

**Consent Agenda Item 1.a**

July 20-21, 2022 Board Meeting

Case No. 22CW3042 (Water Division 1); City of Greeley

**Summary of Water Court Application**

Application for change of water rights, appropriation of return flows, conditional water right, and plan for augmentation including water exchange project.

**Staff Recommendation**

Staff recommends that the Board ratify the filing of a Statement of Opposition filed on behalf of the Board in May 2022 to protect CWCB's instream flow water rights.

**CWCB Instream Flow Water Rights**

The CWCB holds water rights, including the following instream flow water rights in Water Division 1 in the Cache La Poudre Watershed, that could be injured by this application:

Case Number	Stream	Upper Terminus	Lower Terminus	CFS Rate (Dates)	Approp. Date
W-9261 (1978)	South Fork Cache la Poudre River	confluence of Little Beaver Creek	confluence of Cache la Poudre River	15 (1/1 - 12/31)	01/19/1978
87CW0270	Cache la Poudre River	confluence of La Poudre Pass Creek	confluence of Joe Wright Creek	16 (11/1 - 3/31) 32 (4/1 - 10/31)	12/11/1987
85CW0419	Cache la Poudre River	confluence of Joe Wright Creek	confluence of Sheep Creek	20 (1/1 - 12/31)	11/08/1985
85CW0422	Cache la Poudre River	confluence of Sheep Creek	confluence of South Fork Cache la Poudre	38 (1/1 - 12/31)	11/08/1985
85CW0425	Cache la Poudre River	confluence of South Fork Cache la Poudre	Wild & Scenic terminus	55 (1/1 - 12/31)	11/08/1985

**Potential for Injury**

- The proposed change in places of storage and points of diversion to upstream locations could injure the CWCB's instream flow water rights.
- The proposed change of water rights could cause a change in the historical delivery pattern of water released from and stored in Chambers Lake, which could impact stream reaches containing instream flow water rights, which could injure the CWCB's instream flow water rights.

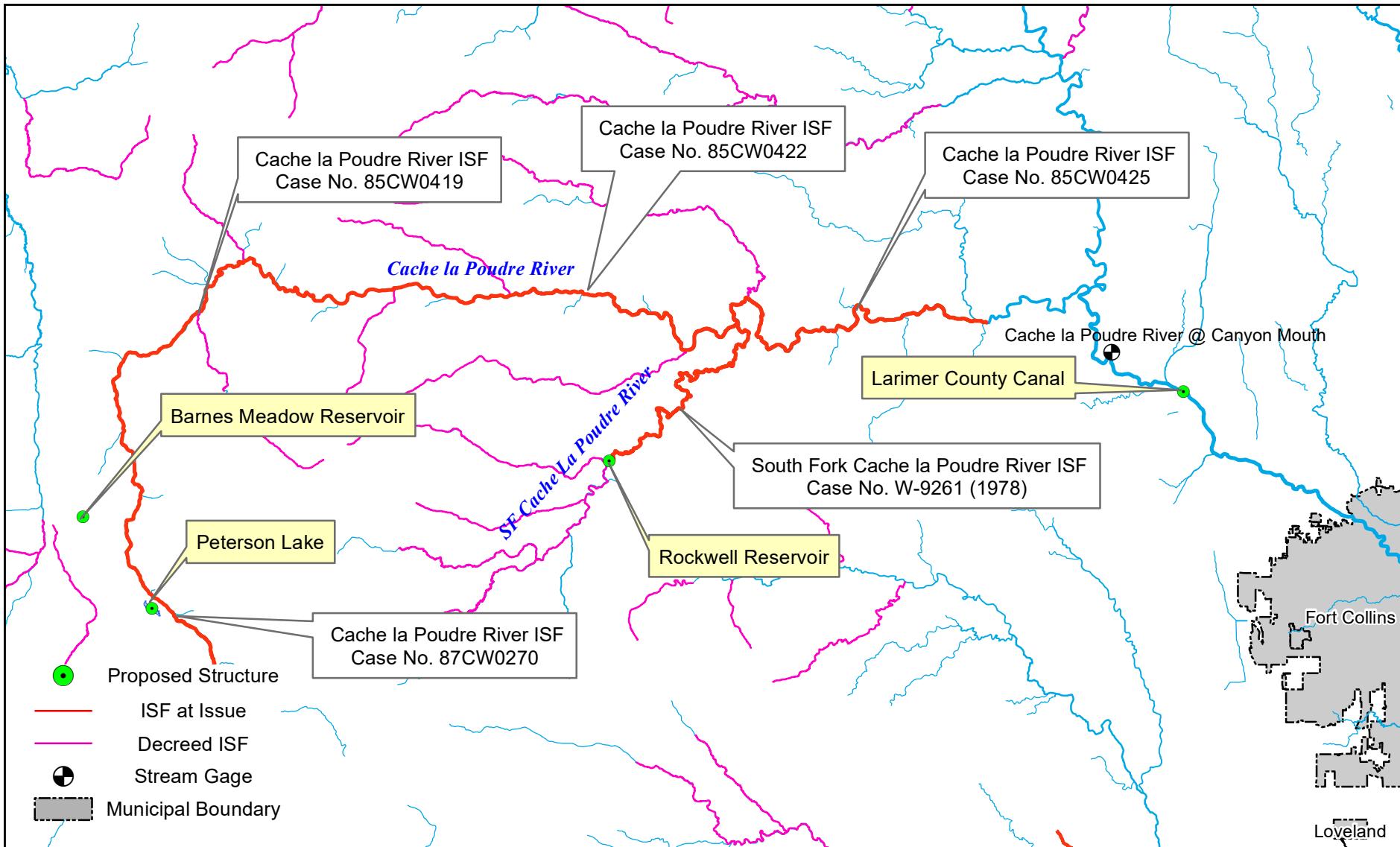
- The extraterritorial use for the changed water rights cannot be evaluated because the type of use and the place of use is undefined. These uses could injure the CWCB's instream flow water rights.

### **Other Objectors**

Statements of Opposition were also filed by Bijou Irrigation Company; Bijou Irrigation District; Cache La Poudre Water Users Association; City of Fort Collins; City of Thornton, Colorado; Division of Parks and Wildlife, and Parks and Wildlife Commission; East Cherry Creek Valley Water and Sanitation District; Arapahoe County Water and Wastewater Authority; East Larimer County Water District; Greeley Irrigation Company; HF2M, Inc., Larimer and Weld Irrigation Company; Larimer and Weld Reservoir Company; WRCC; North Poudre Irrigation Company; North Weld County Water District; Northern Colorado Water Conservancy District; the State and Division Engineers; the State Board of Land Commissioners; The New Cache La Poudre Irrigating Company; United States of America - U.S.D.A. Forest Service; and, United Water and Sanitation District.

