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<p>DISTRICT COURT, WATER DIVISION 4, COLORADO</p> <p>Court Address: 1200 N. Grand Ave., Bin A Montrose, CO 81401-3146</p> <hr/> <p>IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF</p> <p>ROUBIDEAU RESERVE, LLC</p> <p>IN THE GUNNISON RIVER, DELTA COUNTY</p>	<p>WATER RESOURCES DISTRICT COURT STATE ENGINEER District Court Water Division 4 JUN 12 2006 District Court Water Division 4 2006</p> <hr/> <p>Case Number: 05CW212</p>
<p style="text-align: center;">RULING OF REFEREE AND DECREE</p>	

Applicant, Roubideau Reserve, LLC, 29163 Stingley Gulch Rd, Hotchkiss CO 81419, requests a Surface Water Right by Application filed December 9, 2005.

FINDINGS OF FACT

1. All notices required by law of the filing of this Application have been given. The Referee has jurisdiction of this case. The time for filing of statements of opposition has expired and no such statements have been filed.

2. Applicant requests conditional water rights for the EAST ROUBIDEAU WASTEWATER DITCH and the SOUTH ROUBIDEAU WASTEWATER DITCH, which are located in Section 17, Township 15 North, Range 95 West, 6th P.M. as follows: The East Ditch is 1890 feet north of the south section line and 419 feet west of the east section line, SE1/4NE1/4SE1/4. The West Ditch is 1288 feet north of the south section line and 910 feet west of the east section line, NW1/4SE1/4SE1/4. These diversions will take wastewater tributary to the Gunnison River. Applicant desires to have conditional flow rights for 0.50 c.f.s. in each ditch for the irrigation of twenty acres and wildlife. The Court finds that the EAST ROUBIDEAU WASTEWATER DITCH and the SOUTH ROUBIDEAU WASTEWATER DITCH each will produce 0.50 c.f.s., and that Applicant has shown the requisite intent and ability to place this water to the beneficial uses requested.

RULING

Applicant is hereby GRANTED a conditional water right for 0.50 c.f.s. of water for the irrigation of twenty acres and wildlife, from each of the EAST ROUBIDEAU WASTEWATER DITCH and the SOUTH ROUBIDEAU WASTEWATER DITCH, located as above-described, with an appropriation date of October 31, 2004, adjudication date of 2005.

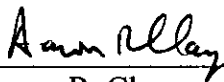
05CW212

Prior to or during the month of June, 2012, and every six years thereafter until the conditional right is decreed absolutely, the owner or user thereof, if it is desired to maintain the same, shall file an application for finding of reasonable diligence with this Court. Applicant shall notify this Court of any change in mailing address. Upon the sale or other transfer of this conditional right, the transferee shall file with this Court a notice of transfer which shall state:

- (1) The title and case number of this case;
- (2) The description of the water right transferred;
- (3) The name of the transferor;
- (4) The name and mailing address of the transferee.

Applicant shall notify any transferee of the requirements of this paragraph.

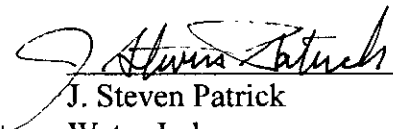
Dated this 2 day of May, 2006.



Aaron R. Clay
Water Referee

No protest was filed in this matter. The foregoing Ruling is confirmed and approved, and is made the judgment and decree of this Court.

DONE this 1st day of June, 2006.



J. Steven Patrick
Water Judge
Division 4