4 of Section 17, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado, at a point approximately 1,760 feet west of the east section line and 4,860 feet north of the south section line of said Section 17, and then released back into the Eaton Draw below the canal. The distance from the Hungenberg Well No. 1-13422 to the Eaton Draw is approximately 2,550 feet, and from the point of discharge into the Eaton Draw to the Cache La Poudre River is approximately 4.25 river miles. 3.1.5. Use: Augmentation and replacement in the LPAC Plan. 3.2. Anderson Well No. 1-1283. 3.2.1. Location: NW 1/4 of the NE 1/4 of Section 24, 300 feet from the north section line and 2625 feet from the east section line of said Section 24, Township 6 North, Range 65 West, 6th P.M. 3.2.2. Date of Appropriation: February 5, 2004. 3.2.3. Amount claimed: 450 gpm, CONDITIONAL. 3.2.4. Location of releases: The Anderson Well No. 1-1283 discharges water to Lonetree Creek, a tributary to the South Platte River, by means of a pipeline which feeds into the cement ditch along the south side of County Rd. 68. The cement ditch runs to a splitter box at the intersection of County Rd. 68 and County Rd. 49, at which point, the water will be delivered in one of two ways. The water will either continue eastward south of County Rd. 68 approximately 2120 feet (dirt ditch) before discharging into Lone Tree Creek in the NE 1/4 of the NW 1/4 of Section 19, Township 6 North, Range 64 West, 6th P.M. Or, the water will be run south of the splitter box along the east side of County Rd. 49 for approximately 2640 feet (cement ditch) and then directly east for approximately 1710 feet (through a dirt ditch) where it will discharge into Lone Tree Creek in the NE 1/4 of the SW 1/4 of Section 19, Township 6 North, Range 64 West, 6th P.M. The distance from the Anderson Well No. 1-1283 to Lone Tree Creek is approximately 5,100 feet, and from the point of discharge into Lone Tree Creek to the Cache La Poudre River is approximately 5.90 river miles. 3.2.5. Use: Augmentation and replacement in the LPAC Plan. 3.3. Feuerstein Well No. 1-8770. 3.3.1. Location: NW 1/4 of the SW 1/4 of Section 28, 2285 feet from the south section line and 764 feet from the west section line of said Section 28, Township 6 North, Range 66 West, 6th P.M. 3.3.2. Date of Appropriation: February 5, 2004. 3.3.3. Amount claimed: 450 gpm, CONDITIONAL. 3.3.4. Location of releases: The Feuerstein Well No. 1-8770 discharges water to a seep tile via a pipeline. This seep tile runs east along the dirt road north of the Doering center pivot for approximately 3,315 ft., then turns southeast and east for approximately 2235 ft. before emptying into a cement ditch. This cement ditch turns into a dirt ditch which runs approximately 4,060 feet before discharging into the Cache La Poudre River in the SE 1/4 of the NW 1/4 of Section 34, Township 6 North, Range 66 West, 6th P.M. The distance from the Feuerstein Well No. 1-8770 to the point of discharge to the

