

DIVISION 5 WATER COURT- SEPTEMBER 2026 RESUME

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

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

26CW3097 PITKIN COUNTY, COLORADO; COLORADO RIVER OR ITS TRIBUTARIES. WOODY CREEK COMMUNE 1, LLC; WOODY CREEK COMMUNE 2, LLC; WOODY CREEK COMMUNE 3, LLC; and WOODY CREEK COMMUNE 4, LLC, Colorado limited liability companies; c/o Danielle L. Van Arsdale, Esq., Wood Bess Nelson Hastings, LLC, 201 Main Street, Ste. 301, Carbondale, CO 81623 (970) 925-1551. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim.** Names of structures: Flying Elk Pond Nos. 1-4. Original decree: Case No. 98CW275, Division 5 Water Court; July 10, 2000. Subsequent diligence decrees: Case No. 2020CW3009, September 20, 2020; Case No. 2013CW3015, January 24, 2014; Case No. 06CW154, May 30, 2007. Legal descriptions: A map is on file with the Court as Exhibit A (Pitkin County). Flying Elk Pond No. 1 is in the NE ¼, SE ¼, Section 23, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 2,440 feet from the south section line and 600 feet from the east section line. Flying Elk Pond No. 2 is in the NE ¼, SE ¼, Section 23, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 1,950 feet from the south section line and 500 feet from the east section line. Case No. 03CW323 changed the location of portions of Pond No. 2 as follows: (a) "Sanders Pond" (0.12 acre-foot absolute) is in the NE ¼, SE ¼, Section 23, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 2,020.63 feet from the south section line and 1,037.70 feet from the east section line; (b) "Round Barn Pond" (0.087 acre-foot conditional) is in the SW ¼, SE ¼, Section 24, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 1,077.64 feet from the south section line and 2,224.53 feet from the east section line; (c) "Preserve Pond" (0.068 acre-foot absolute) is in the SE ¼, SW ¼, Section 24, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 918.23 feet from the south section line and 2,536.87 feet from the west section line; (d) "Upper Meadow Pond" (1.725 acre-feet conditional) is in the SE ¼, SE ¼, Section 24, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 1,121.73 feet from the south section line and 929.31 feet from the east section line. Flying Elk Pond No. 3 is in the NW ¼, SE ¼, Section 23, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 1,400 feet from the south section line and 1,800 feet from the east section line. Flying Elk Pond No. 4 is in the NW ¼, SE ¼, Section 23, Township 9 S., Range 85 W., 6th P.M., with the dam centerline 2,200 feet from the south section line and 1,900 feet from the east section line. Case No. 03CW323 changed the location of a portion of this water right as follows: (a) "Upper Meadow Pond" (1.875 acre-feet conditional) is in the SE ¼, SE ¼, Section 24, Township 9 S., Range 85 W. of the 6th P.M., with the dam centerline 1,121.73 feet from the south section line and 929.31 feet from the east section line. Source: Woody Creek, tributary to the Roaring Fork and Colorado Rivers. Ditches used to fill reservoirs: Flying Elk Pond No. 1 is filled from the Collins Creek Ditch Extension. Flying Elk Pond Nos. 2 and 3 are filled from the Paradise Ditch. Flying Elk Pond No. 4 is filled from the Flying Elk Ditch and Pipeline. Rate of fill: 0.5 c.f.s. Date of appropriation: June 12, 1998. Amounts: 3.59 acre-feet conditional at Flying Elk Pond No. 1 (out of 5.0 acre-feet total), with the right to fill and re-fill. 5.812 acre-feet conditional at Flying Elk Pond No. 2 (out of 6.0 acre-feet total), with the right to fill and re-fill, as follows: (a) 0.087 acre-foot conditional at "Round Barn Pond"; (b) 1.725 acre-feet conditional at "Upper Meadow Pond," and (c) 4.0 acre-feet conditional at the original location. 1.80 acre-feet conditional at Flying Elk Pond No. 3, with the right to fill and re-fill. 2.40 acre-feet conditional at Flying Elk Pond No. 4, with the right to fill and re-fill, 1.875 acre-feet conditional of which is located at the "Upper Meadow Pond." Uses: Piscatorial, recreational, and aesthetic. Applicants own the lands upon which storage structures are and will be located and upon which water is and will be stored and put to beneficial use. An outline of diligent efforts to complete appropriations and a statement of "can and will" is on file with the Court within the Application and as Figure 1 and Exhibit B. **Second Claim.** Names of structure: Flying Elk Ditch and Pipeline. Original decree: Case No. 98CW275, Division 5 Water Court; July 10, 2000. Subsequent diligence decrees: Case No. 2020CW3009, September 20, 2020; Case No. 2013CW3015, January 24, 2014; Case No. 06CW154, May 30, 2007. Legal description. A map is on file with the Court as Exhibit A (Pitkin County). The point of diversion is in the NW ¼, SE ¼, Section 23, Township 9 S., Range 85 W., 6th P.M., 2,050 feet from the south section line and 1,550 feet from the east section line. Source: Woody Creek, tributary to the Roaring Fork and Colorado Rivers. Date of appropriation: June 12, 1998. Amount: 0.5 c.f.s. conditional. Use: To divert water into storage for subsequent piscatorial, recreational, and aesthetic purposes. Applicants own the lands upon which structure will be located and upon which water will be put to beneficial use. An outline of diligent efforts to complete appropriations and a statement of "can and will" is on file with the Court within the Application and as Figure 1 and Exhibit B.

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

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

26CW3098 GRAND COUNTY. Ritschard Springs Association, P.O. Box 1594, Kremmling, CO 80459, c/o Kaitlin Randall and Kent Whitmer, JVAM PLLC, PO Box 878, Glenwood Springs, CO 81602, (970) 922-2122. APPLICATION FOR FINDING OF

REASONABLE DILIGENCE. Name of Structures: Ritschard Spring No. 2 and Ritschard Spring No. 3. Type of Structure: Springs. Source: Tributary to Whitely Creek, tributary to Lindsey Creek, tributary to Muddy Creek, tributary to the Colorado River. Location: Ritschard Spring No. 2 is located in the NE1/4NE1/4 of Sec. 17, T4N, R81W of the 6th P.M., at a point whence the NE Corner of said Sec. 17 bears N 35°22' E 190 feet. Ritschard Spring No. 3 is located in the NE1/4NE1/4 of Sec. 17, T4N, R81W of the 6th P.M. at a point whence the NE Corner of said Sec. 17 bears N 18°26' E 237 feet. Use: Domestic, livestock watering, fish propagation. Amount: 0.033 cubic feet per second (15 gallons per minute), conditional for each Spring. Date of Appropriation: 6/30/1969. Prior Decrees: 9/25/1975, (Case No. W-2557); 11/30/1979 (79CW195); 11/25/1983 (83CW198); 11/30/1987 (87CW174); 11/18/1993 (93CW165); 3/7/2001 (99CW255); 11/3/2007 (07CW044); 4/7/2014 (13CW3076); 9/20/2020 (20CW3044); all in Water Court Division No. 5. The application and attached exhibits contain a detailed outline of the work performed during the diligence period (8 pages).

