

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 April 2025, for each county affected.

2025CW1 La Plata County. Amended Application for Absolute. Applicants: Steve Rieke and Peggy Rieke, 1003 CR 333 Ignacio, CO 81137. Structure: Rieke No. 1 Ditch. Legal Description: In the SW1/4 SW1/4, Section 19, T33N, R6W, N.M.P.M., 1,290 feet from the South section line and 1,288 feet from the West section line of said Section 19, UTM coordinates, Easting: 273669, Northing: 4107421 (NAD 83, Zone 13). Source: Natural and return flows of Unnamed Tributary to Devil's Creek to Spring Creek to Pine River. App. Date: 3/6/25. Amount: 0.66 cfs Conditional. Uses: Irrigation, stock water, storage and refresh; Structure: Rieke No. 2 Ditch. Legal Description: In the SE1/4 SW1/4, Section 19, T33N, R6W, N.M.P.M., 863 feet from the South section line and 2,585 feet from the West section line of said Section 19, UTM coordinates: Easting: 274063 Northing: 4107278 (NAD 83, Zone 13). Source: Natural and return flows of Unnamed Tributary to Devil's Creek to Spring Creek to Pine River. App. Date: 3/6/25. Amount: 0.66 cfs Conditional. Uses: Irrigation, stock water, storage and refresh. See application for further details. (8 pages)

2025CW4 La Plata County. Applicants: Raymond P. Smith and Nancy D. Smith, 2515 CR 329 Ignacio, CO 81137. Prior Decree: Case No. 18CW22. Structure: Smith Ditch and Pipeline. Legal Description: In the SE1/4 SW1/4, Section 10, T32.0N, R6W, N.M.P.M., being 260 feet from the South section line and 2,010 feet from the West section line of said Section 10, UTM coordinates, Easting: 278541.5, Northing: 4100530.1 (NAD 83, Zone 13). Source: Vallejo Arroyo. App. Date: 11/19/18. Amount: 15 gpm. Uses: Irrigation, stock watering, gardening. Application to Make Absolute. See Application for further details. (8 pages including exhibits)

2025CW3011 **LA PLATA COUNTY, WATER DISTRICT NO. 30: 1) APPLICANT:** Kent Curtis and April Curtis, 5326 County Road 510, Ignacio, CO 81137; **2) Attorneys:** Adam T. Reeves, Maynes, Bradford, Shippy & Sheftel, LLP, 835 East 2nd Avenue, Suite 123, Durango, CO 81301; **3) Application for Finding of Reasonable Diligence;** **4) Structure 1:** Curtis Diversion: Original Decree: Case No.: 05CW07, District Court, Water Division 7, entered September 14, 2005; Subsequent Decrees: Case Nos. 11CW60, entered August 16, 2012; and Case No. 18CW3025 (entered August 30, 2018), both in District Court, Water Division 7; Location: A point in the NE1/4 SE1/4NW1/4 of Section 14U, T34N, R8W, N.M.P.M., La Plata County, being 1,820 feet from the North section line and 1,390 feet from the West section line; Source: Wastewater and seepage from Salt Creek, tributary to the Florida River, tributary to the Animas River; Appropriation Date: March 17, 2005; Amount and Uses: 0.20 c.f.s., originally decreed conditional, with .09 c.f.s. having been made absolute for irrigation of grass and storage for those uses in Case No. 18CW3025, leaving .11 c.f.s. conditional for irrigation of grass and .20 conditional for irrigation of wetlands and storage for those uses; **5) Diligence Activities:** Between April, 2018, and March, 2025, the following activities took place toward completion of the appropriation identified herein: (1) Applicant negotiated with neighboring property owners to pipe a portion of the Hi-Line Suckman Sikes Ditch and obtained quotes to do the same; (2) Applicant acquired the property where diversion and storage would occur from the prior owner; **6) Name and address of owner or reputed owners of the 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:** All land is owned by Applicant. (3 pages)

