

DISTRICT COURT, WATER DIV. 6, COLORADO
TO ALL PERSONS INTERESTED IN WATER APPLICATIONS IN WATER DIV. 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 DIV. 6, during the month of **November, 2007**.

1. 07CW62 JACKSON COUNTY Application to Make Absolute. Applicant: Robert Swift, 970-723-4461, 7031 County Road 12W, Walden, CO 80480. Name of structure: Swift Ditch. Describe conditional water right (as to each structure) giving the following from the Referee's Ruling and Judgment and Decree: Date of Original Decree: October 30, 2001. Case No.: 01CW12. Court: Water Division Six. Legal description: (include distance and bearing from established government SEC. corner or quarter corner; or distances from SEC. lines, and indicate $\frac{1}{4}$ $\frac{1}{4}$, SEC. number, township, range and meridian; include map). The location may include UTM coordinates based on Zone 12 or 13, measured in meters, and NAD83 datum. In urban areas, include street address, lot, block, and subdivision. NE1/4 of SE1/4 SEC 20 T8N R81W of the 6th P.M., 2991 Feet from N SEC. line and 1345 Feet from E SEC. line. Note: SEC. 20 is irregular width. See attached Map A to show location of headgate. Optional Additional Description: GPS location information in UTM format. Required settings for GPS units are as follows: Format must be UTM; Zone must be 12 or 13; Units must be Meters; Datum must be NAD83; and Units must be set to true north. Points were not averaged. Northing 4500947 Easting 372665 Zone 13. Source as determined in the Decree in this matter in Case No. 01CW12 dated October 30, 2001 is Beaver Creek, trib. to Roaring Fork, trib. to North Platte River, together with return flows from irrigation from diversions into the Edith Ditch, Dora Ditch, Mitchell Ditch and Hogson Ditch. Appropriation Date: June 11, 1992. Amount: 25.0 cfs. Use: Irrigation and stockwater. Depth: (if well) N/A. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: Applicant has spent approximately \$20,000 to construct and maintain the ditch. Applicant also spent approximately \$6,000 in 2005 to repair a washout of the ditch. See attached State of Colorado Structure Summary Report and Annual Water Diversion Reports for 2004, 2005 and 2006 to show beneficial use. Usage in 2007 was about the same as the prior three years. If claim to make absolute: Date water applied to beneficial use: May 22, 2004. Amount: 25.0 cfs. Use: Irrigation and stock water. Description of place of use where water is applied to beneficial use: Approximately 420 acres in SEC.s 10, 11, 14 and 15, T84, R81W, 6th P.M., Jackson County, CO. See attached Map B showing location of the Swift Ditch and the area of irrigation. The Manville Ditch No. 2 is above the Swift Ditch. Names(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 structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Bureau of Land Management, Kremmling Field Office, 2103 E. Park Ave., Kremmling, CO 80459. Please Note: The owner of any conditional water right shall notify the clerk of the court that decreed the conditional water right of any change in mailing address.

2. 07CW63 ROUTT COUNTY Application for Water Storage Right. Big Valley Ranch Homeowners Assoc., PO Box 770261, Steamboat Springs, CO 80477. (970)871-9163. Name of Reservoir: Upper Robinson. Legal description of location of dam: SW1/4 of the SE1/4 SEC. 11, T5N, R85W of the 6th P.M. at a distance 200 feet from South Sec. line and 2500 feet from East Sec. line. Source: Unnamed stream trib. to Oak Creek of the Yampa River. Date of appropriation: 1973. Appropriation was initiated by: Construction of dam. Date water applied to beneficial use: 1973. Amount claimed: 23 acre feet Absolute. If non-irrigation, describe purpose fully: recreation, wildlife preservation, fire suppression. Surface area of high water line: 3 acres. Maximum height of dam in feet: 30. Length of dam in feet: 296. Total capacity of reservoir in acre feet: 23. Active capacity: 23 AF. Name of landowner: same as applicants.

