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DISTRICT COURT, WATER DIVISION 1, COLORADO

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

CASE NUMBER 2026CW10 JOHN AND LINDSEY ROMINSKY, 1350 Cathedral Rock Dr., Sedalia, CO 80135. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN DOUGLAS COUNTY**. Date of original decree: 12-15-13 in case 10CW209, WD 1. Subsequent Decree: 09-04-20 in case 19CW36, WD1. Lucky Jack Spring located SE1/4, NW1/4, S9, T8S, R68W, 6th PM at a distance 1533 ft. from N and 2263 ft. from W. Stoneridge Subdivision, Lot 15. UTM: East 499236.92; Northing 4358074.16. Source: Groundwater. Appropriation date: 05-17-12. Amount: Seasonally, approximate flow is 8 gpm. Use: Livestock watering and landscape irrigation.

CASE NUMBER 2026CW11 APPLICATION FOR FINDING OF REASONABLE DILIGENCE OF JOHN HARDEN – Application incomplete-no physical legal description for structures provided. Publication of Resume for 2026CW11 to be included in future resume once amended application is filed.

CASE NUMBER 2026CW3143 (20CW3036, 13CW3099, 07CW75, 00CW212, 94CW26, 86CW372) DISTRICT COURT, WATER DIVISION NO. 1, STATE OF COLORADO, Weld County Courthouse, 901 9th Avenue, P.O. Box 2038, Greeley, CO 80632, (970) 475-2507. **CONCERNING THE APPLICATION FOR WATER RIGHTS OF: PETE C. KUYPER. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE IN TELLER COUNTY, COLORADO.** 1. Name, Address, Telephone Number, and Email Address of Applicant: Pete C. Kuyper (“Applicant”), c/o Bryan Johnson, Water Rights Consultant, P.O. Box 729, Divide, CO 80814, Telephone: (719) 687-6011, Email: bryan@pkenterprisesinc.com Direct All Pleadings to: Bushong & Holleman PC, Attn: Steven J. Bushong, Lesley Lawrence-Hammer, and Cassidy L. Woodard, 1966 13th Street, Suite 270, Boulder, CO 80302, sbushong@BH-lawyers.com; lhammer@BH-Lawyers.com; cwoodard@BH-lawyers.com 2. Names of Structures: 2.1. Divide Reservoir No. 2; and 2.2. Divide Reservoir No. 3. Collectively, Divide Reservoir Nos. 2 and 3 will referred to herein as the “Structures.” 3. Descriptions of Conditional Water Rights: 3.1. Prior decrees: The Structures were originally decreed in the District Court in and for Water Division No. 1, State of Colorado (“Water Court”), in Case No. 86CW372 on March 15, 1988. Prior decrees making findings of reasonable diligence were entered in Water Court Case Nos. 94CW26, 00CW212, 07CW75, 13CW3099, and 20CW3036, 3.2. Legal Descriptions: 3.2.1. Divide Reservoir No. 2: The outlet of Divide Reservoir No. 2 is to be located in the SW1/4 of the NW1/4 of Section 7, Township 13 South, Range 69 West of the 6th P.M. at a point 1,880 feet south of the north line and 1,360 feet east of the west line of said Section 7. UTM Coordinates NAD 83, Zone 13, Northing: 4309772, Easting: 786734 (Source of UTMs: Colorado Decision Supp3.2.2ort System). 3.2.2. Divide Reservoir No. 3: The outlet of Divide Reservoir No. 3 is to be located in the NW1/4 of the SW1/4 of Section 7, Township 13 South, Range 69 West of the 6th P.M. at a point 2,840 feet south of the north line and 736 feet east of the west line of said Section 7. UTM Coordinates NAD83, Zone 13, Northing: 4309485, Easting: 486544 (Source of UTMs: Colorado Decision

Support System), 3.2.3. The Structures are depicted on the map attached hereto as **Exhibit A**, 3.3. Source: Rule Creek and unnamed tributaries thereto, tributary to Trout Creek, tributary to Horse Creek, tributary to the South Platte River, 3.4. Appropriation Date: December 31, 1986, as to each of the Structures, 3.5. Amount: 5 acre-feet for each of the Structures, with the right to refill continuously whenever in priority, 3.6. Uses: Augmentation purposes, recreational, piscatorial, municipal, fire protection, commercial, irrigation, domestic, and aesthetic. 4. Request for Findings of Reasonable Diligence: Applicant requests findings that it has exercised reasonable diligence in the development of the water rights decreed to Divide Reservoir Nos. 2 and 3 as described in Paragraph 3 above in their full decreed amounts and for all decreed uses and that said conditional amounts and uses continue in full force and effect. 5. Diligence Activities: The Structures are part of an integrated water supply system to serve a development located on about 280 acres located in the S1/2 SW1/4 of Section 6 and W1/2 of Section 7, T. 13 S., R. 69 W., 6th P.M. in Teller County, Colorado (“Development”). “When a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system.” C.R.S. § 37-92-301(4)(b). The Structures, along with water rights owned by Applicant decreed to Kuyper Well Nos. 1 through 11, 13, and 14 (the “Kuyper Wells”), Divide Reservoir No. 1, and the Woodland Park/Divide Exchange, are designed to serve the Development. Water from the Structures, along with water from Divide Reservoir No. 1, will provide on-site augmentation water to replace depletions when stream conditions do not allow for the use of the Woodland Park/Divide Exchange decreed in Case No. 10CW82. During the diligence period, Applicant performed the following activities that demonstrate it has exercised reasonable diligence in the development of the conditional water rights decreed to the Structures: 5.1. The timing of construction of the Structures is dependent upon the scope of build-out within the Development. The Development is currently at about 25% of build-out and continues to grow as described below, 5.2. Water produced by the Kuyper Wells is treated and distributed through a central distribution system to serve the Development. This distribution system is being expanded in 2026 and 2027 to serve two additional phases of the Development. One new phase consisting of twenty-nine single family homes received final plat approval on March 24, 2026, and civil construction has begun. Another new phase of the Development consisting of a three story 36-unit multi-family tax credit housing project will begin civil construction in 2027, 5.3. In addition, construction started on a new 24,000 square-foot office building that will be supplied by the integrated water supply system discussed herein that the Structures are designed to serve. Completion of this office building is expected to be completed in Spring 2027, 5.4. To meet the demand from new growth within the Development, Applicant extended the distribution of the water system designed to serve the Development by approximately 2,840 linear feet of twelve-inch water main lines, including fittings, valves, hydrants, and other accessories. This work was performed at a cost of approximately \$288,000 during the diligence period, 5.5. During the diligence period, Applicant also re-drilled Kuyper Well No. 3 at a cost of approximately \$117,115, which is part of the water system designed to serve the Development, 5.6. Applicant drilled and completed Kuyper Well No. 9 during the diligence period at an expense of approximately \$167,227. Additionally, Applicant filed and adjudicated Water Court Case No. 22CW3136, decreed on June 1, 2023, during the diligence period wherein a portion of the water right decreed to Kuyper Well No. 9 was made absolute, 5.7. Applicant completed the installation of a new staff gauge on Rule Creek where it crosses U.S. Highway 24. Installation of this new staff gauge to measure the flow of Rule Creek will provide Applicant with greater flexibility in operating the augmentation plan originally decreed in Water Court Case No. 86CW372. The Structures are decreed to be sources of augmentation water in that augmentation plan. Total costs of flume installation were approximately \$55,259., 5.8. In April 2023, work was completed to replace the entire SCADA system that operates communications between Divide Reservoir No. 1, the Kuyper Wells, and Applicant’s water treatment system and storage. The work was performed at a total cost of approximately \$85,280., 5.9. During the diligence period, Applicant obtained findings of reasonable diligence or made portions of conditional water rights absolute for water rights associated with the Kuyper Wells, Divide Reservoir No. 1, and the Woodland Park/Divide Exchange. All such water rights are part of the integrated waters supply system that provides sources of water for the growing Development described above, 5.10. Applicant has continued to maintain accounting and report

such information to the Water Commissioner on monthly and annual bases. Applicant also makes the necessary releases under its augmentation plan to replace out-of-priority depletions from the water rights associated with the Development. 6. Land ownership: Applicant. WHEREFORE, Applicant respectfully requests that the court enter an order (1) granting Applicant's request for findings of reasonable diligence for the full decreed amount and uses of the Divide Reservoir No. 2 and Divide Reservoir No. 3 described in Paragraph 3 above and continuing said conditional rights in full force and effect; and (2) granting such other and further relief as deemed appropriate.

(6 pages + Exhibit)

CASE NUMBER 2026CW3144 (17CW3057) Name of Applicant: NORTH WELD COUNTY WATER DISTRICT ("North Weld") c/o Eric Reckentine, General Manager 32825 Co. Rd. 39 Lucerne, CO 80646 Phone: (970) 356-3020 Direct all pleadings to: Scott E. Holwick, Esq. sholwick@lyonsgaddis.com Catherine E. Fink Esq. | cfink@lyonsgaddis.com Lyons Gaddis P.C. P.O. Box 978 Longmont, CO 80502-0978 (303) 776-9900 **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES**

2. Name of Structures: As described in paragraphs 4 and 5 below and as illustrated on attached **Exhibit A** (map). **3. Description of Conditional Appropriative Rights of Exchange:** North Weld was awarded a decree for several conditional exchanges as part of the decree entered in the Amended Findings of Fact, Conclusions of Law, and Decree of Water Court in Case No. 17CW3057, dated September 25, 2020 ("17CW3057 Decree"). These exchanges were decreed in conjunction with the change of water rights represented by 4.75 shares in the Water Supply and Storage Company ("WSSC"), exclusive of WSSC's shares in the Jackson Ditch Company and the CBT water it owns and leases. The exchange reaches are located in the Cache la Poudre River reaches between each of the points described in paragraphs 4 and 5 below. By this Application, North Weld seeks findings of reasonable diligence for its remaining conditional exchanges decreed in the Decree ("Subject Exchanges"). The source for all of the Subject Exchanges is water attributable to North Weld's WSSC shares as decreed and approved for appropriative rights of substitution and exchange in the 17CW3057 Decree. The date of appropriation for all of the Subject Exchanges is March 31, 2017. The uses for the Subject Exchanges are as identified in the 17CW3057 Decree and are described as: "all water district uses by North Weld, either directly or following storage, including but not limited to irrigation, domestic, municipal, mechanical, industrial, commercial, manufacturing, fire protection, sewage treatment, watering of parks, lawns and grounds, recreation, fish culture, maintenance and preservation of wildlife, exchange, augmentation, replacement, adjustment and regulation of the North Weld water system. North Weld may also use, consume totally, reuse, make a succession of uses, and dispose of the consumable portion and transmountain portion of the Shares. The foregoing are hereinafter referred to as "North Weld Uses." **4. Exchange From Points:** Pursuant to the Subject Exchanges as decreed in the 17CW3057 Decree, North Weld will release all or a portion of the water to which it is entitled pursuant to the Shares for exchange at the places listed below not to exceed the maximum rates of flow shown below and in the exchange matrix attached as **Exhibit B**.

4.1. Chambers Lake 4.1.1 Legal description of location: in portions of Sections 6 and 7, Township 7 North, Range 75 West, 6th P.M., and Section 31 Township 8 North, Range 75 West, 6th P.M., Larimer County. 4.1.2 The amount of water: 50 c.f.s., conditional. **4.2 Long Draw Reservoir** 4.2.1 Legal description of location: in portions of Sections 10, 11, and 15, Township 6 North, Range 75 West, 6th P.M., Larimer County. 4.2.2 The amount of water: 50 c.f.s., conditional. **4.3 Grand River Ditch** 4.3.1 Legal description of location: in the SW 1/4 of the NW 1/4 of Section 21, Township 6 North, Range 75 West, 6th P.M., Grand County. 4.3.2 The amount of water: 4.15 c.f.s., conditional. **4.4 Laramie-Poudre Tunnel** 4.4.1 Legal description of location: in the NE 1/4 of the SW 1/4 of Section 7, Township 8 North, Range 75 West, 6th P.M., Larimer County. 4.4.2 The amount of water: 2.04 c.f.s., conditional. **4.5 Laramie River Ditch (Skyline Ditch)** 4.5.1 Legal description of location: in the NE 1/4 of the SW 1/4 of Section 14, Township 8 North, Range 76 West, 6th P.M., Larimer County. 4.5.2 The amount of water: 2.04 c.f.s., conditional. **4.6 Cameron Pass Ditch** 4.6.1 Legal description of location: in the NW 1/4 of the SE 1/4 of Section 2, Township 6 North, Range 76 West, 6th P.M. Jackson County. 4.6.2 The amount of water: 0.22 c.f.s., conditional. **5. Exchange To Points:** North Weld will divert water pursuant to the exchanges at the

points identified below and not to exceed the rates shown below and set forth in the exchange matrix attached as **Exhibit B. 5.1 Chambers Lake** 5.1.1 Legal description of location: as described in paragraph 4.1, above. 5.1.2 The amount of water: 50 c.f.s., conditional. 5.2 **Long Draw Reservoir** 5.2.1 Legal description of location: as described in paragraph 4.2, above. 5.2.2 The amount of water: 50 c.f.s., conditional. **6. Outline of what has been done toward completion of the appropriation and application of water to beneficial use:** The Subject Exchanges are part of North Weld's integrated system for the diversion, collection, storage, transmission, treatment and delivery of water rights for use within its service area as it exists or may be expanded in the future. Pursuant to the Colorado Revised Statutes § 37-92-301(4)(b), "when a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). At a minimum, during the diligence period from the date of entry of the 17CW3057 Decree to the date on which this Application was filed ("Diligence Period"), North Weld did the following work towards completion of the Subject Exchanges: **6.1.** North Weld diverted the transmountain component associated with its WSSC shares changed in Case No. 17CW3057 every year from 2020 through 2026. North Weld steadily increased the amount of these diversions from 2020 to 2026. **6.2.** North Weld fully converted the native component associated with 3 WSSC shares changed in Case No. 17CW3057 and steadily increased the amount of these diversions from 2020 to 2026. **6.3.** North Weld continued to divert its WSSC shares as changed and decreed in 17CW3057 at the decreed Alternate Point of Diversion ("APOD") Munroe Canal for treatment at the Soldier Canyon Filter Plant ("SCFP") from 2020 through 2026 to meet municipal water demand. **6.4.** North Weld diverted its WSSC shares as changed and decreed in 17CW3057 at the decreed APOD Larimer County Canal No. 2 in 2022, 2024, and 2025 and stored them in the Overland Trail Reservoirs for use by exchange or release for augmentation or replacement. **6.5.** North Weld diverted its WSSC shares as changed and decreed in 17CW3057 at the decreed APOD Overland Diversion Structure via portable pumps in 2021 and stored them in the Overland Trail Reservoirs for use by exchange or release for augmentation or replacement. **6.6.** North Weld executed a carriage agreement with the Larimer County Canal No. 2 for use of excess capacity in the canal by North Weld from June 1, 2022, to December 31, 2036, to deliver water to Overland Trail Reservoirs. **6.7.** North Weld constructed a new diversion structure on the Larimer County Canal No. 2 in 2024 to increase the maximum divertible flow from the Larimer County Canal No. 2 to Overland Trail Reservoirs from 6 cfs to 20 cfs. **6.8.** North Weld made ongoing expenditures and capital improvements on its integrated water system, including improvements to the Munroe Canal, the Pleasant Valley Pipeline, and the Overland Trail Reservoirs. **6.9.** North Weld consulted with engineering and construction experts regarding construction on its integrated system, including but not limited to the Pleasant Valley Pipeline and Overland Trail Reservoirs. **6.10.** Actual Pleasant Valley Pipeline O&M Costs.

Year	Total Cost to Tri-Districts	North Weld's Portion of Cost
2020	\$ 31,722.76	\$ 10,715.95
2021	\$ 69,328.99	\$ 23,419.33
2022	\$ 26,019.15	\$ 8,789.27
2023	\$ 90,681.82	\$ 30,632.32
2024	\$ 58,632.21	\$ 19,805.96
2025	\$ 46,993.29	\$ 15,874.30
2026	\$ 36,692.25	\$ 12,394.60

6.11. Actual Overland Trail Reservoirs Capital Construction and Engineering Costs.

Year	Total Engineering and Construction Costs	North Weld's Portion of Cost	Summary
2021	\$174,881	\$28,855.37	Treiber B Outlet & Pond 3 Staff Gage

2022	\$8,033	\$1,325.45	Treiber A Riprap & Pond 5 Underdrain
2023	\$43,800	\$7,227.00	Treiber B Outlet Rubicon Meter
2024	\$196,959	\$32,498.24	Larimer #2 Inlet Expansion
2025	\$44,880	\$7,405.00	Treiber B Outlet Riprap

6.12. North Weld consulted with legal counsel regarding legal aspects of developing and protecting the rights and prosecuting the water rights applications and other developments potentially affecting North Weld's rights. **6.13.** North Weld participated in Water Court Cases Nos. 18CW3216, 19CW3199, 21CW3094, 21CW3131, 21CW3234, 20CW3280, 21CW3056, and 22CW3042 by filing Statements of Opposition in order to protect its water portfolio and integrated system from injury by other users. **6.14.** North Weld made total expenditures of approximately \$95,015,900 during the Diligence Period on water distribution and water storage facilities that would utilize the conditional water rights decreed in Case No. 17CW3057. **6.15.** North Weld made total expenditures of approximately \$15,077,336.18 during the Diligence Period at the SCFP to increase its treatment capacity to 26.336 Million Gallons per Day. **7. Continued Need for the Subject Exchanges:** As part of this application for findings of reasonable diligence, North Weld demonstrated that the Subject Exchanges have been or will be needed to serve North Weld's customers and projected growth within its service area. North Weld is a quasi-municipal corporation, organized in 1962 as a water district, which operates under Title 32 of the Colorado Revised Statutes. It serves approximately 11,200 total residents within a 325 square mile service area. North Weld is one of the three Title 32 special districts collectively known as the Tri-Districts. North Weld's original water supply consisted of water from the Colorado-Big Thompson Project ("C-BT"). North Weld owns the SCFP with the Fort Collins-Loveland Water District and East Larimer County Water District. The SCFP lies at the base of Horsetooth Reservoir. The acquisition of the 4.75 WSSC shares changed by the 17CW3057 Decree is part of a plan to develop a more balanced blend of C-BT and Poudre River supplies in North Weld's portfolio. In addition to the project-specific activities discussed in this application, North Weld, the other two water districts, Fort Collins, and Greeley, started the process of participating in the construction of the Pleasant Valley Pipeline ("PVP") in 1997, which is an 8.5 mile, 67-inch pipeline that connects the Poudre River to the SCFP. North Weld's Poudre River supplies are diverted at the Munroe Gravity Canal and delivered through the PVP to the SCFP where water is treated and delivered to North Weld's customers. Access to the Poudre River provides North Weld with a redundant water supply to the SCFP and has allowed a water portfolio shift from primarily C-BT water to a more balanced blend of C-BT and Poudre River supplies. North Weld is addressing its need for firm yield by the development of water storage. Additional water stored during the good years provides insurance during the dry years and unforeseen events. North Weld is also a partner in the Overland Trail Reservoir Project with the other two water districts and Greeley, which is an important facility in the integrated water system. The 17CW3057 Decree includes Alternate Points of Diversion ("APODs") and Storage ("APOSs") which allow deliveries of North Weld's water rights, including the WSSC shares changed in the 17CW3057 Decree, into the Overland Trail Reservoirs. The Subject Exchanges allow the WSSC shares changed in the 17CW3057 Decree to be optimally positioned for subsequent release from storage for downstream delivery into the SCFP. The Subject Exchanges are a part of North Weld's integrated water system. North Weld and the other two water districts made incremental progress on the integrated water system during the Diligence Period, which would benefit from future operation of the Subject Exchanges. As discussed above, part of the integrated water system includes Chambers Lake, Long Draw Reservoir, Grand River Ditch, Laramie-Poudre Tunnel, Laramie River Ditch (Skyline Ditch), and Cameron Pass Ditch. The Subject Exchanges allow North Weld to move its water supplies to locations of diversion and storage so that the supply can be firmed and ultimately diverted for treatment and municipal use or otherwise used for North Weld's replacement obligations. **8. Names(s) and address(es) of owner(s) or reputed owners of structures or**

the land upon which structures are located or upon which water is or will be stored and beneficially used:

OWNER/LANDOWNER NAME AND ADDRESS	STRUCTURE
Water Supply and Storage Company P.O. Box 1584, Fort Collins, CO 80522	Chambers Lake, Long Draw Reservoir (measurement device), Grand River Ditch, Laramie-Poudre Tunnel, Skyline Ditch, Cameron Pass Ditch
United States of America Arapaho/Roosevelt National Forest 2150 Centre Ave E Ft. Collins, CO 80526	Chambers Lake, Laramie-Poudre Tunnel, Skyline Ditch, Cameron Pass Ditch
United States of America U.S. Department of Agriculture 1400 Independence Ave., S.W. Washington, DC 20250	Laramie-Poudre Tunnel (outfall), Skyline Ditch, Cameron Pass Ditch (release structures)
State Forest State Park Colorado Parks and Wildlife Headquarters 6060 Broadway Denver, CO 80216	Cameron Pass Ditch (inlet)
United States of America USDI, National Park Service - RMNP PO BOX 25287 Denver, CO 80225-0287	Long Draw Reservoir, Grand River Ditch

(Number of pages in application: 10 excluding exhibits)

CASE NUMBER 2026CW3145 Applicants. JASON MENEGATTI AND EMILY MENEGATTI, 645 South County Road 31, Berthoud, CO 80513 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 FOR FINDING OF REASONABLE DILIGENCE IN LARIMER COUNTY.** 2. Name of Structures. Sprague Pond No. 1. and Sprague Pond No. 2. 3. Description of Conditional Water Rights. 3.1. Information from Previous Decrees 3.1.1. Original Decree: Case No. 1997CW360, dated November 13, 1998, Water Division 1; 3.1.2. Subsequent Decrees: Case No. 2004CW297, dated September 20, 2006; Case No. 2012CW212, dated October 28, 2013; Case No. 19CW3210, dated September 25, 2020. 3.2. Sprague Pond No. 1 3.2.1. Legal Description. The dam is located in the NW 1/4 of Section 27, Township 4 North, Range 70 West, 1742 feet east and 300 feet south of the NW Corner of said Section. 3.2.2. Sources. Meadow Hollow Stream, a tributary of the Little Thompson River. 3.2.3. Date of Appropriation. November 3, 1997. 3.2.4. Amount. 50 acre-feet, conditional. 3.2.5. Uses. Irrigation of 100 acres of Applicant's property in the SE 1/4 of the NW 1/4 of Section 22 and the East 1/2 of the SW 1/4 of Section 22 and the East 1/2 of the NW 1/4 of Section 27, all in Township 4 North, Range 70 West of the 6th P.M., Larimer County, Colorado, and for stock watering, fire protection, recreation, piscatorial, and wildlife purposes. 3.2.6. Remarks. 50 acre-feet was made absolute for all decreed uses except irrigation in Case No. 04CW297. 3.3. Name of Structure. Sprague Pond No. 2. 3.3.1. Legal Description. The dam is located in the NW 1/4 of Section 27, Township 4 North, Range 70 West, 1650 feet east and 1320 feet south of the NW Corner of said Section. 3.3.2. Sources. Meadow Hollow Stream, a tributary of the Little Thompson River. 3.3.3. Date of Appropriation. November 3, 1997. 3.3.4. Amount. 50 acre-feet, conditional. 3.3.5. Uses. Irrigation of 100 acres of Applicant's property in the SE 1/4 of the NW 1/4 of Section 22 and the East 1/2 of the SW 1/4 Section 22 and the East 1/2 of the NW 1/4 of Section 27 all in Township 4 North, Range 70 West of the 6th P.M., Larimer County, Colorado, and for stock watering, fire protection, recreation, piscatorial, and wildlife purposes. 4. Outline of What Has Been Done Toward Completion. During the diligence period, Applicants have continued to develop the subject water rights and the property on which the water rights are located

and are intended to be used. Applicants acquired the property, together with the subject water rights, in June 2024. A significant purpose of Applicants' acquisition of the property was to continue and expand its use as a working equine facility, including horse training and boarding operations. The property's acreage, existing horse facilities, and potential for further development of those operations were material considerations in Applicants' decision to acquire the property and associated water rights. Since acquiring the property, Applicants have operated and continued to develop a commercial equine operation on the property. Applicants operate Peak To Peak Horsemanship from the property, and the ranch is also operated as Lazy Sum B Bar Ranch. The operations include horse boarding, professional horse training, clinics and horsemanship events, and related activities. Applicants have actively advertised and promoted these operations through a website, social media, clinics, events, and other marketing. Since acquiring the property, Applicants have operated and continued to develop a commercial equine operation on the property. Applicants operate Peak To Peak Horsemanship from the property, and the ranch is also operated as Lazy Sum B Bar Ranch. The operations include horse boarding, professional horse training, clinics and horsemanship events, and related activities. Applicants actively advertise and promote the boarding and training operations through their website, social media, clinics, events, and other marketing. During approximately two years of ownership, Applicants have made substantial investments in the property to support and expand these operations. Among other things, Applicants have expended approximately \$90,000 to add, modify, repair, and improve horse pens, stalls, shelters, pasture boarding areas, turnout areas, and related fencing and boarding infrastructure; approximately \$10,000 to develop and improve grooming, washing, and horse-handling facilities; approximately \$6,000 to maintain and improve the indoor and outdoor riding arenas and other training areas; approximately \$5,000 to develop and maintain a dedicated horse-training obstacle course; and approximately \$22,000 for a new access gate to improve security, horse safety, and management of client and visitor access. Applicants also expend approximately \$5,000 annually on pasture, vegetation, fencing, mowing, trail, and grounds maintenance associated with the equine operation. In total, Applicants have invested approximately \$138,000 in the foregoing improvements and activities since acquiring the property, in addition to their continuing annual expenditures for management and maintenance of the acreage. The acreage and availability of water for the property are important components of Applicants' continued operation and planned development of the equine facility. Applicants intend to utilize the irrigation water decreed to Sprague Pond No. 1 in connection with the property and equine operation. An irrigation/sprinkler system exists on the property but is not presently operational. Applicants are presently investigating the work necessary to restore the system to operation and are obtaining an estimate of the cost of the necessary repairs and improvements. Sprague Pond No. 1 has been constructed, and its water right has previously been made absolute for stock watering, fire protection, recreation, piscatorial, and wildlife purposes, with irrigation use remaining conditional. Applicants have rented heavy equipment to remove Russian olives around Pond No. 1 and clean up old fencing and equipment that had been blown into the pond over the years at a cost of \$8,219.29. Sprague Pond No. 2 remains conditional for its decreed uses. Preliminary surface clearing of the location for pond 2 has been completed by Applicants. Estimates for construction of the pond and lining are being coordinated with local excavation companies. Applicants acquired both water rights with the property and intend to retain and develop the conditional water rights in connection with the continued operation and development of the property. Applicants have also incurred legal fees and costs associated with evaluation and preservation of the subject conditional water rights and preparation and prosecution of this Application.