### **Attorney Representing CWCB**

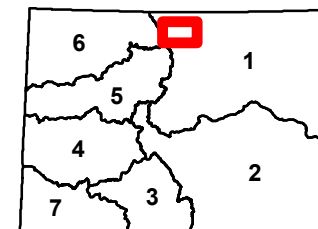
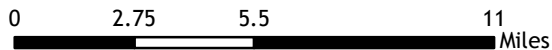
Marc D. Sarmiento, Assistant Attorney General, is assigned to this case and can be contacted at [marc.sarmiento@coag.gov](mailto:marc.sarmiento@coag.gov), or 720-508-6429.



**COLORADO**  
**Colorado Water Conservation Board**

Department of Natural Resources

July 20-21, 2022 CWCB Board Meeting  
 Consent Agenda Item 1.a Statement of Opposition  
 Case No. 22CW3042 (Water Div 1)  
 The City of Greeley



**DISTRICT COURT, WATER DIVISION 1, COLORADO**  
**MARCH 2022 WATER RESUME PUBLICATION**

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**TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN WATER DIV. 1**

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications and certain amendments filed in the Office of the Water Clerk during the month of **MARCH 2022** for each County affected.

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**22CW3042 CITY OF GREELEY, ACTING BY AND THROUGH ITS WATER AND SEWER BOARD (“Greeley”) APPLICATION FOR CHANGE OF WATER RIGHTS, APPROPRIATION OF RETURN FLOWS, CONDITIONAL WATER RIGHT, AND PLAN FOR AUGMENTATION INCLUDING WATER EXCHANGE PROJECT IN LARIMER AND WELD COUNTIES.** Please

send all correspondence to Carolyn F. Burr, Esq., James M. Noble, Esq., Jens Jensen, Esq. 1401 Lawrence Street, Suite 1800, Denver, Colorado, (303) 830-2500. cburr@wsmtlaw.com; jnoble@wsmtlaw.com; jjensen@wsmtlaw.com. Daniel J. Biwer, Esq., Greeley City Attorneys Office, 1100 – 10th Street, Suite 401, Greeley, Colorado 80631 (970) 350-9757, daniel.biwer@greeleygov.com. 1. Name and address of Applicant: City of Greeley, acting by and through its Water and Sewer Board (“Greeley”) c/o Jennifer Petrzelka, Water Resources Operations Manager 1001 11th Avenue, Second Floor, Greeley, Colorado 80631 (970) 350-9811, Jennifer.petrzelka@greeleygov.com. 2. General Description of the Application. By this Application, Greeley seeks to change the use of water rights associated with 23.917 shares (the “Subject Shares”) in the Water Supply and Storage Company (“WSSC”), out of 600 outstanding shares. Greeley seeks to change the use of the Subject Shares from irrigation to municipal, augmentation, and other uses, including irrigation, as further described below. Greeley also seeks a plan for augmentation and water exchange project for the replacement of return flows from the native portion of the Subject Shares, and an appropriation of such return flows. Greeley also seeks a conditional direct flow water right for replacement of return flows. Greeley is not required to maintain return flows from the historical use of the transmountain component of the Subject Shares. This application for a change of the Subject Shares is subject to the terms of the “Agreement between The Water Supply and Storage Company and the City of Greeley,” dated April 30, 2010, and any subsequent amendments thereto (the “WSSC/Greeley Contract”). **APPLICATION FOR CHANGE OF WATER RIGHT FOR SUBJECT SHARES.** 3. Decreed water rights for which change is sought: A. Name of Structures: The structures used to divert and use the Subject Shares include those numerous structures operated by WSSC, and all the ditches, reservoirs, and related structures associated with WSSC, collectively referred to herein as the “WSSC System.” These structures include the Larimer County Canal, which diverts water from the Cache la Poudre River in the SW 1/4, Section 13, Township 8 North, Range 70 West, 6th P.M. In addition to the Larimer County Canal, WSSC operates reservoirs, transmountain ditches, a transmountain tunnel, and other structures. These structures are generally described in the table attached as **Exhibit A**. B. Original and All Relevant Subsequent Decrees. i. The decreed water rights of WSSC are listed in the table attached as **Exhibit A**. See the decrees listed for more detailed descriptions of the water rights associated with WSSC. ii. Previously, other shares of WSSC have been changed by the City of Thornton, North Weld County Water District (“North Weld”), East Larimer County Water District (“ELCO”), the City of Fort Collins, and Greeley in the following cases: Case No.: 86CW401 et al.; Decree date: March 9, 1998; Applicant: Thornton; No. of Shares: 283.354. Case No. 03CW421; Decree date: April 30, 2012; Applicant: North Weld; No. of Shares: 7.750. Case No. 03CW422; Decree date: June 8, 2011; Applicant: ELCO; No. of Shares: 22.3. Case No. 07CW190; Decree date: November 7, 2015; Applicant: Greeley; No. of Shares: 22.5. Case No. 11CW265; Decree date: July 17, 2015; Applicant: Fort Collins; No. of Shares: 26,667. Case No. 17CW3057; Decree date: September 25, 2020; Applicant: North Weld; No. of Shares: 4.75. Case No. 18CW3076; Decree date: September 23, 2020;

**Attachment**  
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Applicant: ELCO; No. of Shares: 9.525. Total: 376.846. C. Legal Descriptions of Structures. The legal descriptions of the structures that are part of the WSSC System are included in **Exhibit A**, and further described in the underlying decrees referenced therein. The general locations of the WSSC structures are also shown on the maps attached as **Exhibits B-1 and B-2**. D. Decreed Sources of Water. The decreed sources of water for the water rights of the WSSC System are described in the table attached as **Exhibit A**. The sources of water for the WSSC System generally include the Cache la Poudre River and certain tributaries thereto, the Laramie River and certain tributaries thereto, the Michigan River, and the Colorado River. WSSC also owns shares in the Jackson Ditch Company. Additionally, WSSC holds an interest in units of the Northern Colorado Water Conservancy District (“Northern”) Colorado-Big Thompson Project (“CBT Units”). WSSC delivers water from such CBT Units to its shareholders pursuant to an allotment contract, as well as leased CBT Units. By this Application, Greeley does not seek any change of water rights associated with WSSC’s Jackson Ditch Company shares, or for WSSC’s CBT Units. Greeley does intend to use its proportionate share of CBT Units owned or leased by WSSC for irrigation within the WSSC System, for municipal purposes in Greeley’s service area, which is within Northern’s district boundaries, or for other purposes within Northern’s district boundaries, subject to all applicable approval requirements. E. Appropriation Dates and Total Amounts Decreed to Structures. The appropriation dates and total amounts decreed to each structure are listed in the table attached as **Exhibit A**. F. Decreed Uses. The water rights described in **Exhibit A** were decreed for irrigation of lands within the WSSC System, as further provided in the decrees listed in **Exhibit A**. G. Amount of Water that Applicant Intends to Change. Greeley intends to change the use of its water rights associated with the Subject Shares, as further described below.

