**DISTRICT COURT, WATER DIVISION 3, STATE OF COLORADO TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS FILED IN WATER DIVISION 3. Pursuant to C.R.S. 37-92-302(3), you are notified that the following is a resume in Water Division 3, containing notice of applications and certain amendments filed in the office of the Water Clerk during the month of September 2025 for each county affected.**

**CASE NUMBER 25CW3010**: San Luis Valley Water Conservancy District, acting by and through its Augmentation Program Enterprise (“District” or the “Applicant”), c/o Heather Dutton, Manager, 623 Fourth St., Alamosa, Colorado 81101, (719) 589-2230. APPLICATION FOR **FINDING OF REASONABLE DILLIGENCE AND TO MAKE ABSOLUTE, IN ALAMOSA, HINSDALE, MINERAL, RIO GRANDE AND SAGUACHE COUNTIES.** Please mail copies of all pleadings in this case to Tod J. Smith, The Law Office of Tod J. Smith, LLC, P.O. Box 3103, Eldorado Springs, CO 80025. 2. Name of Structure: Not Applicable. 3. Description of Original Right from Original Decree: 3.1 Date of Original Decree: August 1, 2005, Decree No. 03CW41, District Court, Water Division No. 3; 3.2 Date of Original Decree: August 1, 2005, Decree No. 03CW41, District Court, Water Division No. 3; 3.3 Location: 3.3.1: Exchange from the confluence of Willow Creek and the Rio Grande to Rio Grande, Santa Maria and Continental Reservoirs; 3.3.2. Exchange from confluence of Bear Creek and the Rio Grande to Rio Grande, Santa Maria and Continental Reservoirs; and 3.3.3. Exchange from the confluence of South Fork and the Rio Grande to Rio Grande, Santa Maria and Continental Reservoirs; 3.4. Date of Appropriation: December 12, 2001; 3.5 Amount: 3.5.1. Maximum Volume: 93.40 acre-feet; 3.5.2. Rate of Flow: 3.5.2.1. From the confluence of Willow Creek: 1.48 cfs; 3.5.2.2. From the confluence of Bear Creek: 0.90 cfs 3.5.2.3. From the confluence of South Fork: 3.043 cfs; 3.6 Downstream Terminus: The confluence of Bear Creek and the Rio Grande; 3.7 Upstream Terminus: Three upstream reservoirs; 3.7.1. Rio Grande Reservoir: Sections 5,6,7,8,9,10,13,14,15, and 16, Township 40 North, Range 4 West, and Sections 31 and 32, Township 41 North, Range 4 West, N.M.P.M., Hinsdale County. Rio Grande Reservoir collects water from the Rio Grande River and its tributaries. 3.7.2 Santa Maria Reservoir: Sections 16, 21, 22, 27 and 28, Township 41 North, Range 2 West, N.M.P.M., Mineral County. Santa Maria Reservoir collects water from North Clear Creek, Bennett Creek and Boulder Creek. 3.7.3. Continental Reservoir: Sections 21, 28 and 29, Township 42 North, Range 3 West, N.M.P.M., Hinsdale County. Continental Reservoir impounds water from North Clear Creek. 3.8 Use: Storage and augmentation as decreed for the District’s use in replacing its Participants’ out-of-priority depletions through its Augmentation Program. 4. Outline of Work Performed or Actions Taken Toward Completion of the Appropriation and Application of the Water to Beneficial Use as Conditionally Decreed: 4.1 The District operates a single, unified, and integrated Augmentation Program which includes the exchange originally decreed in Case No. 03CW41 and confirmed in the diligence decrees in Case Nos. 11CW19 and 19CW3000 (making the full rate of flow and portions of the volume absolute). During the diligence period, the District spent substantial amounts of money and devoted hundreds of man hours to the development, operation, maintenance, and improvement of its Augmentation Program. As part of the overall effort, the District retained engineering consultants and attorneys to assist in the operation, maintenance, improvements, and protection of its water rights and operation of its Augmentation Program. The District also spent money acquiring additional augmentation water and on engineering and constructing improvements to its water supply facilities. 4.2 During the diligence period, the District expended approximately $268,000 in legal fees, protecting the District’s water rights and facilities, and incorporating additional water supplies into its Augmentation Program. 4.3 During the diligence period, the District expended approximately $148,000 in engineering fees and expenses, operating its Augmentation Program, evaluating additional water rights and facilities for incorporation into its Augmentation Program, and protecting its water rights and the operation of the Augmentation Program. 4.4 During the diligence period, the District acted to preserve, protect, and enhance its Augmentation Program by obtaining the following judicial decrees: 4.4.1. Case No. 20CW3009, District Court, Water Division No. 3, Decree entered April 19, 2021, diligence in original Case No. 05CW13. 