5. Names and addresses of owners of land upon which structure will be located: Sprague Pond No. 1 and Sprague Pond No. 2 are located on Applicant's property.

6. Claim for Finding of Reasonable Diligence: Applicant seeks a finding that it has been reasonably diligent in the development of the conditional water rights under the circumstances of this case; seeks to maintain the conditional right for Sprague Pond No. 1 in the amount of 50 acre-feet for irrigation purposes; and seeks to maintain Sprague Pond No. 2 as conditional in the amount of 50 acre-feet for all decreed purposes, i.e., irrigation, stock watering, fire protection, recreation, piscatorial, and wildlife purposes. The original application consists of 5 pages.

CASE NUMBER 2026CW3146 (19CW3229, 13CW3028, 96CW199, 89CW212) **TOWN OF CASTLE ROCK**, Attn: Mark Marlowe, Director of Castle Rock Water 175 Kellogg Court Castle Rock, CO 80109 (720)733-6001. Serve all pleadings on: Madoline Wallace-Gross, Casey J. Weaver, Lyons Gaddis, PC, PO Box 978 Longmont, CO 80502-0978 (303)776-9900; mwg@lyonsgaddis.com; cweaver@lyonsgaddis.com

APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN DOUGLAS COUNTY

2. Name of conditional water right: Exchange from Plum Creek Regional Wastewater Treatment Plant Discharge to Castle Rock Wastewater Treatment Plant Discharge (the “Subject Exchange”). A map showing the general location of the exchange-from and exchange-to points is attached as **EXHIBIT A**.

Description of conditional water right:

3.1. Prior decrees:

3.1.1. Original decree: Case No. 89CW212, District Court, Water Division 1, entered September 4, 1990.

3.1.2. Subsequent diligence decrees: Case No. 96CW199, District Court, Water Division No. 1, entered April 19, 2007; Case No. 13CW3028, District Court No. 1, entered December 6, 2013; and Case No. 19CW3229, District Court, Water Division No. 1, entered September 15, 2020.

3.2. Legal descriptions:

3.2.1. Exchange-from point (downstream terminus): Point of discharge of the Plum Creek Regional Wastewater Treatment Plant (f/k/a Castle Pines Wastewater Treatment Plant), which is located in the SW 1/4 SW 1/4 of Section 21, Township 7 South, Range 67 West, 6th P.M., Douglas County, Colorado.

3.2.2. Exchange-to point (upstream terminus): Point of discharge of the Castle Rock Wastewater Treatment Plant, which was located in the SW 1/4 NW 1/4 of Section 2, Township 8 South, Range 67 West, 6th P.M., in Douglas County, Colorado.

3.3. Source: Reusable effluent generated by Applicant.

3.4. Appropriation date: December 23, 1989.

3.5. Rate of exchange: 5.7 cfs, of which 0.5 cfs was previously decreed absolute and 5.2 cfs remains conditional.

3.6. Uses: Augmentation and municipal.

3.7. Amount claimed absolute: Not applicable.

3.8. Remarks: Applicant obtained a plan for augmentation in Case No. 84CW656, District Court, Water Division No. 1, which replaces out of priority depletions from certain alluvial wells in the East Plum Creek Well Field (a/k/a Southern Well Field), including Heckendorf Well Nos. 1, 2, and 3, using a 5.7 cfs exchange from the point of discharge of the Castle Rock Wastewater Treatment Plant. When Applicant stopped using the Castle Rock Wastewater Treatment Plant and began using the Plum Creek Regional Wastewater Treatment Plant, located further downstream, to treat its wastewater, Applicant adjudicated this exchange to be used in conjunction with the exchange decreed in Case No. 84CW656 to continue to replace out of priority depletions from the alluvial wells using exchanges of effluent.

4. Integrated water supply system: The conditional water right is a component part of Applicant’s integrated water supply system, which consists of tributary water rights, augmentation plans, appropriative rights of exchange, conditional water rights, and non-tributary groundwater rights. Pursuant to C.R.S. § 37-92-301(4)(B), work on one component of the system shall be considered in finding that reasonable diligence has been shown for all components of the system.

5. Work done toward completion of the appropriations from September 2020 to September 2026: During the most recent diligence period, Applicant has incurred more than \$82.5 million to conduct the following work specific to these conditional water rights and on its integrated system:

5.1. Performed well rehabilitation and equipment replacement on wells, including the wells in the East Plum Creek Well Field augmented by this exchange, at a cost of approximately \$992,000.

5.2. Completed the following work related to the Plum Creek Water Purification Facility (“PCWPF”):

5.2.1. Converted to liquid ammonium sulfate at the PCWPF at an approximate cost of \$449,000.

5.2.2. Designed and engineered the expansion of the PCWPF’s Advanced Treatment from 6 MGD to 12 MGD at an approximate cost of \$4,918,000.

5.2.3. Began construction for expansion of PCWPF’s Advanced Treatment from 6 MGD to 12 MGD at an approximate cost of \$49,719,000.

5.3. Purchased additional storage capacity in Chatfield Reservoir and paid assessments to the Chatfield Reservoir Mitigation Company, Inc. at a cost of approximately \$6,356,000.

5.3.1. Associated legal and administrative costs totaled approximately \$10,000.

5.3.2. As of the date of the filing of this Application, Applicant owns 977 acre-feet of capacity in Chatfield Reservoir and plans to exercise an option to acquire additional capacity up to 2,000 acre-feet of conditional storage.

5.4. Conducted an alternatives analysis for Plum Creek Diversion upgrades at an approximate cost of \$411,000.

5.5. Performed East Plum stream stabilization and CR-1 Diversion upgrades at an approximate cost of \$1,038,000.

5.6. Designed, constructed, and expanded upgrades to Castle Rock Reservoir Nos. 1 and 2 at a cost of approximately \$15,183,000.

5.7. Began permitting and engineering design of the Chatfield

Pump Back inlet pump station and pipeline from Chatfield Reservoir to Castle Rock Reservoir Nos. 1 and 2 at an approximate cost of \$807,000. 5.8. Began permitting and engineering design of the Plum Creek to Reuter Hess pipeline at a cost of approximately \$2,636,000. 5.9. Conducted legal and engineering work to determine whether to acquire certain senior water rights for use in Applicant's municipal water system. 5.10. Began and/or continued to oppose applications that could injure Applicant's water rights, including these water rights, in Case Nos. 20CW3005, 20CW3031, 20CW3214, 20CW3215, 21CW3022, 21CW3091, 21CW3193, 22CW3032, 22CW3103, 22CW3111, 23CW3121, 23CW3124, 23CW3129, 23CW3180, 24CW3088, 24CW3094, 25CW3001, 25CW3046, 25CW3062, 25CW3177, 25CW3195, 26GW01, 26CW3023, 26CW3037, 26CW3040, and 26CW04. 5.11. Filed and/or continued to prosecute applications in Case Nos. 19CW3039, 19CW3231, 19CW3232, 20CW3175, 21CW3046, 21CW3047, 21CW3109, 21CW3142, 21CW3185, 22CW3064, 22CW3145, 22CW3150, 22CW3155, 23CW3002, 23CW3061, 24CW3037, 25CW3119, 25CW3133, 26CW3026, 26CW3028, 26CW3029, and 26CW3098. **6. Owners of the land upon which the structures are or will be located:** 6.1. The Plum Creek Regional Wastewater Treatment Plant Outfall is located on land owned by Plum Creek Wastewater Authority, 4255 N US Hwy 85, Castle Rock, CO 80108. 6.2. The Castle Rock Wastewater Treatment Plant Outfall is located on land owned by Applicant. WHEREFORE, Applicant respectfully requests the Court enter a decree finding that Applicant has been reasonably diligent in perfecting the remaining conditional portion of the water right and granting any other relief that the Court deems just and proper. (6 pgs, 1 exhibit)

CASE NUMBER 2026CW3147 APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND PLAN FOR AUGMENTATION OF DOLLEY LIVING TRUST IN EL PASO COUNTY – Order granting motion to request no publication order by Division 1 entered September 30, 2026. Water Division 2 will publish.

CASE NUMBER 2026CW3148 NORTHERN COLORADO WATER CONSERVANCY DISTRICT, c/o Nathan Baker; 220 Water Avenue, Berthoud, Colorado 80513; nbaker@northernwater.org; (800) 369-7246; Please direct all pleadings and correspondence to Applicants counsel: Michael A. Kopp, William Davis Wert, and Erin Kincaid; Trout Raley; 1120 Lincoln St., Suite 1600, Denver, CO 80203; (303) 861-1963; mkopp@troutlaw.com, dwert@troutlaw.com, ekincaid@troutlaw.com; **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES**. A. This Application seeks a finding of reasonable diligence for the portions of two conditional water storage rights owned by Northern Water. The two conditional water rights were originally decreed in Case No. 80CW355 to Grey Mountain Dam and Reservoir and the Cache la Poudre Forebay Dam and Reservoir. Subsequent findings of reasonable diligence were decreed in Case Nos. 89CW122 (consolidated with Case Nos. 85CW206, 85CW207, 85CW208, 85CW209, and 85CW210), 01CW197, 11CW242, and 19CW3165. In Case No. 03CW405, the Water Court, Division 1, granted Northern Water's application to change the two conditional water rights to add Glade Dam and Reservoir as an alternate place of storage for the Grey Mountain Dam and Reservoir right, add Glade Forebay Dam and Reservoir as an alternate place of storage for the Cache la Poudre Forebay Dam and Reservoir right, and add the Poudre Valley Canal Diversion and North Poudre Supply Canal Diversion Works (a/k/a Munroe Canal) as alternate diversion points for both rights. B. Until 2014, Northern Water owned an undivided seven-eighths (7/8) interest, and the Cache la Poudre Water Users Association ("CLPWUA") owned an undivided one-eighth (1/8) interest, in each of the Grey Mountain Dam and Reservoir and Cache la Poudre Forebay Dam and Reservoir conditional water storage rights. By a Partition Agreement dated October 10, 2014, and recorded with the Larimer County Clerk & Recorder at Reception No. 20140061377 ("Partition Agreement"), Northern Water and CLPWUA agreed to partition their fractional undivided interests in the two conditional water storage rights and to convey quitclaim deeds between each other (recorded with the Larimer County Clerk & Recorder at Reception Nos. 20140061378 and 20140061379). Pursuant to the Partition Agreement, Northern Water is the sole owner of 192,500 acre-feet of storage in the conditional Grey Mountain Dam and Reservoir right, with alternate place of storage in Glade Reservoir and alternate diversion points as defined and described in the 03CW405 Decree ("Dam and Reservoir Right"), and 4,725 acre-feet of storage in the conditional

Cache la Poudre Forebay Dam and Reservoir right, with alternate place of storage in Glade Forebay Dam and Reservoir and alternate diversion points as defined and described in the 03CW405 Decree (“Forebay Right”). Northern Water also holds the right to divert 7/8 of the water physically and legally available under the two water rights at the originally decreed points of diversion, with alternate points of diversion at the Poudre Valley Canal and the North Poudre Supply Canal as defined and described in the 03CW405 Decree. The Partition Agreement provided that Northern Water and CLPWUA each would be responsible for its own diligence filings in Water Court for its respective portions of the partitioned conditional water storage rights. C. By this Application, Northern Water requests a finding of reasonable diligence for its conditional Dam and Reservoir Right and Forebay Right (“Subject Water Rights”). This Application does not seek any findings or determinations regarding the portions of the partitioned conditional water rights owned by CLPWUA.

3. Description of Conditional Subject Water Rights: A. Name of Structure: Grey Mountain Dam and Reservoir. i. Original Decree: Date of Decree: August 20, 1985. Case No.: 80CW355. Court: Water Court, Division 1. Remark: Originally decreed to Grey Mountain Dam and Reservoir. ii. Subsequent Decrees Finding Diligence: Date of Decree: August 9, 1995. Case No.: 89CW122. Court: Water Court, Division 1. Remark: Case was consolidated with Case Nos. 85CW206, 85CW207, 85CW208, 85CW209, and 85CW210. Date of Decree: November 8, 2005. Case No.: 01CW197. Court: Water Court, Division 1. Date of Decree: August 7, 2013. Case No.: 11CW242. Court: Water Court, Division 1. Date of Decree: September 21, 2020. Case No.: 19CW3165. Court: Water Court, Division 1. iii. Other Relevant Decree: Date of Decree: July 21, 2006. Case No.: 03CW405. Court: Water Court, Division 1. Remark: Change decree to add Glade Dam and Reservoir as an alternate place of storage and the Poudre Valley Canal and North Poudre Supply Canal Diversion Works (a/k/a Munroe Canal) as alternate points of diversion. iv. Legal Descriptions of Original and Alternate Reservoir Locations and Points of Diversion: a. Original Location and Point of Diversion (Grey Mountain Dam and Reservoir): A dam axis located in Section 9, T8N, R70W, 6th P.M., Larimer County, Colorado, being more particularly described as follows: Considering the West line of the Northeast 1/4 of said Section 9 as bearing South 00°28’33” East as determined by solar observation, and with all bearings contained herein relative thereto: Beginning at the Southwest corner of the Northeast 1/4 of said Section 9; thence South 27°19’28” East 502.44 feet to a point on the centerline of said dam with axis bearing North 87°32’26” East, said point also being at the intersection of the centerline of the Cache La Poudre River Channel as it existed at the time the original application was filed. b. Alternate Location (Glade Dam and Reservoir): A dam axis located in Sections 11, 12, and 13, T8N, R70W, 6th P.M., Larimer County, Colorado, beginning at a point, which is the terminal point of the dam’s left abutment, from which the Southwest corner of Section 12, T8N, R70W of the 6th P.M. bears North 88°14’55” West, a distance of 1879.6 feet. From said point, the axis of the dam bears North 65°04’43” West, a distance of 729.9 feet to a point on the dam axis. From said point, the axis of the dam bears North 14°49’34” West, a distance of 1021.7 feet to a point on the dam axis. From said point, the axis of the dam bears North 21°39’51” West, a distance of 3383.8 feet to the terminal point of the dam’s right abutment. The proposed Glade Dam and Reservoir will inundate portions of the Northwest and Southwest Quarters of Sections 19, 30, and 31, T9N, R69W, 6th P.M.; the Northwest and Southwest Quarters of Section 6 and the Northwest Quarter of Section 7, T8N, R69W, 6th P.M.; the Southeast Quarter of Section 24, the Northeast, Southeast, and Southwest Quarters of Section 25, and all Quarters of Section 36, T9N, R70W, 6th P.M.; and all Quarters of Section 1, the Northeast and Southeast Quarters of Section 2, the Northeast and Southeast Quarters of Section 11, all Quarters of Section 12, and the Northwest Quarter of Section 13, T8N, R70W, 6th P.M. c. Alternate Points of Diversion: 1. Poudre Valley Canal Diversion: The Poudre Valley Canal Diversion is located on the Cache la Poudre River at a point 1,000 feet north of the south section line and 150 feet east of the west section line in the Southwest quarter of Section 10, T8N, R70W, 6th P.M. Water would be conveyed through an enlarged Poudre Valley Canal for a distance of approximately 10,800 feet to the Glade Reservoir Forebay. Water would then be pumped from the forebay into Glade Reservoir. 2. North Poudre Supply Canal Diversion Works (a/k/a/ Munroe Canal): The North Poudre Supply Canal Diversion is located on the Cache la Poudre River at a point 1,900 feet south of the north section line and 2,100 feet west of the east section line in the Northeast quarter of Section 5, T8N, R70W, 6th P.M. Water would be conveyed through the North Poudre Supply Canal for a distance of

approximately 19,400 feet to the Glade Reservoir forebay. The water would then be pumped into Glade Reservoir. 3. Pursuant to the decree entered in Case No. 03CW405, the total combined rate of diversion at the alternate points of diversion is 3,000 cfs. d. A map showing the Glade Reservoir and Glade Forebay along with landowners in the area of each structure is attached as Exhibit A. v. Source: Cache la Poudre River and its tributaries, all of said waters being tributary to the South Platte River. vi. Appropriation Date: May 2, 1980. vii. Northern Water's Amount: 192,500 acre-feet, conditional. viii. Uses: Irrigation, municipal, domestic, industrial, and production of electrical power and energy. B. Name of Structure: Cache la Poudre Forebay Dam and Reservoir. i. Original Decree: Date of Decree: August 20, 1985. Case No.: 80CW355. Court: Water Court, Division 1. Remark: Originally decreed to Cache la Poudre Forebay Reservoir. ii. Subsequent Decrees Finding Diligence: Date of Decree: August 9, 1995. Case No.: 89CW122. Court: Water Court, Division 1. Remark: Case was consolidated with Case Nos. 85CW206, 85CW207, 85CW208, 85CW209, and 85CW210. Date of Decree: November 8, 2005. Case No.: 01CW197. Court: Water Court, Division 1. Date of Decree: August 7, 2013. Case No.: 11CW242. Court: Water Court, Division 1. Date of Decree: September 21, 2020 Case No.: 19CW3165 Court: Water Court, Division 1. iii. Other Relevant Decree: Date of Decree: July 21, 2006. Case No.: 03CW405. Court: Water Court, Division 1. Remark: Change decree to add Glade Forebay Dam and Reservoir as an alternate place of storage and the Poudre Valley Canal and North Poudre Supply Canal Diversion Works (a/k/a Munroe Canal) as alternate points of diversion. iv. Legal Descriptions of Original and Alternate Reservoir Locations and Points of Diversion: a. Original Location (Cache la Poudre Forebay Dam and Reservoir): A dam axis located in Section 36, T9N, R71W, 6th P.M., Larimer County, Colorado, being more particularly described as follows: Considering the West line of the Northwest 1/4 of said Section 36 as bearing North 04°32'13" West as determined by solar observation, and with all bearings contained herein relative thereto; Beginning at the Northwest corner of the Northwest 1/4 of said Section 36; thence South 63°45'28" East 1937.95 feet to a point on the centerline of said dam with axis bearing North 53°57'35" East. b. Original Point of Diversion (Cache la Poudre Forebay Dam and Reservoir): Intake "Y": An intake point located in Section 31, T9N, R70W, 6th P.M., Larimer County, Colorado, being more particularly described as follows: Considering the South line of the Southwest Quarter of said Section 31 as being North 89°51'00" East and with all bearings contained herein relative thereto: Beginning at the Southwest Quarter of said Section 31; thence along the South line of the Southwest Quarter of said Section 31 North 89°51'00" East 1427.89 feet; thence departing said South line North 00°09'00" West 499.20 feet to said intake point. c. Alternate Location (Glade Forebay Dam and Reservoir): A forebay reservoir located in the Southeast 1/4 of Section 11, T8N, R70W, 6th P.M., Larimer County, Colorado. d. Alternate Points of Diversion: 1. Poudre Valley Canal Diversion: Section 0, *supra*. 2. North Poudre Supply Canal Diversion Works (a/k/a Munroe Canal): Section 0, *supra*. 3. Pursuant to the decree entered in Case No. 03CW405, the total combined rate of diversion at the alternate points of diversion is 3,000 cfs. v. Source: Cache la Poudre River and its tributaries, all of said waters being tributary to the South Platte River. vi. Appropriation Date: May 2, 1980. vii. Northern Water's Amount: 4,725 acre-feet, conditional. viii. Uses: Irrigation, municipal, domestic, industrial, and production of electrical power and energy. C. Pursuant to the decrees entered in Case Nos. 89CW122 and 03CW405, the storage volumes decreed to the Grey Mountain Dam and Reservoir water right and the Cache la Poudre Forebay Dam and Reservoir water right may not be separately aggregated. The cumulative annual volume of total storage under those rights is limited to the total volume decreed to the Grey Mountain Dam and Reservoir water right, 220,000 acre-feet. Cumulative annual storage of water under Northern Water's portion of the Subject Water Rights pursuant to the Partition Agreement is limited to 192,500 acre-feet. 4. Detailed outline of what diligent effort has been undertaken toward completion of the appropriation: A. The Subject Water Rights are part of the Poudre Project, an integrated diversion project designed to provide water and related benefits to the water users within Northern Water by diverting unappropriated water from the Cache la Poudre River and storing that water in order to increase the amount of water available for beneficial uses within the boundaries of Northern Water. B. The Subject Water Rights and the other water supply features of the Poudre Project were conceived and planned, and are intended to be constructed and operated, as component parts of a common plan and scheme of development and thus comprise an integrated water supply system. Work on one feature of the Poudre Project shall be considered

in finding that reasonable diligence has been shown in the development of water rights for all features of the entire Poudre Project. C.R.S. § 37-90-301(4)(b); *see also* Findings of Fact, Conclusions of Law, Judgment and Decree, ¶ 8, No. 01CW197 (Colo. Dist. Ct. Water Div. No. 1 Nov. 8, 2005); Findings of Fact, Conclusions of Law, Ruling of the Referee and Decree of the Water Court, ¶ 7, No. 11CW242 (Colo. Dist. Ct. Water Div. No. 1 Aug. 7, 2013). C. The Subject Water Rights also have been incorporated into a regional water supply project known as the Northern Integrated Supply Project, or NISP, to allow a portion of the associated water rights to be used as part of NISP. NISP is a regional water supply project proposed by Northern Water and pursued by the NISP Water Activity Enterprise, a government-owned business within the meaning of Article X, § 20(2)(d) of the Colorado Constitution, organized pursuant to C.R.S. §§ 37-45.1-101 *et seq.* and owned by Northern Water (“NISP Enterprise”), on behalf of numerous cities, towns, and water districts (“NISP Participants”) that will use the Subject Water Rights and other water rights to provide up to 40,000 acre-feet of reliable water supply per year to the NISP Participants. The remaining portion of the Subject Water Rights that are not associated with NISP will serve future demands within the boundaries of Northern Water. D. The Subject Water Rights thus also are planned and intended to be constructed and operated as component parts of a common plan and scheme of development for NISP and thus comprise part of an integrated water system for NISP. Work on one feature of NISP shall be considered in finding that reasonable diligence has been shown in the development of all water rights of NISP, including the Subject Water Rights. C.R.S. § 37-90-301(4)(b). E. During the diligence period from September 2020 through September 2026, Northern Water and NISP Enterprise have expended approximately \$120 million and allocated substantial resources towards the permitting, design, and development of the NISP. The following paragraphs describe examples of some of the more significant activities that support a finding of reasonable diligence with respect to the Subject Water Rights: i. Larimer County granted an “Areas and Activities of State Interest” (“1041”) Land Use Permit for Glade Reservoir and associated NISP facilities located within the county in September 2020 following months of application reviews, staff coordination, and public input meetings. After approval of the permit, the Larimer County Board of Commissioners adopted a Findings and Resolution Approving the NISP 1041 Permit on October 27, 2020. ii. In December 2022, the U.S. Army Corps of Engineers issued a Record of Decision and Clean Water Act (CWA) Section 404 permit for NISP, which NISP Enterprise applied for 18 years earlier, in 2004. Since that time, Northern Water staff and counsel have continued to engage with the Corps in furtherance of project implementation. iii. In 2024, an opposing party filed a lawsuit in the federal district court for the District of Colorado challenging issuance of a CWA Section 404 permit for NISP and contesting the sufficiency of the associated National Environmental Policy Act (NEPA) compliance. In February 2025, Northern Water and the opposing party settled the matter. The settlement included creation of a \$100 million Poudre River Improvement Fund. Under the terms of the settlement agreement, Northern Water has to date paid \$5 million into the Poudre River Improvement Fund. iv. Development of the project has included design and permitting efforts for the relocation of a portion of U.S. Highway 287, which is necessary before construction can commence on Glade Reservoir. In June 2021, NISP Enterprise in conjunction with the Colorado Department of Transportation, submitted an application for a Location and Extent Review, which Larimer County approved in September 2021. Preparations for construction also include final design progression and CDOT approvals, hiring a Construction Manager/ General Contractor, land acquisition, and entering into an Intergovernmental Agreement with CDOT in 2025. Northern Water expended approximately \$7,665,000 during the diligence period on these efforts related to the Highway 287 Relocation. v. Northern Water and its NISP Enterprise have retained contractors and consultants to advance the NISP Project, and the Glade Reservoir, Forebay, and associated infrastructure in particular, to final design. The final design of these facilities continued throughout this diligence period. In December 2025, Northern Water released Requests for Proposals to begin the hiring of contractors for three construction packages related to the proposed Glade Reservoir. Following prequalification of contractors in Spring 2026, Invitations to Bid were distributed in August 2026 with bids expected before the end of 2026. Northern Water expended approximately \$47,500,000 during the diligence period on the design advancement, cost estimating, permitting, contractor input, communications, and other activities necessary to transition NISP from project development into construction. vi. From 2020 through 2026, the alignment

evaluation, property coordination, and final design activities for the conveyance of water from Glade Reservoir to project participants has been ongoing. Northern Water has spent approximately \$6,967,000 during the diligence period on these efforts. vii. Throughout the diligence period, Northern Water and its NISP Enterprise have acquired land and rights of way in Larimer and Weld Counties needed for Glade Reservoir, the Glade Forebay Dam and Reservoir, the relocated Highway 287, pipelines, and various other infrastructure necessary to build NISP. Northern Water expended approximately \$19,379,000 on these efforts during the diligence period. viii. Throughout the diligence period, Northern Water and its NISP Enterprise have continued to advance mitigation and environmental commitments associated with NISP, as well as the financial and contractual framework necessary for project implementation. These efforts have included implementation of mitigation projects like the Eastman Park wetland habitat in Windsor, completed in 2024; coordination with federal, state, and local agencies and other stakeholders; development and administration of allotment contracts and other Participant agreements; financial planning and cost estimating; and related activities necessary to support implementation of NISP. ix. Northern Water has been an opposer in numerous water right applications during the diligence period to protect the Subject Water Rights. 5. Landowner Notice: A list of the 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, is attached as an appendix to this Application. 6. Remarks: During the diligence period, Northern Water did not divert any amount of water under the Subject Water Rights, despite diligent efforts to make the Subject Water Rights absolute. Therefore, by this diligence Application, Northern Water does not seek to make any portion of the Subject Water Rights absolute and seeks only a finding of reasonable diligence for the Subject Water Rights. (14 pages including 1 Exhibit and 1 Appendix)

