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June 6, 2012

Ms. Heidi Frey
Colorado Division of Water Resources
1313 Sherman St., Room 818
Denver, CO 80203

Re: Request for Substitute Water Supply Plan, Black Range

Dear Ms. Frey:

Black Range Minerals Colorado LLC (Black Range) hereby submits this request for a Substitute Water Supply Plan (SWSP) for diverting direct flow water from Fear Creek for mining uses. This plan is being submitted pursuant to CRS 37-92-308(5) for a substitute water supply plan with depletions that do not exceed five years. This request involves the use of Spring Ditch, a different ditch than what has been requested in previous years. The requested term of this SWSP will be from June 1, 2012 to December 31, 2012. It is anticipated that the project will continue for approximately three years and Black Range intends to renew this application annually, as needed.

Description

Black Range has secured the mineral rights to the Taylor Ranch Uranium Project located northwest of Parkdale, Colorado along Tallahassee Creek, a tributary of the Arkansas River, in Fremont County, Colorado. Generally, the Taylor Ranch Uranium Project is located in Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 21, 22, 23, 26, 27, and 28 in Township 17 South, Range 73 West of the 6th P.M., and Sections 32, 33, 34, and 35 in Township 16 South, Range 73 West of the 6th P.M. As part of the site development, Black Range will drill test holes throughout the property to delineate the extent of mineralization and assess the feasibility of a full scale mining operation. During exploration, water is required in the drilling process to lubricate the bore hole and to flush drilling materials. Water may also be used for dust control on the property. Black Range will divert water from Fear Creek and haul the water in tanker trucks to the drilling sites within the project area.

Black Range estimates that a maximum of 4.6 acre-feet per year would be needed for its drilling operations during the term of this SWSP request. See Table 1. The water will be pumped to fill trucks for delivery to the drilling sites. All water uses related to drilling operations are considered to be 100% consumptive.

Stream depletions resulting from water use in the drilling operations will be replaced from Black Range augmentation water supplies, including a lease of the entire Spring Ditch and three acre-feet of water from Twin Lakes.

Notice

Notice of this SWSP request has been provided to the SWSP notification list for Water Division 2, in accordance with C.R.S. 37-92-308(5)(a)(II).

Depletions

Stream depletions associated with the maximum drilling operations for the term of this SWSP request are estimated to be 4.6 acre-feet. The depletions will correspond to diversions from the stream. The diversions may occur from June through October, and Black Range will pump directly from Fear Creek downstream from the Spring Ditch point of diversion. Table 1 shows the anticipated depletions to be replaced subject to this SWSP request.

Replacement Sources

Spring Ditch

The Spring Ditch is an irrigation ditch originally decreed to divert from Fear Creek approximately 190 feet from the south line of Section 21 and 700 feet from the west line of Section 21 in Township 17 South and Range 73 West of the 6th P.M. A water right was decreed for the ditch in the February 3, 1894 adjudication: sufficient water to irrigate six acres with an appropriation date of 5/15/1876, 1.5 cfs. The Spring Ditch water right was one of a number of rights changed in the Cyprus Mines Corporation's (Black Range predecessor) augmentation plan, Case No. W-4806, an augmentation plan that was never implemented.

The Spring Ditch has historically irrigated 6.0 acres of pasture land located between the Spring Ditch and Fear Creek in the southwest of the southeast quarter and the southeast of the southwest quarter of Section 21, Township 17 South, Range 73 West of the 6th P.M. The delineation of the irrigated area was based on aerial photographs. It is shown on Figure 1. To supply replacement water for the drilling operations, the irrigation use will cease and the land will be dried up. The historically irrigated land is several feet above the water surface of Fear Creek, and unirrigated lands in the vicinity show distinctly different vegetative growth, so there is little concern of subirrigation impacting the ability to dry up the land. Additionally, the Spring Ditch historical depletions exceed the anticipated use for 2012.

Records of diversions for the Spring Ditch were obtained from the Office of the State Engineer (SEO) via the Colorado's Decision Support System website (http://cdss.state.co.us) for the period 1941 to 1996. The CDSS records for this period included 1941 but no other years of

records until 1970. Therefore, 1941 was disregarded and the period of 1970 to 1996 was used as the original basis for diversion records. A monthly distribution was calculated for those years with recorded monthly diversions. From 1987 to 1996 only annual values were listed in the records. The monthly distribution that had been calculated using the CDSS monthly records was applied to these annual values to distribute them to monthly values. New average monthly diversions were calculated which included zeroes for months with no records. The new averages were calculated for an extended period of 1970 to 2011, with assigned values of zero for 1997 to 2011.

Aerial photo analysis of the land under the Spring Ditch revealed that for some years with no records of diversions, there was evidence that irrigation had occurred. These included 1975, 1988, 1999, 2004, 2005, and 2011. See Appendix C for aerial photos. During 2010 field work, irrigation on the Spring Ditch land was observed. Additionally, an affidavit of historical use from Noah "Buddy" Taylor is included in Appendix D which states that the land was irrigated by Mr. Taylor for the period including 1997 to 2005. Years that had supporting evidence of irrigation were given diversion values based on the extended monthly average calculation above. Table 2 summarizes the monthly diversion values for the ditch from 1970 to 2011 and the basis for the respective values. After including average monthly values based on supporting evidence, the annual diversions for the Spring Ditch for 1970 to 2011 averaged 22.9 acre-feet.

The pasture grass consumptive irrigation water requirement (CIR) estimates for the Spring Ditch were determined using the original Blaney-Criddle formula with the Gunnison-Smith high elevation pasture growth coefficients from the SPDSS memorandum 59.1, Table 1. Monthly temperature data was obtained for the Salida, Colorado, and Salida 3 W, Colorado weather stations and were adjusted for the difference in elevation between the climate station and the area of interest by a decrease of 3.6 degrees, the lapse rate for approximately 1000 feet. The climate stations were located at elevations of 7160 feet above sea level and 7488 feet above sea level, respectively, while the area irrigated by the Spring Ditch is located at an elevation of 8400 feet above sea level. Precipitation data from the Guffey 10 SE, Colorado climate station at 8595 feet above sea level was used in the place of the Salida station data because it was closer to the area of interest and deemed more representative. The Guffey 10 SE station did not have temperature data. The Salida climate stations are in a rain shadow area and annually average approximately six inches of rain less than the Guffey 10 SE station. Use of the Guffey station produces a more conservative estimate of CIR due to its higher rainfall average. Table 3 summarized the monthly CIR which averaged 12 inches per year. Input data and results for this analysis are included in Appendix A.

