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DISTRICT COURT, WATER DIVISION 1, COLORADO

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

CASE NUMBER 2026CW9 SPRING44 DISTILLING, INC. (“Spring44”), 505 West 66th Street, Loveland, Colorado 80538, Telephone: (970) 445-7109. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND CLAIM TO MAKE CERTAIN AMOUNTS ABSOLUTE IN LARIMER COUNTY.** 2. **Lindauer Spring.** 2.1. **Name of Structure.** Lindauer Spring (formerly known as Lindauer Well 270205). 2.2. **Original and Subsequent Decrees.** 2.2.1. Case No. 05CW255, WD1. 2.2.2. Case No. 11CW284, WD1. 2.2.3. Case No. 13CW3039, WD1. 2.2.4. Case No. 19CW3254, WD1. 2.3. **Legal Description of Each Point of Diversion.** The NE1/4 of the NE1/4 of Section 10, Township 7 North, Range 72 West of the 6th P.M., at a point approximately 35 feet from the North line and 225 feet from the East line of Section 10, Larimer County, State of Colorado. 2.4. **Source.** Developed spring groundwater. 2.5. **Appropriation Date.** December 3, 2010. 2.6. **Decreed Amount.** 0.33 c.f.s. (150 g.p.m.), for a maximum amount of 24 acre-feet annually. 2.7. **Decreed Uses.** The water is used for commercial uses, including distilling, processing, and bottling in Applicant’s distillery. 2.8. **Claim to Make Absolute.** State Engineer Call Records show that the Lindauer Spring water right was in priority and a maximum of 14,639.58 gallons, or 0.0449 acre-feet, was diverted in water year(s) 2021-2026 and used for commercial purposes.

CASE NUMBER 2026CW3119 SHARON AND MARK WEATHERFORD, 12328 S. State Hwy 83, Franktown, CO 80116. (Forward 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 CHANGE OF WATER RIGHT, ADJUDICATION OF WELL, WATER STORAGE RIGHT AND PLAN FOR AUGMENTATION IN DOUGLAS COUNTY.** Applicants own an approximately 62-acre parcel of land in Douglas County, Colorado. The Denver Basin groundwater underlying this property was adjudicated in Water Division 1 Case No. 05CW135. Applicants seek to change the decreed uses of the Denver Basin groundwater underlying the property, adjudication of a well and water storage right, and approval of a plan for augmentation for the use of a not-nontributary Dawson aquifer well for provision of water to the property, including a lined pond. Applicants’ 62-acre property lies in the N½ SW¼ of Section 13, Township 10 South, Range 66 West of the 6th P.M., Douglas County, Colorado (“Applicants’ Property”), as approximately shown on the attached Exhibit A map, and as more specifically described as follows: Northeast Quarter Southwest Quarter and that part of the Northwest Quarter Southwest Quarter lying east of Colorado State Highway No. 83, all in Section 13, Township 10 South, Range 66 West of the Sixth Principal Meridian, County of Douglas, State of Colorado. Also known as 12328 S State Hwy 83, Franktown, CO 80116, to which the Douglas County Assessor has assigned parcel I.D. number 2773-133-00-004. The Denver Basin groundwater underlying Applicants’ Property was adjudicated by Decree of the Division 1 Water Court in Case No. 05CW135 dated

December 28, 2005, which is summarized below (“Water Rights”). Applicants seek to change the decreed uses of the Water Rights, which were specifically decreed as follows:

AQUIFER/ CHARACTER	SATURATED THICKNESS (Feet)	TOTAL APPROPRIATION (Acre-Feet)	ANNUAL AVG. WITHDRAWAL 100 YEARS (Acre-Feet)
Dawson / NNT	380	3,780	37.8 ¹
Denver / NT	360	3,790	37.9
Arapahoe / NT	320	3,370	33.7
Laramie-Fox Hills / NT	195	1,810	18.1

The Water Rights are decreed for the following beneficial uses upon the Applicants’ Property: domestic, commercial, irrigation, stock water, recreation, fisheries and wildlife, fire protection, central water supply for such uses, exchange and augmentation purposes, and also for storage for such uses. Applicants seek a decree changing the decreed uses of the Water Rights to add “filling of ponds, pools, hot tubs, and other water features,” in addition to all other beneficial uses decreed in Water Division 1 Case No. 05CW135. This proposed change will apply to the entirety of the Water Rights decreed in Case No. 05CW135, as described above. Applicants do not request any other changes. Big Pine Well No. 1. 288814-A, to be re-permitted upon approval of the plan for augmentation requested herein. Big Pine Well No. 1 is located in Douglas County, Colorado in the NE1/4 SW1/4 of Section 13, Township 10 South, Range 66 West of the 6th P.M. (UTM coordinates: NAD83, Zone 13 523449 Easting, 4336629 Northing). Dawson aquifer underlying Applicants’ Property. Up to 1.687 annual acre-feet. Domestic, commercial, irrigation, stock water, recreation, fisheries and wildlife, fire protection, filling of ponds, pools, hot tubs, and other water features, central water supply for such uses, exchange and augmentation purposes, and also for storage for such uses. Ponderosa Pond (“Pond”). The center of the Pond is located in the NE1/4 SW1/4 of Section 13, Township 10 South, Range 66 West of the 6th P.M., approximately 2,014 feet from the West Section line and 2,134 feet from the South Section line (UTM Coordinates: X 523312.71583, Y 4336693.70862, Zone 13, NAD83), as approximately depicted in the attached Exhibit A map. All structures described in this Application are located in Douglas County, Colorado. 0.49 acres 8 feet. Dawson aquifer groundwater from Big Pine Well No. 1, as augmented according to the plan for augmentation requested herein. 1.96 acre-feet. Irrigation, stock water, recreation, fisheries and wildlife, and fire protection. Applicants will fill and refill the Pond with fully augmented Dawson aquifer groundwater diverted from the Big Pine Well No. 1, as re-permitted according to the plan for augmentation requested herein. It is anticipated that the Pond will be lined so as not to intercept groundwater. The structure to be augmented is Big Pine Well No. 1, along with any replacement or additional wells associated therewith, which is currently permitted as an exempt structure under well permit number 288814-A. Big Pine Well No. 1 is constructed to the Dawson aquifer on Applicants’ Property and will be re-permitted according to the plan for augmentation requested herein once approved and decreed by the Water Court. The current well permit is attached as Exhibit B to this Application, as well as an approximate map of the Applicants’ Property showing the approximate location of Big Pine Well No. 1, attached as Exhibit A. The water rights to be used for augmentation during pumping of Big Pine Well No. 1 are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from Big Pine Well No. 1, together with water rights from the nontributary Laramie-Fox Hills aquifer for any injurious post-pumping depletions, as adjudicated and decreed in Case No. 05CW135. Applicants seek to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by Big Pine Well No. 1 constructed on Applicants’ Property described herein. Water use criteria and their consumptive use component for replacement of actual depletions for the Applicants’ Property are estimated as follows: Pumping from the Dawson aquifer by Big Pine Well No. 1

¹ This amount reflects a reservation of 5.3 acre-feet from the Dawson aquifer, sufficient to supply exempt wells on the above tract pursuant to C.R.S. § 37-92-602.

will be a maximum of 1.687 acre-feet of water per year. Such uses shall be for domestic, commercial, irrigation, stock water, recreation, fisheries and wildlife, fire protection, filling of ponds, pools, hot tubs, and other water features, central water supply for such uses, exchange and augmentation purposes, and also for storage for such uses. Big Pine Well No. 1 will pump a maximum of 1.687 acre-feet from the Dawson aquifer annually, for the uses described above. An example breakdown of this combination of use is in-house use of 0.20 acre-feet of water per year for in-door domestic uses on Applicants' Property, with the additional 1.487 acre-feet per year available for any other remaining uses, including filling and refilling the Pond. It is estimated that maximum stream depletions over the 100-year pumping period for the Dawson aquifer amounts to approximately 10.67% of pumping. Maximum annual depletions for total pumping from the Big Pine Well No. 1 is therefore 0.18 acre-feet in year 100 (i.e. 10.67% of pumping). Should Applicants' pumping be less than the 1.687 acre-feet total per year described herein, resulting depletions and required replacements will be correspondingly reduced, so long as depletions resulting from pumping are adequately replaced. Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicants are required to replace actual stream depletions attributable to pumping of a well completed to the Dawson aquifer. Depletions during pumping will be effectively replaced by residential return flows from a non-evaporative septic system. The annual consumptive use for non-evaporative septic systems is 10%. At a household rate of 0.20 acre-feet per residence per year, 0.18 acre-feet is replaced to the stream per year from a primary residence on Applicants' Property, assuming the use of a non-evaporative septic system. Thus, during pumping, stream depletions (0.18 acre-feet) will be adequately augmented. For the replacement of any injurious post-pumping depletions that may be associated with the use of Big Pine Well No. 1, Applicants will reserve up to 168.7 acre-feet of the water from the underlying nontributary Laramie-Fox Hills aquifer, accounting for actual stream depletions replaced during the pumping period, as necessary to replace any injurious post-pumping depletions. Applicants also reserve the right to substitute other legally available augmentation sources for such post-pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicants reserve the right in the future to prove that post-pumping depletions will be noninjurious. The reserved nontributary Laramie-Fox Hills groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, the Applicants will be entitled to apply for and receive a new well permit for the Big Pine Well No. 1, and any replacement or additional wells, for the uses in accordance with this Application and otherwise in compliance with C.R.S. § 37-90-137. (7 Pages)

CASE NUMBER 2026CW3120 THE CITY AND COUNTY OF DENVER, ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS ("Denver Water" or "Applicant"), 1600 West 12th Avenue, Denver, Colorado 80204. Jessica R. Brody, General Counsel, Daniel J. Arnold, James M. Wittler, Crystal J. Easom. APPLICATION FOR FINDING OF REASONABLE DILIGENCE, CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CITY AND COUNTY OF DENVER ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS IN THE SOUTH PLATTE RIVER AND ITS TRIBUTARIES IN THE CITY AND COUNTY OF DENVER, ADAMS, ARAPAHOE, BROOMFIELD, JEFFERSON, AND DOUGLAS COUNTIES. Number of pages of Application 13. 2. Name of Water Right: The South Reservoir Complex, First Enlargement ("Subject Water Right"). 3. Name of Reservoir: The name of the reservoir is the South Reservoir Complex. The South Reservoir Complex is comprised of two existing and operationally interconnected gravel pit storage vessels currently designated as Bambei-Walker Reservoir and Welby Reservoir. The two storage vessels are connected by a pipeline allowing the reservoirs to be operated as an integrated unit. 4. Description of Subject Water Right and Information From Previous Decree: A. Case Number and Court: The South Complex Enlargement Right was originally decreed in 2009CW264, Water Division No. 1, and was continued pursuant to the diligence decree entered in Case No. 2019CW3135 WD1 on August 20, 2020.. B. Date of Original Decree: July 25, 2013. C. Legal Description: (1) Bambei-Walker Reservoir: Bambei-Walker Reservoir is an existing and operational off-channel gravel pit storage vessel located between the Burlington Ditch and the South Platte River in the S 1/2 of the NE 1/4, NE 1/4 of the SE 1/4, NW 1/4 of the SE 1/4, and SW 1/4 of the SE 1/4 of Section 1, Township 3 South, Range 68 West of the 6th

P.M., in Adams County, Colorado. An embankment, which is regulated as a jurisdictional dam by the State Engineer, was constructed along the edge of a portion of the gravel pit to provide additional storage capacity. A map showing the approximate location of Bambei-Walker Reservoir is attached hereto as Exhibit A.(2) Welby Reservoir: Welby Reservoir is an existing and operational off-channel gravel pit storage vessel located adjacent to the South Platte River in the E 1/2 of the NW 1/4, SW 1/4 of the NW 1/4, and the N 1/2 of the SW 1/4 of Section 1, Township 3 South, Range 68 West of the 6th P.M., in Adams County, Colorado. A map showing the approximate location of Welby Reservoir is attached hereto as Exhibit A. D. Source of Water: The source of water for the South Reservoir Complex is the South Platte River, effluent wastewater, and streams and tributaries thereto, including tributary ground water that is collected by a ground water mounding drain system that is installed between the Burlington Ditch and the slurry wall surrounding Bambei-Walker Reservoir. The South Reservoir Complex can currently be filled through the Bambei-Walker Reservoir turnout on the Burlington Ditch or through the ground water mounding drain system that discharges water into Bambei-Walker Reservoir. For the purposes of this paragraph only, effluent wastewater is water from non-reusable South Platte water rights and water not claimed as reusable by other water users. E. Appropriation Date: December 29, 2009. F. Amount: 1,129 acre-feet CONDITIONAL with the right to refill up to 1,129 acre-feet CONDITIONAL. The individual storage vessels of the South Reservoir Complex are interconnected and can be operated as a contiguous storage unit. G. Use: The water diverted and stored under the Subject Water Right will be used for non-agricultural irrigation, commercial, industrial and all municipal uses; including, but not limited to, domestic, mechanical, manufacturing, industrial, power generation, fire protection, sewage treatment, street sprinkling, irrigation of parks, lawns, grounds and open spaces, recreation, piscatorial, maintenance and preservation of wildlife and aesthetic values, replacement of lake and reservoir evaporation, augmentation and/or replacement. Such water may be fully consumed following storage and subsequent release, and by reuse, successive use, further exchange and disposition. H. Place of Use: The water diverted and stored under the Subject Water Right will be placed to beneficial use wherever Denver Water may, now or in the future, legally provide water. The place of use is limited to Denver Water's service area, including those areas where Denver Water has fixed amount contracts, as it exists now as approximately shown on the map attached hereto as **Exhibit B** or as it may exist in the future, within Denver, Arapahoe, Douglas, Jefferson, Adams, and Broomfield Counties, Colorado. I. Points of Diversion for the Subject Water Right: (1) Burlington Headgate: i. Maximum Diversion Rate Claimed: 50 cfs in combination with diversions to the South Reservoir Complex under the decrees in Case Nos. 2001CW286 WD1 and 2009CW123 WD1. ii. Location: The Burlington Headgate is located on the east bank of the South Platte River, in the NE1/4 of the SW1/4, Section 14, T3S, R68W, 6th P.M., in City and County of Denver, Colorado, 2456.2 feet east of the west line of the southwest quarter and 2347.7 feet north of the south line of said southwest quarter of Section 14. The Burlington Headgate is located at approximately latitude 039° 47' 24.69" N, longitude 104° 58' 9.97" W. The UTM coordinates are approximately NAD 1983 UTM Zone 13S 502616.89 mE 4404471.42 mN. A map showing the approximate location of the Burlington Headgate is attached hereto as Exhibit A. iii. Bambei-Walker Reservoir Ground Water Mounding Drain System: iv. Maximum Diversion Rate Claimed: 2 cfs CONDITIONAL. v. Location: The Bambei-Walker Reservoir Ground Water Mounding Drain System is generally located between the Burlington Ditch and the slurry wall that surrounds Bambei-Walker Reservoir. The ground water collected by the Mounding Drain System is discharged into Bambei-Walker Reservoir at a point located in the NW 1/4 of the SE 1/4 of Section 1, Township 3 South, Range 68 West of the 6th P.M., in Adams County, Colorado, approximately 1,519 feet from the east section line and 2,215 feet from the south section line. A map showing the approximate location of the Mounding Drain System discharge point is attached hereto as Exhibit A. J. Capacities of South Reservoir Complex Storage Vessels: (1) Bambei-Walker Reservoir: i. Total Capacity: 2,057 acre-feet. ii. Active Capacity: 1,871 acre-feet. iii. Dead Storage: 186 acre-feet. iv. Approximate Surface Area at the High Water Line: 64 acres. v. Maximum Depth: 41 feet. (2) Welby Reservoir: i. Total Capacity: 1,496 acre-feet. ii. Active Capacity: 1,349 acre-feet. iii. Dead Storage: 147 acre-feet. iv. Approximate Surface Area at the High Water Line: 64 acres. v. Maximum Depth: 32 feet. (3) South Reservoir Complex Totals: i. Total Capacity: 3,553 acre-feet. ii. Total Active Capacity: 3,220 acre-feet. iii. Total Dead Storage: 333

acre-feet. K. Description of South Reservoir Complex. The South Reservoir Complex is comprised of two existing and operationally interconnected gravel pit storage vessels currently designated as Bambei-Walker Reservoir and Welby Reservoir. The two storage vessels are connected by a pipeline allowing the reservoirs to be operated as an integrated unit. The South Reservoir Complex is located on either side of the South Platte River; north of I-270 and south of I-76. Water is diverted to Bambei-Walker Reservoir at the Burlington Ditch Headgate. A portion of the water stored in Bambei-Walker Reservoir can be released to the South Platte River through a gravity flow outlet located in the west embankment of Bambei-Walker Reservoir. The primary outlet for water stored in the complex is through the pump station constructed in the east bank of Welby Reservoir. CLAIM FOR FINDING OF REASONABLE DILIGENCE 5. Detailed Outline of Activities Taken to Complete the Appropriation and to Beneficially Use the Subject Water Right: During the diligence period, Denver Water initiated or completed the following activities in furtherance of maintaining and fully developing the Subject Water Right. A. South Reservoir Complex: (1) Denver Water completed annual operations and maintenance including annual dam safety inspections with the State Engineer's Office ("SEO") at Miller Dam and survey for movement. (2) Denver Water stored, diverted, and placed to beneficial use water stored in the South Reservoir Complex during the diligence period. (3) In 2021, Jacobs Engineering Group Inc was contracted to perform the South Reservoir Complex Water Quality Study project. The total project cost was approximately \$21,000. B. Downstream Reservoir Water Storage Project: The following work describes Denver Water's effort to maintain and fully develop the Downstream Reservoir Water Storage Program ("DRWSP"), which includes the North Reservoir Complex and Lupton Lakes Reservoir Complex. Water from the North Reservoir Complex and Lupton Lakes Reservoir Complex may be used as a replacement source for water exchanged to the South Reservoir Complex. (1) The North Reservoir Complex: i. Howe-Haller A and B Reservoirs: Denver Water repaired the south slope of Howe-Haller A Reservoir that was damaged during a 2023 spring storm. Denver Water expended approximately \$72,000 in repair work. ii. Dunes Dam and Reservoir: Denver Water completed annual operations and maintenance including annual dam safety inspections with SEO at Dunes Dam and survey for movement. iii. Hazeltine Reservoir: a. In 2021, Denver Water entered into an intergovernmental agreement with South Adams County Water and Sanitation District to remove additional material from and enlarge Hazeltine Reservoir. b. In 2021, contracted with Concrete Express, Inc. for mining services to remove material from Hazeltine Reservoir. Denver Water expended a total of \$5,956,000 under the contract. c. In 2022, contracted with Olsson Associates for a hydraulic analysis of the Hazeltine reservoir spillway. Denver Water expended approximately \$14,000 under the contract. d. In 2022, contracted with Guarantee Electrical Contracting LLC for estimating, constructability, and value engineering assessment services for the Hazeltine Pump Station site electrical project. Denver Water expended approximately \$3,000 under the contract. e. In 2022, Alden Research Laboratory Inc., later Verdantas LLC, was retained for structural and architectural design services for phase 1 of the Hazeltine Pump Station and appurtenant electrical, instrumentation, and control ("EI&C") project for the North Reservoir Complex. Denver Water expended approximately \$664,000 under the contract. f. In 2022, W.W. Wheeler and Associates was retained to design and construct a spillway on the Hazeltine Reservoir embankment adjacent to the South Platte River. Denver Water expended approximately \$245,000 under the contract. g. In 2022, Merrick & Company was retained to provide surveying and aerial mapping services to map the topographic conditions of Hazeltine Reservoir. Denver Water expended approximately \$40,000 under the contract. h. In 2023, Guarantee Electrical Contracting LLC was retained for labor, materials, and equipment for the Hazeltine Pump Station site electrical project. Denver Water expended approximately \$3,385,000 under the contract. i. In 2023, American West Construction, LLC was retained to provide labor, materials, and equipment for armoring and bank protection of the spillway between Hazeltine Reservoir and the South Platte River. Denver Water expended approximately \$1,524,000 under the contract. j. In 2024, Hensel Phelps Construction Co. was retained for all labor, materials, and equipment for the Hazeltine Pump Station heavy civil project, including completing most of the earthwork and concrete scope needed for the station. Denver Water expended approximately \$2,388,000 under the contract. k. In 2025, United Power, Inc. was retained for cost estimate and design services for engineering, constructing, and installing electric service at Hazeltine Reservoir of the North Reservoir Complex. Denver Water expended approximately \$65,000

under the contract. l. In 2026, Hensel Phelps, Inc. was retained for mechanical and electrical services for Phase 3 of the Hazeltine Pump Station. Denver Water expended approximately \$24,000 under the contract.

iv. General North Reservoir Complex Work: a. Denver Water stored, diverted, and placed to beneficial use water stored in the North Reservoir Complex during the diligence period. b. In 2021, Jacobs Engineering Group Inc. was retained to perform the North Reservoir Complex water quality study project. Denver Water expended approximately \$21,000 under the contract. c. In 2022, Garney Companies LLC was retained for phase 1 design assistance for the North Reservoir Complex. Denver Water expended approximately \$154,000 under the contract. d. In 2022, HRS Water Consultants Inc. was retained for hydrogeologic consulting to design and test the North Reservoir Complex’s mounding drain. Denver Water expended approximately \$135,000 under the contract. e. In 2023, Clemson Engineering Hydraulics Inc. was retained for a scaled physical model of the North Reservoir Complex facility station design to ensure Hydraulic Institute Standard compliance. Denver Water expended approximately \$65,000 under the contract. f. In 2023, HRS Water Consultants was retained for civil and hydraulic engineering for the mounding drain gravity design project for the North Reservoir Complex. Denver Water expended approximately \$64,000 under the contract. g. In 2023, HRS Water Consultants was retained for hydrogeologic consulting services for the mounding drain gravity design project for the North Reservoir Complex. Denver Water expended approximately \$110,000 under the contract. h. In 2024, United Power Inc. was retained for construction services for required EI&C for the North Reservoir Complex. Denver Water expended approximately \$59,000 under the contract. i. In 2024, QP Services, LLC was retained for labor, materials, and equipment for North Reservoir Complex mounding drain modifications, including installing a fiberglass manhole foundation and flume as well as providing dewatering activities. Denver Water expended approximately \$208,000 under the contract.

(2) Lupton Lakes Reservoir Complex: i. Denver Water maintains compliance with the Division of Reclamation, Mining, and Safety through annual permitting for the active mining operations at the Lupton Lakes Reservoir Complex. ii. In 2020, Denver Water entered into an easement agreement with Hunt Brothers Properties, Inc., to secure access and rights necessary for the installation, operation, and maintenance of pipelines and related water infrastructure at the Lupton Lakes Reservoir Complex. iii. In 2020, AECOM Technical Services, Inc. was retained for design of the Lupton Lakes Inlet-Outlet facility. The total project cost was approximately \$1,005,000. iv. In 2021, Denver Water entered an easement agreement with McAda Drilling Fluids, Inc., to secure permanent subsurface access and rights necessary for installation and operation of water infrastructure at the Lupton Lakes Reservoir Complex. v. In 2021, Moltz Construction was retained to construct the Lupton Lakes Inlet-Outlet connection to the South Platte River. The total project cost was approximately \$6,980,000. vi. In 2024, Alpine Roofing, LTD and Koala Insulation of Boulder repaired the roof and insulation of the Lupton Lakes Maintenance Facility including repair of the roof and reinsulating. The total cost of the project was \$62,000. vii. In June 2023 and June 2026, Martin Marietta Materials extended their option to extend their lease agreement for additional three-year increments. viii. On April 29, 2025, the water court entered the decree in Case No. 2022CW3202 Water Division 1 approving for a plan for augmentation for intercepted precipitation at the Lupton Lakes Reservoir Complex while mining operations are on-going.

C. Recycling Water Treatment Plant: The following work describes Denver Water’s effort to maintain and fully develop the Recycling Water Treatment Plant (“Recycling WTP”) and recycle distribution system, which will be used to treat and deliver water that may be exchanged from the South Reservoir Complex: (1) In 2022, Garney Companies Inc. was retained to improve the chlorine and solids removal systems at the Recycling WTP, including replacing chlorine evaporators, converting the chlorine scrubber, and replacing components of the solids removal system. Denver Water expended approximately \$882,000 under the contract. (2) In 2022, Canterbury Construction Management Services, Inc. was retained for cost estimating and construction schedule services for the chlorine gas and solids removal systems upgrades at the Recycling WTP. Denver Water expended approximately \$11,000 under the contract. (3) In 2023, Murphy Company was retained for the replacement of the heating, ventilation, and air conditioning system of the Recycling WTP distribution pump station and to add air conditioning to the Recycling WTP chemical building. Denver Water expended approximately \$2,042,000 under the contract. (4) In 2024, Denver Water entered into a contract with Fairmount Cemetery for recycled water service, and in 2025 Denver Water constructed

infrastructure at Fairmount Cemetery to allow it to take delivery of recycled water when a future main extension is complete. (5) In 2026, Holt Renewables was retained for design and construction services for solar photovoltaic expansion at the Recycling WTP. Denver Water expended approximately \$260,000 under the contract. 6. Approximate Amount Expended: Denver Water, over the last diligence period, has spent at least \$26,459,000 on the South Reservoir Complex, DRWSP, and the Recycling WTP previously identified. These projects further the application of water under the Subject Water Right to beneficial use. 7. Names and Addresses of Landowners Where Structures are Located: The following list includes the names and addresses of landowners 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. Denver Water is not proposing new diversion or storage structures that do not already exist, nor is Denver Water proposing modifications to any existing diversion or storage structure or the existing South Reservoir Complex. However, Denver Water is providing notice to the following entities because this application relates to certain structures and property in which the following entities may have a property interest. A. Burlington Ditch, Reservoir and Land Company 80 South 27th Avenue, Brighton, CO 80601 B. Farmers Reservoir and Irrigation Company 80 South 27th Avenue, Brighton, CO 80601 C. Wellington Reservoir Company 80 South 27th Avenue, Brighton, CO 80601 D. Henrylyn Irrigation District 29490 County Road 14, Keenesburg, CO 80643.

