

DISTRICT COURT, WATER DIVISION 7, COLORADO

WATER RESUME

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER DIVISION NO. 7

Pursuant to C.R.S. 37-92-302, you are notified that the following is a resume of all water right applications filed in the Office of the Water Clerk during the month of January 2025, for each county affected.

2025CW3000 **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE** In La Plata County, Colorado 1. Name and address of Applicant: Celadon II Property Owner's Association, c/o Secretary, 3235 Celadon Drive East Durango, CO 81301 c/o David S. Hayes, John D. Buchanan, Hayes Poznanovic Korver LLC, 700 17th Street, Suite 1800, Denver, CO 80202, Phone: (303) 825-1980. 2. Name of structure: Lot 24 Pond ("Pond" or "Conditional Water Right"). 3. Description of Conditional Water Right: A. Date of original decree: May 4, 2005, Case No. 03CW123, District Court, Water Division No. 7. B. Subsequent decrees awarding findings of diligence: September 27, 2012, Case No. 11CW25; January 17, 2019, Case No. 18CW3027; both District Court, Water Division No. 7. C. Legal description: NW1/4, NW1/4, Section 17, T. 37 N, R. 8 W., N.M.P.M., 4150 feet from the South section line, 1250 feet from the West section line. A map depicting the location of Pond is attached to the application as Exhibit A, and is available for inspection at the office of the Division 7 Water Clerk or via CCE. D. Source: Bear Creek, tributary to the Animas River. E. Remaining conditional amount and date of appropriation: 0.4 acre-feet, conditional (2.8 acre-feet absolute); December 13, 2003. F. Use: Irrigation, piscatorial, and recreation. G. Other: As previously determined by the Court, the Conditional Water Right is part of an integrated water project for the Celadon II development in La Plata County Colorado. 4. Evidence of reasonable diligence: During the applicable diligence period (January 2019 to present) for the Conditional Water Right, the Applicant has taken steps to diligently develop the Conditional Water Right, including, without limitation, the activities outlined in the application, available for inspection at the Division 7 Water Clerk or via CCE. The list is not intended to be all inclusive and may be supplemented by additional evidence at any hearing in this matter. 5. Names and addresses of owners or reputed 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 modification to the existing storage pool: Keith D & Nima J Kelly Revocable Trust, 106 Celadon Lane, Durango, CO 81301. WHEREFORE, the Applicant respectfully requests that this Court enter Findings of Fact, Conclusions of Law, and a Judgment and Decree finding that Applicant has been reasonably diligent in the development of the Conditional Water Right as described in the preceding paragraphs and continuing the remaining conditional amount in full force and effect, and granting such other relief as may be appropriate. (5 pages including exhibit)

2025CW3001 Archuleta County. Application to Make Absolute and for a Finding of Reasonable Diligence. Applicant, RIVER RIDGE, LLC, 529 Beaulieu, Lafayette, LA 70508. Please direct all correspondence to Applicant's counsel, Amy N. Huff, Colorado Water & Land Law, LLC, 679 E. 2nd Ave, #11B, Durango, CO 81301. 970-403-1770. Email: amy@waterland-law.com. Structures: **CARIBOU DITCH** Original Decree: Case No. 04CW95, Subsequent Decrees: Cases No. 11CW81 & 18CW3017. POD: SE ¼ NW ¼ §13, T36N, R1W, NMPM, 2,180' from the North section line and 2,200' from the West section line of Section 13 Source: Cummings Creek, a tributary to the West Fork of the San Juan River App Date: 12/16/2004 Uses: Water features, including fountains, waterfalls and ponds, to provide year-round enhancement of aesthetic and wildlife attributes, stock watering, and irrigation of 25 acres. Amt: 1.0 c.f.s., Conditional. Claim to Make Absolute: During the last diligence period, Applicant applied 1.0 c.f.s. to irrigate 2.25 acres. Applicant's irrigation use began in June of 2022 and has continued annually thereafter. **CARIBOU SPRING** Original Decree: Case No. 04CW95, Subsequent Decrees: Cases No. 11CW81 &

18CW3017. POD: SE ¼ NW ¼ §13, T36N, R1W, NMPM, 2,150' from the North section line and 2,280' from the West section line of Section 13 Source: A spring tributary to the West Fork of the San Juan River App Date: 12/16/2004 Uses: Water features, including fountains, waterfalls and ponds, to provide year-round enhancement of aesthetic and wildlife attributes, stock watering, and irrigation of 25 acres. Amt: 10 g.p.m. In Case No. 18CW3017, the Court decreed 10 g.p.m. as an absolute water right for irrigation and stock, and 10 g.p.m. as a conditional water right for all other decreed uses. Detailed Outline of What Has Been Done Toward Completion of the Appropriation and Application of Water to Beneficial Use. The Caribou Ditch water right and the Caribou Spring water right are multiple features for the same project on Applicant's property. Pursuant to C.R.S. § 37-92-301(b), work on one feature of the project shall be considered in "finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." During the last diligence period, Applicant applied the water conditionally decreed to the Caribou Spring to beneficial use for irrigation and for the enhancement of aesthetic and wildlife attributes. Exhibit A shows the areas of irrigation. In 2022, Applicant began using the Caribou Ditch for irrigation and wildlife enhancement. During the last diligence period, Applicant irrigated approximately 2.25 acres using the Caribou Ditch water right. Water in the Caribou Ditch has also been beneficially used for wildlife enhancement. See Exhibit A for area of irrigated lands and wildlife enhancement. Applicant has plans to expand its irrigated lands and to fully develop the conditional water rights decreed to both the Caribou Spring and the Caribou Ditch. Applicant can and will place the Caribou Spring and the Caribou Ditch water rights to beneficial use within a reasonable time. Affected Landowners. Any and all diversion structures for use of the water rights described herein are located on Applicant's property. Remarks: Applicant seeks a decree perfecting the Caribou Ditch water right as an absolute water right for irrigation and wildlife, and continuing in effect, as conditional water rights, the Caribou Spring and the Caribou Ditch. (5 pages including exhibit)

THE WATER RIGHTS CLAIMED BY THE FOREGOING APPLICATION(S) MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT AND PROTEST WITHIN THE TIME PROVIDED BY STATUTE, OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of March 2025, to file with the Water Clerk, a verified Statement of Opposition, setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing fee: \$192.00; Forms are available through the Office of the Water Clerk or on the Judicial web site at www.coloradojudicial.gov; Jason Poyer, Water Court Specialist, 1060 E. 2nd Ave., Room 106, Durango, CO 81301; 970-247-2304)

Published: before February 28, 2025

/s/ Jason Poyer
Water Court Specialist