2025CW3012 **LA PLATA COUNTY, WATER DISTRICT NO. 30: 1) Applicants:** Donna L. Thompson, Tammy L. Thompson, 34756 U.S. Highway 550 North, Durango, CO 81301; and Bryce Family Partnership Ltd., 34596 U. S. Highway 550 North, Durango, CO 81303 (970) 259-2562; **2) Attorneys:** Adam T. Reeves, Maynes, Bradford, Shipp & Sheftel, LLP, 835 E. 2nd Avenue, Ste. 123, Durango, CO 81301; **3) Application to Make Absolute and for a Finding of Reasonable Diligence;** **4) Structure 1:** To make Absolute: Thomas Well/Reservoir (Thomas Well #2); Original Decree: Case No. 02CW64, District Court, Water Division 7 (July 7, 2004); Subsequent Decrees: 10CW47 (November 30, 2012) 18 CW3042 (April 24, 2019) Location: SW1/4 SW1/4 NE1/4 Section 36, T37N, R9W, N.M.P.M., 2,219 feet from the North section line and 2,347 feet from the East section line of Section 36; Sources: Animas River and groundwater and waste water from use of Animas Consolidated Ditch and Embling Mayer Ditch water on "Applicants' Property" located generally in the SW1/4SE1/4 of Section 25 and the W1/2NE1/4, E1/2NW1/4 of Section 36, T37N, R9W, N.M.P.M.; Approp Date: January 2002; Amount: 0.033 cfs (15 gpm) up to 21.25 AF/year, decreed Conditional, for post-gravel mining uses; Use: 1) Supp Irrig of "Applicants' Property", located in the SW1/4SE1/4 of Section 25 and the W1/2NE1/4, E1/2NW1/4 of Section 356, T37N, R9W, N.M.P.M., excepting that part of the SW1/4NE1/4 of Section 36 lying East of the Animas River, comprising approximately 147 acres; 2) Non-irrigation: evaporation, recreation, piscatorial and fire fighting; Well/Reservoir data: 1) Surface area at high water line: 2.97 acres; 2) Capacity: 52.7 AF; Well Permit # 58111-F. **Structure 2:** :Thomas Well #1; Location: NW1/4 NE1/4, Section 36, T37N, R 9W, NMPM, 1320' from North Section Line and 2200' from East Section Line of Section 36; Source: Animas River aquifer; Approp date: December 1970 (under prior well permit 18135-F); d. Amount: .1 c.f.s. previously made absolute for irrigation absolute with .9 c.f.s., remaining conditional for irrigation and 1.0 c.f.s. conditional for commercial uses; Use: 1) Supp Irrigation of 40 acres of Applicant's Property; Well Permit #58713-F: (Well location amended via Application for Well Location Amendment with Division of Water Resources, Division 7, dated September 10, 2011). **5) Actions toward completion of the appropriation and application of water to a beneficial use as conditionally decreed:** A. Applicant fabricated and installed a moveable pump set to allow withdrawal of water from Thomas Well/Reservoir; B. The gravel lease associated with Thomas Well/Reservoir has been terminated and gravel mining is no longer a use occurring on the property; C. Water has been withdrawn for firefighting purposes from Thomas Well/Reservoir; D. Applicant has utilized Thomas Well/Reservoir for boating and other recreational activities; E. Applicant has produced a cross sectional diagram of the Reservoir; F. Thomas Well/Reservoir has filled in priority under the rights identified herein. All land is owned by Applicant. (4 pages)

2025CW3013 (13CW3040) DISTRICT COURT, WATER DIVISION NO. 7, STATE OF COLORADO, La Plata County Courthouse, 1060 East Second Ave, Suite 106, Durango, CO 81301, (970) 247-2304, CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE CITY OF OURAY IN SAN JUAN COUNTY. **APPLICATION FOR FINDING OF REASONABLE DILIGENCE.** 1. Name, Address, Telephone Number, and Email Address of Applicant: City of Ouray ("Applicant") PO Box 468, Ouray, CO 81427, (970) 325-7211. Direct All Pleadings To: Steven J. Bushong, Kate A. Bosh, Bushong & Holleman PC, 1966 13th Street, Suite 270, Boulder, Colorado 80302, sbushong@bh-lawyers.com; kbosh@bh-lawyers.com, (303) 431-9141. 2. Description of Water Right from Previous Decree. 2.1. Name of Structure. Red Mountain Ditch First Enlargement. 2.1.1. Original Decree. By the District Court in and for Water Division No. 7, Case No. 13CW3040, entered on April 17, 2019 ("13CW3040 Decree"). 2.1.2. Legal Description of Point of Diversion. A point on Mineral Creek and water collected along the course of the ditch. The point is identified by GPS with the following UTM coordinates: Northing 4,197,560, Easting 260,794, Zone 13N, NAD83. Using Aquamap conversion tool, this location is also described as a point in the SW1/4 SW1/4, Section 14, Township 42 North, Range 8 West, N.M.P.M., approximately 1,161 feet north of the south section line and 1,210 feet east of the west section line. Original decreed location (Case No. CA1751-B): said point of diversion being located on a point on the north bank of Mineral Creek, whence a monument on top of Red Mountain No. Three bears north 74°25' east. **See Exhibit A.** 2.1.3. Source. Mineral Creek, and water tributary to Mineral Creek collected along the course of the ditch, all tributary to the Animas River, tributary to the San Juan River. 2.1.4. Amount. 3.0 cfs, conditional. With a