3. 07CW65 ROUTT COUNTY. Application To Make Absolute. Wayne A. Iacovetto, Luanna G. Iacovetto, 37350 RCR 179, Steamboat Springs, CO 80477. (970) 879-3711. Name of structure: Tempke . Type: ditch. Date of Original Decree: 12-29-2000. Case No. 00CW77. Court: 14th Judicial District. Legal description: NE1/4 of the NW1/4 Sec. 25, T6N, R86W of the 6th P.M. Bears north 83 degrees, 54 minutes, 8 seconds west 1626 feet. Street Address: 37350 RCR 179. Source: Trout Creek of the Yampa. Appropriation Date: 05-05-05. Amount: .055 CFS. Use: Irrigation, including lawns, gardens for three dwellings, livestock, fisheries, domestic. Provide a detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: Summer of '05' we installed a well box with a pump which pumps water into a 10,000 gal. tank, high enough from houses to generate 42 pounds pressure which in turn feeds back to houses. Thus we can utilize water for 3 homes. If claim to make absolute, date water applied to beneficial use: 05-05-05. Amount: .055 CFS. Use: Domestic. Description of place of use where water is applied to beneficial use: 37350 RCR 179, Steamboat Springs, CO 80487. Name and address of owner: Same as applicants.

4. 07CW66 ROUTT COUNTY. Application for Water Right (Surface) Name, address, telephone number of applicants: Pierre J. DuPre, 17755 Elk Ridge Road, P.O. Box 774982, Steamboat Springs, CO 80477. Direct Pleadings To: Margaret O'Donnell, Margaret O'Donnell, P.C., P.O. Box 773572, (970) 871-4832. Steamboat Springs, CO 80477. Name of Structure(s): Dupre Spring. Legal description of each point of diversion: The point of diversion for the Dupre Spring is located in the SE 1/4 SW1/4 of SEC. 1, T6N, R87W, 6th P.M., 2599 feet from the West SEC. line and 11 feet from the South SEC. Line. Optional GPS location in UTM format, Zone 13. Points were averaged: Easting: 322331 Northing: 4485378. Source: spring, tributary to the Yampa River. Date of appropriation: July 14, 2006. How appropriation was initiated: Purchase of property and formation of requisite intent to appropriate coupled with actions manifesting such an intent sufficient to put third parties on notice, including but not limited to capture of the spring flow by pipeline and diversion of flow into stock watering tank. Date water applied to beneficial use: July 14, 2006 for stock watering and wildlife

watering purposes, N/A for irrigation purposes. Amount claimed: .033 cfs, absolute for stock watering and wildlife watering purposes, conditional for irrigation purposes. Use or proposed use: stock water, wildlife watering, and irrigation. If irrigation: Number of acres proposed to be irrigated: 10 acres. Legal description of the acreage: 10 acres located in the SE1/4 SW1/4, SEC. 1, T6N, R87W, 6th P.M., Canyon Valley Ranch Filing No. 3, Tract M, Routt County, Colorado. See Map, attached as Exhibit A. If non-irrigation: stock water, wildlife watering purposes. Name and address of owner or reputed owner of the land upon which any new diversion is or will be constructed: Applicant. Remarks: Applicant requests a decree confirming that all notice and jurisdictional requirements have been satisfied under C.R.S SEC. 37-92-302, approval of the applied for appropriation date, and establishing the amount and uses requested herein for the Dupre Spring, and grants to Applicant such other relief as the Court deems just and proper.

5. 07CW68 ROUTT COUNTY. Application for Water Rights (Surface). Applicant: Aileen Hockin, 5600 RCR 78, PO Box 358, Hayden, CO 81639. (970) 276-1309. Name of structure: Aileen Spring. Legal description: SE ¼ of the NE ¼ Sec. 24, T7N, R89W, 6th P.M. at a distance of 2020 feet from North sec. line and 1210 feet from East section line. Source: Rock Spring Gulch to Yampa River. Date of initiation of appropriation: June, 2007. How appropriation was initiated: spring developed. Date water applied to beneficial use: June 2007. Amount claimed: 1.5 gpm Absolute; Conditional – domestic use. Use or proposed use: irrigation, livestock domestic. If irrigation, number of acres historically irrigated 10 acres; proposed to be irrigated 10 acres. Legal description of acreage: SE ¼ NE ¼ Sec. 24, T7, R89W. If non-irrigation, describe purpose fully. Serve 50 head of livestock and one dwelling domestic use. Name and address of owner of land: applicant.

