

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 June 2026, for each county affected.

2026CW3009 Archuleta County, San Juan River. APPLICATION FOR A FINDING OF REASONABLE DILIGENCE. Applicant: James W. and Dona L. Schlesing Living Trust. Please direct all communication to Amy N. Huff, 679 E. 2nd Ave, #11B, Durango, CO 81301 -amy@waterland-law.com. 970-403-1770. Structure Name: PAGOSA SPRINGS PL # 1 MCINTYRE ENLARGEMENT WDID #2900683. Original Decree: Case No. 03CW18. Legal Description: *Decree Description:* Whence the NE corner of Section 18, Township 35N, Range 1W, NMPM, bears North 76° 53 feet East a distance of 1257.8 feet. *DWR Description:* NE ¼ NE ¼ of Section 18, Township 35N, Range 1W, 1225 feet from the East section line, and 285 feet from the North section line of said Section 18. NAD 83 Zone 13 - Easting 323711.5; Northing 4127266.7 Source: San Juan River. App Date: January 31, 2000. Amount: 0.75 cfs total (0.25 cfs was decreed absolute in Case No. 03CW18 for piscatorial uses (0.50 cfs was decreed conditional in Case No. 03CW18 for the irrigation of 36.25 acres). Uses: Irrigation of 36.25 acres, and piscatorial uses. Detailed Outline of Actions to Support a Finding of Reasonable Diligence: The water right herein is appurtenant to the real property that Applicant purchased in 2021. Since 2022, Applicant has engaged professionals and paid consultants to research, investigate, and advise it on the water and water rights associated with its real property. Applicant has maintained the piscatorial uses, and intends to fully develop the water right, as originally decreed. Applicant has invested over \$10,000 in professional fees directly related to its water and water rights, including the water right at issue in this Application. Applicant has conferred with the Water Commissioner for Water Division No. 7 about the water and water rights appurtenant to its property. Applicant is currently in discussions with a water consultant about infrastructure alternatives that would enable it to place the water right decreed in Case No. 03CW18 to beneficial use. Names and Addresses of Affected Landowners: This Application does not contemplate modifications to existing diversion structures or modification to any existing diversion structures. Remarks: See Application. (4 pages)

2026CW3010 LA PLATA COUNTY, WATER DISTRICT NO. 31: **1) Applicant:** Southern Ute Indian Tribe, Attn: Division of Water Resources, P.O. Box 737 - #63, Ignacio CO 81137 (970)563-0125; **2) Attorneys:** Adam T. Reeves, Maynes, Bradford, Shipp & Sheftel, LLP, 835 East 2nd Avenue, Ste. 123, Durango, CO 81301; **3) Type of Application:** For a Finding of Reasonable Diligence; **4) Name of Structure:** Ute Park Pump Station; **5) Conditional water rights:** A. Original Decree: June 6, 2000, Case No. 99CW30, District Court, Water Division 7; Subsequent decrees re: finding of diligence, Case No. 06CW52 (March 5, 2007); Case No. 13CW12 (Jan. 15, 2014, *nunc pro tunc* Dec. 5, 2013); Case No. 19CW3034 (June 29, 2020); B. Location: SW1/4SE1/4 of Section 5, T33N, R7W, N.M.P.M.; approximately 2,700 feet from the West section line and 200 feet from the South section line; C. Source: Los Piños (Pine) River; D. Appropriation Date: May 1981; E. 0.175 cfs, Conditional (with 0.075 cfs Absolute). In 99CW30, Applicant perfected 0.0625 cfs with 0.1875 cfs remaining conditional (totaling 0.25 cfs). In 06CW52, the conditional 0.1875 cfs was granted diligence. In 13CW12, Applicant made an additional 0.0125 cfs absolute (in addition to the 0.0625 cfs), bringing the totals to 0.075 absolute with 0.175 cfs conditional. Applicant now seeks a finding of reasonable diligence as to the conditional 0.175 cfs; F. Use: Irrigation of ballfields, Ute Park and new Southern Ute Indian Tribal Community Center lands, a total of 20 acres in the SE1/4 E1/2 SW1/4 of Section 5, T33N, R7W, N.M.P.M., 6 acres of which have been historically irrigated; **6) Outline of what has been done toward completion of the appropriation:** A. During the diligence

period the Tribe's Division of Water Resources has regularly engaged with the facility managers to assess and evaluate improvements to the diversion and pumping system necessary or useful to place the remaining conditional component of this water right to beneficial use. B. The Tribe has established a water use options team to evaluate and prioritize the development and maintenance of the Tribe's water rights including the right Ute Park Pump Station Water Right. Applicant requests that the Court enter a decree finding that Applicant has exercised reasonable diligence toward the perfection of the above-described water rights. (4 pages)