A portion of the water applied to the Spring Ditch irrigated land returns to Fear Creek and Tallahassee Creek as return flows. Surface water return flows accrue on an almost instantaneous basis to the stream. Because of the narrow nature of the meadow and the relatively short distance from the ditch to the stream, approximately 400 feet maximum, the Glover analysis showed the groundwater return flows accrue to the stream within the same month as the diversions.

Stream depletions represent the net effect of the historical use of the Spring Ditch on the Tallahassee Creek system. Stream depletions, as referenced herein, are equal to the historical diversions minus return flows. Stream depletions were calculated with a stream depletion spreadsheet that simulates historical irrigation for the 1970 through 2011 study period. A maximum irrigation efficiency of 45 percent was utilized. Table 4 summarizes historical stream depletions for the study period, which averaged approximately 5.7 acre-feet per year. The diversion season is from May through August and credits are distributed as follows based on the distribution in the historical use analysis: May – 0.60 AF, June – 2.83 AF, July – 1.79 AF, August – 0.44 AF.

Black Range Minerals has entered into a three year water lease agreement with Top Notch Investments, LLC, owner of the Spring Ditch water rights, to use the water for mining purposes. A copy of the agreement is included in Appendix B.

Twin Lakes

Twin Lakes Reservoir is situated on Lake Creek in Sections 15, 16, 17, 18, 19, 20, 21, 22, and 23 in Township 11 South, Range 80 West of the 6th of the P.M., in Lake County, Colorado. The reservoir was originally decreed 20,645.30 acre-feet with an appropriation date of December 15, 1896 and a second appropriation of 33,806.70 acre-feet was made on March 29, 1897. The water rights were changed by the Twin Lakes Reservoir and Canal Company in Case No. W-3965.

Black Range has leased three acre-feet of Twin Lakes Reservoir water from the Upper Arkansas Water Conservancy District (UAWCD). A copy of the lease agreement, which is subject to annual renewal, is included in Appendix B. Black Range will pay transit losses from the outfall from Twin Lakes Reservoir to the confluence of Tallahassee Creek and the Arkansas River, as directed by the Division Engineer and Water Commissioner.

Operation of Plan

Black Range will pump and measure water from an alternate point of diversion on Fear Creek near the road crossing identified on Figure 1, and the resulting stream depletions will be replaced utilizing the consumptive use credits from drying up 6.0 acres of historically irrigated land under the Spring Ditch. At times when the consumptive use credits are insufficient Black Range will release replacement water from Twin Lakes Reservoir. When an administrative exchange is permissible, Black Range will exchange leased Twin Lakes water up the Middle Tallahassee. Otherwise, it may pump from the Arkansas River near Parkdale, Colorado, in the vicinity of the intersection of Fremont County Road 157 and Colorado State Highway 50, Sections 13 and 14, Township 18 South, Range 72 West. See Table 1 for the quantity and timing of the use of the various replacement credits.

Terms and Conditions

1. Net augmentation obligations shall be replaced using the augmentation supplies described herein and shown on Table 1.

2. Black Range has removed from irrigation the 6.0 acres under the Spring Ditch (Figure 1). Dried up lands will be monumented to the satisfaction of the local water commissioner.

3. Use of Twin Lakes Reservoir water will be made pursuant to the terms and conditions in the Twin Lakes decree, Case No. W-3965, and in the lease agreement, Appendix B. Black Range will bear transit losses to the point of replacement as assessed by the Division Engineer.

4. When an administrative exchange is permissible, Black Range will exchange leased Twin Lakes water up Middle Tallahassee Creek to the alternate point of diversion shown on Figure 1, and when no exchange is possible and the Spring Ditch credits are inadequate, the Twin Lakes water will be trucked to the drill sites.

5. If Black Range fails to replace out-of-priority stream depletions, they will cease pumping until the depletions have been replaced in a manner reasonably acceptable to the Division Engineer.

6. Black Range shall maintain accounting for the plan on the accounting form attached as Table 5.

If you should have any questions, or need additional information, please do not hesitate to call.

Sincerely,

SPRONK WATER ENGINEERS, INC.

Jon W. Mayberry, P.E.

Encl.
Tables 1-5
Figure 1
Appendices A - D

cc: Patrick Siglin
Michael Browning
CDWR Division 2

Table 1

Anticipated Depletions
Spring Ditch
(af)

	Estimated Water Use			Replacement Water		
Month	Gallons	Acre Feet	Cumulative Total, AF	Quantity and Source, AF	Cumulative Total SD, AF	Cumulative Total Twin Lakes, AF
January	-	0.00	0.00	0.00	0.00	0.00
February	-	0.00	0.00	0.00	0.00	0.00
March	-	0.00	0.00	0.00	0.00	0.00
April	-	0.00	0.00	0.00	0.00	0.00
May	-	0.00	0.00	0.00	0.00	0.00
June	300,000	0.92	0.92	0.92 - SD	0.92	0.00
July	300,000	0.92	1.84	0.92 - SD	1.84	0.00
August	300,000	0.92	2.76	0.44- SD, 0.48 - TL	2.28	0.48
September	300,000	0.92	3.68	0.92- TL	2.28	1.40
October	300,000	0.92	4.60	0.92- TL	2.28	2.32
November	-	0.00	4.60	0.00	2.28	2.32
December	-	0.00	4.60	0.00	2.28	2.32