4. Detailed Description of Proposed Change: A. Historical Use: Water associated with 16 of the Subject Shares has historically been used to irrigate 13 farms under the WSSC System. Water associated with the remaining 7.917 Subject Shares was used in numerous places under the WSSC System. The 13 farms and the respective number of shares associated with each are as follows: i. Holcim Farm: 0.75 share was historically used to irrigate property in Sections 8, 9, 17, and 21, Township 8 North, Range 69 West, 6th P.M., Larimer County, Colorado. ii. Greenwald Farm: 0.75 share was historically used to irrigate property in the NE 1/4 Section 11, Township 7 North, Range 68 West of the 6th P.M., Larimer County, Colorado. iii. Felte Farm: 2 shares were historically used to irrigate property in the SE 1/4 of Section 25, Township 7 North, Range 67 West and in the SW 1/4 of Section 30, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. iv. Balmer Farm: 2 shares were historically used to irrigate property in the E 1/4 Section 4, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. v. Hughes Farm: 1 share was historically used to irrigate property in the SE 1/4, Section 9, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. vi. Henry Farm: 1 share was historically used to irrigate property in the S 1/2 NE 1/4, Section 16, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. vii. Laws Farm: 1 to 1.5 shares were historically used to irrigate property in the SW 1/4, Section 15, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. viii. McWilliams Farm: 0.5 share was historically used to irrigate property in the SE 1/4, Section 16, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. ix. Seward Farm: 0.5 share was historically used to irrigate property in the E 1/2 NW 1/4, Section 21, Township 7 North, Range 66 West of the 6th P.M. in Weld County, Colorado. x. Isakson Farm: 1.5 shares were historically used to irrigate property in the NE 1/4, Section 26, Township 8 North, Range 66 West of the 6th P.M. in Weld County, Colorado. xi. Varra Farm: 2 shares were historically used to irrigate property in the NE 1/4, Section 28, Township 8 North, Range 65 West of the 6th P.M. in Weld County, Colorado. xii. Rusch Farm: 1 share was historically used to irrigate property in the SE 1/4, Section 3, Township 7 North, Range 65 West of the 6th P.M. in Weld County, Colorado. xiii. Yetter Farm: 2 shares were historically used to irrigate property in the SE 1/4, Section 29, Township 8 North, Range 65 West of the 6th P.M. in Weld County, Colorado. A map showing the approximate location of the historical use of the shares used on the above-described farms is attached hereto as **Exhibit C**. B. Claim for Change of Point of Diversion: Greeley seeks approval to divert and/or redivert and take delivery of the Subject Shares for direct use or for storage, for the uses described below, into the diversion structures listed below, as such structures may exist or in the future be constructed or enlarged from time to time, in addition to the currently decreed points of diversion and storage. No change in the

decreed points of diversion for the transmountain water rights associated with the Subject Shares is sought herein. Greeley acknowledges that the entry of any decree in this case shall not grant any rights to Greeley to divert water at structures in which Greeley currently has no ownership interest or other right of use. Prior to use of any such structures, Greeley shall obtain the necessary use rights from the owners or controllers of the structures. i. The New Mercer Ditch, the headgate of which is located on the south side of the Cache la Poudre River, approximately one mile above the town of Laporte, in the SW 1/4 SW 1/4, Section 29, Township 8 North, Range 69 West of the 6th P.M., in Larimer County, Colorado, at a place called Point of Rocks. ii. The Larimer County Canal No. 2, the headgate of which is located on the south side of the Cache la Poudre River approximately one mile above the Town of Laporte, in the SW 1/4 SW 1/4, Section 29, Township 8 North, Range 69 West of the 6th P.M., in Larimer County, Colorado, at a place called Point of Rocks. iii. The Overland Trail Diversion Structure, with a point of diversion located on the south side of the Cache la Poudre River at a point 2,400 feet west and 1,500 feet north of the SE corner, Section 33, Township 8 North, Range 69 West of the 6th P.M., in Larimer County, Colorado. iv. The Munroe Gravity Canal, a/k/a North Poudre Supply Canal, the headgate of which is located on the east bank of the Cache la Poudre River in the SW 1/4, NE 1/4, Section 5, Township 8 North, Range 70 West of the 6th P.M., in Larimer County, Colorado, at a point whence the Southeast corner of said Section 5 bears South 37°27'30" East 3,647.5 feet. Water diverted into and carried by the Munroe Gravity Canal is then diverted through the Pleasant Valley Pipeline. The Pleasant Valley Pipeline begins on the South bank of the Munroe Gravity Canal in the SW 1/4 SE 1/4, Section 3, Township 8 North, Range 70 West, at a point 1950 feet west and 320 feet north of the SE corner of Section 3, Township 8 North, Range 70 West, and extends generally southward to the Soldier Canyon Filter Plant, located in the NE 1/4 of Section 7, Township 7 North, Range 69 West. Water diverted through the Pleasant Valley Pipeline may be delivered to the Soldier Canyon Filter Plant or the Greeley Bellvue Water Treatment Plant. v. Fort Collins Pipeline Intake, located in the SE 1/4, Section 32, Township 9 North, Range 70 West of the 6th P.M., in Larimer County, Colorado, being more particularly described as follows: considering the East line of said SE 1/4 as bearing N 7°49'9" E, and with all bearings contained therein relative thereto; commencing at the SE Corner of said Section 32: thence N 4°32'46" E 1,335.13 feet to the center of said pipeline intake. The Fort Collins Pipeline intake point of diversion will be used to convey water to (i) the Fort Collins Water Treatment Facility using the existing Fort Collins Pipeline; and (ii) the Milton Seaman Reservoir Enlargement, a proposed enlargement of the existing Milton Seaman Reservoir, as is more particularly described in Paragraph 4(B)(xiv) below, using a new structure to be constructed at the existing diversion for the Fort Collins Pipeline. vi. City of Greeley Pipeline (a.k.a. Greeley Filters Pipeline), the point of diversion for which is at the NE abutment of the City of Greeley Pipeline Diversion Dam located approximately 1,825 feet South and 1,955 feet West of the NE Corner of Section 15, Township 8 North, Range 70 West of the 6th P.M., in Larimer County, Colorado. The Greeley Pipeline Diversion Dam is located in the SW 1/4 NE 1/4 SW 1/4 NE 1/4, Section 15, Township 8 North, Range 70 West. The pipeline takes its supply from the Cache la Poudre River. vii. Larimer County Canal, located on the north bank of the Cache la Poudre River at a point 610 feet North and 1,540 feet East of the SW Corner, Section 13, Township 8 North, Range 70 West of the 6th P.M., in Larimer County, Colorado. viii. Poudre Valley Canal, located 1,020 feet North and 160 feet East of the SW Corner, Section 10, Township 8 North, Range 70 West of the 6th P.M., in Larimer County, Colorado. ix. Grey Mountain Diversion, a proposed diversion to be located at the Grey Mountain Dam axis in Section 9, Township 8 North, Range 70 West of the 6th P.M., in Larimer County, Colorado, being more particularly described as follows: Considering the West line of the NE 1/4 of said Section 9 as bearing S 00°28'33" E as determined by solar observation, and with all bearings contained herein relative thereto: beginning at the SW Corner of the NE 1/4 of said Section 9; thence S 27°19'28" E 502.44 feet to a point on the centerline of said dam with axis bearing N 87°32'26" E, said point also being at the intersection of the centerline of the Cache la Poudre River Channel. x. Jackson Ditch, also sometimes called the Dry Creek Ditch, located 1,742 feet North and 1,003 feet East of the SW Corner of Section 30, Township 8 North, Range 69 West of the 6th P.M., in Larimer County, Colorado. xi. Larimer & Weld Canal (a.k.a. the Eaton Ditch), located on the east bank of the Cache la Poudre River at a point 460 feet North and 2,150 feet East of the SW Corner, Section 34, Township 8 North, Range 69 West of the 6th P.M., in Larimer County, Colorado. xii. New Cache la Poudre