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26CW3099 GARFIELD COUNTY, COLORADO, A SPRING TRIBUTARY TO THE COLORADO RIVER. S Bar Lazy S Enterprises LLC, P.O. Box 809, Silt, Colorado 81652. Please direct all correspondence to Jeffrey J. Conklin and Danielle T. Skinner of Karp Neu Hanlon, P.C., P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE. FIRST CLAIM: FINDING OF REASONABLE DILIGENCE. *Strong Spring and Pipeline No. 1.*** Original Decree: May 5, 2000, in Case No. 98CW227, in the District Court in and for Water Division No. 5, State of Colorado. Subsequent Decrees Awarding Findings of Diligence: Case No. 06CW58 entered on January 15, 2007, Case No. 13CW16 entered on February 2, 2014, and Case No. 20CW3026 entered on September 20, 2020. Legal Description: The Strong Spring and Pipeline No. 1 is located in Section 1, Township 7 South, Range 95 West of the 6th P.M. The central collection point for the spring is located 162 feet from the North section line and 850 feet from the East section line of said Section 1 in Garfield County, Colorado, and collects spring flows, seepage and other waters from above in and around that point. Source: A spring tributary to the Colorado River. Appropriation Date: August 14, 1998. Amount: 0.25 c.f.s., conditional. This water right was originally decreed in the amount of 0.50 c.f.s., conditional. In Case No. 06CW58, the Court confirmed 0.25 c.f.s. absolute for the irrigation of 10 acres and for watering of up to 5 head of stock (with 0.0769 acre-foot confirmed absolute for stock watering). Uses: Irrigation of 10 acres and stock watering. Place of use: Up to 20 acres located in the NE1/4 NE1/4 of Section 1, Township 7 South, Range 95 West, and SE1/4 SE1/4, Section 36, Township 6 South, Range 95 West, and SE1/4 SE1/4 of Section 31, Township 6 South, Range 94 West, and NW1/4 NW1/4 of Section 6, Township 7 South, Range 94 West, all in the 6th P.M. The acreage to be irrigated by the Strong Spring & Pipeline No. 1 is located within an approximately 83-acre parcel of land owned by the Applicant south of Rulison, in Garfield County. Claim for Reasonable Diligence: Applicant requests a finding of reasonable diligence for the Strong Spring and Pipeline No. 1 in the amount of 0.25 c.f.s., conditional, for the irrigation of 10 acres and stock watering. **SECOND CLAIM: FINDING OF REASONABLE DILIGENCE. *Ivy Springs, Strong Pipeline.*** Original Decree: May 5, 2000, in Case No. 98CW227, in the District Court in and for Water Division No. 5, State of Colorado. Subsequent Decrees Awarding Findings of Diligence: Case No. 06CW58 entered on January 15, 2007, Case No. 13CW16 entered on February 2, 2014, and Case No. 20CW3026 entered on September 20, 2020. Legal Description: The Ivy Springs, Strong Pipeline is located in Section 1, Township 7 South, Range 95 West of the 6th P.M. The central collection point for the spring is located 337 feet from the North section line and 850 feet from the East section line of said Section 1, in Garfield County, and collects spring flows, seepage and other waters from above, in and around that point. Source: A spring tributary to the Colorado River. Appropriation Date: August 14, 1998. Amount: 0.25 c.f.s., conditional. This water right was originally decreed in the amount of 0.50 c.f.s., conditional. In Case No. 06CW58, the Court confirmed 0.25 c.f.s. absolute for the irrigation of 10 acres and watering up to 5 head of stock (with 0.0769 acre-foot confirmed absolute for stock watering). Uses: Irrigation of 10 acres and stock watering. Place of Use: Up to 20 acres located in the NE1/4 NE1/4 of Section 1, Township 7 South, Range 95 West, and SE1/4 SE1/4, Section 36, Township 6 South, Range 95 West, and SE1/4 SE1/4 of Section 31, Township 6 South, Range 94 West, and NW1/4 NW1/4 of Section 6, Township 7 South, Range 94 West, all in the 6th P.M. The acreage to be irrigated by the Ivy Springs, Strong Pipeline is located within an approximately 83-acre parcel of land owned by the Applicant south of Rulison, in Garfield County. Claim for Reasonable Diligence: Applicant requests a finding of reasonable diligence for the Ivy Springs, Strong Pipeline in the amount of 0.25 c.f.s., conditional, for the irrigation of 10 acres and stock watering. Name and address of owner of land upon which structures are located: Applicant. The following exhibits are on file with the Water Court: map depicting the location of structures (Exhibit A), map depicting the outline of this parcel, as well as the location of irrigation within the same (Exhibit B), and a list of diligence activities (Exhibit C). (pp. 8 with exhibits)