6. 07CW70 MOFFAT COUNTY. Application for storage water rights. Applicants: John L. Snow and Marynell Snow, P.O. Box 86, Jensen, UT 84035. c/o Edward B. Olszewski, Esq., Olszewski, Massih & Maurer, PC, 214 8th Street, Suite 210, P. O. Box 916, Glenwood Springs, CO 81602, (970) 928-9100. First Claim for Storage Rights. Name of Structure: Dudley Pond. Legal Description: The dam is located in the SE1/4 of the NE1/4 of SEC. 31, T.6 N., R103 W. of the 6th P.M. at point 50 feet from the east SEC. line and 2,300 feet from the north SEC. line. The GPS location of the center of the dam is NAD83, Zone 13, 333712 mE, 4503973 mN, which places the dam in the SE1/4 of the NE1/4 of SEC. 31, T.6 N., R. 103 W. of the 6th P.M. at point 7 feet from the east SEC. line and 2,231 feet from the north SEC. line. Source: Cottonwood Creek of Red Rock Canyon of the Yampa River. Date of Appropriation: January 1, 1917. How appropriation was initiated: Construction of pond and placing the pond to beneficial use for stock watering, piscatorial, wildlife propagation and recreation. Date water applied to beneficial use: January 1, 1917. Amount claimed: 18.23 acre feet, absolute. Uses: stock watering, piscatorial, wildlife propagation and recreation. Surface area of high water line: 3.271 acres. Maximum height of dam in feet: 16.3 feet. Length of dam in feet: 331 feet. Total capacity of reservoir in acre feet: 18.23 acre feet. Active capacity: 16.82 acre feet; Dead Storage: 1.41 acre feet. Name and address of owner of land upon structure is

located: Applicants. Second Claim for Storage Rights: Name of Structure: Rusche Pond. Legal Description: The dam is located in the NE1/4 of the SE1/4 of SEC. 31, T6N, R103 W. of the 6th P.M. at point 60 feet from the east SEC. line and 2,400 feet from the north SEC. line. Source: Natural runoff trib. to Cottonwood Creek of Red Rock Canyon of the Yampa River. Date of Appropriation: January 1, 1970. How appropriation was initiated: construction of pond and placing the pond to beneficial use for stock watering, piscatorial, wildlife propagation and recreation. Date water applied to beneficial use: January 1, 1970. Amount claimed: 3.0 acre feet, absolute. Uses: stock watering, piscatorial, wildlife propagation and recreation. Surface area of high water line: 0.5 acre. Maximum height of dam in feet: 5 feet. Length of dam in feet: 100 feet. Total capacity of reservoir in acre feet: 3.0 acre feet. Active capacity: 2.5 acre feet; Dead Storage: 0.5 acre feet. Name and address of owner of land upon structure is located: Applicants.