volumetric limit of 419 AF per year. The volumetric limit assumes 0.5 percent per mile transit loss and may be increased as needed if a higher transit loss is administered by the Division 4 Engineer. 2.1.5. Appropriation Date. December 30, 2013. 2.1.6. Uses. Municipal, irrigation, recreation, hydropower, evaporation, piscatorial, industrial, commercial, road (including dust control), mining, mining reclamation, aquifer recharge, construction, augmentation, substitution and exchange, and storage in Oak Creek Reservoir, New Reservoir, Ptarmigan Lake, Ptarmigan Pond and Crystal Reservoir (aka, Full Moon Reservoir No. 10). These uses may be exercised directly or by substitution and exchange as described in Case No. 13CW3072, decreed on November 22, 2016 in Division 4 (“13CW3072 Decree”) and in contracts for extra-territorial use as described in the 13CW3040 Decree. The water under the Red Mountain Ditch First Enlargement may be used and reused to extinction for the purposes described herein. 2.1.7. Place of Use. The City of Ouray’s service area and/or municipal boundary as well as at the locations in Ouray County and lands owned by Ouray County in Montrose County described in the 13CW3040 Decree. 2.1.8. Remark. Consistent with its agreement with the United States Forest Service (“USFS”), Applicant agreed in Case No. 13CW3040 to limit its total diversions through the Red Mountain Ditch, and any extension or enlargement thereto, to no more than 6.0 cfs, regardless of whether such diversions are made under Applicant’s senior irrigation right decreed in Case No. 1751-B, other decreed water rights (including, but not limited to, the water right decreed in Case No. 13CW3040), or free river conditions. 3. Request for Finding of Reasonable Diligence. Applicant seeks a finding that it has exercised reasonable diligence in the development of the conditional water right described in Paragraph 2 above, for all conditional amounts. 4. Detailed outline of work performed to complete application of water to beneficial use. Applicant’s efforts toward development of the subject conditional water right during the last diligence period include, but are not limited to, the following: 4.1 Applicant has coordinated with the USFS and the Idarado Mining Company (“Idarado”) on cleaning and maintaining the Red Mountain Ditch throughout the diligence period. This included inspections, maintenance, improvements, and at least one in person meeting on January 18, 2022 with the USFS and Idarado to review the Operation and Maintenance Plan for the Red Mountain Ditch. 4.2. Applicant spent over \$140,000 on engineering consulting fees and ditch maintenance, repairs, cleaning, and improvements during the six-year diligence period. 4.3. Applicant has had multiple meetings and communications with the USFS to discuss Special Use Permit and Ditch Bill Easement considerations pertaining to the Red Mountain Ditch. 4.4. In 2020, Applicant engaged an engineer to install, calibrate, and maintain a data logger at the Red Mountain Ditch flume to record diversion amounts. The engineer coordinated with the Division 4, District 68 Water Commissioner and with the Colorado Division of Water Resources, on diversion records and submitted diversion records to the Water Commissioner. Applicant continues to submit diversion records to the Water Commissioner on an annual basis. 4.5. In 2023, Applicant coordinated with USFS and Idarado on a Red Mountain Ditch piping project, that resulted in piping a stretch of the Red Mountain Ditch through an area of porous ground to reduce water loss. 4.6. Applicant has coordinated with the Division of Water Resources, Hieland Ditch operator, and Ouray Ditch operator regarding the Red Mountain Ditch diversions and accounting for Red Mountain Ditch water in DWR diversion records for irrigation use by the Hieland and Ouray Ditches. 4.7. Applicant has had numerous meetings and communications with USFS regarding Applicant’s use of Crystal Reservoir (aka, Full Moon Reservoir No. 10) to store water from the Red Mountain Ditch First Enlargement consistent with the 13CW3072 Decree, 13CW3040 Decree, and the agreement reflected in the Operation and Maintenance Plan for the Red Mountain Ditch and also regarding potential repairs to Crystal Reservoir dam. 4.8. Applicant regularly monitors the water court filings of other water users in the San Juan River Basin to ensure its water rights will not be adversely affected and has incurred legal and engineering costs in connection with such applications to protect its water rights. 4.9. Applicant continues to rely upon the subject water right and fully intends to develop and use the subject water right for its decreed uses in the full decreed amount and has no intention to abandon it. 5. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. United States Forest Service, San Juan National Forest, 15 Burnett Court, Durango, Colorado 81301, United States Forest Service, Grand Mesa Uncompahgre and Gunnison