Irrigating Company Canal (a.k.a. Greeley No. 2 Canal), the headgate of which is located in the SW 1/4, SE 1/4, NE 1/4, Section 11, Township 6 North, Range 68 West, located approximately 2,550 feet South and 1,110 feet West of the NE Corner of said Section 11 of the 6th P.M., in Larimer County, Colorado. xiii. Fossil Creek Inlet Ditch, located near the NW 1/4 SW 1/4, Section 21, Township 7 North, Range 68 West, of the 6th P.M., in Larimer County, Colorado, as decreed in Civil Action No. 1591. The source of supply is from the Cache la Poudre River. Water will be diverted through the Fossil Creek Inlet Ditch to Fossil Creek Reservoir, which location is described in Paragraph 4(C)(viii) below. xiv. Milton Seaman Reservoir, as the same may be enlarged. The decreed location of Milton Seaman Reservoir is upon Sections 33 and 28, Township 9 North, Range 70 West of the 6th P.M., in Larimer County, Colorado. The Milton Seaman Reservoir Dam is presently located in the SW 1/4, NE 1/4 and SE 1/4, NW 1/4, Section 33, Township 9 North, Range 70 West, taking its supply of water from the North Fork of the Cache la Poudre River and its tributaries. xv. Halligan Reservoir, as the same may be enlarged. The decreed location of Halligan Reservoir is upon portions of Sections 28, 29, 32, 33 and 34, Township 11 North, Range 71 West of the 6th P.M., in Larimer County, Colorado, taking its supply of water from the North Fork of the Cache la Poudre River and its tributaries originating upstream of the Halligan Dam. xvi. Barnes Meadow Reservoir, the decreed location of which is upon the SW 1/4 SW 1/4, SE 1/4 SW 1/4, NE 1/4 SW 1/4, S 1/2 SE 1/4 of Section 5, and the N 1/2 NE 1/4 of Section 8, all in Township 7 North, Range 75 West of the 6th P.M., in Larimer County, Colorado, taking its supply of water from Trap Creek, Barnes Meadow Creek, Joe Wright Creek and natural drainage tributary to the Cache la Poudre River. xvii. Peterson Lake Reservoir, the decreed location of which is upon the N 1/2 SE 1/4, the S 1/2 SE 1/4, Section 22, and the NE 1/4, Section 27, the SW 1/4 SW 1/4 of Section 23, and the NW 1/4 of Section 26, all in Township 7 North, Range 75 West of the 6th P.M., in Larimer County, Colorado, with its inlet gate in the dam in the NW 1/4 SE 1/4 of Section 22, Township 7 North, Range 75 West, taking its supply of water from an unnamed tributary of the Big South Fork of the Cache la Poudre River and other tributaries thereof. xviii. Rockwell Reservoir, the decreed location of which is in Sections 25 and 36, Township 8 North, Range 73 West of the 6th P.M., in Larimer County, Colorado, with the dam to be located in the SE 1/4 SE 1/4 of Section 25, Township 8 North, Range 73 West, taking its supply from the South Fork of the Cache la Poudre River. xix. The Greeley No. 3 Canal: A diversion structure the decreed location for which is on the South side of the Cache la Poudre River in the Southeast quarter of Section 32, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado, at a point 35 degrees 30 minutes West from the Southeast corner of said Section 32. xx. The Boyd and Freeman Ditch: A diversion structure the decreed location for which is on the South side of the Cache la Poudre River in Section 34, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado. xxi. Star Pit Diversion No. 1: A diversion structure that diverts water from the north bank of the Cache la Poudre River in the SE 1/4 of the SW 1/4 of Section 26, Township 6 North, Range 66 West of the 6th P.M., in Weld County, Colorado, approximately 1,730 feet east of the West Section Line of said Section 26 and approximately 75 feet north of the South Section line of said Section 26. C. Claim for Alternate Places of Storage: Greeley seeks approval to store the water diverted pursuant to the Subject Shares prior to subsequent beneficial use, in addition to the existing direct flow use. The Subject Shares may be stored in any reservoir to which Greeley currently possesses or may in the future acquire rights to use, subject to any requirements of the WSSC/Greeley Contract, including but not limited to: i. Overland Trail Reservoirs, which will be a series of lined gravel pits to be located in parts of the SE 1/4 Section 32, the S 1/2 Section 33, Township 8 North, Range 69 West, and the N 1/2 of Section 4 and the E 1/2 of the NW 1/4, the SW 1/4 of the NE 1/4, and the NW 1/4 of the SE 1/4 of Section 3, Township 7 North, Range 69 West of the 6th P.M., Larimer County, Colorado. The reservoirs may be hydraulically connected, so that they can be administered as one reservoir. ii. Glade Reservoir, an off-channel reservoir to be located beginning at a point, which is the terminal point of the dam's left abutment, from which the SW Corner of Section 12, Township 8 North, Range 70 West bears N 88°14'55" W a distance of 1,879.6 feet West of the 6th P.M., Larimer County, Colorado. From said point, the axis of the dam bears N 65°04'43" W a distance of 729.9 feet to a point on the dam axis. From said point, the axis of the dam bears N 14°49'34" W a distance of 1,021.7 feet to a point on the dam axis. From said point, the axis of the dam bears N 21°39'51" W a distance of 3,383.8 feet to the terminal point of the dam's right abutment. The proposed Glade Dam