CASE NUMBER 2026CW3121 (2018CW3222) DISTRICT COURT, WATER DIVISION 1, COLORADO 901 9th Avenue, Greeley, Colorado 80631. CONCERNING THE APPLICATION FOR WATER RIGHTS OF HIGHLANDS RANCH WATER AND SANITATION DISTRICT. APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN DOUGLAS AND JEFFERSON COUNTIES. 1. Names, addresses, e-mail addresses and telephone numbers of all co-applicants: Highlands Ranch Water and Sanitation District (“HRW”), c/o General Manager, 62 Plaza Drive, Highlands Ranch, Colorado 80129, SCalkins@highlandsranch.org 303-791-0430, “Centennial Water and Sanitation District” changed its name to “Highlands Ranch Water and Sanitation District,” and that name change was approved by Order of the District Court, Douglas County, Colorado, dated November 27, 2024. Direct All Pleadings to: Bushong & Holleman PC, Paul F. Holleman, Lesley Lawrence-Hammer, Emily C. McCrary, 1966 13th Street, Suite 270, Boulder, CO 80302, Email: pholleman@bh-lawyers.com; lhammer@bh-lawyers.com; emccrary@bh-lawyers.com 2. Names of structures: Fairview Ditch, Fairview Reservoir and Enlargement, Fairview Reservoir #2, and Chatfield Reservoir. 3. Description of conditional water right for each structure: A. Date of Original Decree, Case Nos., and Court: April 25, 1989, Case No. 1985CW314, District Court, Water Division 1, B. Subsequent decrees awarding findings of diligence: Dates of Decrees, Case Nos., and Court: December 5, 1995 in Case No. 1995CW79; May 10, 2006 in Case No. 2001CW276; December 7, 2012 in Case No. 2012CW119; and August 20, 2020 in Case No. 2018CW3222, all District Court, Water Division 1, C. Legal descriptions: (1) Fairview Ditch, Fairview Reservoir and Enlargement, Fairview Reservoir #2: The point of diversion for direct flow irrigation and other uses and to fill the Fairview Reservoir and Enlargement and Fairview Reservoir #2 is the Fairview Ditch located at a point more particularly described as seven (7) rods west of the east line of the SE1/4 of the SW1/4 of Section 4, Township 6 South, Range 69 West, of the 6th P.M., Douglas County, Colorado, (2) Chatfield Reservoir: The point of diversion for storage in Chatfield Reservoir is Chatfield Reservoir itself located approximately 8 miles southwest of the City and County of Denver, on the mainstem of the South Platte River. The right abutment of Chatfield Dam is located in Douglas County, in Sections 6 and 7, Township 6 South, Range 68 West, of the 6th P.M.; and the left abutment of Chatfield Dam is located in Jefferson County, in Section 1, Township 6 South, Range 69 West, of the 6th P.M. These locations are approximately depicted in **Exhibit A** attached hereto, D. Source of water: Deer Creek, tributary to the South Platte River, E. Appropriation date: May 9, 1985, Amounts: Fairview Ditch: 12.6 cfs CONDITIONAL, Fairview Reservoir and Enlargement: 195 acre-feet CONDITIONAL, Fairview Reservoir #2: 150 acre-feet CONDITIONAL, Chatfield Reservoir: 2,500 acre-feet CONDITIONAL. The combined diversions under the direct flow right for the Fairview Ditch and under the storage rights for Fairview Reservoir and Enlargement and Fairview

Reservoir #2 shall not exceed 15 cfs at the headgate of the Fairview Ditch described above in Paragraph 3.C.(1), F. Uses: Irrigation, municipal, augmentation, recreation, domestic, and industrial. 4. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to beneficial use as conditionally decreed, including expenditures: The subject water rights and associated structures and sources are part of the unified water supply system for Highlands Ranch. Highlands Ranch is a development consisting of approximately 22,000 acres in Douglas County, including the community of Highlands Ranch. HRW is responsible for providing a municipal water supply to Highlands Ranch. During the diligence period, HRW took the following actions toward completion of the subject conditional water rights and application of water to beneficial use as conditionally decreed: A. Fairview Ditch and Reservoir Operations and Maintenance. HRW continued to serve as the principal operator of the Fairview Ditch and Reservoir facilities and continued to participate with its project partners in the operation and maintenance of those facilities. HRW performed and funded activities including, among other things, reservoir releases, monitoring and maintenance of release-measurement equipment, ditch and gage inspection and cleaning, installation and maintenance of sensors and other equipment, mileage and labor associated with operation of the facilities, and coordination with the other project participants. During the diligence period, HRW expended approximately \$143,445 for its share of Fairview Ditch and Reservoir operations and maintenance activities, B. Chatfield Reallocation Project. HRW continued to participate in activities associated with the reallocation of storage space in Chatfield Reservoir from flood-control use to multipurpose use, including municipal storage, and with the protection and use of HRW's permanent right to 6,922 acre-feet of reallocated storage space in Chatfield Reservoir. These activities support HRW's ability to store water available under the subject Chatfield Reservoir conditional water storage right. During the diligence period, HRW's staff, attorneys, engineers, water resources consultants, and other service providers performed work associated with the Chatfield Reallocation Project, including project administration, water resources and engineering support, legal services, coordination with other project participants, and recurring water quality sampling and laboratory testing. HRW expended approximately \$102,148 on these activities during the diligence period, C. Chatfield Reservoir Mitigation Company. HRW continued to be a member of the Chatfield Reservoir Mitigation Company ("CRMC") and to participate in CRMC's implementation, management, and oversight of the mitigation obligations associated with the Chatfield Reallocation Project. HRW maintained its representation in CRMC and paid annual membership and share-based assessments used to support CRMC's ongoing mitigation, administration, management, monitoring, and related responsibilities. During the diligence period, HRW paid approximately \$4,299,571 in CRMC membership and share-based assessments. These expenditures support implementation and continued operation of the Chatfield Reallocation Project and HRW's use of its reallocated storage space, including storage of water available under the subject conditional water right, D. Development of Municipal Water System and Water Rights. HRW continued to develop, improve, repair, and maintain its municipal water supply system, water rights, and wastewater system including facilities and infrastructure necessary to divert, store, treat, convey, and apply water available under the subject conditional water rights to beneficial use. HRW's work included expenditures for raw-water storage facilities and sources of supply, water treatment facilities, booster-pump stations, water pipelines and other water infrastructure, groundwater plants and wells, a major wastewater treatment plant upgrade, and other related water supply facilities. During the diligence period, HRW expended approximately \$169,730,535 on water related capital improvements supporting its municipal water system, wastewater system, and water rights, E. Chatfield Watershed Authority. HRW continued to participate in the Chatfield Watershed Authority and in water quality protection, monitoring, planning, and coordination activities concerning Chatfield Reservoir and its watershed. HRW's participation is intended to protect and improve the quality of inflows to Chatfield Reservoir and the quality of water diverted to HRW's municipal water supply system, including water that may be stored under the subject Chatfield Reservoir conditional water storage right. During the diligence period, HRW paid approximately \$16,800 in membership dues to the Chatfield Watershed Authority, F. Coalition for the Upper South Platte. HRW continued to participate in the Coalition for the Upper South Platte, formerly known as the Upper South Platte Watershed Protection Association. HRW remained a member of the organization and participated in efforts to maintain or improve water

quality and related watershed resources within the South Platte River watershed above Strontia Springs Dam. During the diligence period, an HRW staff member served on the Coalition's Board of Directors, further supporting the organization's watershed protection and water quality initiatives. HRW's participation assists in protecting the quality and reliability of water available to HRW's municipal water supply system at Chatfield Reservoir, including water that may be stored under the subject Chatfield Reservoir conditional water storage right. During the diligence period, HRW paid approximately \$21,000 in membership dues to the Coalition for the Upper South Platte, G. Protection and Development of Water Rights. HRW continued to participate in water court proceedings and other legal, engineering, technical, and administrative matters to develop, manage, and protect its water rights, including the subject conditional water rights, from injury. HRW retained water counsel, water resources engineers, hydrogeologists, and other consultants to provide legal and technical services concerning its water rights and water supply system. These services included water court representation, water rights administration, engineering analysis, water supply planning, evaluation and protection of surface water and groundwater supplies, litigation and expert support, and related water resources management activities. During the diligence period, HRW expended approximately \$3,923,588 for legal, engineering, and professional services associated with its water rights and water resources activities, H. HRW incurred significant legal and engineering fees and costs associated with participating as an objector in various Water Court cases to protect its water rights, including the subject conditional water rights, from injury due to claims of other water users. HRW continues to rely upon the subject conditional water rights and has no intention to abandon same. 5. If claim to make absolute in whole or part: Not applicable. 6. Name(s) and address(es) of owner(s) of 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: No new diversion or storage structures are or will be constructed and no modifications to existing diversion or storage structures or existing storage pools are or will be constructed. The names and addresses of the owners of the land upon which Fairview Reservoir, Fairview Reservoir #2 and Chatfield Reservoir are located are as follows: A. Fairview Reservoir and Fairview Reservoir #2: Trailmark Metropolitan District, c/o Mat Birkeness, District Manager, Community Resource Services of Colorado, LLC, 7995 E. Prentice Avenue, Suite 103E, Greenwood Village, CO 80111, B. Chatfield Reservoir: United States Army Corps of Engineers, 9307 South Wadsworth Boulevard, Littleton, CO 80128. WHEREFORE, HRW requests the Court to enter a decree finding that reasonable diligence toward the completion of the appropriation of the subject conditional water rights has been exercised and continuing the subject conditional water rights in full force and effect for an additional diligence period. (7 pages + Exhibit)

CASE NUMBER 2026CW3122 DOUBLE S CONSTRUCTION & DESIGN LLC, ATTN: Scott Berry, 42631 Sager Lane, Parker, CO, 80138. APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES AND APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY UPPER AND LOWER DAWSON AQUIFERS IN ELBERT COUNTY. Subject Property: A parcel totaling approximately 31.63 acres generally located in the E1/2 of the NW1/4 of Section 35, Township 6 South, Range 65 West of the 6th P.M., also known as 1961 Andrea Pl, Parker, CO, 80138, as shown on **Exhibit A** ("Subject Property"). Lien Holder Certification: There are no mortgage or lien holders that have an interest in the Subject Property; 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 are no existing wells on the subject property. Well permits will be applied for and approved prior to construction of any wells. Source of Water Rights: The Upper Dawson and Lower Dawson Aquifers are not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Volumes: Applicant desires to leave no groundwater unadjudicated. Applicant estimates the following volumes may be available for withdrawal:

Aquifer	Estimated Annual Volume 100 Years (acre-feet)	Estimated Annual Volume 300 Years (acre-feet)	Estimated Total Volume (acre-feet)
Upper Dawson (NNT)	9.08	3.03	908
Lower Dawson (NNT)	3.54	1.18	354
Denver (NT)	19.67	6.56	1,967
Arapahoe (NT)	14.34	4.78	1,434
Laramie-Fox Hills (NT)	9.55	3.18	955

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 100 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 one, or more, well(s) to provide in-house use in up to three (3) single-family dwellings or their equivalent (0.9 acre-feet per year), outdoor irrigation of up to 1.5 acres of home lawn, garden, pasture, and trees (3 acre-feet per year), watering of up to 8 non-commercial large domestic animals (0.1 acre-feet per year), fire protection, and storage before use anywhere on the Subject Property. Applicant reserves the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use and return flow from irrigation use will be approximately 15% of that use. During pumping Applicant will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the South Platte River stream system and return flows accrue to that stream system and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicant will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post-pumping augmentation requirements. Applicant requests the Court approve the above underground water rights and augmentation plan, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NUMBER 2026CW3123 THE CITY AND COUNTY OF DENVER, ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS (“Denver Water” or “Applicant”), 1600 West 12th Avenue, Denver, Colorado 80204. Jessica R. Brody, General Counsel, Daniel J. Arnold, James M. Wittler, Crystal J. Easom. APPLICATION FOR FINDING OF REASONABLE DILIGENCE, CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CITY AND COUNTY OF DENVER ACTING BY AND THROUGH ITS BOARD OF WATER COMMISSIONERS IN WELD COUNTY. Number of pages of Application 11. 2 Description of Subject Water Right: 2.1 Name of Water Right: The Lupton Lakes Complex Storage Right (“Subject Water Right”). 2.2 Description of Lupton Lakes Reservoir Complex: The Lupton Lakes Reservoir Complex (“Lupton Lakes Complex”) consists of two gravel pits, the North Cell and South Cell, that are currently being reclaimed for water storage. A map

of the Lupton Lakes Complex and the proposed point of diversion is attached hereto as Exhibit A. 2.3 Date of Original Decree: February 21, 2014, Case No. 2007CW322, Court: Water Division No. 1. 2.4 Subsequent Decrees Awarding Findings of Diligence: August 20, 2020, Case No. 2020CW3016, Court: Water Division No. 1. 2.5 Legal Description of Lupton Lakes Complex: 2.5.1 North Cell: The North Cell is located in the East Half of Section 18, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado, as more particularly depicted in Exhibit A. 2.5.2 South Cell: The South Cell is located in the East Half of Section 19, Township 1 North, Range 66 West of the 6th P.M., County of Weld, State of Colorado, as more particularly depicted in Exhibit A. 2.6 Legal Description Point of Diversion: Denver Water completed construction of the Lupton Lakes Reservoir Complex inlet/outlet facility in 2022. The Lupton Lakes Complex inlet/outlet facility is located at a point on the east bank of the South Platte River in the E 1/2 of the SW 1/4 of Section 18, T1N, R66W of the 6th P.M., in Weld County, Colorado, being 2,539 feet southerly of the north line of the E 1/2 of the SW 1/4 of said Section 18 and 303 feet easterly of the west line of the E 1/2 of the SW 1/4 of said Section 18. 2.7 Source: South Platte River and its tributaries. 2.8 Appropriation Date: December 28, 2007. 2.9 Capacity. The Lupton Lakes Complex is projected to have the following capacities: (1) Surface Area of the High Water Line: 250 acres. (2) Total Capacity of Lupton Lakes Complex in Acre-feet: 11,400 acre-feet. (3) Active Capacity: 11,400 acre-feet. (4) Dead Storage: 0 acre-feet. 2.10 Amount: 2.10.1 Storage Volume: 11,400 acre-feet CONDITIONAL, with the right to refill an additional 11,400 acre-feet CONDITIONAL, subject to the terms and conditions of the 2007CW322 Decree. 2.10.2 Rate of Diversion: 50 cfs, CONDITIONAL. 2.11 Use: The water diverted under the Subject Water Right will be stored and then used by exchange or directly for non-agricultural irrigation, commercial, industrial and all municipal uses, including, but not limited to, domestic, mechanical, manufacturing, industrial, power generation, fire protection, sewage treatment, street sprinkling, irrigation of parks, lawns, grounds and open spaces, recreation, piscatorial, maintenance and preservation of wildlife and aesthetic values, replacement of lake and reservoir evaporation, augmentation and/or replacement. Such water may be fully consumed by direct use, storage and subsequent release, and by reuse, successive use, further exchange and disposition, subject to the terms and conditions of the 2007CW322 Decree. 2.12 Place of Use: The water diverted and stored under the Subject Water Right will be placed to beneficial use wherever Denver may, now or in the future, legally serve water. The place of use is limited to Denver Water's service area, including those areas where Denver Water has fixed amount contracts, as it exists now as approximately shown on the map attached hereto as Exhibit B or as it may exist in the future, within Denver, Arapahoe, Douglas, Jefferson, Adams, and Broomfield Counties, Colorado. CLAIM FOR FINDING OF REASONABLE DILIGENCE 3. Detailed Outline of Activities Taken to Complete the Appropriation and to Beneficially Use the Subject Water Right: During the diligence period, Denver Water initiated or completed the following activities in furtherance of maintaining and fully developing the Subject Water Right. 3.1 Lupton Lakes Complex: 3.1.1 Denver Water maintains compliance with the Division of Reclamation, Mining, and Safety through annual permitting for the active mining operations at the Lupton Lakes Complex. 3.1.2 In 2020, Denver Water entered into an easement agreement with Hunt Brothers Properties, Inc., to secure access and rights necessary for the installation, operation, and maintenance of pipelines and related water infrastructure at the Lupton Lakes Complex. 3.1.3 In 2020, AECOM Technical Services, Inc. was retained for design of the Lupton Lakes Inlet-Outlet facility. The total project cost was approximately \$1,005,000. 3.1.4 In 2021, Denver Water entered an easement agreement with McAda Drilling Fluids, Inc., to secure permanent subsurface access and rights necessary for installation and operation of water infrastructure at the Lupton Lakes Complex. 3.1.5 In 2021, Moltz Construction was retained to construct the Lupton Lakes inlet-outlet connection to the South Platte River. The total project cost was approximately \$6,980,000. 3.1.6 Denver Water received approval for a plan for augmentation for intercepted precipitation at the Lupton Lakes Complex while mining operations are ongoing, 2022CW3202 Water Division 1, which was entered by the court on April 29th, 2025. 3.1.7 In 2024, Alpine Roofing, LTD and Koala Insulation of Boulder repaired the roof and insulation of the Lupton Lakes Maintenance Facility including repair of the roof and reinsulating. The total cost of the project was \$62,000. 3.1.8 Denver Water continues to actively work with Martin Marietta Materials to mine remaining gravel resources in the Lupton Lakes South Cell. 3.2 Downstream Reservoir Water Storage Project: The following

work describes Denver Water’s effort to maintain and fully develop the remainder of the Downstream Reservoir Water Storage Program (“DRWSP”), which includes the North Reservoir Complex and South Reservoir Complex. Water stored in the Lupton Lakes Complex may be exchanged upstream pursuant to other Denver Water decrees. 3.2.1 The South Reservoir Complex (“South Complex”): 3.2.1.1 Denver Water completed annual operations and maintenance including annual dam safety inspections with the State Engineer’s Office (“SEO”) at Miller Dam and survey for movement. 3.2.1.2 Denver Water stored, diverted, and placed to beneficial use water stored in the South Reservoir Complex during the diligence period. 3.2.1.3 In 2021, Jacobs Engineering Group Inc was retained to perform the South Complex Water Quality Study project. The total project cost was approximately \$21,000. 3.2.2 The North Reservoir Complex (“North Complex”): 3.2.2.1 Howe-Haller A and B Reservoirs: Denver Water repaired the south slope of Howe-Haller A Reservoir that was damaged during a 2023 spring storm. Denver Water expended approximately \$72,000 in repair work. 3.2.2.2 Dunes Dam and Reservoir: Denver Water completed annual operations and maintenance including annual dam safety inspections with SEO at Dunes Dam and survey for movement. 3.2.2.3 Hazeltine Reservoir: 3.2.2.3.1 In 2021, Denver Water entered into an intergovernmental agreement with South Adams County Water and Sanitation District to remove additional material from and enlarge Hazeltine Reservoir. 3.2.2.3.2 In 2021, Concrete Express, Inc. Was retained for mining services to remove material from Hazeltine Reservoir. Denver Water expended a total of \$5,956,000 under the contract. 3.2.2.3.3 In 2022, Olsson Associates was retained for a hydraulic analysis of the Hazeltine reservoir spillway. Denver Water expended approximately \$14,000 under the contract. 3.2.2.3.4. In 2022, Guarantee Electrical Contracting LLC was retained for estimating, constructability, and value engineering assessment services for the Hazeltine Pump Station site electrical project. Denver Water expended approximately \$3,000 under the contract. 3.2.2.3.5. In 2022, Alden Research Laboratory Inc., later Verdantas LLC, was retained for structural and architectural design services for phase 1 of the Hazeltine Pump Station and appurtenant electrical, instrumentation, and control (“EI&C”) project for the North Complex. Denver Water expended approximately \$664,000 under the contract. 3.2.2.3.6. In 2022, W.W. Wheeler and Associates was retained for engineering services to design and construct a spillway on the Hazeltine Reservoir embankment adjacent to the South Platte River. Denver Water expended approximately \$245,000 under the contract. 3.2.2.3.7. In 2022, Merrick & Company was retained to provide surveying and aerial mapping services to map the topographic conditions of Hazeltine Reservoir. Denver Water expended approximately \$40,000 under the contract. 3.2.2.3.8. In 2023, Guarantee Electrical Contracting LLC was retained for labor, materials, and equipment for the Hazeltine Pump Station site electrical project. Denver Water expended approximately \$3,385,000 under the contract. 3.2.2.3.9. In 2023, American West Construction, LLC was retained to provide labor, materials, and equipment for armoring and bank protection of the spillway between Hazeltine Reservoir and the South Platte River. Denver Water expended approximately \$1,524,000 under the contract. 3.2.2.3.10. In 2024, Hensel Phelps Construction Co. was retained for all labor, materials, and equipment for the Hazeltine Pump Station heavy civil project, including completing most of the earthwork and concrete scope needed for the station. Denver Water expended approximately \$2,388,000 under the contract. 3.2.2.3.11. In 2025, United Power, Inc. was retained for cost estimate and design services for engineering, constructing, and installing electric service at Hazeltine Reservoir of the North Reservoir Complex. Denver Water expended approximately \$65,000 under the contract. 3.2.2.3.12. In 2026, Hensel Phelps, Inc. was retained for mechanical and electrical services for Phase 3 of the Hazeltine Pump Station. Denver Water expended approximately \$24,000 under the contract. 3.2.2.4. General North Complex Work: 3.2.2.4.1. Denver Water stored, diverted, and placed to beneficial use water stored in the North Reservoir Complex during the diligence period. 3.2.2.4.2. In 2021, Jacobs Engineering Group Inc. was retained to perform the North Reservoir Complex water quality study project. Denver Water expended approximately \$21,000 under the contract. 3.2.2.4.3. In 2022, Garney Companies LLC was retained for phase 1 design assistance for the North Reservoir Complex. Denver Water expended approximately \$154,000 under the contract. 3.2.2.4.4. In 2022, HRS Water Consultants Inc. was retained for hydrogeologic consulting to design and test the North Reservoir Complex’s mounding drain. Denver Water expended approximately \$135,000 under the contract. 3.2.2.4.5. In 2023, Clemson Engineering Hydraulics Inc. was retained for a scaled physical model of the North

Reservoir Complex facility station design to ensure Hydraulic Institute Standard compliance. Denver Water expended approximately \$65,000 under the contract. 3.2.2.4.6. In 2023, HRS Water Consultants was retained for civil and hydraulic engineering for the mounding drain gravity design project for the North Reservoir Complex. Denver Water expended approximately \$64,000 under the contract. 3.2.2.4.7. In 2023, HRS Water Consultants was retained for hydrogeologic consulting services for the mounding drain gravity design project for the North Reservoir Complex. Denver Water expended approximately \$110,000 under the contract. 3.2.2.4.8. In 2024, United Power Inc. was retained for construction services for required EI&C for the North Reservoir Complex. Denver Water expended approximately \$59,000 under the contract. 3.2.2.4.9. In 2024, QP Services, LLC was retained for labor, materials, and equipment for North Reservoir Complex mounding drain modifications, including installing a fiberglass manhole foundation and flume as well as providing dewatering activities. Denver Water expended approximately \$208,000 under the contract. 3.3. Recycling Plant: The following work describes Denver Water's effort to maintain and fully develop the Recycling Plant and recycle distribution system, which will be used to treat and deliver exchanged water from the DRWSP—including Lupton Lakes Complex: 3.3.1. In 2022, Garney Companies Inc. was retained to improve the chlorine and solids removal systems at the Recycling Plant, including replacing chlorine evaporators, converting the chlorine scrubber, and replacing components of the solids removal system. Denver Water expended approximately \$882,000 under the contract. 3.3.2. In 2022, Canterbury Construction Management Services, Inc. was retained for cost estimating and construction schedule services for the chlorine gas and solids removal systems upgrades at the Recycling Plant. Denver Water expended approximately \$11,000 under the contract. 3.3.3. In 2023, Murphy Company was retained for the replacement of the heating, ventilation, and air conditioning system of the Recycling Plant distribution pump station and to add air conditioning to the Recycling Plant chemical building. Denver Water expended approximately \$2,042,000 under the contract. 3.3.4. In 2024, Denver Water entered into an Intergovernmental Agreement with the City of Aurora and Metro Water Recovery (aka Metro Wastewater) to study potential options to utilize reusable effluent generated at the Metro Plant. 3.3.5. In 2024, Denver Water entered into a contract with Fairmount Cemetery for recycled water service, and in 2025 constructed infrastructure at Fairmount Cemetery to allow it to take delivery of recycled water when a future main extension is complete. 3.3.6. In 2026, Holt Renewables was retained for design and construction services for solar photovoltaic expansion at the Recycling Treatment Plant. Denver Water expended approximately \$260,000 under the contract. 4. Names and Addresses of Landowners Where Structures are Located: The following list includes the 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. Denver Water is providing notice to the following entities because this application relates to certain structures and property in which the following entities may have a property interest. 4.1. Hunt Brothers Properties Inc. 345 West 62nd Avenue Denver, CO 80216-1048. REQUEST FOR RELIEF. WHEREFORE, Denver Water requests the Court enter a decree finding Denver Water has exercised reasonable diligence in the development of the Subject Water Right described herein, to continue the conditional portions of the Subject Water Right water right in full force as decreed, to find that Denver Water completed construction of the Lupton Lakes Complex inlet/outlet facility in the location described in Paragraph 2.6, and for other such relief as this Court deems just and proper.

CASE NUMBER 2026CW3124 WESTERN EQUIPMENT AND TRUCK, INC., 2055 1st Ave., Greeley, CO 80631, 970-353-6682. P. Andrew Jones, Law Office of P. Andrew Jones, 1213 Founders Circle, Windsor, CO 80550, 970-297-0570, ajones@pandrewjones.com. **APPLICATION TO MAKE CONDITIONAL RIGHT ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE IN WELD COUNTY.** 2. Name of Conditional Underground Water Right: Transportation Center Non-Pot Well No. 1. 2.1 Location: 2.1.1. UTM Coordinates: Easting 532,441 meters; Northing 4,471,082 meters. UTM 13. 2.1.2. PLSS Description: In the NW1/4 of the NW1/4, Section 24, 5N, 65W, 6th P.M., 828 feet from the North Section Line and 896 feet from the West Section Line. 2.2 Source of water: South Platte River Alluvial Aquifer 2.3 Date of appropriation: May 31, 2019. 2.4 How appropriation was initiated:

Engineering, filing of water court application. 2.5 Amount claimed: 1500 gpm (3.34 cfs), conditional. 2.6 Uses: Irrigation, Industrial, Commercial and Fire Protection within the Transportation Center Subdivision, located in the NW 1/4 of the NW 1/4 of Section 24, 5 North, 65 West of the 6th P.M., Weld County, Colorado. 2.7 Well Permit No.: 85006-F. 3. Name of Conditional Underground Water Right: Transportation Center Non-Pot Well No. 2. 3.1 Location: 3.1.1. UTM Coordinates: Easting 532,826 meters, Northing 4,471,068 meters. UTM 13. 3.1.2. PLSS Description: In the NE1/4 of the NW1/4, Section 24, 5N, 65W, 6th P.M., 875 feet from the North Section Line and 2,145 feet from the West Section Line. 3.2 Source of water: South Platte River Alluvial Aquifer. 3.3 Date of appropriation: May 31, 2019. 3.4 How appropriation was initiated: Engineering, filing of water court application. 3.5 Amount claimed: 1500 gpm (3.34 cfs), conditional. 3.6 Uses: Irrigation, Industrial, Commercial and Fire Protection within the Transportation Center Subdivision, located in the NW1/4 and the NE1/4 of the NW 1/4 of Section 24, 5 North, 65 West of the 6th P.M., Weld County, Colorado. 4. Outline of Work Toward Completion of Transportation Center Non-Pot Well Nos. 1 and 2 (“Wells”). Since the entry of the decree in 19CW3114: 4.1 Applicant installed Transportation Center Non-Pot Well No. 1 (85006-F) and diverted 800 g.p.m. (1.78 c.f.s.) for fire protection uses. 4.2 Applicant maintained the Groundwater Management Subdistrict of Central Colorado Water Conservancy District Class D contract nos. 1222 and 1228 for the augmentation of the Wells. 4.3 Applicant expended approximately \$37,000 on the installation, maintenance and repair of Transportation Non-Pot Well No. 1 and associated fire protection infrastructure. 4.4. Applicant engaged counsel to actively monitor pending cases and water matters, assess development of the water features of the property, engage with third parties, and make requisite filings to maintain the conditional rights. 5. Integrated System. Transportation Center Non-Pot Wells Nos. 1 and 2 are located on the same property, owned by Applicant, and designed to function as an integrated system. As such, Applicants efforts on either of these structures may be considered diligence on all. 6. Current economic conditions beyond the control of Applicant which adversely affect the feasibility of perfecting a conditional water right or the proposed use of water from a conditional water right shall not be sufficient to deny a diligence application, so long as other facts and circumstances, such as those recited herein, show that diligence is present. C.R.S. § 37-92-301(4)(c). 7. Right Made Absolute: Applicant seeks a ruling making Transportation Center Non-Pot Well No. 1 absolute at the rate of 800 g.p.m. for fire protection uses. 8. Diligence. Claims for Finding of Reasonable Diligence Pursuant to C.R.S. § 37-92-301(4)(b). Applicant seeks a finding of reasonable diligence for the remaining conditional rates of flow and uses for Transportation Non-Pot Wells Nos. 1 and 2. 9. Names and addresses of owners of the land upon which structures are located. Applicant is the owner of the land upon which the structures in this Application are located. DATED: August 22, 2026.

