

**DISTRICT COURT, WATER DIVISION 6, COLORADO**  
**TO ALL PERSONS INTERESTED IN WATER APPLICATIONS**  
**IN WATER DIVISION 6**

Pursuant to C.R.S. 37-92-302, you are hereby notified that the following pages comprise a resume of Applications and Amended Applications filed in the office of Water Division 6, during the month of **December 2023**.

**23CW15 RIO BLANCO COUNTY APPLICATION FOR APPROVAL OF PLAN FOR AUGMENTATION.** Applicant: Lower Pasture, LLC, Tom Tucker, 2306 Valley Forge Court, Fort Collins, CO 80526; 970-231-0411; bufordco@gmail.com. Structure: Tucker Ditch No 1. Is structure decreed: YES Decree: 2023CW6 Division 6. Legal: SW 1/4, NW 1/4, S9, T15, R91W, 6th PM, Rio Blanco County. UTM: E276342 N4429397 Zone 13. Appropriation Date: 7/7/2016 GPM: Conditional .75 CFS, Absolute Pending. Source: Unnamed Trib to Tucker Ditch No 1 Trib to White River. Decreed Uses: Irrigation of 12 acres, fill and refill fishpond. Other water rights diverted from this structure: NO. Date of Original and all relevant subsequent decrees: November 5, 1957. Case: CA0999 File 21247 Division 6 Routt County Colorado. Type of water right: Surface Legal description of each point or diversion storage structure: W 1/4 corner of Section 9, T15, R91W, 6th PM bears S / 38° 49'. Verbatim legal description of each structure from the most recent decree that adjudicated the location:

West 1/4 corner of Section 9, T15, R91W 6th PM bearing S / 38° 49'. Source: North Fork White River. Appropriation Date: 10/22/1957 Amount Decreed: Absolute 3.2 cfs. Amount to be included in this plan for augmentation: .75 cfs Decreed Uses: irrigation, piscatorial recreation, recreational, stock watering. Does Applicant intend to change a water right to provide a source of augmentation: NO Statement of Plan for Augmentation: When a call is issued affecting Case 23CW6 (Lower Pasture LLC) The Buford Ditch (File 21247) flow will be reduced .75 cfs to allow .75 cfs to continue flowing about 2400 ft down stream to the Lower Pasture Headgate to flow into the pasture and fishpond. There are no other headgates or users between the two ditches. There is no harm to other users and the same amount of water is used. Owners: Applicant

**23CW3038 RIO BLANCO** (Oldland Brothers No. I-4 Well: 2016CW3051; 2010CW8; 2002CW245; 1996CW48; 1990CW32; 1986CW38; 1982CW26; W-3500) (Bute No. 25 Well: 2016CW3052; 2010CW7; 2002CW244 1996CW47; 1990CW31; 1986CW39; 1982CW25; W-3499) **TRIBUTARIES INVOLVED: PICEANCE CREEK AND MIDDLE STEWART GULCH, IN RIO BLANCO COUNTY. APPLICATION FOR FINDING OF REASONABLE DILIGENCE** 1. Name, Address and Telephone Number of Applicant. The Oil Shale Corporation (TOSCO), c/o Kenneth Moursund, Senior Counsel, ConocoPhillips Company, 925 North Eldridge Parkway, Houston, Texas 77079. Please forward all pleadings, correspondence, and inquiries regarding this matter to the attorneys for TOSCO: Alan E. Curtis, Nicolì R. Bowley, White & Jankowski LLC, 1333 West 120th Avenue, Suite 302, Westminster, Colorado 80234. 2. Summary of Application. TOSCO seeks a finding of reasonable diligence for the Oldland Brothers No. I-4 Well and the Bute No. 25 Well (Oldland I-4/Bute 25 Well Water Rights). The portions of the Oldland I-4/Bute 25 Well Water Rights previously made absolute are not at issue in these diligence proceedings. 3. Description of Oldland I-4/Bute 25 Well Water Rights. a. Name of Structure. Oldland Brothers No. I-4 Well. i. Date of Original Decree. May 16, 1978, Case No. W-3500, Water Division 5. ii. Subsequent Diligence Decrees. Subsequent diligence decrees were awarded in the following Division 5 Water Court cases: (1) 82CW26 (June 24, 1982); (2) 86CW38 (June 30, 1986); (3) 90CW32 (July 24, 1990); (4) 96CW48 (September 17, 1996); (5) 02CW245 (February 18, 2004); (6) 10CW008 (December 19, 2010); and in Division 6 Water Court Case No. 16CW3051 (December 24, 2017) (16CW3051 Decree). iii. Location. In the NW¼ of the NE¼ of Section 11, Township 3 South, Range 96 West of the 6th P.M. at a point 741 feet South of the North line and 1,922 feet West of the East line of said Section 11. UTM coordinates: Northing 4,411,130.1 m, Easting 231,792.9 m (NAD 1983 UTM Zone 13N). See FIGURE 1. iv. Depth. Approximately 1,000 feet. v. Source. Tributary to the White River. vi. Appropriation Date. April 1, 1955. vii. Amount. 