Cache La Poudre River is approximately 2.3 miles. 3.3.5. Use: Augmentation and replacement in the LPAC Plan. 3.4. Doering Well No. 14535. 3.4.1. Location: NW 1/4 of the SE 1/4 of Section 28, 1725 feet from the south section line and 2634 feet from the east section line of said Section 28, Township 6 North, Range 66 West, 6th P.M. 3.4.2. Appropriation Date: February 5, 2004. 3.4.3. Amount claimed: 500 gpm, CONDITIONAL. 3.4.4. Location of releases: The Doering Well No. 14535 discharges water to the Brown Seep Tile via a pipeline from the pipeline that runs from well to the center pivot sprinkler. The Brown Seep Tile flows into a dirt ditch (approximately 160 ft. north of County Rd. 64) which flows into the Cache La Poudre River in the SE 1/4 of the NE 1/4 of Section 33, Township 6 North, Range 66 West, 6th P.M. The distance from the Doering Well No. 14535 to the point of discharge to the Cache La Poudre River is approximately 0.9 miles. 3.4.5. Use: Augmentation and replacement in the LPAC Plan. 3.5. Dinner Well No. 3-11840. 3.5.1. Location: SW 1/4 of the NW 1/4 of Section 14, 2604 feet from the south section line and 837 feet from the west section line of said Section 14, Township 6 North, Range 65 West, 6th P.M. 3.5.2. Date of Appropriation: February 5, 2004. 3.5.3. Amount claimed: 325 gpm, CONDITIONAL. 3.5.4. Location of releases: The Dinner Well No. 3-11840 discharges water to Lonetree Creek in the NW 1/4 of the SW 1/4 of Section 14, Township 6 North, Range 65 West, 6th P.M., a tributary to the South Platte River, by means of a pipeline directly into the Lone Tree Creek. The distance from the Dinner Well No. 3-11840 to Lone Tree Creek is approximately 75 feet, and from the point of discharge into Lone Tree Creek to the Cache La Poudre River is approximately 9.1 miles. 3.5.5. Use: Augmentation and replacement in the LPAC Plan. 3.6. Dinner Well No. 5-11842. 3.6.1. Location: NW 1/4 of the SW 1/4 of Section 14, 2625 feet from the south section line and 126 feet from the west section line of said Section 14, Township 6 North, Range 65 West, 6th P.M. 3.6.2. Date of Appropriation: February 5, 2004. 3.6.3. Amount claimed: 1000 gpm, CONDITIONAL. 3.6.4. Location of releases: The Dinner Well No. 5-11842 discharges water to Lonetree Creek in the NW 1/4 of the SW 1/4 of Section 14, Township 6 North, Range 65 West, 6th P.M., a tributary to the South Platte River, by means of a pipeline directly into the Lone Tree Creek. The distance from the Dinner Well No. 5-11842 into Lone Tree Creek is approximately 600 feet, and from the point of discharge into Lone Tree Creek to the Cache La Poudre River is approximately 9.1 miles. 3.6.5. Use: Augmentation and replacement in the LPAC Plan. 3.7. Doering Well No. 2-14536. 3.7.1. Location: NE 1/4 of the SE 1/4 of Section 28, 2634 feet from the south section line and 600 feet from the east section line of said Section 28, Township 6 North, Range 66 West, 6th P.M. 3.7.2. Date of Appropriation: February 5, 2004. 3.7.3. Amount claimed: 600 gpm, CONDITIONAL. 3.7.4. Location of releases: The Doering Well No. 2-14536 discharges water to the Brown Seep Tile via a pipeline from the pipeline that runs from the well to the center pivot sprinkler. The Brown Seep Tile flows into a dirt ditch (approximately 160 ft. north of County Rd. 64) which flows into the Cache La Poudre River in the SE 1/4 of the NE 1/4 of Section 33, Township 6 North, Range 66 West, 6th P.M. The distance from the Doering Well No. 2-14536 to the point of discharge to the Cache La Poudre River is approximately 0.9 miles. 3.7.5. Use: Augmentation and replacement in the LPAC Plan. 4. Outline of Diligence Activities: The subject water rights are part of Applicants' water supply system, an integrated system as defined by §37-92-301(4). Since the original decree was entered in this case, Applicants have been diligent in developing the subject water rights. In addition to the time and expenses incurred operating the LPAC Plan during the diligence period and the diversion and application of the subject water rights to beneficial use as described below in paragraph 5, Applicants have initiated and prosecuted water court proceedings related to the LPAC Plan, including adjudication of additional sources and adding member wells. Notably, the Applicant obtained a decree in Case No. 24CW3107 to make portions absolute of its Barnesville Equalizer and Greeley No. 2 Canal rights, which water is used as a source for augmentation, recharge, and replacement under the LPAC Plan. Applicant also obtained three water court decrees seeking to add member wells to its LPAC Plan: Case No. 22CW3048 (decree entered in November of 2022), Case No. 22CW3149 (decree entered in December of 2023) and Case No. 23CW3177 (decree entered in April of 2025). Applicants have also participated in water court actions to ensure the water rights associated with its integrated system are protected, including in Case Nos. 22CW3042 and 25CW3168. Additionally, the Applicants have constructed and/or made improvements to recharge ponds. Applicants may offer additional and/or supplemental diligence information at trial in this case. 5. 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. This Application does not involve any new diversion or storage structures, or modification to any existing diversion or storage structures. (Application consists of 7 pages).