2026CW3011 La Plata County, (19CW3036) 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. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF: PURGATORY VILLAGE LAND, LLC, IN LA PLATA AND SAN JUAN COUNTIES, COLORADO. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE.** 1. Name, Address, Telephone Number, and Email Address of Applicant: Purgatory Village Land, LLC, ("Applicant"), c/o Dave Rathbun, CEO of Purgatory Resort Holdings, LLC, the sole member of Applicant, 2615 Main Avenue, Suite D, Durango, CO 81301, Telephone: (970) 382-2890, Email: drathbun@purgatory.ski. The prior diligence finding for the water rights herein was entered in the name of Durango Mountain Land Company, LLC. On November 2, 2020, Durango Mountain Land Company, LLC, merged into Durango Mountain Holdings, LLC, and on December 28, 2020, Durango Mountain Holdings, LLC, merged into Purgatory Village Land, LLC., Direct All Pleadings to: Bushong & Holleman PC, Steven J. Bushong, Lesley Lawrence-Hammer, Cassidy L. Woodard, 1966 13th Street, Suite 270, Boulder, CO 80302, Email: sbushong@BH-Lawyers.com; lhammer@BH-Lawyers.com; cwoodard@BH-Lawyers.com 2. Names of Structures: 2.1. T-H Well Nos. 1, 2, 3, 4, 5, 6, and 7 (collectively, the "Wells"); 2.2. Near Spring, Near-Far Spring, Far-Near Spring, Far-Far Spring, Lily Pond Spring, Lamay Spring, and Corral Collection Gallery (collectively, the "Springs"); and 2.3. Treatment Plant Discharge and Treatment Plant Collection System. 3. Descriptions of the Conditional Water Rights for the Wells: 3.1. Original Decree: Case No. 89CW86 in the District Court in and for Water Division 7, State of Colorado ("Water Court"), decreed on January 31, 1992., 3.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW1, 04CW91, 11CW50, and 19CW3036, 3.3. Legal Descriptions: 3.3.1. T-H Well No. 1 (Permit No. 038026-F, expired): In the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, In San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 05°21'W., 7,718.9 feet. **See Exhibit A.**, 3.3.2. T-H Well No. 2 (Permit No. 038027-F, expired): In the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 09°13'W., 5,813.8 feet. **See Exhibit A.**, 3.3.3. T-H Well No. 3 (Permit No. 038028-F, expired): In the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 03°21'W., 6,209.9 feet. **See Exhibit A.**, 3.3.4. T-H Well No. 4 (Permit No. 038029-F): In the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 21°31'W., 4,200.0 feet. **See Exhibit B.**, 3.3.5. T-H Well No. 5 (Permit No. 038631-F): In the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S' 10°48' W., 4,356.3 feet. **See Exhibit B.**, 3.3.6. T-H Well No. 6 (Permit No. 038632-F, expired): In the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 11°27'W., 3,729.8 feet. **See Exhibit B.**, 3.3.7. T-H Well No. 7 (Permit No. 038030-F, expired): In the SE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 00°25'E., 2,365.0 feet. **See Exhibit B.**, 3.4. Source: McCracken Sandstone. (Each well will be drilled to a depth of approximately 150 to 200 feet.) 3.5. Appropriation Date: April 25, 1988., 3.6. Amounts: 0.115 cfs, conditional, for each well, 3.7. Uses:

Municipal, irrigation, domestic, commercial, recreation, augmentation, exchange, storage, snowmaking, including irrigation of a golf course consistent of approximately 200 acres to be constructed in Sections 13 and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties. 4. Descriptions of the Conditional Water Rights for the Springs: 4.1. Original Decree: Water Court Case No. 89CW89, decreed on January 31, 1992, 4.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW4, 04CW94, 11CW52, and 19CW3036, 4.3. Legal Descriptions: 4.3.1. Near Spring: A point of diversion located in the SW1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 15°01'E., 2,688.2 feet. *See Exhibit C.*, 4.3.2. Near-Far Spring: A point of diversion located in the SW1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 01°52'E., 5,906.2 feet. *See Exhibit D.*, 4.3.3. Far-Near Spring: A point of diversion located in the NW1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 02°45'E., 4,947.3 feet. *See Exhibit D.*, 4.3.4. Far-Far Spring: A point of diversion located in the SW1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 01°55'E., 6,392.9 feet. *See Exhibit D.*, 4.3.5. Lily Pond Spring: A point of diversion located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 00°50'E., 7,784.8 feet. *See Exhibit D.*, 4.3.6. Lamay Spring: A point of diversion located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 04°03'W., 7,753.4 feet. *See Exhibit D.*, 4.3.7. Corral Collection Gallery: A collection gallery point of diversion located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 01°23' W., 7,111.1 feet. *See Exhibit D.*, 4.4. Source: Cascade Creek, tributary to the Animas River, 4.5. Appropriation Date: April 25, 1988., 4.6. Amounts: 4.6.1. Near Spring: 0.10 cfs, conditional, 4.6.2. Near-Far Spring: 0.25 cfs, conditional, 4.6.3. Far-Near Spring: 0.10 cfs, conditional, 4.6.4. Far-Far Spring: 0.10 cfs, conditional, 4.6.5. Lily Pond Spring: 0.10 cfs, conditional, 4.6.6. Lamay Spring: 0.10 cfs, conditional, 4.6.7. Corral Collection Gallery: 0.25 cfs, conditional, 4.7. Uses: Municipal, irrigation, domestic, commercial, recreation, augmentation, exchange, storage, snowmaking, including irrigation of approximately 15 acres of lawn and approximately 200 acres in a golf course to be located in Sections 13 and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties. 5. Descriptions of the Conditional Water Rights for the Treatment Plant Discharge and Treatment Plant Collection System: 5.1. Original Decree: Water Court Case No. 89CW88, decreed on January 31, 1992., 5.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW3, 04CW93, 11CW53, and 19CW3036, 5.3. Legal Descriptions: 5.3.1. Treatment Plant Discharge: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 20°27'W., 3,485.1 feet. *See Exhibit E.*, 5.3.2. Treatment Plant Collection System (Well Permit No. 038630-F, expired): Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 11°07'W., 3,468.9 feet. *See Exhibit E.*, 5.4. Appropriation Date: December 20, 1989., 5.5. Amounts: 5.5.1. Treatment Plant Discharge: 0.55 cfs, conditional, 5.5.2. Treatment Plant Collection System: 0.25 cfs, conditional, 5.6. Uses: Municipal, augmentation, irrigation, exchange, storage, including irrigation of approximately 15 acres of lawns and approximately 200 acres in a golf course to be located in Sections 13, and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties. 6. Request for Findings of Reasonable Diligence: Applicant requests findings that it has exercised reasonable diligence in the development of the conditional water rights decreed to the Wells,