7. 07CW72 ROUTT COUNTY Application for Conditional Water Storage Right. Name of Structure: Morrison Creek Reservoir, Morrison Creek, trib. to Yampa River. Upper Yampa Water Conservancy District, c/o Robert G. Weiss, Esq., Weiss and Van Scoyk, LLP, 600 S. Lincoln Street, Suite 202, Steamboat Springs, CO 80487 (970) 879-6053 and Co-Counsel David C. Hallford, Esq. and Scott A. Grosscup, Esq., Balcomb & Green, P.C., P. O. Drawer 790, Glenwood Springs, CO 81602 (970) 945-6546.. Legal Description: The centerline of the proposed Morrison Creek Reservoir dam intersects Morrison Creek at a location within the SE1/4, NE1/4, Sec. 10, T3N, R84 W. of the 6th P.M. at a point located 244 ft. west of the east SEC. line and 1,539 ft. south of the north SEC. line of said Sec. 10. A map showing the proximate location is attached as Exhibit A, on file with the Water Court. Source: The Morrison Creek Reservoir is an on-channel reservoir that will be filled from Morrison Creek and Silver Creek. Approp. Date: September 14, 2006. How Approp. was Initiated: Formation of intent by Board of Directors of the Upper Yampa Water Conservancy District to approp. new water storage right, mapping and engineering analysis of proposed storage site. Amt: 10,620 a.f. by fill and re-fill, conditional. Uses: Irr., dom., stock watering, municipal, industrial, rec., and hydropower uses and aug. of such uses either directly or by exchange. Surface area: 330.45 acres. Height of Dam: 47 ft. Length: 336 ft. Capacity: 4,965 AF. Active Capacity: 4,900 AF. Dead Storage: 65 AF. Remarks: Water diverted into and stored in the Morrison Creek Reservoir under this Morrison Creek Reservoir right may be released from the Morrison Creek Reservoir for its decreed uses within Applicant's service area, and/or may be subsequently delivered to Stagecoach Reservoir and any future enlargement of said Reservoir as an additional alternate place of storage for subsequent use within the Applicant's service area. The interSEC. of the centerline axis of Stagecoach Reservoir dam and the right abutment thereof being located at a point whence the W1/4 corner of Sec. 32, T4N, R84 W., 6th P.M., bears S. 47 degrees, 35' W. a distance of 4633 ft. Such delivery to Stagecoach Reservoir may be made by pipeline and/or ditch across the Morrison divide and further pipeline, ditch and/or use of the stream channel of Little Morrison Creek and or any trib. of Little Morrison Creek. Water stored in the Morrison Creek Reservoir under the Morrison Creek Reservoir right will be first accounted for under the first fill up to an amount of 4,965 AF. Some or all of this water may be subsequently delivered to Stagecoach Reservoir as above provided and/or may be

released for delivery down Morrison Creek and the Yampa River for beneficial use directly and/or by exchange. As reservoir storage space thereafter becomes available in the Morrison Creek Reservoir as a result of these operations, the Applicant will continue to fill the Morrison Creek Reservoir, when in priority under the Morrison Creek Reservoir right described above, under a second fill with the total yearly storage and diversions not to exceed 10,620 AF. Stagecoach Reservoir is located as described above. 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: (a) Morrison Creek Reservoir: Dequine Family LLC, 22100 County Road 16, Oak Creek, CO 80467; James A. Larson, 10 Vista Road, Englewood, Co 80110; Arnold William Thurow, Jr., 3209 Grenache Street, Greeley, CO 80634; Diana and Richard Gorczynski, 14046 Lexington Circle, Westminster, CO 80023; Greenview, LLC, 4411 South High Street, Englewood, CO 80113; Georgia Ann and Eugene M. Germain 18520 RCR 16, Oak Creek, CO 80467; A.O Saterdal and Karen Potter, 4411 South High Street, Englewood, CO 80113; USFS, Routt National Forest, 29587 West U.S. Highway 40, Steamboat Springs, CO 80477; 925 Weiss Drive, Steamboat Springs, CO 80487. (b) Stagecoach Reservoir and any enlargement thereof: Applicant. (6 pages)