0.495 cubic feet per second (cfs) (absolute); 0.352 cfs (conditional). viii. Uses. Irrigation, domestic, industrial, livestock water and commercial. ix. Place of Use. Lands leased or owned by TOSCO. See FIGURE 2. b. Name of Structure. Bute No. 25 Well. i. Date of Original Decree. May 12, 1978, Case No. W-3499, Water Division 5. ii. Subsequent Diligence Decrees. Subsequent diligence decrees were awarded in the following Division 5 Water Court Case Nos.: (1) 82CW25 (June 24, 1982); (2) 86CW39 (June 30, 1986); (3) 90CW31 (July 24, 1990); (4) 96CW47 (September 17, 1996); (5) 02CW244 (February 18, 2004); (6) 10CW007 (December 19, 2010); and in Division 6 Water Court Case No. 16CW3052 (December 24, 2017) (16CW3052 Decree). iii. Location of Structure. In the SE¼ of the NE¼ of Section 9, Township 4 South, Range 96 West of the 6th P.M. at a point 2,278 feet South of the North line and 1,070 feet West of the East line of said Section 9. UTM coordinates: Northing 4,401,238.0 m, Easting 228,453.2 m (NAD 1983 UTM Zone 13N). See FIGURE 1. iv. Depth. Approximately 721.1 feet. v. Source. Tributary to the White River. vi. Appropriation Date. May 8, 1972. vii. Amount. 0.111 cfs (absolute); 0.814 cfs (conditional). viii. Uses. Irrigation, domestic, industrial, livestock water and commercial. ix. Place of Use. Lands leased or owned by TOSCO. See FIGURE 2. 4. Background Information Regarding TOSCO. a. TOSCO/ConocoPhillips Company. TOSCO is a Delaware Corporation qualified to do business in the State of Colorado. TOSCO is and has been a wholly owned subsidiary of the ConocoPhillips Company (Conoco) since January 1, 2003. b. TOSCO's/Conoco's Oil Shale Lands. TOSCO and Conoco hold interest in fee in over 37,700 acres of oil shale lands in Garfield and Rio Blanco counties in Colorado. c. Need for Oldland I-4/Bute 25 Well Water Rights. The Oldland I-4/Bute 25 Well Water Rights were appropriated and are needed for the commercial development of TOSCO and Conoco's oil shale properties, including industrial, domestic, municipal, environmental, recreational, irrigation, power, mining, retorting, refining, dust control and reclamation uses associated with such development. d. TOSCO's Integrated Water Development System. The Oldland I-4/Bute 25 Well Water Rights are part of the integrated water supply system needed for the commercial development of TOSCO and Conoco's oil shale properties (TOSCO's Integrated Water Development System) which includes water rights associated with the following: i. Conditional Surface Water Rights. The Oil Shale Company Pipeline and Pumping Plant (C.A. 4914, alternate point of diversion in W-2785); Trail Gulch Reservoir (C.A. 6404, enlargement and alternate place of storage on Carr Creek in 79CW353); the Ertl Pipeline (C.A. 1269, alternate point of diversion in 80CW503, 81CW16 and 81CW17); the Miller Creek Reservoir and Enlargement (W-278 and 79CW352); the Story Gulch/Parachute Creek Pipeline (W-279, alternate point of diversion in 80CW503, 81CW16 and 81CW17); the Ohio/Ertl Pipeline (W-280, alternate point of diversion in 80CW503, 81CW16 and 81CW17); the Hunter Creek Reservoir (W-276); the Story Gulch Reservoir and Enlargement (W-277 and 79CW354); and the Miller Creek Pumping Pipeline (79CW355). ii. Conditional and Absolute Underground Water Rights. Bute No. 25 Well (W-3499, Water Division 5); Camp Bird No. 12 Well (W-3575, Water Division 5); Camp Bird No. 12A Well (W-3577, Water Division 5); Liberty Bell No. 12 Well (W-3578, Water Division 5); Ohio No. 41 Well (W-3576, Water Division 5); SG-20 Well (W-3543, Water Division 5); The Oil Shale Corporation Well, a.k.a. Oldland Well No. 3 (W-307, Water Division 5); Oldland Brothers No. I-4 Well (W-3500, Water Division 5); TG 71-3 Well (W-3561, Water Division 5); TG 71-4 Well (W-3562, Water Division 5); and TG 71-5 (W-3563, Water Division 5). iii. Absolute Surface Water Rights. MHM German Consolidated Ditch; Robert McKee Ditch, Last Chance Ditch; Gardenheir Ditch (C.A. 624); Piceance Creek Ditch; Oldland and Magor Ditch; Oldland No. 1 Ditch; Oldland No. 2 Ditch (C.A. 624); Oldland Ditch No. 3 (C.A. 624); Emily Ditch, Blue Grass Ditch (C.A. 133); Jessup Ditch No. 1; Jessup Ditch No. 2; Rye Grass Ditch (C.A. 133); Watson Thompson Ditch; East Stewart Gulch Ditches; BM&H Ditch; Belot Moffat Ditch; Florence Ditch; Forney Corcoran Ditch; McWilliams