and Reservoir will inundate portions of the NW and SW Quarters of Sections 19, 30 and 31, Township 9 North, Range 69 West; the NW and SW Quarters of Section 6 and the NW 1/4 of Section 7, Township 8 North, Range 69 West; the SE 1/4 of Section 24, the NE, SE and SW Quarters of Section 25 and all Quarters of Section 36, Township 9 North, Range 70 West; and all Quarters of Section 1, the NE and SE Quarters of Section 2, the NE and SE Quarters of Section 11, all Quarters of Section 12, and the NW 1/4 of Section 13, Township 8 North, Range 70 West. The source of supply is from the Cache la Poudre River. iii. Milton Seaman Reservoir, as the same may be enlarged, described in Paragraph 4(B)(xiv) above. iv. Halligan Reservoir, as the same may be enlarged, described in Paragraph 4(B)(xv) above. v. Barnes Meadow Reservoir, described in Paragraph 4(B)(xvi) above. vi. Peterson Lake Reservoir, described in Paragraph 4(B)(xvii) above. vii. Rockwell Reservoir, described in Paragraph 4(B)(xviii) above. viii. Fossil Creek Reservoir, located in portions of Section 9, 10, 15, 16 and 17, Township 6 North, Range 68 West. ix. Terry Ranch Aquifer Storage and Recovery Project, an underground storage project in the Upper Laramie Aquifer, to be generally located in Townships 11 and 12 North, Range 67 West, Weld County, Colorado, and includes locations where Greeley currently has rights to inject and withdraw water, and additional locations where Greeley may acquire the right to conduct aquifer storage and recovery operations in that vicinity. x. Star Pit Reservoir, an off-channel reservoir located in the S 1/2 of Section 26, Township 6 North, Range 66 West. The source of supply is from the Cache la Poudre River. xi. Flatiron Reservoir Nos. 1-5, Flatiron Reservoir Nos. 1 and 2 (a.k.a. Poudre Ponds) are constructed and Flatiron Reservoir Nos. 3-5 are to be constructed in parts of Section 36, Township 6 North, Range 66 West. The source of supply is the Cache la Poudre River. D. Claim for Change of Place of Use: Greeley seeks approval to change the place of use of the Subject Shares to include, in addition to the currently decreed place of use for irrigation purposes, the Greeley service area, as it now exists or may from time to time be expanded, and to serve users with whom Greeley has contracts to deliver water from its water system. E. Claim for Change of Purpose of Use: Greeley seeks approval to change the purpose of use of the Subject Shares to include, in addition to the original irrigation use, all municipal uses and related uses, including, but not limited to, domestic, irrigation, watering of lawns, parks and grounds, commercial, industrial, mechanical, manufacturing, fire protection, sewage treatment, power generation, street sprinkling, recreational, fish and wildlife propagation, replacement of lake and reservoir evaporation, and maintenance of adequate storage reserves. Additionally, Greeley seeks approval to use the Subject Shares for maintenance of historical return flows as required by judicial or administrative order, as well as replacement, augmentation, and substitution uses. Greeley seeks the right to fully consume such water by direct use, exchange, by storage and subsequent release, reuse, successive use, further exchange or disposition. The Subject Shares may be used as a source of substitute supply for the exchange claimed in this case, along with the exchanges decreed in Case Nos. 99CW231, 99CW234, 00CW251, 05CW326, and 07CW190. Greeley claims the right to use seepage credit from irrigation or municipal use of the transmountain portion of the Subject Shares, and ground water return flow credits from the irrigation or municipal use of the Subject Shares, exclusive of any Jackson Ditch and CBT water component thereof. F. Replacement of Return Flows: When the Subject Shares are used for the changed purposes sought in this case, Greeley will replace return flows from the native portion of the Subject Shares in time, location and amount from any sources legally available to Greeley, including those described in Paragraph 6 below, as required to protect other water rights from injury. Greeley is not required to maintain return flows from the historical use of the transbasin component of the Subject Shares, as provided in *City of Thornton v. Bijou Irrigation Co.*, 926 P.2d 1, 68 (Colo. 1996). **APPLICATION FOR PLAN FOR AUGMENTATION INCLUDING WATER EXCHANGE PROJECT.** 5. Overview of Plan for Augmentation Including Water Exchange Project. Greeley will operate a plan for augmentation to replace return flows from the native portion of the Subject Shares. Some of the sources of water to be used for replacement of return flows from the native portion of the Subject Shares may be delivered to the stream downstream of the location where the return flows are owed. At times when the proposed Water Exchange Project is in priority and the replacement sources can be delivered at such downstream locations without injury to intervening water users, Greeley proposes to operate the Water Exchange Project to satisfy return flow obligations. At times when the Water Exchange Project is not in priority, then Greeley will replace return flows pursuant to the plan for augmentation upstream of the calling water right. A map showing the