SD - Spring Ditch

TL - Twin Lakes

Table 2

Spring Ditch Monthly Diversions
acre feet

Year	Jan - Apr	May	Jun	Jul	Aug	Sep - Dec	Annual	Basis
1970	-	19.8	-	-	-	-	19.8	CDSS recorded diversions
1971	-	-	-	-	-	-	-	no CDSS records, assigned zero
1972	-	-	-	-	-	-	-	no CDSS records, assigned zero
1973	-	-	21.8	-	-	-	21.8	CDSS recorded diversions
1974	-	-	-	-	-	-	-	CDSS recorded no water used
1975	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, air photo shows use, assigned average monthly values
1976	-	-	-	-	-	-	-	no CDSS records, assigned zero
1977	-	-	-	-	-	-	-	no CDSS records, assigned zero
1978	-	-	-	-	-	-	-	no CDSS records, assigned zero
1979	-	1.1	6.9	5.9	1.1	-	15.0	CDSS recorded diversions
1980	-	-	-	30.7	14.9	-	45.6	CDSS recorded diversions
1981	-	7.7	7.4	-	-	-	15.1	CDSS recorded diversions
1982	-	-	29.8	30.7	-	-	60.5	CDSS recorded diversions
1983	-	-	29.8	30.7	-	-	60.5	CDSS recorded diversions
1984	-	-	29.8	29.8	-	-	59.5	CDSS recorded diversions
1985	-	-	29.8	30.7	14.9	-	75.4	CDSS recorded diversions
1986	-	-	29.8	1.0	-	-	30.7	CDSS recorded diversions
1987	-	0.2	1.4	1.2	0.2	-	3.0	CDSS recorded annual diversion, total distributed to monthly values
1988	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, air photo shows use, assigned average monthly values
1989	-	0.1	0.9	0.8	0.2	-	2.0	CDSS recorded annual diversion, total distributed to monthly values
1990	-	4.2	27.5	23.7	4.6	-	60.0	CDSS recorded annual diversion, total distributed to monthly values
1991	-	5.4	34.8	30.0	5.8	-	76.0	CDSS recorded annual diversion, total distributed to monthly values
1992	-	5.4	34.8	30.0	5.8	-	76.0	CDSS recorded annual diversion, total distributed to monthly values
1993	-	-	-	-	-	-	-	CDSS recorded no water used
1994	-	4.3	27.9	24.1	4.7	-	61.0	CDSS recorded a diversion for May of 61 AF, assumed it was actually an annual value, total distributed to monthly values
1995	-	1.4	9.2	7.9	1.5	-	20.1	CDSS record of water taken, but no values, assigned average monthly values
1996	-	-	-	-	-	-	-	CDSS recorded no water used
1997	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, affidavit states use, assigned average monthly values
1998	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, affidavit states use, assigned average monthly values
1999	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, air photo shows use, assigned average monthly values
2000	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, affidavit states use, assigned average monthly values
2001	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, affidavit states use, assigned average monthly values
2002	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, affidavit states use, assigned average monthly values
2003	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, affidavit states use, assigned average monthly values
2004	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, air photo shows use, affidavit states use, assigned average monthly values
2005	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, air photo shows use, affidavit states use, assigned average monthly values
2006	-	-	-	-	-	-	-	no CDSS records, assigned zero
2007	-	-	-	-	-	-	-	no CDSS records, assigned zero
2008	-	-	-	-	-	-	-	no CDSS records, assigned zero
2009	-	-	-	-	-	-	-	no CDSS records, assigned zero
2010	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, ditch observed in use during field work, assigned average monthly values
2011	-	1.4	9.2	7.9	1.5	-	20.1	no CDSS records, air photo shows use, assigned average monthly values
Average	-	1.6	10.5	9.1	1.8	-	22.9	

Table 3

Crop Irrigation Requirements
Spring Ditch
(af)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1970	0	0	0	0	3	2	2	1	1	0	0	0	9
1971	0	0	0	0	2	4	2	1	1	0	0	0	10
1972	0	0	0	0	2	3	3	2	1	0	0	0	11
1973	0	0	0	0	2	4	2	2	2	0	0	0	11
1974	0	0	0	0	3	4	3	2	1	0	0	0	13
1975	0	0	0	0	2	3	2	1	1	0	0	0	10
1976	0	0	0	0	2	3	2	1	0	0	0	0	10
1977	0	0	0	0	3	4	3	1	2	0	0	0	13
1978	0	0	0	0	2	4	3	2	2	0	0	0	13
1979	0	0	0	0	2	3	3	1	1	0	0	0	11
1980	0	0	0	0	1	4	3	2	2	0	0	0	13
1981	0	0	0	0	2	4	2	0	1	0	0	0	10
1982	0	0	0	0	2	2	2	1	1	0	0	0	8
1983	0	0	0	0	2	3	3	0	2	0	0	0	10
1984	0	0	0	0	3	3	3	1	2	0	0	0	12
1985	0	0	0	0	2	4	2	2	1	0	0	0	11
1986	0	0	0	0	2	3	3	2	1	0	0	0	11
1987	0	0	0	0	2	2	4	1	2	0	0	0	11
1988	0	0	0	0	3	3	2	1	1	0	0	0	11
1989	0	0	0	0	2	3	3	2	1	0	0	0	12
1990	0	0	0	0	2	4	2	1	2	0	0	0	11
1991	0	0	0	0	2	3	1	1	1	0	0	0	10
1992	0	0	0	0	2	2	3	1	2	0	0	0	10
1993	0	0	0	0	2	4	3	2	1	0	0	0	11
1994	0	0	0	0	1	4	3	1	1	0	0	0	10
1995	0	0	0	0	1	2	2	2	1	0	0	0	9
1996	0	0	0	0	2	3	2	1	1	0	0	0	10
1997	0	0	0	0	3	3	2	1	1	0	0	0	10
1998	0	0	0	0	3	4	2	1	1	0	0	0	12
1999	0	0	0	0	2	3	2	1	1	0	0	0	9
2000	0	0	0	0	2	3	3	1	2	0	0	0	11
2001	0	0	0	0	2	4	2	1	2	0	0	0	11
2002	0	0	0	0	3	4	3	2	1	0	0	0	13
2003	0	0	0	0	3	3	3	1	2	0	0	0	12
2004	0	0	0	0	3	3	2	2	2	0	0	0	11
2005	0	0	0	0	3	4	3	1	2	0	0	0	12
2006	0	0	0	0	3	4	2	1	1	0	0	0	11
2007	0	0	0	0	2	4	3	2	2	0	0	0	12
2008	0	0	0	0	2	4	3	1	2	0	0	0	13
2009	0	0	0	0	3	3	3	2	2	0	0	0	13
2010	0	0	0	0	2	3	2	1	1	0	0	0	11
2011	0	0	0	0	2	3	2	1	1	0	0	0	11
Avg	0	0	0	0	2	3	3	1	1	0	0	0	11
Max	0	0	0	0	3	4	4	2	2	0	0	0	13
Min	0	0	0	0	1	2	1	0	0	0	0	0	8

Note: Crop irrigation requirement computed using modified Blaney-Criddle procedure

