

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 **January 2024**.

2024CW3001 RIO BLANCO COUNTY. Application For Finding Of Reasonable Diligence and to Make Absolute. Applicant: Mountain Water LLC, 3200 County Road 31, Rifle, CO 81650, (970) 878-3674. Attorney: The Law Firm of John D. Buchanan LLC, PO Box 140207,

Edgewater, Colorado 80214, (720) 413-2773. Conditional water rights for which diligence is sought: 1. Name of Structure: Colorado Minerals Well No. 14-1 a. Original decree: Case No. W-1923 entered October 16, 1974, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. W-1923-77 entered March 17, 1978; (2) Case No. 81CW130 entered November 4, 1981; (3) Case No. 85CW161 entered October 30, 1985; (4) Case No. 89CW118 entered November 1, 1989; (5) Case No. 95CW247 entered June 24, 1997; (6) Case No. 03CW128 entered June 7, 2004. Diligence decrees entered by the District Court, Water Division 6: (1) Case No. 2010CW33 entered April 25, 2011; and (2) Case No. 17CW3006 entered January 14, 2018. The water right was also changed in the decree entered in Case No. 88CW420 on August 13, 1991, by the District Court, Water Division 5 ("88CW420 Decree"). c. Legal Description: i. Original Point of Diversion: the NW1/4 NE1/4 of Section 14, Township 1 S., Range 98 West of the 6th PM, at a point 641.22 feet South of the North line 1698.76 feet West of the East line of said Section 14. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Tributary Groundwater. e. Depth: 2,486 feet f. Appropriation date: February 28, 1967. g. Amount: 5 cfs, including 0.06 cfs absolute and 4.94 cfs conditional. h. Use: Industrial, domestic, livestock watering, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 2. Name of Structure: Colorado Minerals Well No. 28-1 a. Original decree: Case No. W-1922 entered October 16, 1974, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. W-1922-77 entered March 17, 1978; (2) Case No. 81CW129 entered November 4, 1981; (3) Case No. 85CW160 entered October 30, 1985; (4) Case No. 89CW119 entered November 1, 1989; (5) Case No. 95CW245 entered April 2, 1996; and (6) Case No. 02CW103 entered February 27, 2004. Diligence decrees entered by the District Court, Water Division 6: (1) Case No. 10CW10 entered April 25, 2011; and (2) Case No. 17CW3007 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the NE1/4 NW1/4 of Section 28, Township 1 S., Range 98 West, of the 6th PM, at a point 270.5 feet South of the North line and 1365.2 feet East of the West line of said Section 28. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Tributary groundwater. e. Depth: 2,194 feet f. Appropriation date: February 28, 1967. g. Amount: 5 cfs, including 0.06 cfs absolute and 4.94 cfs conditional. h. Use: Industrial, domestic, livestock watering, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 3. Name of Structure: Dunn Well No. 20-1 a. Original decree: Case No. W-1925 entered October 16, 1974, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. W-1925-77 entered March 17, 1978; (2) Case No. 81CW132 entered November 4, 1981; (3) Case No. 85CW163 entered October 30, 1985; (4) Case No. 89CW116 entered November 1, 1989; (5) Case No. 95CW248 entered June 24, 1997; and (6) Case No. 03CW129 entered June 7, 2004. Diligence decrees entered by the District Court, Water Division 6: Case No. 10CW34 entered April 23, 2011; and (2) Case No. 17CW3008 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the NE1/4 NE1/4 Section 20, T. 1 S., R. 98 W. of the 6th PM, at a point 1197.37 feet South of the North line and 1172.25 feet West of the East line of said Section 20. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Tributary groundwater. e. Depth: 2,412 feet. f. Appropriation date: February 28, 1967. g. Amount: 5 cfs, including 0.06 cfs absolute and 4.94 cfs conditional. h. Use: Industrial, domestic, livestock watering and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 4. Name of Structure: Industrial Resources Well No. D-14-1-1. a. Original decree: Case No. W-2886 entered November 7, 1977, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. 81CW313 entered April 14, 1982; (2) Case No. 85CW306 entered April 14, 1986; (3) Case No. 89CW226 entered March 20, 1990; (4) Case No. 96CW71 entered January 7, 1997; (5) Case No. 03CW9 entered February 27, 2004. Diligence decrees entered by the District Court, Water Division 6: Case No. 10CW11 entered April 23, 2011; and (2) Case No. 17CW3009 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the SE1/4 NE1/4 of Section 14, Township 1 South, Range 98 West of the 6th P.M., at a point S 16°57'30" West 2,635.85 feet from the Northeast corner of the said Section 14. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Groundwater tributary to Yellow Creek, tributary to the White River. e. Depth: 1,755 feet. f. Appropriation date: November 8, 1974. g. Amount: 5 cfs, conditional. h. Use: Domestic, livestock, commercial, industrial, irrigation, and municipal purposes, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 5. Name of Structure: Industrial Resources Well No. D-14-1-2 a. Original decree: Case No. W-2285 entered November 1, 1977, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. 81CW312 entered April 14, 1982; (2) Case No. 85CW305 entered April 14, 1986; (3) Case No. 89CW225 entered March 20, 1990; (4) Case No. 96CW70 entered January 7, 1997; (5) Case No. 03CW10 entered February 27, 2004. Diligence decrees entered by the District Court, Water Division 6: Case No. 10CW12 entered April 23, 2011; and (2) Case No. 17CW3010 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the SE1/4 NE1/4 of Section 14, Township 1 South, Range 98 West of the 6th P.M., at a point South 19°16' West 2,791.11 feet from the Northeast corner of the said Section 14. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Groundwater tributary to Yellow Creek, tributary to the White River. e. Depth: 1,260 feet. f. Appropriation date: November 8, 1974. g. Amount: 5 cfs, conditional. h. Use: Domestic, livestock, commercial, industrial, irrigation, and municipal purposes, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 6. Name of Structure: Industrial Resources Well No. D-20-1-1. a. Original decree: Case No. W-2884 entered November 7, 1977, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. 81CW311 entered April 14, 1982; (2) Case No. 85CW304 entered April 11, 1986; (3) Case No. 89CW224 entered March 20, 1990; (4) Case No. 96CW69 entered January 7, 1997; (5) Case No. 03CW11 entered February 27, 2004. Diligence decrees entered by the District Court, Water Division 6: Case No. 10CW13 entered April 23, 2011; and (2) Case No. 17CW3011 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the NE1/4 NE1/4 of Section 20, Township 1 South, Range 98 West of the 6th P.M., at a point South 45°58'20" West 1,718.35 feet from the Northeast corner of the said Section 20. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Groundwater tributary to Yellow Creek, tributary to the White River. e. Depth: 1,080 feet. f. Appropriation date: November 8, 1974. g. Amount: 5 cfs, conditional. h. Use: Domestic, livestock, commercial, industrial, irrigation, and municipal purposes, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 7. Name of Structure: Industrial Resources Well No. D-20-1-2. a. Original decree: Case No. W-2887 entered November 7, 1977, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. 81CW314 entered April 14, 1982; (2) Case No. 85CW307 entered April 14, 1986; (3) Case No. 89CW227 entered March 20, 1990; (4) Case No. 96CW68 entered January 7, 1997; (5) Case No. 03CW12 entered February 27, 2004. Diligence decrees entered by the District Court, Water Division 6: Case No. 10CW14 entered April 23, 2011; and (2) Case No. 17CW3012 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the NE1/4 NE1/4 of Section 20, Township 1 South, Range 98 West of the 6th P.M., at a point South 41°13' West 1,688.29 feet from the Northeast corner of the said Section 20. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Groundwater tributary to Yellow Creek, tributary to the White River. e. Depth: 1,498 feet. f. Appropriation date: November 8, 1974. g. Amount: 5 cfs, conditional. h. Use: Industrial, commercial, irrigation, municipal, domestic and livestock purposes, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 8. Name of Structure: Savage Well No. 24-1. a. Original decree: Case No. W-1924 entered October 16, 1974, by the District Court, Water Division 5. b. Subsequent decrees: Diligence decrees entered by the District Court, Water Division 5: (1) Case No. W-1924-77 entered March 17, 1978; (2) Case No. 81CW131 entered November 4, 1981; (3) Case No. 85CW162 entered October 30, 1985; (4) Case No. 89CW117 entered November 1, 1989; (5) Case No. 95CW246 entered June 19, 1997; and (6) Case No. 03CW127 entered June 7, 2004. Diligence decrees entered by the District Court, Water Division 6: (1) Case No. 10CW32 entered April 23, 2011; and (2) Case No. 17CW3013 entered January 14, 2018. The water right was also changed in the 88CW420 Decree. c. Legal Description: i. Original Point of Diversion: the NE1/4 NE1/4 of Section 24, T. 1 S., R. 98 W, of the 6th PM, at a point 342.94 feet South of the North line and 331.71 feet West of the East line of said Section 24. ii. Alternate Points of Diversion: the water right may also be diverted from the well locations described in paragraph 26 of the 88CW420 Decree. d. Source: Tributary groundwater. e. Depth: 2,795 feet. f. Appropriation date: February 28, 1967. g. Amount: 5 cfs, including 0.06 cfs absolute and 4.94 cfs conditional. h. Use: Industrial, domestic, livestock watering, and use in the augmentation plan and appropriate rights of substitution and exchange decreed in the 88CW420 Decree. 