CASE NUMBER 2026CW3125 (90CW108) (99CW125) (12CW72) (20CW3017) APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN BOULDER COUNTY. 1. Name, Mailing Address, Phone Number, and E-mail Address of Applicant. CITY OF LAFAYETTE, c/o Cari Bischoff, Water Resources Manager, 1290 South Public Road Lafayette, Colorado 80026; Phone: (303) 604-3542; E-mail: cari.bischoff@lafayetteco.gov. Copies of all pleadings to: 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: dfbower@j-rlaw.com and ccfrazier@j-rlaw.com. 2. Overview. The City of Lafayette (“Lafayette”) seeks to continue conditional exchange rights on Coal Creek, Boulder Creek, South Boulder Creek, and Dry Creek involving reclaimable return flows from the Lower Boulder, Coal Ridge, and Base Line shares changed in Case No. 90CW108. These reclaimable return flows are or will be diverted by exchange at (i) the Lafayette Ditch No. 1 and the Lafayette Ditch No. 4 on Coal Creek; (ii) the Lower Boulder Ditch and the Lafayette Boulder Creek Pipeline No. 1 on Boulder Creek; (iii) the Goodhue Ditch, the South Boulder and Bear Creek Ditch, the point where the New Dry Creek Carrier branches from South Boulder Creek, and Gross Reservoir on South Boulder Creek; and (iv) the Enterprise Ditch and the Leyner-Cottonwood Ditch on Dry Creek. If not needed for immediate use, the exchanged water can be stored in reservoirs which fill using the above-described diversion facilities. A map of the subject structures and exchanges is attached as Exhibit A and an exchange matrix is attached as Exhibit B. 3. Description of Conditional Exchange Rights. (a) Original and Subsequent Decrees. The subject exchanges were

conditionally decreed in Case No. 90CW108, Water Division 1, dated August 5, 1993. Decrees making portions of some of the exchanges absolute and awarding findings of diligence for the remainder were entered in Case No. 99CW125, Water Division 1, dated March 1, 2006, Case No. 12CW72, Water Division 1, dated February 7, 2014, and Case No. 20CW3017, Water Division 1, dated August 27, 2020. (b) Description of Exchange Termini. The reaches of the stream system affected by the exchanges can be described as follows: (i) Coal Creek. The upstream point is the Lafayette Ditch No. 1, located approximately 50 feet west of the east section line and 2,580 feet south of the north section line of Section 10, Township 1 South, Range 69 West, of the 6th P.M. The downstream point is the confluence of Coal Creek and Boulder Creek, located in the SE1/4 NE1/4 of Section 1, Township 1 North, Range 69 West, of the 6th P.M. (ii) Boulder Creek. The upstream point is the confluence of South Boulder Creek and Boulder Creek, located near the Southeast Corner of the NE1/4 SW1/4 of Section 22, Township 1 North, Range 70 West, of the 6th P.M. The downstream point is the confluence of Boulder Creek and Coal Creek, as described above. (iii) South Boulder Creek. The upstream point is Gross Reservoir, which is an on-stream reservoir located in Sections 19, 20, 21, 29, and 30, Township 1 South, Range 71 West, of the 6th P.M. The downstream point is the confluence of South Boulder Creek and Boulder Creek, as described above. (iv) Dry Creek a/k/a the Dry Creek Carrier and the New Dry Creek Carrier. The upstream point is the confluence of the New Dry Creek Carrier with South Boulder Creek, located in the SW1/4 SW1/4 of Section 3, Township 1 South, Range 70 West, of the 6th P.M. The downstream point is the confluence of Dry Creek with Boulder Creek, located in the NE1/4 SW1/4 of Section 17, Township 1 North, Range 69 West, of the 6th P.M. (c) Legal Description of Diversion Structures. The locations of the structures where the exchanged water can be diverted are described as follows: (i) Lafayette Ditch No. 1 [WDID 0600880]. The Lafayette Ditch No. 1 diverts from the north bank of Coal Creek at a point approximately 50 feet west of the east section line and 2,580 feet south of the north section line of Section 10, Township 1 South, Range 69 West, of the 6th P.M. (ii) Lafayette Ditch No. 4 [WDID 0600762]. The Lafayette Ditch No. 4 diverts from the west bank of Coal Creek at a point approximately 500 feet west of the east section line and 1,000 feet north of the south section line of Section 36, Township 1 North, Range 69 West, of the 6th P.M. (iii) Lower Boulder Ditch [WDID 0600538]. The Lower Boulder Ditch diverts from the south bank of Boulder Creek in the SW1/4 SW1/4 of Section 16, Township 1 North, Range 69 West, of the 6th P.M., at a point approximately 1,100 feet north and 600 feet east of the Southwest Corner of said Section 16. (iv) Lafayette Boulder Creek Pipeline No. 1 [WDID 0600948]. The Lafayette Boulder Creek Pipeline No. 1 diverts from the south bank of Boulder Creek in the SW1/4 NE1/4 of Section 13, Township 1 North, Range 70 West, of the 6th P.M., at a point approximately 2,476 feet south of the north section line and 2,500 feet west of the east section line of said Section 13. (v) Goodhue Ditch [WDID 0600650]. The Goodhue Ditch diverts from the south bank of South Boulder Creek in the SE1/4 NE1/4 of Section 20, Township 1 South, Range 70 West, of the 6th P.M., at a point approximately 2,250 feet south and 250 feet west of the Northeast Corner of said Section 20. (vi) South Boulder and Bear Creek Ditch [WDID 0600588]. The South Boulder and Bear Creek Ditch diverts from the north bank of South Boulder Creek in the SE1/4 NE1/4 of Section 20, Township 1 South, Range 70 West, of the 6th P.M., at a point approximately 200 feet west and 1,550 feet south of the Northeast Corner of said Section 20. (vii) New Dry Creek Carrier [WDID 0600902]. The New Dry Creek Carrier is a natural carrier stream that diverts from the east bank of South Boulder Creek in the SW1/4 SW1/4 of Section 3, Township 1 South, Range 70 West, of the 6th P.M., at a point approximately 450 feet east and 70 feet north of the Southwest Corner of said Section 3. (viii) Enterprise Ditch [WDID 0600576]. The Enterprise Ditch diverts from the north bank of the New Dry Creek Carrier in the SW1/4 SW1/4 of Section 3, Township 1 South, Range 70 West, of the 6th P.M., at a point approximately 900 feet east and 70 feet north of the Southwest Corner of said Section 3. (ix) Leyner-Cottonwood Ditch [WDID 0600565]. The Leyner-Cottonwood Ditch diverts from the east bank of Dry Creek in the SW1/4 NW1/4 of Section 30, Township 1 North, Range 69 West, of the 6th P.M., at a point approximately 900 feet east and 2,500 feet south of the Northwest Corner of said Section 30. (d) Legal Description of Places of Storage. The locations of the structures where the exchanged water is or will be stored are described as follows: (i) Henry Waneka Reservoir [WDID 0604203]. Henry Waneka Reservoir is in Section 4, Township 1 South, Range 69 West, of the 6th P.M. (ii) Baseline Reservoir [WDID 0604173]. Baseline Reservoir is in Sections 2 and 3,

Township 1 South, Range 70 West, and in Sections 34 and 35, Township 1 North, Range 70 West, of the 6th P.M. (iii) Goose Haven Reservoir Complex [WDID 0603998]. The Goose Haven Reservoir Complex is in Sections 15, 16, 21, and 22, Township 1 North, Range 69 West, of the 6th P.M. (iv) Gross Reservoir [WDID 0604199]. Gross Reservoir is an on-stream reservoir on South Boulder Creek in Sections 19, 20, 21, 29, and 30, Township 1 South, Range 71 West, of the 6th P.M. (e) Source. Municipal return flows associated with diversions of the Lower Boulder, Coal Ridge, and Base Line shares changed in Case No. 90CW108. (f) Appropriation Date. May 15, 1990. (g) Amounts. The exchanges are already decreed as absolute and requested to be continued as conditional in the amounts set forth below: (i) Coal Creek. (A) Lafayette Ditch No. 1. 0.33 cfs absolute, 7.67 cfs conditional. (B) Lafayette Ditch No. 4. 8.0 cfs conditional. (ii) Boulder Creek. (A) Lower Boulder Ditch. 8.0 cfs conditional. (B) Lafayette Boulder Creek Pipeline No. 1. 3.41 cfs absolute, 4.59 cfs conditional. (iii) South Boulder Creek. (A) Goodhue Ditch. 8.0 cfs conditional. (B) South Boulder and Bear Creek Ditch. 8.0 cfs conditional. (C) New Dry Creek Carrier. 3.16 cfs absolute, 4.84 cfs conditional. (D) Gross Reservoir. 8.0 cfs conditional. (iv) Dry Creek. (A) Enterprise Ditch. 3.16 cfs absolute, 4.84 cfs, conditional. (B) Leyner-Cottonwood Ditch. 3.11 cfs absolute, 4.89 cfs, conditional. (h) Uses. Municipal, domestic, irrigation, commercial, industrial, replacement, exchange, augmentation, recreational, piscatorial, and wildlife propagation purposes. The exchanged water can be treated for distribution to customers of the municipal utility system or used without treatment for the irrigation of Lafayette owned land and other greenbelt areas within the municipal service area. The water can also stored for use at later times. **4. Claim for Finding of Reasonable Diligence.** Lafayette seeks to continue as conditional all the exchanges decreed in Case No. 90CW108. During the subject diligence period from August 2020 to present, the following activities have been performed to put the subject water rights to beneficial use, and show that Lafayette continues to have a need for the conditional exchange rights: (a) Continued Operations and Accounting. Lafayette continues to operate exchanges from its other changed water rights on a regular basis as part of its normal water supply operations. This is reflected in Lafayette's accounting submitted monthly to the Division of Water Resources. (b) Other Exchange Decrees. Lafayette prosecuted diligence applications in Case Nos. 25CW3049 and 25CW3137, which involved other conditional exchange rights on Coal Creek, Boulder Creek, Dry Creek, and South Boulder Creek. The decrees were entered December 3, 2025 and March 19, 2026, respectively. Lafayette is also currently prosecuting a similar exchange application in Case No. 26CW3093. (c) Goose Haven Expansion. The storage capacity of the Goose Haven Reservoir Complex continues to be expanded. In addition, a diligence application for its storage right was prosecuted in Case No. 22CW3070, with a decree entered on November 23, 2022. (d) Water Reclamation Improvements. The City retrofitted its wastewater treatment plant with new high-performance state-of-the-art technologies, which will both benefit regional water quality and be used as part of the exchange program. (e) Other System Improvements. Lafayette also continues to plan for, design, and implement other major water supply system improvements, including reuse lines, storage expansions, and new water treatment facilities. (f) Gross Reservoir Environmental Pool. Denver Water has continued to construct its Gross Reservoir Expansion Project. This enlarged capacity will be used, in part, to store exchanged water from Case No. 05CW295. Lafayette has paid Denver for its participation in the project and portion of the storage capacity in the Gross Reservoir Environmental Pool. Lafayette has also participated in the ongoing litigation regarding the project, including filing an amicus brief in the 10th Circuit appeal in Case No. 25-1137. (g) New Dry Creek Carrier Headgate Project. Lafayette is coordinating with other water users to replace and modernize the New Dry Creek Carrier diversion structure. The project will allow for more efficient operations on the New Dry Creek for these exchanges. (h) Shareholder Assessments. The City continues to participate in Boulder County ditch companies that are included as part of the changed shares exchanged under the subject water rights, including paying regular assessments. (i) Other Water Court Cases. Lafayette also coordinated with the City of Boulder on a water storage application for the Gross Reservoir Environmental Pool as envisioned in Intergovernmental Agreements with the City and County of Denver, acting by and through its Board of Water Commissioners, and the City of Boulder. That decree was entered on February 11, 2021, in Case No. 17CW3212. Lafayette has also participated as an opposer in numerous Water Court matters to protect the conditional exchange rights being continued in this case. (j) General Costs. Lafayette has also incurred general operational, engineering, and

legal costs during the subject diligence period relating to the subject rights, including diverting the subject rights, operating Lafayette's water and wastewater treatment system, and monitoring and evaluating other water rights cases on Coal Creek, Boulder Creek, South Boulder Creek, and Dry Creek to protect the subject exchanges and other water rights in its portfolio against injury. **5. Name and Address of Landowner Upon which any New or Modified Diversion or Storage Structure is Located.** There are no modified diversion or storage structures associated with this application. WHEREFORE, for all of the foregoing reasons, Lafayette respectfully requests that the Water Court enter a decree finding that Lafayette has been diligent with respect to developing the exchanges decreed in Case No. 90CW108, and order that such exchanges be continued in full force and effect for an additional six-year diligence period or until such time as a determination is made that the rights have been made absolute. (8 pages plus exhibits)

CASE NUMBER 2026CW3126 MARY GUENZEL CHARITABLE TRUST, P.O. Box 9, Woodland Park, Colorado 80866; Please direct all correspondence concerning this application to: Ryan W. Farr, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, Colorado 80921; Telephone Number: (719) 471-1212; Email: rwf@cowaterlaw.com. **APPLICATION TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE OR FOR A FINDING OF REASONABLE DILIGENCE IN THE ALTERNATIVE IN TELLER COUNTY.** The Applicant seeks to make absolute conditional underground water rights for commercial purposes or for a finding of reasonable diligence in the alternative. **Name and Identification of Structures.** *El Tesoro Well No. 1*: Permit No. 77865-F, WDID 0815262. *El Tesoro Well No. 2*: Permit No. 77866-F, WDID 0815263. *El Tesoro Well No. 3*: Permit No. 77867-F, WDID 0815264. (Collectively referred to as the "El Tesoro Wells"). **Original Decree.** The conditional underground water rights subject of this application were decreed in Case No. 12CW124, District Court, Water Division 1 ("Decree"), with a follow-up finding of reasonable diligence in Case No. 19CW3187. **Property.** The land owned by the Applicant that contains the El Tesoro Wells is comprised of three parcels totaling approximately 69 acres in size ("Applicant's Property"). The location of the Applicant's Property is in the SW1/4 of Section 21, Township 12 South, Range 69 West of the 6th P.M., Teller County, Colorado, and shown on the attached **Exhibit A**. **Legal Description of Structures.** The approximate locations of the El Tesoro Wells are described below and shown on the attached **Exhibit A**. *El Tesoro Well No. 1*: Located in the SE1/4 of the SW1/4 of Section 21, Township 12 South, Range 69 West, 6th P.M., Teller County, Colorado. NAD83 UTM, Zone 13S, 489889.5m East, 4315267.3m North. The address of the property upon which the well is located is 232 Blossom Road, Woodland Park, Teller County, Colorado 80863. *El Tesoro Well No. 2*: Located in the SE1/4 of the SW1/4 of Section 21, Township 12 South, Range 69 West, 6th P.M., Teller County, Colorado. NAD83 UTM, Zone 13S, 490139.4m East, 4315247.2m North. The address of the property upon which the well is located is 242 Blossom Road, Woodland Park, Teller County, Colorado 80863. *El Tesoro Well No. 3*: Located in the NE1/4 of the SW1/4 of Section 21, Township 12 South, Range 69 West, 6th P.M., Teller County, Colorado. NAD83 UTM, Zone 13S, 489973.2m East, 4315597.9m North. The address of the property upon which the well is located is 238 Blossom Road, Woodland Park, Teller County, Colorado 80863. **Source.** Groundwater that is tributary to Mule Creek, tributary to Trout Creek, tributary to Horse Creek, and tributary to the South Platte River. **Appropriation Dates.** *El Tesoro Well No. 1*: June 8, 1958. *El Tesoro Well No. 2*: March 1, 1995. *El Tesoro Well No. 3*: October 20, 2010. **Amount of Water Claimed and Uses.** *El Tesoro Well No. 1*: 5.0 gallons per minute, absolute for domestic and fire protection purposes; condition for commercial purposes. *El Tesoro Well No. 2*: 9.5 gallons per minute, absolute for domestic and fire protection purposes; condition for commercial purposes. *El Tesoro Well No. 3*: 3.0 gallons per minute, absolute for domestic and fire protection purposes; condition for commercial purposes. In the Decree, Applicant was awarded both absolute and conditional water rights for the El Tesoro Wells. The conditional water rights were awarded for commercial uses from the El Tesoro Wells. Applicant is the owner and operator of the El Tesoro de los Angeles Retreat Center ("Retreat Center"). The Retreat Center has been fully operational during the diligence period since entry of the decree in Case No. 19CW3817, District Court, Water Division 1. The Retreat Center provides accommodations for up to 53 overnight guests along with day use guests on approximately 69 acres amid the Pike National Forest. Water provision for the

guests is provided by the El Tesoro Wells, which such water use is augmented by shares in the Mountain Mutual Reservoir Company (“MMRC”). During the diligence period, Applicant operated the Retreat Center for commercial purposes and utilized water from the El Tesoro Wells to provide the commercial water supply. The MMRC augmentation records attached hereto as **Exhibit B** show the water use by the Retreat Center that was augmented by MMRC. Such water use was at 5.0 gallons per minute for the El Tesoro Well No. 1, 9.5 gallons per minute for the El Tesoro Well No. 2, and 3.0 gallons per minute for the El Tesoro Well No. 3. Applicant completed all that was necessary to begin commercial operations of the Retreat Center to welcome guests to visit and stay at the Retreat Center. Applicant has been commercially operating the Retreat Center during the diligence period while placing water from the El Tesoro Wells to beneficial use by using the El Tesoro Wells to provide the commercial water source for the Retreat Center. Additionally, Applicant has outlaid money for business expenses to operate the Retreat Center as well as money to operate and maintain the wells and augmentation supply. The land on which the El Tesoro Wells are located and where the water from the wells is used is owned by Applicant. Applicant requests the Court find that Applicant has made absolute the remaining conditional underground water rights for commercial use for El Tesoro Wells or, in the alternative, has maintained diligence for the conditional underground water rights for commercial use for the El Tesoro Wells. 5 Pages.

CASE NUMBER 2026CW3127 THE CITY OF GREELEY, ACTING BY AND THROUGH ITS WATER AND SEWER BOARD, AND THE COLORADO STATE BOARD OF LAND COMMISSIONERS. APPLICATION FOR NONTRIBUTARY UNDERGROUND WATER RIGHTS IN THE UPPER LARAMIE AQUIFER IN WELD COUNTY. I. Name, mailing address, email address, and telephone number of Co-Applicants:

The City of Greeley, acting by and through its Water and Sewer Board (“Greeley”), c/o Leah Hubbard, Deputy Director of Water Resources, 1001 11th Avenue, 2nd Floor, Greeley, Colorado 80631. Telephone (970) 350-9811. The State Board of Land Commissioners (“State Land Board”), c/o Justin Bieri, Water Program Manager, 1127 Sherman Street, Suite 300, Denver, Colorado 80203. Telephone: (720) 471-3684. II. **General Description of Application:** 2.1 **Overview:** Co-Applicants are filing this Application pursuant to C.R.S. § 37-92-203 for determination of rights to nontributary groundwater located outside of a designated basin underlying approximately 10,495.42 acres owned by the State Land Board. C.R.S. § 37-90-137(4) defines the nature and extent of the water rights claimed in this Application. Pursuant to the State Land Board Groundwater Production Lease No. OT-111631, dated July 9, 2026, (the “State Land Board Lease”) Greeley is leasing and has the State Land Board’s consent to adjudicate and withdraw the groundwater from the aquifer occurring in the Upper Laramie formation (the “Upper Laramie Aquifer”) underlying the State Land Board’s property subject to the Lease (the “Overlying Land”). A description of the Overlying Land is attached as **Exhibit A**. A map of the Overlying Land is attached as **Exhibit B**. This Application seeks a determination of the nontributary character and quantity of the groundwater in the Upper Laramie Aquifer underlying the Overlying Land that is available to Co-Applicants for withdrawal and beneficial use. Greeley’s engineering consultants have conducted aquifer testing and analyses and have reviewed available data and analyses of the Upper Laramie aquifer, including the data and analyses conducted for previous applications for determinations of nontributary water rights in the Upper Laramie Aquifer; and the Colorado Supreme Court’s decision in *In re the Application for Water Rights of Lazy D Grazing Association*, 2024 CO 63. Based on information developed by Greeley’s engineering consultants and the technical reports, factual findings, and precedent from the other nontributary decrees in the area, Greeley’s engineering consultants have determined that the water in the Upper Laramie aquifer underlying the Overlying Land meets the definition of nontributary groundwater, as defined in C.R.S. § 37-90-103(10.5). 2.2 **Landowner:** The State Land Board holds legal title to the Overlying Land subject to the State Land Board Lease. The federal government granted the Overlying Land to Colorado under the Colorado Enabling Act of 1875. The State Land Board separately obtained title to one parcel within the Overlying Land by warranty deed. The State Land Board holds lands granted to the state by the federal government, and otherwise acquired, in public trust, as provided in Colo. Const. Art. IX, § 9(6) and C.R.S. § 36-1-101.5(6)(b). As such, the State Land Board is the legal owner of these lands. The State Land Board Lease authorizes Greeley, with State Land Board as a co-applicant, to

file this Application to adjudicate, permit, withdraw, and use the Upper Laramie Aquifer groundwater underlying the Overlying Land. 3. Jurisdiction: The Court has jurisdiction over the subject matter of this Application pursuant to C.R.S. §§ 37-92-302(2) and 37-90-137(6). The Overlying Lands are located outside any designated groundwater basin, and, thus, Co-Applicants' wells will divert only nontributary groundwater located outside the boundaries of any designated groundwater basin. 4. Well permits: Co-Applicants will submit well permit applications for the wells that will withdraw the nontributary groundwater adjudicated in this matter when they are prepared to construct the wells and subject to the terms of the decree entered in this case. 5. Property description and estimated depths of wells: 5.1 Property description: The wells will withdraw groundwater from the Upper Laramie Aquifer underlying the Overlying Land, consisting of approximately 10,495.42 acres. The Overlying Land is located in Weld County and includes portions of Sections 19, 20, and 30, T12N, R66W of the 6th P.M.; Sections 22, 24, 26, 28, 34, 36, T12N, R67W of the 6th P.M.; Sections 2, 4, 8, 10, 12, 14, 16, 18, 22, 24, and 36 of T11N, R67W of the 6th P.M. Legal descriptions for the Overlying Land are contained in **Exhibit A**. 5.2 Well locations: Co-Applicants request the right to construct wells anywhere on the Overlying Land, consistent with the State Land Board Lease, as needed to apply the water to beneficial use and to recover the entire allowable annual amount from the Upper Laramie Aquifer. 5.3 Well depths: The estimated depth to the base of the aquifer will vary depending on the location of each well on the Overlying Land. Actual well completion depths will comply with each applicable well permit but may vary depending on the topography and geology at each location. 6. Source of water rights: Greeley's geologic analysis indicates that the groundwater contained in the Upper Laramie Aquifer underlying the Overlying Land is nontributary as defined in C.R.S. § 37-90-103(10.5). Co-Applicants seek a determination of only the Upper Laramie Aquifer's nontributary status underlying the Overlying Land and not of any other underlying aquifer. 7. Date of appropriation: Not applicable. 8. Right to groundwater claimed in this Application: Co-Applicants seek a decree for all nontributary groundwater from the Upper Laramie Aquifer underlying the Overlying Land. Pursuant to C.R.S. § 37-90-137(4). Co-Applicants may withdraw the nontributary water at an annual rate determined by the Court based on an aquifer life of 100 years without causing material injury to the vested rights of others. 9. Amounts and rates of withdrawal: 9.1 Average annual amount available: The average annual amount of groundwater available from the Upper Laramie Aquifer underlying the Overlying Land, exclusive of any artificial recharge, will be determined based on an analysis of the characteristics of the Upper Laramie Aquifer underlying each section of the Overlying Land. Using currently available data, Greeley's engineering consultants estimate that a total volume of approximately 1,102,826 acre feet, or an average annual amount of 11,028.26 acre feet based on an aquifer life of 100 years is available from the Upper Laramie Aquifer underlying the Overlying Land. Current determinations of aquifer properties for the Overlying Land are described in the table below.

Acres	Average Saturated Thickness (in Feet)	Specific Yield	Average Annual Withdrawal (in Acre-Feet)	Total Aquifer Volume (in Acre-Feet)
10,495.42	531	20%	11,028.26	1,102,826.08

9.2 Final amount: The aquifer properties and average annual amounts stated herein may change during the pendency of the case or after a decree is entered pursuant to retained jurisdiction based on additional data.