National Forests, 2250 South Main Street, Delta, Colorado 81416. WHEREFORE, Applicant respectfully requests that the Court enter a decree (1) finding that it has exercised reasonable diligence in the development of the subject conditional water right; (2) continuing the conditional water right in full force and effect for an additional diligence period; and (3) granting such other and further relief as deemed appropriate. (6 pages including exhibit)

2025CW3014 San Juan County. Applicant: The Mill Creek Lodge Property Owners Association, Inc., 3793 County Road 3323, Greenville, TX 75402, Attn: Misty Britain, mistybritain@yahoo.com, (903) 513-0445, Counsel for Applicant: Adam DeVoe, DeVoe Law, LLC, 1001 Bannock St., Suite 310, Denver, CO 80204, adam@devoe-law.com, (303) 550-9517. **Application for Diligence.** Conditional water rights: In the last diligence case, Case No. 18CW3009, the water court made a portion of the water rights associated with the Mill Creek Lodge Property Owners Association, Inc. (“Mill Creek”) absolute. The absolute rights for the Mill Creek Estates are: (1) Mill Creek Diversion Dam #1; (2) Mill Creek Pond #1; (3) Mill Creek Pond #2; and (4) Mill Creek Pond #3. The conditional water right for which Applicant seeks a finding of reasonable diligence are the Mill Creek Diversion Dam #2 and Mill Creek Diversion Dam #3. Original Decree: Date of Entry: July 23, 1990, Case No. 87CW84, Court: Water Division No. 7, Durango, CO. Legal Description: Point of Diversion of Mill Creek Division Dam #2: Unnamed tributary to Mill Creek in Section 6, T39N, R8W, N.M.P.M., 700 ft. North of the South section line and 2,400 ft. East of the West section line of said Section 6, as protracted from U.S.F.S. revision of the U.S.G.S. Engineer Mt. Quad 1960. Point of Diversion of Mill Creek Diversion Dam #3: Approximately 2,750 ft. from the South line and 3,550 ft. from the East line of Section 7, T39N, R8W, N.M.P.M., being in the SE 1/4 of the NW 1/4 of said Section 7, as protracted from the U.S.F.S. revision of the U.S.G.S. Engineer Mt. Quad 1960. Source of water: Mill Creek, tributary to Cascade Creek, a tributary to the Animas River. Appropriation Date: December 1, 1987. Amount: Mill Creek Diversion Dam #2: 1.0 c.f.s., Conditional, Mill Creek Diversion Dam #3: 0.50 c.f.s., Conditional. Use: Domestic, municipal, commercial, lawn irrigation and hydropower. Prior Decrees Awarding Findings of Diligence: Findings of reasonable diligence have been made for this water right in accordance with Colorado law and final decrees have been entered in case numbers: 18CW3009 (April 24, 2019); 11CW4 (April 9, 2012); 03CW48 (January 5, 2005); 96CW39 (May 19, 1997). Work Done Toward Completion of Appropriation: A. The Applicant acquired the conditional water rights, other related water rights, and the community they serve in 2021. More specifically, Applicant acquired The Mill Creek Lodge Estates water and wastewater treatment facility, an integrated system to provide water and wastewater utilities for the Mill Creek Lodge Estates. Applicant employed counsel at that time to notify the water court of the change in ownership. B. Since that time, Applicant has continued to maintain the integrated water and septic system for the Mill Creek Lodge Estates. That maintenance includes employment of a certified operator who regularly checks and maintains the integrated system, conducts water quality sampling, submits reports to State and Local agencies, and generally protects the quality and structural integrity of the integrated water supply system. It also includes the employment of landscaping and water services for irrigation of the property, which included the replacement of a pump and miscellaneous plumbing for the irrigation system during this diligence period. C. There are remaining lots in the Mill Creek Lodge Estates which may be developed and require additional water and wastewater services. The conditional rights are therefore being maintained to provide likely future water needs. D. Applicant utilized attorney time and resources to review water rights, to assist in maintaining the water rights legal status, and to file applications in water court. Wherefore, the Applicant requests that the Court enter a decree finding that reasonable diligence has been exercised in completing the appropriations and placing the subject conditional water rights to beneficial use and ruling that the subject conditional water rights remain in full force and effect. (4 pages)