CASE NUMBER 2026CW3149 LOGAN WELL USERS, INC., P.O. Box 1172, Sterling Colorado, 80751, Lawrence Custer Grasmick Jones & Donovan LLP Ryan M. Donovan, #44435 and Regan M. O'Donnell, #62937 Attorneys for Applicant, Logan Well Users Inc. **APPLICATION TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE IN PART, FOR FINDING OF REASONABLE DILIGENCE AND TO CONTINUE CONDITIONAL WATER RIGHTS IN LOGAN, MORGAN, AND WASHINGTON COUNTIES** 2. Previous Decrees. 03CW195 Decree, 12CW17 Decree, 20CW3030 Decree. 3. Description of the Conditional Water Rights that are the subject of this Application is as follows: RECHARGE PROJECTS 4. Name of Structure. Schneider Ditch Recharge Project 4.1. Diversion Points. 4.1.1. Schneider Ditch. In the NW1/4 SW1/4 of Section 9, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, at the diversion works of the Schneider Ditch. 4.1.2. Famm Recharge Well. In the NE1/4 NE1/4 of Section 25, Township 7 North, Range 53 West, of the 6th P.M., Logan County, Colorado, 1290 feet from the North section line and 1080 feet from the East section line. 4.2. Appropriation Dates. 4.2.1. Schneider Ditch Recharge, January 13, 2003 4.2.2. Famm Recharge Well, March 25, 2003 4.3. Amounts. 4.3.1. Schneider Ditch Recharge. 53.42 c.f.s., absolute; 4.58 c.f.s. conditional. 4.3.2. Famm Recharge Well. 3,000 g.p.m., conditional 4.4. Source. 4.4.1. Schneider Ditch. The South Platte River. 4.4.2. Famm Recharge Well. Groundwater tributary to the South Platte River. 4.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 4.6. Description of Recharge. Water is diverted at the points described in ¶ 4.1 and is allowed to percolate from the ditch and the ponds described in this ¶ 4.6 into the underground aquifer for Logan's stated beneficial uses. 4.6.1. Schneider Recharge/Reservoir Site No. 1 (Lingreen No. 1). In the NW1/4 SE1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 15 a.f. with 0 dead storage. 4.6.2. Schneider Recharge/Reservoir Site No. 2 (Lingreen No. 2). In the NE1/4 NE1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 4.6.3. Schneider Recharge/Reservoir Site No. 3 (Carlson). In the NW1/4 SW1/4 of Section 30, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 6 a.f. with 0 dead storage. 4.6.4. Schneider

Recharge/Reservoir Site No. 4 (Propst). In the SE1/4 NE1/4 of Section 2, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity in acre feet. 90 a.f. with 0 dead storage. 4.6.5. Schneider Recharge/Reservoir Site No. 5 (Propst Recharge Pond No.2). In the NE1/4 NE1/4 of Section 11, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2.48 acres. Total active capacity in acre feet. 19.3 a.f. with 0 dead storage. 5. Name of Structure. South Platte Ditch Recharge Project No. 2. 5.1. Diversion Points. 5.1.1. South Platte Ditch. In the SW1/4 of Section 8, Township 5 North, Range 54 West of the 6th P.M., Washinton County, Colorado, at the diversion works of the South Platte Ditch. 5.1.2. Pumping Station No. 1 (Curlee) in the SW1/4 of Section 30, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado on the Prewitt Seep Ditch. 5.1.3. Pumping Station No. 2 (Quint) in the NW1/4 of Section 31, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado on the Prewitt Seep Ditch. 5.2. Appropriation Dates. 5.2.1. South Platte Recharge, March 21, 1997 5.2.2. Pumping Station No. 1 (Curlee), April 11, 2003 5.2.3. Pumping Station No. 2 (Quint), December 10, 2002 5.3. Amounts. 5.3.1. South Platte Ditch Recharge Headgate Diversion. 55.0 c.f.s. absolute; 65.0 c.f.s., conditional. 5.3.2. Pumping Station No. 1 (Curlee). 4.75 c.f.s., absolute; 5.25 c.f.s., conditional. 5.3.3. Pumping Station No. 2 (Quint). 4.5 c.f.s., absolute; 5.5 c.f.s., conditional. 5.4. Source. The South Platte River. 5.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 5.6. Description of Recharge. Water is diverted at the points described in ¶ 5.1 and is allowed to percolate from the ditch and the ponds described in this ¶ 5.6 into the underground aquifer for Logan's stated beneficial uses. 5.6.1. South Platte Recharge/Reservoir Site No. 1 (Kautz). In the N1/2 of Section 3, Township 5 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 14 acres. Total active capacity in acre feet. 42 a.f. with 0 dead storage. 5.6.2. South Platte Recharge/Reservoir Site No. 2 (Amen). In the SW1/4 of Section 34, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 5.6.3. South Platte Recharge/Reservoir Site No. 3 (Anderson). In the SE1/4 of Section 34, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 5.6.4. South Platte Recharge/Reservoir Site No. 4 (Fiscus). In the SE1/4 of Section 26, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 5.6.5. South Platte Recharge/Reservoir Site No. 5 (Propst). In the NE1/4 of Section 28, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity in acre feet. 300 a.f. with 0 dead storage. 5.6.6. South Platte Recharge/Reservoir Site No. 6 (Mari No. 1). In the NW1/4 of Section 21, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 65 a.f. with 0 dead storage. 5.6.7. South Platte Recharge/Reservoir Site No. 7 (Mari No. 2). In the SE1/4 of Section 21, Township 6 North, Range 53 West of 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 5.6.8. South Platte Recharge/Reservoir Site No. 9 (Smart No. 1). In the SW1/4 of Section 22, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 15 a.f. with 0 dead storage. 5.6.9. South Platte Recharge/Reservoir Site No. 10 (Smart No. 2). In the SE1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 5.6.10. South Platte Recharge/Reservoir Site No. 11 (Hettinger). In the SW1/4 of Section 25, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 5.6.11. South Platte Recharge/Reservoir Site No. 12 (Lingreen). In the E1/2 SW1/4 of Section 25, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 50 a.f. with 0 dead storage. 5.6.12. South Platte Recharge/Reservoir Site No. 13 (Smart No. 3). In the N1/2 SE1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity. 40 a.f. with 0 dead storage. 5.6.13.

South Platte Recharge/Reservoir Site No. 14 (Smart No. 4). In the E1/2 NW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity. 80 a.f. with 0 dead storage. 5.6.14. South Platte Recharge/Reservoir Site No. 15 (Smart No. 5). In the NW1/4 NE1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity. 6 a.f. with 0 dead storage. 5.6.15. South Platte Recharge/Reservoir Site No. 16 (Smart No. 6). In the NW1/4 SW1/4 of Section 11, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity. 15 a.f. with 0 dead storage. 5.6.16. South Platte Recharge/Reservoir Site No. 17 (Mari No. 3). In the SW1/4 SE1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 1.16 acres. Total active capacity. 5.8 a.f. with 0 dead storage. 5.6.17. All recharge structures/ponds that are part of the South Platte Ditch Recharge Project No. 1 decreed in Case No. W-7839, Water Division No. 1, which use the South Platte Extension Ditch (Sand Hill Lateral Ditch) and associated ponds and potholes along this lateral. 6. Name of Structure. LWU South Platte Ditch Recharge Project. 6.1. Diversion Points. 6.1.1. Hessler Well No. 59273-F. In the NW1/4 SW1/4 of Section 3, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1450 feet from the South section line and 100 feet from the West section line. 6.1.2. Curlee Well. In the NW1/4 SW1/4 of Section 9, Township 6 North, Range 53 West of the 6th S.M., Logan County, Colorado. 6.2. Appropriation Dates. 6.2.1. Hessler Well No. 59273-F. March 25, 2003. 6.2.2. Curlee Well. April 11, 2003. 6.3. Amounts Claimed. 6.3.1. Hessler Well No. 59273-F. 4,416.3 g.p.m., absolute; 1,583.70 g.p.m., conditional. 6.3.2. Curlee Well. 4,000 g.p.m., conditional. 6.4. Source. Groundwater tributary to South Platte River. 6.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 6.6. Description of Recharge. Water is diverted at the points described in ¶ 6.1 and is allowed to percolate from the ditch and the ponds describe in this ¶ 6.6 into the underground aquifer for Logan's stated beneficial uses. 6.6.1. LWU South Platte Recharge/Reservoir Site No. 1 (Curlee). In the SW1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 14 acres. Total active capacity in acre feet. 42 a.f. with 0 dead storage. 6.6.2. LWU South Platte Recharge/Reservoir Site No. 2 (Accomasso). In the SW1/4 NW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity in acre feet. 24 a.f. with 0 dead storage. 6.6.3. LWU South Platte Recharge/Reservoir Site No. 3 (Hoogland No. 1). In the NW1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity in acre feet. 24 a.f. with 0 dead storage. 6.6.4. LWU South Platte Recharge/Reservoir Site No. 4 (Hoogland No. 2). In the SE1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity in acre feet. 24 a.f. with 0 dead storage. 6.6.5. LWU South Platte Recharge/Reservoir Site No. 5 (Hoogland No. 3). In the SW1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity. 18 a.f. with 0 dead storage. 6.6.6. LWU South Platte Recharge/Reservoir Site No. 6 (Hessler No. 1). In the NW1/4 NW1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6 acres. Total active capacity. 18 a.f. with 0 dead storage. 6.6.7. LWU South Platte Recharge/Reservoir Site No. 7 (Hessler No. 2). In the NE1/4 NW1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 3 acres. Total active capacity. 9 a.f. with 0 dead storage. 7. Name of Structure. Springdale Ditch Recharge Project. 7.1. Diversion Points. 7.1.1. Springdale Ditch. Legal Description of Diversion Point. In the NW1/4 NW1/4 of Section 35, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado at the diversion works of the Springdale Ditch. 7.1.2. Miller Well No. 1-59196-F. In the SE1/4 NE1/4 of Section 26, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. 2020 feet from the North section line and 980 feet from the East section line. 7.1.3. Miller Well No. 2-59196-F. In the SE1/4 NE1/4 of Section 26, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2000 feet from the North section line and 150 feet from the East section line. 7.1.4. Miller Well No. 3-59188-F. In the SW1/4 NE1/4 of Section 26, Township 7 North, Range 53 West

of the 6th P.M., Logan County, Colorado, 2420 feet from the North section line and 1950 feet from the East section line. 7.2. Appropriation Dates. 7.2.1. Springdale Ditch. January 6, 2003. 7.2.2. Miller Well No. 1-59196-F. March 3, 2003. 7.2.3. Miller Well No. 2-59195-F. March 3, 2003. 7.2.4. Miller Well No. 3-59188-F. March 3, 2003. 7.3. Amounts Claimed. 7.3.1. Springdale Ditch Recharge. 62.5 c.f.s., absolute. 7.3.2. Miller Well No. 1-59196-F. 4,000 g.p.m., conditional. 7.3.3. Miller Well No. 2-59195-F. 4,000 g.p.m., conditional. 7.3.4. Miller Well No. 3-59188-F. 4,000 g.p.m., conditional. 7.4. Sources. 7.4.1. Springdale Ditch. The South Platte River. 7.4.2. Miller Wells. Groundwater tributary to the South Platte River. 7.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 7.6. Description of Recharge. Water is diverted at the points described in ¶ 7.1 and is allowed to percolate from the ditch and the ponds describe in this ¶ 7.6 into the underground aquifer for Logan's stated beneficial uses. 7.6.1. Springdale Recharge/Reservoir Site No. 1 (Baney). In the NW1/4 SW1/4 of Section 13, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity in acre feet. 45 a.f. with 0 dead storage. 7.6.2. Springdale Recharge/Reservoir Site No. 2 (Keller). In the SW1/4 NE1/4 of Section 11, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity in acre feet. 21 a.f. with 0 dead storage. 7.6.3. Springdale Recharge/Reservoir Site No. 3 (Wyckof). In the NW1/4 NW1/4 of Section 17, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 1 acres. Total active capacity in acre feet. 3 a.f. with 0 dead storage. 7.6.4. Springdale Recharge/Reservoir Site No. 4 (Samber). In the SW1/4 NW1/4 of Section 8, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 6 a.f. with 0 dead storage. 7.6.5. Springdale Recharge/Reservoir Site No. 5 (Fritzler No. 2). In the NE1/4 NW1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 3 acres. Total active capacity in acre feet. 9 a.f. with 0 dead storage. 7.6.6. Springdale Recharge/Reservoir Site No. 6 (Schuman). In the NW1/4 NE1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity in acre feet. 60 a.f. with 0 dead storage. 7.6.7. Springdale Recharge/Reservoir Site No. 7 (Fritzler No. 1). In the N1/2 NE1/4 NW1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 3 acres. Total active capacity. 9 a.f. with 0 dead storage. 7.6.8. Springdale Recharge/Reservoir Site No. 8 (Reike). In the SW1/4 SW1/4 of Section 4, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity. 14 a.f. with 0 dead storage. 7.6.9. Springdale Recharge/Reservoir Site No. 9 (L. Fritzler). In the NW1/4 NW1/4 of Section 1, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 6.06 acres. Total active capacity. 18.0 a.f. with 0 dead storage. 8. Name of Structure. Sterling Irrigation Company Recharge Project. 8.1. Diversion Points. 8.1.1. Sterling Irrigation Canal. In the NW1/4 of Section 25, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado at the diversion works of the Sterling Irrigation Company Ditch. 8.1.2. Section 19 Seep. In the SE1/4 SW1/4 of Section 19, Township 8 North, Range 52 West, 6th PM, Logan County, Colorado, where Section 19 Draw is intercepted by the Sterling Irrigation Ditch. 8.2. Appropriation Dates. 8.2.1. Sterling Irrigation Canal. March 20, 2003. 8.2.2. Section 19 Seep. March 31, 2004. 8.3. Amounts Claimed. 8.3.1. Sterling Irrigation Canal. 113.9 c.f.s., absolute. 8.3.2. Section 19 Seep. 3.0 c.f.s., absolute. 8.4. Source. The South Platte River. 8.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 8.6. Description of Recharge. Water is diverted at the points described in ¶ 8.1 and is allowed to percolate from the ditch and the ponds describe in this ¶ 8.6 into the underground aquifer for Logan's stated beneficial uses. 8.6.1. SIC Recharge/Reservoir Site No. 1 (Guenzi). In the NW1/4 NE1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 10 acres. Total active capacity in acre feet. 30 a.f. with 0 dead storage. 8.6.2. SIC Recharge/Reservoir Site No. 2 (Manuello No. 1). In the NW1/4 NE1/4 of Section 3, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 12 a.f. with 0 dead storage. 8.6.3. SIC Recharge/Reservoir

Site No. 3 (Manuello No. 2). In the NE1/4 NE1/4 of Section 4, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 2 acres. Total active capacity in acre feet. 40 a.f. with 0 dead storage. 8.6.4. SIC Recharge/Reservoir Site No. 4 (Manuello No. 3-Pasture Pond). In the NE1/4SW1/4 of Section 2, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity in acre feet. 60 a.f. with 0 dead storage. 8.6.5. SIC Recharge/Reservoir Site No. 5(Mike Weis-MX2 No. 1). In the NW1/4 SE1/4 of Section 34, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity in acre feet. 15 a.f. with 0 dead storage. 9. Name of Structure. Ron Ruff Recharge Project. 9.1. Point of Diversion. Ruff Recharge Well No. 1-58819-F, in the SW1/4 SE1/4 of Section 8, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. 9.2. Appropriation Date. December 19, 2002. 9.3. Amount Claimed. 3.6 c.f.s., absolute and 2.0 c.f.s., conditional. 9.4. Source. Groundwater tributary to South Platte River. 9.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 9.6. Description of Recharge. Water is diverted at the points described in ¶ 9.1. and is allowed to percolate from the ditch and the ponds describe in this ¶ 9.6 into the underground aquifer for Logan's stated beneficial uses. 9.6.1. Ruff Recharge/Reservoir Site No. 1. In the SE1/4 NW1/4 of Section 9, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 4 acres. Total active capacity in acre feet. 12 a.f. with 0 dead storage. 9.6.2. Ruff Recharge/Reservoir Site No. 2. In the NW1/4 NE1/4 of Section 9, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 4 acres. Total active capacity in acre feet. 12 a.f. with 0 dead storage. 10. Name of Structure. Prewitt Ranch Recharge Project. 10.1. Diversion Point. At the Prewitt Inlet Canal located in SW1/4, Section 24, Township 5 North, Range 55 West of the 6th P.M., Morgan County, Colorado. 10.2. Appropriation Date. August 30, 2001. 10.3. Amount Claimed. 50 c.f.s., conditional. 10.4. Source. The South Platte River and its tributaries. 10.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 10.6. Description of Recharge. Water is diverted at the points described in ¶ 10.1 and is allowed to percolate from the ditch and the ponds describe in this ¶ 10.6 into the underground aquifer for Logan's stated beneficial uses. 10.6.1. Prewitt Ranch Recharge/Reservoir Site No. 1. In the S1/2 of Section 15, Township 5 North, Range 54 West of the 6th P.M., Washington County, Colorado. 11. Name of Structure. Guenzi Pawnee Creek Recharge Project. 11.1. Points of Diversion. 11.1.1. Pawnee Creek 1. In the NE1/4 NW1/4 of Section 11, Township 7 North, Range 54 West, 6th P.M., Logan County, Colorado. 11.1.2. Pawnee Creek 2. In the SW1/4 NE1/4 of Section 19, Township 7 North, Range 53 West, 6th P.M., Logan County, Colorado. 11.1.3. Pawnee Creek 3. In the NE1/4 NW1/4 of Section 20, Township 7 North, Range 53 West, 6th P.M., Logan County, Colorado. 11.2. Appropriation Date. June 15, 2005. 11.3. Amount Claimed. 11.3.1. Pawnee Creek 1. 4.0 c.f.s., conditional. 11.3.2. Pawnee Creek 2. 4.0 c.f.s., conditional. 11.3.3. Pawnee Creek 3. 4.0 c.f.s., conditional. 11.4. Source. Pawnee Creek, a tributary of the South Platte River. 11.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 11.6. Description of Recharge. Water is diverted at the points described in ¶ 11.1 and delivered to the ponds described in this ¶ 11.6 and is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. 11.6.1. Guenzi Pond No. 1. In the N1/2 of Section 11 and the S½ of Section 2, Township 7 North, Range 54 West, 6th P.M., Logan County Colorado. Surface area of high water line. 11.6.2. Guenzi Pond No. 2. In the SW1/4 of Section 19, Township 7 North, Range 53 West, 6th P.M., Logan County Colorado. Surface area of high water line. 40 acres. Total active capacity. 120 acre-feet with 0 dead storage. 11.6.3. Guenzi Pond No. 3. In the E½ of Section 20, Township 7 North, Range 53 West, 6th P.M., Logan County Colorado. Surface area of high water line. 40 acres. Total active capacity. 120 acre-feet with 0 dead storage. 12. Name of Structure. Guenzi Recharge Well Project (GRWP). 12.1. Diversion Points. 12.1.1. Guenzi Well No. 2-62508-F. In the SE1/4 NE1/4 of Section 18, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1540 feet from the North section line and 340 feet from the East section line. 12.1.2. Guenzi Well No. 4-59465-F. In the SE1/4 NE1/4 of Section 18, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1458 feet from the North

section line and 4178 feet from the West Section line. 12.1.3. Guenzi Recharge Well No. 13. In the NW1/4 NW1/4 of Section 17, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado. 12.2. Appropriation Dates. 12.2.1. Guenzi Well No. 2-62508-F. March 25, 2003 for 4,000 g.p.m.; April 21, 2005 for 2,000 g.p.m. 12.2.2. Guenzi Well No. 4-59465-F. February 28, 2003. 12.2.3. Guenzi Recharge Well No. 13. June 15, 2005. 12.3. Amounts Claimed. 12.3.1. Guenzi Well No. 2-62508-F. 12.3.1.1. March 25, 2003 appropriation date: 4,000 g.p.m., absolute. 12.3.1.2. April 21, 2005 Appropriation Date in the amount of 2,000 g.p.m. 2,000 g.p.m. was made absolute in the 03CW195 Decree for select uses. 1,000 g.p.m. was made absolute in the 12CW17 Decree for additional select uses. 701 g.p.m. was diverted on May 1, 2015 for all uses, thereby making 701 g.p.m. absolute for all uses and 1,299 g.p.m. remaining conditional for augmentation, directly and by exchange, of water rights used for municipal uses and delivery to other recharge ponds described in ¶12.6.4. 1,000 g.p.m remains conditional for augmentation, directly and by exchange, of water rights used for fire protection, wildlife, and wildlife recovery. 12.3.2. Guenzi Well No. 4-59465-F. 2,250 g.p.m. was made absolute in the 03CW195 for select uses. 1,994 g.p.m. was diverted on December 1, 2016 for all uses, thereby making the water right absolute in the amount of 1,994 g.p.m. for all uses, leaving 1,006 g.p.m. remaining conditional for augmentation, directly and by exchange, of water rights used for municipal uses and delivery to other recharge ponds described in ¶12.6.4. 750 g.p.m remains conditional for augmentation, directly and by exchange, of water rights used for irrigation, commercial, livestock, recharge, and replacement. 12.3.3. Guenzi Recharge Well No. 13. 6,000 g.p.m., conditional. 12.4. Source. Groundwater tributary to South Platte River. 12.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 12.6. Description of Recharge. Water diverted at the points described in ¶ 12.1 and delivered to the recharge ponds described in this ¶ 12.6 and is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. 12.6.1. GRWP Pond No. 1 (Ladd No. 1). In the N1/2 of Section 12, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity. 60 a.f. with 0 dead storage. 12.6.2. GRWP Pond No. 2 (Ladd No. 2). In the SW1/4 of Section 1, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 20 acres. Total active capacity. 60 a.f. with 0 dead storage. 12.6.3. GRWP Pond No. 3 (Schott No. 1 and 2). In the SW1/4 of Section 7, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 15 acres. Total active capacity. 45 a.f. with 0 dead storage. 12.6.4. Ponds described in Case No. 95CW263, Farmers Pawnee Ditch Company and shown on Table 4 of the 03CW195 Decree, and all ditches and ponds described in Case No. 96CW1034, North Sterling Irrigation District, provided Applicant or its members obtain written agreements with the owners of the structures. 13. Name of Structure. Hessler Farms Inc. Recharge Well Project. 13.1. Diversion Point. Hessler Well 59273-F. In the NW1/4 SW1/4 of Section 3, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1450 feet from the South section line and 100 feet from the West section line. 13.2. Appropriation Date. March 25, 2003. 13.3. Amount Claimed. 4,000 g.p.m., absolute. 13.4. Source. Groundwater tributary to South Platte River. 13.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 13.6. Description of Recharge. Water diverted at the point described in ¶ 13.1 and delivered to the recharge ponds described in this ¶ 13.6 and is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. 13.6.1. South Platte Ditch Recharge Project No. 2 recharge/reservoir sites No. 6, 7, 9, 10, 11, and 14 through 23. 13.6.2. Smart No. 7 Recharge Site. In the SW1/4 SW1/4 of Section 14, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 1.31 acres. Total active capacity. 7.9 a.f. with 0 dead storage. 14. Name of Structure. Buffalo Farms Water Development Inc., Recharge Well Project. 14.1. Diversion Points. 14.1.1. Vollmer Well 61642-F. In the NW1/4 NW1/4 of Section 25, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 500 feet from the North section line and 300 feet from the West section line. 14.1.2. Recharge Well No. 14. In the NW1/4 NW1/4 of Section 25, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. 14.2. Appropriation Dates. 14.2.1. Vollmer Well 61642-F. March 25, 2003. 14.2.2. Recharge Well No. 14. June 15, 2005. 14.3. Amounts Claimed. 14.3.1. Vollmer Well 61642-F, 5,000 g.p.m., absolute. 14.3.2. Recharge Well No. 14, 4,000 g.p.m., conditional. 14.4. Source.