4.4.2 Case No. 21CW3004, District Court, Water Division No.3, Amended Decree entered on July 15, 2024, confirming absolute and conditional rights of exchange. 4.4.3. Case No. 21CW3012, District Court, Water Division No. 3, Decree entered on July 25, 2022, diligence in original Case No. 07CW63. 4.4.4. Case No. 22CW3011, District Court, Water Division No. 3, Decree entered on October 4, 2023, diligence in original Case No. 09CW34. 4.4.5. Case No. 22CW3031, District Court, Water Division No. 3, Decree entered on October 4, 2023, diligence in original Case No. 93CW43. 4.5. During the diligence period, the District entered into negotiations regarding the acquisition of other water rights. 4.6. The work performed and actions taken by the District during the diligence period demonstrate its continuing intent to develop the conditional appropriative rights of exchange originally decreed in Case No. 03CW41. The District has shown that it can and will implement the conditional appropriative right of exchange, which will be completed and exercised with diligence within a reasonable time. 5. Water Applied to Beneficial Use and Made Absolute:The Applicant seeks to have decreed absolute the following amounts of water exchanged during the diligence period: 5.1. During the prior diligence period the Applicant exercised the exchange during 2023 and 2024. In 2023 the Applicant exchanged a total volume of 32.27 acre-feet under the exchange originally decreed in Case No. 03CW41. That volume is 8.77 acre-feet greater than the volume previously decreed absolute. During 2024, the Applicant exchanged a total volume of 13.65 acre-feet. 5.2. Dates Water Exchanged during this diligence period: August – October 2023 and April – May 2024. 5.3 Volume of Water Exchanged: 5.3.1. In 2023, the Applicant exchanged 16.62 acre-feet in August, 11.67 acre-feet in September and 3.98 acre-feet October into Continental Reservoir. 5.3.2. In 2024, the Applicant exchanged 3.96 acre-feet in April and 9.69 acre-into Continental Reservoir. 5.4. Maximum Rate at which water was exchanged: All exchanges were operated at the maximum rate of 3.72 cfs (previously decreed absolute). 6. Names and addresses of owners of land upon which water is and will be stored: 6.1. Rio Grande Reservoir: San Luis Valley Irrigation District, 296 Miles St., P.O. Box 637, Center, Colorado 81125, (719) 754-2254; 6.2. Santa Maria Reservoir: Santa Maria Reservoir Company, P.O. Box 288, Monte Vista, Colorado 81144, (719) 852-3556; 6.3. Continental Reservoir: United States of America, c/o Rio Grande National Forest Divide Ranger District, P.O. Box 270, Creede, Colorado 81130, (719) 658-2556 (The owner of Continental Reservoir is the Santa Maria Reservoir Company) 7. Date of Filing of the Application:This application for finding of reasonable diligence and to make absolute has been filed on or before September 30, 2025, in accordance with the Court’s Notice Concerning Conditional Water Right, dated July 10, 2025. Requested Relief: WHEREFORE, the San Luis Valley Water Conservancy District respectfully requests entry of a decree: (1) decreeing that an additional annual volume of 8.77 acre-feet has been exchanged and made absolute, making to total volume absolute 32.27 acre-feet; (2) determining that the District has demonstrated reasonable diligence in the development of the exchange originally decreed in Case No. 03CW41, and continuing the remaining portion of the conditional water right in the amount of 61.13 acre-feet in good standing, and setting a date by which the District must file a subsequent finding of reasonable diligence; and (3) confirming that work on one feature of the District’s single, unified, and integrated Augmentation Program shall continue to be considered in finding reasonable diligence in the development of all features of its Augmentation Program, including this exchange originally decreed in Case No. 03CW41.

**You are notified that you have, until the last day of November 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 or**  
**a protest to the requested correction. A copy of such a statement of opposition or protest must also be served upon the Applicant or the Applicant’s attorney, and an affidavit or certificate of such service must be filed with the Water Clerk. The filing fee for the Statement of Opposition is $192.00. Forms may be obtained from the Water Clerk’s Office or our website at www.courts.state.co.us. Jennifer Pacheco, Water Clerk, Water Division 3, 8955 Independence Way, Alamosa, CO 81101.**