

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 May 2025, for each county affected.

2025CW5 Archuleta County. Applicant: W Diamond X, LLC, c/o Tracy Mosher, PO Box 817, Pagosa Springs, CO 81147. Structure: Waste Water from Mesa Ditch. Legal Description: In the NE1/4 NE1/4, Section 36, T36N, R2W, N.M.P.M., UTM coordinates, Easting: 322613.65, Northing: 4132082.27 (NAD 83, Zone 13) (not exact due to the nature of irrigational wastewater). Source: Mesa Ditch from Four Mile Creek, a tributary to the San Juan River. App. Date: Spring 2008. Amount: 3 cfs (absolute). Uses: Irrigation. Application for Absolute (Surface). See Application for further details. (6 pages including exhibit)

2025CW3005 La Plata County, Amended Application for Water Right and Approval of Plan of Augmentation in the Florida River Watershed. Applicant: Wilson R. Warmack, c/o Kimberly C. Perdue, Southwest Water and Property Law LLC, 679 E. 2nd Ave. Unit 10, Durango, CO 81301; (970) 422-5510; kperdue@swpropertylaw.com; 1) Structure: Warmack Well; i. Loc: La Plata County, SE ¼ SE ¼ Section 31, T35N, R8W, N.M.P.M.; ii. Source: Groundwater tributary to the Florida River; iii. Appropriation date: July 17, 1985; iv. Amt: 15 gallons per minute, absolute, total annual volume 0.826 acre feet per year; iv. Use: Domestic use inside up to three residences and irrigation incidental to domestic use and domestic animal watering; 2) Plan for Augmentation; i. Structure to be Augmented: Warmack Well; ii. Water right for augmentation: Florida River water stored in Lemon Reservoir, decrees in case nos. W-1689-77 through W-1695-77 as amended January 26, 1994 for use of 114 acre feet of storage water to be used for augmentation; iii. Location: The axis of the Lemon Dam is located in Sections 17 and 20, Township 36 North, Range 7 West, N.M.P.M., beginning at a point on the right abutment, from whence the Southwest corner of Section 17, Township 36 North, Range 7 West, N.M.P.M., bears South 84°34' West, a distance of 1699.6 feet, thence South 63°22' East a distance of 1,360 feet on the end of the axis of the dam on the left abutment thereof. Lemon Reservoir is situated in sections 5, 6, 7, 8, 17, and 20 Township 36 North, Range 7 West, N.M.P.M., and in Section 31 and 32, Township 37 North, Range 7 West, N.M.P.M. in La Plata County, Colorado; iv. Appropriation Dates: June 15, 1881 through June 2, 1940; v. Amount: 114 acre feet, absolute; vi. Use: irrigation and plans of augmentation; 3) Applicant is the owner of all lands upon which any existing or new diversion or structure is proposed. (8 pages including exhibits)

2025CW3016 La Plata County; Application for Finding of Reasonable Diligence; 1. Applicant: Animas Water Company c/o Kimberly C. Perdue, Southwest Water and Property Law LLC, 679 E. 2nd Ave. Unit 10, Durango, CO 81301; (970) 422-5510; kperdue@swpropertylaw.com. 2. Structure: Smith Well; i. Location: SE/4 NE/4 Section 3, Township 36 North, Range 9 West, N.M.P.M., La Plata County, 2491 feet from the South section line and 407 feet from the East section line; UTM Coordinates: Zone 13S Easting 249254.81, Northing 4144713.20; ii. Source of water: Hermosa Creek and Animas River; iii. Appropriation date: June 6, 1984; iv. Amount: 1 cfs, conditional; v. Use: All uses associated with a rural water system including domestic, in-house use, lawns and gardens, orchards, livestock, fire flow, recreation, fishery, evaporation from and filling of small ponds and small landscaping features, commercial, industrial, storage at an offstream location associated with water treatment facilities, and temporary supply to other treated water systems; 3. Notice has been provided to the owners of the land upon which these structures are located. See map filed with application. (6 pages including exhibit)

2025CW3017

La Plata County, Application for Finding of Reasonable Diligence. 1. Applicant: Windom Water Company, Inc., Jeff Bardin, Manager, c/o Kimberly C. Perdue, Southwest Water and Property Law LLC, 679 E. 2nd Ave. Unit 10, Durango, CO 81301; (970) 422-5510; kperdue@swpropertylaw.com. 2. Structures (Groundwater): a. Mortimer Well i. Well Permit # 65817; ii. Location: NE1/4 SE1/4, Section 11, T38N, R9W, NMPM, 1,656 feet from South Section line and 1,205 feet from East Section line. b. Brooks Well i. Well Permit # 65818; ii. Location: NE1/4 SE1/4, Section 11, T38N, R9W, NMPM, 1,334 feet from South Section line and 903 feet from East Section line. c. Craig Well i. Well Permit # 65819; ii. Location: SW1/4 SE1/4, Section 11, T38N, R9W, NMPM, 1,129 feet from South Section line and 1,523 feet from East Section line. d. White Well i. Well Permit # 65820; ii. Location: NE1/4 SE1/4, Section 11, T38N, R9W, NMPM, 1,811 feet from South Section line, 857 feet from East Section line. e. Source: Groundwater tributary to Elbert Creek, tributary to the Animas River. f. Appropriation Date: August 1, 2003 for uses decreed in case no. 04CW41. g. Amounts: i. Mortimer Well: 0.089 cfs (40 gpm) absolute; ii. Brooks Well: 0.167 cfs (75 gpm), 0.129 cfs (58 gpm) absolute, 0.038 cfs (17 gpm) conditional; iii. Craig Well: 0.045 cfs (20 gpm), 0.011 cfs (5 gpm) absolute, 0.33 cfs (15 gpm) conditional; iv. White Well: 0.111 cfs (50 gpm) absolute; h. Uses: Wells were decreed in case no. 01CW111 for domestic use for up to eighteen (18) single-family residences, including ten (10) main houses and up to eight (8) potential guest homes; irrigation of up to 7.66 acres (including lawn and garden irrigation and landscaping) or storage in up to 8.62 surface acres of ponds, or some combination of irrigation and ponds not to exceed 10.88 acre feet of annual depletion; fire protection; piscatorial; watering of up to six (6) head of livestock; and recreation. The Court approved the following additional uses for the Wells in case no. 04CW41: in house use for up to twelve (12) single-family residences in Windom West; in-house in one (1) single-family residence located on the Irma J. McNamara property; irrigation of 30,000 square feet (0.69 acres) on Windom West; storage in 30,000 square feet (0.69 surface acres) of ponds on Windom West; fire protection; piscatorial; watering of up to twelve (12) head of livestock; and recreation. 3. Structures (Storage): Windom West Ponds: a. Location: Windom West Ponds will be constructed on Windom West, described on Exhibit A submitted with the application; b. Sources: Mortimer Well, Brooks Well, Craig Well, White Well, springs and surface flows arising on or entering Windom West, all tributary to Elbert Creek. c. Appropriation Date: August 1, 2003. d. Amount: Three (3) acre feet, conditional. e. Uses: fire protection; piscatorial; watering of up to 12 head of livestock; recreation; and augmentation. 4. Applicant is the owner and/or representative of the owners of the land upon which these structures are located. See map filed with application. (8 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 July 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 June 30, 2025

/s/ Jason Poyer
Water Court Specialist