8. 07CW73 (00CW048) ROUTT COUNTY. Application For Finding Of Reasonable Diligence. Concerning The Application For Water Rights Of Three Forks Ranch Corporation. In Routt County, Colorado. District Court, Water Division No. 6, State Of Colorado, 1955 Shield Drive, P.O. Box 773117, Steamboat Springs, CO 80477. 1. Name, Address and Telephone Number of Applicant: Three Forks Ranch Corporation, P.O. Box 69, Savery, Wyoming 82332. Direct all pleadings to: P. Fritz Holleman, Porzak Browning & Bushong LLP, 929 Pearl Street, Suite 300, Boulder, Colorado 80302. 2. Name of structures: A. South Fork Terrace Pond. B. Middle Fork Cutthroat Pond No. 1. C. Middle Fork Cutthroat Pond No. 2. D. Pratt Pond No. 1 E. Pratt Pond No. 2. F. Pratt Pond No. 3. G. Upper Meadow Ponds. H. Lower Meadow Oxbow Lakes. 3. Description of conditional water rights for which finding of reasonable diligence is sought: The following water rights were decreed by the District Court in and for Water Division No. 6 (the "Water Court") on November 26, 2001, in Case No. 00CW048. An Amended Order and Decree of the Water Court was entered on January 26, 2004, nunc pro tunc to November 26, 2001. The structures identified below have already been built, and the water rights decreed absolute for recreational, piscatorial, and wildlife purposes. The only decreed use for the described rights that remains conditional is augmentation. The appropriation date for each of the described water rights is May 3, 2000. A. South Fork Terrace Pond. (1) Location: The center of the pond is located in the NW 1/4 NW 1/4 of SEC. 28, T12N, R86W., at a point approximately 400 feet from the West line and 1400 feet from the North line of said SEC. 28. This pond has a surface area of 1.32 acres. (2) Source: An unnamed trib. to the South Fork of the Little Snake River. (3) Amount: 6.0 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. B. Middle Fork Cutthroat Pond No. 1. (1) Location: The center point for this pond is located in the SE 1/4 NW 1/4 of SEC. 21, T12N, R86 W., at

a point approximately 2900 feet from the East line and 1450 feet from the North line of said SEC. 21. This pond has a surface area of 2.34 acres. (2)Source: Unknown Creek and Upper Unknown Creek, trib. to the Middle Fork of the Little Snake River. (3) Amount: 19.0 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. C. Middle Fork Cutthroat Pond No. 2. (1) Location: The center point for this pond is located in the SE ¼, NW¼ of SEC. 21, T12N, R86W, at a point approximately 3200 feet from the East Line and 1400 feet from the North line of said SEC. 21. This pond has a surface area of 0.81 acres. (2) Source: Unknown Creek and Upper Unknown Creek, tributaries to the Middle Fork of the Little Snake River. (3) Amount: 6.0 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. D. Pratt Pond No. 1. (1) Location: The center point for this pond is located in the NE ¼ NE ¼ of SEC. 18, T. 12 N., R. 86 W., at a point approximately 250 feet from the East line and 50 feet from the North line of said SEC. 18. The pond has a surface area of 0.53 acres. (2) Source: Roaring Fork Creek, trib. to the Little Snake River. (3) Amount: 4.2 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. E. Pratt Pond No. 2. (1) Location: The center point for this pond is located in the NE ¼ NE ¼ of SEC. 18, T12N, R86W., at a point approximately 300 feet from the East line and 200 feet from the North line of said SEC. 18. The pond has a surface area of 0.85 acres. (2) Source: Roaring Fork Creek, trib. to the Little Snake River. (3) Amount: 6.8 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. F. Pratt Pond No. 3. (1) Location: The center point for this pond is located in the NE ¼ NE ¼ of SEC. 18, T12N, R86W, at a point approximately 400 feet from the East line and 400 feet from the North line of said SEC. 18. The pond has a surface area of 1.15 acres. (2) Source: Roaring Fork Creek, trib. to the Little Snake River. (3) Amount: 9.2 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. G. Upper Meadow Ponds. (1) Location: The center of these ponds is located in the NW ¼ NW ¼ of SEC. 21, T12N, R86W, at a point approximately 700 feet from the West line and 400 feet from the North line of said SEC. 21. These ponds have a combined surface area of 2.25 acres. (2) Source: Middle Fork of the Little Snake River. (3) Amount: 10.1 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. H. Lower Meadow Oxbow Lakes. (1) Location: The center of the ponds is located in the SW ¼ NW ¼ of SEC. 17, T. 12 N., R. 86 W., at a point approximately 1900 feet from the South line and 800 feet from the West line of said SEC. 17. These lakes have a combined surface area of 1.68 acres. (2)Source: Little Snake River. (3) Amount: 10.9 acre-feet. (4) Uses: Absolute for recreational, piscatorial, and wildlife purposes. Conditional for augmentation. 4. Detailed outline of work done to complete the project and apply water to beneficial use: The subject water rights are part of the integrated water supply system for Three Forks Ranch, a 50,000-acre ranch in Routt County, Colorado. The conditional augmentation use was decreed for these rights in the event the other available augmentation credits identified in the plan for augmentation in Case No. 00CW48 were insufficient in any month to replace the out-of-priority water depletions from new development on the ranch. Such releases have not yet been required, but may be necessary in the future. The continued availability of the identified rights for