Springs, Treatment Plant Discharge, and Treatment Plant Collection System, as described in Paragraphs 3, 4, and 5 above, and that said conditional water rights be continued in full force and effect. 7. Diligence Activities: Applicant is the developer of a community associated with the base of the Purgatory Ski Resort, a skiing and all-season mountain resort. Applicant is also a sister-entity to the entities that own and control Purgatory Ski Resort. Applicant and its sister-entities have been active in continuing to develop their integrated water supply system for the ski resort and development, including the subject water rights. The Wells, Springs, Treatment Plant Discharge, and Treatment Plant Collection System are part of an integrated water supply system. As such, under C.R.S. § 37-92-301(4)(b), “[w]hen a project or integrated system is comprised of several features, work on one feature of the project or system 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 diligence period, Applicant or its sister-entities conducted the following activities to support its request for findings of reasonable diligence, including, but not limited to, the following: 7.1. Development of the lands near the base of Purgatory Ski Resort is ongoing, which increases the need for additional water supplies including the subject conditional water rights. During the diligence period, approximately seventy-five new units were added to the development for a growth rate of approximately 12%. The water rights in the above-captioned case are essential to meet the anticipated long-term demand and growth of Purgatory Ski Resort and development, 7.2. Growth of the development area around Purgatory Ski Resort directly correlates to growth of Purgatory Ski Resort. Since 2020, seven new ski trails have been added. This resulted in eleven additional acres of new snowmaking coverage, increasing the demand for snowmaking water by approximately 5.5 million gallons (16.8 acre-feet). Two additional ski trails are also expected to come online this coming winter. Purgatory Ski resort is awaiting approval from the United States Forest Service to add another six to seven acres of snowmaking coverage, further increasing the demand for snowmaking water by about 2.5 to 3 million gallons (7.7 acre-feet to 9.2 acre-feet). The Wells and Springs include snowmaking as a beneficial use, 7.3. Applicant signed a letter of intent to develop additional lands surrounding the Purgatory Ski Resort. The proposed development will bring an additional 140 development units to the areas surrounding the ski base, 7.4. Applicant and Purgatory Recreation I, LLC, have been actively involved in the stakeholder engagement process started in July 2025 for Regulation 84 through the Water Quality Control Division of the Colorado Department of Public Health & Environment. Regulation 84 addresses the requirements for treatment, distribution, and use of reclaimed water. Applicant and Purgatory Recreation I, LLC, are involved in and monitoring this stakeholder process with the goal of developing the Treatment Plant Discharge water right, described in Paragraph 5 above, 7.5. The Purgatory Metropolitan District is in the process of switching its current wastewater treatment facility to a new packaged treatment plant, which will make the current treatment lagoons obsolete. Applicant and its sister-entities are actively exploring the conversion of the treatment lagoons into one or more storage reservoirs to increase water storage for Purgatory Ski Resort and the surrounding development, 7.6. During the diligence period, Purgatory Ski Resort obtained a geotechnical engineering analysis on the subsurface soil to explore the expansion of snowmaking ponds. The analysis involved placing twelve exploratory borings around the existing snowmaking pond and sewage lagoon area. The purpose of the exploration was to determine the depth to bedrock to assess the potential depth for additional excavation to increase storage capacity, 7.7. Applicant, along with its sister-entity Purgatory Recreation I, LLC, have long sought special use permits from the United States Forest Service (USFS) to develop conditionally decreed water rights in the Hermosa Creek watershed. Those efforts eventually led to litigation in the U.S. District Court to, among other things, quiet title to easements to access those existing water rights. Although that litigation was unsuccessful, issues potentially remain for resolution in the Water Court and discussions with the USFS are ongoing to finally resolve access to Applicant’s water rights, 7.8. In 2025, the Twilight Lake spillway outlet valve to Purgatory Creek was inspected underwater. Twilight Lake is an important source of water for Purgatory Ski Resort, 7.9. Applicant and its sister-entities incur ongoing legal and engineering expenses regarding the full development of water supply for Purgatory Ski Resort and the surrounding development lands. 8. Land Ownership: 8.1. Near-Far Spring and Far-Far Spring: San Juan National Forest, Supervisor’s Office, 15 Burnett Court, Durango, CO 81301, 8.2. Far-Near Spring: Grayrock Durango, LLC, 8711 E. Pinnacle Peak Rd., #304, Scottsdale, AZ 85255, 8.3. Lily Pond Spring: Cascade Meadows LLC, 1245