CASE NUMBER 2026CW3118 ROBERT H BASTIAANS AND JANICE A YUVAN, 10440 Meadow Run, Parker, CO, 80134. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California Street, Suite 2600, Denver, CO, 80202. **APPLICATION FOR AMENDMENT OF A PRIOR DECREE IN DOUGLAS COUNTY.** Subject Property: A parcel totaling approximately 43.89 acres generally located in the S1/2 of the NE1/4 of Section 33, Township 8 South, Range 65 West of the 6th P.M., shown as Parcel 2 on **Exhibit A** (the “Subject Property”). Lien Holder Certification: There are no mortgage or lien holders, therefore no notice is required under C.R.S. § 37-92-302(2)(b). The vesting deeds are attached as **Exhibit B**. 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). Decree for Which Amendment is Sought: Case number 1996CW135 decreed July 31, 1990 (the “96CW135 Decree”), which the Subject Property is a portion of. Requested Amendment: Removal of 4 acre-feet per year of not-nontributary Upper Dawson Aquifer groundwater from the 96CW135 Decree for use for any exempt purpose on the Subject Property. Through the special warranty deed attached as **Exhibit C**, Applicants own 4 acre-feet per year of not-nontributary groundwater in the Upper Dawson Aquifer underlying the Subject Property, which is not subject to any augmentation plan. Other than as requested herein, no other provision of the 96CW135 Decree will be changed by this Application. Applicants request that the Court approve the requested amendment of the 96CW135 Decree, find that Applicants have complied with CRS 37-90-137(4) and that water is legally available for withdrawal, find that there will be no material injury to owners of or persons entitled to use water under any vested water right or conditional water right, and grant such other and further relief as may be proper. 3 Pages.

****SECOND AMENDED** CASE NUMBER 2026CW3076 LANDVIEW INVESTMENTS LLC**, Mohamed Habeeb Radi, 12109 N 5th Street, Parker, CO 80134. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California Street, Suite 2600, Denver, CO 80202. **SECOND AMENDED APPLICATION FOR UNDERGROUND WATER RIGHTS AND A PLAN FOR AUGMENTATION 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.** 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”). 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**. Well Permits: There is one existing exempt Upper Dawson well on the Subject Property under Well Permit No. 156530, which will be re-permitted pursuant to the augmentation plan applied for in this Application. Additional well permits will be applied for and approved prior to construction of further wells. 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). Estimated Volume: Applicant desires to leave no additional groundwater adjudicated. 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

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). Summary of Plan for Augmentation: Groundwater to be Augmented: 4 acre-feet per year of not-nontributary Upper Dawson Aquifer groundwater for 300 years. Water Rights to be Used for Augmentation: Return flows from the use of not-nontributary and nontributary groundwater and direct discharge of nontributary groundwater. 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), watering of up to 8 large domestic animals (0.1 acre-feet per year per well; 0.4 acre-feet per year total), outdoor irrigation of up to 6,000 square-feet (0.3 acre-feet per year per well; 1.2 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. 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 was included in the April 2026 Resume and publication did not occur. Therefore, 2026CW3054 is included in the July 2026 Resume and shall be published with a Statement of Opposition deadline of last day of September 2026.

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@cjzwatlaw.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 2026CW3062 was included in the April 2026 Resume and publication did not occur. Therefore, 2026CW3062 is included in the July 2026 Resume and shall be published with a Statement of Opposition deadline of last day of September 2026.

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)

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 **SEPTEMBER 2026** (forms available on www.coloradojudicial.gov 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.