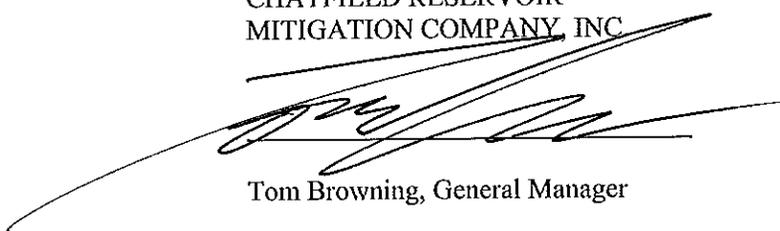


AFFIDAVIT

I, the undersigned, being duly sworn, upon my oath hereby state that the following matters, facts, and things set forth are true and correct to the best of my knowledge:

1. I am the General Manager of the Chatfield Reservoir Mitigation Company, Inc. (“CRMC”), which is a nonprofit formed under the laws of State of Colorado in 2015 by the Water Providers to manage and perform the environmental mitigation and recreational modifications required by the United States Army Corp of Engineers (“Corps”) under its final approval of the Project.
2. The Agreement Between the Department of the Army and the Colorado Department of Natural Resources for the Reallocation of Water Storage Space, Recreational Modifications, and Compensatory Mitigation Features at the Chatfield Dam and Reservoir, Colorado, dated October 9, 2014 (the “Water Storage Agreement”) sets forth the mitigation and modification requirements that need to be met before the Water Providers are allowed to begin storing water under the reallocated storage in Chatfield Reservoir. The requirements set forth in the Water Storage Agreement were approved by the Assistant Secretary of the Army for Civil Works, and cannot be altered without approval from the same, which if it were even possible, may take years to secure.
3. Pursuant to the Water Storage Agreement, in order for the Water Providers to store water in no less than 80% of the reallocated storage, the Colorado Department of Natural Resources through CRMC is required to have all of the specified mitigation and modification milestones in the Water Storage Agreement satisfied by October 2020. If the mitigation and modification milestones are not met by October 2020, the Water Providers will be restricted to storage of water in only 10% of the reallocated storage space, with only gradual increases on an annual basis until such milestones are met.
4. The Water Providers are all public or quasi-public municipal or agricultural water providers that are charged with pursuing the public interest and promoting public health, safety, and welfare by securing a reliable water supply for their residents and customers, which number in the hundreds of thousands. The funds expended by the Water Providers on the Project are public funds that were allocated to provide for additional water supplies. The Water Providers have allocated funds or arranged funding sources to pay for the costs currently budgeted for the Project so that, upon completion, they will be granted the legal right to store water in the reallocated storage space.
5. The water providers have already incurred and expended more than \$20,000,000 to begin the implementation of environmental mitigation features adjacent to the reservoir and beyond, pursuant to design plans approved by the Corps. These costs cannot be recaptured or reimbursed in any way to the Water Providers. CRMC’s inability to continue implementing the environmental mitigation features as well as the recreational modification work would be detrimental to the Water Providers and the public rate payers that they serve.
6. The construction work at the Park can be compared, as a simple analog, to a major remodeling project on a home. During the construction period, the home is partially or fully unusable such that the real value of the final product is not realized until all of the work is done. Should the construction be halted during the process for any reason, the incomplete home would not meet required codes and standards, and would therefore be uninhabitable for the owner. The ultimate use of the storage space in the reservoir and the ultimate use of the Park by visitors will not be fully possible until the Project is complete, and all construction activities and closures are concluded. A partially completed Project, sitting idle would be an extremely unfortunate situation for the State, the Water Providers, and for the public.

CHATFIELD RESERVOIR
MITIGATION COMPANY, INC



Tom Browning, General Manager

STATE OF COLORADO }

} ss.

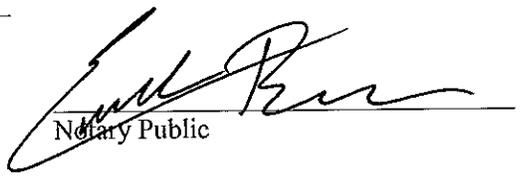
COUNTY OF Jefferson }

The foregoing was signed and sworn to before me this ____ day of January 2018, by Tom Browning, as the General Manger of Chatfield Reservoir Mitigation Company, Inc.

Witness my hand and official seal.

My commission expires: 08/01/2021

ERICK BALDERRAMA
Notary Public
State of Colorado
Notary ID: 20174023797
My Commission Expires 08/01/2021


Notary Public