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

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

26CW3100 PITKIN COUNTY – ROARING FORK RIVER AND ITS TRIBUTARIES. RUSSELL WIGHT c/o Paul L. Noto and John Sittler, Patrick, Miller & Noto, P.C., 229 Midland Ave., Basalt, CO 81621 (970) 920-1030. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE. **First Claim:** Wight Pond. Original decree: December 31, 2007, Case No. 05CW284, Division 5 Water Court. Subsequent diligence decrees: April 20, 2014, Case No. 13CW3104; September 20, 2020, Case No. 20CW3055, Division 5 Water Court. Legal: The pond will be located in the SW¼ SW¼ of Section 28, Township 10 S., Range 84 W. of the 6th P.M. (Pitkin County) within the boundaries of the property. **Source: An unnamed tributary of the Roaring Fork River, tributary to the Roaring Fork River, tributary to the Colorado River.** The Wight Pond is decreed to fill from the A.R. Smith Ditch No. 1, which diverts from an irrigation pump located in the SW ¼ SW ¼ of Section 28, Township 10 S., Range 84 W. of the 6th P.M., at a point approximately 930 feet from the West Section line and 315 feet from the South Section line; and from the Difficult Pump which is located in the SW ¼ SW ¼ of Section 28, Township 10 S., Range 84 W. of the 6th P.M., at a point approximately 1,137 feet from the West Section line and 325 feet from the South Section line (Pitkin County). Appropriation date: December 27, 2005. Amount: 1.6 acre-feet, conditional, with the right to fill and re-fill in priority. Uses: Irrigation of up to 6.75 acres, piscatorial, aesthetic, recreation, and augmentation. Irrigation use will occur on Applicant's property on the area identified on the map, generally located in the South ½ of the SW ¼ SW ¼ of Section 28, Township 10 S., Range 84 W. of the 6th P.M. (Pitkin County). Augmentation use is limited to the plan for augmentation decreed in Case No. 05CW283, Division 5 Water Court. Remarks: The Wight Pond is a component part of an integrated legal water supply plan for Applicant's property as decreed in Case Nos. 05CW283 and 05CW284, Division 5 Water Court. Applicant continues to be subject to the acknowledgement in Paragraph 12.B of the decree in Case No. 05CW284. Applicant owns the land on which the water right will be located and where water will be put to beneficial use. **Second Claim:** Wight Exchange. Original decree: March 23, 2008, Case No. 05CW283, Division 5 Water Court. Subsequent diligence decrees: October 19, 2014, Case No. 14CW3026; March 20, 2021, Case No. 20CW3127, all Division 5 Water Court. Legal: Upper terminus: The point of diversion of the Difficult Pump, located at North 76°30' East 1195 feet from the Southwest corner of Section 28, also described as the SW ¼ of the SW ¼ of Section 28, Township 10 South, Range 84 West of the 6th P.M. at a point approximately 1,130 feet from the West Section line and 325 feet from the South Section line (Pitkin County). The pump is located on the property. Lower terminus: The confluence of the Roaring Fork and Colorado Rivers, located in the SE ¼ of the NW ¼ of Section 9, Township 6 South, Range 89 West of the 6th P.M., at a point approximately 2,200 feet from the North Section line and 2,350 feet from the West Section line (Garfield County). **Source:** The water rights associated with Basalt Water Conservancy District ("BWCD") Water Allotment Contract No. 486, as provided for in the plan for augmentation decreed in Case No. 05CW283. Appropriation date: December 27, 2005. Amount: 0.25 c.f.s., with an annual volumetric limit of 9.0 acre-feet. 0.05 c.f.s. and an annual volumetric limit of 7.26 acre-feet were decreed absolute in Case No. 14CW3026. Therefore, 0.20 c.f.s. and an annual volumetric limit of 1.74 acre-feet remains conditional. Uses: Exchange of Applicant's BWCD contract water under the plan for augmentation decreed in Case No. 05CW283. Remarks: The Wight Exchange is a component part of the integrated legal water supply plan decreed in Case Nos. 05CW283 and 05CW284. Applicant agrees to the same terms and conditions governing the Wight Exchange included in the Case No. 05CW283 decree. Maps and supporting documentation are on file with the court.

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

26CW3101 GARFIELD COUNTY, CANYON CRK, COLORADO RIVER. App for Reasonable Diligence and To Make Absolute. Ross Jeffery c/o Sherry Caloia, PO Box 443, Glenwood Sprgs 81602. Name: Ross Hydro, decreed in 20CW002 on 10/11/2020. Desc: 1 or more pipelines in NW¼ NE¼ Sec 18 T5S R89W 6th PM, NAD83 Zone 13 N, 292463 m E and 4388595 m N, **Source: E Canyon Crk trib to Canyon Crk and Colorado River**, Approp: 1/31/2020, Amt: 1 cfs cond, 1 cfs for hydro power, 0.15 cfs for irr and 0.10 cfs for dom, hydro power, irrigation and domestic uses to be in NW¼ NE¼ Sec18 T5S R89W 6th PM App land, irr for 2 acres and dom use for 5 houses. Dom use to have SSPP or aug plan. Request to make 0.644 cfs of hydro water right absolute: Appl used 0.69 cfs. for hydro power generation starting 9/16/2020 by divert water into 6" pipe to generator and electricity used in cabin built on property. Request to find reasonable diligence for remaining 0.356 cfs for hydro power, 0.15 cfs for irrigation and 0.10 for domestic uses. App provided list of efforts toward development. 4 pages.

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26CW3102 GRAND COUNTY. Moose Ridge Association, c/o Robin Tieman, President, 4075 Nassau Pl., Boulder, CO 80301. Applicant is represented by Kaitlin Randall and Kent Whitmer, JVAM PLLC, PO Box 878, Glenwood Springs, CO 81602, (970) 922-2122. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Original Decree: December 31, 2007, Case No. 05CW203, Water Court Division No. 5. Subsequent Decrees: April 7, 2014 (13CW3089), September 20, 2020 (20CW3053), both in Water Court Division No. 5. Conditional Underground Water Rights: Name of Structure: Blair Well No. 1. Type of Structure: Well. **Source: Groundwater from unconsolidated sand and gravel, and from bedrock formations, hydraulically connected to Shadow Mountain Reservoir, tributary to the Colorado River.** Legal Description: Blair Well No. 1 is located in the NE 1/4 SE 1/4 of Section 12, Township 3 North, Range 76 West of the 6th P.M., 3160 feet from the North line of said Section 12 and 1060 feet from the East line of said Section 12. Depth: 160 feet. Use: Domestic use for up to twelve single-family units, and outside irrigation not to exceed 3,000 square feet. Amount: 50 gallons per minute, conditional, limited to 3.87 acre-feet per year. Appropriation Date: October 11, 2005. Well Permit Number: 84724-F. Conditional Exchange Project Right: Name of Exchange Project: Blair Well No. 1 Exchange. Appropriation Date: October 11, 2005. Rate of Exchange: 0.111 cubic feet per second, limited to 3.87 acre-feet per year. Exchange Reach: Upstream Terminus: Blair Well No. 1, located in the NE 1/4 SE 1/4 of Section 12, Township 3 North, Range 76 West of the 6th P.M., 3160 feet from the North line of said Section 12 and 1060 feet from the East line of said Section 12. Downstream Terminus: Colorado River to a point where releases from Wolford Mountain Reservoir meet the Colorado River (confluence of Muddy Creek with the Colorado River) in the NW 1/4 NE 1/4 of Section 19, Township 1 North, Range 80 West of the 6th P.M., at a point approximately 2,000 feet from the East line of said Section 19 and 200 feet from the North line of said Section 19. Source of Exchange Water: Granby Reservoir or Wolford Mountain Reservoir. Additional Information: The original decree at Case No. 05CW203 sets forth additional terms and conditions, including a plan for augmentation, that continue to be in effect for the water rights of this application. The application and attached exhibits contain a detailed outline of the work performed during the diligence period (20 pages).