Rosemont Dr., Suite 112, Fort Mill, SC 29707-7765, 8.4. Corral Collection Gallery and T-H Well No. 3: Ozone Cubed LLC, 403 Corporate Wood Dr., Magnolia, TX 77354-2758, 8.5. Near Spring and T-H Well No. 7: Purgatory Village Holdings, LLC, which is a sister-entity to Applicant, 8.6. T-H Well Nos. 1, 2, 4, 5, and 6, Lamay Spring, Treatment Plant Discharge, and Treatment Plant Collection System: JM Boyce Lake Land Holdings LLC, 441 Daly Ave., Missoula, MT 59801. WHEREFORE, Applicant respectfully requests that the Court enter an order (1) granting Applicant's request for findings of reasonable diligence for all conditional water rights as described in Paragraphs 3 through 5 above and continuing said conditional water rights in full force and effect in all decreed amounts and uses; and (2) granting such other and further relief as deemed appropriate. (14 pages including exhibits)

2026CW3011 San Juan County, (19CW3036) 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. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF: PURGATORY VILLAGE LAND, LLC, IN LA PLATA AND SAN JUAN COUNTIES, COLORADO. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE.** 1. Name, Address, Telephone Number, and Email Address of Applicant: Purgatory Village Land, LLC, ("Applicant"), c/o Dave Rathbun, CEO of Purgatory Resort Holdings, LLC, the sole member of Applicant, 2615 Main Avenue, Suite D, Durango, CO 81301, Telephone: (970) 382-2890, Email: drathbun@purgatory.ski. The prior diligence finding for the water rights herein was entered in the name of Durango Mountain Land Company, LLC. On November 2, 2020, Durango Mountain Land Company, LLC, merged into Durango Mountain Holdings, LLC, and on December 28, 2020, Durango Mountain Holdings, LLC, merged into Purgatory Village Land, LLC., Direct All Pleadings to: Bushong & Holleman PC, Steven J. Bushong, Lesley Lawrence-Hammer, Cassidy L. Woodard, 1966 13th Street, Suite 270, Boulder, CO 80302, Email: sbushong@BH-Lawyers.com; lhammer@BH-Lawyers.com; cwoodard@BH-Lawyers.com 2. Names of Structures: 2.1. T-H Well Nos. 1, 2, 3, 4, 5, 6, and 7 (collectively, the "Wells"); 2.2. Near Spring, Near-Far Spring, Far-Near Spring, Far-Far Spring, Lily Pond Spring, Lamay Spring, and Corral Collection Gallery (collectively, the "Springs"); and 2.3. Treatment Plant Discharge and Treatment Plant Collection System. 3. Descriptions of the Conditional Water Rights for the Wells: 3.1. Original Decree: Case No. 89CW86 in the District Court in and for Water Division 7, State of Colorado ("Water Court"), decreed on January 31, 1992., 3.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW1, 04CW91, 11CW50, and 19CW3036, 3.3. Legal Descriptions: 3.3.1. T-H Well No. 1 (Permit No. 038026-F, expired): In the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, In San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 05°21'W., 7,718.9 feet. **See Exhibit A.**, 3.3.2. T-H Well No. 2 (Permit No. 038027-F, expired): In the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 09°13'W., 5,813.8 feet. **See Exhibit A.**, 3.3.3. T-H Well No. 3 (Permit No. 038028-F, expired): In the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 03°21'W., 6,209.9 feet. **See Exhibit A.**, 3.3.4. T-H Well No. 4 (Permit No. 038029-F): In the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 21°31'W., 4,200.0 feet. **See Exhibit B.**, 3.3.5. T-H Well No. 5 (Permit No. 038631-F): In the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S' 10°48' W., 4,356.3 feet. **See Exhibit B.**, 3.3.6. T-H Well No. 6 (Permit No. 038632-F, expired): In the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 11°27'W., 3,729.8 feet. **See Exhibit B.**, 3.3.7. T-H Well No. 7 (Permit No. 038030-F, expired): In the SE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 00°25'E., 2,365.0 feet. **See Exhibit B.**, 3.4.