structures and exchange reaches is attached hereto as **Exhibit D. 6. Sources of Supply to be Used for Replacement for Plan for Augmentation Including Water Exchange Project.** A. Water available pursuant to water rights owned or controlled by Greeley and represented by changed shares in the Greeley Irrigation Company (“GIC”), as more particularly described in the decrees entered in Case Nos. 99CW232 and 15CW3163, Water Division 1. B. Water storage rights for the Flatiron Reservoirs Nos. 3-5, and F Street Reservoir, a/k/a the Poudre Ponds at Greeley, as more particularly described in the decree entered in Case No. 99CW234, Water Division 1. C. Water storage rights for the Overland Trail Reservoirs, as more particularly described in the decree entered in Case No. 00CW251, Water Division 1. D. Surface water and storage rights decreed for the Lower Equalizer Reservoirs and the Boomerang Reservoirs, as more particularly described in the decree entered in Case No. 05CW326, Water Division No. 1. E. Water rights decreed for the Milton Seaman Reservoir Enlargements, which water rights are more particularly described in the decrees entered in Case Nos. 90CW226 and 87CW42, Water Division 1. F. Greeley’s previously changed WSSC shares, decreed in Case No. 07CW190, Water Division 1, and the Subject Shares, which are being changed in this case. G. Water available pursuant to water rights owned or controlled by Greeley and represented by changed shares in the Greeley and Loveland Irrigation Company, and Seven Lakes Reservoir Company, which consist of direct flow and storage water rights decreed for diversion at the Loveland and Greeley Canal and Barnes Ditch (including but not limited to water rights decreed to Loveland and Greeley Reservoir a/k/a Lake Loveland), as more particularly described in the decrees entered in Case Nos. 87CW329, 95CW42 and 99CW235, Water Division 1. H. Water available pursuant to Greeley’s 75 shares of stock in the Windsor Reservoir and Canal Company, which entitle Greeley to water from the Laramie River System, as more particularly described in the decree entered in Case No. 06CW258, Water Division No.1. I. Water available pursuant to allotment contracts held by Greeley with the Municipal Subdistrict of the Northern Colorado Water Conservancy District for units of Windy Gap Project water. The Windy Gap Project water rights are more particularly described in the decrees entered by the District Court for Water Division No. 5 in Civil Action No. 1768, Case Nos. W-4001 and 80CW108, and Case No. 89CW0298. J. Nontributary groundwater rights decreed in Case No. 11CW275, Water Division No. 1, and other nontributary groundwater rights owned or controlled by Greeley. K. Wastewater effluent and nonsewered (lawn irrigation) return flows generated by the use of its reusable water rights from the water rights listed in subparagraphs A-J above. L. Wastewater effluent return flows generated by the use of reusable water rights discharged from the Leprino Wastewater Treatment Plant, as more particularly described in the decree entered in Case No. 2017CW3020, Water Division No. 1.. M. Water rights currently owned by Greeley associated with its unchanged shares as follows: i. 143.5 shares in the Greeley and Loveland Irrigation Company, ii. 47 shares in the Seven Lakes Reservoir Company, iii. 24.5 shares in the Lake Loveland Reservoir Company, iv. 10 shares in the Larimer and Weld Irrigation Company, v. 8 shares in the Larimer and Weld Reservoir Company, vi. 16 shares in the Windsor Reservoir and Canal Company, vii. 20 shares in the Cache la Poudre Reservoir Company, viii. 26 shares in the New Cache la Poudre Irrigating Company, ix. 90 shares in the North Poudre Irrigation Company, x. 36.15 shares in the Greeley Irrigation Company. N. The conditional direct flow water right applied for in this application. O. Any future water rights or sources that Greeley may acquire in the future, which are legally available for replacement use and are added to the plan for augmentation pursuant to procedures to be included in the final decree. 7. Exchange-From Points for Water Exchange Project. A. The Overland Trail Reservoirs Release Structures. All of the release structures are located in Range 69 West of the 6th P.M., Larimer County, Colorado. i. Overland Trail Reservoirs Release Structure No. 1: to be constructed in Section 34, Township 8 North, which will deliver the released water to the Cache la Poudre River at a point located approximately 940 feet East and 240 feet North of the Southwest Corner of Section 34, Township 8 North. ii. Overland Trail Reservoirs Release Structure No. 2, to be constructed in Section 3, Township 7 North, which will deliver the released water to the Cache la Poudre River at a point located approximately 700 feet South and 2,420 feet East of the Northwest Corner of Section 3, Township 7 North. iii. Overland Trail Reservoirs Release Structure No. 3, to be constructed in Section 33, Township 8 North, which will deliver the released water to the Cache la Poudre River at a point located approximately 2,401 feet West and 1,401 feet North of the Southeast Corner of Section 33, Township 8 North. iv. Overland Trail Reservoirs Release Structure No. 4,

to be constructed in Section 34, Township 8 North, which will deliver the released water to the Cache la Poudre River at a point located approximately 1,951 feet East and 521 feet North of the Southwest Corner of Section 34, Township 8 North. v. Overland Trail Reservoirs Release Structure No. 5, to be constructed in Section 3, Township 7 North, which will deliver the released water to the Cache la Poudre River at a point located approximately 2,364 feet South and 929 feet West of the Northeast Corner of Section 3, Township 7 North. B. New Cache la Poudre Irrigation Company Augmentation Stations, further described as follows: i. Headgate Augmentation Station. To be constructed near the river headgate for Greeley Canal No. 2, in the NE 1/4 of the SE 1/4 of Section 11, Township 6 North, Range 68 West of the 6th P.M., Larimer County, Colorado. ii. Law Ditch Augmentation Station. Located in the NE 1/4 of the SE 1/4 of Section 15, Township 6 North, Range 67 West of the 6th P.M., Larimer County, Colorado. This augmentation station delivers water to the Cache la Poudre River above Greeley Canal No. 3 via the John Law Seepage Ditch. iii. Orr Lateral Augmentation Station. To be constructed in the NW 1/4 of Section 32, Township 6 North, Range 66 West of the 6th P.M., Larimer County, Colorado. This augmentation station delivers water to the Cache la Poudre River above Greeley Canal No. 3. iv. Graham Seep Augmentation Station. Located in the NW 1/4 of the SE 1/4 of Section 13, Township 6 North, Range 66 West of the 6th P.M., Larimer County, Colorado. This augmentation station delivers water to the Cache la Poudre River below the Greeley Canal No. 3 headgate and above the Ogilvy Ditch headgate. v. Carpenter Lateral. Located in SE 1/4 of the NW 1/4 of Section 19, Township 6 North, Range 65 West of the 6th P.M., Larimer County, Colorado. This augmentation station delivers water to the Cache la Poudre River below the Greeley Canal No. 3 headgate and above the Ogilvy Ditch headgate. vi. Eaton Draw Augmentation Station. Located in the NW 1/4 of the NE 1/4 of Section 17, Township 6 North, Range 65 West of the 6th P.M., Larimer County, Colorado. This augmentation station delivers water to the Cache la Poudre River below the Greeley Canal No. 3 headgate and above the Ogilvy Ditch headgate. vii. Lone Tree Creek Augmentation Station. Located in the NE 1/4 of the NW 1/4 of Section 15, Township 6 North, Range 65 West of the 6th P.M., Larimer County, Colorado. This augmentation station delivers water to the South Platte River just below the Cache la Poudre confluence via Lone Tree Creek. viii. Lower Sand Creek Augmentation Station. Located in the SE 1/4 of the NW 1/4 of Section 27, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado. The confluence of the Lower Sand Creek with the Cache la Poudre River is approximately 2 miles above the mouth of the Cache la Poudre River. This augmentation station delivers water to the Cache la Poudre River below the Ogilvy Ditch headgate. ix. Galeton Draw Augmentation Station. To be located in the NE 1/4 of Section 7, Township 6 North, Range 64 West of the 6th P.M., Weld County, Colorado. This augmentation station will deliver water to the South Platte River via Crow Creek. x. Gill Augmentation Station. To be located on or close to the section line dividing Section 22 and Section 27 in Township 6 North, Range 64 West of the 6th P.M., Weld County, Colorado. This augmentation station will deliver water to the South Platte River via Crow Creek. xi. Lower Crow Creek Augmentation Station. Located in the NW 1/4 of the SW 1/4 of Section 25, Township 6 North, Range 64 West of the 6th P.M., Weld County, Colorado. This augmentation station delivers water to the South Platte River a short distance above the Empire Ditch headgate. xii. Upper Crow Creek Augmentation Station. Located in the SW 1/4 of the NW 1/4 of Section 16, Township 6 North, Range 63 West of the 6th P.M., Weld, County, Colorado. This augmentation station delivers water to the South Platte River a short distance above the Empire Ditch headgate. xiii. Upper Sand Creek Augmentation Station. Located in the NW 1/4 of the NE 1/4 of Section 16, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado. This augmentation station delivers water to the Cache la Poudre River below the Ogilvy Ditch headgate. C. Windsor Wastewater Treatment Plant Outfall, located in Section 34, Township 6 North, Range 67 West of the 6th P.M., Weld County, Colorado. D. Kodak Wastewater Treatment Plant Outfall, located in Section 35, Township 6 North, Range 67 West of the 6th P.M., Weld County, Colorado. E. GIC F Street Return Structure, located in Section 34, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado. F. GIC 35th Avenue Drainage Ditch Release Structure, located in Section 35, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado. G. Confluence of Graham Seep and the Cache la Poudre River, located in Section 36, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado. H. Confluence of Eaton Draw and the Cache la Poudre River, located in Section 4, Township 5 North, Range 65 West of the 6th P.M., Weld County,