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26CW3103 GARFIELD CTY. Application for Finding of Reasonable Diligence. Applicants: Barbara A. Pitman and Nancy S. Pitman, c/o Jarad Elder, c/o Scott A. Grosscup & Blake C. Peterson, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546. Summary of Application: Barbara A. and Nancy S. Pitman request a finding of reasonable diligence in the development of conditional water right decreed to Jonathan Gant Reservoir, First Enlargement, "SWR." Claim for Finding of Reasonable Diligence. Structure: Jonathan Gant Reservoir, First Enlargement. Prior Decree: Originally decreed in Case No. W-1622 entered 3/12/1976, with subsequent diligence decrees in Cases No. 80CW440, 84CW44, 88CW49, 94CW40, 00CW144, 06CW247, 13CW3044, and 20CW3017 in District Ct., Water Div. No. 5. Legal Description: NE1/4 NW1/4, Sec. 23, T. 7 S., R. 93 W. of 6th P.M. at a point whence N. Quarter Corner of Sec. 23 bears N. 44 degrees, 35' E., 1,714 ft. **Source: West Mamm Creek and Nancy and Barbara Spring, tributary to Mamm Creek, tributary to Colorado River.** Approp. Date: 8/28/1972. Amt.: 10 A.F., conditional. (51.60 A.F. abandoned in Case No. 13CW3044). Use: Irrigation. Integrated System: Pursuant to decrees entered in Cases No. 06CW247, 13CW3044, and 20CW3017, SWR is an individual component of Applicants' integrated water system associated with property. Work on one feature of supply system shall be considered in finding that reasonable diligence has been shown in development of water rights for all features of Applicants' water supply system. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Water Ct.

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

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

26CW3104 (19CW3156; 07CW210) DISTRICT COURT, WATER DIVISION NO. 5, STATE OF COLORADO, 109 8th Street, Suite 104, Glenwood Springs, Colorado 81601 (970) 928-3065. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF VAIL ASSOCIATES, INC., AND THE UNITED STATES OF AMERICA, **IN EAGLE AND SUMMIT COUNTIES, COLORADO.** APPLICATION FOR FINDING OF REASONABLE DILIGENCE. 1. Name, mailing address, e-mail address and telephone number of applicant: The Vail Corporation, d/b/a Vail Associates, Inc. ("Vail Mountain") c/o Courtney Irons, 390 Interlocken Crescent, Suite 100, Broomfield, Colorado 80021 courtney.b.irons@vailresorts.com (208) 965 – 3666, Name and address of co-applicant, ONLY as to Tea Cup Bowl Well No. 1: United States of America c/o USDA-Forest Service Regional Hydrologist, 1617 Cole Blvd., Building 17, Lakewood, Colorado 80401, (303) 275-5002. 2. Description of water rights from previous decree: A. Name of Structure. Tea Cup Bowl Well No. 1., i. Original Decree. By the District Court in and for Water Division No. 5, Case No. 07CW210, entered on December 8, 2013 (the "07CW210 Decree"), ii. Subsequent Decree. A decree finding reasonable diligence was entered by the District Court in and for Water Division No. 5 in Case No. 19CW3156 on September 20, 2020 (the "19CW3156 Decree"), iii. Legal Description. Located within the NW1/4 of the SW1/4 of Section 27, T. 5 S., R. 80 W., 6th P.M., 1383 feet from the South line and 404 feet from the West line of the NW1/4 SW1/4 of said Section 27. See Figure 1., iv. **Source. Groundwater tributary to Two Elk Creek, which is tributary to the Eagle River, which is tributary to the Colorado River,** v. Amount. 15 gallons per minute ("gpm"), conditional, vi. Appropriation Date. June 12, 2007, vii. Use. Snowmaking purposes, viii. Remarks. This well is augmented pursuant to the plan for augmentation approved by the 07CW210 Decree, which includes the conditional appropriative right of exchange described in paragraph 2.B below. Pursuant to paragraph 20 of the 07CW210 Decree, the water right for the Tea Cup Bowl Well No. 1 was jointly adjudicated in the name of Vail Mountain and the United States of America, B. Name of Exchange. Tea Cup Bowl Well No. 1 Exchange (a.k.a. Two Elk Creek/Eagle River Depletion Reach), i. Original and Subsequent Decrees. 07CW210 Decree and 19CW3156 Decree., ii. Legal Description., a. Upstream terminus: Tea Cup Bowl Well No. 1, described above in paragraph 2.A., b. Downstream terminus: The confluence of Two Elk Creek and the Eagle River, which is located within the NW1/4 of the NW1/4 of Section 1, T. 6 S., R. 81 W., 6th P.M., 890 feet from the North line and 430 feet from the West line of said Section 1., iii. Rate of Exchange. 15 gpm, conditional, iv. Appropriation Date. October 15, 2007, v. Remarks. See paragraph 6 of the 07CW210 Decree for a description of the augmentation plan and exchange. The plan for augmentation and exchange is subject to the terms and conditions in paragraph 19 of the 07CW210 Decree. Pursuant to paragraph 20 of the 07CW210 Decree, the plan for augmentation and exchange was adjudicated in the name of Vail Mountain and will be retained by Vail Mountain in the event that the USDA Forest Service special use permit for the ski area is terminated, C. Return Flow Reservation. As set forth in paragraphs 8 and 15 of the 07CW210 Decree, Vail Mountain claims all rights to the snowmaking return flows augmented pursuant to the 07CW210 plan for augmentation and exchange, up to 0.80 acre feet, and is entitled to make a succession of uses of the subject return flows to the extent snowmaking diversions at Tea Cup Bowl Well No. 1 are fully augmented. Before Vail Mountain may use the return flows, it must provide the Court with its return flow plan including appropriate accounting procedures. 3. Detailed outline of work performed to complete application of water to beneficial use.S, The subject water rights are part of an integrated water supply system used by Vail Mountain at the ski resort. Vail Mountain has engaged in numerous activities during the relevant diligence period that demonstrate diligence toward the application of the subject water rights to the decreed beneficial use and has incurred significant expense in investigations and capital improvements related to its water supply facilities in order to provide a dependable legal and physical supply of water for Vail Mountain. All such expenditures are necessary steps in the development of Vail Mountain's integrated water supply and snowmaking system and the subject water rights in particular. Applicants' efforts toward development of the subject conditional water rights during the diligence period include, but are not limited to, the following: A. Vail Mountain has incurred substantial expense in the further planning, development, and construction of improvements to its integrated water supply system. In particular, Vail Mountain incurred significant capital costs and expenditures during the diligence period to plan, operate, maintain, upgrade and significantly expand its snowmaking facilities, B. The Tea Cup Bowl Well No. 1 is being considered as part of planned infrastructure and operational improvements at the Vail Ski Area, as described in Vail's 2024 Master Development Plan. Vail Mountain incurred significant legal and engineering expenses related to planning for these improvements and the Tea Cup Bowl Well No. 1 in the Spring of 2025, C. Vail Mountain has continued as the majority shareholder of Eagle Park Reservoir Company and has paid its assessments and otherwise worked to maintain the Eagle Park Reservoir water that is the source of the replacement supply for depletions from the Tea Cup Bowl Well No. 1 in the plan for augmentation and exchange approved in the 07CW210 Decree, D. Vail Mountain has adjudicated other applications for water rights in Water Division No. 5 that are part of the integrated system for the ski resort and the Eagle Park Reservoir augmentation supply, including decrees in Case Nos. 19CW3145 and 24CW3154, E. Applicants have regularly monitored the filings of other water users and have incurred significant legal and engineering costs in connection with numerous cases to protect their water rights, F. Vail Mountain's need for the Tea Cup Bowl Well No. 1 water rights continues. The Tea Cup Bowl Well No. 1 is located at a critical transportation junction for skiers on the mountain where the need to make snow to support operations is significant. This need is amplified by the impacts of climate variability and warming conditions. Applicants continue to rely upon the subject water rights and have no intention to abandon them. 4. Name(s) and