9.3 Average pumping rates: The average pumping rates for wells completed in the Upper Laramie aquifer are expected to vary from 100 to 1,000 gallons per minute ("gpm"), although Co-Applicants request pumping rates for each well sufficient to withdraw the full annual amount of nontributary water available from the Upper Laramie aquifer as the Court may determine. 10. Well field: Co-Applicants seek the right to withdraw all legally available groundwater in the Upper Laramie Aquifer through one or more wells permitted for withdrawal from the Upper Laramie Aquifer. Co-Applicants request that all wells completed into the Upper Laramie Aquifer located on the Overlying Land be treated as a well field. Co-Applicants will file well permit applications in accordance with C.R.S. § 37-90-137(10). 11. Proposed uses: Co-Applicants request the right to use all groundwater that is the subject of this Application for all beneficial uses, including but not limited to agricultural, domestic, irrigation, municipal, commercial, stock watering,

industrial, and augmentation uses. The water may be stored, used, and reused to extinction on or off the Overlying Land by Greeley, the State Land Board, or others to whom Co-Applicants may lease, sell, assign, or otherwise provide the water, consistent with the terms of their leases. 12. Other wells located on the Overlying Land: To the extent any existing well or wells withdraw water from the Upper Laramie Aquifer within the Overlying Land, a portion of the water determined to be available for the Overlying Land will be reserved for or allotted to that existing well. 13. Name and address of the owner of the land on which structures will be located: The only diversion or structures involved in the Application will be located on the Overlying Land, which is owned by the State Land Board as provided above. 13.1 Notice requirements: In compliance with C.R.S. § 37-92-302(2)(b), Co-Applicants certify that no persons or entities have a lien or mortgage on, or a deed of trust to, the Overlying Land recorded in the county in which the Overlying Land is located. WHEREFORE, Co-Applicants request a ruling and decree granting and awarding: A. A determination that the groundwater in the Upper Laramie Aquifer underlying the Overlying Land is nontributary groundwater as defined in C.R.S. § 37-90-103(10.5). B. A quantification and adjudication of the groundwater rights in the Upper Laramie Aquifer underlying the Overlying Land which Co-Applicants are entitled to develop and use, exclusive of any artificial recharge. C. The right to withdraw more than the average annual amounts estimated in paragraph 9.1, above, pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7 (i.e., “banking”). D. The right to withdraw the amount of water determined to be available with one or more wells in a well field pursuant to Rules 11.B and 14 of the Statewide Rules, 2 C.C.R. 402-7. E. The right to revise the estimated average annual volume available for withdrawal upward or downward based on better or revised data during the pendency of this case without the necessity of amending this Application or republishing the same. F. The right to include a provision for retained jurisdiction to adjust the average annual volume available for withdrawal to conform to actual local aquifer characteristics as provided for in C.R.S. § 37-92-302(2)(b). G. Such other relief as the Water Court deems proper.

CASE NUMBER 2026CW3128 Applicant. CHRIS DINSDALE, P.O. Box 1807, Sterling, CO 80751, 970-522-9052 with all correspondence connected herewith being sent to Applicant’s Counsel, David P. Jones, Lawrence Custer Grasmick Jones & Donovan, LLP., 5245 Ronald Regan Blvd., Suite 1, Johnstown, CO 80534, 970-622-8181. **APPLICATION TO MAKE WATER RIGHTS ABSOLUTE IN PART AND FOR FINDING OF REASONABLE DILIGENCE IN LOGAN AND SEDGWICK COUNTIES.** 2. **Name of Structures.** Dinsdale Recharge Well Nos. 1, 2, 4, and Dinsdale Augmentation Well Nos. 1-5 (the “Wells”). 3. **Original Decree.** Case Nos. 01CW61/03CW194 entered October 5, 2006, Weld County District Court, Water Division 1. 3.1. **Previous Diligence Decrees.** Case No. 12CW241, entered May 2, 2013, Weld County District Court, Water Division 1.; Case No. 19CW3099, entered August 7, 2020, Weld County District Court, Water Division 1. In Case No. 19CW3099, Dinsdale Recharge Well Nos. 1, 2, and 4, and Dinsdale Augmentation Well Nos. 1-5 were continued as conditional, in whole or in part as described below. 4. **Name of Structure.** Dinsdale Recharge Well No. 1, Permit No. 50035-F (WDID No. 6406316). 4.1. **Legal Description.** In the NW 1/4 of the SW 1/4 of Section 2, Township 10 North, Range 48 West of the 6th P.M., Logan County, Colorado, at a point 1580 feet North and 960 feet East of the Southwest corner of said section. 4.2. **Source.** Ground water, tributary to the South Platte River. 4.3. **Depth.** 60 feet. 4.4. **Date of Appropriation.** April 28, 1998. 4.5. **How Appropriation was Initiated.** Water well permit application filed with State Engineer’s Office. 4.6. **Amount.** 1500 gpm and 2000 acre-feet of which 1577 acre feet is absolute, 423 acre-feet is conditional. 4.7. **Use.** Augmentation, artificial recharge, replacement and exchange. Applicant intends to fully utilize the water claimed 100 percent to extinction to the extent it is feasible to account for the same. 5. **Name of Structure.** Dinsdale Recharge Well No. 2, Permit No. 50036-F (WDID No. 6406727). 5.1. **Legal Description.** In the NE 1/4 of the SW 1/4 of Section 2, Township 10 North, Range 48 West of the 6th P.M., Logan County, Colorado, at a point 2440 feet North and 1500 feet East of the Southwest corner of said section. 5.2. **Source.** Ground water tributary to the South Platte River. 5.3. **Depth.** 90 feet. 5.4. **Date of Appropriation.** April 28, 1998. 5.5. **How appropriation was initiated.** Water well permit filed with the State Engineer’s office. 5.6. **Amount.** 1450 gpm and 2000 acre-feet of which 1744 acre-feet is absolute and 256 acre-feet is conditional. 5.7. **Use.** Augmentation, artificial recharge, replacement and exchange. Applicant intends to fully utilize the water claimed 100 percent to extinction to

the extent it is feasible to account for the same. 6. Name of Structure. Dinsdale Recharge Well No. 4, Permit No. 588343F (WDID No. 6406658). 6.1. Legal Description. In the NW 1/4 of the NW 1/4 of Section 1, Township 10 North, Range 48 West of the 6th P.M., Logan County, Colorado, approximately 1032 feet South and 684 feet East from the Northwest corner of said section. 6.2. Source. Ground water tributary to the South Platte River. 6.3. Depth. 120 feet. 6.4. Date of Appropriation. December 27, 2002. 6.5. How Appropriation was Initiated. Issuance of well permit. 6.6. Amount. 3000 gpm and 3000 acre-feet. 3000 gpm is absolute; 2265 acre-feet is absolute; 735 acre-feet is conditional. 6.7. Use. Augmentation, recharge, and replacement for water rights used for irrigation, commercial, livestock, and piscatorial uses. 7. Name of Structure. Dinsdale Augmentation Well No. 1, Permit No. 59287-F (WDID No. 6406296). 7.1. Legal Description. In the SE 1/4 of the NW 1/4 of Section 1, Township 10 North, Range 48 West of the 6th P.M., Logan County, Colorado, approximately 2040 feet South and 1490 feet East from the Northwest corner of said section. 7.2. Source. Ground water tributary to the South Platte River. 7.3. Date of Appropriation. March 26, 2003. 7.4. How Appropriation was Initiated. Issuance of well permit. 7.5. Amount. 2500 gpm and 2000 acre-feet, conditional. 7.6. Use. Augmentation and replacement for water rights used for irrigation, commercial, livestock, and piscatorial uses. 8. Name of Structure. Dinsdale Augmentation Well No. 2, Permit No. 59288-F (WDID NO. 6406276). 8.1. Legal Description. In the SE 1/4 of the NE 1/4 of Section 12, Township 10 North, Range 48 West of the 6th P.M., Logan County, Colorado, approximately 1500 feet South and 1280 feet West from the Northeast Corner of said section. 8.2. Source. Ground water tributary to the South Platte River. 8.3. Date of Appropriation. March 26, 2003. 8.4. How Appropriation was Initiated. Issuance of well permit. 8.5. Amount. 2500 gpm of which 2000 gpm is claimed absolute and 500 gpm is conditional; 465 acre-feet absolute; 1535 acre-fee conditional. 8.6. Use. Augmentation and replacement for water rights used for irrigation, commercial, livestock, and piscatorial uses. 9. Name of Structure. Dinsdale Augmentation Well No. 3, Permit No. 59289-F (WDID No. 6406279). 9.1. Legal Description. In the NE 1/4 of the SW 1/4 of Section 12, Township 10 North, Range 48 West of the 6th P.M., Logan County, Colorado, approximately 2180 feet North and 2100 feet East from the Southwest corner of said section. 9.2. Source. Groundwater tributary to the South Platte River. 9.3. Date of Appropriation. March 26, 2003. 9.4. How Appropriation was Initiated. Issuance of Well Permit. 9.5. Amount. 2500 gpm and 2000 acre-feet of which 1506 gpm is absolute and 994 gpm is conditional; 346 acre-feet is absolute and 1654 acre-feet is conditional. 9.6. Use. Augmentation and replacement for water rights used for irrigation, commercial, livestock, and piscatorial uses. 10. Name of Structure. Dinsdale Augmentation Well No. 4, Permit No. 59855-F (WDID No. 6406348). 10.1. Legal Description. In the NW 1/4 of the NW 1/4 of Section 7, Township 10 North, Range 47 West of the 6th P.M., Sedgwick County, Colorado, approximately 920 feet South and 1010 feet East from the Northwest corner of said section. 10.2. Source. Groundwater tributary to the South Platte River. 10.3. Date of Appropriation. April 23, 2003. 10.4. How Appropriation was Initiated. Filing of the Application in Case No. 03CW194. 10.5. Amount. 2000 gpm, 2000 acre-feet conditional. 10.6. Use. Augmentation and replacement for water rights used for irrigation, commercial, livestock and piscatorial uses. 11. Name of Structure. Dinsdale Augmentation Well No. 5, Permit No. 59853-F (WDID No. 6406704). 11.1. Legal Description. In the NW 1/4 of the SE 1/4 of Section 12, Township North, Range 48 West of the 6th P.M., 2560 from the South line and 1875 feet from the East line from said Section 12 in Logan County, Colorado. 11.2. Source. Groundwater tributary to the South Platte River. 11.3. Date of Appropriation. April 23, 2003. 11.4. How Appropriation was Initiated. Filing of the Application in Case No. 03CW194. 11.5. Amount. 2500 gpm and 2000 acre-feet pf which 2048 gpm is absolute and 452 gpm conditional; 658 acre-feet absolute; 1352 acre-feet conditional. 11.6. Use. Augmentation and replacement for water rights used for irrigation, commercial, livestock, and piscatorial uses. 12. **Detailed Outline of What Has Been Done Toward Completion of the Appropriation.** During the diligence period, Applicant operated its plan for augmentation in which the Wells are included and decreed in Case Nos. 01CW61 and 2003CW194. Additionally, Applicant operated the Wells for their decreed purposes of recharge and augmentation. Applicant worked on and maintained the Wells, including work to replace, test and maintain the flow meters for the Wells, and to replace piping for delivery of water from the Wells. 13. **Claim to Make Water Rights Absolute in Part and to Maintain as Conditional.** Applicant seeks determination that the water rights described in paragraphs 4 through 11

above have been made absolute in part as follows: (a) Dinsdale Recharge Well No. 1, for an additional 100 g.p.m., for a total of 1,500 g.p.m. absolute; and (b) Dinsdale Augmentation Well No. 5, for an additional 86 acre-feet, for a total of 744 acre-feet absolute. Applicant requests a finding of reasonable diligence and continuation as conditional of all remaining conditional portions of the water rights described in paragraphs 4 through 11, and such other relief as the Court deems just and proper. 14. **Names and addresses of owners of land upon which structure will be located.** All structures are located on Applicant's property. The original application consists of 7 pages.

CASE NUMBER 2026CW3129 VANCE ROBERT ANDRUS & TONI COLLEEN ANDRUS, 6414 Sherman Peak, Castle Rock, Colorado 80108. APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES AND APPROVAL OF PLAN FOR AUGMENTATION IN ELBERT COUNTY. Please send all pleadings and correspondence to: William D. Wombacher, Esq., Stacy L. Brownhill, Esq., Nazarenus Stack & Wombacher LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, Colorado 80111. 2. Overview. Applicants seek to adjudicate the Denver Basin Aquifers underlying approximately 200 acres owned by Applicants in Elbert County, Colorado ("Property"), known as 25675-A County Road 21, Elbert, Colorado, 80106, as depicted on **Exhibit A**. This includes not-nontributary water in the Upper Dawson Aquifer and nontributary water in the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers. Applicants also seek approval of a plan for augmentation for withdrawals of the not-nontributary groundwater from the Upper Dawson Aquifer. 3. Jurisdiction. The Water Court has jurisdiction over the subject matter of this Application pursuant to C.R.S. §§ 37-92-302(2) and 37-90-137(6). 4. Underground Water Rights Claimed. 4.1. Wells. Applicants will withdraw the water adjudicated herein through new wells to be constructed on the Property. Prior to constructing any additional wells to withdraw the subject groundwater, Applicants will apply to the State Engineer for a permit to construct any such well. Applicants request that the Court require, as a condition of the decree entered in this case, that all well permits be issued upon application for any such wells in accordance with said decree. 4.2. Legal Description of Wells and Subject Property. The wells will be constructed on the Property. Applicants seek to adjudicate the Denver Basin Aquifers underlying all of the Property, which is located in the NE1/4 of Section 29 and the NE1/4 of the SE1/4 of Section 29, all in Township 9 South, Range 64 West of the 6th P.M. in Elbert County, Colorado. 4.3. Source of Water Rights. The source of the groundwater to be withdrawn from the Upper Dawson Aquifer is not-nontributary as described in C.R.S. § 37-90-103(10.7). The source of the groundwater to be withdrawn from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers is nontributary. 4.4. Parcel Ownership. Applicants are the sole owners of the Property. 4.5. Estimated Amounts and Rates of Withdrawal. The wells will withdraw the groundwater at rates of flow necessary to efficiently withdraw the entire decreed amounts. Applicants will withdraw the subject groundwater through wells to be located at any location on the Property, and Applicants waive any 600-foot spacing rule as described in C.R.S. § 37-90-137(2)(b)(I)(B) for wells located on the Property. The estimated average annual amounts of withdrawal available from the subject aquifers as indicated below are based upon the Denver Basin Rules, 2 C.C.R. § 402-6. Applicants, based on the Colorado Division of Water Resources online aquifer determination tool, estimate the following annual amounts of nontributary and not-nontributary underlie the Property:

Water Supply Availability (af/yr)

	Upper Dawson	Lower Dawson	Denver	Upper Arapahoe	Laramie-Fox Hills	Totals
Not-Nontributary (NNT)	43.9					43.9
Nontributary (NT)		37.7	83.7	75.4	59.2	256.0
Total Combined NNT and NT						299.9

The water supply availability listed in the table above is based on a 100-year aquifer life in accordance with C.R.S. § 37-90-137(4)(b)(I). Applicants claim the right to withdraw more than the average annual amounts listed above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. § 402-7. Applicants also claim the right to withdraw less than the average amounts listed above so as to extend the life of the water supply. The water supply availability for the Upper Dawson Aquifer has been reduced by 20 acre feet, to account for the continued operation of Well Permit No. 99287 (currently 1 acre foot per year with the potential to permit up to 4 acre feet per year) and to preserve the ability to construct up to 4 additional exempt domestic wells (4 acre feet per year each). 4.6. Wellfield. Applicants request that this Court determine that Applicants have the right to withdraw all of the legally available groundwater lying below the Property through wells which may be located anywhere on the Property and any additional wells which may be completed in the future as part of Applicants' wellfield(s). For any additional wells that may be constructed, well permit applications will be filed in accordance with C.R.S. § 37-90-137(10). 4.7. Proposed Uses. Municipal, domestic, commercial, industrial, irrigation, livestock watering, fire protection, recharge, storage, recreation, exchange, augmentation, and replacement. Applicants also claim the right to reuse and successive uses of the water to extinction, and the right to lease, convey, or otherwise dispose of the water. 4.8. Places of Use. Applicants seek the right to use the legally available groundwater lying below the Property both on and off the Property. Uses off the Property include, but are not limited to, other lands that are contiguous to the Property and owned by the Applicants. 5. Description of Plan for Augmentation. 5.1. Groundwater to be Augmented. All withdrawals of not-nontributary Upper Dawson Aquifer groundwater underlying the Property that do not occur through exempt wells, as requested herein. 5.2. Water Rights to be Used for Augmentation: 5.2.1. Not-nontributary groundwater from the Upper Dawson Aquifer underlying the Property as decreed herein; and 5.2.2. Nontributary groundwater from the Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers underlying the Property as decreed herein both directly and in the form of return flows. 5.3. Statement of Plan for Augmentation. Sewage treatment for indoor use is provided by non-evaporative septic systems. Consumptive use is expected to be approximately 10% for all groundwater pumped for indoor use to account for any treatment and inhouse loss. For irrigation, sprinkler irrigation is expected to be approximately 85% consumptive and drip irrigation is expected to be approximately 95% consumptive. During pumping, Applicants will replace actual depletions to the affected stream system pursuant to C.R.S. § 37-90-137(9)(c.5). Applicants estimate that depletions occur to the East Plum Creek stream system. Return flows from use of the subject water rights accrue to the East Plum Creek, and those return flows are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicants will reserve an equal amount of nontributary groundwater in the Laramie-Fox Hills aquifer to meet post-pumping augmentation requirements and may also utilize the return flows generated by the use of nontributary groundwater. WHEREFORE, Applicants respectfully request the Court enter a ruling that: (1) grants the determination of groundwater rights requested herein for the nontributary Lower Dawson, Denver, Upper Arapahoe, and Laramie-Fox Hills Aquifers and the not-nontributary Upper Dawson Aquifer; (2) grants the plan for augmentation described in Paragraph 5, above; and (3) grants such other and further relief as the Court deems appropriate. (5 pages, 1 exhibit).

CASE NUMBER 2026CW3130 THE CITY OF GREELEY, ACTING BY AND THROUGH ITS WATER AND SEWER BOARD c/o Leah Hubbard, Deputy Director of Water Resources, 1001 – 11th Avenue, 2nd Floor, Greeley, Colorado 80631, leah.hubbard@greeleygov.com, (970) 350-9811. Please send all correspondence to: Carolyn F. Burr, James M. Noble, and Matthew C. Nadel, Welborn Sullivan Meck & Tooley, 1401 Lawrence Street, Suite 1800, Denver, Colorado, (303) 830-2500, cburr@wsmtlaw.com, jnoble@wsmtlaw.com, mnadel@wsmtlaw.com; and Daniel J. Biwer, Greeley City Attorney's Office, 1100 – 10th Street, Suite 401, Greeley, Colorado 80631, (970) 350-9291, daniel.biwer@greeleygov.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART IN WELD COUNTY**. 2. General Description of the Application. This application concerns the conditional groundwater rights ("Conditional Groundwater Rights"), conditional surface water storage rights ("Conditional Storage Rights"), and conditional appropriative rights of exchange ("Conditional Exchanges") (collectively "Subject Water Rights") originally decreed and more particularly described in

Case No. 2011CW60, District Court, Water Division No. 1. The Subject Water Rights were decreed to operate in conjunction with the plan for augmentation also decreed in Case No. 2011CW60 for irrigation and other related uses at the Linn Grove Cemetery in Greeley, Colorado. All legal descriptions in this application are from the 6th P.M. in Weld County. 3. Original and Diligence Decrees. The Subject Water Rights were originally decreed in the Findings of Fact, Conclusions of Law, Judgment, and Decree of the Water Court, Case No. 2011CW60, District Court, Water Division No. 1, entered on August 17, 2013. The Court entered a decree finding that portions of the Subject Water Rights had been made absolute, and that Greeley had exercised reasonable diligence in the development of the remaining conditional portion of the Subject Water Rights in the Findings of Fact, Conclusions of Law, Judgment, and Decree of the Water Court, Case No. 2019CW3164, District Court, Water Division No. 1, entered on August 27, 2020 (“19CW3164 Decree”). Conditional Groundwater Rights. 4. Names of the Conditional Groundwater Rights Structures and Permit Numbers. a. Linn Grove Well A. Permit Number 75297-F. b. Linn Grove Well B. Permit Number 75724-F. c) Linn Grove Well C. Greeley has not yet filed a permit application for this well. d. Linn Grove Well D. Permit Number 89880-F. 5. Description of the Conditional Groundwater Rights. a. Legal Descriptions. The Conditional Groundwater Rights involve the following structures, the general locations of which are shown on the map attached hereto as Exhibit A. i. Linn Grove Well A is located in the Northeast Quarter of the Southwest Quarter, Section 10, Township 5 North, Range 65 West, at a location 1,893 feet from the south section line and 1,285 feet from the west section line. ii. Linn Grove Well B is located in the Northeast Quarter of the Southeast Quarter, Section 9, Township 5 North, Range 65 West, at a location 1,400 feet from the south section line and 570 feet from the East section line. iii. The proposed location of Linn Grove Well C is in the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 65 West. iv. Linn Grove Well D is located in the Northeast Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 65 West, at a location approximately 82 feet from the south section line and approximately 66 feet from the west section line. b. Source of Water. The source of water for the wells in this application is tributary groundwater from the alluvium of the Cache la Poudre River. c. Depths. i. Linn Grove Well A is approximately 82 feet in depth. ii. Linn Grove Well B is approximately 43 feet in depth. iii. Linn Grove Well C is a proposed well with an unknown depth. iv. Linn Grove Well D is approximately 62.5 in depth. d. Dates of Appropriation and Amounts. i. Linn Grove Well A. April 6, 2011, 450 g.p.m., conditional. ii. Linn Grove Well B. April 6, 2011, 450 g.p.m., 36.9 g.p.m. is absolute, and 413.1 g.p.m. remains conditional. iii. Linn Grove Well C. March 22, 2010, 500 g.p.m., conditional. iv. Linn Grove Well D. March 22, 2010, 500 g.p.m., conditional. v. The cumulative volume of water pumped under the water rights decreed to Linn Grove Wells A, B, C, and D is limited to 366 acre-feet per year. e. Uses. The water may be used directly and by storage in Linn Grove Ponds Nos. 1 and 2 for irrigation, replacement of seepage and evaporative losses from the ponds, and aesthetic purposes at Linn Grove Cemetery. The total number of acres irrigated by the wells is approximately 54.2 acres at the cemetery, which is located in Sections 9 and 10, Township 5 North, Range 65 West. The location of the irrigated area at Linn Grove Cemetery is also depicted on the map attached hereto as Exhibit A. Conditional Storage Rights 6. Names of Structures. a. Linn Grove Pond No. 1. b. Linn Grove Pond No. 2. 7. Description of Conditional Storage Rights. a. Legal Descriptions. i. Linn Grove Pond No. 1 is in the Northwest Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 65 West, the center point of which is located approximately 2,545 feet from the south section line and approximately 608 feet from the west section line of Section 10. ii. Linn Grove Pond No. 2 is in the Northeast Quarter of the Southeast Quarter of Section 9, and the Northwest Quarter of the Southwest Quarter of Section 10, Township 5 North, Range 65 West, the center point of which is located approximately 2,522 feet from the south section line and approximately 83 feet from the east section line of Section 9. b. Source of Water. The source of water is surface water inflows from irrigation at the Linn Grove Cemetery, and precipitation and stormwater runoff collected in the ponds that is tributary to the Cache la Poudre River, a tributary of the South Platte River. The ponds are constructed above the groundwater table, and do not intercept groundwater. c. Dates of Appropriation and Amounts. i. Linn Grove Pond No. 1; July 31, 2002, 0.50 acre-feet with the right to refill. 0.05 acre-feet of the first fill is absolute, and the remaining 0.45 acre-feet of the first fill is conditional; the right to refill remains conditional. ii. Linn Grove Pond No. 2; December 31, 1982, 4.00 acre-feet with the right to refill. The first

fill is absolute, and 1.6 acre-feet of the refill is absolute; 2.4 acre-feet of the refill remains conditional. d. Surface Area at High Water Line. i. Linn Grove Pond No. 1; 0.08 acres. ii. Linn Grove Pond No. 2; 0.67 acres. e. Total Capacity of Reservoirs. i. Linn Grove Pond No. 1; 0.50 acre-feet. ii. Linn Grove Pond No. 2; 4.00 acre-feet. f. Uses. The water collected in Linn Grove Ponds Nos. 1 and 2 may be used for irrigation, replacement of seepage and evaporative losses, and aesthetic purposes at the Linn Grove Cemetery, with the right to fill and re-fill the ponds repeatedly. The total number of acres irrigated by the ponds is approximately 54.2 acres at the cemetery, which is located in Sections 9 and 10, Township 5 North, Range 65 West. Conditional Exchanges 8. Description of the Conditional Exchanges. a. Legal Location of the Conditional Exchanges. i. Exchange To Point. The upstream point to which replacement water may be exchanged (“Exchange To Point”) is the point of depletion for the wells included in the plan for augmentation decreed in Case No. 2011CW60, which point is approximately one mile downstream of the Ogilvy Ditch headgate, in Section 10, Township 5 North, Range 65 West. ii. Exchange From Points. The downstream points from which replacement water may be discharged (“Exchange From Points”) are described below. a) Lonetree (Swift) Industrial Wastewater Treatment Outfall; located on Lone Tree Creek approximately one mile upstream of the confluence of that creek and the South Platte River in Section 31, Township 6 North, Range 64 West. b) 16th Street Release Structure; located in the NW 1/4 of the SE 1/4 of Section 10, Township 5 North, Range 65 West, at a point approximately 1,950 feet west of the east section line and 2,600 feet south of the north section line of said Section 10, and which discharges into the Cache la Poudre River in the NE 1/4 of the NE 1/4 of Section 10 at a point approximately 50 feet west of the east section line and 1,100 feet south of the north section line of said Section 10. c) Lawn Irrigation Return Flow Sector 9 accruing to the Cache la Poudre River as designated in the decree entered by the District Court for Water Division No. 1 on February 6, 1990 in Case No. 87CW329 as follows: Return Flow Sector 9: Cache la Poudre River downstream of the headgate of the Boyd and Freeman Ditch headgate, the decreed location of which is on the South side of the Cache la Poudre River on Section Thirty-Four (34), Township Six (6) North, Range Sixty-Six (66) West, to a point at the confluence of the Cache la Poudre River and the South Platte River, located in the Southwest Quarter of the Southwest Quarter of Section 6, Township 5 North, Range 64 West. d. Confluence of the Cache la Poudre and South Platte Rivers. Water will be released from the Lower Equalizer Reservoir Nos. 1 and 2 pursuant to the water rights claimed by Greeley in Case No. 2005CW326, from the Milliken Wastewater Treatment Plant outfall, from the Evans Hill-N-Park Wastewater Treatment Plant outfall, or from the Evans Wastewater Treatment Plant Outfall, and delivered down the Big Thompson and/or South Platte Rivers to said confluence. In addition, lawn irrigation return flows will accrue to the Big Thompson River and be delivered down the Big Thompson and South Platte Rivers to said confluence. The above-described reservoirs, treatment plants, and lawn irrigation return flow sectors are proposed to be located or are located as follows: 1) Lower Equalizer Reservoir 1: an on-channel reservoir to be located on an unnamed tributary of the Big Thompson River in the NE1/4 of Section 31, Township 5 North, Range 66 West. 2) Lower Equalizer Reservoir 2: a reservoir to be located on an unnamed drainage, tributary to the Big Thompson River in the NW1/4 of Section 36, Township 5 North, Range 67 West. 3) Milliken Wastewater Treatment Plant outfall: located on the Big Thompson River in Section 1, Township 4 North, Range 67 West. 4) Evans Hill-N-Park Wastewater Treatment Plant outfall: located on the South Platte River in Section 36, Township 5 North, Range 66 West. 5) Evans Wastewater Treatment Plant outfall; located on the South Platte River in Section 21, Township 5 North, Range 65 West. 6) Lawn Irrigation Return Flow Sector 7 accruing to the Big Thompson River as designated in the decree entered by the District Court for Water Division No. 1 on February 6, 1990 in Case No. 87CW329 as follows: Return Flow Sector 7: Big Thompson River and South Platte River downstream of the headgate of the Evans Town Ditch, located on the North side of the Big Thompson River in the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4) of Section Four (4), Township Four (4) North, Range Sixty-Six (66) West, to a point at the confluence of the Cache la Poudre River and the South Platte River, located in the Southwest Quarter of the Southwest Quarter of Section 6, Township 5 North, Range 64 West. b. Appropriation Date and Amounts. April 6, 2011; the maximum cumulative exchange rate for all exchanges is 0.74 c.f.s., conditional. Finding of Diligence. 9. Integrated System. The Conditional Groundwater Rights, Conditional Storage Rights, and Conditional Exchanges originally decreed in Case