Table 4

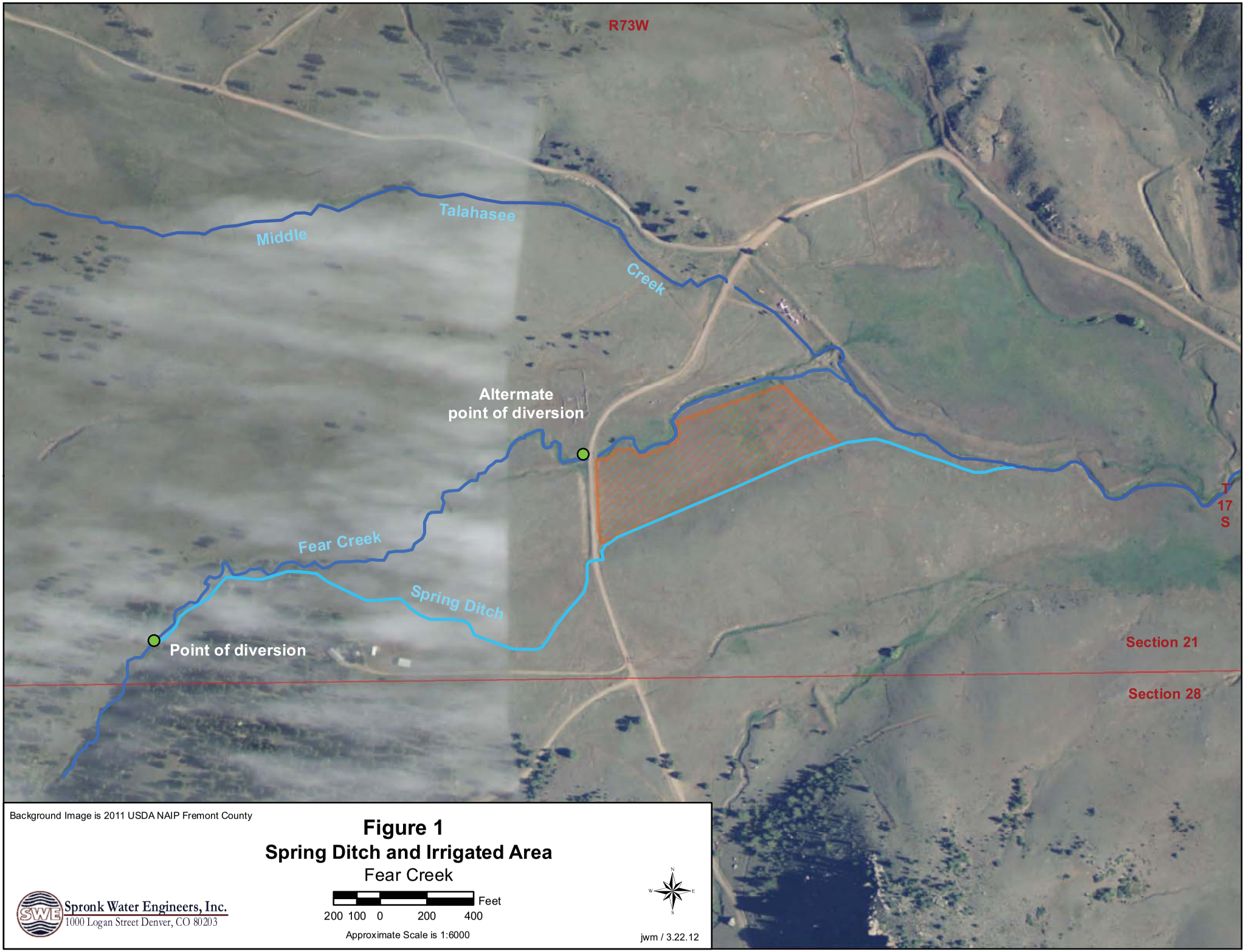
Stream Depletions (after conveyance loss)
Spring Ditch
(af)

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
1970	0	0	0	0	3	0	0	0	0	0	0	0	3
1971	0	0	0	0	0	0	0	0	0	0	0	0	0
1972	0	0	0	0	0	0	0	0	0	0	0	0	0
1973	0	0	0	0	0	6	0	0	0	0	0	0	6
1974	0	0	0	0	0	0	0	0	0	0	0	0	0
1975	0	0	0	0	1	4	3	1	0	0	0	0	8
1976	0	0	0	0	0	0	0	0	0	0	0	0	0
1977	0	0	0	0	0	0	0	0	0	0	0	0	0
1978	0	0	0	0	0	0	0	0	0	0	0	0	0
1979	0	0	0	0	0	3	3	1	0	0	0	0	7
1980	0	0	0	0	0	0	6	2	0	0	0	0	7
1981	0	0	0	0	3	3	0	0	0	0	0	0	7
1982	0	0	0	0	0	4	2	0	0	0	0	0	7
1983	0	0	0	0	0	5	3	0	0	0	0	0	8
1984	0	0	0	0	0	6	3	0	0	0	0	0	8
1985	0	0	0	0	0	6	2	2	0	0	0	0	10
1986	0	0	0	0	0	5	0	0	0	0	0	0	6
1987	0	0	0	0	0	1	1	0	0	0	0	0	1
1988	0	0	0	0	1	4	3	1	0	0	0	0	9
1989	0	0	0	0	0	0	0	0	0	0	0	0	1
1990	0	0	0	0	2	7	2	1	0	0	0	0	12
1991	0	0	0	0	2	5	1	1	0	0	0	0	10
1992	0	0	0	0	2	4	3	1	0	0	0	0	10
1993	0	0	0	0	0	0	0	0	0	0	0	0	0
1994	0	0	0	0	2	5	3	1	0	0	0	0	11
1995	0	0	0	0	1	4	3	1	0	0	0	0	8
1996	0	0	0	0	0	0	0	0	0	0	0	0	0
1997	0	0	0	0	1	4	3	1	0	0	0	0	9
1998	0	0	0	0	1	4	4	1	0	0	0	0	9
1999	0	0	0	0	1	4	4	1	0	0	0	0	9
2000	0	0	0	0	1	4	4	1	0	0	0	0	9
2001	0	0	0	0	1	4	4	1	0	0	0	0	9
2002	0	0	0	0	1	4	4	1	0	0	0	0	9
2003	0	0	0	0	1	4	4	1	0	0	0	0	9
2004	0	0	0	0	1	4	3	1	0	0	0	0	9
2005	0	0	0	0	1	4	4	1	0	0	0	0	9
2006	0	0	0	0	0	0	0	0	0	0	0	0	0
2007	0	0	0	0	0	0	0	0	0	0	0	0	0
2008	0	0	0	0	0	0	0	0	0	0	0	0	0
2009	0	0	0	0	0	0	0	0	0	0	0	0	0
2010	0	0	0	0	1	4	4	1	0	0	0	0	9
2011	0	0	0	0	1	4	4	1	0	0	0	0	9
Avg	0.00	0.00	0.00	0.00	0.60	2.83	1.79	0.44	0.00	0.00	0.00	0.00	5.66
Max	0	0	0	0	3	7	6	2	0	0	0	0	12
Min	0	0	0	0	0	0	0	0	0	0	0	0	0

Table 5

Black Range Minerals Spring Ditch Diversions Accounting Form

Date	In Priority Y/N (5/15/1876)	Gallons	Trips	Daily Total, gals.	Cumulative Total, gals.	Cumulative Total, AF (325,851 x	Source	Comment