Source: McCracken Sandstone. (Each well will be drilled to a depth of approximately 150 to 200 feet.) 3.5. Appropriation Date: April 25, 1988., 3.6. Amounts: 0.115 cfs, conditional, for each well, 3.7. Uses: Municipal, irrigation, domestic, commercial, recreation, augmentation, exchange, storage, snowmaking, including irrigation of a golf course consistent of approximately 200 acres to be constructed in Sections 13 and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties. 4. Descriptions of the Conditional Water Rights for the Springs: 4.1. Original Decree: Water Court Case No. 89CW89, decreed on January 31, 1992, 4.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW4, 04CW94, 11CW52, and 19CW3036, 4.3. Legal Descriptions: 4.3.1. Near Spring: A point of diversion located in the SW1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 15°01'E., 2,688.2 feet. See **Exhibit C.**, 4.3.2. Near-Far Spring: A point of diversion located in the SW1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 01°52'E., 5,906.2 feet. See **Exhibit D.**, 4.3.3. Far-Near Spring: A point of diversion located in the NW1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 02°45'E., 4,947.3 feet. See **Exhibit D.**, 4.3.4. Far-Far Spring: A point of diversion located in the SW1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 01°55'E., 6,392.9 feet. See **Exhibit D.**, 4.3.5. Lily Pond Spring: A point of diversion located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 00°50'E., 7,784.8 feet. See **Exhibit D.**, 4.3.6. Lamay Spring: A point of diversion located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 04°03'W., 7,753.4 feet. See **Exhibit D.**, 4.3.7. Corral Collection Gallery: A collection gallery point of diversion located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, at a point whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 01°23' W., 7,111.1 feet. See **Exhibit D.**, 4.4. Source: Cascade Creek, tributary to the Animas River, 4.5. Appropriation Date: April 25, 1988., 4.6. Amounts: 4.6.1. Near Spring: 0.10 cfs, conditional, 4.6.2. Near-Far Spring: 0.25 cfs, conditional, 4.6.3. Far-Near Spring: 0.10 cfs, conditional, 4.6.4. Far-Far Spring: 0.10 cfs, conditional, 4.6.5. Lily Pond Spring: 0.10 cfs, conditional, 4.6.6. Lamay Spring: 0.10 cfs, conditional, 4.6.7. Corral Collection Gallery: 0.25 cfs, conditional, 4.7. Uses: Municipal, irrigation, domestic, commercial, recreation, augmentation, exchange, storage, snowmaking, including irrigation of approximately 15 acres of lawn and approximately 200 acres in a golf course to be located in Sections 13 and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties. 5. Descriptions of the Conditional Water Rights for the Treatment Plant Discharge and Treatment Plant Collection System: 5.1. Original Decree: Water Court Case No. 89CW88, decreed on January 31, 1992., 5.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW3, 04CW93, 11CW53, and 19CW3036, 5.3. Legal Descriptions: 5.3.1. Treatment Plant Discharge: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 20°27'W., 3,485.1 feet. See **Exhibit E.**, 5.3.2. Treatment Plant Collection System (Well Permit No. 038630-F, expired): Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, at a point whence the South 1/4 corner of said Section 24 bears S 11°07'W., 3,468.9 feet. See **Exhibit E.**, 5.4. Appropriation Date: December 20, 1989., 5.5. Amounts: 5.5.1. Treatment Plant Discharge: 0.55 cfs, conditional, 5.5.2. Treatment Plant Collection System: 0.25 cfs, conditional, 5.6. Uses: Municipal, augmentation, irrigation, exchange, storage, including irrigation of approximately 15 acres of lawns and approximately 200 acres in a golf course to be located in Sections 13, and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La