No. 2011CW60 were and are conceived and planned to be operated as a component of Greeley's municipal water supply system, which is an integrated system comprised of several different water rights, features, and facilities. Work on one or more features of this integrated system constitutes effort toward development of the water rights for all features of the system. 10. Detailed outline of what has been done toward completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures rounded to the nearest thousand dollars. a. Linn Grove Cemetery. Greeley spent approximately \$95,000 during this diligence period on maintenance activities at the Linn Grove Cemetery. b. Greeley Non-Potable System. The wells and ponds described in this application constitute part of Greeley's non-potable water system, which also includes rights in the Greeley-Loveland canal system and the Greeley Canal No. 3. Greeley utilizes its non-potable water supplies for irrigation, augmentation, and to maintain historical return flow obligations. Greeley spent approximately \$888,000 during this diligence period on non-potable improvements. c. Greeley's Water Pollution Control Facility ("WPCF" or "Greeley WPCF"). The following activities and structure improvements facilitate Greeley's ability to treat, deliver, and use water rights changed for municipal purposes, which results in the release of fully consumable effluent from the Greeley WPCF that may be exchanged and used for augmentation. Greeley spent approximately \$56,223,000 during this diligence period on improvements to the Greeley WPCF. d. Work by Greeley Staff, Outside Counsel, and Consultants. Greeley expended significant amounts of time and money through its participation as an objector in a number of Division 1 Water Court cases during this diligence period, to prevent injury to these and other of its vested and decreed water rights in the Big Thompson, Cache la Poudre, and South Platte River basins. Claims to Make Absolute in Part. 11. Groundwater Rights. a. Greeley operated Linn Grove Well B in priority during May 2026 at a maximum rate of 164.97 g.p.m. Greeley therefore claims an additional 128.07 g.p.m. of the groundwater right decreed to Linn Grove Well B as absolute, for a total of 164.97 g.p.m. absolute. 12. Exchange Rights. a. Greeley operated the exchange from the Lonetree (Swift) Industrial Wastewater Treatment Outfall to the point of depletion for the Linn Grove wells in priority on April 26, 2026 at a maximum rate of 0.12 c.f.s. Greeley therefore claims 0.12 c.f.s. of the exchange absolute. b. Greeley operated the exchange from Lawn Irrigation Return Flow Sector 9 (accruing to the Cache la Poudre River as designated by the decree in Case No. 87CW329) to the point of depletion for the Linn Grove wells in priority on April 23, 2026 at a maximum rate of 0.076 c.f.s. Greeley therefore claims 0.076 c.f.s. of the exchange absolute. c. Greeley operated the exchange from the Confluence of the Cache la Poudre and South Platte Rivers, via Lawn Irrigation Return Flow Sector 7 (accruing to the Big Thompson River as designated by the decree in Case No. 87CW329) to the point of depletion for the Linn Grove wells in priority on May 2, 2026 at a maximum rate of 0.081 c.f.s. Greeley therefore claims 0.081 c.f.s. of the exchange absolute. 13. Remaining Conditional Rights. Greeley seeks a decree confirming that the Subject Water Rights not yet made absolute remain conditional in the following amounts. a. Groundwater Rights. i. Linn Grove Well A; the full 450 g.p.m. remains conditional. ii. Linn Grove Well B; 285.03 g.p.m. remains conditional, and is absolute in the amount of 164.97 c.f.s. iii. Linn Grove Well C; the full 500 g.p.m. remains conditional. iv. Linn Grove Well D; the full 500 g.p.m. remains conditional. b. Storage Rights. i. Linn Grove Pond No. 1; The first fill water right is absolute in the amount of 0.05 acre-feet and remains conditional in the amount of 0.45 acre-feet. The right to refill remains wholly conditional. ii. Linn Grove Pond No. 2; The first fill water right is fully absolute in the amount of 4 acre-feet, and the right to refill is absolute in the amount of 1.6 acre-feet and remains conditional in the amount of 2.4 acre-feet. c. Exchange Rights. i. The exchange from the Lonetree (Swift) Industrial Wastewater Treatment Outfall to the point of depletion for the Linn Grove wells remains conditional in the amount of 0.62 c.f.s. and is absolute in the amount of 0.12 c.f.s. ii. The exchange from Lawn Irrigation Return Flow Sector 9 (accruing to the Cache la Poudre River as designated by the decree in Case No. 87CW329) to the point of depletion for the Linn Grove wells remains conditional in the amount of 0.664 c.f.s. and is absolute in the amount of 0.076 c.f.s. iii. The exchange from the Confluence of the Cache la Poudre and South Platte Rivers, via Lawn Irrigation Return Flow Sector 7 (accruing to the Big Thompson River as designated by the decree in Case No. 87CW329) to the point of depletion for the Linn Grove wells remains conditional in the amount of 0.659 c.f.s. and is absolute in the amount of 0.081 c.f.s. iv. All other Conditional Exchanges remain wholly conditional. 14. Names and addresses of owners or reputed owners

of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored. The relevant structures identified in this Application are located on lands owned by the Applicant. WHEREFORE, Greeley requests the Court enter a decree finding that Greeley satisfied the statutory standard of steady application of effort to complete the above described appropriations in a reasonably expedient and efficient manner under all the facts and circumstances, that Greeley exercised reasonable diligence toward completion of the above described appropriations during this diligence period. Greeley also requests that the Court continue the subject water rights remaining conditional for another diligence period of six years, and find that the water rights described in paragraphs 11 and 12 have been made absolute in the amounts claimed.

CASE NUMBER 2026CW3131 CITY OF LOVELAND, Colorado (“Loveland”), c/o Noah Cecil, Assistant City Attorney, 500 East Third Street, #330, Loveland, Colorado 80537, Telephone: (970) 962-2434. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES**. Please send all pleadings and correspondence to: Sheela S. Stack, Esq., William D. Wombacher, Esq., Stacy L. Brownhill, Esq., Nazarene Stack & Wombacher LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, Colorado 80111, Telephone: (720) 647-5661. 2. Name of Structure. Loveland Pipeline. 3. Description of Conditional Water Right. The Loveland Pipeline structure is a raw water pipeline that diverts water from the Big Thompson River directly into Loveland’s Chasteen’s Grove Water Treatment Plant (“Treatment Plant”). The Treatment Plant supplies the City of Loveland’s extensive water distribution network (more than 489 miles of pipe) with clean and safe drinking water for Loveland’s nearly 29,140 existing water customer accounts. The Loveland Pipeline water rights were decreed on August 29, 2007 in Case No. 04CW358, Water Division 1, whereby Loveland was decreed an absolute direct flow water right for 18.4 cubic feet per second (“cfs”) and a conditional direct flow water right of 52.9 for all municipal uses, including without limitation domestic irrigation, watering of lawns, parks and grounds, commercial, industrial, mechanical, manufacturing, fire protection and suppression, sewage treatment, street sprinkling, recreational, aesthetic, piscatorial, wildlife preservation, maintenance of operating detention, for exchange purposes or for replacement of depletions resulting from the use of water from other sources, and all other beneficial purposes related to, occurring, or deriving from the operation of Loveland’s municipal water and sewer system. The water right was decreed for direct and subsequent use, reuse, and successive use to extinction for the above municipal uses. 3.1. Original Decree. Case No. 04CW358, Water Division 1 (August 29, 2007). 3.2. Subsequent Decrees Awarding Findings of Diligence. Case No. 13CW3090, Water Division 1 (February 28, 2014); Case No. 20CW3026, Water Division 1 (August 27, 2020). 3.3. Legal Description. 3.3.1. PLSS. The Loveland Pipeline diverts from the Big Thompson River at a point located on the north bank of the Big Thompson River in the NW1/4 of the SW1/4 of the SW1/4 of Section 2, Township 5 North, Range 70 West of the 6th P.M. in Larimer County, Colorado. 3.3.2. UTM Coordinates. UTM Easting 482133.70 and UTM Northing 4474933.44, UTM Zone 13T. A location map is attached as **Exhibit A**. 3.4. Source of Water. Big Thompson River. 3.5. Appropriation Date. July 30, 1995. 3.6. Amount. 52.9 cfs, conditional; 18.4 cfs of the Loveland Pipeline Water Right was made absolute in Case No. 04CW358. 4. Detailed Outline of Work Done for the Completion of the Conditional Appropriation and for Reasonable Diligence: Pursuant to the original decree in Case No. 04CW358, the direct flow right is a component of Loveland’s municipal water supply system and is used to satisfy the increased need for water supply due to population increases in Loveland. For the purposes of showing diligence as to the completion of the appropriation for this direct flow water right, diligence as to any part of Loveland’s municipal water supply system that used or benefits from the direct flow right should be considered in finding that Loveland has exercised reasonable diligence as to the development of the water right. *See* § 37-92-301(4)(b), C.R.S. During the diligence period, Loveland has performed the following activities, structural improvements, and maintenance to improve and maintain its water diversion system at the Treatment Plant, of which the Loveland Pipeline is the primary raw water diversion structure: 4.1. Installation of a secondary isolation headgate for the Loveland Pipeline at an estimated cost of \$32,629. 4.2. Repair of scouring damage in the bottom of the open channel part of the Loveland Pipeline intake at an estimated cost of \$192,300. 4.3. Sandgate improvements at an estimated cost

of \$73,157. 4.4. Inspection of the main Loveland Pipeline intake gate and Obermeyer weir structure. 4.5. Updates to gate control programming, including replacing actuators and modifying SCADA at an estimated time of 50 man-hours, plus equipment costs. 4.6. Replaced Uninterruptible Power Supply (UPS) for gate control operations at a cost of \$700. 4.7. Updates to monitoring equipment at the Treatment Plant intake. 4.8. Routine operation and maintenance activities for the Loveland Pipeline. 4.9. Daily tracking and monthly reporting of water rights accounting for Loveland's complex portfolio of direct flow and storage water rights in consultation with water rights engineering consultants and as directed and approved by the Water Commissioner for Water District No. 4. 4.10. Execution of intergovernmental agreements, leases, and carriage agreements during the diligence period regarding Loveland's water rights portfolio. 4.11. Filing of numerous Statements of Opposition and participation as an objector in several Water Court cases during the diligence period, to prevent injury to the Loveland Pipeline water right and Loveland's other decreed Big Thompson River water rights. 5. Name(s) and Address(es) of Owner(s) or Reputed Owners of the Land Upon Which any New or Existing Diversion or Storage Structure, or Modification to any Existing Diversion or Storage Structure Is or Will Be Constructed or Upon Which Water Is or Will Be Stored, Including Any Modification to the Existing Storage Pool. No new or modified diversion or storage structure is contemplated as part of this Application. WHEREFORE, Loveland requests a ruling and decree concluding that Loveland has exercised reasonable diligence in the development of the Loveland Pipeline conditional water right, awarding Loveland an additional six year diligence period to make absolute the 52.9 cfs conditional portion of the Loveland Pipeline water right, and awarding such other relief which this Court deems proper. (5 pages, 1 exhibit).

CASE NUMBER 2026CW3132 Applicants. **THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT AND THE GROUNDWATER MANAGEMENT SUBDISTRICT OF THE CENTRAL COLORADO WATER CONSERVANCY DISTRICT**, 3209 West 28th Street, Greeley, Colorado, 80634, 970-330-4540 with all future correspondence connected herewith being sent to Applicant's counsel, Bradley C. Grasmick or David P. Jones, Lawrence Custer Grasmick Jones & Donovan, LLP, 5245 Ronald Regan Blvd., Suite 1, Johnstown, CO 80534, 970-622-8181. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES.** 2. Name of Structures. Plumb Ditch Exchange and Nissen Pump Station Exchange. 3. Information from Original Decree. Case No. 10CW139, Water Division 1, dated October 4, 2013. 3.1. Previous Diligence Decrees for Conditional Water Rights. Case No. 19CW3208, dated August 17, 2020. 3.2. Name of Structure. Plumb Ditch Exchange. Legal Description of upstream and downstream terminus exchange. 3.2.1. Upstream Terminus (exchange to point). The Plumb Ditch, the headgate of which is located in the SW 1/4 of the NW 1/4 of Section 13, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 3.2.2. Downstream Terminus (exchange from point). The confluence of the Cache La Poudre River and the South Platte River. 3.3. Nissen Pump Station Exchange. Legal Description of upstream and downstream terminus of exchange. 3.3.1. Upstream Terminus (exchange to point). The Nissen pump station adjacent to the South Platte River and the reservoir in the SE 1/4 and the East 1/2 of the SW 1/4 of Section 12, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. 3.3.2. Downstream Terminus (exchange from point). The confluence of the Cache La Poudre River and the South Platte River. 3.4. Date of Appropriation. May 25, 2010. 3.5. How Appropriation was Initiated. Formation of intent to divert water and operate the Exchanges by resolution of the Applicants' Boards and filing of the Application. 3.6. Amounts. 3.6.1. Plumb Ditch Exchange. 50 c.f.s., conditional. 3.6.2. Nissen Pump Station Exchange. 25 c.f.s., conditional. 3.7. Source of Substitute Supplies. The source of substitute supply for the two conditional exchanges are the Poudre Reservoir Water Storage Rights, and the water rights owned or controlled by Central that are listed on Exhibit C of the 10CW139 Decree, provided such other water rights are lawfully stored in the "Poudre River" as defined in ¶7.1 of the 10CW139 Decree. 4. Outline of Work Performed Toward Completion of the Appropriations. The exchange water rights described herein were adjudicated in connection with changes in place of storage for various water storage rights decreed in Case No. 10CW139. During the diligence period Applicants diverted water under the water storage rights but did not operate the exchanges. Additionally, the water rights listed herein are part of Applicants' integrated

system of water rights. Applicants have operated and developed its integrated system during the diligence period, including its Plans for Augmentation decreed in Case Nos. 02CW335 and 16CW3202 and has retained legal counsel and engineering consultants to assist in such operation and development. Applicants have filed and prosecuted applications for the addition and removal of wells to and from its Plans. Applicants have acquired water rights represented by shares in various ditch companies and have prosecuted applications changing those water rights for use by Applicant GMS in its Plans. Applicants have acquired various gravel pits and made capital improvements for storage of water. Applicants have appropriated new water rights and have leased water rights on a temporary basis for use in its Plans. Applicants have participated as an opposer in numerous water court applications to protect its water rights. Applicants have prosecuted water court applications to perfect its water rights as absolute and/or to maintain its conditionally decreed rights. Applicants have expended more than \$96,000,000 towards the operation, development and protection of the water rights decreed herein and its integrated system during the diligence period. 5. Applicants maintain the intent to develop the conditional water rights described herein in accordance with the 10CW139 decree, and request entry of a decree stating they have been reasonably diligent in developing the conditional water rights and continuing the appropriations for an additional six years, or as allowed by statute. The original application consists of 4 pages.

CASE NUMBER 2026CW3133 CHELEY LAND, LLC AND CHELEY COLORADO CAMPS, LLC (f.k.a. Cheley Colorado Camps, Inc.), 601 Steele Street, P.O. Box 6525, Denver, CO 80206. c/o Karen L. Henderson, Bushong & Holleman PC, 1966 13th Street, Suite 270, Boulder, CO 80302; (303) 431-9141.
APPLICATION FOR A FINDING OF REASONABLE DILIGENCE IN LARIMER COUNTY. 2.
Overview. Cheley Colorado Camps was established in 1921 and operates a summer camp and other specialty camps for boys and girls. The Applicants seek a finding of reasonable diligence with regard to certain exchanges decreed in Case No. 11CW279. 3. **Description of the Appropriative Rights of Exchange.**
3.1. **Handy Ditch Exchanges.** The following exchanges were decreed by the District Court in and for Water Division No. 1 (the “Water Court”) in Case No. 11CW279 on October 2, 2013. A previous finding of reasonable diligence was entered by the Water Court in Case No. 2019CW3207 on August 7, 2020. 3.1.1. **Exchange from Point.** The Handy Ditch headgate is located on the right bank of the Big Thompson River immediately downstream from the mouth of the Big Thompson Canyon in the SW 1/4 of Section 3, Township 5 North, Range 70 West of the 6th P.M., Larimer County, Colorado. For ease of reference but without changing the decreed location, this location can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 480920, Northing: 4474549. *See Exhibit A.* 3.1.2. **Exchange to Points.** 3.1.2.1. **Cheley Pipeline and Cheley Pipeline Enlargement.** The point of diversion is in the NW 1/4 of the NE 1/4 of Section 13, Township 4 North, Range 73 West of the 6th P.M., at a point 2,564 feet from the east section line and 473 feet from the north section line of said Section 13, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of diversion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 456310.5, Northing: 4462895. *See Exhibit A.* 3.1.2.2. **Cheley Springs Well No. 1.** The point of depletion in the SE 1/4 of the SW 1/4 of Section 12, Township 4 North, Range 73 West of the 6th P.M., at a point 2,416 feet from the west section line and 972 feet from the south section line of said Section 12, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of depletion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 456160.9, Northing: 4463334.5. *See Exhibit A.* 3.1.2.3. **Cheley Springs Well No. 2.** The point of depletion in the SE 1/4 of the SW 1/4 of Section 12, Township 4 North, Range 73 West of the 6th P.M., at a point 2,416 feet from the west section line and 972 feet from the south section line of said Section 12, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of depletion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 456160.9, Northing: 4463334.5. *See Exhibit A.* 3.1.2.4. **Jelsema Ditch and Pond.** The decreed location for the point of diversion for the ditch is in the SE 1/4 SW 1/4 of Section 12, Township 4 North, Range 73 West of the 6th P.M., Larimer County, Colorado and the pond being located 428.4 feet from the point of diversion of the ditch. The point of diversion for the ditch is alternatively described as being in the SE 1/4 of the SW 1/4 of Section 12, Township 4 North, Range 73

West of the 6th P.M., at a point 2,416 feet from the west section line and 972 feet from the south section line of said Section 12, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of diversion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 456160.9, Northing: 4463334.5. See Exhibit A. 3.1.2.5. Tallant Springs Well No. 4. The point of depletion is in the NE 1/4 of the SE 1/4 of Section 7, Township 4 North, Range 72 West of the 6th P.M., at a point 67 feet from the east section line and 2,347 feet from the south section line of said Section 7, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of depletion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 458682, Northing: 4463754. See Exhibit A. 3.1.2.6. Trails End Ranch for Boys Well No. 3 (aka BTE Well). The point of depletion is in the SE 1/4 of the SW 1/4 of Section 16, Township 6 North, Range 72 West of the 6th P.M., at a point 1,652 feet from the west section line and 495 feet from the south section line of said Section 16, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of depletion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 459922.3, Northing: 4481191. See Exhibit A. 3.1.2.7. Trails End Well and Pipeline (aka GTE Well). The point of depletion is in the SW 1/4 of the SW 1/4 of Section 28, Township 6 North, Range 72 West of the 6th P.M., at a point 454 feet from the west section line and 1,200 feet from the south section line of said Section 28, Larimer County, Colorado. For ease of reference but without changing the decreed location, this point of depletion can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 459514.3, Northing: 4478214. See Exhibit A. 3.1.3. Source of Supply. Up to 3.5 consumptive acre-feet decreed by the Water Court in Case No. 99CW110, as being historically attributable to 0.58 shares of the Handy Ditch Company, a Colorado mutual ditch company, represented by Certificate No. 4352 (previously 3847), which such 0.58 share constitutes a 0.58/900th interest in the following water rights: (A) Handy Ditch, transferred from the Big Thompson Ditch & Manufacturing Company, all on the Big Thompson River, adjudicated by original decree of the Larimer County District Court in Civil Action No. 260, entered May 28, 1883: (i) Priority No. 2, for 1.39 cfs, appropriation date April 1, 1863, of which 0.695 cfs is available to the shareholders of the Handy Ditch Company; (ii) Priority No. 4, for 1.52 cfs, appropriation date May 1, 1864, of which 0.76 cfs is available to the shareholders of the Handy Ditch Company; (iii) Priority No. 10 1/2, for 2.69 cfs, appropriation date March 1, 1867, of which 1.345 cfs is available to the shareholders of the Handy Ditch Company; (iv) Priority No. 20, for 0.40 cfs, appropriation date May 1, 1872, of which 0.20 cfs is available to Handy Ditch shareholders; (B) Handy Ditch transferred from the Big Thompson Irrigating Ditch by decree of the Larimer County District Court in Civil Action No. 1336, entered on June 2, 1882: Priority No. 5, for 20.0 cfs, appropriation date February 25, 1865; (C) Handy Ditch by original appropriation from the Big Thompson River by decree of the Larimer County District Court entered May 28, 1883: (i) Priority No. 39, for 31.2 cfs, appropriation date February 28, 1878; (ii) Priority No. 47 1/2, for 141.234 cfs, appropriation date December 15, 1880. Collectively referred to herein as “Handy Ditch Water.” 3.1.4. Exchange Rates.

Exchange From & Source	Exchange To	Exchange Rate	Maximum Rate of Exchange	Annual Volumetric Limit
Handy Ditch Water	Cheley Pipeline	0.18 cfs	1.0 cfs	3.50 acre-feet
	Cheley Springs Well No. 1	0.25 cfs		
	Cheley Springs Well No. 2	0.75 cfs		
	Jelsema Ditch & Pond	0.70 cfs		
	Tallant Springs Well No. 4	0.006 cfs		
	BTE Well	0.088 cfs		
	GTE Well	0.088 cfs		

3.1.5. Appropriation Date. December 29, 2011. 3.1.6. Use. Augmentation. 3.2. Windy Gap Exchanges. The following exchanges were decreed by the Water Court in Case No. 11CW279 on October 2, 2013. A previous finding of reasonable diligence was entered by the Water Court in Case No. 2019CW3207 on August 7, 2020. 3.2.1. Exchange from Point. The outlet of Lake Estes is located on the Big Thompson River

in portions of Sections 29 and 30, Township 5 North, Range 70 West of the 6th P.M., Larimer County, Colorado. For ease of reference but without changing the decreed location, this location can be alternately described as follows: UTM Coordinates NAD 83, Zone 13, Easting: 458782, Northing: 4469645. See Exhibit A. 3.2.2. Exchange to Points. The same points of diversion and/or depletion described in section 3.1.2 above. 3.2.3. Source of Supply. Eight (8) consumptive acre-feet of Windy Gap water pursuant to a Water Lease Agreement between Cheley Camps and the Town of Estes Park dated May 22, 2012. The fully consumable, second use Windy Gap Water provided pursuant to the Water Lease Agreement is from the Town of Estes Park's three units of Windy Gap water pursuant to an allotment contract with the Municipal Sub-district, Northern Colorado Water Conservancy District. The Town of Estes Park's Windy Gap water is part of an augmentation and exchange plan decreed by the Water Court in Case No. 97CW126. The subject Windy Gap water rights are more particularly described as the Windy Gap Pump, Pipeline, and Canal, including its First and Second Enlargements. The original right was decreed in Civil Action No. 1768, Grand County District Court in 1972, for 300 cfs, with an appropriation date of June 22, 1967. A First Enlargement was decreed in Case No. W-4001 by the District Court in and for Water Division No. 5 for 100 cfs, with an adjudication year of 1978 and an appropriation date of July 9, 1976. A Second Enlargement was decreed in Case No. 80CW108 by the District Court in and for Water Division No. 5 in 1980, for 200 cfs, with an appropriation date of April 30, 1980. These water rights are located at a point on the north bank of the Colorado River whence the northwest corner of Section 25, Township 2 South, Range 77 West of the 6th P.M. bears north 17° 30' west a distance of 2,380 feet. Collectively referred to herein as "Windy Gap Water." 3.2.4. Exchange Rates.