Background Image is 2011 USDA NAIP Fremont County

Figure 1
Spring Ditch and Irrigated Area
Fear Creek

200 100 0 200 400 Feet

Approximate Scale is 1:6000

Spronk Water Engineers, Inc.
1000 Logan Street Denver, CO 80203

jwm / 3.22.12

Appendix A

ORIGINAL BLANEY-CRIDDLE (KT=1) INPUT VARIABLES
FIRST YEAR OF STUDY.... 1970
LAST YEAR OF STUDY..... 1996
NUMBER OF YEARS IN STUDY.... 27
LOCATION....SAL/ADJ_T_GUFFPREC
LATITUDE... 38 DEGREES 32 MINUTES
MONTHLY PERCENTAGE OF DAYLIGHT HOURS INDICATED ON NEXT LINE (JAN-DEC)
6.84 6.77 8.33 8.90 9.93 10.00 10.14 9.49 8.38 7.79 6.80 6.64

CROP....PASTUREGRASS
GROWTH STAGE COEFFICIENTS (VALUES ON NEXT LINE FOR JAN-DEC)
0.00 0.00 0.00 0.00 1.24 1.42 1.13 0.82 0.87 0.00 0.00 0.00
NET DEPTH OF IRRIGATION APPLICATION... 3 INCHES
LENGTH OF GROWING SEASON= 320 DAYS
INITIAL MOISTURE USE MEAN MONTHLY TEMPERATURE... 42 DEG F
LATEST MOISTURE USE MEAN MONTHLY TEMPERATURE... 42 DEG F

MEAN MONTHLY TEMPERATURES FOR SAL/ADJ_T_GUFFPREC

YR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AV
70	25.1	32	31.2	37.4	50.3	57.1	61.3	60.4	50.4	38.3	34.8	28.2	42.2
71	26.4	23.6	31.3	39.3	45.2	57.6	60.7	59.9	50.2	41	30.2	21.5	40.6
72	23.5	28.6	35.9	41.2	48	58.5	60.9	60	54.3	43.7	21.4	20.5	41.4
73	20.3	24.4	28.5	33.9	46.6	56.7	60	59.9	52.1	44.4	35.8	23.8	40.5
74	22	27	36.9	38.1	52.7	58.7	63.1	58.8	52	44.8	30.5	19.6	42
75	20.5	23	29.8	35.7	46.1	54.6	61.8	60.4	52.3	44.6	30.4	28.6	40.6
76	25.6	32.1	31	40.7	47.3	56.2	62.9	58	51.6	39.5	31.1	24.9	41.7
77	21.8	26.2	30	40.5	50.3	60.8	63.1	61.9	56.8	43.4	35	29.6	43.3
78	25.3	27.7	35.5	42	47.4	60.3	65.6	60.8	55.4	44.2	31.3	17.7	42.8
79	15.9	25.5	30.5	39.8	46.7	56.2	61.3	58.9	54.7	44.9	24.3	26.8	40.4
80	24.3	29.5	30.4	35.8	47.1	60.6	65.1	62.7	54.8	42.6	33	35.9	43.5
81	26.7	31.3	32.4	45.9	47.7	61.2	63.7	60.3	55.6	43.9	36.4	28.1	44.4
82	23.4	22	33	40.5	48.8	57.1	62.3	60.5	53.3	43.4	32.7	24.5	41.8
83	24.2	27	33	40.5	48.8	57.1	62.3	60.5	53.3	43.4	32.7	24.5	42.3
84	24.2	27	33	40.5	48.8	55.5	63.7	60.2	52.9	36.4	31.5	26.4	41.7
85	19.6	22.4	31.9	39.8	48.7	57.5	61.2	60.3	49.9	42.3	32.5	22.8	40.7
86	30.3	28.9	35.5	41.8	48.6	57.1	61	60.7	51.6	39.3	30.2	22.8	42.3
87	21.6	26.4	28	41.3	48.3	57.7	62	59.5	52.5	43.8	29.2	20.7	40.9
88	16.5	27.8	30	40.5	48.8	57.1	62.3	60.5	51.5	45.4	32.2	20.2	41.1
89	22	20.8	38	42.9	50.5	55.5	63.9	59.7	52.9	42.2	34	21	41.9
90	23.7	28.6	34.6	41.9	45.6	60.6	61.6	58.6	56.5	42.5	32.4	20.5	42.3

91	22.3	28.8	32.1	38.9	48.4	57.2	61.2	60.8	53.2	44.2	27.4	22.2	41.4
92	22.1	28.2	33.7	44	50.4	55.2	60.2	58.5	52.6	45.8	26.3	22.7	41.6
93	24.5	25.8	34.3	39.9	48.9	56.8	61.6	59.7	51.6	40.4	26	24.9	41.2
94	24.1	23.8	35	37.8	50	60.5	61.8	62.5	53.6	41.6	31.3	27.4	42.4
95	24.9	30.7	31.8	36.3	43.7	53.4	59.3	63.6	53.2	42.7	36.2	26.6	41.9
96	24.1	30	31.7	40.5	53.7	58.8	64.9	61	52.1	42	34.6	26.6	43.3
AVERAGE	23.1	27.0	32.6	39.9	48.4	57.6	62.2	60.3	53.0	42.6	31.2	24.4	41.9