Plata Counties. 6. Request for Findings of Reasonable Diligence: Applicant requests findings that it has exercised reasonable diligence in the development of the conditional water rights decreed to the Wells, Springs, Treatment Plant Discharge, and Treatment Plant Collection System, as described in Paragraphs 3, 4, and 5 above, and that said conditional water rights be continued in full force and effect. 7. Diligence Activities: Applicant is the developer of a community associated with the base of the Purgatory Ski Resort, a skiing and all-season mountain resort. Applicant is also a sister-entity to the entities that own and control Purgatory Ski Resort. Applicant and its sister-entities have been active in continuing to develop their integrated water supply system for the ski resort and development, including the subject water rights. The Wells, Springs, Treatment Plant Discharge, and Treatment Plant Collection System are part of an integrated water supply system. As such, under C.R.S. § 37-92-301(4)(b), “[w]hen a project or integrated system is comprised of several features, work on one feature of the project or system 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 diligence period, Applicant or its sister-entities conducted the following activities to support its request for findings of reasonable diligence, including, but not limited to, the following: 7.1. Development of the lands near the base of Purgatory Ski Resort is ongoing, which increases the need for additional water supplies including the subject conditional water rights. During the diligence period, approximately seventy-five new units were added to the development for a growth rate of approximately 12%. The water rights in the above-captioned case are essential to meet the anticipated long-term demand and growth of Purgatory Ski Resort and development, 7.2. Growth of the development area around Purgatory Ski Resort directly correlates to growth of Purgatory Ski Resort. Since 2020, seven new ski trails have been added. This resulted in eleven additional acres of new snowmaking coverage, increasing the demand for snowmaking water by approximately 5.5 million gallons (16.8 acre-feet). Two additional ski trails are also expected to come online this coming winter. Purgatory Ski resort is awaiting approval from the United States Forest Service to add another six to seven acres of snowmaking coverage, further increasing the demand for snowmaking water by about 2.5 to 3 million gallons (7.7 acre-feet to 9.2 acre-feet). The Wells and Springs include snowmaking as a beneficial use, 7.3. Applicant signed a letter of intent to develop additional lands surrounding the Purgatory Ski Resort. The proposed development will bring an additional 140 development units to the areas surrounding the ski base, 7.4. Applicant and Purgatory Recreation I, LLC, have been actively involved in the stakeholder engagement process started in July 2025 for Regulation 84 through the Water Quality Control Division of the Colorado Department of Public Health & Environment. Regulation 84 addresses the requirements for treatment, distribution, and use of reclaimed water. Applicant and Purgatory Recreation I, LLC, are involved in and monitoring this stakeholder process with the goal of developing the Treatment Plant Discharge water right, described in Paragraph 5 above, 7.5. The Purgatory Metropolitan District is in the process of switching its current wastewater treatment facility to a new packaged treatment plant, which will make the current treatment lagoons obsolete. Applicant and its sister-entities are actively exploring the conversion of the treatment lagoons into one or more storage reservoirs to increase water storage for Purgatory Ski Resort and the surrounding development, 7.6. During the diligence period, Purgatory Ski Resort obtained a geotechnical engineering analysis on the subsurface soil to explore the expansion of snowmaking ponds. The analysis involved placing twelve exploratory borings around the existing snowmaking pond and sewage lagoon area. The purpose of the exploration was to determine the depth to bedrock to assess the potential depth for additional excavation to increase storage capacity, 7.7. Applicant, along with its sister-entity Purgatory Recreation I, LLC, have long sought special use permits from the United States Forest Service (USFS) to develop conditionally decreed water rights in the Hermosa Creek watershed. Those efforts eventually led to litigation in the U.S. District Court to, among other things, quiet title to easements to access those existing water rights. Although that litigation was unsuccessful, issues potentially remain for resolution in the Water Court and discussions with the USFS are ongoing to finally resolve access to Applicant’s water rights, 7.8. In 2025, the Twilight Lake spillway outlet valve to Purgatory Creek was inspected underwater. Twilight Lake is an important source of water for Purgatory Ski Resort, 7.9. Applicant and its sister-entities incur ongoing legal and engineering expenses regarding the full development of water supply for Purgatory Ski Resort and the surrounding development lands. 8. Land Ownership: 8.1. Near-Far Spring and Far-Far Spring: San Juan National Forest, Supervisor’s

Office, 15 Burnett Court, Durango, CO 81301, 8.2. Far-Near Spring: Grayrock Durango, LLC, 8711 E. Pinnacle Peak Rd., #304, Scottsdale, AZ 85255, 8.3. Lily Pond Spring: Cascade Meadows LLC, 1245 Rosemont Dr., Suite 112, Fort Mill, SC 29707-7765, 8.4. Corral Collection Gallery and T-H Well No. 3: Ozone Cubed LLC, 403 Corporate Wood Dr., Magnolia, TX 77354-2758, 8.5. Near Spring and T-H Well No. 7: Purgatory Village Holdings, LLC, which is a sister-entity to Applicant, 8.6. T-H Well Nos. 1, 2, 4, 5, and 6, Lamay Spring, Treatment Plant Discharge, and Treatment Plant Collection System: JM Boyce Lake Land Holdings LLC, 441 Daly Ave., Missoula, MT 59801. WHEREFORE, Applicant respectfully requests that the Court enter an order (1) granting Applicant's request for findings of reasonable diligence for all conditional water rights as described in Paragraphs 3 through 5 above and continuing said conditional water rights in full force and effect in all decreed amounts and uses; and (2) granting such other and further relief as deemed appropriate. (14 pages including exhibits)