Exchange From & Source	Exchange To	Exchange Rate	Maximum Rate of Exchange	Annual Volumetric Limit
Lake Estes Outlet/ Windy Gap Water	Cheley Pipeline	0.18 cfs	1.0 cfs	8.0 acre-feet
	Cheley Springs Well No. 1	0.25 cfs		
	Cheley Springs Well No. 2	0.75 cfs		
	Jelsema Ditch & Pond	0.70 cfs		
	Tallant Springs Well No. 4	0.006 cfs		
	BTE Well	0.088 cfs		
	GTE Well	0.088 cfs		

3.2.5. Appropriation Date. December 29, 2011. 3.2.6. Use. Augmentation. 4. Claim for a Finding of Reasonable Diligence. During the subject diligence period: 4.1. Cheley Camps converted from a Colorado corporation to a Colorado limited liability company. In 2022, as part of an internal restructuring, Cheley Camps conveyed the real property used for its camp operations (the "Camp Property") to Cheley Land with the intent that the water rights associated with and historically used in connection with the Camp Property also be conveyed to Cheley Land. Cheley Land thereafter leased the Camp Property to Cheley Camps for continued camp operations. Following the restructuring, Applicants are working to complete and document necessary conveyance, assignment, notice, and other formalities relating to their water rights, well permits, ditch and reservoir company shares, and the Water Lease Agreement. 4.2. The plan for augmentation approved in Case No. 11CW279 was operated to directly augment out-of-priority depletions using Handy Ditch and South Side augmentation credits and Windy Gap releases. 4.3. The annual costs under the Water Lease Agreement and annual assessments for the Handy Ditch and South Side shares were paid. 4.4. The water resources engineer evaluated administration of the plan for augmentation, including whether an exchange was necessary to augment out-of-priority depletions and the notice requirements applicable to operation of the conditional exchanges. 4.5. Out-of-priority depletions were directly augmented without injury to intervening vested water rights, making operation of the conditional exchanges unnecessary. Future operation of the exchanges is anticipated as part of the plan for augmentation, including to avoid injury to vested water rights. 4.6. The conditional exchanges, together with the existing South Side exchange decreed in Case No. 87CW249 and approved for use in the plan for augmentation in Case No. 11CW279, are integral to the plan for augmentation. Applicants believe they can and will complete the

appropriation of the conditional exchanges within a reasonable time and request a finding of reasonable diligence continuing those rights. (8 pages plus exhibit)

CASE NUMBER 2026CW3134 (17CW3177). COORS BREWING COMPANY (“Coors”), PO Box 4030, 5th Floor BOC, Golden, Colorado 80401-0030, (303) 277-3342. April D. Hendricks and Peter D. Jaacks, Jewell Jimmerson Natural Resources Law LLC, 333 Perry Street, Suite 310, Castle Rock, CO 80104. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN ADAMS, CLEAR CREEK, AND JEFFERSON COUNTIES.** Description of Decreed Conditional Appropriative Right of Exchange: 3.1. Name of Exchange: Coors Augmentation Plan IV Exchange 3.2. Original Decree: Case No. 17CW3177, entered October 20, 2020 (nunc pro tunc August 19, 2020), Water Division 1. 3.3. Subsequent Diligence Decrees: Not Applicable 3.4. Source: Clear Creek 3.5. Appropriation Date: November 22, 2017. 3.6. Exchange Rate: 0.73 cfs, conditional. 3.7. Source of Substitute Supply: The substitute supply source for Coors Augmentation Plan IV Exchange is fully consumable water from Coors’s changed Miles and Eskins Ditch water right, including any fully consumable return flow or effluent resulting from a first use of said fully consumable water. 3.8. Use: Coors’s use of exchanged water is for the following beneficial purposes: irrigation, domestic, mechanical, commercial, industrial, manufacturing, municipal use when leased to a municipal water provider, generation of power, power generally, fire protection, sewage treatment, street sprinkling, watering of parks, trees, lawns and grounds, recreation, golf club, storage reserves, replacement, adjustments and regulation of the Jefferson Storage System with other uses, groundwater storage and recharge, and water exchange. Use will occur primarily at the Coors Industrial Complex in the Clear Creek Basin near Golden, Colorado. Use may occur at locations downstream on Clear Creek and the South Platte River, in Jefferson, Denver, Adams, or Weld Counties, pursuant to lease by Coors and separate decree or administrative approval allowing the specific use, subject to any applicable transit losses and other terms and conditions of approval. 4. Description of Exchange Structures: 4.1. Exchange Reach: The exchange reach is from the Prospect Park Lake Outlet, whose legal description is in Paragraph 4.2.3.3, to the Wannamaker Ditch, whose legal description is in Paragraph 4.3.3.1. 4.2. Exchange-From Points: 4.2.1. Points of Return from Coors’s Augmented Structures to Clear Creek: 4.2.1.1. To Clear Creek: 4.2.1.1.1. Sewage Disposal Plant Outfall: At a point on the North bank of Clear Creek in Sec. 24, T3S, R70W, of the 6th P.M., in Jefferson County, Colorado. (Totalizing flow meter). 4.2.1.1.2. Water Treatment Plant Backwash: At a point on the South bank of Clear Creek in Sec. 24, T3S, R70W, of the 6th P.M., in Jefferson County, Colorado, more particularly described as lying N 23°24’49” W, 1112.61 feet from the SE corner of said Sec. 24. (Totalizing flow meter). 4.2.1.2. To the South Platte River: The outfall of the Metropolitan Denver Sewage Disposal plant on the East Bank of the South Platte River, in Sec. 1, T3S, R68W, of the 6th P.M., approximately 6700 feet upstream from the confluence of Clear Creek and the South Platte River. 4.2.2. Replacement Locations. Water diverted in priority in the exercise of Coors’s Miles and Eskins Ditch water right, as changed in Case No. 17CW3177, will be diverted from Clear Creek at the Rocky Mountain Ditch headgate (the decreed location described in Paragraph 8.3 of the decree in Case No. 17CW3177) and returned to Clear Creek through the following structures: 4.2.2.1. Augmentation Station No. 3 (a/k/a Rocky Mountain Augmentation Station), through which water from the Rocky Mountain Ditch is delivered to Clear Creek at a point on the south bank of Clear Creek in the NE1/4 SW1/4 SE1/4 of Section 23, T3S, R70W of the 6th P.M.; and 4.2.2.2. The Sewage Disposal Plant Outfall, described in Paragraph 4.2.1.1.1. 4.2.3. Outfall Locations for the Jefferson Storage System: 4.2.3.1. Augmentation Station No. 1, through which water stored in Jefferson Storage System reservoirs is delivered to Clear Creek at a point on the South bank of Clear Creek in the NW1/4 NW1/4 SW1/4 of Section 19, T3S, R69W of the 6th P.M. 4.2.3.2. Northern Jefferson Storage Outfall, located in the SE1/4 SW1/4 of Section 24, T3S, R70W of the 6th P.M. 4.2.3.3. Prospect Park Lake Outlet, located in the NW1/4 SW1/4 of Section 21, T3S, R69W of the 6th P.M. 4.3. Exchange-To Points: 4.3.1. Depletion Reaches for the Underground Springs Augmented under Augmentation Plan IV. Each of Coors’s Underground Springs, as described in Paragraph 17.1 of the 17CW3177 Decree, causes depletions to Clear Creek in one of the following stream reaches. 4.3.1.1. Reach 3: Wannamaker Ditch to Croke Canal. The Wannamaker Ditch headgate is located in the NE1/4 of Section 27, T3S, R70W, of the 6th P.M., at a point on the North bank

of Clear Creek whence the NE corner of Section 27, T3S, R70W, of the 6th P.M., bears North 38°17.5' East, 2099.64 feet, Jefferson County, Colorado. The Croke Canal headgate is located at a point on the north bank of Clear Creek in the NW1/4 of the NE1/4 of Section 26, T3S, R70W of the 6th P.M. in Jefferson County, Colorado, at a point which is approximately 2700 feet East and 250 feet South of the Northwest corner of said section. 4.3.1.2. Reach 4: Croke Canal to Reno Juchem Ditch. The Reno Juchem Ditch diversion is located in the NE 1/4 SE 1/4 SW 1/4, Section 19, Township 3 South, Range 69 West of the 6th P.M. at a point on the north bank of Clear Creek about 1350 feet upstream of Eldridge Street, Jefferson County, Colorado. 4.3.1.3. Reach 5: Reno Juchem to the location where Interstate 70 crosses Clear Creek, in the NW 1/4 SW 1/4, Section 20, Township 3 South, Range 69 West of the 6th P.M. 4.3.2. Points of Diversion for Jefferson Storage System. The points of depletion to the stream system for each structure identified in Paragraph 4.3.2 are the points of diversion (including any specified alternate points of diversion) specified herein. 4.3.2.1. Clinton Reservoir (From W-152) (WDID 0704015): Said reservoir is located in the SE1/4 of the SW1/4 of Section 24 and in the NE1/4 of the NW1/4 of Section 25, T3S, R70W, of the 6th P.M., in Jefferson County, Colorado. Point of diversion: From the right bank of Clear Creek at a point whence the SW Corner of Section 24, T3S, R70W, of the 6th P.M., bears South 0° East, 700 feet. 4.3.2.2. Crawford Reservoir (From W-152) (WDID 0704018): Said reservoir is located in the SW1/4 of the SW1/4 of Section 24 and in the NW1/4 of the NW1/4 of Section 25, T3S, R70W, of the 6th P.M., in Jefferson County, Colorado. Point of diversion of the structure used to fill the Reservoir: From the right bank of Clear Creek at a point whence the SW Corner of Section 24, T3S, R70W, of the 6th P.M., bears South 0° West, 700 feet. 4.3.2.3. Wanemaker (Wannamaker) Reservoir (From W-152) (WDID 0704085): Said reservoir is located in the SE1/4 of the SE1/4 of Section 23 and in the NE1/4 of the NE1/4 of Section 26, T3S, R70W, of the 6th P.M., in Jefferson County, Colorado. Point of diversion of the structure used to fill the Reservoir: From the right bank of Clear Creek at a point whence the SE Corner of Section 23, T3S, R70W, of the 6th P.M., bears North 90° East, 1,300 feet. 4.3.2.4. Hawley Reservoir (From W-152) (WDID 0704047): Said reservoir is located in the E1/2 of the NW1/4 of Section 30, T3S, R69W, of the 6th P.M., in Jefferson County, Colorado. Points of diversion of the structure used to fill the Reservoir: A point located on the right bank of Clear Creek whence the SW Corner of Section 19, T3S, R69W, of the 6th P.M., bears South 0° West, 1,100 feet. Rocky Mountain Ditch (WDID 0700652), as more particularly described in Paragraph 4.3.3.2. 4.3.2.5. Lee Reservoir (From W-152) (WDID 0704409): Said reservoir is located in the W1/2 of the NE1/4 of Section 30, T3S, R69W, of the 6th P.M., in Jefferson County, Colorado. Points of diversion of the structure used to fill the Reservoir: A point located on the right bank of Clear Creek whence the SW Corner of Section 19, T3S, R69W, of the 6th P.M., bears South 0° West, 1,100 feet. Rocky Mountain Ditch (WDID 0700652), as more particularly described in Paragraph 4.3.3.2. 4.3.2.6. Summers Reservoir (From W-152) (WDID 0704080): Said reservoir is located in the SE1/4 of the SW1/4 of Section 19, and in the NE1/4 of the NW1/4 of Section 30, T3S, R69W, of the 6th P.M., in Jefferson County, Colorado. Points of diversion of the structure used to fill the Reservoir: A point located on the right bank of Clear Creek whence the SW Corner of Section 19, T3S, R69W, of the 6th P.M., bears South 0° West, 1,100 feet. Rocky Mountain Ditch (WDID 0700652), as more particularly described in Paragraph 4.3.3.2. 4.3.2.7. Eskins Reservoir (From W-152) (WDID 0704025): Said reservoir is located in the SW1/4 of the SE1/4 of Section 19, and in the NW1/4 of the NE1/4 of Section 30, T3S, R69W, of the 6th P.M., in Jefferson County, Colorado. Points of diversion of the structure used to fill the Reservoir: A point located on the right bank of Clear Creek whence the S1/4 Corner of Section 19, T3S, R69W, of the 6th P.M., bears South 0° East, 1,300 feet. Rocky Mountain Ditch (WDID 0700652), as more particularly described in Paragraph 4.3.3.2. 4.3.2.8. Pearson Reservoir No. 1 (a/k/a Lake B-5 from W-152) (WDID 0704066): Said reservoir is located in the NE1/4 of the NE1/4 of Section 30 in the SE1/4 of the SE1/4 of Section 19, T3S, R69W, of the 6th P.M., in Jefferson County, Colorado. Point of diversion of the structure used to fill the Reservoir: From the Pearson Ditch at a point whence the corner common to Sections 19, 20, 29 and 30, T3S, R69W, of the 6th P.M., bears North 77° East, 1,310 feet, in the amount of 101 acre-feet with an appropriation date of October 1, 1965. 4.3.2.9. Pearson Reservoir No. 1 Enlargement (From W-152) (WDID 0704066). Said reservoir is located in the SE1/4 of the SE1/4 of Section 19 and in the NE1/4 of the NE1/4 of Section 30 and in the NW1/4 of the NW1/4 of Section 29, T3S, R69W, of the 6th P.M., in Jefferson County, Colorado.

Point of diversion of the structure used to fill the Reservoir: From the right bank of Clear Creek at a point whence the SW Corner of Section 19, T3S, R69W, of the 6th P.M., bears South 64° West, 2,800 feet.

4.3.2.10. B-2 Lake (From 88CW206) (WDID 0703405): Said Lake is located on a parcel of land in the SW1/4 of Section 24, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado. Point of diversion of the structure used to fill the Reservoir: On the left bank of Clear Creek at a point whence the NE Corner of Section 27, T3S, R70W, of the 6th P.M., bears N 38°17.5' E, 2099.64 feet (more commonly known as the headgate of the Wannamaker Ditch)

4.3.2.11. B-3 Lake (From 88CW206) (WDID 0703406): Said Lake is located on a parcel of land in the NW1/4 of Section 30 and in the SW1/4 of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado. Points of Diversions of the structure used to fill the Reservoir:

4.3.2.11.1. On the right bank of Clear Creek at a point whence the South 1/4 Corner of Section 24, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, bears S 0° E., 900 feet

4.3.2.11.2. On the right bank of Clear Creek at a point whence the SE Corner of Section 24, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, bears S 60° E., 1900 feet

4.3.2.11.3. On the South side of Clear Creek which is on the South side of the diversion dam common to the Croke Canal and the Rocky Mountain Ditch in the NE1/4 NE1/4 NW1/4 of Section 26, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, and which bears South 18°12' 25" West a distance of 401.11 feet from the North 1/4 corner of said Section 26.

4.3.2.11.4. On the Miles & Eskins Drainage, Seepage and Waste Water Ditch at a point whence the NW Corner of Section 30, T3S, R69W., of the 6th P.M., Jefferson County, State of Colorado, bears N 18°46' West 1,621 feet.

4.3.2.12. B-4 Lake (From 88CW206) (WDID 0703407): Located on a parcel of land in the NE1/4 of Section 25, and the SE1/4 of Section 24, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. Points of diversions of the structure used to fill the Reservoir:

4.3.2.12.1. On the right bank of Clear Creek at a point whence the South 1/4 Corner of Section 24, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, bears S 0° E., 900 feet.

4.3.2.12.2. On the right bank of Clear Creek at a point whence the SE Corner of Section 24, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, bears S. 60° E., 1900 feet.

4.3.2.12.3. On the South side of Clear Creek which is on the South side of the diversion dam common to the Croke Canal and the Rocky Mountain Ditch in the NE1/4 NE1/4 NW1/4 of Section 26, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, and which bears South 18°12'25" West a distance of 401.11 feet from the North 1/4 corner of said Section 26.

4.3.2.12.4. On the Miles & Eskins Drainage, Seepage and Waste Water Ditch at a point whence the NW Corner of Section 30, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, bears N 18°46' West 1,621 feet.

4.3.2.13. B-5 East Lake (From 88CW206) (WDID 0703408): Located on a parcel of land in the SW1/4 of Section 20, and in the NW1/4 of Section 29, and in the NE1/4 of Section 30, and in the SE1/4 of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. Points of diversions of the structure used to fill the Reservoir:

4.3.2.13.1. On the right bank of Clear Creek at a point whence the SW Corner of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, bears S 64° W., 2800 feet.

4.3.2.13.2. On the Pearson Ditch at a point whence the corner common to Sections 19, 20, 29, and 30, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, bears N 77°E, 1310 feet.

4.3.2.13.3. Rocky Mountain Ditch (WDID 0700652), as more particularly described in Paragraph 4.3.3.2.

4.3.2.14. B-6 Lake (From 88CW206) (WDID 0703409): Located on a parcel of land in the NE1/4 and the SE1/4 of Section 23, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. Point of diversion of the structure used to fill the Reservoir: Through the Wannamaker Ditch at a point on the North bank of Clear Creek in the NE1/4 of Section 27, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, whence the NE Corner of said Section 27, bears N. 38°17.5' East, 2099.64 feet

4.3.2.15. B-7 Lake (From 88CW206) (WDID 0703410): Located on a parcel of land in the SW1/4 of Section 24 and in the SE1/4 of Section 23, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. Point of diversion of the structure used to fill the Reservoir: Through the Wannamaker Ditch at a point on the North bank of Clear Creek in the NE1/4 of Section 27, T3S, R70W, of the 6th P.M., Jefferson County, State of Colorado, whence the NE Corner of said Section 27, bears N. 38°17.5' East, 2099.64 feet.

4.3.2.16. B-9 Lake (WDID 0703704): Decreed in Case No. 88CW206 as an alternate place of storage for

the Frost Reservoir and Waldorf Reservoir Rights decreed in Case No. W-152. Location: Located on a parcel in the N1/2 SE1/4 of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, lying South of Highway 58; East of the Denver Water Board R.O.W.; and North of Clear Creek. Points of Diversions of the structure used to fill the Reservoir: 4.3.2.16.1. On the North side of Clear Creek in the NW1/4 SE1/4 of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, at a point which is approximately 1700 feet from the East section line and 1400 feet from the South section line of said Section 19. 4.3.2.16.2. Through the Slough Ditch at a point on the North bank of Clear Creek in the NW1/4 SE1/4 of Section 19, T3S, R69W, of 6th P.M., Jefferson County, State of Colorado, at a point which is approximately 2400 feet from the East section line and 1320 feet from the South section line of said Section 19. 4.3.2.16.3. Through the Reno and Juchem Ditch at a point on the North bank of Clear Creek in the SE1/4 SW1/4 of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, at a point approximately 1320 feet from the West section line and 1250 feet from the South section line of said Section 19. 4.3.2.17. West Lake (From 88CW206) (WDID 0703411): Located on a parcel of land in the South 1/2 of Section 20 and the North 1/2 of Section 30, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. Point of diversion of the structure used to fill the Reservoir: At a point on the South side of Clear Creek in the SW1/4 of Section 20, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, whence the South quarter corner of said Section 20, bears S. 1° E., 1920 feet. 4.3.2.18. Bass Lake (From 88CW206) (WDID 0703412): Located on a parcel of land in the South 1/2 of Section 20 and the North 1/2 of Section 30, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. Point of diversion of the structure used to fill the Reservoir: At a point on the South side of Clear Creek in the SE1/4 of Section 20, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, whence the South quarter corner of said Section 20, bears S. 30°W., 1880 feet. 4.3.2.19. Tabor Lake (From 88CW206) (WDID 0703413): Located on a parcel of land in the East 1/2 of Section 20, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, and more particularly described in Case No. 88CW206. 4.3.2.20. Prospect Park Lake (From 88CW 206) (WDID 0703414): Located on a parcel of land in the West 1/2 of Section 21, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado and more particularly described in Case No. 88CW206. Point of diversion of the structure used to fill the Reservoir: Through the Slough ditch at a point on the North side of Clear Creek in the NW1/4 SE1/4 of Section 19, T3S, R69W, of the 6th P.M., Jefferson County, State of Colorado, at a point which is approximately 2,400 feet from the East section line and 1,320 feet from the South section line of said Section 19. 4.3.3. Alternate Points of Diversion for the Coors Industries Ditch, as decreed in Case No. W-7585. 4.3.3.1. Wannamaker Ditch (WDID 0700698): Point of diversion located in the NE1/4 of Section 27, T3S, R70W, of the 6th P.M., at a point on the North bank of Clear Creek whence the NE corner of Section 27, T3S, R70W, of the 6th P.M., bears North 38°17.5' East, 2099.64 feet, Jefferson County, Colorado. 4.3.3.2. Rocky Mountain Ditch (WDID 0700652): Point of diversion located on the South side of the Croke Dam in the NE1/4 NE1/4 NW1/4 of Section 26, T3S, R70W, of the 6th P.M., at a point on the South side of Clear Creek which bears South 18°12'25" West, a distance of 401.11 feet from the North 1/4 corner of said Section 26, Jefferson County, Colorado. 4.3.3.3. Coors Industries Ditch Alternate Point of Diversion #3 (WDID 0700726): Point of diversion at a headgate in SE1/4 of Section 24, T3S, R70W, of the 6th P.M., located at a point on the South bank of Clear Creek whence the South 1/4 corner of Section 24, T3S, R70W, of the 6th P.M., bears South 47°51'47" West, a distance of 1375.04 feet, Jefferson County, Colorado. 5. Diligence Toward Development of Conditional Water Rights: During this diligence period (August 2020 – August 2026), in continuing the development of the conditional appropriative rights of exchange for use in its unified system, Coors has been engaged in the use, construction and completion of some of the diversion facilities, storage facilities, and water rights involved. In addition, Coors has been engaged in the legal defense and protection of its absolute and conditional water rights, and has continued in the planning, designing, and exploration of the physical and business arrangements associated with the construction and use of the diversion and storage facilities and water rights involved. An outline of work done during the diligence period toward completion, or for completion, of the appropriation and application of water to a beneficial use as conditionally decreed, includes the following activities: 5.1. Diligence activities directly related to development of the

appropriative rights of exchange in this application include: 5.1.1. In its decree in Case No. 17CW3177, this Court approved Coors Augmentation Plan IV as a supplemental integrated plan for augmentation including the conditional appropriative rights of exchange at issue in this case. Coors Augmentation Plan IV, including exchange, is operated and administered in conjunction with Coors's previously decreed Augmentation Plan I (Case Nos. 8036(75), W-8256(76) and 88CW271), Augmentation Plan II (Case Nos. 89CW234, 99CW062 and 06CW83), and Augmentation Plan III (Case No. 99CW236) 5.1.2. During the diligence period, Coors has made substantial refinements to its accounting for its Augmentation Plans and exchanges decreed in the above-described cases, in coordination with the Division Engineer's Office. Coors believes that its revised accounting will improve the basis for the operation of the exchanges at issue in this application, in accordance with the decree in Case No. 17CW3177. 5.2. Unified System Activities. The appropriative rights of exchange in this Application are integral features in Coors's unified water system developed by Coors for beverage and food production, malting, irrigation, domestic and other commercial and industrial uses. Other components of the unified water system include the Straight Creek Tunnel Drainage and Effluent System (Case Nos. W-1665 in Water Division No. 5 and W-7097 in Water Division No. 1); Jefferson Storage System (Case Nos. W-152 and 88CW206; realignment of certain Jefferson Storage System reservoirs pending in Case No. 18CW3225); Coors Golden Milling Right (Civil Action No. B-9675, Jefferson County District Court); Coors's Underground Springs (Case Nos. W-7809-74, 90CW064 and 95CW081) and Augmentation Plan Springs (Case No. 81CW110); Idaho Springs Reservoir (Case No. 84CW671); the nontributary wells that are the subject of Case No. 85CW051; Coors Industries Ditch (Case Nos. W-224 and W-7585); the Coors Augmentation Plans I – IV, decreed in Case Nos. W-8036(75) and W-8256(76), 88CW271, 99CW236, and 17CW3177, respectively; the Cosmic Decree (Case No. 88CW271), and related exchanges decreed in Case Nos. 88CW268, 88CW272 and 96CW1117 (all cases are decrees entered in Water Division No. 1, except where otherwise noted); as well as a complete water treatment, cooling, and distribution system at the plant site in Golden, Colorado. As described below, Coors and its affiliated entities, including Molson Coors Brewing Company, MillerCoors LLC, and Rocky Mountain Water Company, have expended substantial effort in the development of Coors's overall unified system of which the rights identified in this Application are integral components. During this diligence period, Coors has continued the development of the unified water supply system of which the exchanges that are the subject of this Application are an integral part. This Court has determined that continued development and maintenance of Coors's unified water system constitutes diligence for the individual water rights associated with that system as found by this Court. See, e.g., Decree in Case No. 12CW155 at pages 21-22, ¶13.2 (March 20, 2013); Decree in Case No. 13CW3094 at page 12, ¶ 9.c (September 4, 2014). Coors has also been engaged in the legal defense and protection of said water rights and has continued in the planning, design, and exploration of the physical and business problems associated with the construction and use of the diversion facilities and water rights involved. During this diligence period, Coors and its affiliates, including MillerCoors, have undertaken the following activities and expended at least \$3,000,000 for the development and maintenance of Coors's unified water supply system: 5.2.1. Expenditures in excess of \$369,000 for contractual obligations under the Cosmic Agreement and related agreements; 5.2.2. Coors' activities related to the Jefferson Storage System, including: (1) storage of water in the Jefferson Storage System; (2) completion of Case No. 18CW3225, involving changes of conditional storage locations to reflect a realignment of structures for future construction, and an alternate point of diversion for conditional water storage rights for multiple reservoirs in the Jefferson Storage System; and (3) negotiation of lease of reservoir water surface for several reservoirs in the Jefferson Storage System for floating photovoltaic panels and power generation. 5.2.3. Operation of deliveries and exchanges of water pursuant to Case No. 96CW1117 to the extent water has been available for such deliveries and exchanges; 5.2.4. Engineering costs in excess of \$245,000 relating to Coors's water rights and water supply system; 5.2.5. Expenditures in excess of \$600,000 for ditch companies supporting Coors's unified water system; 5.2.6. Expenditures of approximately \$500,000 for pump installation and replacement, operation, maintenance, and repairs to Coors's underground springs; and 5.2.7. Expenditures in excess of \$1,300,000 on other capital projects in support of Coors' unified water system; 5.3. During the diligence period, Coors and its affiliates have incurred significant legal expenses in furtherance of the unified system and its water rights. Since April

2020, Coors has participated in a number of water cases adjudicating matters required for the production of water used in Coors’s unified water system, including but not limited to following cases: 5.3.1. Case No. 18CW3225 (Jefferson Storage System realignment); 5.3.2. Case No. 19CW3037 (diligence and making conditional rights absolute on Jefferson Storage System) 5.3.3. Case No. 20CW3060 (diligence on Coors’ Underground Springs) 5.3.4. Case No. 20CW3066 (diligence on Augmentation II Plan Exchange); 5.3.5. Case No. 20CW3087 (diligence on Coors-Golden Exchanges); 5.3.6. Case No. 20CW3137 (diligence on Augmentation III Plan Exchanges); 5.3.7. Case No. 20CW3076 (diligence on Coors Bookover Exchange); 5.3.8. Case No. 21CW3020 (diligence on Idaho Springs Exchange); and 5.3.9. Case No. 21CW3115 (diligence on Coors/Farmers’ High Line Canal Exchange, Coors/Croke-Standley Exchange, and Golden/Church Ditch Exchange) 5.3.10. Case No. 26CW3066 (diligence on Coors’s Cosmic Exchanges) Coors has also filed statements of opposition to a number of water court applications to prevent injury to Coors’s water rights, including those that are the subject of this Application. Additionally, the Rocky Mountain Water Company, an affiliate of Coors, has also been a party to litigation necessary to protect its interests in the Rocky Mountain Ditch, a structure involved in the exchanges that are the subject of this application. Number of pages in Application: 16.

CASE NUMBER 2026CW3135 JANICE L DUNCAN, 6440 Highline Place, Colorado Springs, CO, 80908. Philip E. Lopez, Eric K. Trout, Fairfield & Woods, P.C., 1801 California St, Denver, CO, 80202. **APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT-NONTRIBUTARY SOURCES AND APPROVAL OF A PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY DENVER, ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY DAWSON AQUIFER IN EL PASO COUNTY.** Subject Property: A parcel totaling approximately 18.65 acres generally located in the SW1/4 of the NE1/4 of Section 7, Township 12 South, Range 65 West of the 6th P.M., also known as 6440 Highline Place, Colorado Springs, CO, 80908, as shown on **Exhibit A** (“Subject Property”). Lien Holder Certification: Applicant will provide notice within ten (10) days of filing this application to all mortgage or lien holders as required under C.R.S. § 37-92-302(2)(b), as follows: The El Paso Mortgage Company, 4779 North Academy Boulevard, Colorado Springs, CO, 80918. Concurrent Filing: For purposes of notice, this Application is being filed concurrently in Water Division 1 and Water Division 2, as depletions from pumping under the proposed augmentation plan will affect both Divisions. The Applicant anticipates that the two cases will be consolidated in Water Division 2 following the close of the objection period. Well Permits: There is an existing unregistered well on the Subject Property (“Unregistered Well”). The Unregistered Well will be registered and permitted under the plan for augmentation requested in this application. Additional well permits will be applied for prior to construction of additional wells. Source of Water Rights: The 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 Volumes: Applicant desires to leave no groundwater unadjudicated. Applicant estimates the following volumes may be available for withdrawal:

Aquifer	Estimated Annual Volume 100 Years (acre-feet)	Estimated Annual Volume 300 Years (acre-feet)	Estimated Total Volume (acre-feet)
Dawson (NNT)	12.01	4.00	1,201
Denver (NT)	14.37	4.79	1,437
Arapahoe (NT)	7.75	2.58	775
Laramie-Fox Hills (NT)	5.28	1.76	528

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: 1.7 acre-feet per year of not-nontributary 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 Dawson Aquifer groundwater will be used in up to two (2) wells. Each well will provide the following uses: Well No. 1: In-house use in up to two (2) single-family dwellings (0.6 acre-feet per year), outdoor irrigation of up to 2,000 square-feet (0.1 acre-feet per year), water of up to 4 large domestic animals (0.05 acre-feet per year) fire protection, and storage anywhere on the Subject Property. Total use of 0.75 acre-feet per year. Well No. 2: In-house use in up to two (2) single-family dwellings (0.6 acre-feet per year), outdoor irrigation of up to 6,000 square-feet (0.3 acre-feet per year), water of up to 4 large domestic animals (0.05 acre-feet per year) fire protection, and storage anywhere on the Subject Property. Total use of 0.95 acre-feet per year. 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 and Arkansas River stream systems and return flows accrue to those stream systems and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicant will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post-pumping augmentation requirements. Applicant requests the Court approve the above underground water rights and augmentation plan, find that 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 2026CW3136 PEOPLE OF THE STATE OF COLORADO V. JEVARD HITCH – COMPLAINT FOR INJUNCTIVE RELIEF, CIVIL PENALTIES AND COSTS.