PRECIPITATION FOR SAL/ADJ_T_GUFFPREC

YR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
70	0	0.2	1.44	0.8	1.4	3.76	3.18	4.18	2.36	1.1	0.3	0	18.72
71	0.3	1.1	0.15	1.3	1.98	0.24	3.34	3.55	2.62	1.92	0.3	0.45	17.25
72	1.2	0.1	1.1	0.35	2.4	2.49	1.52	1.75	3.53	0.99	1.94	0.9	18.27
73	0.09	0.05	1.51	1.55	2.12	0.85	3.53	1.47	0.99	0.7	0.1	0.4	13.36
74	1	0.2	0.55	0.55	0	0.66	2.65	1.7	1.77	1.75	0.8	0.8	12.43
75	0.3	0.5	1.2	0.7	0.5	2.69	4.43	2.37	1.52	0.82	0.95	0.25	16.23
76	0.05	0.35	0.5	1.95	1.55	1.19	3.13	2.38	4.41	1.62	0.3	0.7	18.13
77	0.25	0.65	1.1	1.83	0.43	0.91	2.58	2.59	0.53	0.04	0.55	0	11.46
78	0.3	0.3	0.65	0.55	1.47	1.09	2.52	0.51	0.42	1.5	0.8	1.2	11.31
79	0.75	0.2	1.9	0.6	3.33	1.13	1.78	4.04	1.41	0.52	1.2	0.85	17.71
80	0.3	0.3	1.75	2.6	3.93	0	1.31	1.36	1.02	0.21	0.55	0	13.33
81	0.25	0.5	1.1	0	2.61	1.72	2.84	5.94	1.9	1.65	0.05	1.56	20.12
82	0.35	0.1	1.1	0.7	3.7	5.04	3.79	3.61	3.86	0.55	0.44	0.07	23.31
83	0.53	0.25	2.2	0.8	3.39	2.72	1.97	5.77	0.33	0.02	1.27	0.85	20.1
84	0.22	0.72	1.55	1.81	0.1	1.27	2.15	5.19	0.43	3.54	0	0.35	17.33
85	0.77	0.85	1.7	1.79	3.05	0.24	4.36	0.81	2.39	0.85	0.94	0.7	18.45
86	0	0.2	0.5	0.5	1.76	2.26	2.04	2.22	1.22	1.45	2.2	0.36	14.71
87	0.93	1.02	1.22	0.7	1.66	4.6	0.18	3.28	0.86	0.52	0.3	0.46	15.73
88	0.66	0.49	0.73	0.16	1.16	2.08	4.05	2.4	1.97	0.21	0.4	0.58	14.89
89	0.48	1.14	0.08	0.76	1.6	2.52	1.44	1.26	1.7	0.57	0.09	1.01	12.65
90	0.32	0.63	1.71	2.83	1.84	0.07	4.87	2.36	1.48	1.82	1.04	0.18	19.15
91	0.12	0.07	0.48	1.18	1.43	1.65	6.08	4.16	1.3	0.7	1.71	0	18.88
92	0.04	0	1.67	0.31	3.28	3.84	2.1	3.13	0.17	0.31	0.8	0.41	16.06
93	0.24	0.47	0.97	0.48	2.11	1.07	1.38	2.21	2.78	2.12	1.23	0.14	15.2
94	0.71	0	1.2	2.49	5.17	1.63	0.68	5.57	2	1.74	0.41	0.14	21.74
95	0.2	0.21	1.88	2.57	3.4	3.16	2.53	2.27	2.97	0.06	0.3	0.16	19.71
96	0.47	0.15	0.6	1.3	1.99	1.97	3	4.42	2.25	0.85	0.58	0.32	17.9
AVERAGE	0.4	0.4	1.1	1.2	2.1	1.9	2.7	3.0	1.8	1.0	0.7	0.5	16.8

ORIGINAL B-C (KT=1) GROSS CONSUMPTIVE USE (IN)

SUMMARY CROP...PASTUREGRASS STATION...SAL/ADJ_T_GUFFPREC

YR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANNUAL
70	0	0	0	0.3	6.19	8.11	7.02	4.7	3.67	0.23	0	0	30.23
71	0	0	0	0.09	5.56	8.17	6.95	4.66	3.66	0.35	0	0	29.45
72	0	0	0	0.58	5.91	8.31	6.97	4.67	3.96	0.37	0	0	30.77
73	0	0	0	0	5.13	8.05	6.87	4.66	3.8	0.25	0	0	28.76
74	0	0	0	0.45	6.49	8.33	7.23	4.58	3.79	0.32	0	0	31.19
75	0	0	0	0	5.19	7.75	7.08	4.7	3.81	0.33	0	0	28.86
76	0	0	0	0.52	5.82	7.97	7.21	4.51	3.76	0.3	0	0	30.1
77	0	0	0	0.56	6.19	8.63	7.23	4.82	4.14	0.33	0	0	31.89
78	0	0	0	0.62	5.84	8.55	7.51	4.73	4.03	0.33	0	0	31.62
79	0	0	0	0.37	5.75	7.97	7.02	4.58	3.99	0.36	0	0	30.04
80	0	0	0	0	5.63	8.6	7.46	4.88	3.99	0.37	0	0	30.93
81	0	0	0	0.42	5.87	8.69	7.3	4.7	4.05	0.27	0	0	31.29
82	0	0	0	0.54	6.01	8.11	7.14	4.71	3.88	0.35	0	0	30.74
83	0	0	0	0.54	6.01	8.11	7.14	4.71	3.88	0.35	0	0	30.74
84	0	0	0	0.54	6.01	7.88	7.3	4.69	3.86	0.2	0	0	30.47
85	0	0	0	0.47	5.99	8.16	7.01	4.69	3.64	0.37	0	0	30.32
86	0	0	0	0.62	5.99	8.11	6.99	4.72	3.76	0.3	0	0	30.49
87	0	0	0	0.59	5.94	8.18	7.1	4.63	3.82	0.35	0	0	30.63
88	0	0	0	0.54	6.01	8.11	7.14	4.71	3.76	0.27	0	0	30.53
89	0	0	0	0.53	6.21	7.88	7.32	4.64	3.86	0.37	0	0	30.81
90	0	0	0	0.61	5.61	8.6	7.05	4.56	4.11	0.38	0	0	30.93
91	0	0	0	0.36	5.96	8.12	7.01	4.73	3.88	0.35	0	0	30.41
92	0	0	0	0.53	6.21	7.84	6.9	4.55	3.83	0.33	0	0	30.19
93	0	0	0	0.49	6.02	8.06	7.06	4.65	3.76	0.34	0	0	30.37
94	0	0	0	0.33	6.15	8.59	7.08	4.86	3.91	0.37	0	0	31.29
95	0	0	0	0	4.17	7.59	6.8	4.95	3.87	0.36	0	0	27.73
96	0	0	0	0.6	6.61	8.35	7.43	4.74	3.8	0.37	0	0	31.9
AVERAGE	0.0	0.0	0.0	0.4	5.9	8.2	7.1	4.7	3.9	0.3	0.0	0.0	30.5

ORIGINAL B-C (KT=1) CONSUMPTIVE USE OF IRRIGATION WATER (IN)