9. Detailed Outline of Work Performed to Complete Application of Water to Beneficial Use. Applicant is the successor in interest with respect to the Subject Water Rights and subsidiary of Natural Soda LLC ("Natural Soda"). Natural Soda operates a sodium bicarbonate mining operation in Rio Blanco County, Colorado. The Subject Water Rights are part of an integrated water supply system that is used to supply water to the sodium bicarbonate mining operation and other operations. The sodium bicarbonate mining is conducted through use of solution mining technologies. Sodium bicarbonate is used for human food, animal food, pharmaceutical, air pollution control, cleaning and many other uses. Since the current diligence period began in April 2017, Mountain Water and Natural Soda have performed the following actions to continue to diligence develop the conditional water rights described in this application: - In October 2021, Natural Soda performed maintenance and repairs on Larson Reservoir including grading, adding road base, and compacting the dam crest; clearing and excavating the spillway inlet; excavating a culvert for spillway flow; and grading the hillside next to the spillway and constructing a dike to prevent erosion. - Counsel for Mountain Water has reviewed the monthly water court resumes to determine whether any applications could cause injury to the Subject Water Rights. Mountain Water has filed statements of opposition in and has participated in several water court cases to protect the Subject Water Rights. - On December 31, 2021, J.M. Huber Corporation ("Huber") acquired Natural Soda and Mountain Water. Since acquisition, Huber has investigated how best to continue to develop the Subject Water Rights that are the subject of this application. - Due to the recent and ongoing call on the White River, Mountain Water has been required to augment depletions to the White River caused by wells under the plan for augmentation approved in the 88CW420 Decree. Stream depletions from use of these wells are calculated and replaced as required by the 88CW420 Decree. Several of the Subject Conditional Water Rights are identified as augmentation water sources, which has further incentivized Mountain Water to continue to develop the Subject Conditional Water Rights to ensure a diversity of augmentation water supplies will be available to replace depletions under the call, which is expected to continue indefinitely. - The sodium leases owned by Natural Soda were renewed by the BLM on July 1, 2021, for a period of ten additional years. The land surface area included in the sodium leases totals approximately 9,700 acres. - The sodium leases are overlapped by oil and gas production leases. Mountain Water conducted negotiations with an oil and gas production company regarding the lease of the Subject Conditional Water Rights for use in oil and gas production. - Production of sodium bicarbonate has continued to increase on an annual basis. In 2005, the nameplate production capacity of the sodium bicarbonate processing facility was 125,000 short tons per year. In 2013, the production capacity was increased to 250,000 short tons per year. In 2015, the BLM approved the expansion of the sodium bicarbonate processing facility to 500,000 short tons per year, which would enable further expansion of production capacity. Natural Soda anticipates that it will continue to increase sodium bicarbonate production consistent with past trends, and design and construction of the expansion to 500,000 short tons per year is ongoing. The nameplate production capacity for the plant is 300,000 short tons per year, and the plant recently attained record production of 257,000 short tons, more than 20,000 short tons over the prior record production amount. The increase in production will require additional groundwater use and require additional augmentation of surface water depletions, for which the Subject Water Rights will be used. - With the increase in volume of sodium bicarbonate production there has been an increase in the amount of water used. Prior to the last diligence period, the average annual water use was 