Groundwater tributary to South Platte River. 14.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 14.6. Description of Recharge. Water diverted at the points described in ¶ 14.1 and delivered to the recharge pond sites and facilities described in this ¶ 14.6 and is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. 14.6.1. Goss No.1. In the SW1/4 NW1/4 of Section 24, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity. 21 a.f. with 0 dead storage. 14.6.2. Goss No. 2. In the SE1/4 SE1/4 of Section 14, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 7 acres. Total active capacity. 21 a.f. with 0 dead storage. 14.6.3. Cross. In the SE1/4 SE1/4 of Section 23, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 22 acres. Total active capacity. 66 a.f. with 0 dead storage. 14.6.4. Goss No. 3. In the NE1/4 NW1/4 of Section 24, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado. Surface area of high water line. 1.37 acres. Total active capacity. 5.5 a.f. with 0 dead storage. 15. Name of Structure. Lutin-Curlee Recharge Project. 15.1. Diversion Point. Curlee Pump Station No. 2. In the SE1/4 SW1/4 of Section 30, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado, on the Prewitt Seep Ditch. 15.2. Appropriation Date. June 15, 2005. 15.3. Amount Claimed. 10.0 c.f.s., conditional. 15.4. Source. The South Platte River. 15.5. Use. Augmentation, directly and by exchange, of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge, replacement, wildlife and wildlife recovery. 15.6. Description of Recharge. Water diverted at the point described in ¶ 15.1 and delivered to recharge ponds described in this ¶ 15.6 is allowed to percolate into the underground aquifer for Logan's stated beneficial uses. The following initial recharge pond sites were decreed. 15.6.1. Lutin-Curlee Pond No.1. In the SW1/4 SW1/4 of Section 30, Township 6 North, Range 53 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity. 15 a.f. with 0 dead storage. 15.6.2. Lutin-Curlee Pond No. 2. In the SE1/4 SE1/4 of Section 25, Township 6 North, Range 54 West, 6th P.M., Logan County, Colorado. Surface area of high water line. 5 acres. Total active capacity. 15 a.f. with 0 dead storage. AUGMENTATION WELLS 16. Augmentation Well Uses and Source. The use for each water right is augmentation of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge and replacement. The source for each well is groundwater tributary to the South Platte River. 17. Name of Structure. Amen Well 59339-F. 17.1. Location. In the NW1/4 SW1/4 of Section 21, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2697 feet from the North section line and 41 feet from the West section line. 17.2. Appropriation date. March 28, 2003. 17.3. Amount. 1,000 g.p.m., conditional. 18. Name of Structure. Anderson Well 58046-F. 18.1. Location. In the SE1/4 SW1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 550 feet from the South section line and 2650 feet from the East section line. 18.2. Appropriation date. August 16, 2002. 18.3. Amount. 1,500 g.p.m., conditional. 19. Name of Structure. DeSoto Well 58050-F. 19.1. Location. In the NW1/4 SE1/4 of Section 27, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2220 feet from the South section line and 2628 feet from the East section line. 19.2. Appropriation date. August 16, 2002. 19.3. Amount. 1,000 g.p.m., absolute; 500 g.p.m., conditional. 20. Name of Structure. Fiscus Well 60606-F. 20.1. Location. In the NW1/4 SE1/4 of Section 35, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado 1770 feet from the South Section Line and 2561 feet from the East section line. 20.2. Appropriation date. February 28, 2003. 20.3. Amount. 1,877.1 g.p.m., absolute; 622.9 g.p.m., conditional. 21. Name of Structure. Springdale Ditch Well 59322-F. 21.1. Location. In the SW1/4 NE1/4 of Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1382 feet from the North section line and 2055 feet from the East section line. 21.2. Appropriation date. March 28, 2003. 21.3. Amount. 2,900 g.p.m., absolute; 1,100 g.p.m., conditional. 22. Name of Structure. Guenzi Well 58044-F. 22.1. Location. In the NW1/4 NE1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 600 feet from the North section line and 2650 feet from the West section line. 22.2. Appropriation date. August 16, 2002. 22.3. Amount. 1,000 g.p.m., absolute; 500 g.p.m., conditional. 23. Name of Structure. Guenzi Well 58045-F. 13.1. Location. In the NW1/4 NE1/4 of Section 9, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 850 feet from the North section line and 2650 feet from the West section line. 13.2. Appropriation date. August 16, 2002.

13.3. Amount. 1,000 g.p.m., absolute; 500 g.p.m., conditional. 24. Name of Structure. Hessler Well 59337-F. 25.1. Location. In the NW1/4 NE1/4 of Section 15, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1237 feet from the North section line and 2370 feet from the East section line. 25.2. Appropriation date. February 28, 2003. 25.3. Amount. 1,131.7 g.p.m., absolute; 1,368.3 g.p.m., conditional. 26. Name of Structure. Hoogland Well No. 1. 26.1. Location. In the SW1/4 SW1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. 26.2. Appropriation date. February 28, 2003. 26.3. Amount. 2,500 g.p.m., conditional. 27. Name of Structure. Hoogland Well No. 2. 27.1. Location. In the SW1/4 SE1/4 of Section 10, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado. 27.2. Appropriation date. February 28, 2003. 27.3. Amount. 2,500 g.p.m., conditional. 28. Name of Structure. JEMAC Well 60147-F. 28.1. Location. In the NW1/4 SE1/4 of Section 23, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 1328 feet from the South section line and 1519 feet from the East section line. 28.2. Appropriation date. February 28, 2003. 28.3. Amount. 1,265.1 g.p.m., absolute; 1,234.90 g.p.m., conditional. 29. Name of Structure. Lingreen Well 59333-F. 29.1. Location. In the SW1/4 SW1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 117 feet from the South section line and 660 feet from the West section line. 29.2. Appropriation date. February 28, 2003. 29.3. Amount. 1,250 g.p.m., absolute; 1,750 g.p.m., conditional. 30. Name of Structure. Lingreen Well 59332-F. 30.1. Location. In the NW1/4 SE1/4 of Section 36, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado, 2040 feet from the South section line and 1630 feet from the East section line. 30.2. Appropriation date. February 28, 2003. 30.3. Amount. 1,500 g.p.m., conditional. 31. Name of Structure. Curlee Well 60633-F. 31.1. Location. In the SE1/4 SE1/4 of Section 25, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 50 feet from the South section line and 60 feet from the East section line. 31.2. Appropriation date. February 28, 2003. 31.3. Amount. 1,650 g.p.m., absolute; 850 g.p.m., conditional. 32. Name of Structure. Curlee Well 60375-F. 32.1. Location. In the SE1/4 SW1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 325 feet from the South section line and 2625 feet from the West section line. 32.2. Appropriation date. February 28, 2003. 32.3. Amount. 1,250 g.p.m., absolute; 1250 g.p.m., conditional. 33. Name of Structure. Manuello Well 58042-F. 33.1. Location. In the NE1/4 NW1/4 of Section 3, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1250 feet from the North section line and 2850 feet from the East section line. 33.2. Appropriation date. August 16, 2002. 33.3. Amount. 800 g.p.m., absolute; 700 g.p.m., conditional. 34. Name of Structure. Mari Bros. Well 58052-F. 34.1. Location. In the SE1/4 SE1/4 of Section 20, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 500 feet from the South section line and 35 feet from the East section line. 34.2. Appropriation date. August 16, 2002. 34.3. Amount. 1,450 g.p.m., absolute; 550 g.p.m., conditional. 35. Name of Structure. Mari Bros. Well 58053-F. 35.1. Location. In the NW1/4 SW1/4 of Section 21, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 1330 feet from the South section line and 500 feet from the West section line. 35.2. Appropriation date. August 16, 2002. 35.3. Amount. 1,300 g.p.m., absolute; 800 g.p.m., conditional. 36. Name of Structure. Rod Mari Well 59849-F. 36.1. Location. In the SW1/4 SW1/4 of Section 21, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 982 feet from the South section line and 486 feet from the West section line. 36.2. Appropriation date. February 28, 2003. 36.3. Amount. 1,500 g.p.m., conditional. 37. Name of Structure. Propst Well 61093-F. 37.1. Location. In the SW1/4 SE1/4 of Section 2, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 639 feet from the South section line and 2576 feet from the East section line. 37.2. Appropriation date. February 28, 2003. 37.3. Amount. 1,650 g.p.m., absolute; 850 g.p.m., conditional. 38. Name of Structure. Roth Well 58043-F. 38.1. Location. In the SE1/4 NW1/4 of Section 16, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2100 feet from the North section line and 2100 feet from the West section line. 38.2. Appropriation date. August 16, 2002. 38.3. Amount. 900 g.p.m., absolute, 600 g.p.m., conditional. 39. Name of Structure. Smart Well 59336-F. 39.1. Location. In the SE1/4 SE1/4 of Section 16, Township 6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 42 feet from the South section line and 1118 feet from the East section line. 39.2. Appropriation date. February 28, 2003. 39.3. Amount. 1,250 g.p.m., absolute, 1,250 g.p.m., conditional. 40. Name of Structure. Vollmer Well 58055-F. 40.1. Location. In the SE1/4 SW1/4 of Section 20, Township

6 North, Range 53 West of the 6th P.M., Logan County, Colorado, 605 feet from the South section line and 2692 feet from the East section line. 40.2. Appropriation date. August 16, 2002. 40.3. Amount. 1,750 g.p.m., absolute; 750 g.p.m., conditional. 41. Name of Structure. Vollmer Well 59338-F. 41.1. Location. In the NW1/4 SW1/4 of Section 24, Township 6 North, Range 54 West of the 6th P.M., Logan County, Colorado, 2475 feet from the South section line and 100 feet from the West section line. 41.2. Appropriation date. March 28, 2003. 41.3. Amount. 2,500 g.p.m., conditional. 42. Name of Structure. SIC A1 Well 16760-F. 42.1. Location. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2600 feet from the North section line and 1060 feet from the East section line. 42.2. Appropriation date. December 31, 1972. 42.3. Amount. 2,450 g.p.m., conditional. 43. Name of Structure. SIC A2 Well 16763-F. 43.1. Location. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M. Logan County, Colorado, 1370 feet from the North section line and 980 feet from the East section line. 43.2. Appropriation date. December 31, 1972. 43.3. Amount. 2,450 g.p.m., conditional. 44. Name of Structure. SIC A3 Well 16759-F. 44.1. Location. In the SE1/4 SE1/4 of Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 25 feet from the South section line and 390 feet from the East section line. 44.2. Appropriation date. December 31, 1972. 44.3. Amount. 2,450 g.p.m., absolute. 45. Name of Structure. SIC A4 Well 16764-F. 45.1. Location. In the NE1/4 of the SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1335 feet from the South section line and 420 feet from the East section line. 45.2. Appropriation date. December 31, 1972. 45.3. Amount. 2,450 g.p.m., absolute. 46. Name of Structure. SIC A5 Well 16762-F. 46.1. Location. In the NE1/4 SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado at a point 2190 feet North and 670 West of the SE corner of said Section 6. 46.2. Appropriation date. December 31, 1972. 46.3. Amount. 2,450 g.p.m., absolute. 47. Name of Structure. SIC A6 Well 16761-F. 47.1. Location. In the SW1/4 NE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 2250 feet South and 1325 feet West of the NE Corner of said Section 6. 47.2. Appropriation date. December 31, 1972. 47.3. Amount. 2,450 g.p.m., absolute. 48. Name of Structure. SIC B1 Well 19533-F. 48.1. Location. In the SE1/4 SE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 1000 feet from the South section line and 1000 feet from the East section line, said Section 7. 48.2. Appropriation date. April 7, 1975. 48.3. Amount. 0.7 g.p.m., absolute; 2,239.3 g.p.m., conditional. 49. Name of Structure. SIC B2 Well 19532-F. 49.1 Location. In the SE1/4 SW1/4 of Section 31, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 400 feet from the South section line and 2600 feet from the West section line, said Section 31. 49.2. Appropriation date. April 7, 1975. 49.3. Amount. 2,240 g.p.m., absolute. 50. Name of Structure. SIC B3 Well 19531-F. 50.1. Location. In the SE1/4 SW1/4 Section 30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 100 feet from the South section line and 2000 feet from the West section line, said Section 30. 50.2. Appropriation date. April 7, 1975. 50.3. Amount. 1,340 g.p.m., absolute. 51. Name of Structure. SIC B4 Well 19530-F. 51.1. Location. In the SW1/4 SE1/4 Section 20, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 50 feet from the South section line and 2000 feet from the East Section line, said Section 20. 51.2. Appropriation date. April 7, 1975. 51.3. Amount. 2,028.7 g.p.m., absolute; 41.30, conditional. 52. Name of Structure. Cecil Farms Well. 52.1. Location. SE1/4 SW1/4 of Section 25, Township 7 North, Range 53 West of the 6th P.M., Logan County, Colorado. 52.2. Appropriation date. December 14, 2004. 52.3. Amount. 2,500 g.p.m., conditional. 53. Name of Structure. Famm Well. 53.1. Location. In the NE1/4 SE1/4, Section 25, Township 7 North, Range 53 West, Logan County, Colorado. 53.2. Appropriation date. December 14, 2004. 53.3. Amount. 3,000 g.p.m., conditional. 54. Name of Structure. Goss Well No. 1. 54.1. Location. In the SW1/4 SW1/4, Section 13, Township 6 North, Range 54 West, Logan County, Colorado. 54.2. Appropriation date. December 14, 2004. 54.3. Amount. 1,000 g.p.m., conditional. 55. Name of Structure. Goss Well No. 2. 55.1. Location. In the NW1/4 SE1/4, Section 14, Township 6 North, Range 54 West, Logan County, Colorado. 55.2. Appropriation date. December 14, 2004. 55.3. Amount. 1,000 g.p.m., conditional. 56. Name of Structure. Guenzi Well. 56.1. Location. In the SE1/4 SW1/4 Section 8, Township 6 North, Range 53 West, Logan County, Colorado. 56.2. Appropriation date. December 14, 2004. 56.3. Amount. 1,800 g.p.m., conditional. 57. Name of Structure. Hessler Farms Well No. 1-62513-F. 57.1. Location. In the NE1/4 SE1/4

Section 10, Township 6 North, Range 53 West, Logan County, Colorado, 2550 feet from the South section line and 50 feet from the East section line. 57.2. Appropriation date. December 14, 2004. 57.3. Amount. 2,500 g.p.m., conditional. 58. Name of Structure. Hessler Farms Well No. 2-62515-F. 58.1. Location. In the SW1/4 NW1/4 Section 15, Township 6 North, Range 53 West, Logan County, Colorado, 2630 feet from the North section line and 40 feet from the West section line. 58.2. Appropriation date. December 14, 2004. 58.3. Amount. 843.8 g.p.m., absolute; 1,656.2 g.p.m., conditional. 59. Name of Structure. Hessler Farms Well No. 3-62514-F. 59.1. Location. In the NE1/4 NE1/4 Section 15, Township 6 North, Range 53 West, Logan County, Colorado, 600 feet from the North section line and 600 feet from the East section line. 59.2. Appropriation date. December 14, 2004. 59.3. Amount. 1,153.45 g.p.m., absolute; 1,346.55 g.p.m., conditional. GROUNDWATER RIGHTS 60. Name of Structures. SIC Well A1, SIC Well A2, SIC Well A3, SIC Well A4, SIC Well A5, SIC Well A6, SIC Well B1, SIC Well B2, SIC Well B3 SIC Well B4. 60.1. Diversion Points. 60.1.1. SIC Well A1. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 2600 feet from the North section line and 1060 feet from the East section line. 60.1.2. SIC Well A2. In the SE1/4 NE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M. Logan County, Colorado, 1370 feet from the North section line and 980 feet from the East section line. 60.1.3. SIC Well A3. In the SE1/4 SE1/4 of Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 25 feet from the South section line and 390 feet from the East section line. 60.1.4. SIC Well A4. In the NE1/4 SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, 1335 feet from the South section line and 420 feet from the East section line. 60.1.5. SIC Well A5. In the NE1/4 SE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado at a point 2190 feet North and 670 West of the SE corner of said Section 6. 60.1.6. SIC Well A6. In the SW1/4 NE1/4 Section 6, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 2250 feet South and 1325 feet West of the NE Corner of said Section 6. 60.1.7. SIC Well B1. In the SE1/4 SE1/4 Section 7, Township 7 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 1000 feet from the South section line and 1000 feet from the East section line, said Section 7. 60.1.8. SIC Well B2. In the SE1/4 SW1/4 of Section 31, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 400 feet from the South section line and 2600 feet from the West section line, said Section 31. 60.1.9. SIC Well B3. In the SE1/4 SW1/4 Section 30, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 100 feet from the South section line and 2000 feet from the West section line, said Section 30. 60.1.10. SIC Well B4. In the SW1/4 SE1/4 Section 20, Township 8 North, Range 52 West of the 6th P.M., Logan County, Colorado, at a point 50 feet from the South section line and 2000 feet from the East Section line, said Section 20. 60.2. Source. Groundwater tributary to the South Platte River. 60.3. Date of Appropriation. June 15, 2005 for all wells. 60.4. Amounts. 60.4.1. SIC Well A1. 2,450 g.p.m., conditional in the 03CW195 Decree, of which 365 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 365 g.p.m. absolute and 2,085 g.p.m. conditional. 60.4.2. SIC Well A2. 2,450 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 60.4.3. SIC Well A3. 2,450 g.p.m., conditional in the 03CW195 Decree, of which 216.1 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 216.1 g.p.m. absolute and 2,233.9 g.p.m., conditional. 60.4.4. SIC Well A4. 2,450 g.p.m., conditional in the 03CW195 Decree, of which 710.2 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 710.2 g.p.m., absolute and 1,739.8 g.p.m., conditional. 60.4.5. SIC Well A5. 2,450 g.p.m., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 60.4.6. SIC Well A6. 2,450 g.p.m., conditional in the 03CW195 Decree, of which 547.0 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 547.0 g.p.m., absolute and 1,903.0 g.p.m., conditional. 60.4.7. SIC Well B1. 2,240 g.p.m., conditional in the 03CW195 Decree, of which 218.5 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 218.5 g.p.m. absolute and 2,021.5 g.p.m. conditional. 60.4.8. SIC Well B2. 2,240 g.p.m., 326.8 g.p.m. was made absolute in the 12CW17 Decree for irrigation use. 1,987.0 g.p.m. was diverted on August 1, 2019, making an additional 1,660.0 g.p.m. absolute for a total amount absolute of 1,987.0 g.p.m., leaving 253.0 g.p.m. conditional. 60.4.9. SIC Well B3. 1.340 g.p.m., conditional in the 03CW195 Decree, of which 285.6 g.p.m. was made absolute in the 12CW17 Decree for a total amount of 285.6 g.p.m., absolute and 1054.4 g.p.m., conditional. 60.4.10. SIC Well B4. 2,070 g.p.m., 343.6 g.p.m. was made absolute in the

12CW17 Decree for irrigation use. 2,085 g.p.m. was diverted on May 24, 2016, making an additional 1,726 g.p.m. absolute for a total amount absolute of 2,070 g.p.m., making the full water right absolute. 60.5. Use. Irrigation of any lands within the service area of the Sterling Irrigation Company, consisting of approximately 7400 acres served by the Sterling No. 1 Ditch, which headgate is located in the NW1/4 of Section 25, Township 7 North, Range 53 West, 6th P.M., Logan County, Colorado. EXCHANGE 61. Exchange. 61.1. Legal Description of Points of Diversion. The points of diversion are the headgates of the Schneider, South Platte, Springdale, and Sterling No. 1 Ditches, the Prewitt Reservoir Inlet Canal, and the Recharge Wells described in ¶¶ 8.1, 10.1, 11.1, 13.1, 16.1, 17.1, and 18.1 of the 03CW195 Decree, all in Logan County, Colorado. 61.2. Legal Description of the Reach of the South Platte River Within the Substitution and Exchange. The recharge water delivered to the South Platte River will be delivered within a reach of the South Platte River, consisting of an upstream point at the Prewitt Reservoir Inlet Canal and a downstream point at the North section line of Section 25, Township 9 North, Range 52 West, 6th P.M., Logan County, Colorado. 61.3. Date of initiation of appropriation. April 23, 2003. 61.4. Amount. 52 c.f.s., conditional in the 03CW195 Decree and maintained in full in the 12CW17 Decree. 61.5. Use. Augmentation of water rights used for irrigation, municipal, commercial, livestock, fire protection, recharge and replacement. 62. Outline of What Has Been Done Toward Completion. 62.1. Diligence Period. The Diligence period for the conditional rights that are subject of this Application is September 21, 2020, to September 30, 2026. During the diligence period, Logan made annual projections and performed annual accounting for its plan for augmentation (“Logan Augmentation Plan”) pursuant to the terms of the 03CW195 Decree, and Logan operated its Augmentation Plan, including delivering water to recharge ponds and ensuring replacement of out-of-priority depletions. During the diligence period, Logan expended approximately \$722,501.78 in legal, engineering, and administrative services, as well as funds to install well telemetry, for certification of well meters, for reading of well meters, and maintenance of recharge ponds. 62.2. Applications. During the diligence period, Logan filed numerous water court applications, including in case Nos. 2020CW3166, 2020CW3205, 2023CW3098, 2023CW3116, 2023CW3133, 2024CW3122, and 26CW3095. 62.3. Oppositions. During the diligence period, Logan filed statements of opposition in the following cases Nos. 2020CW3215, 2023CW3102, 2025CW3159, 2025CW3160, and 2025CW3161. 63. Claims to Make Partially Absolute and for Finding of Reasonable Diligence Pursuant to C.R.S. § 37-92-301(4). Logan’s consultant, Spronk Water Engineers, Inc., reviewed the State Engineer diversion records and Applicant’s records to determine the diversions made pursuant to the conditional water rights described above. Applicant seeks a decree approving the amounts of each water right as absolute, as described in ¶ 63.1 through 63.14 below. The remaining conditional water rights amounts set out in ¶¶ 4 through 61 above should not be made absolute in this matter and should remain conditional. The water rights set out in this Application are part of an integrated system, the Logan Augmentation Plan. Logan’s water rights and recharge projects and each of the water rights and structures will provide augmentation, substitution, replacement, and exchange supplies under the decree entered in this matter and Logan’s other decrees collectively comprise an integrated system of water rights and structures under C.R.S. § 37-92-301(4)(b). Work performed and effort or costs expended by Logan on any water rights or structures which are part of this integrated water system should be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the system as provided in C.R.S. § 37-92-301(4)(b). RECHARGE PROJECT 63.1. Ruff Recharge Project. 2.7 c.f.s. was made absolute in the 03CW195 Decree for select uses. 0.8 c.f.s. was made absolute in the 12CW17 Decree for all uses. 3.6 cfs was made absolute in the 20CW3030 Decree for all uses. 4.62 cfs was diverted on December 12, 2020 and subsequently beneficially used for all decreed uses, for a total absolute amount of 4.62 cfs, leaving 0.98 c.f.s. conditional. AUGMENTATION WELL WATER RIGHTS 63.2. A-44 Vollmer Well 59338-F. 1,999.4 g.p.m. was diverted on November 20, 2022, and subsequently beneficially used for all decreed uses, for a total absolute amount of 1,999.4 g.p.m, leaving 500.6 g.p.m conditional. 63.3. A-54 SIC B4 Well 19530-F. 2,028.7 g.p.m. was made absolute for all uses in the 12CW07 Decree. 2,163.3 g.p.m. was diverted on November 7, 2022, and subsequently beneficially used for all decreed uses, for a total absolute amount of 2,070.0 g.p.m, making the full water right absolute. 63.4. A-64 Hessler Farms Well No. 2 62515-F. 843.8 g.p.m. was made absolute for all uses in the 12CW07 Decree. 1,132.8 g.p.m. was diverted

on November 7, 2022, and subsequently beneficially used for all decreed uses, for a total absolute amount of 1,132.83 g.p.m, leaving 1,367.2 g.p.m. conditional. GROUNDWATER RIGHTS 63.5. SIC A1 Well 16760-F. 365.0 g.p.m. was made absolute for all uses in the 12CW07 Decree. 2,440.8 g.p.m. was diverted on September 5, 2022, and subsequently beneficially used for all decreed uses, for a total absolute amount of 2,400.8 g.p.m, leaving 49.2 g.p.m. conditional. 63.6. SIC A3 Well 16759-F. 216.1 g.p.m. was made absolute for all uses in the 12CW07 Decree. 1,720.6 g.p.m. was diverted on April 10, 2026, and subsequently beneficially used for all decreed uses, for a total absolute amount of 1,720.6 g.p.m, leaving 729.4 g.p.m. conditional. 63.7. SIC A4 Well 16764-F. 710.2 g.p.m. was made absolute for all uses in the 12CW07 Decree. 1,647.8 g.p.m. was diverted on September 26, 2020, and subsequently beneficially used for all decreed uses, for a total absolute amount of 1,647.8 g.p.m, leaving 802.2 g.p.m. conditional. 63.8. SIC B2 Well 19532-F. 326.8 g.p.m. was made absolute for all uses in the 12CW07 Decree. 1,1660 g.p.m. was made absolute for all uses in the 20CW3030 Decree. 2,241.0 g.p.m. was diverted on August 22, 2023, and subsequently beneficially used for all decreed uses, for a total absolute amount of 2,240.0 g.p.m, making the full water right absolute. EXCHANGE 63.9. Exchange From Sterling No. 1 to Schneider Ditch. 7.16 cfs was exchanged on May 30, 2025 and subsequently beneficially used for all decreed uses, for a total absolute amount of 7.16 cfs, leaving 44.84 cfs conditional. 63.10. Exchange From Sterling No. 1 to Recharge Well R-2 Guenzi. 8.38 cfs was exchanged on March 19, 2021 and subsequently beneficially used for all decreed uses, for a total absolute amount of 8.38 cfs, leaving 5.02 cfs conditional. 63.11. Exchange From Sterling No. 1 to Recharge Well R-3 Hessler SPD 1. 8.79 cfs was exchanged on March 7, 2021 and subsequently beneficially used for all decreed uses, for a total absolute amount of 8.79 cfs, leaving 0.11 cfs conditional. 63.12. Exchange From Sterling No. 1 to Recharge Well R-4 Guenzi (Hettinger). 3.61 cfs was exchanged on March 19, 2022 and subsequently beneficially used for all decreed uses, for a total absolute amount of 3.61 cfs, leaving 3.09 cfs conditional. 63.13. Exchange From End of Reach, T9N R52W Section 25 near the Iliff & Platte Valley Ditch to Recharge Well R-8 Ruff 2.04 cfs was exchanged on March 13, 2026 and subsequently beneficially used for all decreed uses, for a total absolute amount of 2.04 cfs, leaving 3.56 cfs conditional. 63.14. Exchange From Sterling No. 1 to Recharge Well R-11 Buffalo Farms Water Development 1 8.82 cfs was exchanged on March 21, 2021 and subsequently beneficially used for all decreed uses, for a total absolute amount of 8.82 cfs, leaving 0.08 cfs conditional. WHEREFORE, Applicant requests the Court enter a decree finding that Applicant has satisfied the statutory standard of steady application of effort to complete the appropriations described above in a reasonably expedient and efficient manner under all the facts and circumstances, that reasonable diligence was performed during the diligence period in the development of the conditional water rights, that a portion of the water rights should be made absolute as described herein, and that the remaining conditional portion of the water rights, or the full amount of the water rights as the case may be, should continue. This application consists of 34 pages.