SUMMARY CROP:PASTUREGRASS STATION: SAL/ADJ_T_GUFFPREC

YR	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
70	0	0	0	0.3	5.03	4.96	4.47	1.85	2.05	0.15	0	0	18.81
71	0	0	0	0.09	4.02	8.01	4.3	2.19	1.87	0	0	0	20.49
72	0	0	0	0.56	4.04	6.1	5.66	3.36	1.6	0.05	0	0	21.36
73	0	0	0	0	3.72	7.25	4.1	3.55	3.07	0	0	0	21.69
74	0	0	0	0.43	6.49	7.71	5.03	3.31	2.53	0	0	0	25.5
75	0	0	0	0	4.86	5.46	3.66	2.97	2.71	0	0	0	19.67
76	0	0	0	0.17	4.57	6.87	4.66	2.79	0.93	0.04	0	0	20.04
77	0	0	0	0.18	5.85	7.75	5.08	2.93	3.75	0.33	0	0	25.88
78	0	0	0	0.48	4.65	7.51	5.37	4.35	3.74	0	0	0	26.11
79	0	0	0	0.37	3.27	6.93	5.51	1.83	2.96	0.19	0	0	21.05
80	0	0	0	0	2.9	8.6	6.29	3.83	3.23	0.37	0	0	25.22
81	0	0	0	0.42	3.85	7.07	4.95	0.84	2.68	0	0	0	19.82
82	0	0	0	0.45	3.25	4.06	4.14	2.2	1.34	0.17	0	0	15.61
83	0	0	0	0.42	3.45	5.74	5.46	0.95	3.67	0.35	0	0	20.05
84	0	0	0	0.19	6.01	6.71	5.47	1.26	3.56	0	0	0	23.2
85	0	0	0	0.21	3.67	8	3.64	4.07	2	0.12	0	0	21.7
86	0	0	0	0.51	4.57	6.1	5.28	3.09	2.87	0.08	0	0	22.51
87	0	0	0	0.46	4.6	4.42	7.02	2.33	3.19	0.19	0	0	22.22
88	0	0	0	0.54	5.05	6.25	3.96	2.96	2.37	0.24	0	0	21.36
89	0	0	0	0.22	4.89	5.7	6.05	3.68	2.64	0.23	0	0	23.41
90	0	0	0	0	4.16	8.6	3.35	2.85	3.03	0	0	0	21.99
91	0	0	0	0.28	4.79	6.62	2.53	1.89	2.93	0.11	0	0	19.14
92	0	0	0	0.44	3.7	4.69	5.15	2.36	3.77	0.24	0	0	20.34
93	0	0	0	0.47	4.34	7.06	5.86	3.03	1.87	0	0	0	22.63
94	0	0	0	0.11	2.44	7.06	6.48	1.18	2.49	0	0	0	19.76
95	0	0	0	0	2.41	4.96	4.74	3.26	1.86	0.36	0	0	17.59
96	0	0	0	0.31	4.96	6.56	4.95	1.75	2.23	0.14	0	0	20.89
AVERAGE	0.0	0.0	0.0	0.3	4.3	6.5	4.9	2.6	2.6	0.1	0.0	0.0	21.4

Appendix B - Agreements

When recorded return to:
Black Range Minerals Colorado, LLC
Attn: Melanie Keyes
110 N. Rubey Dr., #201
Golden, Colorado 80403

LEASE OF WATER RIGHTS

For good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, **Top Notch Investments, LLC,** ("Top Notch") has heretofore leased and granted and does hereby lease and grant to **Black Range Minerals Colorado, LLC** ("BRMC"), a Colorado limited liability company, whose address is 110 N. Rubey Drive, Suite 201, Golden Colorado 80402 all of its right, title and interest in all Water Rights (as defined below) appurtenant to Lot 90 of the STB Bar Ranch Filing Number 5 located in Section 21, T. 17 S., R. 73 W., 6th P.M. Fremont County, Colorado for a term of five years commencing April 1, 2012. For the purpose of this lease Water Rights shall be: All water and water rights, ditch and ditch rights, wells and well structures, whether adjudicated or not and whether permitted or not, located and used upon said Lot 90, including but not limited to, Colorado Division of Water Resources Well Permit No. 238168 and the following water right adjudicated by Decree of the District Court of Fremont County:

> The Spring Ditch adjudicated February 3, 1894 for irrigation purposes in a case entitled "In the Matter of the Adjudication of Water Rights in Water District 12", Fremont County, Colorado with an appropriation date of May 15, 1876, said ditch being entitled to Arkansas River decreed priority No. 171 which is also Middle Fork of Tallahassee Creek decreed priority No. 6 in the amount of 1.5 cfs for the irrigation of 6 acres of land.

Top Notch further grants to BRMC the right to use the Water Rights to the full extent allowed by Colorado water law and regulations, including industrial use. Top Notch covenants that (i) it has the full right and authority from its members to enter into this lease of the Water Rights, (ii) Ron Walker and Alidra Walker are the sole members of Top Notch, and (iii) it will use due diligence and its best efforts to work with BRMC to allow it to use the Water Rights to the best advantage of BRMC at its proposed Hansen uranium project in Fremont County, Colorado. Top Notch makes no warranties of title regarding the Water Rights.

Dated this 17 day of April, 2012, to be effective April 1, 2012.

Top Notch Investments, LLC,
A Colorado limited liability company

By _____
Ron Walker, Member

By _____
Alidra Walker, Member

STATE OF COLORADO)
) ss.
COUNTY OF FREMONT)

The foregoing instrument was acknowledged before me this 17 day of April 2012, by Ron Walker and Alidra Walker, who stated to me that they were the sole members of Top Notch Investments, LLC, a Colorado limited liability company.

Witness my hand and official seal.

Stephen E Rom My commission expires: 5/26/2015
Notary Public

Address: 5 Top Notch Trail
PENROSE, Colorado 81240

WATER LEASE AGREEMENT
(One year lease)

THIS AGREEMENT is entered into this 20th day of April 2012, by and between Black Range Minerals Colorado LLC (hereinafter referred to as "Lessee"), whose address is 110 N. Rubey Drive, Suite 201, Golden, Colorado, 80403, and the Upper Arkansas Water Conservancy District through its water activity enterprise, known as Upper Arkansas Water Activity Enterprise (hereinafter referred to as "District"), whose address is P.O. Box 1090, Salida, Colorado, 81201.

RECITALS

A. Lessee needs a temporary supply of replacement water to meet out-of-priority depletions. Lessee desires for this water to be made available in the Arkansas River basin from the District's water supplies in Twin Lakes Reservoir, Pueblo Reservoir or from other District owned or controlled sources in order to meet the requirements of a court or administratively approved substitute supply plan, replacement plan, or similar plan for the replacement of out-of-priority depletions ("Lessee's Replacement Plan").

The location of the Lessee's operations is ("Place of Need"): Tallahassee Area Creeks.

B. The District owns, leases, or controls fully consumable water supplies from various sources, including but not limited to water attributable to shares of stock in Twin Lakes Reservoir and Canal Company (collectively "District Consumable Water").

C. Lessee desires to lease a portion of such water from the District for use in Lessee's Replacement Plan; and the District is willing to lease such water to Lessee under the terms and conditions hereof.

NOW, THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Lease of Water. Lessee shall lease from District, and District shall lease to Lessee, 3.0 acre-feet of District Consumable Water. This amount shall be both the minimum and the maximum quantity of water to be paid for and delivered under this Lease. Lessee's failure to take delivery of its full leased amount of water shall not entitle Lessee to an extension of the terms of this lease.

2. Purpose. The water delivered pursuant to this Lease may be used by Lessee only to replace depletions pursuant to Lessee's Replacement Plan. District will cooperate with Lessee to identify the sources of the District's Consumable Water delivered pursuant to this Lease. Lessee shall be responsible for drafting any such plan, obtaining necessary approvals for any such plan, administration and accounting for any such plan, and for all costs associated with such plan.