Colorado. I. GIC 23rd Avenue Spillway to the Cache la Poudre River, located in Section 31, Township 6 North, Range 65 West of the 6th P.M., Weld County, Colorado. J. Greeley Water Pollution Control Facility Outfall, located in Section 4, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. K. GIC 16<sup>th</sup> Street Return Structure to the Cache la Poudre River, located in the NE 1/4 of Section 10, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. L. Confluence of the Cache la Poudre River and Sand Creek, located in the Northwest 1/4 of Section 11, Township 5 North, Range 65 West of the 6th P.M., Weld County, Colorado. M. Confluence of the South Platte River and the Cache la Poudre River, located in the SW 1/4 of Section 6, Township 5 North, Range 64 West of the 6th P.M., Weld County, Colorado. N. Confluence of the South Platte River and Lone Tree Creek, located in the SE 1/4 of Section 6, Township 5 North, Range 64 West of the 6th P.M., Weld County, Colorado. O. Confluence of the South Platte River and Crow Creek, located in the NE 1/4 of Section 24, Township 5 North, Range 64 West of the 6th P.M., Weld County, Colorado. P. Leprino Wastewater Treatment Plant Outfall, located in the SW 1/4 SW 1/4, Section 4, Township 5 North, Range 65 West, 6th P.M., Weld County, Colorado. 8. Exchange—to Points for Water Exchange Project. A. Upper Poudre Reach beginning at the Larimer County Canal Headgate on the Cache la Poudre River located in Section 13, Township 8 North, Range 70 West of the 6th P.M., Larimer County, Colorado and ending at the Fossil Creek Reservoir inlet on the Cache la Poudre River located in Section 21, Township 7 North, Range 68 West of the 6th P.M., Larimer County, Colorado. B. Middle Poudre Reach beginning at the Fossil Creek Reservoir inlet on the Cache la Poudre River located in Section 21, Township 7 North, Range 68 West of the 6th P.M., Larimer County, Colorado and ending at the Boyd and Freeman Ditch headgate located on the Cache la Poudre River in Section 34, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado. C. Lower Poudre Reach beginning at the Boyd and Freeman Ditch headgate located on the Cache la Poudre River in Section 34, Township 6 North, Range 66 West of the 6th P.M., Weld County, Colorado and ending at the confluence of the Cache la Poudre River and the South Platte River. D. Dry Creek beginning in Section 3, Township 8 North, Range 69 West of the 6th P.M., Larimer County, Colorado and ending at the confluence of Dry Creek and the Cache la Poudre River. E. Boxelder Creek beginning in Section 14, Township 8 North, Range 68 West of the 6th P.M., Larimer County, Colorado and ending at the confluence of Boxelder Creek and the Cache la Poudre River. F. The Slough beginning in Section 3, Township 7 North, Range 67 West of the 6th P.M., Weld County, Colorado and ending at the confluence of the Slough and the Cache la Poudre River. G. Graham Seep beginning in Section 26 Township 7 North, Range 66 West of the 6th P.M., Weld County, Colorado and ending at the confluence of Graham Seep and the Cache la Poudre River. H. Eaton Draw beginning in Section 31, Township 7 North, Range 65 West of the 6th P.M., Weld County, Colorado and ending at the confluence of Eaton Draw and the Cache la Poudre River. I. Lone Tree Creek beginning in Section 7, Township 8 North, Range 65 West of the 6th P.M., Weld County, Colorado and ending at the confluence of Lone Tree Creek and the South Platte River. J. Owl Creek beginning in Section 3 of Township 8 North, 65 West of the 6th P.M., Weld County, Colorado and ending at the confluence of Owl Creek and Lone Tree Creek. 9. Exchange Rates for Water Exchange Project: 3.10 c.f.s., combined. *See Exchange Project Matrix, attached hereto as Exhibit E.* 10. Date of Appropriation for Water Exchange Project: January 19, 2022, the date on which there was a concurrence of intent to appropriate and overt acts in furtherance of such intent, including approval by the Greeley Water and Sewer Board for the filing of this application. **CLAIM FOR APPROPRIATION OF RETURN FLOWS.** 11. Claim to appropriate return flows: Greeley claims the right to retain or divert if necessary, and use, reuse, successively use, and dispose of the historical return flow amounts from the native portion of the Subject Shares at any time of the year when the priority call for water rights below the historical return flow location is junior to January 19, 2022. A. Date of Appropriation: January 19, 2022, the date on which there was a concurrence of intent to appropriate and overt acts in furtherance of such intent, including approval by the Greeley Water and Sewer Board for the filing of this application. B. Location of Appropriation: The Upper, Middle, and Lower Poudre Reaches, Dry Creek, Boxelder Creek, the Slough, Graham Seep, Eaton Draw, Lone Tree Creek, and Owl Creek, described in Paragraphs 8(A)-(J) above, where the return flows from the Subject Shares historically accrued. C. Source: Cache la Poudre River. D. Amount: Greeley claims the rate and volume of all return flows associated with the native portion of the Subject Shares to the extent available under this