CASE NUMBER 2026CW3150 EAST LARIMER COUNTY WATER DISTRICT, 232 South Link Lane, Fort Collins, CO 80524. Lawrence Custer Grasmick Jones & Donovan LLP, Ryan M. Donovan, #44435. David L. Strait, #52659, Attorneys for Applicant, East Larimer County Water District, **APPLICATION FOR FINDING OF REASONABLE DILIGENCE, IN LARIMER AND WELD COUNTIES**. 2. Previous Decree. Case No. 18CW3076, Water Division No. 1, decree entered September 23, 2020 (“Original Decree”). 3. Conditional Water Right. The appropriative rights of exchange described in this Application (collectively, the “Exchanges”) were decreed in the Original Decree. The water rights described in this Application are part of ELCO’s integrated system, as that term is defined in C.R.S. §37-92-301(4)(b). The exchanges are located along the Cache La Poudre River and the North Fork of the Cache La Poudre River within the reaches between each of the points described in Paragraphs 5 and 6, and as further illustrated and described in Exhibit A attached to this Application. By this Application, ELCO seeks a finding of reasonable diligence on all of the conditional exchanges listed in this Application. 4. Name of Structures. As described in Paragraphs 5 and 6 below. **CONDITIONAL EXCHANGES** 5. Exchange From Locations. ELCO will release the water to which it is entitled for exchange at the places listed below and at the rates shown below and in the exchange matrix attached as Exhibit B. 5.1. Name of Exchange-From Structure: Chambers Lake. 5.1.1. Location: Located in portions of Sections 6 and 7, Township 7 North,

Range 75 West, 6th P.M., and Section 31, Township 8 North, Range 75 West, 6th P.M., Larimer County.

5.1.2. Source: Water attributable to ELCO's Water Supply and Storage Company ("WSSC") shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.1.3. Date of Appropriation: April 17, 2018. 5.1.4. Amount: 100 cfs, conditional. 5.1.5. Uses: All uses as contained in Paragraph 11 of the Original Decree described as: irrigation, domestic, municipal, mechanical, industrial, commercial, manufacturing, fire protection, sewage treatment, watering of parks, lawns and grounds, recreation, fish culture, maintenance and preservation of wildlife, exchange, augmentation, replacement, adjustment and regulation of ELCO water system (hereinafter the "ELCO Uses"). 5.2. Name of Exchange-From Structure: Long Draw Reservoir. 5.2.1. Location: Located in portions of Sections 10, 11, and 15, Township 6 North, Range 75 West, 6th P.M., Larimer County, 15.2. 5.2.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.2.3. Date of Appropriation: April 17, 2018. 5.2.4. Amount: 100 cfs, conditional. 5.2.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.3. Name of Exchange-From Structure: Grand River Ditch. 5.3.1. Location: Located in the SW 1/4 of the NW 1/4 of Section 21 Township 6 North, Range 75 West, 6th P.M., Grand County. 5.3.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.3.3. Date of Appropriation: April 17, 2018. 5.3.4. Amount: 8.33 cfs, conditional. 5.3.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.4. Name of Exchange-From Structure: Laramie-Poudre Tunnel. 5.4.1. Location: Located in the NE 1/4 of the SW 1/4 of Section 7, Township 8 North, Range 75 West, 6th P.M., Larimer County. 5.4.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.4.3. Date of Appropriation: April 17, 2018. 5.4.4. Amount: 4.10 cfs, conditional. 5.4.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.5. Name of Exchange-From Structure: Laramie River Ditch (Skyline Ditch). 5.5.1. Location: Located in the NE 1/4 of the SW 1/4 of Section 14, Township 8 North, Range 76 West, 6th P.M., Larimer County. 5.5.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.5.3. Date of Appropriation: April 17, 2018. 5.5.4. Amount: 4.76 cfs, conditional. 5.5.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.6. Name of Exchange-From Structure: Cameron Pass Ditch. 5.6.1. Location: Located in the NW 1/4 of the SE 1/4 of Section 2, Township 6 North, Range 76 West, 6th P.M., Jackson County. 5.6.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.6.3. Date of Appropriation: April 17, 2018. 5.6.4. Amount: 0.44 cfs, conditional. 5.6.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.7. Name of Exchange-From Structure: City of Fort Collins Wastewater Treatment Plant (WWTP) No. 1 (a/k/a Fort Collins Mulberry Water Reclamation Facility). 5.7.1. Location: City of Fort Collins Wastewater Treatment Plant (WWTP) No. 1 (a/k/a Fort Collins Mulberry Water Reclamation Facility), located in the S½ of the SE¼ of Section 12, Township 7 North, Range 69 West, 6th P.M., Larimer County. 5.7.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.7.3. Date of Appropriation: April 17, 2018. 5.7.4. Amount: 1.0 cfs, conditional. 5.7.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.8. Name of Exchange-From Structure: City of Fort Collins Wastewater Treatment Plant (WWTP) No. 2 (a/k/a Fort Collins Drake Water Reclamation Facility). 5.8.1. Location: Located in the E1/2 of the SE1/4 of Section 20, Township 4 North, Range 68 West, 6th P.M., Larimer County. 5.8.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076. 5.8.3. Date of Appropriation: April 17, 2018. 5.8.4. Amount: 1.0 cfs, conditional. 5.8.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein. 5.9. Name

of Exchange Structure. Boxelder Sanitation District Wastewater Treatment Plant ("Boxelder WWTP").

5.9.1. Location: Located in the NW1/4 NE1/4 of Section 28, Township 7 North, Range 68 West, 6th P.M., Larimer County.

5.9.2. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076.

5.9.3. Date of Appropriation: April 17, 2018.

5.9.4. Amount: 2.0 cfs, conditional.

5.9.5. Uses: All ELCO Uses described in Paragraph 5.1.5 herein.

6. Exchange To Locations. ELCO will divert water under the Exchanges at the places shown herein and at the rates shown in the exchange matrix attached as Exhibit B.

6.1. The structure capacities of the Exchange To Locations are as follows:

6.1.1. Chambers Lake, described in Paragraph 5.1. Maximum Rate of Exchange from Long Draw Reservoir, described in Paragraph 5.2, of 100 cfs.

6.1.2. Long Draw Reservoir, described in Paragraph 5.2. Maximum Rate of Exchange from Chambers Lake, described in Paragraph 5.1, of 100 cfs.

6.1.3. Munroe Gravity Canal (a.k.a. North Poudre Supply Canal), the headgate of which is located on the east bank of the Cache la Poudre River in the SW1/4, NE1/4 of Section 5, Township 8 North, Range 70 West, at a point whence the Southeast corner of Section 5 bears South 37°27'30" East 3,647.5 feet. Maximum Rate of Exchange from Boxelder WWTP of 2.0 cfs.

6.1.4. Larimer County Canal No. 2, PLSS Legal Description decreed in Case No. 17CW3198. The surveyed point of diversion is in the NW1/4 of Section 32, Township 8 North, Range 69 West of the 6th P.M., Larimer County, Colorado, 17 feet from the North Section line and 237 feet from the West Section line. Maximum Rate of Exchange from Boxelder WWTP of 2.0 cfs.

6.1.5. Overland Trail Diversion Structure, with a point of diversion located on the South side of the Cache la Poudre River at a point 2,400 feet West and 1,500 feet North of the Southeast corner of Section 33, Township 8 North, Range 69 West. Maximum Rate of Exchange from Boxelder WWTP of 2.0 cfs.

6.2. Operation of the Substitution and Exchanges: At such times when ELCO's WSSC share water is delivered to the Cache la Poudre River at any of the points described in Paragraph 5.1 through 5.9, the water will be substituted and exchanged for water diverted at any of the points described in Paragraph 6.1. The exchange to and from points and the claimed maximum flow rates of the Exchanges are set out in Exhibit B, the Exchange Matrix. ELCO does not own these structures and shall operate exchanges only with the approval of the owners of such structures.

6.3. Appropriation Date: April 17, 2018.

6.4. Amount: The maximum flow rates for each exchange structure are set out in Exhibit B. Pursuant to the Original Decree, ELCO shall not exchange more than a cumulative total of 3,039 acre-feet associated with the WSSC shares in any year.

6.5. Source: Water attributable to ELCO's WSSC shares as decreed and approved for change of water rights, alternate points of diversion, alternate places of storage and appropriative rights of substitution and exchange in Case No. 18CW3076.

6.6. Use. All ELCO Uses described in Paragraph 5.1.5 herein.

7. Outline of what has been done toward completion of the appropriation and application of water to beneficial use. ELCO's Exchanges as listed herein are part of its integrated system for the diversion, collection, storage, transmission, treatment and delivery of water rights, for use within its service area as it exists or may be expanded in the future. Pursuant to the Colorado Revised Statutes §37-92-301(4)(b), "when a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." Applicant has done at a minimum the following work towards completion of the appropriations of exchange and application of water to beneficial use as conditionally decreed:

7.1. The diligence period for the conditional rights that are the subject of this Application was from September 23, 2020, to September 30, 2026.

7.2. ELCO has diverted a portion of the transmountain component associated with its WSSC shares changed in Case No. 03CW3076 every year from 2020 to 2026. ELCO has steadily increased the amount of these diversions from 2020 to 2026.

7.3. ELCO has fully converted the native component associated with 8.525 WSSC shares changed in Case No. 18CW3076 and has steadily increased the amount of these diversions.

7.4. ELCO continued to divert its WSSC shares as changed and decreed in 18CW3076 at the decreed Alternate Point of Diversion (APOD) Munroe Canal for treatment at the Soldier Canyon Filter Plant from 2020 through 2026 to meet municipal water demand.

7.5. ELCO continued to divert its WSSC shares as changed and decreed in 18CW3076 at the decreed APOD Larimer County Canal No. 2 in 2022, 2024, and 2025 and stored them in the Overland Trail Reservoirs for use by exchange or release for augmentation or replacement.

7.6. ELCO diverted its

WSSC shares as changed and decreed in 18CW3076 at the decreed APOD Overland Diversion Structure via portable pumps in 2021 and stored them in the Overland Trail Reservoirs for use by exchange or release for augmentation or replacement. 7.7. ELCO executed a carriage agreement with the Larimer County Canal No. 2 for use of excess capacity in the canal by ELCO from June 1, 2022, to December 31, 2036, in order to deliver water to Overland Trail Reservoirs. 7.8. ELCO participated in Water Court Cases Nos. 21CW3041, 21CW3094, 21CW3131, 21CW3234, 20CW3280, 21CW3056, and 22CW3042 by filing Statements of Opposition in order to protect its water portfolio and integrated system from injury by other users. 7.9. ELCO constructed a new diversion structure on the Larimer County Canal No. 2 to increase the maximum divertible flow from the Larimer County Canal No. 2 to Overland Trail Reservoirs from 6 cfs to 20 cfs. 7.10. ELCO made ongoing expenditures and capital improvements on its integrated water system, including improvements to the Munroe Canal, the Pleasant Valley Pipeline, and the Overland Trail Reservoirs. 7.11. Actual Operations and Maintenance for the Pleasant Valley Pipeline: Refer to Table in Original Application. 7.12. Actual Overland Trail Reservoirs Capital Construction and Engineering Costs. Refer to Table in Original Application. 7.13. ELCO consulted with legal counsel regarding legal aspects of developing and protecting the rights and prosecuting the water rights applications and other developments potentially affecting ELCO's rights. 7.14. ELCO consulted with engineering and construction experts regarding construction on its integrated system, including but not limited to the Pleasant Valley Pipeline and Overland Trail Reservoirs. 7.15. ELCO made total expenditures of approximately \$12,991,697 during the previous seven years on water distribution and water storage facilities that would utilize the conditional water rights decreed in Case No. 18CW3076. 7.16. ELCO made total expenditures of approximately \$4,527,011 during the previous seven years at Soldier Canyon Filter plant to increase their treatment capacity from 12.719 Million Gallons per Day to 15.548 Million Gallons per Day to treat the conditional water rights decreed in Case No. 18CW3076. 8. Claims for Finding of Reasonable Diligence Pursuant to C.R.S. §37-92-301(4). 8.1. ELCO is a quasi-municipal corporation, organized in 1962 as a water district, which operates under Title 32 of the Colorado Revised Statutes. It currently serves approximately 25,000 total residents within a 49 square mile service area. ELCO is one of the three Title 32 special districts collectively known as the Tri-Districts. ELCO shares ownership of the Soldier Canyon Filter Plant (SCFP) with the Fort Collins-Loveland Water District and North Weld County Water District. ELCO's annual demand is approximately 4,000 acre-feet. The SCFP lies at the base of Horsetooth Reservoir. ELCO receives its Colorado-Big Thompson (C-BT) project water directly from Horsetooth Reservoir into the SCFP. ELCO has a continuing need for the Exchanges to serve ELCO's customers and projected growth within its service area. Therefore, ELCO seeks a decree continuing the Exchange rights identified herein as conditional in their entirety. 8.2. In addition to the project-specific activities discussed in paragraph 7 of this Application, ELCO, the other two districts, and the Cities of Fort Collins and Greeley participated in the construction of the Pleasant Valley Pipeline (PVP) in 1997, which is an 8.5-mile, 67-inch pipeline that connects the Poudre River to the SCFP. ELCO's Poudre River supplies are diverted at the Munroe Gravity Canal and delivered through the PVP to the SCFP where water is treated and delivered to ELCO's customers. Access to the Poudre River provides ELCO with a redundant water supply to the SCFP and has allowed a water portfolio shift from primarily C-BT water to a more balanced blend of CBT and Poudre River supplies. ELCO also is addressing its need for firm yield by the development of water storage. Additional water stored during wet years provides insurance during drier years and unforeseen events. ELCO is a partner in the Overland Trail Reservoir Project with the other two districts and the City of Greeley. ELCO and the other two districts continued steady progress on its integrated water system during the diligence period, which would benefit from future diversions by the water right in Case No. 18CW3076. Part of the integrated water system includes the Munroe Canal, the PVP, and the Overland Trail Reservoirs. The Exchanges decreed in the Original Decree allow ELCO to move its water supplies to points of diversion and storage so that the supply can be firmed and ultimately diverted for treatment or otherwise used for replacement obligations as required pursuant to ELCO's decrees. 9. Names and Addresses of Owners or reputed Owners of Structures or the Land Upon Which Structures are Located or Upon which Water is or Will be Stored and Beneficially Used: Refer to Table in Original Application. Wherefore, ELCO requests the Court to enter a decree finding that it has been diligent in the development of the Exchange water rights,

and continuing the same conditional in their entirety, and such other and further relief as the Court finds just. This Application consists of 13 pages.

CASE NUMBER 2026CW3151 THE CACHE LA POUDRE WATER USERS ASSOCIATION, c/o Shawn Hoff, President, 106 Elm St., Eaton, Colorado 80615. Please send all further pleadings to: Brent A. Bartlett and Whitney Phillips, Fischer, Brown, Bartlett, Larsen & Irby, P.C., 1319 East Prospect Road, Fort Collins, CO 80525. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE IN LARIMER AND WELD COUNTIES.** 2. The water rights that are the subject of this application were originally decreed in Case No. 80CW355 on August 20, 1985 (“Original Decree”). The Original Decree concerned two conditional water storage rights decreed to: (1) the Grey Mountain Dam & Reservoir and (2) the Cache La Poudre Forebay Dam & Reservoir. The CLPWUA filed the application for the Original Decree on December 15, 1980. On December 28, 1983, the CLPWUA conveyed an undivided 7/8ths interest in these conditional water rights to the Northern Colorado Water Conservancy District (“Northern Water”) and retained an undivided 1/8th interest in the conditional water rights. The CLPWUA and Northern Water collectively obtained findings of reasonable diligence for the conditional water rights in Case No. 89CW122 on August 9, 1995, Case No. 2001CW197 on November 8, 2005 and Case No. 11CW242 on August 7, 2013. In Case No. 2003CW405, with the consent of the CLPWUA, Northern Water changed the conditional water rights to include the Glade Dam and Reservoir as alternate places of diversion and storage. By a Partition Agreement dated October 10, 2014, Northern Water and CLPWUA agreed to partition their fractional undivided interests in the two conditional water storage rights, which was accomplished by quitclaim deeds between each other (recorded with the Larimer County Clerk & Recorder at Reception Nos. 20140061378 and 20140061379). Accordingly, the CLPWUA now owns a divided 1/8th interest in the conditional water rights decreed in Case No. 80CW335 (hereinafter the “Subject Water Rights”) and also the right to divert 1/8th of the water physically and legally available under the two conditional water rights at the originally decreed points of diversion, with alternate points of diversion and storage as described in Case No 03CW405. With this application, the CLPWUA is seeking a finding of reasonable diligence for the Subject Water Rights. 3. Description of the Subject Water Rights: A. Name of Structure: Grey Mountain Dam and Reservoir i. Relevant Decrees: 1. Original Decree: Date of Decree: August 20, 1985. Case No.: 80CW355. Court: Water Court, Division 1. 2. Subsequent Decrees Finding Diligence: Date of Decree: August 9, 1995. Case No.: 89CW122. Court: Water Court, Division 1. Remark: Case was consolidated with Case Nos. 85CW206, 85CW207, 85CW208, 85CW209, and 85CW210. Date of Decree: November 8, 2005. Case No.: 01CW197. Court: Water Court, Division 1. Date of Decree: August 7, 2013. Case No.: 11CW242. Court: Water Court, Division 1. Date of Decree: September 28, 2020. Case No. 19CW3169 Court: Water Court, Division 1. Remark: Finding of reasonable diligence for Applicant’s divided 1/8th interest in the conditional rights for the Grey Mountain Dam & Reservoir decreed in the Original Decree. 3. Other Relevant Decree: Date of Decree: July 21, 2006. Case No.: 03CW405. Court: Water Court, Division 1. Remark: Change decree to add Glade Dam and Reservoir as an alternate place of storage and the Poudre Valley Canal and North Poudre Supply Canal Diversion Works (a/k/a Munroe Canal) as alternate points of diversion. ii. Original Reservoir Location and Point of Diversion: A dam axis located in Section 9, Township 8N, Range 70W, 6th P.M., Larimer County, Colorado being more particularly described as follows: Considering the West line of the Northeast 1/4 of said Section 9 as bearing South 00° 28' 33" East as determined by solar observation, and with all bearings contained herein relative thereto: Beginning at the Southwest corner of the Northeast 1/4 of said Section 9; thence South 27° 19' 28" East 502.44 feet to a point on the centerline of said dam with axis bearing North 87° 32' 26" East, said point also being at the intersection of the centerline of the Cache La Poudre River Channel as it existed at the time the original application was filed. iii. Alternate Storage Location: Glade Dam and Reservoir: A dam axis located in Sections 11, 12 and 13, Township 8 North, Range 70 West, 6th P.M., in Larimer County, Colorado. Beginning at a point, which is the terminal point of the dam's left abutment, from which the Southwest corner of Section 12, Township 8 North, Range 70 West of the 6th P.M. bears North 88° 14' 55" West, a distance of 1879.6'. From said point, the axis of the dam bears North 65° 04' 43" West, a distance of 729.9' to a point on the dam axis. From said point, the axis of the dam bears North 14° 49' 34" West, a

distance of 1021.7' to a point on the dam axis. From said point, the axis of the dam bears North 21° 39' 51" West, a distance of 3383.8' to the terminal point of the dam's right abutment. The proposed Glade Dam and Reservoir will inundate portions of the Northwest and Southwest Quarters of Sections 19, 30 and 31, Township 9 North, Range 69 West, 6th P.M.; the Northwest and Southwest Quarters of Section 6 and the Northwest Quarter of Section 7, Township 8 North, Range 69 West, 6th P.M.; the Southeast Quarter of Section 24, the Northeast, Southeast and Southwest Quarters of Section 25 and all Quarters of Section 36, Township 9 North, Range 70 West, 6th P.M.; and all Quarters of Section 1, the Northeast and Southeast Quarters of Section 2, the Northeast and Southeast Quarters of Section 11, all Quarters of Section 12, and the Northwest Quarter of Section 13, Township 8 North, Range 70 West, 6th P.M. iv. Alternate Points of Diversion: Poudre Valley Canal Diversion: The Poudre Valley Canal Diversion is located on the Cache la Poudre River at a point 1,000 feet north of the south section line and 150 feet east of the west section line in the Southwest quarter of Section 10, Township 8 North, Range 70 West, 6th P.M. Water would be conveyed through an enlarged Poudre Valley Canal for a distance of approximately 10,800 feet to the Glade Forebay Reservoir. Water would then be pumped from the forebay into Glade Reservoir. North Poudre Supply Canal Diversion Works: The North Poudre Supply Canal Diversion is located on the Cache la Poudre River at a point 1,900 feet south of the north section line and 2,100 feet west of the east section line in the Northeast quarter of Section 5, Township 8 North, Range 70 West, 6th P.M. Water would be conveyed through the North Poudre Supply Canal for a distance of approximately 19,400 feet to the Glade Forebay Reservoir. The water would then be pumped into Glade Reservoir. Pursuant to the decree entered in Case No. 03CW405, the total combined rate of diversion at the alternate points of diversion is 3,000 cfs for both CLPWUA's and Northern Water's interests. v. Source: Cache la Poudre River and its tributaries, all of said waters being tributary to the South Platte River. vi. Amount: 27,500 acre-feet, CONDITIONAL. vii. Appropriation date: May 2, 1980. viii. Uses: irrigation, municipal, domestic, industrial and production of electrical power and energy. B. Name of Structure: Cache la Poudre Forebay Dam and Reservoir. i. Relevant Decrees: 1. Original Decree: Date of Decree: August 20, 1985 Case No.: 80CW355. Court: Water Court, Division 1. 2. Subsequent Decrees Finding Diligence: Date of Decree: August 9, 1995. Case No.: 89CW122. Court: Water Court, Division 1. Remark: Case was consolidated with Case Nos. 85CW206, 85CW207, 85CW208, 85CW209, and 85CW210. Date of Decree: November 8, 2005. Case No.: 01CW197. Court: Water Court, Division 1. Date of Decree: August 7, 2013. Case No.: 11CW242. Court: Water Court, Division 1. Date of Decree: September 28, 2020. Case No. 19CW3169 Court: Water Court, Division 1. Remark: Finding of reasonable diligence for Applicant's divided 1/8th interest in the conditional rights for the Cache La Poudre Forebay Dam & Reservoir decreed in the Original Decree. 3. Other Relevant Decree: Date of Decree: July 21, 2006. Case No.: 03CW405. Court: Water Court, Division 1. Remark: Change decree to add Glade Forebay Dam and Reservoir as an alternate place of storage and the Poudre Valley Canal and North Poudre Supply Canal Diversion Works (a/k/a Munroe Canal) as alternate points of diversion. ii. Original Reservoir Location and Point of Diversion: Reservoir location: A dam axis located in Section 36, Township 9 North Range 71 West, 6th P.M., Larimer County, Colorado, being more particularly described as follows: Considering the West line of the Northwest 1/4 of said Section 36 as bearing North 04° 32' 13" West as determined by solar observation, and with all bearings contained herein relative thereto: Beginning at the Northwest corner of the Northwest 1/4 of said Section 36; thence South 63° 45' 28" East 1937.95 feet to a point on the centerline of said dam with axis bearing North 53° 57' 35" East. Point of diversion: Intake "Y". An intake point located in Section 31, Township 9 North, Range 70 W, 6th P.M., Larimer County, Colorado, being more particularly described as follows: Considering the South line of the Southwest Quarter of said Section 31 as being North 89° 51' 00" East and with all bearings contained herein relative thereto: Beginning at the Southwest corner of said Section 31; thence along the South line of the Southwest Quarter of said Section 31 North 89° 51' 00" East 1427.89 feet; thence departing said South line North 00° 09' 00" West 499.20 feet to said intake point. iii. Alternate Storage Location: Glade Forebay Reservoir: A forebay reservoir located in the Southeast 1/4 of Section 11, Township 8 North, Range 70 West of the 6th P.M, in Larimer County, Colorado. iv. Alternate Points of Diversion: Poudre Valley Canal Diversion: The Poudre Valley Canal Diversion is located on the Cache la Poudre River at a point 1,000 feet north of the south section line and 150 feet east of the west section line in the Southwest

quarter of Section 10, Township 8 North, Range 70 West, 6th P.M. Water would be conveyed through an enlarged Poudre Valley Canal for a distance of approximately 10,800 feet to the Glade Reservoir Forebay. Water would then be pumped from the forebay into Glade Reservoir. North Poudre Supply Canal Diversion Works: The North Poudre Supply Canal Diversion is located on the Cache la Poudre River at a point 1,900 feet south of the north section line and 2,100 feet west of the east section line in the Northeast quarter of Section 5, Township 8 North, Range 70 West, 6th P.M. Water would be conveyed through the North Poudre Supply Canal for a distance of approximately 19,400 feet to the Glade Reservoir forebay. The water would then be pumped into Glade Reservoir. Pursuant to the decree entered in Case No. 03CW405, the total combined rate of diversion at the alternate points of diversion is 3,000 cfs for both CLPWUA's and Northern Water's interests. v. Source: Cache La Poudre River and its tributaries, all of said waters being tributary to the South Platte River. vi. Amount claimed: 675 acre-feet, CONDITIONAL. vii. Appropriation date: May 2, 1980. viii. Uses: irrigation, municipal, domestic, industrial and production of electrical power and energy. C. Pursuant to the decrees entered in Case Nos. 89CW122 and 03CW405, the storage volumes decreed to the Grey Mountain Dam and Reservoir water right and the Cache la Poudre Forebay Dam and Reservoir water right may not be separately aggregated. The cumulative annual volume of total storage under those rights is limited to the total volume decreed to the Grey Mountain Dam and Reservoir water right, 220,000 acre-feet. Cumulative annual storage of water under the CLPWUA's portion of the Subject Water Rights pursuant to the Partition Agreement is limited to 27,500 acre-feet, as measured at the point of diversion from the stream. 4. Support for Application for Diligence: During the diligence period the CLPWUA has continued its efforts to utilize the Subject Water Rights, efforts which include engaging additional engineering and appraisal services, and furthering discussion, planning, and modeling. The CLPWUA has also continued to evaluate the Grey Mountain Alternate Point Project, whereby the Subject Water Rights could be stored, by agreement, in certain of the CLPWUA members' existing or proposed storage reservoirs located within the Cache la Poudre River Basin. Additionally, the CLPWUA has engaged in separate discussions with certain of its members for the purpose of negotiating terms of conveyance and/or use of the Subject Water Rights to these members. The CLPWUA has expended at least \$225,000 on related legal and engineering fees related to the foregoing efforts. During the diligence period the CLPWUA has been an opposer in numerous cases before the District Court for Water Division 1 for the purpose of protecting the water rights of its members and the Subject Water Rights, and has expended at least \$860,000 on legal and engineering fees related to said cases. The CLPWUA may offer supplemental, additional or more detailed diligence information in support of this application and at trial in this case. 5. The 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 is attached as **Appendix A** to this Application. (Application consists of 9 pages, 1 Appendix).