CASE NUMBER 2026CW3137 HEADWATER AUTHORITY OF THE SOUTH PLATTE, c/o David B. Wissel, Chairman, P.O. Box 1566, Fairplay, CO 80440; Please direct all correspondence concerning this application to: David M. Shohet, and Sedona E. Chavez, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, CO 80921; Telephone Number: (719) 471-1212; Email: dms@cowaterlaw.com; sec@cowaterlaw.com; Madeline Wallace-Gross, and Alison I. Gorsevski, Lyons Gaddis, PC, P.O. Box 978, Longmont, CO 80502; Telephone Number: (303) 776-9900; Email: mwg@lyonsgaddis.com; agorsevski@lyonsgaddis.com. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE CONDITIONAL WATER RIGHTS PARTIALLY ABSOLUTE IN PARK, JEFFERSON, AND DOUGLAS COUNTIES.** HASP, a Colorado water authority established by Center of Colorado Water Conservancy District (“CCWCD”) and Upper South Platte Water Conservancy District, seeks a finding of reasonable diligence and to make partially absolute both the conditional water storage right and appropriative rights of exchange originally decreed in Case No. 17CW3214, District Court, Water Division 1. Water Storage Right. HASP Lininger Lake (WDID 8003658). Legal Description of Reservoir’s Location. Lininger Lake is an off-channel reservoir located in Sections 9 and 16, Township 7 South, Range 75 West of the 6th P.M., Park County, Colorado. Date of Original Decree. August 11, 2020, Case No. 17CW3214, District Court, Water Division 1. Source. Beaver Brook, tributary to Hull’s Gulch, tributary to the North Fork of the South Platte River, tributary to the South Platte River. Fill Structure. Lininger Ditch (WDID 8000707), which has two points of diversion: Upper

Point of Diversion (WDID 8000707). The upstream Lininger Ditch headgate is located on Beaver Brook at a point whence the southeast corner of Section 8, Township 7 South, Range 75 West bears S 74° 4' E, 8,765 feet. Lower Point of Diversion (WDID 8001011). The lower Lininger Ditch headgate is located on Beaver Brook at a point whence the southeast corner of Section 8, Township 7 South, Range 75 West bears S 74° 26' E, 7,550 feet. Date of Appropriation. March 28, 2016. How Appropriation was Initiated. March 28, 2016, is the date that CCWCD executed an agreement with Kenosha Trout Club for use of 25 acre-feet of storage space in Lininger Lake thereby confirming, implementing, and demonstrating HASP's intent and actions to initiate and appropriate the water right for the beneficial uses as set forth herein. Amounts: 25 acre-feet with the right to fill and one refill, conditional. Uses. Municipal, augmentation, domestic, industrial, commercial, irrigation, stock watering, recreation within the high water line of the reservoir, fish and wildlife preservation and propagation, wetlands, fire protection and suppression, aquifer recharge, substitution, and replacement, including use, reuse, successive use, and full consumption and disposition to extinction. Surface Area of High Water Line. 53 acres. Total Capacity of Reservoir. 672.6 acre-feet pursuant to decree in Case No. CA3286. Dam Height. 12 feet. Dam Length. 400 feet. Appropriative Rights of Exchange. Date of Original Decree. August 11, 2020, Case No. 17CW3214, District Court, Water Division 1. Sources of Substitute Supply. Randall Ditch. Original Decree Information. The Randall Ditch water rights were originally decreed for irrigation purposes as Priority Nos. 91 and 133 in Water District 23 by decree of the District Court of Park County dated October 18, 1889, Case No. 341, as amended by decree of the District Court of Park County dated July 30, 1896. Original Point of Diversion. SE1/4 of the SE1/4 of Section 13, Township 8 South, Range 76 West, of the 6th P.M., Park County, Colorado. Source. Michigan Creek, tributary to Tarryall Creek, tributary to the South Platte River. Appropriation dates and amounts. Priority No. 91: May 1, 1878; 11.75 c.f.s. Priority No. 133: April 1, 1881; 11.75 c.f.s. Originally Decreed Use. Irrigation. Change Decree Information. The Randall Ditch was changed by CCWCD and Highlands Ranch Water (formerly Centennial Water and Sanitation District) in Case No. 05CW111 to new uses, including augmentation and for diversion at new points. The Randall Ditch water rights were changed again by CCWCD in Case No. 12CW214, District Court, Water Division No. 1. Comments. CCWCD owns the Randall Ditch, the average annual consumptive use of which was quantified as 677 acre-feet in Case No. 05CW111, District Court, Water Division 1. 165.8 acre-feet per year of the consumptive use credits associated with the Randall Ditch water rights are available to be exchanged. Parmalee Ditch No. 2. Original Decree Information. The Parmalee Ditch No. 2 was originally adjudicated for irrigation in Civil Action 1678, District Court, Park County, entered May 22, 1913. Original Point of Diversion. The headgate of the Parmalee Ditch No. 2 was decreed on Deer Creek in Section 5, Township 7 South, Range 72 West of the 6th P.M., at a point whence the S1/4 corner of Section 32, Township 6 South, Range 72 West bears North 9° 4' West, 2,613 feet. Source. Deer Creek, tributary to the North Fork of the South Platte River, tributary to the South Platte River. Appropriation Date and Amounts. May 1, 1867; 0.83 c.f.s. Originally Decreed Use. Irrigation. Changes of Water Rights for Parmalee Ditch No. 2. Descriptions of decrees that changed the Parmalee Ditch No. 2 water right are provided below under the "Parmalee Ditch No. 3" section. Parmalee Ditch No. 3. Original Decree Information. The Parmalee Ditch No. 3 was originally adjudicated for irrigation in Civil Action 1678, District Court, Park County, entered May 22, 1913. Original Point of Diversion. The headgate of the Parmalee Ditch No. 3 was decreed on Deer Creek in Section 5, Township 7 South, Range 72 West, at a point whence the S1/4 corner of Section 32, Township 6 South, Range 72 West bears North 14° 55' West, 2,700 feet. Source. Deer Creek, tributary to the North Fork of the South Platte River, tributary to the South Platte River. Appropriation Date and Amounts. May 1, 1867; 0.58 c.f.s. Originally Decreed Use. Irrigation. Changes of Water Rights for Parmalee Ditch No. 2 and 3. **Case No. 03CW231**. On June 28, 2006 in Case No. 03CW231, District Court, Water Division No. 1 ("03CW231 Decree"), the Court approved a change of water rights for 0.63 c.f.s. of the Parmalee Ditch No. 2 and 0.58 c.f.s. of the Parmalee Ditch No. 3 and abandoned 0.84 c.f.s. of the Parmalee Ditches' water rights to the stream. CCWCD currently owns 0.259 c.f.s. of the 0.37 c.f.s. (or 70 percent) of the Parmalee Ditches' water rights changed in the 03CW231 Decree. **Case No. 06CW270**. Subsequent to the entry of the decree in Case No. 03CW231, in Case No. 06CW270, District Court, Water Division No. 1, CCWCD changed its then 0.194 c.f.s. interest in the Parmalee Ditches for changed uses and points of diversion and

storage. **Comments.** Pursuant to the decrees in Case Nos. 03CW231 and 06CW270 CCWCD's diversion of the Parmalee Ditches consumptive use credits is limited to the flow rates and volumes as set forth in those decrees. Flume Ditch. *Original Decree Information.* The Flume Ditch was originally adjudicated in Civil Action 1678, District Court, Park County, entered May 22, 1913. *Original Point of Diversion.* The headgate of the Flume Ditch was decreed on Deer Creek in the SE Corner of Section 4, Township 7 South, Range 72 West of the 6th P.M., at a point whence the SE Corner of Section 4, Township 7 South, Range 72 West bears South 89°30' East, 4,791 feet. *Source.* Deer Creek, tributary to the North Fork of the South Platte River, tributary to the South Platte River. *Appropriation Date and Amounts.* May 1, 1867; 4.41 c.f.s. *Originally Decreed Use.* Irrigation. *Changes of Water Rights for Flume Ditch.* **Case Nos. W-7434 and 80CW169.** In Case Nos. W-7434 and 80CW169, District Court, Water Division No. 1, 3.93 c.f.s. of the 4.41 c.f.s. originally decreed to this structure was transferred out of the Flume Ditch. **Case No. 03CW231.** In Case No. 03CW231, District Court, Water Division No. 1, the balance of 0.48 c.f.s. of the 4.41 c.f.s. originally decreed to this structure was changed, 0.29 c.f.s. of the Flume Ditch was quantified and 0.19 c.f.s. was abandoned to the stream. CCWCD currently owns 0.203 c.f.s. of the 0.29 c.f.s. (or 70 percent) of the water right changed in the 03CW231 Decree. **Case No. 06CW270.** Subsequent to the entry of the decree in Case No. 03CW231, in Case No. 06CW270, District Court, Water Division No. 1, CCWCD changed its then 0.152 c.f.s. interest in the Flume Ditch for changed uses and points of diversion and storage. **Comments.** Pursuant to the decrees in Case Nos. 03CW231 and 06CW270, CCWCD's diversion of the Flume Ditch consumptive use credits is limited to the flow rates and volumes as set forth in those decrees. London Mining and Smelter Ditch, 1st Enlargement and Smelter Pipeline Reservoir, 1st Enlargement. CCWCD adjudicated a conditional enlargement of the Smelter Pipeline Reservoir and the London Mine and Smelter Ditch, which is the filling source for the Smelter Pipeline Reservoir. *Decree Information.* The Smelter Pipeline Reservoir and London Mining and Smelter Ditch, 1st Enlargement was adjudicated in Case No. 09CW145, District Court, Water Division No. 1. *Point of Storage.* The Smelter Pipeline Reservoir is located in the SW1/4 of the NE1/4 of Section 13, Township 9 South, Range 78 West of the 6th P.M., Park County, Colorado. *Filling Structure.* The London Mining and Smelter Ditch is located on the left bank of Mosquito Creek at a point whence the E1/4 corner of Section 13, Township 9 South, Range 78 West of the 6th P.M., Park County, Colorado, bears South 58° 30' East, 1,892 feet. *Source.* Mosquito Creek, tributary to the Middle Fork of the South Platte River, tributary to the South Platte River. *Decreed Uses.* Augmentation, substitution, exchange, domestic, commercial, industrial, irrigation, livestock, recreation, fish and wildlife propagation, and fire protection in Park County. The Smelter Pipeline Reservoir and London Mining and Smelter Ditch, 1st Enlargements can only be used to augment depletions in Park County. *Appropriation Date and Amounts.* September 2, 2009 for 1.5 c.f.s. and 50 acre-feet of storage in the Smelter Pipeline Reservoir. *Comments.* The Smelter Pipeline Reservoir is adjudicated as a place of storage for the Randall Ditch, Sessions Ditch, Parmalee Ditch No. 2 and 3, and Flume Ditch water rights. James Tingle Reservoir. CCWCD owns 49.6% and Highlands Ranch Water owns 50.4% of the James Tingle Reservoir. Pursuant to the decree entered in Case No. 05CW111, 165 acre-feet of CCWCD's capacity in the reservoir is allocated to non-irrigation season return flow replacement for the Randall and Sessions Ditch water rights leaving CCWCD with 30 acre-feet of operable storage capacity. *Original Decree Information.* The James Tingle Reservoir was adjudicated in Case No. 09CW180, District Court, Water Division 1. *Legal description of location of dam centerline.* The dam centerline is located approximately 920 feet from the East section line and 960 feet from the South section line in the SE1/4 of the SE1/4 of Section 18, Township 8 South, Range 75 West, 6th P.M., Park County, Colorado. *Source.* Michigan Creek, tributary to Tarryall Creek, tributary to the South Platte River. *Date of Appropriation and Amounts.* April 22, 2009. The James Tingle Reservoir is adjudicated for 235 acre-feet with a right of one refill. Pursuant to the decree in 17CW3207, District Court, Water Division 1, the James Tingle Reservoir is adjudicated absolute for 235 acre-feet for the first fill and 157.41 acre-feet absolute for the refill right. CCWCD owns 30 acre-feet of the 235 acre-foot storage right and 30 acre-feet of the operable capacity within the James Tingle Reservoir. *Filling Structure.* The James Tingle Reservoir is filled through the Sessions Ditch, which has a capacity of 13 c.f.s. and is located in the NW1/4 of the SE1/4 of Section 13, Township 8 South, Range 76 West, 6th P.M., at a point approximately 2,056 feet from the East section line

and 1,557 feet from the South section line of said Section 13, Park County, Colorado. *Decreed Uses.* Use, reuse and successive use to extinction for municipal, augmentation, domestic, industrial, commercial, irrigation, stock watering, recreation, fish and wildlife preservation and propagation, fire protection, aquifer recharge purposes, substitution, exchange and replacement. *Additional Comments.* Consumptive use credits associated with the Randall Ditch and Sessions Ditch water rights may be stored in CCWCD's 30 acre-feet of storage space in the James Tingle Reservoir. *Sessions Ditch. Original Decree Information.* The Sessions Ditch was originally decreed for irrigation purposes as Priority No. 127 in Water District 23 by decree of the District Court of Park County dated October 18, 1889, Case No. 341, as amended by decree of the District Court of Park County dated July 30, 1896. *Original Point of Diversion.* On Michigan Creek at a point in the NW1/4 of the SE1/4, Section 13, Township 8 South, Range 76 West, 6th PM, Park County, Colorado 15 rods below where the Denver and South Park Rail Road crosses said Creek. *Source.* Michigan Creek, tributary to Tarryall Creek, tributary to the South Platte River. *Appropriation Date and Amounts.* July 31, 1880 for 3.5 c.f.s. *Originally Decreed Use.* Irrigation. *Comments.* CCWCD is the owner of 1.15 c.f.s. decreed to the Sessions Ditch. In the decree in Case No. 05CW111, water court for Water Division 1, entered April 18, 2007, the average annual historical consumptive use of the 1.15 c.f.s. was quantified as 29.2 acre-feet per year and the 1.15 c.f.s. of the Sessions Ditch was changed to all beneficial uses, including augmentation, substitution, replacement and exchange. The place of use was changed to lands within Park County and to allow storage before beneficial use. CCWCD has the right to use and successively use until extinction the consumptive use yield of the changed Sessions Ditch water right, subject to the terms and conditions identified in the decree in Case No. 05CW111. *Chatfield Reservoir.* CCWCD is a participant in the reallocation of storage space in Chatfield Reservoir and as of the date of this Decree, CCWCD has acquired 141 acre-feet of storage space in Chatfield Reservoir. *Decree Information.* Case No. 13CW3148. *Source.* South Platte River and Plum Creek. *Date of Appropriation and Amounts.* May 9, 2013, 131 acre-feet, conditional, plus the right of one refill. *Uses.* Municipal, augmentation, domestic, industrial, commercial, irrigation, stock watering, recreation, fish and wildlife preservation and propagation, fire protection, aquifer recharge, substitution, exchange, and replacement. Recreation and fish and wildlife preservation and propagation uses will occur below the high water line of Chatfield Reservoir. *Legal description of location of dam.* The reservoir formed by Chatfield Dam, an existing structure located on the mainstem of the South Platte River. The right abutment is located in Douglas County, Colorado, in Sections 6 and 7, Township 6 South, Range 68 West of the 6th P.M.; the left abutment is located in Jefferson County, Colorado, in Section 1, Township 6 South, Range 69 West of the 6th P.M. *Exchange-from Points.* The exchange-from points (lower termini) of the appropriative rights of exchange are as follows: *Deer Creek Water Rights.* For direct flow water from the substitute water supply listed in Paragraphs IV.B.2.ii, iii, and iv, and for all points in between, the exchange-from point is the confluence of Deer Creek and the North Fork of the South Platte River located in the NE1/4 of the NE1/4 of Section 36, Township 7 South, Range 72 West of the 6th P.M. *Chatfield.* For the water rights described in Paragraph IV.B.2.viii, the exchange-from point is Chatfield Reservoir whose location is set forth in Paragraph IV.B.2.viii.e. *All Other Water Rights.* For all other substitute water supplies listed in Paragraph IV.B.2. not specifically delineated in Paragraphs IV.B.3.i. and ii above, the exchange-from point is the confluence of the North Fork of the South Platte River and the South Platte River located in the SW1/4 of the SE1/4 of Section 25, Township 7 South, Range 70 West of the 6th P.M. *Exchange-to Point.* The exchange-to point (upper terminus) of the requested appropriative rights of exchange is Lininger Lake by means of Lininger Ditch whose location is set forth in Paragraph IV.A.1. above and by precipitation intercepted by Lininger Ditch. *Uses.* All types of beneficial uses under its respective decrees for the sources of substitute supply. All uses will be consistent with and limited by the terms and conditions of the underlying decrees for the sources of substitute supply. *Appropriation Date.* December 29, 2017, by filing of the Application in Case No. 17CW3214. *Amount of Exchange.* Each exchange is individually decreed at a rate of 5.66 c.f.s., conditional. However, if more than one exchange is operated at a time the cumulative rates of each exchange combined shall not exceed the maximum rate of 5.66 c.f.s. at any time. Total annual exchange volume shall be limited to a maximum of 50 acre-feet. *Measurement of Exchange.* All diversions of water by exchange and substitute supply shall be measured at the river diversion with devices equipped with continuous recorders. **Detailed outline of**

what has been done toward the completion of for completion of the appropriation and application of water to beneficial use as conditionally decreed, including expenditures: The Lininger Lake Water Storage Right and Appropriative Rights of Exchange are part of the integrated system of water rights and structures used by Applicant, and together with its other respective water rights and structures, comprises an integrated system under C.R.S. § 37-92-301(4)(b). During the subject diligence period, Applicant has outlaid the following expenditures or completed the following work related to the integrated water system: HASP operates and administers two blanket augmentation plans within the Upper South Platte River basin and one in the Arkansas River basin decreed to HASP in Case No. 02CW389, District Court, Water Division 1, dated April 28, 2008, Case No. 12CW50, District Court, Water Division 1, dated July 7, 2015, and 03CW19, District Court, Water Division 2, dated June 29, 2016, respectively (together, “HASP Plans”). The HASP Plans are operated for the purpose of providing augmentation water supplies for the benefit of approximately 130 participating customers. HASP has expended approximately \$380,902 on engineering costs, \$486,709 on legal costs, \$426,315 on administrative and other miscellaneous costs, and \$14,379 on capital costs during this diligence period, for the purpose of maintaining and operating its integrated water system, including the Lininger Lake Water Storage Right and Appropriative Rights of Exchange. These costs totaled approximately \$1,308,306. HASP has filed numerous statements of opposition in Water Division Nos. 1 and 2 to protect HASP’s water rights, including the conditional water rights subject of this case. HASP has further filed numerous water court applications in Water Division Nos. 1 and 2, seeking new exchange rights, changing water rights, for new surface and storage rights, making conditional water rights absolute, and for findings of diligence towards previously decreed conditional water rights. In addition, HASP has completed the following operations: On June 14-26, 2018, HASP and CCWCD operated an exchange of Randall Ditch credits released from James Tingle Reservoir to Lininger Lake. During this period, the maximum exchange rate was 1.73 cfs and the total exchange volume was 24.99 acre-feet. On July 11-12, 2019, HASP stored 2.55 acre-feet of in-priority diversions. On June 24-25, 2020, HASP operated an exchange of Deer Creek credits to Lininger Lake. During this period, the maximum exchange rate was 0.30 cfs and the total exchange volume was 0.92 acre-feet. On July 18-27, 2022, HASP operated an exchange of Deer Creek credits to Lininger Lake. During this period, the maximum exchange rate was 0.25 cfs and the total exchange volume was 4.94 acre-feet. On June 6-9, 2023 HASP stored 2.03 acre-feet of in-priority diversions. On June 13, 2024, HASP stored 2.18 acre-feet of in-priority diversions. On July 7-11, 2025, HASP operated an exchange of Deer Creek credits to Lininger Lake. During this period, the maximum exchange rate was 0.25 cfs and the total exchange volume was 2.47 acre-feet. During the pendency of this matter, HASP may provide additional evidence of diligence in support of the claims made in this Application. HASP seeks to make absolute a portion of both the Lininger Lake Water Storage Right and Appropriative Rights of Exchange, as set forth below: HASP Lininger Lake (WDID 8003658). Applicant has stored 25 acre-feet of water in Lininger Lake, and the water stored therein has been applied to beneficial use. Applicant attaches the Lininger Lake reservoir accounting (maintained by Kenosha Trout Club) as **Exhibit A** to support its claim. Applicant provides the following information regarding this absolute claim: Date Water Applied to Beneficial Use: June 14, 2018. Amount: 25 acre-feet. Uses: Municipal, augmentation, domestic, industrial, commercial, irrigation, stock watering, recreation within the high water line of the reservoir, fish and wildlife preservation and propagation, wetlands, fire protection and suppression, aquifer recharge, substitution, and replacement. Lininger Lake Appropriative Rights of Exchange. Applicant operated a portion of the exchanges for the decreed beneficial uses as listed above and seeks to make such amounts absolute, as set forth in the following table:

Exchange	Decreed Rate (c.f.s.)	Decreed Amount (A.F.)	Amount Claimed Absolute (c.f.s.)	Amount Claimed Absolute (A.F.)	Dates Absolute Rate Exchanged
Confluence of Deer Creek & South Platte River	5.66	50	0.30	5	June 24-25, 2020; July 18-27, 2022

Confluence of North Fork of South Platte River and South Platte River	5.66	50	1.73	25	June 14-26, 2018
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Lininger Lake is located on lands owned by the Kenosha Trout Club, whose address is 3122 S. Pearl St, Englewood, CO 80113. The Lininger Ditch points of diversion are located on land owned by the U.S. Forest Service, USDA, c/o South Park Ranger District, P.O. Box 219, Fairplay, CO 80440. Applicant respectfully requests the Court to enter a decree (1) finding that reasonable diligence has been exercised in the development of the subject conditional water rights, (2) making a portion of the conditional water storage right absolute for all decreed uses, (3) making a portion of the conditional appropriative rights of exchange absolute, and (4) continuing the remaining conditional water rights not made absolute in full force and effect for an additional diligence period. 13 Pages.

CASE NUMBER 2026CW3138 MICHAEL STALL, 77 Sugar Creek Center Blvd., #210, Sugar Land, TX, 77478. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California St, Suite 2600, Denver, CO, 80202. **APPLICATION FOR A FINDING OF REASONABLE DILIGENCE IN PARK COUNTY.** Prior Decree Information: The conditional water right that is the subject of this Application was decreed on January 22, 1992, in Case No. 91CW050, District Court, Water Division 1 (the “91CW050 Decree”). Subsequent findings of reasonable diligence were entered in Case Nos. 98CW008, 05CW90, and 13CW3048, and most recently in Case No. 20CW3022 by decree entered on August 21, 2020. Name of Structure and Location: Beaver Ridge Filing 4 Well No. 3 (“Well 3”), located in the SW1/4 SW1/4 of Section 28, Township 9 South, Range 77 West of the 6th P.M., Park County, Colorado. Well 3 is located on Lot 3, Beaver Ridge Filing 4 (“Lot 3”). Source of Water: Groundwater tributary to Beaver Creek and the Middle Fork of the South Platte River. Appropriation Date: June 11, 1991. Amount: 15 gpm, conditional. Uses: Domestic, irrigation of 250 square feet of lawns or 1,000 square feet of gardens, and fire protection purposes. Plan for Augmentation: Well 3 may operate pursuant to the plan for augmentation decreed in Case No. 91CW050. Applicant has maintained the right to operate Well 3 under that plan for augmentation throughout the diligence period. Claim for Finding of Reasonable Diligence: This Application for Finding of Reasonable Diligence is filed pursuant to the Water Right Determination and Administration Act of 1969, § 37-92-302, C.R.S. During this diligence period and in continuing the development of the conditional water right, Applicant has engaged in the legal defense and protection of the subject water right and has been diligent in the continued use and development of the water right, including the following specific activities: During this diligence period, due to economic considerations, Applicant has been unable to construct a cabin on Lot 3 which would require construction and use of the well. Applicant has continued repair, maintenance, and upkeep of Lot 3. Applicant has continued to maintain the right to operate Well 3 pursuant to the plan for augmentation decreed in Case No. 91CW050, as described in Paragraph 4 above. Name and Address of Owner of the Land upon which the Structure is Located: Applicant, Michael Stall, at the address set forth in Paragraph 1 above, is the owner of Lot 3, upon which Well 3 will be located. Applicant respectfully requests that this Court enter a decree finding that Applicant has exercised reasonable diligence in the development of the conditional water right associated with Well 3 and continuing that conditional water right in full force and effect and granting such other and further relief as this Court deems just and proper in the premises. 3 Pages.