and George Ditch; Rullison-Miller Ditch; West Stewart Gulch Reservoir Ditches; West Stewart Gulch Reservoir; Sylvan Spring; Moo Pond Spring; Anvil Points Spring; Upper Anvil Points Reservoir; and Lower Anvil Points Reservoir. e. Purpose of TOSCO's Integrated Water Development System. The water rights and structures that comprise TOSCO's Integrated Water Development System have been acquired and developed to provide a flexible system of interdependent water diversions, reservoirs, pipelines, wells, and other rights to optimize the efficient beneficial use of water for oil shale development and other purposes and to minimize economic and environmental costs. f. Use of TOSCO's Integrated Water Development System. When TOSCO's Integrated Water Development System is completed and the water appropriated is put to beneficial use, the water from these and other rights will be commingled in the various water structures owned by TOSCO. For this reason, work, and expenditures on any individual part of the TOSCO's Integrated Water Development System is for purposes of putting both TOSCO's Integrated Water Development System water rights and the individual water rights that comprise it to beneficial use within a reasonable time. 5. Diligence Claim. a. Diligence Period. The most recent diligence period for the Oldland I-4/Bute 25 Well Water Rights is from December 24, 2017 (when the 16CW3051 Decree and the 16CW3052 Decree were entered) through December 31, 2023 (Diligence Period). b. Water Resources Development Plan. The 16CW3051 Decree and the 16CW3052 Decree required during the Diligence Period that TOSCO develop: a water rights plan that identifies how [TOSCO's] conditional rights can be developed from a physical and legal standpoint for the decreed uses; describes the anticipated order of such development; analyzes the amount of water reasonably necessary to serve its needs and evaluates whether any of the conditional water rights will not be needed or usable and analyzes the amount of water physically and legally available at each point of diversion....Work on the water rights plan shall be considered evidence of [TOSCO's] diligence towards development of its integrated system of conditional water rights and diligence toward development of any specific water rights discussed in the plan.16CW3051 Decree ¶ 12 at 6; 16CW3052 Decree, ¶ 14 at 5-6. c. Activities and Expenditures. During the Diligence Period, TOSCO engaged in studies, engineering work, legal proceedings and other activities related to development of the Oldland I-4/Bute 25 Well Water Rights and TOSCO's Integrated Water Development System totaling approximately Five Hundred Forty-Three Thousand Dollars (\$543,000.00) and completed the following activities in connection with the Oldland I-4/Bute 25 Well Water Rights and TOSCO's Integrated Water Development System: i. Water Resources Development Plan. BBA Water Consultants, Inc. (BBA) and TOSCO prepared the water resources development plan required by the 16CW3051 Decree and the 16CW3052 Decree. ii. Work On Diligence Application In This Matter. TOSCO, BBA and TOSCO's legal counsel prepared this diligence application. iii. Meter Readings and Production Summaries. BBA collected and submitted annual meter readings and production summaries to the Division 6 Engineer for the Bute No. 25 Well and Oldland Brothers No. I-4 Well. iv. Ertl Gages Site Visits. BBA visited the Ertl Pipeline Gages annually to download stream stage data, perform maintenance on or replace the measuring equipment, and gage the streamflows. After each site visit, BBA calculated the streamflow in each creek using the stream stage and gaged streamflow data. v. Ground Water Well Investigations. BBA performed multiple on-site investigations for TOSCO's Piceance Creek ground water wells that are part of TOSCO's Integrated Water Development System to: (1) observe and document the condition of the wells; (2) estimate flow rates of flowing artesian wells; (3) confirm water quality conditions; and (4) consider current and potential uses at each well. vi. Diligence Decrees. TOSCO obtained findings of reasonable diligence for water rights that are part of TOSCO's Integrated Water Development System in the following Division 6 Water Court decrees: (1) Ertl Pipeline, Miller Creek Pumping Pipeline, Hunter Creek