CASE NUMBER 2026CW3152 DAVID D. CURRIN, 17945 Saddlewood Road, Monument, CO 80132; Please direct all correspondence concerning this application to: Chris D. Cummins, Monson, Cummins, Shohet & Farr, LLC, 13511 Northgate Estates Drive, Suite 250, Colorado Springs, CO 80921; Telephone Number: (719) 471-1212; Email: cdc@cowaterlaw.com. **APPLICATION FOR ADJUDICATION OF DENVER BASIN GROUNDWATER AND PLAN FOR AUGMENTATION IN EL PASO COUNTY.** Applicant is the owner of Lot 103, Canterbury East Subdivision, a parcel of land which is approximately 5.26 acres in size, and which is directly adjacent to property owned by Red Horse Living Trust, being Lot 102 of Canterbury East Subdivision, a parcel of land approximately 4.99 acres in size. Red Horse Living Trust has consented to Applicant's adjudication of the groundwater underlying Lot 102, and this Application concerns the entire 10.25 acres of land, Lots 102 and 103 Canterbury East Subdivision, El Paso County, Colorado, and the underlying groundwater associated therewith. Applicant seeks adjudication of underlying Denver Basin groundwater supplies, and approval of a plan for augmentation for the use of two not-nontributary Dawson aquifer wells for provision of water to each lot. Property Description. The property subject of this Application lies in the NW1/4 SE1/4 and NE1/4 SE1/4 of Section 16, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado ("Subject Property"), as approximately

shown on the attached **Exhibit A** map, and as more specifically described as Lots 102 and 103, Canterbury East Subdivision. The street addresses for the Subject Property are 17875 Saddlewood Road, and 17945 Saddlewood Rd., Monument, CO 80132 and the El Paso County Assessor has assigned Parcel ID Nos. 6116003021 and 6116003020 to the Subject Property, respectively. Existing Well. There is one existing well on the Subject Property that is registered with Division of Water Resources Permit No. 57137 (Currin Well No. 1”), located upon Lot 103 and which is drilled to the Dawson aquifer. Upon approval of the plan for augmentation requested herein, Currin Well No. 1 will be re-permitted accordingly. The approximate location of Currin Well No. 1 can be seen on attached **Exhibit A**. Proposed Wells. Applicant will construct a Dawson aquifer well according to the plan for augmentation requested herein (“Currin Well No. 2”) on the Lot 102 portion of the Subject Property, and any additional or replacement wells as necessary to produce the decreed entitlements. Not-Nontributary. The groundwater to be withdrawn from the Dawson and Denver aquifers underlying the Subject 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, and the augmentation requirements for wells in the Denver aquifer require replacement of a total amount of water equal to 4% (four percent) of the amount of water withdrawn on an annual basis. Nontributary. The groundwater to be withdrawn from the Arapahoe and Laramie-Fox Hills aquifers underlying Applicant’s Property will be nontributary. Estimated Rates of Withdrawal. Pumping from the wells on the Subject Property will not exceed 100 gpm. The actual pumping rate for the wells 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 Subject Property. Said amounts may be withdrawn over the 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 Subject Property:

AQUIFER	NET SAND (Feet)	Total Appropriation (Acre-Feet)	Annual Avg. Withdrawal 100 Years (Acre-Feet)	Annual Avg. Withdrawal 300 Years (Acre-Feet)
Upper Dawson (NNT – actual)	240.20	871	8.71	2.90
Denver (NNT – 4%)	360.30	975	9.75	3.25
Upper Arapahoe (NT)	256.40	493	4.93	1.64
Laramie-Fox Hills (NT)	190.00	323	3.23	1.07

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. The Applicant requests the right to use the groundwater for beneficial uses upon the Subject Property consisting of domestic, commercial, agricultural, irrigation, watering of stock and domestic animals, fire protection, recreation, fish and wildlife, aesthetics, use of water in hot tubs, pools, and/or water features, and 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 Subject 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 and Denver aquifers pursuant to a decreed augmentation plan entered by this Court, covering the out-of-priority stream depletions caused by

the use of such not-nontributary aquifer in accordance with C.R.S. §37-90-137(9)(c.5). Well Fields. Applicant requests that it be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying the Subject 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 Subject 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 Subject 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, David D. Currin, and Red Horse Living Trust. Structures to be Augmented. The structures to be augmented are the Currin Well Nos. 1 and 2 on or to be constructed on the Subject Property, along with any replacement or additional wells associated therewith, which are or will be completed to the Dawson aquifer, in the NW1/4 SE1/4 and NE1/4 SE1/4 of Section 16, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during pumping are the return flows resulting from the pumping of the not-nontributary Dawson aquifer from Currin Well Nos. 1 and 2, along with any additional or replacement wells associated therewith, on the Subject Property, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifers to account for any injurious post-pumping depletions. Statement of Plan for Augmentation. Applicant seeks to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer by the Currin Well Nos. 1 and 2 on the Subject Property described herein. Water use criteria and their consumptive use component for replacement of actual depletions for the Subject Property are estimated as follows: Uses. Pumping from the Dawson aquifer will be a maximum of 2.76 acre-feet of water per year total from Currin Well Nos. 1 and 2. Such uses shall be for domestic, commercial, agricultural, irrigation, watering of stock and domestic animals, fire protection, recreation, fish and wildlife, aesthetics, use of water in hot tubs, pools, and/or water features, and for storage and augmentation purposes associated with such uses. Amounts. The Currin Well Nos. 1 and 2 will each pump a maximum of 1.38 acre-feet, for a maximum total of 2.76 acre-feet being withdrawn from the Dawson aquifer annually, for a combination of the uses described above. An example breakdown of this combination of use for each lot is in-house use of 0.26 acre-feet of water per year per well, with the additional 1.12 acre-feet per year available for the remaining uses to be permitted, described herein. Depletions. Withdrawals from the Dawson aquifer by the Currin Well Nos. 1 and 2 require replacement of actual stream depletions, pursuant to C.R.S. §37-90-137(9)(c.5)(I)(B). It is estimated that maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 8.34% of pumping. Maximum annual depletions for total pumping from the Currin Well Nos. 1 and 2 are therefore 0.23 acre-feet (*i.e.* 8.34% of pumping). Should Applicant's pumping be less than the 2.76 acre-feet total per year described herein, resulting depletions and required replacements will be correspondingly reduced. Augmentation of Depletions During Pumping. Pursuant to C.R.S. §37-90-137(9)(c.5)(I)(B), Applicant is required to replace actual stream depletions caused by withdrawals of the Dawson aquifer on an annual basis. Depletions during pumping will be effectively replaced by return flows generated by a non-evaporative septic systems associated with indoor uses within two primary dwellings on each lot within the Subject Property. The annual consumptive use for non-evaporative septic systems is 10%. At an estimated conservative indoor household use rate of 0.20 acre-feet per year per dwelling, 0.36 acre-feet is replaced to the stream per year (0.18 acre feet per lot), assuming the use of a non-evaporative septic system. Thus, during pumping, stream depletions (0.23 acre-feet per year) will be adequately augmented. Augmentation for Post-Pumping Depletions. For the replacement of any injurious post-pumping depletions that may be associated with the use of Currin Well Nos. 1 and 2, Applicant will reserve up to 828 acre-feet of the water from the underlying Arapahoe and Laramie-Fox Hills aquifers, accounting for actual stream depletions replaced during the pumping period, as necessary to replace any injurious post-pumping depletions. Applicant also reserves the right to substitute other legally available augmentation sources for such post-pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this

reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post-pumping depletions will be noninjurious. The reserved nontributary Arapahoe and Laramie-Fox Hills groundwater will be used to replace any injurious post-pumping depletions. Upon entry of a decree in this case, Applicant will be entitled to apply for and receive new well permits for Currin Well Nos. 1 and 2 on the Subject Property, 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. 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 not-nontributary Currin Well Nos. 1 and 2 upon the entry of a decree approving a 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 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 plan for augmentation. Wells shall be installed and metered as reasonably required by the State Engineer. Each well may be required to be equipped with a totalizing flow meter and Applicant may be required to submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. The Applicant may also be required to provide accountings to the Division Engineer and Water Commissioner to demonstrate compliance under this plan for augmentation. 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 the Subject Property in relation to one another. This waiver does not apply to wells not located on the Subject Property and/or not owned by the Applicant. Applicant will comply with any lienholder notice provisions set forth in C.R.S. §§37-92-302(2)(b) and 37-90-137(4)(b.5)(I), and such notice will be sent within 14 days of the filing of this application. (8 Pages)

CASE NUMBER 2026CW3153 KIMBERLY KILZER AND MARCUS ELLER, 655 Hier Lane, Castle Rock, CO 80109. 720-737-6252, kimberlykilzer@hotmail.com; ch4marcus@gmail.com. Forward all pleadings and correspondence to: Michael A. Kopp, #43204 and Erin Kincaid, #61571. TROUT RALEY. 1120 Lincoln Street, Suite 1600, Denver, Colorado 8020. Phone: 303-861-1963; E-Mail: mkopp@troutlaw.com; ekincaid@troutlaw.com. **APPLICATION FOR ABSOLUTE UNDERGROUND WATER RIGHT FOR AN EXEMPT WELL PURSUANT to § 37-92-602(4), C.R.S. IN DOUGLAS COUNTY, COLORADO.** 2. Name(s) of well(s) and permit, registration, or denial number(s). Attach copies of well permit, pump installation report and well construction and test report. (If permit applied for, but not acted upon, give date of permit application.) Name of Well: Eller-Kilzer Exempt Well. Permit, Registration or Denial Number: 293064. If Permit is pending, check box below and provide date of application. Date: N/A. Total area of parcel on which this well is located 1.45 Acres 3. Location of Structure: A. Public Land Survey System (PLSS) (required): Include the source of PLSS information for example: GIS system such as CDSS MapViewer (<http://water.state.co.us/DATAMAPS/GISANDMAPS/MAPVIEWER/Pages/FAQ.aspx>); field survey; scaled from USGS topographic map; or other source:

Legal Description: County	NE 1/4 of the	SW 1/4	Section 16	Township 8 S	Range 67 W	Principal Meridian 6th
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B. Point of Diversion (required) (Complete either 1 or 2 below) 1. Location information in UTM Format (preferred): UTM Zone must be 12 or 13; Units must be Meters; Datum must be NAD83; and Units must be set to true North. Include the source of the UTM coordinates, for example: GPS device; a GIS System such as CDSS MapViewer (<http://water.state.co.us/DATAMAPS/GISANDMAPS/MAPVIEWER/Pages/FAQ.aspx>); scaled from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 1/2 x 11-inch map to this application illustrating the location of the structure. UTM coordinates: Easting 508951; Northing 4356024; Zone 12. Street Address: 655 Hier Lane, Castle Rock, CO 80109. 2. Distance from Section Lines (if not providing a UTM coordinate above): Include perpendicular distances from section lines to the structure location Include the source of PLSS information, for example: GIS System such as CDSS MapViewer <http://water.state.co.us/DATAMAPS/GISANDMAPS/MAPVIEWER/Pages/FAQ.aspx>; field survey; scaled from a USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 1/2 x 11-inch map to this application illustrating the location of the structure. 4. A. Date of appropriation: December 10, 2013. B. How appropriation was initiated (for example, the date that the well permit application was filed with the State Engineer's Office): Date of filing of the well permit application with the State Engineer's Office. C. Date water applied to beneficial use (for example, the date that the applicant first operated the well for its intended use): June 4, 2015 (date water was first used for permitted purposes). 5. A. Source of water (for example, groundwater tributary to the South Platte): Nontributary groundwater from the Lower Dawson aquifer. B. Depth of well, if completed: 780 Feet. 6. Amount of Underground Water claimed in gallons per minute (gpm): Absolute 12 gpm. 7. List All Existing Uses (such uses cannot exceed the uses permitted under the exempt well permit): Fire protection; ordinary household purposes inside a single-family dwelling, and irrigation of up to 1 acre of home gardens and lawns. A. Number of single-family dwellings served 1. B. Area of lawns and gardens irrigated 1 acre. Legal description of irrigated acreage. Mark the location of the irrigated acreage on a USGS topographic map and attach to this application a legible 8 1/2 x 11-inch copy of the applicable portion of the map. See the attached Exhibit A showing the approximate irrigated acreage on the subject property. C. Domestic animals watering: No. D. Livestock watering on farm/ranch/pasture (property must be 35 or more acres) No. E. Other uses (describe fully): N/A. 8. Proposed Uses (Note that this information is only required if the applicant's existing uses are less than the uses allowed by the exempt well permit and the applicant is seeking a conditional water right for such additional uses.) A. Number of single-family dwellings served: N/A. B. Area of lawns and gardens irrigated N/A. C. Domestic animals watering: N/A. D. Livestock watering on farm/ranch/pasture (property must be 35 or more acres): N/A. E. Other uses (describe fully): N/A. 9. 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 pool. The applicant must notify these persons that the applicant is applying for this water right, and certify to the Court that the applicant has done so by no later than 14 days after filing this application. The certification form is on page 5 of this form. Name of Owner: Applicants, Kimberly Kilzer and Marcus Eller. Mailing Address: 655 Hier Lane, Castle Rock, CO 80109. 10. Remarks: Applicants are seeking to adjudicate the priority date for their small-capacity exempt well. (5 pages + Exhibit.)

CASE NUMBER 2026CW3154 (20CW3007; 12CW218; 03CW142; 95CW155) CONCERNING THE APPLICATION FOR WATER RIGHTS OF PUBLIC SERVICE COMPANY OF COLORADO, A COLORADO CORPORATION. APPLICATION FOR FINDING OF REASONABLE DILIGENCE FOR A CONDITIONAL WATER RIGHT IN CLEAR CREEK COUNTY. 1. Name, Address, and

Telephone Number of Applicant: Public Service Company of Colorado, a Colorado Corporation, c/o Wesley Eversole, Supervisor, Environmental Services, 3500 Blake St., Denver, Colorado 80205, (303) 285-6858. Please direct all correspondence or inquiries regarding this matter to the attorneys for the Applicant: Carolyn F. Burr, James M. Noble, Rachel L. Bolt, Welborn Sullivan Meck & Tooley, P.C., 1401 Lawrence Street, Suite 1800, Denver, Colorado 80202, Telephone: (303) 830-2500.

2. Name of Structures: Lower Cabin Creek Reservoir. This application relates to the Lower Cabin Creek Reservoir Industrial Use Right decreed in Case No. 95CW155 for industrial purposes, including but not limited to evaporation, replacement, reuse in industrial processes, and power generation; use for replacement of reservoir evaporative depletions; and use for the purpose of meeting return flow obligations. A decree was entered in Division 1 Case No. 03CW142 on July 6, 2006, making the Lower Cabin Creek Reservoir Industrial Use Right absolute for the power generation use and finding that Public Service Company of Colorado (“PSCo”) exercised reasonable diligence with respect to the conditional water right for the other decreed uses. Decrees were entered in Division 1 Case Nos. 12CW218 on January 24, 2014, and 20CW3007 on September 20, 2020, finding that PSCo exercised reasonable diligence with respect to the conditional water right for the decreed purposes that had not already been made absolute in Case No. 03CW142.

3. Description of Conditional Water Rights: The Lower Cabin Creek Reservoir Industrial Use Right is a water right enabling PSCo to store water in Lower Cabin Creek Reservoir for subsequent application to beneficial use. Unlike the original storage right decreed to the Lower Cabin Creek Reservoir in Case No. W-1357, the beneficial uses associated with the Lower Cabin Creek Reservoir Industrial Use Right include consumptive uses.

3.1. Original Decree: Lower Cabin Creek Reservoir was originally decreed a storage right for 1,988.60 acre feet with a May 5, 1962 appropriation date by the Division No. 1 Water Court in Case No. W-1357. The active capacity of Lower Cabin Creek Reservoir is 1,958.50 acre feet. Lower Cabin Creek Reservoir is interconnected with Upper Cabin Creek Reservoir as part of a pumped storage hydroelectric project, which uses water non-consumptively to generate electrical power.

3.2. Subsequent Decrees:

3.2.1. The Lower Cabin Creek Reservoir Industrial Use storage right that is the subject of this application was decreed for 308.80 acre feet with an appropriation date of July 31, 1995, by the Water Court for Water Division No. 1 in Case No. 95CW155 (the “Subject Water Right”).

3.2.2. On September 5, 2006, a decree was entered in Case No. 03CW142, in which the Water Court for Water Division No. 1 found that the Subject Water Right was made absolute for the decreed purpose of power generation and that PSCo had worked diligently toward completing the appropriation of the Subject Water Right for all other decreed uses, including industrial evaporation replacement, reuse in industrial processes, use for replacement of reservoir evaporative depletions, and use for the purpose of meeting return flow obligations.

3.2.3. On January 24, 2014, in Case No. 12CW218 and on September 20, 2020 in Case No. 20CW3007, the Water Court for Water Division No. 1 entered decrees finding that the Subject Water Right is part of PSCo’s Clear Creek integrated water supply system, and that PSCo had worked diligently toward completing the appropriation of the Subject Water Right for all decreed uses that remained conditional, including industrial evaporation replacement, reuse in industrial processes, use for replacement of reservoir evaporative depletions, and use for the purpose of meeting the return flow obligations.

3.3. Legal Description and Location: Lower Cabin Creek Reservoir is an on-stream reservoir located on South Clear Creek in Sections 31 and 32, Township 4 South, Range 74 West of the 6th P.M., Clear Creek County, Colorado. The reservoir outlet is located 200 feet west of the East section line and 1,900 feet south of the North section line of Section 31. A map depicting the location of the Lower Cabin Creek Reservoir is attached as Exhibit A.

3.4. Source of Water: South Clear Creek and its tributary Cabin Creek.

3.5. Appropriation Date: July 31, 1995.

3.6. Amount: 308.8 acre feet, Absolute for power generation purposes, Conditional for all other purposes.

3.7. Decreed Use: Industrial purposes, including, but not limited to, evaporation replacement, reuse in industrial processes, and power generation and cooling; use for replacement of reservoir evaporative depletions; and use for the purpose of meeting return flow obligations. The beneficial uses associated with the Lower Cabin Creek Reservoir Industrial Use Right include consumptive uses.

4. Evidence of Reasonable Diligence Towards Completing Appropriation:

4.1. During the diligence period, PSCo completed construction of an upgrade of its Cabin Creek Pumped Storage Hydroelectric Project from 324MW to 360MW, which increased the demand for water from the Lower Cabin Creek Reservoir. Expenditures included approximately \$56 million dollars.

The expansion also included an enlargement of the Upper Cabin Creek Reservoir with will result in additional evaporative losses that the Subject Water Right may help replace. 4.2. During the diligence period, PSCo spent approximately \$144,000 maintaining, operating, and paying Federal Energy Regulatory Commission fees for the Georgetown and Cabin Creek Pumped Storage Hydroelectric Projects, which include the Lower Cabin Creek Reservoir. 4.3. During the diligence period, PSCo inspected the Lower Cabin Creek Reservoir at least annually, either on its own or in connection with State or Federal Energy Regulatory Commission inspections. 4.4. During the diligence period, PSCo paid substantial property taxes for the properties and water rights associated with the Cabin Creek Pumped Storage Hydroelectric Project, including for Lower Cabin Creek Reservoir. 4.5. On December 29, 2023, PSCo entered into a Water Lease Agreement with a third party, pursuant to which PSCo may deliver leased water from the Lower Cabin Creek Industrial Use Right, among other sources for industrial purposes. 4.6. During the diligence period, PSCo filed the application in Division 1 Water Court Case No. 24CW3058, which, among other things, includes an application to change the use of previously changed shares in the Fisher Ditch Company for use at different locations. The Lower Cabin Creek Industrial Use Right is a source of return flow replacement supply for those water rights. During the diligence period, PSCo spent approximately \$200,000 on legal and engineering services for this application. 4.7. During the diligence period, PSCo filed the application in Division 1 Water Court Case No. 24CW3187, which, among other things, includes an application to change the use of several previously changed water rights to provide more flexibility. The Lower Cabin Creek Industrial Use Right is a source of return flow replacement supply for those water rights. During the diligence period, PSCo spent approximately \$145,000 on legal and engineering services for this application. 4.8. During the diligence period, PSCo conducted several activities to improve and maintain parts of its Clear Creek integrated water supply system. These activities include the following: 1) Replacement of weirs and structures to measure and account for seepage from Lower Cabin Creek. 2) Replacement of a 12" gate at Clear Lake to allow for more accurate and controlled releases. 3) Restoration of boreal toad breeding habitat in wetlands adjacent to South Clear Creek. 4) Installation of measurement gage on the Fisher Ditch Dam to more accurately measure water bypassing the ditch in Clear Creek. 5) Replacement of several sections of pipe along the Fisher Ditch. 4.9. During the diligence period, PSCo obtained a decree for reasonable diligence for the conditional portion of an appropriative right of exchange that includes the Lower Cabin Creek Reservoir as a structure involved in the exchange, in Division 1 Case No. 21CW3113. 4.10. During the diligence period, PSCo participated as an objector in numerous Division 1 water court cases in order to protect its existing water rights on the South Platte River and Clear Creek. Some of these cases have concluded, and others are ongoing. Some of the cases in which PSCo has participated as an objector during the diligence period include Case Nos. 21CW3020, 2021CW3038, 21CW3042, 21CW3061, 22CW3034, 22CW3102, 22CW3130, 22CW3192, 22CW3206, 22CW3207, 22CW3209, 22CW3215, 23CW3180, 23CW3181, 24CW3168, 24CW3183, 25CW3091, 25CW3092, 25CW3141, 25CW3153, 25CW3158, 25CW3189, 26CW3042, and 2026CW3066. 5. Names and Addresses of Owners of the Land Upon Which any New Diversion or Storage Structure, or Modification to any Existing Diversion or Storage Structure is or will be Constructed or upon Which Water is or will be Stored, Including any Modification to the existing Storage Pool. Not applicable. This application does not involve a new or modified diversion or storage structure. WHEREFORE, PSCo requests that the Court enter a decree finding that PSCo has satisfied the statutory standard of steady application of effort to complete the appropriation in a reasonably expedient and efficient manner under all the facts and circumstances, and that reasonable diligence was performed during the diligence period in development of the portion of the Lower Cabin Creek Reservoir Industrial Use storage right.