augmentation purposes remains important for Applicants' overall water supply plan. Moreover, during the current diligence period, Applicants have continued with the development of the ranch, and completion of the water supply system on the ranch. Applicants have hired lawyers, engineers and biologists to conduct water investigations, and have spent in excess of \$100,000 in legal and engineering fees during the diligence period in order to prosecute water right applications, address concerns raised by the Division Engineer, and otherwise complete and defend the water supply for the ranch. 5. Names and Addresses of Owners of Land upon which Structures are or will be Located, upon which Water is or will be Stored, or upon which Water is or will be Placed to Beneficial Use: All structures are on land owned by Applicant. Wherefore, Applicant requests that this Court enter a decree that includes a finding that Applicant has exercised reasonable diligence in the development of the conditional water rights so that the conditional status of the rights is continued.

9. 07CW75 MOFFAT COUNTY. Application for Water Rights (Surface). Name of applicant: Wellman Ranching Co., 624 School St., Craig, CO 81625. Name of structure: Helper Bank spring. Legal description: NE ¼ of the SE ¼, Sec. 12, T3N, R92W 6th P.M., distance from 2299 feet from South Sec. line and 332 feet from East Sec. line. Northing 44582 44 Easting 0274197 Zone 13. Source: Stinking Gulch of Milk Creek of Yampa River. Date of initiation of appropriation: Dam built 1975. Date water applied to beneficial use: Summer 1975. Amount claimed: 0.033 cfs Absolute. Use or proposed use: livestock & wildlife. If non-irrigation, describe purpose fully. Livestock dam and pump to other livestock ponds. Names and addresses of owners of land: Douglas C. & Lucille Wellman, Wellman Ranching Co. and John & Debra Wellman in Hamilton, CO 81638.

10. 07CW77 ROUTT COUNTY. Application for Conditional Water Right and Conditional Water Storage Right. Terry H. & Ralph E. Dittman, c/o Beattie, Chadwick & Houpt, LLP, Jefferson V. Houpt, 932 Cooper Avenue, Glenwood Springs, CO 81601, 970-945-8659. First Claim: Water Storage Right for Elkstone Pond. Location: SE1/4 NE1/4 of Sec 9, T 6 N, R 84 W 6th P.M., 1269 ft from the N sec line and 1267 ft from the E sec line of said Sec 9. Ditch: Steamboat Gardens Ditch located in the SE1/4 NW1/4 of Sec 3, T 6 N, R 84 W 6th P.M., 2352 ft from the N sec line and 2208 ft from the W sec line of said Sec 3. Source: Spring Creek, trib to the Yampa River. Date of Appropriation: 6/22/07. Amount claimed: 1.5 af, conditional, with right to fill and refill in priority. Max rate of fill: 0.5 cfs. Uses: Recreation, wildlife watering, stockwatering, piscatorial, fire protection and aesthetic purposes. Surface area of high water line: 9,000 sq ft. Max height of dam: Less than 10 ft. Length of dam: 80 ft. Total capacity: 1.5 af. Active capacity: 0.5 af. Dead storage: 1.0 af. Second Claim: Surface Water Right for Steamboat Gardens Ditch Huffington Enlargement. Point of Diversion of Steamboat Gardens Ditch: SE1/4 NW1/4 of Sec 3, T6N, R84W 6th P.M., 2352 ft from the N sec line and 2208 ft from the W sec line of said Sec 3. Source: Spring Creek. Date of Appropriation: 6/22/07. Amount: 0.5 cfs, conditional. Uses: Irrigation and to fill and refill Elkstone Pond for uses identified above. Approx 0.75 acres of landscaping.