117 acre-feet per year. Since that time, average annual water use has increased to 296 acre-feet. Water use has increased even though Natural Soda uses various methods to conserve and reduce water use and ensure that the lowest volume of water is used per ton of sodium bicarbonate produced. - The increased production has also increased the number of employees and contractors. As of the end of 2022, Natural Soda had 78 full time employees and approximately 18 full-time contractors to provide support to Natural Soda's operations. Natural Soda is one of the largest employers in Rio Blanco County. - Natural Soda has for many years been a major sodium bicarbonate supplier to North American and other international sodium bicarbonate users and is one of the largest private employers in Rio Blanco County. - Expansion and de-bottlenecking activities at Natural Soda's manufacturing facility have required numerous capital improvements including but not limited to, drilling, completion, and commissioning of a total of 15 production wells since 2016, installation of over 2 miles of new production well piping ranging in size from 6 inches to 16 inches, installation of a new boiler, 2 new economizers, a new heat exchanger, and a new steam condensate collection system. In addition, a new FSMS (Food Safety Modernization Act) compliant bulk truck load-out system, new packaging equipment including a 3-spout bagger, palletizer, stretch wrapper, and associated conveyors, a new/enlarged barren liquor storage tank, a new 20,000 gallon crystallizer, and a new dry cyclone separator on the #3 dryer circuit. Investments in state-of-the-art process control equipment with upgraded monitoring capabilities have also been completed. - Disturbed acreage is maintained at a minimum and disturbed areas are reclaimed and reseeded upon completion of surface work. Removed topsoil is stored and replaced during the reclamation process. These reclamation processes require the use of water, which may be supplied using the Subject Water Rights. - Additional leased rail transport cars have been obtained to facilitate transportation of sodium bicarbonate throughout the United States. Actions have been taken to pursue a port load-out facility which will allow filling of container ships. A warehouse facility has been leased to provide temporary storage of sodium bicarbonate and to facilitate transfer to a rail loadout facility. Natural Soda has undertaken several studies and analyses of alternative transportation methodologies for sodium bicarbonate. - The packaging equipment used for bagging the sodium bicarbonate for transport was improved and more sodium bicarbonate was shipped in bags. Natural Soda continued to invest in this technology in the goal of expanding its sodium bicarbonate sales into the food market. - An updated Mine Plan, Sampling and Analyses Plan, and Environmental Monitoring Plan were prepared and submitted to the BLM, DRMS, and Environmental Protection Agency and the plans were approved by each agency during this diligence period. - As operations have increased on the sodium leases, additional reclamation bonds have been posted with the BLM, EPA, and DRMS. - The sodium bicarbonate plant requires multiple water wells to ensure redundancy in water supply operations. There are currently three wells producing water for the plant, and new pipelines from the water wells to the plant have been installed during the diligence period. A fourth well has been drilled but is not yet in service. - An exploratory core hole was drilled and converted into a groundwater monitoring well. - Monthly, quarterly, and annual reports are prepared by Natural Soda for submittal to state and federal agencies including the BLM, EPA and DRMS. - All water well pumping is metered and monthly reports are filed with the Division Engineer for Water Division No. 6. In addition, summary reports and projections are filed with the State and Division Engineers twice a year. - Natural Soda makes annual payments to USGS to maintain and operate existing streamflow measurement devices that will be relevant to the use and accounting of the Subject Water Rights. - Mountain Water filed applications for findings of reasonable diligence in the development of other conditional water rights that are part of the integrated water supply system that is used to supply water to the sodium bicarbonate mining operation and other operations. - Mountain Water and Natural Soda have been involved in legislative and administrative issues on a federal and state level pertaining to water supplies, air permitting, sodium bicarbonate production and other related issues to secure the facility's future growth. - The foregoing description is not intended to be all-inclusive, but is merely illustrative of continued diligence in development of the water rights described in this Application. 