CASE NUMBER 2026CW3155 (20CW3006; 12CW217; 06CW18; 98CW6; 91CW15; 91CW16) CONCERNING THE APPLICATION FOR WATER RIGHTS OF PUBLIC SERVICE COMPANY OF COLORADO, A COLORADO CORPORATION. APPLICATION FOR FINDING OF REASONABLE DILIGENCE FOR CONDITIONAL WATER RIGHTS IN CLEAR CREEK COUNTY. 1. Name, Address, and Telephone Number of Applicant: Public Service Company of Colorado, a Colorado corporation, c/o Wesley Eversole, Supervisor, Environmental Services, 3500 Blake Street,

Denver, Colorado 80205, Telephone: (303) 285-6858. Please direct all correspondence or inquiries regarding this matter to the attorneys for the Applicant: Carolyn F. Burr, James M. Noble, Rachel L. Bolt, Welborn Sullivan Meck & Tooley, P.C., 1401 Lawrence Street, Suite 1800, Denver, Colorado 80202, Telephone: (303) 830-2500. 2. Name of Structures: Silver Dollar Reservoir II and Murray Reservoir II storage rights. These storage rights are components of Public Service Company of Colorado's ("PSCo") integrated water system serving the Georgetown and Cabin Creek Pumped Storage Hydroelectric Projects and the Cherokee Electric Generation Station. 3. Description of Conditional Water Rights: 3.1. Silver Dollar Reservoir II Storage Right. Silver Dollar Reservoir is an off-channel reservoir originally decreed on January 28, 1992, by the Division 1 Water Court in Case No. 91CW15, and found to have met requirements of reasonable diligence as decreed on December 13, 1999, in Case No. 98CW6, September 8, 2006, in Case No. 06CW18, January 23, 2014, in Case No. 12CW217, and September 21, 2020, in Case No. 20CW3006. 3.1.1. Legal Description. The Silver Dollar Reservoir is located in a portion of Section 23, Township 5 South, Range 75 West of the 6th P.M. in Clear Creek County, Colorado, and is more particularly described as follows: Beginning at the East end of the dam, whence the East quarter corner of Section 23, Township 5 South, Range 75 West bears South 88° 25' East 853 feet; thence North 88° 25' West 450 feet; thence South 42° 30' West 668 feet; thence South 08° 40' West 206 feet; thence South 43° 45' East 407 feet; thence South 81° 00' East 197 feet; thence North 74° East 340 feet; thence North 61° 30' East 412 feet; thence North 17° 57' to the place of beginning. The location of the Silver Dollar Reservoir is depicted on the map attached as Exhibit A. 3.1.2. Source of Water. Water from unnamed tributaries of South Clear Creek is stored in Silver Dollar Reservoir via the Silver Dollar Ditch, the headgate of which is located at a point whence the East quarter corner of Section 23, Township 5 South, Range 75 West of the 6th P.M. bears North 86° 4' East 4,224.8 feet. The capacity of Silver Dollar Ditch is 20 cfs. 3.1.3. Decreed Amount. 437.5 acre-feet, conditional, as decreed in Case No. 98CW6. 3.1.4. Appropriation Date. March 15, 1991. 3.1.5. Uses. The Silver Dollar Reservoir II storage right may be used for power, domestic, municipal, and industrial purposes, including augmentation and replacement of evaporation on a fully consumptive basis, including the right of re-use and successive use to the point of extinction, provided, however, that the right of re-use and successive use is limited to power generation at the Cabin Creek Pumped Storage Hydroelectric Project only. 3.2. Murray Reservoir II Storage Right. The Murray Reservoir is an on-channel reservoir located on an unnamed tributary of South Clear Creek. It was originally decreed on January 28, 1992, by the Division 1 Water Court in Case No. 91CW16, and found to have met requirements of reasonable diligence as decreed on December 13, 1999, in Case No. 98CW6, September 8, 2006, in Case No. 06CW18, January 23, 2014, in Case No. 12CW217, and September 21, 2020, in Case No. 20CW3006. 3.2.1. Legal Description. Murray Reservoir is located in a portion of Section 23, Township 5 South, Range 75 West of the 6th P.M. in Clear Creek County, Colorado. Murray Reservoir is more particularly described as follows: Beginning at the South end of the dam at the outlet, whence the East quarter corner of Section 23, Township 5 South, Range 75 West bears South 65° East 2,878.3 feet; thence North 27° West 210 feet; thence South 82° West 317 feet; thence North 88° 15' West 328 feet; thence South 69° West 280 feet; thence South 02° West 190 feet; thence South 50° East 143 feet; thence South 13° 27' East 251.4 feet; thence North 70° 10' East 502 feet; thence North 50° 15' East 475 feet to the place of beginning. The location of Murray Reservoir is depicted on the map attached as Exhibit A. 3.2.2. Source of Water. Unnamed tributaries of South Clear Creek. 3.2.3. Decreed Amount. 79 acre-feet, conditional, as decreed in Case No. 98CW6. 3.2.4. Appropriation Date. March 15, 1991. 3.2.5. Uses. The Murray Reservoir II storage right may be used for power, domestic, municipal, and industrial purposes, including augmentation and replacement of evaporation on a fully consumptive basis, including the right of re-use and successive use to the point of extinction, provided, however, that the right of re-use and successive use is limited to power generation at the Cabin Creek Pumped Storage Hydroelectric Project only. 4. Evidence of Reasonable Diligence Towards Completing Appropriations. 4.1. During the diligence period, PSCo completed construction of a \$56,000,000 upgrade of its Cabin Creek Pumped Storage Hydroelectric Project from 324MW to 360MW, which will increase the demand for water from Silver Dollar Reservoir II and the Murray Reservoir II. 4.2. During the diligence period, PSCo spent approximately \$144,000 maintaining, operating, and paying Federal Energy Regulatory Commission fees for the Georgetown and Cabin Creek

Pumped Storage Hydroelectric Projects where the water stored Silver Dollar Reservoir II and the Murray Reservoir II will be used for power generation or as a source of evaporation replacement. 4.3. During the diligence period, PSCo inspected the Silver Dollar Reservoir II and the Murray Reservoir II at least annually, either on its own or in connection with State or Federal Energy Regulatory Commission inspections. 4.4. During the diligence period, PSCo paid substantial property taxes for the properties and water rights associated with the Cabin Creek and Georgetown Pumped Storage Hydroelectric Projects. 4.5. During the diligence period, PSCo conducted several activities to improve and maintain parts of its Clear Creek integrated water supply system. These activities include the following: 1) Replacement of weirs and structures to measure and account for seepage from Lower Cabin Creek. 2) Replacement of a 12" gate at Clear Lake to allow for more accurate and controlled releases. 3) Restoration of boreal toad breeding habitat in wetlands adjacent to South Clear Creek. 4) Installation of measurement gage on the Fisher Ditch Dam to more accurately measure water bypassing the ditch in Clear Creek. 5) Replacement of several sections of pipe along the Fisher Ditch. 4.6. During the diligence period, PSCo obtained a decree for reasonable diligence for the conditional portion of an appropriative right of exchange that includes the Murray and Silver Dollar Reservoirs as structures involved in the exchange, in Division 1 Case No. 21CW3113. 4.7. During the diligence period, PSCo participated as an objector in numerous Division 1 water court cases in order to protect its existing water rights on the South Platte River and Clear Creek. Some of these cases have concluded, and others are ongoing. Some of the cases in which PSCo has participated as an objector during the diligence period include Case Nos. 21CW3020, 2021CW3038, 21CW3042, 21CW3061, 22CW3034, 22CW3102, 22CW3130, 22CW3192, 22CW3206, 22CW3207, 22CW3209, 22CW3215, 23CW3180, 23CW3181, 24CW3168, 24CW3183, 25CW3091, 25CW3092, 25CW3141, 25CW3153, 25CW3158, 25CW3189, 26CW3042, and 2026CW3066. 5. Names and Addresses of Owners of the Land Upon Which any New Diversion or Storage Structure, or Modification to any Existing Diversion or Storage Structure is or will be Constructed or upon Which Water is or will be Stored, Including any Modification to the existing Storage Pool. Not applicable. This application does not involve a new or modified diversion or storage structure. WHEREFORE, PSCo requests that the Court enter a decree finding that PSCo has satisfied the statutory standard of steady application of effort to complete the appropriation in a reasonably expedient and efficient manner under all the facts and circumstances, and that reasonable diligence was performed during the diligence period in development of the Murray Reservoir II and Silver Dollar Reservoir II water rights. Therefore, the conditional water rights should continue.

CASE NUMBER 2026CW3156 JUAN AND ELIZABETH AGUILAR, ET AL., 9166 E Rocky Mountain Lane, Parker, CO 80138. John D Buchanan, James J Petrock, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202. **APPLICATION FOR UNDERGROUND WATER RIGHTS IN THE NONTRIBUTARY LOWER DAWSON, DENVER, ARAPAHOE AND LARMIE-FOX HILLS AQUIFERS IN DOUGLAS COUNTY.** Subject Property: The properties that are the subject of this application are 11 individual lots in the Crestview Subdivision, totaling approximately 64.75 acres in Douglas County, State of Colorado, as shown on Exhibit B ("Subject Property"). Lien Holder Certification: Applicant certifies that they have provided notice to all mortgage or lien holders as required under C.R.S. § 37-92-302(2)(b). Source of Water Rights: The Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5). Estimated Amounts: Applicant estimates the following amounts may be available for withdrawal underlying the Subject Property, based on a 100-year withdrawal period:

Aquifer	Annual Amount (acre-feet)
Lower Dawson (NT)	16.1
Denver (NT)	34.9
Arapahoe (NT)	26.4
Laramie-Fox Hills (NT)	19.2

The estimated amount of groundwater in each aquifer underlying each individual lot is set forth in Exhibit C. These amounts are estimated and may be revised without the need to amend and republish this application. Applicants do not intend to leave any groundwater unadjudicated. 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. Applicant claims the right to withdraw more than the average annual amounts estimated in Paragraph 6 above pursuant to Rule 8A of the Statewide Rules, 2 C.C.R. 402-7. Applicant requests the Court approve the above underground water rights, find that Applicant has complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate. 2 Pages.

CASE NUMBER 2026CW3157 THOMAS J. RIKLI AND MEREDITH A RIKLI, 6019 Alpine Vista Circle, Unit 208, Castle Rock, Colorado 80108; Please direct all pleadings and correspondence to Applicants' counsel: Michael A. Kopp, Trevor I. Klein, Trout Raley, 1120 Lincoln St., Suite 1600 Denver, CO 80203 (303) 861-1963, mkopp@troutlaw.com tklein@troutlaw.com **APPLICATION FOR PLAN FOR AUGMENTATION IN DOUGLAS COUNTY**. 2. Subject Property: Applicants own approximately 40.32 acres located in Section 12, Township 10 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. 23CW3076, Water Division 1 (the "23CW3076 Decree"), adjudicated the rights to groundwater underlying approximately 163.38 acres of land, including the Subject Property. The Applicants own an interest in the groundwater underlying the Subject Property as adjudicated in the 23CW3076 Decree. 4. Application Overview: Applicants seek to drill a well into the Upper Dawson Aquifer underlying the Subject Property and, by this Application, seek to adjudicate an augmentation plan to replace depletions associated with pumping such well. As provided in the 23CW3076 Decree, ¶ 11.2, 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 natural stream at annual rates greater than 1/10 of 1% of the annual rate of withdrawal. Consequently, the 23CW3076 Decree requires adjudication of an augmentation plan before the Upper Dawson water underlying the Subject Property can be withdrawn. 23CW3076 Decree, ¶ 11.2. 5. Available Amounts: The 23CW3076 Decree provides that the following total amount of water is available for withdrawal from each aquifer underlying the Subject Property based on a 100-year withdrawal period:

Aquifer	Total Amount (acre-feet)	Annual Amount (acre-feet)
Upper Dawson (NNT)	8,330	83.3
Lower Dawson (NT)	5,230	52.3
Denver (NT)	8,190	81.9
Arapahoe (NT)	9,170	91.7
Laramie-Fox Hills (NT)	4,660	46.6

Applicants were subsequently granted, pursuant to the Quitclaim Deed attached hereto as Exhibit B, an interest in this groundwater consistent with their ownership of 40.32 acres of the original 163.38 acres of land subject to the determination adjudicated in the 23CW3076 Decree. Applicants are entitled to withdraw the annual amounts from the above aquifers adjudicated in that case as shown in the following table:

Aquifer	Applicants' Share of Annual Pumping (acre-feet)
Upper Dawson (NNT)	20.83
Lower Dawson (NT)	13.08
Denver (NT)	20.48
Arapahoe (NT)	22.93
Laramie-Fox Hills (NT)	11.65

6. Well Location: The subject well will be located at or within 200 feet of UTM coordinates (Zone 13, NAD83): 524234.1 easting, 4338627.0 northing. 7. Proposed Uses: The 23CW3076 Decree authorizes water withdrawn from the not-nontributary and nontributary aquifers underlying the Subject Property to be used, reused, and successively used to extinction for all allowable beneficial uses, including, but not limited to: domestic, industrial, commercial, irrigation, livestock watering fire protection, recreational, fish and wildlife, augmentation, replacement, and exchange. 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. Applicants intend to use water extracted from the well for (a) ordinary household uses in up to three single-family homes, to be constructed (0.9 acre-feet per year); (b) irrigation of up to 43,560 square feet of lawn and garden (2.178 acre-feet per year); (c) watering of livestock (personally owned poultry and up to two horses) (0.025 acre-feet per year); and (d) augmentation purposes. Based on the standard water use rates published by the Division of Water Resources, annual demands from the well will be approximately 3.103 acre-feet. 8. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2). 9. Plan for Augmentation. 9.1 Structures to be Augmented: The well to be constructed on the Subject Property in the Upper Dawson aquifer at the location described in Paragraph 6 above, as well as any replacement or additional wells constructed on the Subject Property in the Upper Dawson aquifer. 9.2 Water Rights to be Used for Augmentation: Return flows resulting from the pumping and use of not-nontributary groundwater from the wells to be augmented, together with the direct discharge of, and return flows derived from the use of, nontributary groundwater. Statement of Plan for Augmentation: Applicants seek to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Upper Dawson aquifer as described herein. The Upper Dawson aquifer water will be used for ordinary household uses (0.9 acre-feet), irrigation of up to approximately 43,560 square-feet of lawn and garden (2.178 acre-feet), and non-commercial livestock watering (0.025 acre-feet per year) through a new well to be constructed on the Subject Property. The well will operate at a flow rate not to exceed 15 g.p.m. Sewage treatment for ordinary household uses will be provided by a non-evaporative septic system, and return flows from ordinary household, irrigation, and domestic animal and poultry use will be approximately 90%, 10%, and 0% of that use, respectively. Applicants will replace actual depletions to the affected stream system pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions may occur to West Cherry Creek, which is tributary to the South Platte River. During pumping, return flows in amounts sufficient to replace actual lagged depletions will accrue to West Cherry Creek. To meet post-pumping augmentation requirements, Applicants will reserve an amount of nontributary groundwater underlying the Subject Property equal to total depletions. 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: Applicants. 11. Notice: No 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. Therefore, no notice is necessary pursuant to C.R.S. § 37-90-137(2)(b)(II)(B). Applicants request that this Court approve the above-described plan for augmentation, find that Applicants have 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. [9 pages including 2 exhibits]

CASE NUMBER 2026CW3158 TINY TOWN INVESTMENT CORPORATION AND ADAM AND ANNA WOLKE, Tiny Town Investment Corporation, 6403 Boyd Court, Castle Rock, CO 80104; Adam and Anna Wolke, 5166 Bear Mountain Road, Evergreen, CO 80439 Broadway Street, Boulder, CO 80304; Email: a.wolke91@gmail.com; Telephone Number: (530) 227-4838 and Mountain Mutual Reservoir Company, 6949 Highway 73, Suite MW5, Evergreen, CO 80439; Email: norm@mmrcwater.com; Telephone Number: (303) 989-6932. Please address all correspondence for Tiny Town Investment Corporation, Adam and Anna Wolke and Mountain Mutual Reservoir Company to: Donald E. Frick, Esq., Crossing Waters, LLC, 1828 Morningstar Way, Fort Collins, CO 80524; Email: dfrick@crossingwaters.net; Telephone Number: (970) 227-9040 and Aaron S. Ladd, Esq., Dickinson Wright, PLLC, 1125 17th Street, Suite 550, Denver, CO 80202; Email: aladd@dwlaw.com; Telephone Number: (303) 723-8400. **APPLICATION TO AMEND AUGMENTATION PLAN TO ADD WELL AND WATER EXCHANGE PROJECT RIGHT IN JEFFERSON AND PARK COUNTIES, COLORADO.** 2. Background: Co-Applicant Tiny Town Investments operates a plan for augmentation decreed in Case No. 86CW021 (“86CW021 Decree”) for the augmentation of three wells used to serve the 285 Business Center located on property in the NE 1/4 SW 1/4 of Section 27 Township 5 South, Range 70 West, of the 6th P. M., Jefferson County, Colorado. The 86CW021 Decree quantified the excess augmentation water available to augment additional wells and determined that such surplus was available to be leased or sold to third parties. On March 4, 2026, Tiny Town sold two of its surplus shares of MMRC to the Wolkes, representing a portion of the excess augmentation water available under the 86CW021 Decree. The Wolkes own property located in the SW1/4 of Section 12, Township 5 South, Range 71 West of the 6th P.M., Jefferson County, Colorado, also known as Lot 1, Bear Mountain Vista Meadow, according to the Plat thereof recorded on September 24, 2008, at Reception No. 2008089673, and 5166 Bear Mountain Drive in Evergreen, Colorado, 80439-5610, as shown on the map attached as **Exhibit A** (the “Wolke Property”). Well Permit No. 231661-A is an exempt well located on the Wolke Property (Wolke Well No. 1). Tiny Town and the Wolkes seek a decree adding the Wolke Well No. 1 to Tiny Town’s augmentation plan to replace out-of-priority depletions arising from pumping of the Wolke Well No. 1 for use on the Wolke Property. Following entry of a decree in this case, the Wolke’s will seek a new well permit consistent with the terms of this augmentation plan. 3. Claim to Amend 86CW021 Augmentation Plan: Applicants seek to amend the plan for augmentation approved in the 86CW021 Decree, as supplemented by the 19CW3154 Decree, to add the Wolke Well No. 1, to operate the 86CW021 Decree based on actual well pumping from the 285 Business Center and diversions into the 285 Business Center Reservoir, and make replacements using 2.0 shares of MMRC, representing the right to 0.0628 acre-feet per year. Mountain Mutual owns and operates the following water rights associated with the 2.0 Shares; provided, however, that Tiny Town is the majority owner and operator of 285 Business Center Reservoir No. 1, listed below. The Wolkes also seek the right to add additional Mountain Mutual water to this augmentation plan to provide additional replacement water for outdoor uses in the future in the event they purchase additional share(s). 3.1. Water Rights Used as Replacements Sources for Augmentation Plan. 3.1.1. Spinney Mountain Reservoir: Spinney Mountain Reservoir is located on the South Platte River, with the left abutment of the dam at a point whence the Southwest corner of Section 36, Township 12 South, Range 74 West, 6th P.M., Park County, Colorado, bears South 23° 26' West a distance of 8,314.3 feet. North Fork Associates/Mountain Mutual Reservoir Company have a deeded right from the City of Aurora for a firm annual delivery of 80 acre-feet from the water decreed to the Spinney Mountain Reservoir including but not limited to the following: water from Case No. W-7395, with appropriation date of March 26, 1973, in the amount of 86,000 acre-feet. Such waters are decreed for domestic, irrigation, municipal and all other beneficial uses. As stated in a special warranty deed dated March 23, 1987, recorded in Park County on May 29, 1987, at Book 411 , Page 876, from the City of Aurora, grantor, to Mountain Mutual Reservoir Company and North Fork Associates, LLC, grantees, the supply of water which is lawfully available to the grantees and subject to this agreement includes an undivided interest in the right of first use of a firm yield

of 80 acre-feet of water per annum from "any of the water rights owned by Aurora and decreed for storage in Spinney Mountain Reservoir." The Tiny Town 86CW021 Decree included the right to 4.0 acre-feet of Mountain Mutual's right to annual water deliveries from Spinney Mountain Reservoir. The 86CW021 Decree required 1.49 acre-feet to meet the needs of its augmentation plan, and identified the remaining 2.51 acre-feet as surplus. Of the 2.51 acre-feet surplus, 2.15 acre-feet was sold and allocated to the augmentation plan decreed in Case No. 01CW161. The remaining surplus decreed in the Tiny Town 86CW021 Decree is 0.36 acre-feet; the Wolkes purchased 0.0628 acre-feet of this remaining surplus. A list of augmentation plans relying on Mountain Mutual Reservoir Company's interest in Spinney Mountain Reservoir is attached as **Exhibit B**.

3.1.2. Lower Sacramento Creek Reservoir No. 1: The Lower Sacramento Creek Reservoir Company, a Colorado corporation, owns and operates the Lower Sacramento Reservoir No. 1. North Fork Associates owns 932 shares of a total of 3,700 shares in the Company (a 25.2% interest). The reservoir has been constructed and holds the following decree for domestic, municipal, commercial, industrial, irrigation, fish and wildlife propagation, recreational and all other beneficial purposes, including exchange, to compensate for depletions in the South Platte River or its tributaries: Adjudication Date: 1974 (Case No. W-7741-74, Appropriation Date: July 25, 1974, Amount (AF): 40. The Reservoir is located in the NE1/4 NW1/4, Section 32 and the SE1/4 SW1/4, Section 29, Township 9 South, Range 72 West, of the 6th P. M., Park County, Colorado. The reservoir will be utilized as a regulatory reservoir for this and other plans of augmentation. Releases from the reservoir will be made to the Middle Fork of the South Platte River as provided in Case No. 84CW250 and 85CW465. This source is listed as an alternate replacement source.

3.1.3. 285 Business Center Reservoir No. 1, located in the NW1/4 SW1/4, Section 27, Township 5 South, Range 70 West, 6th P.M., as decreed in Case No. 86CW020 for 4.0 acre-feet. The Wolkes have an agreement with Tiny Town for storage of their water in, and release by Tiny Town from, the 285 Business Center Reservoir, which is majority-owned by Tiny Town and will be operated by Tiny Town in accordance with the terms of any decree entered in this case.

3.1.4. Soda Lakes Reservoirs Nos. 1 & 2. The Soda Lakes Reservoirs Nos. 1 and 2 located in Section 1, Township 5 South, Range 70 West, 6th P.M. in Jefferson County Colorado. The source of water is Bear Creek. Mountain Mutual owns 8.71 shares of the 400 shares issued and outstanding in the Soda Lakes Reservoir and Mineral Water Company (hereinafter "Soda Lakes"). The following water rights are decreed to Soda Lakes:

Decree	Appropriation Date	Amount (Acre-Feet)
Case No. 91471, Division No. 1, 1935	February 11, 1893	1,794
Case No. 91471, Division No. 1, 1935	February 11, 1893	598

The waters are decreed for domestic, irrigation and municipal uses. Pursuant to the Decree issued in Case No. 01CW293, this water may be used for replacement, augmentation, and exchange purposes.

3.1.5. Harriman Ditch: The Harriman Ditch diverts water from Bear Creek and Turkey Creek. The Bear Creek headgate is located on the south bank of the Creek, in Section 2, Township 5 South, Range 70 West, 6th P.M., in Jefferson County. The Turkey Creek headgate is located on the south bank of the Creek, near the Southwest corner of Section 6, Township 5 South, Range 69 West, 6th P.M. Jefferson County. The following water rights are decreed to the Harriman Ditch in Case No. 6832, Arapahoe County District Court, Water Division 9, February 4, 1884:

Appropriation Date	Priority No.	Source	Amount Decreed	Amount Owned by MMRC
April 15, 1868	21	Turkey Creek	10.75 cfs	0.2072 cfs
April 15, 1868	23	Bear Creek	7.94 cfs	0.1530 cfs
May 1, 1871	25	Bear Creek	25.54 cfs	0.4923 cfs
March 1, 1882	30	Bear Creek	12.87 cfs	0.2481 cfs

The water rights are decreed for irrigation, domestic and municipal uses. Mountain Mutual owns 7.71 shares of 400 shares issued and outstanding in the Harriman Ditch Company. Pursuant to the Decree issued in Case No. 01CW293, this water may be used for replacement, augmentation, exchange, and storage purposes.

3.1.6. The Warrior Ditch: also diverts water from Bear Creek and Turkey Creek. The original points of diversion of the Warrior Ditch were changed by the District Water Court in Case No. W-8344-76

on May 22, 1979, to the present location of the Harriman Ditch headgates. The following water rights are decreed to the Warrior Ditch.