address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Tea Cup Bowl Well No. 1 is on land owned by the United States of America. WHEREFORE, Applicants request that the Court issue a final decree (i) finding that Vail Mountain and the United States of America have been reasonably diligent with respect to the conditional water right for the Tea Cup Bowl Well No. 1 described in paragraph 2.A.; (ii) finding that Vail Mountain has been reasonably diligent with respect to the subject conditional exchange described in paragraph 2.B.; (iii) continuing the subject conditional water rights for an additional diligence period; and (iv) granting such other and further relief as may be appropriate. (6 pages + Exhibit)

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

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

26CW3105 PITKIN COUNTY, COLORADO. WATER RIGHT TRIBUTARY TO THE ROARING FORK RIVER. Application for Findings of Reasonable Diligence. Aspen Skiing Company, LLC, c/o Kylie J. Crandall, Esq., Mark E. Hamilton, Esq., HOLLAND & HART LLP, 600 E. Main St., Suite 104, Aspen, CO 81611-1991. kjcrandall@hollandhart.com, mehamilton@hollandhart.com. Name of structure: Loushin Pipeline. Previous decrees: Original decree: July 28, 1977, Case No. W-3091, Water Division No. 5, State of Colorado. Subsequent decrees: 80CW452, 89CW004, 92CW264, 00CW81, 06CW219 & 06CW220 (Consolidated), and 19CW3137, all in Water Div. No. 5, State of Colorado. Location: The point of diversion of the Loushin Pipeline is located in unsurveyed Section 30, Township 10 South, Range 84 West of the 6th P.M., at a point whence Corner No. 4 of the Iron Silver Placer, M.S. No. 5963 bears South 11°47'20" West, a distance of 3,954.14 feet. The GPS coordinates based on a handheld GPS for this location are 39°09.230' N and 106°48.419' W at 9,903 feet elevation. From the point of diversion, the Loushin Pipeline proceeds along the following course from the pump house: Thence South 82°17'00" West 20.00 feet; South 49°00'00" West 280.00 feet; Thence South 62°22'00" West 155.00 feet; Thence South 67°16'00" West 200.00 feet; Thence South 70°00'00" West 600.00 feet to the point of intersection with an existing pipeline. Legal description of point of diversion based on UTM coordinates acquired from a handheld GPS unit at the point of diversion: in unsurveyed Section 30, Township 10 South, Range 84 West of the 6 P.M.: UTM Grid Zone: 13N; Easting: 343852 meters; Northing: 4335399 meters. A map of the location of the point of diversion is attached to the Application as Exhibit A. **Source: The decreed source of supply consists of Spring Nos. 12, 13, and 14, which are tributary to an unknown tributary of the Roaring Fork River.** These springs are also known as the "Barilla Springs." The originally decreed legal descriptions for the locations of the springs are as follows: Spring No. 12 whence Corner 4 of said Iron Silver Placer bears South 08°47'27" West 3,782.33 feet. Spring No. 13 whence Corner 4 of said Iron Silver Placer bears South 08°55'55" West 3,723.05 feet. Spring No. 14 whence Corner 4 of said Iron Silver Placer bears South 09°42'38" West 3,581.50 feet. Appropriation date: June 30, 1967. Amount: 1.0 c.f.s., conditional, to be collected from the three springs described above in the following quantities: Spring No. 12: 0.2 c.f.s.; Spring No. 13: 0.6 c.f.s.; and Spring No. 14: 0.2 c.f.s. Uses: domestic, mining, recreation, and storage. Note: The Subject Water Right is an individual component of Applicant's integrated water supply system serving the demands of the Iron Silver Placer and Aspen Mountain Ski Area. The Subject Water Right was made absolute for 1.0 c.f.s. for recreation and storage purposes in Case No. 92CW264 and remains conditional for 1.0 c.f.s. for domestic and mining purposes only. The remaining conditional portion of the Subject Water Right is the subject matter of this case. Integrated system: The subject water right is an individual component of Applicant's integrated water supply system serving the demands of the Iron Silver Placer and Aspen Mountain Ski Area. Consequently, in subsequent diligence proceedings, work on any one feature of Applicant's water supply system shall be considered in determining whether reasonable diligence has been shown in the development of water rights for all features of Applicant's water supply system. See C.R.S. § 37-92-301(4)(b); see, e.g., paragraph 11 of the final Decree in Consolidated Case Nos. 06CW219 & 06CW220. A detailed outline of what has been performed towards completion of the appropriation during the diligence period is included in the Application. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant and United States Forest Service, 806 W. Hallam, Aspen, Colorado 81611. (7 pages)

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

10. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF SEPTEMBER 2026. *The water right claimed by this application*

may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute or be forever barred.

