

**PUBLIC NOTICE OF ABSOLUTE WATER RIGHTS CLAIMS, INCLUDING
STORAGE OF SURFACE AND GROUND WATER, AND CONDITIONAL
APPROPRIATIVE RIGHTS OF SUBSTITUTION AND EXCHANGE**

Please take notice that the City of Fort Collins claims absolute water rights in several structures located in Larimer County, as described below, including storage of surface and ground water, and will be seeking adjudication of these rights in the Division 1 Water Court based on an application originally filed in Case No. 14CW3176 in December 2014 and amended in July 2015. 1) Homestead Pond (aka Woodward Pond), located in the SE1/4 of the SE1/4 of Section 12 Township 7 North, Range 69 West, 6th P.M. Appropriation date: 1/15/2014. Amount: 6.12 acre-feet, absolute. Capacity: 6.12 acre-feet. Surface Area: 2.16 acres. 2) Big Pond (aka Prospect North Pond), located in the S1/2 of Section 17, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 4/1/1983. Amount: 75.77 acre-feet, absolute. Capacity: 75.77 acre-feet. Surface Area: 38.25 acres. 3) Milne Ponds (aka Milne Pits), located in the S1/2 of the SE1/4 of Section 17, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 10/25/1988. Amount: 35.26 acre-feet, absolute. Capacity: 35.26 acre-feet. Surface Area: 9.0 acres. 4) Artist Point Pond (aka Wren Pits), located in the E1/2 of the NE1/4 of Section 20, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 9/16/1996. Amount: 10.50 acre-feet, absolute. Capacity: 10.50 acre-feet. Surface Area: 20.2 acres. 5) Pelican Pond, located in the SE1/4 of the NE1/4 of Section 20, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 9/16/1996. Amount: 28.08 acre-feet, absolute. Capacity: 28.08 acre-feet. Surface Area: 9.0 acres. 6) Running Deer Pond (aka Resource Recovery Farm), located in the W1/2 of the SE1/4, the E1/2 of the SW1/4, and the SW1/4 of the NE1/4 of Section 21, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 10/2/1979. Amount: 9.36 acre-feet, absolute. Capacity: 9.36 acre-feet. Surface Area: 6.24 acres. 7) Shields Pit (aka Topminnow Pond), located in the NE1/4 of the NW1/4 of Section 33, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 2/21/2014. Amount: 148.83 acre-feet, absolute. Capacity: 148.83 acre-feet. Surface Area: 24.23 acres. 8) Port of Entry Pit, located in the E1/2 of Section 28 and the W1/2 of Section 27, Township 7 North, Range 68 West, 6th P.M. Appropriation date: 7/15/2014. Amount: 38.9 acre-feet. Capacity: 38.9 acre-feet. Surface Area: 17 acres. The structures described herein are all unlined former gravel mining pits that have been, or are in the process of being, reclaimed. They are off-channel structures that fill by ground water infiltration from the alluvium of the Cache La Poudre River and capture of surface runoff inflows. These structures do not have specific fill ditches or dams. Fort Collins claims the right to fill and continuously refill these structures in accordance with their priorities. The surface areas and capacities described are estimates based on available information at the time of this notice. The actual surface areas at the high water line may be larger or smaller. Fort Collins will use the water rights for the following beneficial uses: recreation, aesthetic, fishing, maintenance of wildlife and wildlife habitat, including piscatorial use, preservation of wetland areas and plant species, storage, augmentation, replacement, substitution, evaporation, and maintenance of ponds as natural areas, including the right to fill and continuously refill as depletions occur in accordance with the priorities for the structures. The uses will occur at and around the location of the ponds, in the Cache La Poudre River pursuant to the rights of exchange described below, and in Rigden Reservoir and the Cache La Poudre River as part of a plan for augmentation described in the application pending in Case No. 14CW3176.

Fort Collins also claims the right to exchange water from the confluence of the Cache la Poudre River and the Prospect Drain, located in the NW1/4 of the SW1/4 of Section 21, Township 7 North, Range 68 West, 6th P.M.; the confluence of the Cache la Poudre River and the river delivery outlet for Running Deer Pond, located in the NW1/4 of the NE1/4 of Section 28, Township 7 North, Range 68 West, 6th P.M.; and the confluence of the Cache la Poudre River and the river delivery outlet for the Port of Entry Pit, located in the NW1/4 of the SW1/4 of Section 27, Township 7 North, Range 68 West, 6th P.M. to the following locations: the Fossil Creek Reservoir Inlet Ditch headgate, located on the Cache La Poudre River in the NE1/4 of the NE1/4 of the SE1/4 of Section 20, Township 7 North, Range 68 West, 6th P.M.; and the Box Elder Ditch headgate, located on the south bank of the Cache La Poudre River in the SW1/4 of the SE1/4 of the NE1/4 of Section 20, Township 7 North, Range 68 West, 6th P.M. The sources of substitute supply include water from Big Pond, Artist Point Pond, Pelican Pond, Running Deer Pond, and Port of Entry Pit under the water rights described for those structures above and released to the Cache la Poudre River via the Prospect Drain, the river delivery outlet for Running Deer Pond, and the river delivery outlet for the Port of Entry Pit. Fort Collins claims a maximum rate of exchange from each exchange-from point and each exchange-to point of 6 c.f.s., conditional. Date of initiation of appropriation: July 30, 2015. Fort Collins intends to use water diverted under these exchanges by direct use or following storage within Fort Collins' service area as it now exists or may from time to time be expanded for all municipal uses, including but not limited to domestic, irrigation (including, without limitation, agricultural irrigation), storage, commercial, industrial, hydroelectric power generation, stock watering, recreation, fish and wildlife propagation and maintenance, environmental mitigation and restoration, and both within and outside of its existing and future service area for augmentation, replacement, substitution, and exchange. Fort Collins will also use this exchanged water to serve water users located within and outside of Fort Collins' current and future service area with whom Fort Collins has contracts to deliver water from its water system, and pursuant to contract exchanges, leases, or water trades made by mutual agreement with other water users, for the beneficial uses described above, and for any other uses described in the contracts, contract exchanges, leases, or mutual agreements. In addition, Fort Collins intends to use water diverted under these exchanges for instream flow use exclusively by the Colorado Water Conservation Board pursuant to an agreement with the Colorado Water Conservation Board. Fort Collins seeks to use, reuse, successively use, and dispose of the water to extinction. After diversion of water at the exchange-to points described above, Fort Collins will deliver exchanged water diverted by the Fossil Creek Reservoir Inlet Ditch to Fossil Creek Reservoir, located in portions of Sections 9, 10, 15, 16, and 17, Township 6 North, Range 68 West, 6th P.M.; and will deliver exchanged water diverted by the Fossil Creek Reservoir Inlet Ditch and Box Elder Ditch to Rigden Reservoir, located in the SW1/4 of the SW1/4 of Section 27 and the SE1/4 of Section 28, Township 7 North, Range 68 West, 6th P.M. Fort Collins may also deliver water removed from the ponds described above to Rigden Reservoir for storage by delivering water from the ponds to the Cache La Poudre River and re-diverting it in Rigden Reservoir at the following downstream locations without operating an exchange: Rigden Inflow-Outflow Spillway, located in the SW1/4 of the SW1/4 of Section 27, Township 7 North, Range 68 West, 6th P.M.; and Rigden Diversion Pump Station, located in the SW1/4 of the SW1/4 of Section 27, Township 7 North, Range 68 West, 6th P.M. Additional information can be obtained from Fort Collins by calling Daylan Figgs at 970-416-2814.