Appropriation Date	Priority No.	Source	Amount Decreed	Amount Owned by MMRC
December 1, 1861	4	Bear Creek	12.33 cfs	0.1541 cfs
April 16, 1862	8	Turkey Creek	2.86 cfs	0.0358 cfs
October 31, 1864	14	Bear Creek	25.47 cfs	0.3184 cfs
April 1, 1865	16	Bear Creek	11.49 cfs	0.1436 cfs

The water rights were originally decreed for irrigation uses. Mountain Mutual owns 2.0 shares of 160 shares issued and outstanding in the Warrior Ditch Company. Pursuant to the Decree issued in Case No. 01CW293, this water may be used for replacement, augmentation, exchange, and storage purposes. 3.1.7. Meadowview Reservoir: Meadowview Reservoir is located in the NE1/4 SW1/4 and the NW1/4 SE1/4 of Section 26, Township 5 South, Range 71 West, 6th P.M., Jefferson County, Colorado. The source is North Turkey Creek and water tributary to North Turkey Creek. The reservoir capacity is 50.8 acre-feet. Water in Meadowview Reservoir is decreed for augmentation and replacement purposes as decreed before the District Court for Water, Division 1, in Case No. 01CW294 and in Case No. 94CW290. 3.1.8. The overall “firm” yield of consumptive use water available from the MMRC portfolio of Bear Creek/Turkey Creek Water Rights and storage facilities was quantified in the Decrees entered by the District Court for Water Division 1 in Case No. 01CW293, dated July 16, 2003, and Case No. 94CW290, dated October 16, 2006. The terms and conditions under which the Bear Creek/Turkey Creek Water Rights are used for augmentation and replacement purposes are set forth in the Decrees in Case Nos. 01CW293 and 94CW290, and are deemed to be res judicata in future proceedings involving such rights, pursuant to *Williams v. Midway Ranches*, 938 P.2d 515 (Colo. 1997). The decree in Case No. 19CW3154 allows Mountain Mutual Reservoir Company, subject to the terms and conditions of that decree, to use Soda Lakes Reservoir Nos. 1 & 2, Meadowview Reservoir, Warrior Ditch, and Harriman Ditch, as alternative replacement supplies for the 86CW021 Decree. 3.2. Terms from Case No. 19CW3154: Defined terms used here but not defined or used in other sections of this application shall have the meaning set forth in the Decree for Case No. 19CW3154. 3.2.1. When and to the extent the Bear Creek/Turkey Creek Firm Yield is not needed to make replacements pursuant to the decreed augmentation plans entitled to use that supply, MMRC’s use of the Bear Creek/Turkey Creek Firm Yield may be used as a Supplemental Supply as defined in the decree in Case No. 19CW3154 only in the manner, and subject to the terms and conditions, set forth in said decree, including but not limited to the provisions set forth in Sections 21.1 through 21.7, 22.1, 22.2.1 through 22.2.9 and 22.3.1 and 22.3.2. An excerpt of the decree in Case No. 19CW3154 that includes these referenced sections will be attached as an exhibit to the final decree in this case. 3.2.2. On an ongoing basis, if MMRC’s storage volume in Meadowview Reservoir is less than the Turkey Creek Estimated Actual Depletions from the current month until the next April 30, MMRC shall cease making replacements of pond evaporation depletions in the Turkey Creek basin that are to be augmented pursuant to this application. 4. Statement of Plan for Augmentation for Wolke Well No. 1: The indoor water requirements for Wolke Well No. 1 are for one single-family dwelling to be constructed, with an average occupancy of 3.5 persons and one auxiliary dwelling unit (ADU) with an average occupancy of 2.0 persons (“Indoor Use”). The estimated water requirements for Indoor Use is 70 gallons per capita per day (gpcd), with 10% consumption based on subsurface discharge from individual septic tank soil absorption systems. Outdoor uses include irrigation for a small garden requiring 0.5 acre-feet per acre with 80% consumed and to replace evaporation from a hot tub, requiring replacement of 0.0056 acre-feet per year. Total consumptive use, including transit loss, will not exceed 0.0628 acre-feet per year. However, the inclusion of additional MMRC share(s), or fractional shares, in this plan for augmentation, would be used for additional garden irrigation or for horses (or equivalent animals) requiring 0.011 acre-feet per year per animal with 100% consumed. Due to the small volume of annual stream depletions projected to occur under this plan, instantaneous stream depletions may be aggregated and replaced by one or more releases of short duration. Augmentation water to cover out-of-priority stream depletions attributable to pumping the Wolke Well No. 1 for use on the Wolke Property will be provided by the water exchange decreed in Case No. 86CW021 and as described

in paragraph 5, below. 5. Water Exchange Reach: The total consumptive use water requirement will be approximately 0.0628 of an acre-foot, needed at the point of depletion to Parmalee Gulch, tributary to Turkey Creek, which is estimated to be in the SW1/4 of Section 12, Township 5 South, Range 71 West of the 6th P.M. This is upstream of the points of replacement identified above. Depletions to Turkey Creek associated with water usage from Wolke Well No. 1 will be within the exchange reach of the MMRC exchanges decreed in Case Nos. 94CW290 and 01CW293 and of Tiny Town in the 86CW21 Decree. These previously decreed exchange reaches are from the confluence of Bear Creek and Turkey Creek in the NE1/4 NW1/4, Section 5, Township 5 South, Range 69 West, thence up Turkey Creek to the confluence of North Turkey Creek and South Turkey Creek in the SW1/4 SW1/4, Section 22, Township 5 South, Range 70 West, thence up North Turkey Creek to the inlet structure for Meadowview Reservoir in the S1/2, Section 26, Township 5 South, Range 71 West, all in the 6th P.M. (collectively, the "MMRC Exchanges") or up to the 285 Business Center Reservoir located in the NW1/4 SW1/4, Section 27, Township 5 South, Range 70 West, 6th P.M. However, because the point of depletion for the Wolke Well No. 1 is upstream of the MMRC Exchanges and Tiny Town Exchange, Applicants assert an exchange project right pursuant to Section 37-92-103(9), 37-92-302(1)(a), 37-92-302(5), 37-92-305(3), 37-92-305(5), and 37-92-305(8)(a), C.R.S ("Wolke Exchange Project"). The Wolke Exchange Project shall extend from the confluence of Turkey Creek and Parmalee Gulch in the NW1/4 of the SE1/4 of Section 16, Township 5 South, Range 70 West up to the point of depletion identified above. The MMRC Exchanges described in Case Nos. 94CW290 and 01CW293 are operated and administered with priority dates of December 30, 1994, and December 31, 2001, respectively and the Tiny Town 86CW21 exchange is operated and administered with a priority date of January 17, 1986. The Wolke Exchange Project will be operated and administered with a priority date of August 31, 2026, at a rate of 0.001 cfs. In the event there is a senior call between the source of the water and the point of depletion that precludes the exchanges, and Applicants cannot release water from storage on Turkey Creek, Applicants can have replacement water delivered via trucking to a point above the calling right, or release water from an onsite container. 6. Names and Addresses of the Owner of the Structures and Diversion Facilities Listed Above: The Wolke Well No. 1 is owned by Co-Applicants Adam and Anna Wolke. WHEREFORE, Applicants request the entry of a decree approving this Application, specifically (1) granting the appropriations sought in this Application; (2) authorizing use of the augmentation supplies described in this Application, (3) approving the amendment to the decree entered in Case No. 86CW021, and (4) determining that the source and location of delivery of augmentation water are sufficient to prevent material injury to vested water rights. The Applicants also request entry of an Order directing the State Engineer to issue a well permit for the use of the Wolke Well No. 1 consistent with the final decree entered in this case, and such other order as the Court deems appropriate. (10 pages, 2 Exhibits)

CASE NUMBER 2026CW3159 (2019CW3159) DISTRICT COURT, WATER DIVISION 1, COLORADO, 901 9th Avenue, Greeley, Colorado 80631, 970-475-2400. **CONCERNING THE APPLICATION FOR WATER RIGHTS OF TSM FARMS, LLC AND NORTH STERLING IRRIGATION DISTRICT. APPLICATION TO MAKE ABSOLUTE AND FOR FINDINGS OF REASONABLE DILIGENCE IN LOGAN AND MORGAN COUNTIES.** 1. Names, mailing addresses, e-mail addresses and telephone numbers of applicants: TSM Farms, LLC, c/o Terry Miller, 25490 WCR 58, Greeley, Colorado 80631, terry@mmexcav.com, 970-539-2302, North Sterling Irrigation District, c/o Jeremy Fisher, Manager, P.O. Box 103, Sterling, Colorado 80751, jeremy@northsterling.org, 970-522-2025. 2. Name of Well: TSM Well No. 4; WDID No. 64-06110. 3. Description of Conditional Water Rights: A. Prior Decrees: TSM Well No. 4 was originally decreed as "Well No. 4 – Unregistered" in Case No. W-762, entered on October 31, 1972. By decree in Case No. 11CW75, entered on May 3, 2012, irrigation use of the well was included in the North Sterling Augmentation Plan. By decree in Case No. 19CW3159, entered on September 23, 2020, commercial and stock watering uses in a feedlot were added as new uses of the well and were included in the North Sterling Augmentation Plan. All decrees are by the District Court in and for Water Division No. 1., B. Legal description of point of diversion: TSM Well No. 4 is located at a point 20 feet south and 2720 feet East of the Northwest corner of Section 11, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado. The UTM coordinates are as

follows: 656730 mE, 4515456 mN, Zone 13., C. Source: Groundwater tributary to the South Platte River, D. Date of appropriation: October 21, 1964, for original date of appropriation for irrigation purposes; and August 23, 2019, for the new uses of commercial and stock watering, E. Amount: 1.67 cfs (750 gpm). In Case No. 19CW3159, 0.24 cfs (107 gpm) was decreed absolute and 1.43 cfs (643 gpm) was decreed as remaining conditional, F. Proposed Use: Commercial and stock watering uses in a feedlot located in the West Half of Section 12 and the East Half of Section 11, Township 9 North, Range 52 West of the 6th P.M., Logan County, Colorado. 4. Claim to make absolute in whole or in part: Applicant, TSM Farms LLC has pumped the subject well at a rate greater than 0.624 cfs (280 gpm) on two days in July 2024 and used the water so pumped for the decreed purpose of commercial and stock watering. The amount pumped and used exceeds the amount previously decreed absolute by such well by 0.384 cfs (172 gpm). Therefore, the Applicant requests that the water right associated with TSM Well No. 4 be made absolute for 0.624 cfs (280 gpm) total, leaving 1.046 cfs (470 gpm) conditional. 5. Request for findings of reasonable diligence: Applicants request a finding of reasonable diligence in the development of the remaining conditional water rights associated with TSM Well No. 4, for all conditional amounts and uses, and continuing such conditional water rights in full force and effect. 6. Provide a detailed outline of what has been done for completion of the appropriation and application of the water to a beneficial use as conditionally decreed, including expenditures: TSM Farms, LLC, (“TSM”) has been making improvements to the watering system serving the feedlot, as well as expanding the feedlot to its full capacity. The TSM Well No. 4 well at issue is an important component of the system and has been improved and pumped and used for the decreed purposes during the last diligence period. TSM installed a variable frequency drive pump, pressure tank, pipeline and associated state of the art communication and control system in 2019. TSM Farms, LLC has been operating the water system for the feedlot continuously since the installation of this new system and has spent over \$300,000 in the past six years on maintenance, operations and improvements to the system. 7. Names and addresses of owners or reputed owners of the land upon which any new diversion structure or storage structure, or modification to an 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: The well and the feedlot where the water has and will be used are on land owned by TSM Farms, LLC. WHEREFORE, Applicants request the Court to enter a decree (1) granting Applicants’ request to make an additional 0.384 cfs (172 gpm) absolute for the water right associated with TSM Well No. 4, for a total absolute amount of 0.624 cfs (280 gpm), as described in Paragraph 4 above; (2) finding that reasonable diligence toward the completion of the appropriation of the remaining subject conditional water rights has been exercised and continuing the subject conditional water rights in full force and effect for an additional diligence period; and (3) granting such other and further relief as deemed appropriate.

(4 pages)

CASE NUMBER 2026CW3160 ALPINE LAND RESOURCES LLC (“Alpine”), 970 Yuma St., Denver, CO 80204; Please direct all correspondence to: Wesley S. Knoll, Lawrence Custer Grasmick Jones & Donovan LLP, 5245 Ronald Reagan Blvd., Suite 1, Johnstown, CO 80534; wes@lwwaterlaw.com; **APPLICATION FOR NONTRIBUTARY UNDERGROUND WATER RIGHTS IN THE UPPER LARAMIE AQUIFER IN WELD COUNTY**; 1.2. Landowners: 1.2.1. Cedar Hill Farm, LLC, 1719 E. Mulberry Street Fort Collins, CO 80524, 1.2.2. CF Stephan’s Fruition, LLC P.O. Box 604 Cheyenne, WY 82003 1.2.5. Kyle W. Breeden 149 County Road 143 Carpenter, WY 82054 1.2.5. Lind Land Holdings, Inc. 9672 County Road 74 Windsor, CO 80550 1.2.5. Robert E. Wagner, Jr. & Jan G. Wagner (also known as Elizabeth Jan Gillespie-Wagner) 18025 County Road 128 Nunn, CO 80648 1.2.6. Larry Maese & Terrie Ann Tenorio P.O. Box 604 Cheyenne, WY 82003 1.2.7. Albert Lloyd Cashman & Sharon D. Cashman 9728 Branding Iron Drive, Cheyenne, WY 82009 1.2.8. Tree Patch Energy, LLC c/o Duane Roberts, President 11757 W. Ken Caryl Ave. Ste F-110 Littleton, CO 80127 2. **Description of Application.** 2.1. **Overview**: Alpine is filing this Application pursuant to section 37-92-203, C.R.S., for determination of rights to nontributary groundwater located outside of a designated basin underlying approximately 153.6 acres owned by Cedar Hill Farm, LLC (“Cedar Hill”); approximately 470 acres owned by CF Stephan’s Fruition, LLC (“CF Stephan’s”); approximately 2,198 acres owned by Kyle W. Breeden (“Breeden”);

approximately 2,520 acres owned by Lind Land Holdings, Inc., (“Lind Land”); approximately 5,181 owned by Robert E. Wagner, Jr. and Jan G. Wagner (“Wagner”); approximately 78.24 acres owned by the Larry Maese and Terrie Ann Tenorio (“Maese-Tenorio”); approximately 312 owned by the Albert Lloyd Cashman and Sharon D. Cashman (“Cashman”); and approximately 959.5 owned by Tree Patch Energy, LLC (“Roberts”) in total, approximately 11,872.34 acres. Section 37-90-137(4), C.R.S. defines the nature and extent of the water rights claimed in this Application. Pursuant to the Nontributary Groundwater Lease, dated March 24, 2026, Alpine is leasing and has Cedar Hill’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Cedar Hill’s property (the “Cedar Hill Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Cedar Hill Property is attached as **EXHIBIT A** (the “Cedar Hill Lease”). Pursuant to the Nontributary Groundwater Lease, dated December 19, 2024, Alpine is leasing and has CF Stephan’s consent to adjudicate and withdraw the deep aquifer groundwater underlying CF Stephan’s property (the “CF Stephan’s Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the CF Stephan’s Property is attached as **EXHIBIT B** (the “CF Stephan’s Lease”). Pursuant to the Nontributary Groundwater Lease, dated December 19, 2024, Alpine is leasing and has Breeden’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Breeden’s property (the “Breeden Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Breeden’s Property is attached as **EXHIBIT C** (the “Breeden Lease”). Pursuant to the Nontributary Groundwater Lease, dated December 19, 2025, Alpine is leasing and has Lind Land’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Lind Land’s property (the “Lind Land Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Lind Land’s Property is attached as **EXHIBIT D** (the “Lind Land Lease”). Pursuant to the Nontributary Groundwater Lease, dated December 23, 2025, Alpine is leasing and has Wagner’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Wagner’s property (the “Wagner Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Wagner Property is attached as **EXHIBIT E** (the “Wagner Lease”). Pursuant to the Nontributary Groundwater Lease, dated December 5, 2024, Alpine is leasing and has Maese-Tenorio’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Maese-Tenorio’s property (the “Maese-Tenorio Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Maese-Tenorio Property is attached as **EXHIBIT F** (the “Maese-Tenorio Lease”). Pursuant to the Nontributary Groundwater Lease, dated March 10, 2025, Alpine is leasing and has Cashman’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Cashman’s property (the “Cashman Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Cashman Property is attached as **EXHIBIT G** (the “Cashman Lease”). Pursuant to the Nontributary Groundwater Lease, dated October 24, 2024, Alpine is leasing and has Roberts’s consent to adjudicate and withdraw the deep aquifer groundwater underlying Roberts’s property (the “Roberts Overlying Land”). The Memorandum of Nontributary Groundwater Lease for the Roberts Property is attached as **EXHIBIT H** (the “Roberts Lease”). This Application refers to the Cedar Hill Overlying Land, CF Stephan’s Overlying Land, Breeden Overlying Land, Lind Land Overlying Land, the Wagner Overlying Land, the Maese-Tenorio Overlying Land, the Cashman Overlying Land, and the Roberts Overlying Land collectively as the “Overlying Land.” The Maps of the Overlying Lands are included in **EXHIBITS A through H**. This Application seeks a determination of the nontributary character and quantity of the groundwater in the aquifer occurring within the Upper Laramie formation (the “Upper Laramie aquifer”) underlying the Overlying Land that is available to Applicant for withdrawal and beneficial use. Applicant’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 Case No. 20CW3113, Application of Lazy D Grazing Association, Inc.; Case No. 24CW3041, Application of Basin Lands LLC and Case No. 19CW3200, Application of Thirty Mile Ranch. The overlying land in those cases is in close proximity to the Overlying Land. Based on information developed by the Applicant’s engineering consultants and the technical reports, factual findings, and other precedent from the other nontributary applications in the area, Applicant’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 §37-90-103(10.5), C.R.S. 2.2. Landowners: Cedar Hill Farm, LLC is the owner of the Cedar Hill Overlying Land

subject to the Cedar Hill Lease, CF Stephan's Fruition, LLC is the owner of the CF Stephan's Overlying Land subject to the CF Stephan's Lease, Kyle W. Breeden is the owner of the Breeden Overlying Land subject to the Breeden Lease, Lind Land Holdings, Inc. is the owner of the Lind Land Overlying Land subject to the Lind Land Lease, Robert E. Wagner, Jr. & Jan G. Wagner are the owners of the Wagner Overlying Land subject to the Wagner Lease, Larry Maese & Terrie Ann Tenorio are the owners of the Maese-Tenorio Overlying Land subject to the Maese-Tenorio Lease, Albert Lloyd Cashman & Sharon D. Cashman are the owners of the Cashman Overlying Land subject to the Cashman Lease, Tree Patch Energy, LLC are the owners of the Roberts Overlying Land subject to the Roberts Lease. Each of the leases authorizes Alpine to file this Application to adjudicate, permit, withdraw, and use the Upper Laramie aquifer groundwater underlying the Overlying Land. The deeds evidencing Cedar Hill Farm's ownership of the Cedar Hill Overlying Land are attached as **EXHIBIT I**, the deeds evidencing CF Stephan's Fruition's ownership of the CF Stephan's Overlying Land are attached as **EXHIBIT J**, the deeds evidencing Kyle W. Breeden's ownership of the Breeden Overlying Land are attached as **EXHIBIT K**, the deeds evidencing Lind Land Holdings' ownership of the Lind Land Overlying Land are attached as **EXHIBIT L**, the deeds evidencing Robert E. Wagner, Jr. & Jan G. Wagner's ownership of the Wagner Overlying Land are attached as **EXHIBIT M**, the deeds evidencing Larry Maese & Terrie Ann Tenorio's ownership of the Maese-Tenorio Overlying Land are attached as **EXHIBIT N**, the deeds evidencing Albert Lloyd Cashman and Sharon D. Cashman's ownership of the Cashman Overlying Land are attached as **EXHIBIT O**, and the deeds evidencing Tree Patch Energy LLC's ownership of the Roberts Overlying Land are attached as **EXHIBIT P**.

3. Jurisdiction: The Court has jurisdiction over the subject matter of this Application pursuant to §§37-92-302(2) and 37-90-137(6), C.R.S. The lands are located outside any designated groundwater basin, and, thus, Alpine's wells will divert only nontributary groundwater located outside the boundaries of any designated groundwater basin.

4. Well permits: Alpine will submit well permit applications for the wells that will withdraw the nontributary groundwater adjudicated in this matter when it is 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 11,872.34 acres, including approximately 153.6 acres associated with the Cedar Hill Lease, approximately 470 acres associated with the CF Stephan's Lease, approximately 2,198 acres associated with the Breeden Lease, approximately 2,520 acres associated with the Lind Land Lease, approximately 5,181 acres associated with the Wagner Lease, approximately 78.24 acres associated with the Maese-Tenorio Lease, approximately 312 acres associated with the Cashman Lease, and approximately 959.5 acres associated with the Roberts Lease.

5.1.1. Cedar Hill Overlying Lands are located in Weld County and includes portions of Section 19, T11N, R65W of the 6th P.M. Legal descriptions for the Cedar Hill Overlying Lands are contained in the deeds included as **EXHIBIT I**.

5.1.2. CF Stephan's Overlying Lands are located in Weld County and includes portions of Sections 26 and 34, T12N, R65W of the 6th P.M. Legal descriptions for the CF Stephan's Overlying Lands are contained in the deeds included as **EXHIBIT J**.

5.1.3. Breeden Overlying Lands are located in Weld County and includes portions of Sections 4, 5 and 6, T11N, R65W of the 6th P.M.; and Sections 31 and 32, T12N, R65W of the 6th P.M. Legal descriptions for the Breeden Overlying Lands are contained in the deeds included as **EXHIBIT K**.

5.1.4. Lind Land Overlying Lands is located in Weld County and includes portions of Sections 19, 20 and 30, T11N, R65W of the 6th P.M.; and Sections 13 and 24, T11N, R66W of the 6th P.M. Legal descriptions for the Lind Land Overlying Lands are contained in the deeds included as **EXHIBIT L**.

5.1.5. Wagner Overlying Lands are located in Weld County and includes portions of Sections 8, 9, 10, 11, 13, 14, 15, 17 and 18, T11N, R65W of the 6th P.M. Legal descriptions for the Wagner Overlying Lands are contained in the deeds included as **EXHIBIT M**.

5.1.6. Maese-Tenorio Overlying Lands are located in Weld County and includes portions of Section 26, T12N, R65W of the 6th P.M. Legal descriptions for the Maese-Tenorio Overlying Lands are contained in the deeds included as **EXHIBIT N**.

5.1.7. Cashman Overlying Lands are located in Weld County and includes portions of Section 32, T12N, R65W of the 6th P.M. Legal descriptions for the Cashman Overlying Lands are contained in the deeds included as **EXHIBIT O**.

5.1.8. Roberts Overlying Lands are located in Weld County and includes portions of Section 34, T12N, R65W of the 6th P.M., and portions of Section 3,

T11N, R65W of the 6th P.M. Legal descriptions for the Roberts Overlying Lands are contained in the deeds included as **EXHIBIT P**. 5.2. Well locations: Alpine requests the right to construct wells anywhere on the Overlying Land, consistent with the Cedar Hill Lease, the CF Stephan's Lease, the Breeden Lease, the Lind Land Lease, the Wagner Lease, the Maese-Tenorio Lease, the Cashman Lease, and the Roberts 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**: The Application only seeks a determination with respect to the Upper Laramie aquifer. Alpine's geologic analysis indicates that the groundwater contained in the Upper Laramie aquifer underlying the Overlying Land is nontributary as defined in §37-90-103(10.5), C.R.S. Alpine seeks a determination of only the Upper Laramie'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**: Alpine seeks a decree for all nontributary groundwater from the Upper Laramie aquifer underlying the Overlying Land. Pursuant to §37-90-137(4), C.R.S., Alpine 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 thicknesses of saturated aquifer materials of the aquifer underlying each section of the Overlying Land and using an appropriate specific yield for the Upper Laramie aquifer at the Overlying Land. Using currently available data, Applicant's engineering consultants estimate that a total of 8,356.1 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Overlying Land, as follows: 9.1.1. Applicant's engineering consultants estimate that 114.8 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Cedar Hill Overlying Land. Aquifer properties for the Cedar Hill Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.2. Applicant's engineering consultants estimate that 311.3 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the CF Stephan's Overlying Land. Aquifer properties for the CF Stephan's Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.3. Applicant's engineering consultants estimate that 1,516.6 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Breeden Overlying Land. Aquifer properties for the Breeden Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.4. Applicant's engineering consultants estimate that 1,884.0 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Lind Land Overlying Land. Aquifer properties for the Lind Land Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.5. Applicant's engineering consultants estimate that 3,626.7 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Wagner Overlying Land. Aquifer properties for the Wagner Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.6. Applicant's engineering consultants estimate that 51.8 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Maese-Tenorio Overlying Land. Aquifer properties for the Maese-Tenorio Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.7. Applicant's engineering consultants estimate that 215.3 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Cashman Overlying Land. Aquifer properties for the Cashman Overlying Land are set forth in the table attached as **EXHIBIT Q**. 9.1.8. Applicant's engineering consultants estimate that 635.6 average annual acre-feet based on an aquifer life of 100 years is available from the Upper Laramie aquifer underlying the Roberts Overlying Land. Aquifer properties for the Roberts Overlying Land are set forth in the table attached as **EXHIBIT Q**. 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 200 gpm to 1,000 gpm, although

Alpine requests 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:** Alpine seeks 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. Alpine requests that all wells completed into the Upper Laramie aquifer located on the Overlying Land be treated as a well field, except any existing wells described in ¶ 12 below. Alpine will file well permit applications, in accordance with §37-90-137(10), C.R.S., prior to the construction of wells. 11. **Proposed uses:** Alpine requests 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 Alpine or others to whom Alpine may lease, sell, assign, or otherwise provide the water, or by Landowner(s) consistent with the terms of their leases. 12. **Other wells located on the Overlying Land:** To the extent an existing well withdraws water from the Upper Laramie aquifer, 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. 13.1. Owners of the Overlying Land: Cedar Hill, CF Stephan's, Breeden, Lind Land, Wagner, Maese-Tenorio, Cashman, and Roberts have leased to Alpine all rights to the groundwater in the Upper Laramie aquifer underlying the Overlying Land that is the subject of this Application, including the right to seek a determination of the groundwater and use the groundwater for all beneficial purposes. 13.1.1. Cedar Hill's address is set forth in ¶ 1.2.1., above. 13.1.2. CF Stephan's address is set forth in ¶ 1.2.2., above. 13.1.3. Breeden's address is set forth in ¶ 1.2.3., above. 13.1.4. Lind Land's address is set forth in ¶ 1.2.4., above. 13.1.5. Wagner's address is set forth in ¶ 1.2.5., above. 13.1.6. Maese-Tenorio's address is set forth in ¶ 1.2.6., above. 13.1.7. Cashman's address is set forth in ¶ 1.2.7., above. 13.1.8. Roberts's address is set forth in ¶ 1.2.8., above. 13.2. Notice requirements: In compliance with §37-92-302(2)(b), C.R.S., Applicant certifies 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. 14. **Request for Ruling and Decree:** 14.1. A determination that the groundwater in the Upper Laramie aquifer underlying the Overlying Land is nontributary groundwater as defined in §37-90-103(10.5), C.R.S. 14.2. A quantification and adjudication of the groundwater rights in the Upper Laramie aquifer underlying the Overlying Land which Alpine is entitled to develop and use, consistent with the Cedar Hill Lease, CF Stephan's Lease, Breeden Lease, Lind Land Lease, the Wagner Lease, the Maese-Tenorio Lease, the Cashman Lease, and the Roberts Lease and exclusive of any artificial recharge. 14.3. 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. 14.4. 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. 14.5. 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. 14.6. 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 §37-92-302(2)(b), C.R.S. 14.7. Such other relief as it deems proper on the premises. This Application consists of ten (10) pages and Exhibits A-Q.

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

NOVEMBER 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.