26CW3106 MESA AND GARFIELD CTY. Application for Finding of Reasonable Diligence. Laramie Energy, LLC, c/o Sara M. Dunn, Balcomb & Green, P.C.; P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546. Summary of Application: Laramie Energy, LLC ("Applicant") requests a finding of reasonable diligence in the development of the conditional water rights decreed to the Cities Service Pipe Line and Pumping Plant, Cascade Canyon Pipeline, Cascade Canyon Reservoir, Conn Creek Reservoir and the Conn Creek Pipeline. **Claim for Finding of Reasonable Diligence.** Structure: Cities Service Pipe Line and Pumping Plant. Original Decree: CA 6404, Dist. Ct. of Garfield Cty., entered 11/10/1970. This structure was decreed a Conditional Priority in Water Dist. 70, now part of Water Div. No. 5, structure being No. 118, with Conditional Priority No. 188. Subsequent Diligence: W-655 on 3/14/1973, W-655-76 on 4/21/1977, 80CW160 on 12/29/1980, 84CW95 on 10/18/1984, 88CW180 on 9/14/1989, 95CW201 on 10/13/1998, 05CW239 on 8/20/2007, 13CW3036 on 3/16/2014, and 20CW3040 on 9/20/2020, all in Dist. Ct., Water Div. No. 5. Legal Description: original point of diversion decreed in Civil Action 6404 described as located on right bank of Colorado River near DeBeque, CO, whence W. Quarter Corner of Sec. 27, T. 8 S., Range 97 W., 6th P.M. bears S. 79°29' W. 1,720 ft. in Mesa Cty. By decree dated 11/1/1976 in Case No. W-2969, point of diversion was changed to right bank of Colorado River whence NE Corner of Sec. 28, T. 8 S., Range 97 W., 6th PM bears N. 18°59'32" E. 5,569.92 ft. Also described as 25 ft. from S. Sec. Line and 1,782 ft. from E. Sec. Line of Sec. 28, T. 8 S., Range 97 W., 6th P.M. Decree dated 10/31/1984 entered in Case No. 82CW367 and confirmed by Decree dated 8/31/2017 in Case No. 17CW3172, two alternate points of diversion decreed. First alternate point of diversion located on right bank of Colorado River from whence SE Corner of Sec. 28, T. 8 S., Range 97 W., 6th P.M. bears S. 33°45' E., 1,212 ft. Also described as 999 ft. from S. Sec. Line and 681 ft. from E. Sec. Line of Sec. 28, T. 8 S., Range 97 W., 6th P.M. Second alternate point of diversion located at headgate of Larkin Ditch on south bank of Colorado River whence SE Corner of SW1/4 of Sec. 27, T. 8 South, Range 97 W., 6th PM bears S. 02°45' W. 2,830 ft. Also described as 2,546 ft. from N. Sec. Line and 2,557 ft. from E. Sec. Line of Sec. 27, T. 8 S., Range 97 W., 6th P.M. Cities Services Pipeline and Pumping Plant alternate points of diversion are limited to amount of water legally and physically available at original point of diversion decreed in CA 6404 and may not call water from Roan Creek. Source: Colorado River. Approp. Date: 8/2/1951. Amount: 100 c.f.s., conditional. Uses: Confirmed in Case No. 17CW3172, industrial, including industrial uses associated with oil and gas drilling and production, and specifically including dust suppression, construction and operation of facilities supporting natural gas production, gas well drilling and gas well completions (hydraulic fracturing), reclamation/revegetation, and fire protection, domestic, irrigation, power, mining, retorting, and refining relating to production of shale oil and its by-products, including maintenance of a general camp and community in and adjacent to oil shale lands of Applicant lying in western Colorado. Landowner Information: Chevron USA Inc. Houston TX and Lee Caretto and Gregory A. Caretto, DeBeque CO 81630. Structure: Cascade Canyon Pipeline. Original Decree: CA 6404, Dist. Ct. of Garfield Cty. on 11/10/1970. This structure was decreed a Conditional Priority in Water Dist. No. 70, now part of Water Div. No. 5, the structure being No. 129, with Conditional Priority No. 199. Subsequent Diligence: Same as Cities Service Pipe Line and Pumping Plant. Legal Description: Point of diversion on right bank of Cascade Creek whence N. Quarter Corner of Sec. 10, T. 6 S., Range 97 W., 6th P.M. bears N. 41°42' E. 4,646 ft. Also described as 1,806 ft. from S. Sec. Line and 450 ft. from E. Sec. Line of Sec. 9, T. 6 S., Range 97 W. of the 6th P.M. **Source: Cascade Creek, tributary to Conn Creek, tributary to Roan Creek, tributary to Colorado River.** Approp. Date: 8/25/1966. Amount: 10 c.f.s., conditional. Uses: Same as Cities Service Pipe Line and Pumping Plant. Structure: Cascade Canyon Reservoir. Original Decree: CA 6404, Dist. Ct. for Garfield Cty. on 11/10/1970. This structure was decreed a Conditional Priority in Water Dist. No. 70, now part of Water Div. No. 5, structure being No. 130 with Conditional Priority No. 200. Subsequent Diligence: Same as Cities Service Pipe Line and Pumping Plant. Legal Description: Initial point of survey of high water line of reservoir is located whence N. Quarter Corner of Sec. 10, T. 6 S., Range 97 W. of 6th P.M. bears North 39°35' E. 4,484.7 feet. Also described as 1,820 ft. from S. Sec. Line and 216 ft. from E. Sec. Line of Sec. 9, T. 6 S., Range 97 W. of 6th P.M. Source: Cascade Creek, tributary to Conn Creek, tributary to Roan Creek, tributary to Colorado River. An alternate source of supply is Colorado River through Cities Service Pipe Line and Pumping Plant. Approp Date: 8/25/1996. Amount: 619.47 AF, conditional, together with right to refill whenever there is storage capacity and water available. Uses: Same as Cities Service Pipe Line and Pumping Plant. Structure: Conn Creek Pipe Line. Original Decree: CA 6404, Water Div. 5, entered by Water Judge on 11/10/1970. This structure was decreed a Conditional Priority in Water Dist. No. 70, now part of Water Div. No. 5, structure being No. 131 with Conditional Priority No. 201. Subsequent Diligence: Same as Cities Service Pipe Line and Pumping Plant. Legal Description: Point of diversion is on left bank of Conn Creek whence N.W. Corner of Sec. 17, T. 6 S., Range 97 W. of 6th P.M. bears N. 88°04'37" W. 1,181.81 ft. Also described as 37 ft. from N. Sec. Line and 1,181 ft. from W. Sec. Line of Sec. 17, T. 6 S., Range 97 W. of the 6th P.M. Source: Conn Creek, tributary to Roan Creek, tributary to Colorado River. Approp. Date: 8/25/1966. Amount: 10 c.f.s., conditional. Uses: Same as Cities Service Pipe Line and Pumping Plant. Structure: Conn Creek Reservoir. Original Decree: CA 6404, Water Div. 5, entered by Water Judge on 11/10/1970. This structure was decreed a Conditional Priority in Water Dist. No. 70, now part of Water Div. No. 5, structure being No. 132 with Conditional Priority No. 202. Subsequent Diligence: Same as Cities Service Pipe Line and Pumping Plant. Legal Description: Initial point of survey of high water line of reservoir located whence N.W. Corner of Sec. 17, T. 6 S., Range 97 W., of 6th P.M. bears S. 89°15'29" W. 1,004.93 ft. For reference, can be described as 15 ft. from S. Sec. Line and 1,005 ft. from W. Sec. Line of Sec. 8, T. 6 S., Range 97 W. of 6th P.M. Source: Conn Creek, tributary to Roan Creek, tributary to Colorado River. An alternate source of supply is Colorado River through the Cities Service Pipe Line and Pumping Plant. Approp. Date: 8/25/1966. Amount: 422.75 AF, conditional, together with right to refill whenever there is storage capacity and water available. Uses: Same as Cities Service Pipe Line and Pumping Plant. Landowner Information: Applicant owns the land upon which the Cascade Canyon Pipeline, Cascade Canyon Reservoir, Conn Creek Reservoir and Conn Creek Pipeline are located. Diligence Activities: The application on file with the Ct. contains a detailed outline of the work performed during the diligence period. WHEREFORE, Applicant respectfully requests this