Reservoir, Miller Creek Reservoir and Miller Creek Reservoir First Enlargement, Story Gulch Reservoir and Story Gulch Reservoir First Enlargement, Ohio/Ertl Pipeline, and Story Gulch/Parachute Creek Pipeline (17CW3014); (2) Trail Gulch Reservoir (17CW3158); and (3) Puckett Enlargement of the Miller Ditch (18CW3014). vii. Pending Division 6 Cases. TOSCO is pursuing diligence findings and other approvals regarding the water rights included in TOSCO's Integrated Water Development System in the following Water Division 6 cases: (1) Consolidated Case Nos. 21CW3011 and 21CW3019-21CW3025. These cases involve consolidated diligence proceedings for the following TOSCO conditional water rights: (a) Camp Bird No. 12A Well; (b) S.G. No. 20 Well; (c) Camp Bird No. 12 Well; (d) TG 71-5 Well; (e) TG 71-3 Well; (f) Ohio No. 41 Well; (g) TG 71-4 Well; and (h) Liberty Bell No. 12 Well. (2) Case No. 22CW3094. This case is a proceeding to correct the established, but erroneously described points of diversion for the Camp Bird No. 12 Well, the Camp Bird No. 12A Well, and the TG 71-4 Well pursuant to C.R.S. § 37-92-305(3.6). viii. Work On The Oil Shale Company Pipeline and Pumping Plant Diligence. TOSCO, its legal counsel and consultants worked with Puckett Land Company to prepare a diligence application for The Oil Shale Company Pipeline and Pumping Plant water rights, which is part of TOSCO's Integrated Water Development System. ix. Protection of Water Rights. TOSCO: (1) reviewed Divisions 5 and 6 Water Court resumes and substitute water supply plan notices to identify applications requiring opposition; (2) filed statements of opposition and actively participated in numerous matters in Water Divisions 5 and 6 as necessary to protect the water rights that are part of TOSCO's Integrated Water Development System, including the Oldland I-4/Bute 25 Well Water Rights; (3) successfully defended 2,535 acres of oil shale lands against adverse possession and prescriptive easement claims; (4) without filing a statement of opposition, entered into a stipulation with the Yellow Jacket Water Conservancy District in Water Division 6 Case No. 20CW3031 to protect the water rights that are part of TOSCO's Integrated Water Development System, including the Oldland I-4/Bute 25 Well Water Rights; (5) reviewed and prepared objections to the 2020 Divisions 5 and 6 water rights abandonment lists; (6) reviewed proposed Water Division 6 water measurement rules; and (7) dealt with condemnation issues applicable to TOSCO's and Conoco's Colorado properties. 6. Requested Ruling. Based on the foregoing, TOSCO respectfully requests the Water Court enter a decree finding the remaining conditional portions of the Oldland I-4/Bute 25 Well Water Rights (Oldland Brothers No. I-4 Well: 0.352 cfs; Bute No. 25 Well: 0.814 cfs) are continued in their full decreed amounts and for all decreed purposes. 7. Names and Addresses of Owners or Reputed Owners of Land Upon Which Structures are Located. a. Oldland Brothers No. I-4 Well. The Oldland Brothers No. I-4 Well is located on land owned by (i) TOSCO; (ii) Puckett Land Company, 5460 South Quebec Street, Suite 250, Greenwood Village, Colorado 80111-1917; and (iii) Caerus Piceance LLC, 1001 17th Street, Suite 1600 Denver, Colorado 80202. b. Bute No. 25 Well. The Bute No. 25 Well is located on land owned by TOSCO. (8 pages, 2 Exhibits)

**23CW3040 RIO BLANCO COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION, 6060 Broadway, Denver, CO 80216.** Please send all correspondence and inquires regarding this matter to: Ema I. G. Schultz 720-508-6761 and Elizabeth M. Joyce 720-508-6761, Office of the Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado. **APPLICATION FOR NEW ABSOLUTE JUNIOR WATER RIGHT, IN RIO BLANCO COUNTY.