appropriation, conditional. E. Use: All decreed uses of the Subject Shares, as changed pursuant to this application. F. Place of Use: The Greeley service area, as it now exists or may from time to time be expanded, and locations to serve users with whom Greeley has contracts to deliver water from its water system. **CLAIM FOR CONDITIONAL DIRECT FLOW WATER RIGHT.** 12. Claim for Conditional Direct Flow Water Right: Greeley claims a conditional water right for the purpose of replacing required return flows attributable to the native portion of the Subject Shares, as follows. The water would be diverted at the diversion structures described below, and released to the Cache la Poudre River at one or more of the release structures or augmentation stations associated with those structures: A. Diversion Structures: i. The Overland Trail Diversion Structure: A diversion structure located as described in Paragraph 4(B)(iii) above. ii. New Cache la Poudre Irrigation Company Canal (a.k.a. Greeley No. 2 Canal): A diversion structure located as described in Paragraph 4(B)(xii) above. iii. The Greeley No. 3 Canal: A diversion structure located as described in Paragraph 4(B)(xix) above. iv. The Boyd and Freeman Ditch: A diversion structure located as described in Paragraph 4(B)(xx) above. B. Release Structures. i. Overland Trail Reservoirs Release Structure Nos. 1-5: to be constructed at the locations described in Paragraphs 7(A)(i)-(v) above. ii. New Cache la Poudre Irrigation Company Augmentation Stations, further described in Paragraphs 7(B)(i)-(xiii) above. iii. Greeley No. 3 Canal Release Structures, further described in Paragraphs 7(E), (F), (I), and (K) above. iv. Outlets for Flatiron Reservoir Nos. 1-5, to be constructed in Section 36, Township 6 North, Range 66 West. v. F Street Reservoir Outlet, to be constructed in Section 34, Township 6 North, Range 66 West. vi. 35th Avenue Reservoir Outlet(s), to be constructed in Sections 34 and/or 35, Township 6 North, Range 66 West. C. Source: Cache la Poudre River. D. Appropriation: i. Date: January 19, 2022. ii. How Appropriation Initiated: Approval by the Greeley Water and Sewer Board for the filing of this application. iii. Date Water First Applied to Beneficial Use: Not applicable for a conditional water right. E. Amount claimed: 3.10 c.f.s. F. Uses: Greeley will beneficially use the water diverted pursuant to this conditional water right to replace return flow requirements when the conditional water right is in priority. Greeley will divert the water at the diversion structures and return it to the Cache la Poudre River at one or more of the Release Structures at the same flow rate and in the same amount as the return flow requirement for the Subject Shares. 13. Names and addresses of the owners of 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: Greeley does not propose to construct any new diversion or storage structures or to construct any modification to any existing diversion or storage structure. The owners of the land and reservoirs where water will be stored are as follows: A. Overland Trail Reservoirs: i. Western-Mobile Northern, Inc., c/o Baden Tax Management, P.O. Box 8040, Fort Wayne, IN 46898-8040. ii. Fort Collins-Loveland Water District, 5150 Snead Drive, Fort Collins, CO 80525. iii. North Weld County Water District, P.O. Box 56, Lucerne, CO 80646. iv. East Larimer County Water District, 232 South Link Lane, Fort Collins, CO 80524. v. Martin Marietta Materials, Inc., c/o Baden Tax Management, LLC, P.O. Box 8040, Fort Wayne, IN 46898-8040. B. Glade Reservoir: i. Northern Colorado Water Conservancy District, 220 Water Avenue, Berthoud, CO 80513. ii. United States of America, Bureau of Land Management, General Delivery, Washington, DC 20090. iii. State Board of Land Commissioners, 1127 Sherman Street, Suite 300, Denver, Colorado 80203-2206. iv. Platte River Power Authority, 2000 Horsetooth Road, Fort Collins, CO 80525. v. Weaver Cattle Company, Inc., c/o Maxine Weaver, 260 Boattail Drive, Fort Collins, CO 80524. vi. Amanda and Brad Baldwin, 9720 N Highway 287, LaPorte, CO 80535. vii. Delores J. Barger, 11585 N Hwy 287, Laporte, CO 80535. viii. Robert L. Graves and Sherry E. Graves, 5821 W County Road 54E, Bellvue, CO 80512-7109. ix. Gaile Rosemary Mink and Edgar G. Allen, 413 White Mountain Meadows Drive, Ruidoso, NM 88345-5814. x. Heidi A. Olinger and Lewis James Striggow, P.O. Box 7812, Loveland, CO 80537. C. Milton Seaman Reservoir: i. City of Fort Collins, Water Department, P.O. Box 580, Fort Collins, CO 80522-0580. ii. State of Colorado, Department of Natural Resources, 6060 Broadway, Denver, CO 80216. iii. United States of America, Rocky Mountain National Park, 2150 Centre Avenue, Building E, Fort Collins, CO 80526-8119. iv. State Board of Land Commissioners, 1127 Sherman Street, Suite 300, Denver, CO 80203-2206. v. U.S. Department of Agriculture, Forest Service, Inspector General, 2850 McClelland Drive, Fort Collins, CO 80525-2586. vi. James R. Kahn, 6065 Obenchain Road, LaPorte, CO 80535. vii. Overview Business

Holdings, LLC, Genoa Lansing Towline Road, King Ferry, New York 13081. viii. Bureau of Reclamation, 11056 W. County Road 18E, Loveland, CO 80537-9711. ix. Colorado State University, State School Land Board of Land Commissioners, 1313 Sherman Street, Denver, CO 80203-2236. Linda A. McMurry Trust and Murry R. McMurry Trust, 3673 Bradford Street NE, Grand Rapids, Michigan 49525. D. Halligan Reservoir: i. State of Colorado, Division of Wildlife, 6060 Broadway Avenue, Denver, CO 80216. ii. United States of America Bureau of Land Management, 1313 Sherman Street, Denver, CO 80203-2236. iii. Landowners Association for Phantom Canyon Ranches, 1738 Bonny Drive, Loveland, CO 80538. iv. Free Enterprises, Inc., c/o Lee Stark, 1803 N. Garfield Avenue, Loveland, CO 80537. v. City of Fort Collins, P.O. Box 580, Fort Collins, CO 80522. vi. Geo A. Henderson Co. Inc., and Chris Vandemoer; P.O. Box 668, Sterling, CO 80751-0668. vii. The Gary C. and Mary J. Packard Revocable Trust, 865 Three Corner Gate Road, Livermore, CO 80536. viii. Meadow Creek Cabin Association, LLC, c/o Sandy Beardmore, 12212 Kiowa Court, Fort Collins, CO 80525. E. Peterson Lake Reservoir: i. United States of America, Arapaho/Roosevelt National Forest, 2150 Centre Ave., Building E, Fort Collins, CO 80526. F. Rockwell Reservoir: i. United States of America, Bureau of Reclamation, General Delivery, Washington, DC 20090-9999. G. Fossil Creek Reservoir: i. North Poudre Irrigation Company, P.O. Box 100, Wellington, CO 80549. **WHEREFORE:** Greeley requests the Court enter a decree approving the requested change of water rights, plan for augmentation including water exchange project, appropriation of return flows, and the proposed conditional direct flow water right, as described herein.

THE WATER RIGHTS CLAIMED BY THESE APPLICATIONS MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT WITHIN THE TIME PROVIDED BY STATUTE OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED that any party who wishes to oppose an application, or an amended application, may file with the Water Clerk, P. O. Box 2038, Greeley, CO 80632, a verified Statement of Opposition, setting forth facts as to why the application should not be granted, or why it should be granted only in part or on certain conditions. Such Statement of Opposition must be filed by the last day of **MAY 31, 2022** (forms available on [www.courts.state.co.us](http://www.courts.state.co.us) or in the Clerk's office), and must be filed as an Original and include **\$192.00** filing fee. A copy of each Statement of Opposition must also be served upon the Applicant or Applicant's Attorney and an affidavit or certificate of such service of mailing shall be filed with the Water Clerk.