Court enter a decree granting a finding of reasonable diligence for the Cities Service Pipe Line and Pumping Plant, Cascade Canyon Pipeline, Cascade Canyon Reservoir, Conn Creek Pipeline and Conn Creek Reservoir and to continue the conditional water rights in full force and effect for an additional six years, and for such other and further relief as the Court deems appropriate.

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

26CW3107 EAGLE COUNTY, COLORADO, GROUNDWATER TRIBUTARY TO LAKE CREEK, TRIBUTARY TO THE EAGLE RIVER, TRIBUTARY TO THE COLORADO RIVER. WLC1003 LLC, 1003 Lake Creek Road, Edwards, Colorado 81632. Please direct all correspondence to Michael J. Sawyer and Erika S. Gibson, of Karp Neu Hanlon, P.C., P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261, counsel for the Applicant. APPLICATION TO CONFIRM CONDITIONAL WATER RIGHT ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE Summary of Application. Applicant is the owner of the groundwater rights decreed to the Miller Well and Chipman Well for use on Lots 1 and 2 of the Lake Creek Farm Subdivision (the "Subdivision") located in Eagle County, Colorado. Applicant submits this application to confirm it has made the Chipman Well absolute in its entirety and that it has been reasonably diligent in developing the conditional water right decreed to the Miller Well. **FIRST CLAIM: FINDING FOR REASONABLE DILIGENCE. *Miller Well*. Original decree:** February 26, 1999, in Case No. 96CW387, in the District Court in and for Water Division No. 5. Subsequent decrees awarding findings of diligence: Findings of Reasonable Diligence were previously awarded to this structure in Case Nos. 05CW34 on August 24, 2006, 12CW136 on February 2, 2014, and 20CW3018 on September 20, 2020, in the District Court in and for Water Division No. 5. Legal description: In Case No. 10CW119, the location of the Miller Well was changed to: SW1/4 NE1/4 of Section 7, Township 5 South, Range 82 West of the 6th P.M. at a point 2,845 feet from the South line and 1,595 feet from the East line of said Section 7. Source: Groundwater tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: August 5, 1996. Amount: 0.033 c.f.s., conditional. Uses: Domestic, irrigation, and stockwatering by direct diversion and, when out of priority, by augmentation. Depth: 258 feet, 7 inches. Well Permit No.: 264157. Remarks: The Miller Well operates pursuant to Applicant's plan for augmentation decreed in Case No. 96CW387. The Miller Well serves Lot 2 of the Subdivision and is located on Lot 1. Claim for Reasonable Diligence: Applicant requests a finding of reasonable diligence for 0.033 c.f.s., conditional, decreed for the Miller Well water right for domestic, irrigation, and stockwatering purposes by direct diversion and, when out of priority, by augmentation. **SECOND CLAIM: FINDING MAKING CONDITIONAL RIGHT ABSOLUTE, OR ALTERNATIVELY, FOR REASONABLE DILIGENCE. *Chipman Well*. Original decree:** February 26, 1999, in Case No. 96CW387, in the District Court in and for Water Division No. 5. Subsequent decrees awarding findings of diligence: Findings of Reasonable Diligence were previously awarded to this structure in Case Nos. 05CW34 on August 24, 2006, 12CW136 on February 2, 2014, and 20CW3018 on September 20, 2020, in the District Court in and for Water Division No. 5. Legal description: The Chipman Well is located at a point in the SW1/4 of the NE1/4 of Section 7, Township 5 South, Range 82 West of the 6th P.M., Eagle County, Colorado, being 2,270 feet from the North section line and 1,430 feet from the East section line of said Section 7. Source: Groundwater tributary to Lake Creek, tributary to the Eagle River, tributary to the Colorado River. Appropriation date: July 17, 1991. Amount: 0.024 c.f.s., of which 0.0156 c.f.s. was confirmed absolute for all decreed uses (Case No. 05CW34) and 0.0084 c.f.s. remains conditional. Uses: Domestic, irrigation, and stockwatering by direct diversion and, when out of priority, by augmentation. Depth: 118 feet. Well Permit No.: 54338-F. Remarks. The Chipman Well operates pursuant to Applicant's plan for augmentation decreed in Case No. 96CW387. The Chipman Well serves Lot 1 of the Subdivision and is located on Lot 3. Claim to Make Absolute: Dates additional water applied to beneficial use: July 8, 2024 through July 18, 2024. See Exhibit for CDSS records indicating diversions during this period were in priority. Applicant reserves the right to claim additional dates of beneficial use. Amount and uses claimed absolute: an additional 0.0084 c.f.s. (3.77 g.p.m.) beyond the 0.0156 c.f.s. (7.0 g.p.m.) previously confirmed absolute for domestic, irrigation, and stockwatering purposes by direct diversion and, when out of priority, by augmentation. A pump test for the well, indicates the well can pump at a maximum rate of 0.06 c.f.s. (27 g.p.m.), which exceeds the amount decreed to the Chipman Well. An affidavit by Amy Wessell confirming use of the well for domestic, irrigation, and stockwatering purposes, and for photos of the livestock grazing on July 12, 2024 are attached as exhibits to the application. Description of place where water has been applied to beneficial use: Lot 1 of the Subdivision. A map depicting the irrigated area on Lot 1 is an exhibit to the application. Irrigation occurs within the 3,000 square feet limitation in accordance with Applicant's plan for augmentation decreed in Case No. 96CW387. Claim for Reasonable Diligence: If the Court denies any portion of Applicant's claim to confirm the 0.0084 c.f.s. absolute, then Applicant requests a finding of reasonable diligence for the amounts remaining conditional for all decreed uses under the Chipman Well water right. Names and addresses of owners of land upon which structures are located: Miller Chipman Trust, P.O. Box 5500, Avon, CO 81620-5500. The following exhibits are on file with the Water Court: Exhibit A – Location Map; Exhibit B-1 – Miller Well Permit; Exhibit B-2 – Chipman Well Permit; Exhibit C – Diligence Activities; Exhibit D-1 – CDSS Diversion Records; Exhibit D-2 – Chipman Well Pump Test; Exhibit D-3 – Amy Wessell Affidavit; Exhibit D-4 – Livestock Photos; Exhibit E – Irrigated Area Map; and Exhibit F – Miller Well Inspection Letter. (pp. 22 with exhibits)