** 1. Name, mailing address, e-mail address, and telephone number of Applicant: Colorado Division of Parks and Wildlife ("CPW"), Attn: Robert K. Harris, Water Resources Section Manager, 6060 Broadway, Denver, Colorado 80216, 303-291-7550, robert.harris@state.co.us. 2. Background: The Rio Blanco Lake State Wildlife Area ("Rio Blanco Lake SWA") consists of 383 acres in Rio Blanco County. See Exhibit A for location map. Rio Blanco Lake (aka Johnnie Johnson Reservoir) is a feature component of the Rio Blanco Lake SWA attracting the public with angling opportunities of both native and non-native fish species in addition to other recreational opportunities. Rio Blanco Lake is managed primarily as a fishery supporting a stocked, non-native, warm water species fishery. The Lake also offers surface recreational opportunities and is an important part of the local wildlife ecosystem. The Rio Blanco Lake SWA is an actively irrigated area along the White River that produces robust hay and creates a valuable wildlife habitat throughout the year. The water right claimed in this application will not be used for irrigation. Rio Blanco Lake was constructed as Johnnie Johnson Reservoir between 1964-1965 by CPW's predecessor, the Colorado Division of Game, Fish, and Parks Department. The reservoir was adjudicated an absolute water right for 1,036 acre-feet in Civil Action 1269 by the District Court in and for the County of Rio Blanco on June 10, 1968. The original water right was for fish propagation, waterfowl habitat, waterfowl propagation, production of furbearing mammals and other recreation uses. The water right also includes 0.6 cfs for the same purposes and aerating and replacing evaporation from the reservoir. The decree in Civil Action 1269 did not identify the historical point of diversion for the water rights adjudicated in the case. Therefore, in Case No. 04CW227, Water Division 5 entered July 14, 2006, the original points of diversion were identified and alternate points of diversion were adjudicated for the storage and direct flow portions of the original water right. In 2022, CPW undertook a project to improve the outlet works of Rio Blanco Lake. As a part of the effort, CPW conducted a survey of Rio Blanco Lake. The survey using updated technology and methodology showed that the capacity of Rio Blanco Lake was miscalculated in Civil Action 1269. See Exhibit B for the current survey map of Rio Blanco Lake. This application seeks to adjudicate an enlargement water right for Rio Blanco Lake to ensure that the water rights adjudicated to the Lake reflect the actual capacity of the Lake. The high water line has not been altered since Rio Blanco Lake's construction and the Lake has not been dredged. This application does not represent an increase in the physical capacity of Rio Blanco Lake. 3. Claim for new junior storage water right: A. Name of Structure: Johnnie Johnson Reservoir 1st Enlargement (aka Rio Blanco Lake 1st Enlargement) B. Location of Structure: See Exhibit A for location map. i. Civil Action 1269: The statement of claim for Johnnie Johnson Reservoir states: The Reservoir situated on Section Thirty-one (31) in Township Two (2) North, Range Ninety-six (96) West of the Sixth Principal Meridian and Section Six(6) in Township One (1) North, Range Ninety-six (96) West of the Sixth Principal Meridian at an approximate elevation of 5740 feet above mean sea level in Rio Blanco County, State of Colorado. The initial point of survey of the highwater line of the Reservoir is located at a point whence the Southwest (SW) corner of Section Thirty-one (31), Township Two (2) North, Range Ninety-six (96) West of the Sixth Principal Meridian bears South (S) 58° 01' 20" West (W) a distance of 1167.78 feet. From the initial point of survey the dam embankment extends in a Southeasterly direction a distance of approximately 5000 feet to the Southeasterly end of said dam embankment from which the Reservoir extends to the East (E) thereof containing 115 surface acres, more or less. The height of the dam is 24 feet. The total proposed capacity of said Reservoir is 1036 acre feet of water. ii. Case No. 04CW227: The decree in Case No. 04CW227 provides the following legal descriptions for Johnnie Johnson Reservoir (aka Rio Blanco Lake) and the points of diversion: a. Johnnie Johnson Reservoir is located in the N1/2 Section 6, Township 1 North, Range 96 West, 6th Principal Meridian, in Rio Blanco County. Distance from Section Lines to the Midpoint of the Dike: 1450 feet from the North section line of Section 6, 1980 feet from the West section line of Section 6. (1) UTM Location: (NAD 83 Datum, UTM Zone 13 North). Midpoint of Dike: N: 4442381 E: 226324. Gated outlet located at N: 4,442,479 E: 226,036, approximately 1000 feet NW of midpoint of dike. b. Rio Blanco Lake Feeder Ditch: The Rio Blanco Lake Feeder Ditch headgate is located in the NE1/4, SE1/4, Section 