2025CW3015 San Juan County. Applicants: Citisculpt – Colorado, LLC, 1140 Main Avenue, Unit A Durango, CO 81301, Attn: Charles Lindsey McAlpine, Lmcalpine@citisculpt.com, (704) 362-3758. Counsel for Applicant: Adam DeVoe, DeVoe Law, LLC, 1001 Bannock St., Suite 310, Denver, CO 80204, adam@devoe-law.com, 303-550-9517. **Application for a Finding of Diligence and Notice of Change of**

Ownership: the water right for which Applicant seeks a finding of reasonable diligence was previously owned by and decreed to Grizzly Peak Investments, LLC. The current Applicant, Citisculpt, acquired the water rights from Grizzly Peak Investments, LLC in 2021. Please send all notices to the current Applicant and counsel for the Applicant. Conditional water right. Applicant seeks a finding of reasonable diligence on Cascade Village Wells 3, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19, and 20, originally decreed in Case No. 80CW235 and continued as conditional in Case Nos. 18CW3010, 03CW87, 96CW58, 88CW115 and 87CW22 ("subject water rights"). The subject water rights are decreed for municipal use to supply the Cascade Village development as described in the Application: Original Decree: Date of Entry: February 1, 1983, Case No. 80CW235, Court: Water Division No. 7, Durango, CO. Legal Description: Cascade Village Well #3, in the SE1/4 SW1/4 of Section 12, T39N, R9W, N.M.P.M., 600.0 ft. from the South section line and 3,730.0 ft. from the East section line of said Section 12. Alternative Description (UTM): 4171458 Northing and 251899 Easting, Zone 13. Cascade Village Well #5, in the SE1/4 SW1/4 of Section 12, T39N, R9W, N.M.P.M., 410.0 ft. from the South section line and 3,350.0 ft. from the East section line of said Section 12. Alternative Description (UTM): 4171396 Northing and 252014 Easting, Zone 13. Cascade Village Well #6, in the SE 1/4 SW1/4 of Section 12, T39N, R9W, N.M.P.M., 1,260.0 ft. from the South section line and 3,260.0 ft. from the East section line of said Section 12. Alternative Description (UTM): 4171636 Northing and 252045 Easting, Zone 13. Cascade Village Well #7, in the SE1/4 SW1/4 of Section 12, T39N, R9W, N.M.P.M., 690.0 ft. from the South section line and 3,100.0 ft. from the East section line of said Section 12. Alternative Description (UTM): 4171478 Northing and 252091 Easting, Zone 13. Cascade Village Well #9, in the NE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 690.0 ft. from the North section line and 3,220.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4171059 Northing and 252042 Easting, Zone 13. Cascade Village Well #10, in the NE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 1,110.0 ft. from the North section line and 2,900.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170928 Northing and 252134 Easting, Zone 13. Cascade Village Well #11, in the NE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 1,040.0 ft. from the North section line and 3,340.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170954 Northing and 252001 Easting, Zone 13. Cascade Village Well #12, in the SE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 1,330.0 ft. from the North section line and 3,200.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170864 Northing and 252039 Easting, Zone 13. Cascade Village Well #13, in the SE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 1,460.0 ft. from the North section line and 3,160.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170824 Northing and 252050 Easting, Zone 13. Cascade Village Well #14, in the SE 1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 1,760.0 ft. from the North section line and 2,890.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170730 Northing and 252128 Easting, Zone 13. Cascade Village Well #15, in the SE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 1,740.0 ft. from the North section line and 2,660.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170733 Northing and 252198 Easting, Zone 13. Cascade Village Well #17, in the SE1/4 NW1/4 of Section 13, T39N, R9W, N.M.P.M., 2,380.0 ft. from the North section line and 2,700.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170539 Northing and 252177 Easting, Zone 13. Cascade Village Well #18, in the NE1/4 SW1/4 of Section 13, T39N, R9W, N.M.P.M., 3,010.0 ft. from the North section line and 2,810.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170348 Northing and 252135 Easting, Zone 13. Cascade Village Well #19, in the NE1/4 SW1/4 of Section 13, T39N, R9W, N.M.P.M., 3,360.0 ft. from the North section line and 2,750.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170241 Northing and 252149 Easting, Zone 13. Cascade Village Well #20, in the NE1/4 SW1/4 of Section 13, T39N, R9W, N.M.P.M., 3,670.0 ft. from the North section line and 2,660.0 ft. from the East section line of said Section 13. Alternative Description (UTM): 4170145 Northing and 252172 Easting, Zone 13. Source of water: Cascade Creek, a tributary to the Animas River. Appropriation Date: December 29, 1980. Amount: For all wells: 0.133 c.f.s., (60 gpm), Conditional. Every well is limited to 5 acre feet annually, pursuant to Case No. 80CW235. Use: Municipal. Prior Decrees Awarding Findings of Diligence: Findings of reasonable diligence have been made for this water right in