10. Claim to Make Absolute in Part: Mountain Water diverted and placed to beneficial use the following amounts for the specified water rights. The accounting reports in which Mountain Water identified the water rights that were used in the upcoming water year, and the monthly diversion reports showing the rate of diversion, are filed herewith as Exhibit A with the relevant passages highlighted. a. Name of Water Right: Industrial Resources Well No. D-20-1-1. i. Date water applied to beneficial use: May 2018. ii. Flow rate: 211.7 gpm (0.47) cfs. iii. Use: The water was used in operation of the sodium bicarbonate mining operation. b. Name of Water Right: Industrial Resources Well No. D-14-1-2. i. Date water applied to beneficial use: September 2022. ii. Flow rate: 180 gpm (0.4) cfs. iii. Use: The water was used in operation of the sodium bicarbonate mining operation. c. Name of Water Right: Industrial Resources Well No. D-14-1-1. i. Date water applied to beneficial use: October 2023. ii. Flow rate: 182.8 gpm (0.41) cfs. iii. Use: The water was used in operation of the sodium bicarbonate mining operation. 12. Name(s) and Address(es) of Owner(s) or Reputed Owners of the Land Upon Which Any New Diversion or Storage Structure, or Modification to Any Existing Diversion or Storage is or Will be Constructed or Upon Which Water is or Will be Stored, Including Any Modification to the Existing Storage Pool: Applicant; Bureau of Land Management White River Field Office 220 E. Market St. Meeker, Colorado 81641. WHEREFORE, Mountain Water requests that the Court enter a decree finding and determining that (1) Mountain Water has diverted and beneficially used the water rights at the flow rates as set forth in paragraph 11 and making said flow rates absolute, and (2) that Mountain Water's actions and expenditures constitute a sufficient demonstration of reasonable diligence in attempting to put the conditional water rights described herein to beneficial use and continuing the said conditional water rights for an additional diligence period.

2024CW3002 RIO BLANCO COUNTY – WHITE RIVER OR ITS TRIBUTARIES. Elk Creek Ranch Owners Association, c/o Kevin L. Patrick and Jason M. Groves Patrick, Miller & Noto, P.C., 229 Midland Ave, Basalt, CO 81621, (970) 920-1030. APPLICATION TO MAKE ABSOLUTE AND FOR FINDINGS OF REASONABLE DILIGENCE. First Claim: To Make Absolute. Structure: Elk Creek Ditch, ECL Enlargement. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Subsequent decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal Description: The headgate is located in the SW¼ of the SE¼ of Section 23, Township 1 South, Range 92 West of the 6th P.M., at a distance of 62 feet from the South section line and 1,506 feet from the East section line of Section 23. Source: Elk Creek, tributary to the White River. Appropriation date: May 3, 2006. Amount: 4.895 c.f.s., conditional. Uses: Recreation, wildlife watering, fishery, fire protection, piscatorial (including fish rearing and private or commercial fishing), and to refresh the ECR Ponds. Claim to make absolute: Amount: 4.895 c.f.s. Uses: Same as above. Date of beneficial use: In May of 2023, Applicant operated the Elk Creek Ditch, ECL Enlargement in priority (during free river) and put the water to its decreed beneficial uses. On May 9, 2023, Applicant's representative measured 0.90 on the Elk Creek Ditch Bridge staff gage, which corresponds to 15.0 c.f.s. based on the rating curve for the gage on file with the court as Exhibit C. Second Claim: To Make Absolute in Part and for Finding of Reasonable Diligence. Structure: Pond No. 11 Exchange. Original Decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence Decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal Description: The exchange from point is the confluence of Elk Creek and the White River at a point in the NW¼ of the SE¼ of Section 23, Township 1 South, Range 92 West of the 6th P.M., at a distance of 2,176 feet from the East section line and 1,480 feet from the South section line of Section 23. The exchange to point is a point on the White River in the SW¼ of the NW¼ of Section 19, Township 1 South, Range 91 West of the 6th P.M., at a distance 1,299 feet from the North section line and 963 feet from the West section line of Section 19. Source: HCU credits decreed in Case No. 08CW42. Appropriation date: April 30, 2008. Amount: 2.2 c.f.s., conditional. Uses: Augmentation by exchange. Claim to Make Absolute in Part: Amount: 0.896 c.f.s. Uses: Augmentation by exchange. Date of beneficial use: On September 18, 2023, Applicant operated the Pond 11 Exchange by diverting previously quantified HCU credits and placing them into storage in ECR Pond 11. The volume of HCU credits available in September 2023 totaled 1.14 acre-feet based on the existing dry up of 14.85 acres. Applicant provided the required notice to the Division Engineer's Office before operating the exchange, as shown in Exhibit D. Third Claim: For Finding of Reasonable Diligence. Structure: Elk Creek Lodge Well No. 1. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal description: SW¼ of the SE¼ of Section 23, Township 1 South, Range 92 West of the 6th P.M., more specifically 542 feet from the South section line and 1,538 feet from the East section line of Section 23. Source: Elk Creek, tributary to the White River. Appropriation date: April 30, 2006. Amount: 25 g.p.m., conditional. Up to 3.5 acre-feet annually in combination with Elk Creek Lodge Well No. 2. Uses: Domestic, irrigation, fire protection, and commercial. Fourth Claim: For Finding of Reasonable Diligence. Structure: Mountain Community Well No. 1. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal description: SW¼ of the NW¼ of Section 36, Township 1 South, Range 92 West of the 6th P.M., more specifically 3,524 feet from the South section line and 4,379 feet from the East section line of Section 36. Source: Elk Creek, tributary to the White River. Appropriation date: April 30, 2006. Amount: 100 g.p.m., conditional. Up to 10.20 acre-feet annually in combination with Mountain Community Well No. 1. Uses: Domestic and irrigation. Fifth Claim: For Finding of Reasonable Diligence. Structure: Mountain Community Well No. 2. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal description: The headgate is located in the SW ¼ of the NW ¼ of Section 36, Township 1 South, Range 92 West, 6th P.M., more specifically 1,796 feet from the South section line and 4,279 feet from the East section line of Section 24. Source: White River. Appropriation date: April 30, 2006. Amount: 100 g.p.m., conditional. Up to 4.76 acre-feet annually in combination with Bench Community Well No. 2. Uses: Domestic and irrigation. Sixth Claim: For Finding of Reasonable Diligence. Name of structure: Bench Community Well No. 1. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal description: The headgate is located in the NW¼ of the SW¼ of Section 24, Township 1 South, Range 92 West, 6th P.M., more specifically 1,796 feet from the South section line and 4,279 feet from the East section line of Section 24. Source: White River. Appropriation date: April 30, 2006. Amount: 100 g.p.m., conditional. Up to 4.76 acre-feet annually in combination with Bench Community Well No. 2. Uses: Domestic and irrigation. Seventh Claim: For Finding of Reasonable Diligence. Structure: Bench Community Well No. 2. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal description: The headgate is located in the NW¼ of the SW¼ of Section 24, Township 1 South, Range 92 West, 6th P.M., at a point 2,057 feet from the South section line and 4,019 feet from the East section line of Section 24. Source: White River. Appropriation date: April 30, 2006. Amount: 100 g.p.m., conditional. Up to 4.76 acre-feet annually in combination with Bench Community Well No. 1. Uses: Domestic and irrigation. Eighth Claim: For Finding of Reasonable Diligence. Structure: Elk Creek Equestrian Well. Original decree: November 30, 2010, Case No. 08CW42, Water Division 5. Diligence decree: January 15, 2018, Case No. 16CW3042, Water Division 6. Legal Description: The headgate is located in the SW¼ of the SW¼ of Section 23, Township 1 South, Range 92 West, 6th P.M., more specifically 300 feet from the South section line and 600 feet from the West section line of Section 23. Source: Elk Creek, tributary to the White River. Appropriation date: September 1, 2007. Amount: 25 g.p.m., conditional with an annual volumetric limit of 1.65 acre-feet. Uses: Domestic, irrigation, and commercial (stock watering and in-building use). Remarks applicable to all claims: A map and list of diligence activities are on file with the Water Court. Applicant owns the land where the structures are located and the water is or will be put to beneficial use. The subject water rights are components of an integrated water supply project for the Applicant's property. C.R.S. § 37-92-301(4)(b).

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 **March 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 Court Clerk