2026CW3012 La Plata County, (19CW3037) 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. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF: PURGATORY VILLAGE LAND, LLC, AND PURGATORY RECREATION I, LLC, IN LA PLATA AND SAN JUAN COUNTIES, COLORADO. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE.** 1. Name, Address, Telephone Number, and Email Address of Applicant: Purgatory Village Land, LLC ("PVL"), c/o Dave Rathbun, CEO of Purgatory Resort Holdings, LLC, the sole member of PVL, 2615 Main Avenue, Suite D, Durango, CO 81301, Telephone: (970) 382-2890, Email: drathbun@purgatory.ski, Purgatory Recreation I, LLC ("Purgatory Recreation"), c/o Dave Rathbun, CEO of Purgatory Resort Holdings, LLC, the sole member of Purgatory Recreation, 2615 Main Avenue, Suite D, Durango, CO 81301, Telephone: (970) 382-2890, Email: drathbun@purgatory.ski. The prior diligence finding for the water rights herein was entered in the name of Durango Mountain Land Company, LLC, and Purgatory Recreation. On November 2, 2020, Durango Mountain Land Company, LLC, merged into Durango Mountain Holdings, LLC., and on December 28, 2020, Durango Mountain Holdings, LLC, merged into PVL. PVL now owns the Million Dollar Reservoir, Holly Reservoir, Goff Reservoir, Lamay Reservoir, and Lily Pond Reservoir. Purgatory Recreation owns Old Entry Reservoir. PVL and Purgatory Recreation will be referred to collectively herein as the "Applicants." Direct All Pleadings to: Bushong & Holleman PC, Steven J. Bushong, Lesley Lawrence-Hammer, Cassidy L. Woodard, 1966 13th Street, Suite 270, Boulder, CO 80302, Email: sbushong@BH-Lawyers.com; lhammer@BH-Lawyers.com; cwoodard@BH-Lawyers.com 2. Names of Structures: 2.1. Old Entry Reservoir; 2.2. Million Dollar Reservoir; 2.3. Holly Reservoir; 2.4. Goff Reservoir; 2.5. Lamay Reservoir; and 2.6. Lily Pond Reservoir. The six reservoirs listed in Paragraphs 2.1 to 2.6 above will be referred to collectively herein as the "Reservoirs." 3. Descriptions of the Conditional Water Rights: 3.1. Original Decree: Case No. 89CW87 in the District Court in and for Water Division 7, State of Colorado ("Water Court"), decreed on January 31, 1992, 3.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW2, 04CW92, 11CW51, and 19CW3037, 3.3. Legal Descriptions: 3.3.1. Old Entry Reservoir: Located in the NE1/4 and the NW1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24 bears S 00°38'W., 3,110.8 feet; thence N 20°00'W., 350.0 feet along the center of the dam. See **Exhibit A.**, 3.3.2. Million Dollar Reservoir: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, and the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of said Section 24 bears S 07°23'W., 4,679.8 feet; thence N 06°00'E., 280.0 feet along the center of the dam; thence North 325.0 feet along the center of the dam. See **Exhibit A.**, 3.3.3. Holly Reservoir: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24 bears S 12°27'W., 4,627.9 feet; thence N 70°00'W., 175.0 feet along the center of the dam. See **Exhibit A.**, 3.3.4. Goff Reservoir: Located in the

NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24 bears S 18°54'W., 5,048.7 feet; thence N 50°00'E., 100.0 feet along the center of the dam. See **Exhibit A.**, 3.3.5. Lamay Reservoir: Located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 06°58'W., 7,864.0 feet; thence N 30°00'E., 120.0 feet along the center of the dam. See **Exhibit B.**, 3.3.6. Lily Pond Reservoir: Located in the NE1/4 and the NW1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 00°45'E., 7,416.4 feet; thence N 85°00'E., 420.0 feet along the center of the dam; thence N 06°00'W., 480.0 feet along the center of the dam. See **Exhibit B.**, 3.4. Source: Cascade Creek, tributary to the Animas River, 3.5. Appropriation Date: April 25, 1988, 3.6. Amounts: 3.6.1. Old Entry Reservoir: 90 acre-feet, conditional, 3.6.2. Million Dollar Reservoir: 20 acre-feet, conditional, 3.6.3. Holly Reservoir: 12 acre-feet, conditional, 3.6.4. Goff Reservoir: 10 acre-feet, conditional, 3.6.5. Lamay Reservoir: 10 acre-feet, conditional, 3.6.6. Lily Pond Reservoir: 33 acre-feet, conditional, 3.7. Uses: Municipal, irrigation, domestic, commercial, recreation, augmentation, piscatorial, exchange, fire protection, snowmaking, including irrigation of approximately 15 acres of lawns and approximately 200 acres in a golf course to be located in Sections 13 and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties, 3.8. Surface Area of High Water Line: 3.8.1. Old Entry Reservoir: approximately 10.0 acres, 3.8.2. Million Dollar Reservoir: approximately 2.2 acres, 3.8.3. Holly Reservoir: approximately 2.3 acres, 3.8.4. Goff Reservoir: approximately 1.6 acres, 3.8.5. Lamay Reservoir: approximately 1.0 acres, 3.8.6. Lily Pond Reservoir: approximately 4.2 acres, 3.9. Maximum Height of Dam in Feet: approximately 9 feet for each reservoir, 3.10. Length of Dam in Feet: 3.10.1. Old Entry Reservoir: 350 feet, 3.10.2. Million Dollar Reservoir: 605 feet, 3.10.3. Holly Reservoir: 175 feet, 3.10.4. Goff Reservoir: 100 feet, 3.10.5. Lamay Reservoir: 120 feet, 3.10.6. Lily Pond Reservoir: 900 feet, 3.11. Total Capacity of Reservoirs: 3.11.1. Active Capacity: 3.11.1.1. Old Entry Reservoir: 80 acre-feet, 3.11.1.2. Million Dollar Reservoir: 15 acre-feet, 3.11.1.3. Holly Reservoir: 12 acre-feet, 3.11.1.4. Goff Reservoir: 10 acre-feet, 3.11.1.5. Lamay Reservoir: 10 acre-feet, 3.11.1.6. Lily Pond Reservoir: 28 acre-feet, 3.11.2. Dead Storage: 3.11.2.1. Old Entry Reservoir: 10 acre-feet, 3.11.2.2. Million Dollar Reservoir: 5 acre-feet, 3.11.2.3. Holly Reservoir: 0 acre-feet, 3.11.2.4. Goff Reservoir: 0 acre-feet, 3.11.2.5. Lamay Reservoir: 0 acre-feet, 3.11.2.6. Lily Pond Reservoir: 5 acre-feet. 4. Request for Findings of Reasonable Diligence: Applicants request findings that they have exercised reasonable diligence in the development of the conditional water rights decreed to the Reservoirs, as described in Paragraph 3 and that said conditional water rights continue in full force and effect for all conditional amounts and dues. 5. Diligence Activities: The Applicants are sister-entities. PVL is the developer of a community associated with the base of the Purgatory Ski Resort, a skiing and all-season mountain resort. Purgatory Recreation owns and controls Purgatory Ski Resort. Applicants have been active in continuing to develop their integrated water supply system for the ski resort and development, including the subject water rights. The Reservoirs are part of an integrated water supply system. As such, under C.R.S. § 37-92-301(4)(b), “[w]hen a project or integrated system is comprised of several features, work on one feature of the project or system 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 diligence period, Applicants conducted the following activities to support their request for findings of reasonable diligence, including, but not limited to, the following: 5.1. Development of the lands near the base of Purgatory Ski Resort is ongoing, which increases the need for additional water supplies including the subject conditional water rights. During the diligence period, approximately seventy-five new units were added to the development for a growth rate of approximately 12%. The water rights in the above-captioned case are essential to meet the anticipated long-term demand and growth of Purgatory Ski Resort and development, 5.2. Growth of the development area around Purgatory Ski Resort directly correlates to growth of Purgatory Ski Resort. Since 2020, seven new