11. 07CW78 ROUTT COUNTY. Application for Storage Water Rights. Name, address and telephone number of Applicant: 7 1/8 LC, a Wyoming limited liability company, c/o James S. Carollo, Sr., P.O. Box 772870, Steamboat Springs, CO 80477. (970) 879-5498. Please direct all pleadings to Applicant's counsel, Weiss and Van Scoyk, LLP, Robert G. Weiss, No. 8521, Jason M. Yanowitz, No. 32631, Weiss and Van Scoyk, LLP, 600 So. Lincoln, Suite 202, Steamboat Springs, CO 80487. Telephone: 970/879-6053, Fax: 970/879-6058, bweiss@wvsc.com, jyanowitz@wvsc.com. This Application pertains to storage water rights located on the property described in the attached Exhibit "A" (the "Property"), which is owned by Applicant. A Water Right Vicinity Map of the Property is attached hereto as Exhibit "B," and by this reference incorporated herein, which depicts the locations of the water rights as described herein. Name of Reservoir: Carollo Pond No. 2. Storage Water Rights. Legal Description of Reservoir: Located in the County of Routt; NW 1/4 SW 1/4 of Sect. 33, T7N, R84W, 6th PM; 1600 feet from South Sect. Line and 1,100 feet from West Sect. Line. Name and Capacity of the Ditch Used to Fill the Pond: Soda Creek Ditch. The decreed capacity of the Soda Creek Ditch is 14.68 cfs. Source: Soda Creek Ditch. Appropriation Information: Date of Appropriation: 1984. How Appropriation was initiated: Constructing and filling Carollo Pond No. 2. Date Water Applied to Beneficial Use: 1984. Amount Claimed: 1.53 Absolute for recreation, aesthetics, and piscatorial uses. Uses: Recreation, Aesthetic, and Piscatorial. Surface Area of High Waterline: 0.36 Acres. Maximum Height of Dam. Three (3) feet. Length of Dam: 150 feet. Total Capacity of Pond: 1.53 AF (Capacity 1.53 AF Active, 0.0 AF Dead). Name of Owner of the Land Upon Which the Structure Will be Located: The pond is located entirely on property owned by 7 1/8 LC, a Wyoming Limited Liability Company. Remarks. The purpose of this application is to adjudicate a new water storage right for Carollo Pond No. 2. Applicant will fill the pond with diversions from Soda Creek conveyed through the Soda Creek Ditch, when such capacity exists in the Ditch. Once filled, Carollo Pond No. 2 will be continuously maintained and freshened consistent with the decreed uses of certain water rights in the Soda Creek Ditch which include 0.26 cfs of Priority 32(33) and 0.04 cfs of Priority 153 owned by or authorized for use by the Applicant. WHEREFORE, Applicant requests a Decree which: A. Finds that all notice and jurisdictional requirements have been met, including, without limitation, as required under C.R.S. §37-92-302; B. Confirms and decrees the water rights as above described; C. Grants to Applicant such other relief as to the Court deems just and proper. (see file for maps attached)

The following are amended applications previously published:

1. 06CW44 MOFFAT COUNTY Second Amended Application For Change Of Water Right. Weibel Land, LLC, c/o John Weibel, 338 Pratt Street, Longmont, CO 80501. (Jeffrey J. Kahn, Esq., Mark D. Detsky, Esq., Bernard Lyons Gaddis & Kahn, PC, P.O. Box 978, Longmont, CO 80502-0978.) 2. Decreed name of structure for which change is sought: Applicant seeks to change the point of diversion for its interest in the water