CASE NUMBER 2026CW3139 ALBERT WENDELL NELSON REVOCABLE TRUST c/o Wendell Nelson, Trustee 5537 N. County Road 9 Fort Collins, CO 80524 303-921-4750 Sally Jean Nelson Revocable Trust c/o Wendell Nelson, Trustee 5537 N. County Road 9 Fort Collins, CO 80524 303-921-4750 Serve all pleadings on: Alison I. Gorsevski Catherine E. Fink Lyons Gaddis P.O. Box 978 Longmont, CO 80502-0978 agorsevski@lyonsgaddis.com; cfink@lyonsgaddis.com **APPLICATION FOR CHANGE OF WATER RIGHT IN LARIMER COUNTY.** 2. **Summary of the Application:** Applicants seek to change the decreed location of the Day-Townsend Well No. 1 to the as-drilled location of the well. No other changes are requested in this application, and Applicants will otherwise continue to use the subject

well in the same manner as historically. 3. **Prior Decrees:** 3.1. **Original decree:** The original decree for the Day-Townsend Well No. 1 was entered in Case No. W-7906, District Court, Water Division 1, on May 3, 1977. A corrected decree was entered on September 20, 1988. 3.2. **Subsequent decrees:** N/A 4. **Name of Underground Water Right:** Day-Townsend Well No. 1-6232, Permit No. 6232-R-R (WDID 0306542) 4.1. **Decreed Location of Well:** NE1/4 NE1/4 of Section 17, Township 8 North, Range 68 West, 6th P.M., Larimer County, at a point 569.03 feet South and 978.84 feet West of the NE Corner of said Section 17 [UTM coordinates: Easting 498060.8, Northing 4501732.5, Zone 13, meters, NAD83]. A map showing the decreed and the as-built location of the Day-Townsend Well No. 1 is provided as **EXHIBIT A**. 4.2. **Source:** Groundwater 4.3. **Appropriation date:** July 1, 1952 4.4. **Rate and Amount:** 0.72 cfs (325 g.p.m.); 90 acre-feet per year 4.5. **Uses:** Irrigation of 30 acres located in the NE1/4 of Section 17, Township 8 North, Range 68 West of the 6th P.M., in Larimer County. **CHANGE OF POINT OF DIVERSION** 5. **Change in Well Location.** Applicants seek a change in the point of diversion of the Day-Townsend Well No. 1-6232 water right from the decreed location described in paragraph 4.1, above, to the as-built location described in paragraph 6, below. 6. **As-Built Location:** The as-built location of the Day-Townsend Well No. 1 is in the NE1/4 NE1/4 of Section 17, Township 8 North, Range 68 West, 6th P.M., Larimer County, specifically at UTM coordinates: Easting 497991.0 Northing 4501542, Zone 13, meters, NAD83]. The as-built location is approximately 650' from the decreed location. 6. **Augmentation Plan:** The subject well is authorized to pump up to 90 acre-feet of water per year under the Cache la Poudre Water Users Association's plan for augmentation decreed in Case No. W-7921, Water Division 1. 7. **Name and address of owner of land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or storage pool is or will be constructed or upon which water is or will be stored.** Applicant. **WHEREFORE,** Applicants respectfully request that this Court enter a decree granting the above proposed change of water right from the decreed location of the well described above to its as-built location, and such other relief that it deems proper. (Number of pages in Application: 5 excluding exhibits)

CASE NUMBER 2026CW3140 DAVID JOE KRAXNER III, 754 Highway 86, Elizabeth, CO, 80107. Philip E. Lopez, Eric K. Trout, Fairfield and Woods, P.C., 1801 California St, Suite 2600, Denver, CO, 80202. **APPLICATION FOR A PLAN FOR AUGMENTATION IN ELBERT COUNTY.** **Subject Property:** A parcel totaling approximately 15 acres generally located in the NW1/4 of the NE1/4 of Section 15, Township 8 South, Range 65 West of the 6th P.M., also known as 754 Highway 86, Elizabeth, CO, 80107, as shown on **Exhibit A** ("Subject Property"). **Lien Holder Certification:** Applicant will provide notice within ten (10) days of filing this application to all mortgage or lien holders as required under C.R.S. § 37-92-302(2)(b), as follows: Lower, LLC, ATTN: Document Department, Final Docs Visionet, 111 Technology Drive, Pittsburgh, PA, 15275. **Well Permits:** There is one exempt Upper Dawson well on the Subject Property under Well Permit Number 60770. This well will be re-permitted under the plan for augmentation requested in this application. Additional well permits will be applied for prior to construction of additional wells. **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). **Decreed Volumes:** The groundwater underlying the Subject Property was part of a prior adjudication in Case No. 2006CW260, District Court, Water Division 1, decreed on July 24, 2007 (the "06CW260 Decree"). The following volumes are the pro rata portions of the 06CW260 Decree underlying the Subject Property and based on a 100-year aquifer life:

Aquifer	Estimated Annual Volume (acre-feet)	Estimated Total Volume (acre-feet)
Upper Dawson (NNT)	4.74	474.44
Lower Dawson (NT)	3.30	329.92
Denver (NT)	4.72	471.91
Arapahoe (NT)	6.12	611.80
Laramie-Fox Hills (NT)	5.06	506.46

06CW260 Decreed Uses: The groundwater decreed in the 06CW260 Decree will be used and reused for domestic, industrial, commercial, irrigation, stock watering, recreational, fire protection, and augmentation purposes, both on and off the Subject Property. The ground water subject to that ruling and decree may also be used for municipal purposes if such ground water is conveyed to a municipality or a quasi-municipal entity. **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: 2.05 acre-feet per year of not-nontributary Upper Dawson Aquifer groundwater for 100 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 one, or more, well(s) to provide in-house use in up to three (3) single-family dwellings or their equivalent (0.9 acre-feet per year), outdoor irrigation of home lawn, trees, garden, pasture, and hay of up to 40,000 square-feet (1 acre-foot per year), watering of up to 12 large non-commercial domestic animals (0.15 acre-feet per year), fire protection, and storage before use anywhere on the Subject Property. Applicant reserves the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use and return flow from irrigation use will be approximately 15% of that use. During pumping Applicant will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the South Platte River stream system and return flows accrue to that stream system and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicant will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post-pumping augmentation requirements. Applicant requests the Court approve the above underground water rights and augmentation plan, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 4 Pages.

CASE NUMBER 2026CW3141 KELTY COLORADO FAMILY LLLP, C/o Bruff Shea, P.O. Box 21, Franktown, Colorado 80166. Please direct all pleadings and correspondence to Applicants counsel: Michael A. Kopp, Trout Raley PC, 1120 Lincoln St., Suite 1600, Denver, CO 80203, (303) 861-1963, mkopp@troutlaw.com. **APPLICATION FOR PLAN FOR AUGMENTATION IN DOUGLAS COUNTY.** 2. **Subject Property:** Applicant owns approximately 83.5 acres located in Sections 34 and 35, Township 7 South, Range 66 W., 6th P.M. (the “Subject Property”), as shown on **Exhibit A** hereto. 3. **Prior Adjudication:** The decree entered in Case No. 89CW19, Water Division 1, adjudicated the rights to groundwater underlying approximately 239.2 acres of land, including the Subject Property. The Applicant owns a proportionate interest in the groundwater underlying the Subject Property as adjudicated in Case No. 89CW19. 4. **Application Overview:** Applicant seeks to drill a well into the Upper Dawson Aquifer underlying the Subject Property and, by this Application, seeks to adjudicate an augmentation plan to replace depletions associated with pumping such well. As provided in Case No. 89CW19, the Upper Dawson Aquifer underlying the Subject Property is not-nontributary, meaning that withdrawal of this water will, within 100 years, deplete the flow of a surface stream at annual rates greater than 1/10 of 1% of the annual rate of withdrawal. Consequently, the Case No. 89CW19 Decree requires adjudication of an augmentation plan before the Upper Dawson water underlying the Subject Property can be withdrawn. 5. **Available Amounts:** The Case No. 89CW19 Decree provides that the following amount of water is available for withdrawal based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-foot)	Annual Amount Per Acre (acre-feet)
Upper Dawson (NNT)	38.3	0.160
Lower Dawson (NT)	21.3	0.100
Denver (NT)	103.7	0.434

Arapahoe (NT)	105.7	0.422
Laramie-Fox Hills (NT)	68.2	0.285

Based on its ownership of 83.5 of the original 239.2 acres of land subject to the determination adjudicated in Case No. 89CW19, Applicant is entitled to 83.5/239.2 (34.9%) of the annual allowable withdrawal from the above aquifers adjudicated in that case, with specific amounts reflected in the following table:

Aquifer	Applicant's Share of Annual Pumping (acre-feet)
Upper Dawson (NNT)	13.37
Lower Dawson (NT)	7.43
Denver (NT)	36.19
Arapahoe (NT)	36.89
Laramie-Fox Hills (NT)	23.80

6. Well Location: The subject well will be located at or within 200 feet of UTM coordinates (Zone 13, NAD83): 520893 easting, 4360794 northing. 7. Proposed Uses: The Case No. 89CW19 decree authorizes water withdrawn from the Subject Property to be used for the following purposes: all municipal purposes including domestic, agricultural, industrial, commercial, greenhouse, stock watering, recreation, fish and wildlife and fire protection uses. Water may be placed to immediate use, used by exchange, or used for augmentation purposes including augmentation of not-nontributary groundwater diversions. Applicant intends to use water extracted from the well for indoor domestic use in a single-family home, to be constructed (0.3 acre-feet), irrigation of up to 14,000 square feet of lawn and garden (0.7 acre-feet), and augmentation purposes. Based on the standard water use rates published by the Division of Water Resources, annual demands from the well will be approximately 1 acre-foot. 8. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-302(2), 37-92-203(1). 9. Plan for Augmentation. 9.1 Groundwater to be augmented: Up to 1 acre-foot per year of the available Upper Dawson aquifer groundwater as requested herein. 9.2 Water rights for augmentation: Return flows from the use of not nontributary and nontributary groundwater and direct discharge of nontributary ground water. 9.3 Statement of plan for augmentation: The Upper Dawson aquifer water will be used for in-house domestic use (0.3 acre-feet) and irrigation of up to approximately 14,000 square feet of lawn, garden, and trees (0.7) through a new well to be constructed on the Subject Property. The well will operate at a rate of flow not to exceed 15 gpm. Sewage treatment for in-house use will be provided by a non-evaporative septic system and return flow from in-house and irrigation use will be approximately 90% and 10% of that use, respectively. During pumping, Applicant will replace actual depletions to the affected stream system pursuant to Section 37-90-137(9)(c.5), C.R.S. Depletions may occur to Cherry Creek, which is tributary to the South Platte River. Return flows will accrue to Cherry Creek, and those return flows 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. 10. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion nor storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant. 11. Notice: The following wells are listed within the records of the Division of Water Resources as being located within 600 feet of the well location proposed in paragraph 6, above: 61871-F 88841-F Both wells are owned by the Applicant and are on land owned by the Applicant. Both wells are also drilled into the Lower Dawson aquifer, which is not the subject of this application. Therefore, no notice is necessary pursuant to C.R.S. § 37-90-137(2)(b)(II)(B). Applicant requests that this Court approve the above-described plan for augmentation, find that Applicant has complied with C.R.S. § 37-90-137(4), 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. (Application is 5 pages, 1 exhibit of 1 page)

CASE NUMBER 2026CW3142 1. Name, address, and telephone number of Applicant and Landowner: 1.1. Applicant and Landowner: CAP LAND LLC, a Colorado limited liability company

(“CAP Land”) c/o Lena Vander Laan P.O. Box 105 Henderson, CO 80640 Please direct all correspondence to: Alison I. Gorsevski Catherine E. Fink Lyons Gaddis, PC P.O. Box 978 Longmont, CO 80502-0978

APPLICATION FOR NONTRIBUTARY UNDERGROUND WATER RIGHTS IN THE LARAMIE FOX HILLS AQUIFER IN ADAMS COUNTY

2. Description of Application: CAP Land seeks entry of a decree adjudicating the nontributary Denver Basin groundwater in the Laramie Fox Hills aquifer (“LFH Aquifer”) underlying CAP Land’s property. CAP Land is not seeking to adjudicate the Denver Basin groundwater in any other aquifer underlying CAP Land’s property in this Application.

2.1. Overlying Land: CAP Land owns approximately 12.76 acres of real property (“Overlying Land”) generally located the SE 1/4 of the NE 1/4 of Sec. 33, Township 1 South, Range 67 West in Adams County, Colorado, also known as 12481 Riverdale Road, Adams County Parcel No. 0157133000045. A map of the Overlying Land is provided as **Exhibit A**.

2.2. Ownership: The deed evidencing CAP Land’s sole ownership of the Overlying Land is attached as **EXHIBIT B**. As the owner of the Overlying Land, CAP Land has the exclusive right to adjudicate and withdraw the LFH Aquifer groundwater underlying the Overlying Land. CAP Land owns the Overlying Land free and clear of all liens and encumbrances. Accordingly, CAP Land certifies compliance with the notice requirements of § 37-92-302(2), C.R.S.

2.3. Determination. CAP Land seeks a determination of the amount and character of the LFH Aquifer groundwater beneath the Overlying Land. The groundwater in the LFH Aquifer beneath the Overlying Land meets the definitions of non-tributary groundwater as defined in § 37-90-103(10.5), C.R.S., and the Denver Basin Rules (2 CCR 402-6).

3. Amounts and rates of withdrawal:

3.1. Estimated Annual Average Withdrawal: The average annual withdrawal of groundwater from the LFH Aquifer beneath the Overlying Land, exclusive of any artificial recharge, will be determined based on an analysis of average saturated sand thicknesses and the specific yield of the LFH Aquifer underlying each section of the Overlying Land. Using data available from the Division of Water Resources, CAP Land’s engineering consultants estimate that the annual average withdrawal of water, based on an aquifer life of 100 years, in the LFH Aquifer beneath the Overlying Land is 4.08 acre-feet of nontributary groundwater. CAP Land may withdraw the total allowed withdrawal amount over a longer period (*i.e.*, more than 100 years). CAP Land further reserves the right to include a provision for retained jurisdiction to adjust the average annual volume available for withdrawal to conform to actual local aquifer characteristics, as provided for in § 37-90-137(4)(d), C.R.S., without amending the Application or republishing the same.

3.2. Banking: CAP Land requests the right to withdraw an amount of water in excess of the authorized average annual amount of withdrawal, as long as the total amount of water withdrawn from each well or well field does not exceed the product of the number of years since the date of issuance of the decree requested herein, multiplied by the authorized average annual amount of withdrawal, and pursuant to Rule 8.A of the Statewide Nontributary Groundwater Rules, 2 CCR 402-7.

3.3. Average pumping rates: The average pumping rates for wells completed in the LFH Aquifer are expected to vary from 15 gpm to 100 gpm. CAP Land claims a pumping rate(s) for each well in the well field that is sufficient to withdraw the full annual authorized amount of nontributary groundwater available from the LFH Aquifer.

4. Wells:

4.1. Existing wells. There are no existing wells in the LFH Aquifer on the Overlying Land.

4.2. Well field claim: CAP Land seeks to withdraw the total amount of water in the LFH Aquifer (4.08 acre-feet/year/100 year pumping period) from a well field located on the Overlying Land, including any subdivision thereof, and from any combination of wells in that well field. CAP Land will construct one or more wells, including supplemental and replacement wells, at any location(s) on the Overlying Land to the extent needed to withdraw the full authorized amount of water from the LFH Aquifer. CAP Land waives the 600-foot spacing requirement for all wells located within the claimed well field on the Overlying Land.

4.3. Well depths: The estimated depth to the base of the aquifer will vary depending on the location of each well on the Overlying Land. Actual well completion depths will comply with each applicable well permit but may vary depending on the topography and geology at each location.

4.4. Well permits: Prior to constructing any well, CAP Land will apply to the State Engineer for well permits pursuant to § 37-90-137, C.R.S. and the provisions of the decree to be entered in this case. CAP Land requests that the Court require the State Engineer to issue well permits for any such wells in accordance with the decree to be entered herein.

5. Claimed uses: CAP Land will use all adjudicated groundwater that is the subject of this Application for all beneficial uses, including but not limited to irrigation, agricultural

uses, stock watering, domestic, municipal, commercial, industrial use, including but not limited to dust suppression, and replacement and augmentation uses. The water may be directly used, stored, exchanged, substituted, successively used and reused to extinction, at locations on or off of the Overlying Land by CAP Land or others to whom CAP Land may lease, sell, assign, or otherwise provide the water. CAP Land reserves the right to modify the manner and types of use claimed herein, without amending the Application or republishing the same. CAP Land will relinquish and not consume by means of original use, reuse, and successive use, more than two percent of all nontributary water withdrawn. § 37-90-137(9)(b), C.R.S. **WHEREFORE**, CAP Land seeks a decree granting: determination that the groundwater in the LFH Aquifer underlying the Overlying Land is comprised of nontributary groundwater; quantification and adjudication of the groundwater rights in the LFH Aquifer underlying the Overlying Land to which CAP Land is entitled to develop and use; finding that CAP Land has complied with § 37-90-137(4), C.R.S., and water is legally available for withdrawal; and such other relief as it deems proper on the premises. (Number of pages in application: 5 excluding exhibits)

Case Number 2026CW3088 was included in the June 2026 Resume and publication did not occur in El Paso County by July 31, 2026. Therefore, 2026CW3088 is included in the August 2026 Resume and shall be published with a Statement of Opposition deadline of last day of October 2026.

CASE NUMBER 2026CW3088 NORTH RANCH, LLC, c/o Robert L. Myers, 944 Cheyenne Blvd., Colorado Springs, CO 80905; Please direct all correspondence concerning the application to: Ryan W. Farr, Sedona E. Chavez, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, CO 80921; Telephone Number: (719) 471-1212; Email: rwf@cowaterlaw.com; sec@cowaterlaw.com. **APPLICATION FOR AMENDMENT OF PLAN FOR AUGMENTATION IN EL PASO COUNTY.** Applicant seeks to amend the plan for augmentation decreed in Case No. 94CW198, District Court, Water Division 1 (“Original Augmentation Plan”), only as it concerns what was defined therein as the “Herbertson Parcel”, which is now owned by Applicant, as further described below (“Applicant’s Property” or “Herbertson Parcel”). The Original Augmentation Plan for the Herbertson Parcel allowed for the use of up to five individual Dawson aquifer wells on five individual lots, to provide up to 3 acre-feet of water per year, per lot for 100 years (up to 15 acre-feet of water per year) on the Herbertson Parcel. The Original Augmentation Plan found during-pumping replacement from the septic system return flows sufficient to meet during-pumping replacement obligations and reserved water in the nontributary Arapahoe and Laramie-Fox Hills aquifers to meet post-pumping replacement obligations. In 2007 one well was constructed pursuant to the Original Augmentation Plan, well permit no. 65108-F (“North Ranch Well No. 1”). This is the only well that has been constructed pursuant to the Original Augmentation Plan. Applicant seeks to amend the Original Augmentation Plan for the Herbertson Parcel to subdivide said property into 15 lots. Such amendment would allow for the construction of up to 13 new Dawson aquifer wells to serve 13 of the 15 lots within the subdivision. The North Ranch Well No. 1 would continue to serve one of the remaining lots and would be re-permitted according to the amended augmentation plan requested herein. The remaining lot would continue to be served by an existing exempt well, permit no. 49840-A. The amended augmentation plan would utilize return flows from the Dawson aquifer wells to meet during-pumping replacement obligations and would re-reserve the entirety of the Laramie-Fox Hills aquifer groundwater and a portion of the Arapahoe aquifer groundwater to provide for post-pumping replacement for when the augmented Dawson aquifer wells cease pumping. Property Description. Applicant owns an approximately 47.55-acre property that is depicted on the attached **Exhibit A** map, located in the SE1/4 SW1/4 of Section 15 and the E1/2 NW1/4 of Section 22, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado, specifically described in attached **Exhibit B**. Also known as 17675 State Highway 83, Colorado Springs, CO 80908, to which the El Paso County assessor has assigned Parcel ID No. 6100000369 (“Applicant’s Property”). Structures to be Augmented. The structures to be augmented are 14 Dawson aquifer wells, North Ranch Well Nos. 1-14, along with any replacement or additional wells as needed that are constructed to the Dawson aquifer underlying the Applicant’s Property. North Ranch Well No. 1 was constructed in 2007 and is currently operating under the Original Augmentation Plan. Upon approval of an amended plan for augmentation requested herein, Applicant will re-permit North Ranch

Well No. 1 according to the amended plan. North Ranch Well Nos. 2-14 will be constructed to the Dawson aquifer to serve 13 lots within a proposed subdivision on the Applicant's Property. Water Source. A prior Denver Basin groundwater adjudication was prosecuted along with the Original Augmentation Plan and a decree was issued that included a quantification of all Denver Basin groundwater underlying the Applicant's Property in Case No. 94CW198, District Court, Water Division 1 ("94CW198 Decree"). The 94CW198 Decree adjudicated the following underlying Denver Basin groundwater amounts underlying the Applicant's Property (as identified in the 94CW198 Decree as the "Herbertson Parcel"):

Aquifer	Saturated Thickness (ft)	Total Appropriation (Acre-feet)	Annual Avg. Withdrawal 100 Years (Acre-feet)
Dawson (NNT)	442	3,960	39.6 ¹
Denver (NNT)	560	4,590	45.9
Arapahoe (NT)	248	2,030	20.3
Laramie-Fox Hills (NT)	202	1,460	14.6

¹ The total amount available was reduced by 3 acre-feet annually for protection of an existing exempt well, identified by well permit number 49840-A.

North Ranch Well No. 1 has presumably been operating under the Original Plan for Augmentation since 2007 when it was constructed, or approximately 19 years. Since that time, North Ranch Well No. 1 has diverted approximately 57 acre-feet of Dawson aquifer groundwater. As such, the approximate remaining amount of Dawson aquifer groundwater available is 3,903 acre-feet total. The approximate 300-year annual average water supply from each of the not-nontributary aquifers is as follows:

Aquifer	Annual Avg. Withdrawal 300 Years (Acre-feet)
Dawson (NNT)	13.01
Denver (NNT)	15.3

Water Rights to be Used for Augmentation. The water rights to be used for augmentation during-pumping are the return flows resulting from the pumping of the not-nontributary Dawson wells, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifers for any injurious post pumping depletions. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer. Uses. Pumping from the Dawson aquifer will be a maximum of 10.71 acre-feet of water per year combined for North Ranch Well Nos. 1-14, with each lot pumping a maximum of 0.765 acre-feet per year. Such uses shall be for municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Applicant's Property, by immediate application or for storage and subsequent application, and for replacement of depletions resulting from use of water from other sources, and for augmentation purposes, as established in the 94CW198 Decree. Depletions. Pursuant to C.R.S. § 37-90-137(9)(c.5), withdrawals from the Dawson aquifer require replacement of actual stream depletions. As such, pumping from the Dawson aquifer will require the replacement of 23.29% of the water withdrawn annually, or 2.49 acre-feet. Should annual pumping be less than the 10.71 acre-feet total described herein, resulting depletions and required replacements will be correspondingly reduced. Augmentation of Depletions During Pumping. Depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. At a conservative household use rate of 0.20 acre-feet per residence per year from 14 residences, 2.52 acre-feet is replaced to the stream system per year with the use of a non-evaporative septic systems. Thus, during pumping, stream depletions (2.49 acre-feet) will be adequately augmented. Augmentation for Post-Pumping Depletions. For the replacement of post-pumping depletions which may be associated with the use of the North Ranch Well Nos. 1-14 and to account

for post-pumping depletions associated with use of the North Ranch Well No. 1 since 2007 as may be required, Applicant will reserve the entirety of the Laramie-Fox Hills aquifer (1,460 acre-feet) and 1,810 acre-feet of the Arapahoe aquifer underlying the Applicant's Property. The amount of nontributary Arapahoe and Laramie-Fox Hills aquifer groundwater reserved may be reduced as may be determined through this Court's retained jurisdiction as described in any decree. If the Court, by order, reduces the Applicant's obligation to account for and replace such post-pumping depletions for any reason, it may also reduce the amount of Arapahoe and Laramie-Fox Hills aquifer groundwater reserved for such purposes, as described herein. Applicant also reserves the right to substitute other legally available augmentation sources for such post-pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post-pumping depletions will be noninjurious. Pursuant to C.R.S. § 37-90-137(9)(b), no more than 98% of water withdrawn annually from a nontributary aquifer shall be consumed. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the Dawson aquifer may occur in both the South Platte and Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system, where the majority of such depletions will occur, and it is Applicant's intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte River as set forth herein, and for a finding that those replacements are sufficient. Applicant requests a finding that it has complied with C.R.S. § 37-90-137(4), and that the groundwater requested herein is legally available for withdrawal by the requested nontributary wells upon the entry of a decree approving an amended plan for augmentation pursuant to C.R.S. § 37-90-137(9)(c.5). The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of groundwater withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes. Applicant requests a finding that vested water rights of others will not be materially injured by the withdrawals of groundwater and the proposed amended plan for augmentation. All wells shall be installed and metered as reasonably required by the State and Division Engineer. The wells will be equipped with totalizing flow meters and Applicant, or its successors and assigns, shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. Applicant, or its successors and assigns, shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this amended plan for augmentation. Applicant will comply with any landowner and lienholder notice provisions set forth in C.R.S. §§ 37-92-302(2)(b) and 37-90-137(4)(b.5)(I), and such notice will be sent within 14 days of the filing of this application. 5 Pages.

Case Number 2026CW3089 was included in the June 2026 Resume and publication did not occur in El Paso County by July 31, 2026. Therefore, 2026CW3089 is included in the August 2026 Resume and shall be published with a Statement of Opposition deadline of last day of October 2026.

CASE NUMBER 2026CW3089 ROBERSON LIVING TRUST, c/o Tamara Roberson-George, Rex Roberson, Kevin Roberson, Co-Trustees, 18235 Black Forest Road, Colorado Springs, CO 80908; Please direct all correspondence concerning this application to: David M. Shohet, and Sedona E. Chavez, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, CO 80921; Telephone Number: (719) 471-1212; Email: dms@cowaterlaw.com; sec@cowaterlaw.com. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER IN EL PASO COUNTY.** Applicant owns two parcels of land totaling 320 acres and is seeking to quantify the Denver Basin groundwater underlying the property. Property Description. Applicant's property lies in the E1/2 SW1/4 of Section 8 and the E1/2 NW1/4 and NE1/4 of Section 17, all in Township 11 South, Range 65 West of the 6th P.M., El Paso County, Colorado ("Applicant's Property"), as approximately shown in the attached **Exhibit A** map, and as more specifically described as follows: THE EAST HALF OF THE

SOUTHWEST QUARTER OF SECTION 8, THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF SECTION 17, ALL IN TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNIY OF EL PASO, STATE OF COLORADO. a.k.a.: 18235 Black Forest Road, Colorado Springs, CO 80908. The El Paso County Assessor has assigned parcel ID nos. 5100000528 (“Parcel 1”) and 5100000529 (“Parcel 2”) to the two parcels making up Applicant’s Property. Existing Wells. There is one existing, historic well on Parcel 2 of Applicant’s Property, which is not permitted with the Division of Water Resources (“Existing Well”). The Existing Well was constructed in approximately the 1920s to the Dawson aquifer and is approximately 80 feet in depth. The Existing Well has been historically used for exempt purposes, including domestic uses, stock watering, and lawn and garden irrigation. Not-Nontributary. The groundwater to be withdrawn from the 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 Dawson aquifer require the replacement of actual stream depletions. Nontributary. The groundwater to be withdrawn from the 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)
Dawson (NNT)	478	30,127 ¹	301.27
Denver (NT)	460	24,936	249.36
Arapahoe (NT)	260	14,228	142.28
Laramie-Fox Hills (NT)	195	9,379	93.79

¹ Applicant may reserve 300 acre-feet of Dawson aquifer water to be utilized by an existing well, reducing the total amount available in the Dawson aquifer to the amount estimated above.

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. Requested Uses. 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 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 non-tributary 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 it 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 it 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 it has complied with C.R.S. § 37-90-137(4), and that the groundwater requested herein is legally available for withdrawal by non-tributary 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. 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. 6 Pages.

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 **OCTOBER 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.