6, T1N, R96W, Sixth Principal Meridian, in Rio Blanco County. Distance from Section Lines: 1,770 feet from the South section line of Section 6, 300 feet from the East section line of Section 6. (1) UTM Location: (NAD 83 Datum, UTM Zone 13 North) N: 4441708 E: 227204. c. Alternate Point of Diversion: Imes and Reynolds Ditch: The current headgate for the Imes and Reynolds Ditch is located in the SW1/4, NW1/4, Section 15, Township 1 North, Range 96 West, 6th Principal Meridian, in Rio Blanco County. Distance from Section Lines: 1260 feet from the west section line of Section 15, 1670 feet from the north section line of Section 15. (1) UTM Location: (NAD83 UTM Zone 13N) N: 4438925 E: 230820. C. Source: White River. D. Appropriation Date: November 2, 1960. i. How appropriation initiated: By filing a map and statement with the Division of Water Resources, construction of the reservoir, and application of water diverted and stored to beneficial use. ii. Date applied to beneficial use: July 2, 1975. This is the first date that Division of Water Resources records show Rio Blanco Lake as storing the full capacity of the reservoir. The volume indicates 1,036 af because that amount is what the then current survey indicated the high water mark held. The more current survey indicates that the full capacity at the high water mark is 1,535 af. E. Amount: 499 af absolute. The modern surveyed capacity of the lake is 1,535 af. The original decreed capacity is 1,036 af absolute. This application does not affect the original decreed amount but seeks adjudication to correct the survey capacity error in the original adjudication. F. Uses: fisheries, fishing, fish propagation, waterfowl habitation, waterfowl propagation, production of furbearing mammals, and other recreation uses. G. Remarks: This water right is not intended to alter historical operations of Rio Blanco Lake in any way. Because this claim is based on an updated survey of the Lake, CPW believes that the full surveyed amount of 1,535 af has actually been diverted and stored since Rio Blanco Lake was originally constructed. 4. Name of owners of land upon which structures are located: Applicant, CPW. The headgate of the Imes and Reynolds Ditch is located on property owned by Mahogany Energy Resources, LLC, P.O. Box 957, Meeker, Colorado 81641. WHEREFORE, CPW respectfully requests this Court enter a decree adjudicating the water right as described herein, and for such other relief as this Court deems just and proper. (5 pages)

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

You are hereby notified that you will have until the last day of **February 2024** to file with the Water Court a Verified Statement of Opposition, setting forth facts as to why a certain Application should not be granted or why it should be granted only in part or on certain conditions. A copy of such Statement of Opposition must be served on the Applicant or the Applicant's Attorney, with an affidavit or certificate of such service being filed with the Water Court, as prescribed by Rule 5, C.R.C.P. The filing fee for the Statement of Opposition is \$192.00, and should be sent to the Clerk of the Water Court, Division 6, 1955 Shield Dr. Unit 200, Steamboat Springs, CO 80487.

CARMMA PARKISON  
CLERK OF COURT  
ROUTT COUNTY COMBINED COURT  
WATER DIVISION 6  
/s/ Tess M. Bedell  
Deputy Clerk

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<sup>1</sup>The location of the headgate for the Imes and Reynolds Ditch has moved over time and now differs from the location described in Civil Action No. W-562 as the point of diversion for those priorities diverted through the Imes and Reynolds Ditch. All references in this Application to the headgate of the Imes and Reynolds Ditch refer to its present location as described herein, not to the location described in Civil Action No. W-562. CPW is not seeking to change any of the water rights decreed in Civil Action No. W-562. This application does not concern the water rights decreed in Civil Action No. W-562 or the appropriate point of diversion for those water rights. Consequently, whether a change of water rights application must be filed to correct the point of diversion for those water rights is not at issue in this application. This issue is appropriately the subject of a separate water rights application.