accordance with Colorado law and final decrees have been entered in case numbers: 88CW3 (November 10, 1988); 89CW93 (January 4, 1991); 97CW3 (November 25, 1997); 03CW102 (March 31, 2004), 16CW3049 (May 18, 2017), and 18CW3010 (April 24, 2019). Work Done Toward Completion of Appropriation: A. The Applicant acquired this conditional water right, other related water rights, and the community they serve in 2021. More specifically, Applicant acquired The Cascade Village water and wastewater treatment facility, an integrated system to provide water and wastewater utilities for the Cascade Village Development. B. Since that time, Applicant has continued to maintain the integrated water and wastewater system for the Cascade Village Development. That maintenance includes employment of a certified operator who regularly checks and maintains the integrated system, conducts water quality sampling, submits reports to State and Local agencies, and generally protects the quality and structural integrity of the integrated water supply system. C. Applicant employed Wright Water Engineers, Inc. (WWE) to: (1) evaluate existing and future water supplies and water demands and water rights planning to meet future needs of the water system; (2) evaluate existing infrastructure and recommendations for improvements to the water system to meet existing and future needs; (3) evaluate current and future wastewater treatment needs; (4) coordinate with local governments on consolidation of the wastewater treatment facility, (5) evaluate information from the drilling of Well No. 9 and provide recommendation on the testing, design, and infrastructure needs for submittal to Colorado Department of Environmental Health and Environment (CDPHE) for the connection of Well No. 9 to the potable water system. D. During the diligence period, Applicant drilled Well No. 9. The corresponding well permit, permit number 82473-F, was issued in September 2018. At the time of this filing, Well No. 9 is not connected to the potable water system. The cost of drilling the well was approximately \$14,000. In addition, Cascade applied for a permit from San Juan County for the proposed construction of a building to house groundwater treatment equipment for Well No. 9. E. Applicant hired a contractor to perform a video survey to identify potential sources of inflow and infiltration into the wastewater collection system, costing approximately \$10,000. Applicant continues to repair and replace existing water distribution infrastructure including, but not limited to, pipeline leak repairs, water tank maintenance and repairs, and valve replacement. F. Applicant utilized attorney time and resources to review water rights, to assist in maintaining the water rights legal status, and to file applications in water court. (6 pages)

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 June 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 May 31, 2025

/s/ Jason Poyer
Water Court Specialist