rights adjudicated to the Woodbury Ditch. 3. Previous decrees for water rights to be changed: The Woodbury Ditch was decreed in Civil Action 646, Routt County District Court, entered June 8, 1910. a) Decreed point of diversion: At a point on the north bank of the Little Snake River, whence it bears south 70 degrees 48 minutes east 3273 feet to the southeast corner of SEC. 13, T12N, R92 West of the 6th P.M., Routt County, Colorado. b) Source: Little Snake River. c) Appropriation date: May 27, 1895. d) Appropriation amount: 6.98 cfs, Absolute. e) Uses: Irrigation. f) Remarks: The Woodbury Ditch was also awarded Wyoming water rights under Wyoming Permit No. 2450 in the amount of 1.64 cfs. 4. Historic Use: Water from the Woodbury Ditch has historically irrigated 430 acres in portions of SEC.s 11, 12, 13, 14, 18 and 19, in T12N, R92 W and 93 W. These lands are located in both Colorado and Wyoming. Since the Woodbury Ditch water rights were adjudicated, the irrigated lands in both Wyoming and Colorado have been resurveyed. Applicant has acquired, by deed, 2.65 cfs, or 38 percent of the Woodbury Ditch water right. Applicant seeks to change the point of diversion for Applicant's legal interest in the Woodbury Ditch Colorado water rights. Applicant has irrigated 120 acres with the Colorado water rights adjudicated to the Woodbury Ditch. A map of the location of the current point of diversion and the proposed change in point of diversion, as well as Applicant's land, is attached hereto as Exhibit A. 5. Proposed change: Applicant seeks to change the point of diversion in order to use a pump system. Applicant does not propose to change the place of use or type of use of the water right. The pump will be located in the river at a point in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, SEC. 13, T12N, R93 West of the 6th P.M., 1502 feet from the north SEC. line and 27 feet from the west SEC. line, Moffat County, Colorado. The change in point of diversion will be limited to the diversion of that amount of water which is physically and legally available to Applicant at the originally decreed point of diversion. 6. Name and address of owners of land on which structures are located: The river headgate for the Woodbury Ditch, its original point of diversion, is located on land owned by Monty Pilgrim, PO Box 27, Baggs, WY 82321. The proposed new point of diversion is located on Applicant's land.

2. 07CW17 ROUTT COUNTY. Application for Water Rights (Surface). Name and address of Applicants: Terry J. Nelson, PO Box 1139, Clark, CO 80428. (970) 846-1234. Name of structures: Terry Spring, Denise Spring and Bill Spring. Legal Description of: Terry Spring; NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 24, T11N, R85W of the 6th P.M. at a distance of 2462 feet from South Sec. line and 985 feet from West Sec. line. Legal description of: Denise Spring; NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 23, T11N, R85W of the 6th P.M. at a distance of 1245 feet from North Sec. line and 1335 feet from East Sec. line. Legal description of: Bill Spring; NW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Sec. 24, T11N, R85W of the 6th P.M. at a distance of 1421 feet from North Sec. line and 845 feet from West Sec. line. Source: Middle Fork of Snake River. Date of initiation of appropriation: 05/15/1993. How appropriation was initiated: Terry Spring domestic use for residence; Denise and Bill Springs for minimum of 10 horses and irrigation of 40 acres. Amount claimed: Terry Spring .045 cfs Absolute; Denise & Bill Springs .027 cfs Absolute. Use or proposed use: Terry Spring; Domestic use for residence; Bill and Denise Springs for livestock and irrigation. If irrigation, number of acres historically irrigated 40; proposed

to be irrigated 40. Legal description of acreage: 4 acres in the NW ¼ NE ¼ Sec. 23 and the SW ¼ NW ¼ of Sec. 24 T11N R85W. If non-irrigation, describe purpose fully. Livestock and Domestic. Name and address of owner of land: Applicant. (map in file)

You are hereby notified that you will have until the last day of January, 2008, 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 \$90.00, and should be sent to the Clerk of the Water Court, DIV. 6, P. O. Box 773117, Steamboat Springs, CO 80477.

ROUTT COUNTY COMBINED COURT
WATER DIV. 6

| /Guyla Littlehorn/
By: Court Judicial Assistant