3. Rental. In consideration of the water to be delivered under this Lease, Lessee shall pay District the following:

(a) a nonrefundable original application fee of $200.00; and

(b) a lease payment of $286.00 per acre foot ($121.00 as a per acre foot water fee and $165.00 per acre foot for annual storage, maintenance and administration fee);

for a **total lease payment of $1058.00** due and payable upon execution of this Lease.

4. Term. This Lease shall be effective for one calendar year commencing on the date of full execution of this Lease. The District shall not be responsible for delivering water to replace any depletions from Lessee's Replacement Plan, including any post-plan depletions after the term of this Lease.

5. Water. The water to be delivered pursuant to this Lease will be raw, untreated water from any one or a combination of sources available to the District. Once such water is delivered to Lessee pursuant to this Lease, Lessee shall have the right to recapture, reuse, and dispose of such water to its extinction. The District does not warrant and shall not be responsible for the quality of the water or the adequacy of such quality for any specific purpose.

6. Location of Delivery of Water. The District will deliver the leased water to the Arkansas River basin at a location or locations to be determined by the District. Although the District shall consult with Lessee and make reasonable attempts to deliver the leased water at a location or locations sufficient to meet the requirements of Lessee's Replacement Plan, the District does not warrant that the leased water can or will be delivered at a location sufficient for Lessee's Replacement Plan. If the leased water is from stored sources, the District may deliver it to the reservoir or at the outlet to the reservoir. If the leased water is not from storage, the District may deliver it at the location where such water flows into the stream. The District shall not be responsible for any diversion, measuring, or storage of the leased water after delivery of the water by the District.

7. Rate of Delivery of Water. The District shall deliver the leased water at times and rates to be determined by the District. Upon execution of this Lease, Lessee shall provide the District with a proposed monthly delivery schedule for the term of the Lease. The proposed delivery schedule shall include monthly totals in terms of acre-feet per month and maximum and minimum daily rates in terms of acre-feet per day. Although the District shall make reasonable attempts to deliver the leased water at times and rates specified in the proposed schedule, the District does not warrant delivery of the leased water at times and rates sufficient for Lessee's Replacement Plan.

8. Determination of Water Availability by the District Board. The District Board allows surplus water to be leased to others on a temporary basis, such as this lease, until the same is needed by participants in the District's augmentation, substitute supply, or replacement plans. The extent to which surplus water is needed by participants in the District's plans is a fact to be determined by the

District Board in the exercise of its reasonable discretion from time to time as occasion may require.

9. Interruption of Water Supply Beyond District Control. Both parties to this Lease recognize that the District's Consumable Water is variable in quantity for reasons beyond the control of the District. The District shall not be liable in tort or contract for any failure to accurately anticipate availability of water supply or because of an actual failure to supply water due to circumstances beyond the reasonable control of the District, including but not limited to act of God, strike, war, insurrection, or inability to serve arising out of the order of any court, or the lawful order of any governmental administrative body or agency clothed with authority to regulate matters pertaining to water, public utilities, public health or pollution control.

10. Emergency Water Limitations. The parties agree that from time to time emergency situations may require the District to limit leases of or the use of water leased from the District. The parties agree that the necessity for such limitation is a fact to be determined by the District in the exercise of its reasonable discretion from time to time, as occasion may require. The parties agree that the District may adopt such reasonable restrictions on the use of this leased water or priorities for curtailed use, as may be necessary to adapt to such emergency conditions, including limitations on Lessee's supplies pursuant to this Lease. The District shall not be liable in tort or contract for imposing such reasonable restrictions. In the event that the District is unable to deliver the leased water as specified in this Lease, then Lessee's payment for water shall be reduced or refunded in proportion to the amount of any reduction of deliveries by the District.

11. Not a Permanent Supply. The parties understand and agree that this Lease is not to be interpreted as any commitment on the part of the District to furnish water to Lessee on a permanent basis, but rather to assist Lessee in supplementing Lessee's own supplies by the leased water from the District for a temporary period.

12. Right to Object. The parties understand and agree that the District specifically reserves its right to object and may object to any Replacement Plan filed by Lessee to protect its interests in the water and this Agreement and to ensure compliance with applicable law, including the prevention of injury to other vested or conditional water rights, regardless of how Lessee uses the water.

13. Time of Essence/Remedies. Time is of the essence, and if any obligation created by this Lease is not performed by either party, then the nondefaulting party shall have all remedies available to it in law and equity.

14. This Lease may be assigned by Lessee only upon prior written consent of the District and at the District's sole discretion.

15. This Lease does not give Lessee any legal or equitable title in or to the water rights from which the water is derived or any water or water rights of the District. This Lease does not entitle Lessee to seek judicial approval of permanent commitment of or a change in the water rights from which the water is derived.

16. In the event of litigation regarding this Lease, the prevailing party shall be awarded its costs, including reasonable attorneys' fees.

17. This Lease shall be governed by the laws of the State of Colorado.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals on the day and year first above written.

LESSOR:

UPPER ARKANSAS WATER CONSERVANCY DISTRICT, by and through its
UPPER ARKANSAS WATER ACTIVITY ENTERPRISE

By _____
Robert M. Senderhauf
Chairman of the Board of Directors

LESSEE:

BLACK RANGE MINERALS COLORADO LLC

By: _____
Patrick Siglin

Title: Geologist

Appendix D – Affidavit

AFFIDAVIT OF BUDDY TAYLOR REGARDING SPRING DITCH

I, Noah H. (Buddy) Taylor, being first duly sworn, state as follows:

1. I have lived in the Tallahassee Creek area of Fremont County, Colorado for 59 years and have personal knowledge of the matters set forth in this Affidavit.

2. I am familiar with the Spring Ditch that diverts from Fear Creek, which is a tributary of Middle Tallahassee Creek.

3. The Spring Ditch diverts from the south side of Fear Creek and irrigates approximately six acres of pasture grass located just south of Fear Creek in the Southwest Quarter of the Southeast Quarter of Section 21, Township 17 South, Range 73 West of the 6th P.M.

4. My wife and I owned the Spring Ditch and the land it irrigated from late 1993 until late 1996, and had leased it for many years before then. After its sale in1996, I continued to be charge of irrigating those six acres with Spring Ditch water until the Fall of 2005.

5. During the time of our ownership or lease, I would flood irrigate the land whenever water was needed and was legally and physically available. I would typically start irrigating sometime in late May and stop irrigation sometime in August.

Further, affiant sayeth not.

Noah H. Buddy Taylor
Noah H. (Buddy) Taylor

STATE OF COLORADO)
) ss.
COUNTY OF FREMONT)

Subscribed and sworn to before me this 24th day of May, 2012 by Noan H. (Buddy) Taylor.

Witness my hand and official seal.

Notary Public

My commission expires: 8/17/15

NOTARY PUBLIC Keara Johnson STATE OF COLORADO