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

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

26CW3086 GRAND COUNTY-RECTOR FAMILY LIMITED LIABILITY LIMITED PARTNERSHIP, MIKE RECTOR, GENERAL PARTNER (5 Inverness Dr. East, Englewood, CO 80112; mhr@rimop.com; 303-570-5174), c/o Valissa Tsoucaris, Esq., Tsoucaris Law, LLC, 3000 Holly Street, Denver, CO 80207; 303-229-1090; APPLICATION FOR CHANGE OF WATER RIGHT, seeking a decree to recognize an alternate point of diversion from the following Structure: Mulford Lateral Ditch; Original Decree: Case No. W-37, In the District Court in and for Water Division 5, State of Colorado, July 27, 1970. Legal Description: NE ¼ of the SW ¼ of Section 24, Township 4 North, Range 76 West, 6th Principal Meridian. See Ex. A, showing the location for the point of diversion as described in the 1970 Decree. Source: The source of supply of water for the Mulford Lateral Ditch is “an unnamed creek arising on Section 23, Township 4 North, Range 76 West of the 6th P.M. in Arapahoe National Forest, a tributary of the North Fork of the Colorado River, a tributary of the Colorado River**” (Unnamed Creek). See 1970 Decree, cited above. Appropriation Date: June 17, 1968 (by survey). Amount: The Court decreed this water right for 1.233 cfs, absolute, for irrigation and domestic purposes. Statement of water right sought and compliance with C.R.S. §37-92-103(5) and §37-92-305(3)(a): Since at least 1990, the decreed water right has been diverted to the Mulford Lateral Ditch immediately below the Oxbow, which is a natural feature of the Colorado River floodplain. This diversion point is not recognized by the Decree and applicant seeks to have this actual point of diversion recognized as an Alternate Point of Diversion. The Alternate Point of Diversion sought by this Application is identified on Exhibit A, and is north of the Point of Diversion identified in the 1970 Decree (Decreed Point of Diversion), which is also identified on Exhibit A. Both the Decreed and Alternate Points of Diversion are fed by Source Water that flows from the Unnamed Creek identified above and in the 1970 Decree, through the Henry Ditch Diversion and into the Henry Ditch before arriving at the Decreed and Alternate Points of Diversion to the Mulford Lateral Ditch. The Alternate Point of Diversion, proposed by the Application, has functioned as the primary point of diversion since at least 1990, as demonstrated by aerial photographs of the Henry Ditch, Oxbow, and Decreed and Actual Points of Diversion attached to the Application. After the 2020 East Troublesome Fire, the Applicant has repaired the Mulford Lateral Ditch which delivers the decreed water right to the Applicant's Ranch for purposes of irrigating hayfields on that Ranch, including by: Replacing the original 24in Mulford headgate with a 12in AgriDrain headgate + 20ft culvert thus reducing diversion capacity ~82% (reference: www.ejprescott.com Comparison of Pipe Carrying Capacities, Engineering and Technical Data R-12); Mapping floodplains and upgrading the Oxbow outlet to Colorado River with 24in AgriDrain headgate + 20ft culvert to better control flows into Mulford with low input; Installing a Parshall flume with 9in throat capable of carrying a measured flow of 3.1cfs (reference: Openchannelflow.com 9-inch Parshall Flume Discharge Table for 1ft high flume); Replacing 7 culverts; Reshaping ~1.1mi of irrigation ditch to improve irrigation efficiency (now shallower, lower profile per NRCS guidance to get better deliver flows into root zone). These improvements permit diversion amounts to be easily measured and to more efficiently irrigate the hayfields on the Applicant's Ranch. The measurement apparatus enables the Applicant and Water Commissioners to always know the rate of the diverted water. Therefore, the amount the Applicant diverts can be managed appropriately into the Mulford Lateral Ditch without re-quantifying the water right, which is physically and legally available at the original 1970 Decreed Point of Diversion from which this change is being made. The recognition of the Alternate Point of Diversion will not cause injury to the owners of or persons entitled to use water under other vested water or decreed conditional water right. The diversion will not exceed the original decreed volume, flow rate or Historical Consumptive Use. The water that flows through the Mulford Lateral Ditch from the Actual Point of Diversion that is unused is returned to the Colorado River by a return flow ditch. This same return flow was used to return water from the Mulford Lateral Ditch to the Colorado River when the Decreed Point of Diversion was in use. The proposed “Alternate Point of Diversion” is located on property owned by the Glenn and Michelle Hileman Family Trust, and Applicant has provided this entity and Glenn and Michelle Hileman the required notice of the filing of this Application, by certified mail. (Map Exhibit A to this resume notice is on file in the case).**

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