ski trails have been added. This resulted in eleven additional acres of new snowmaking coverage, increasing the demand for snowmaking water by approximately 5.5 million gallons (16.8 acre-feet). Two additional ski trails are also expected to come online this coming winter. Purgatory Ski resort is awaiting approval from the United States Forest Service to add another six to seven acres of snowmaking coverage, further increasing the demand for snowmaking water by about 2.5 to 3 million gallons (7.7 acre-feet to 9.2 acre-feet). The Reservoirs include snowmaking as a beneficial use, 5.3. PVL signed a letter of intent to develop additional lands surrounding the Purgatory Ski Resort. The proposed development will bring an additional 140 development units to the areas surrounding the ski base, 5.4. Applicants have been actively involved in the stakeholder engagement process started in July 2025 for Regulation 84 through the Water Quality Control Division of the Colorado Department of Public Health & Environment. Regulation 84 addresses the requirements for treatment, distribution, and use of reclaimed water. Applicants are involved in and monitoring this stakeholder process with the goal of developing PVL's Treatment Plant Discharge water right, which is part of Applicants' integrated water supply system for the ski resort and development, 5.5. The Purgatory Metropolitan District is in the process of switching its current wastewater treatment facility to a new packaged treatment plant, which will make the current treatment lagoons obsolete. Applicants are actively exploring the conversion of the treatment lagoons into one or more storage reservoirs to increase water storage for Purgatory Ski Resort and the surrounding development, 5.6. During the diligence period, Purgatory Ski Resort obtained a geotechnical engineering analysis on the subsurface soil to explore the expansion of snowmaking ponds. The analysis involved placing twelve exploratory borings around the existing snowmaking pond and sewage lagoon area. The purpose of the exploration was to determine the depth to bedrock to assess the potential depth for additional excavation to increase storage capacity, 5.7. Applicants have long sought special use permits from the United States Forest Service (USFS) to develop conditionally decreed water rights in the Hermosa Creek watershed. Those efforts eventually led to litigation in the U.S. District Court to, among other things, quiet title to easements to access those existing water rights. Although that litigation was unsuccessful, issues potentially remain for resolution in the Water Court and discussions with the USFS are ongoing to finally resolve access to Applicant's water rights, 5.8. In 2025, the Twilight Lake spillway outlet valve to Purgatory Creek was inspected underwater. Twilight Lake is an important source of water for Purgatory Ski Resort, 5.9. Applicants incur ongoing legal and engineering expenses regarding the full development of water supply for Purgatory Ski Resort and the surrounding development lands. 6. Land Ownership: 6.1. Old Entry Reservoir: Purgatory Village Holdings, LLC, which is a sister-entity to Applicants, 6.2. Million Dollar Reservoir: Grayrock Durango, LLC, 8711 E. Pinnacle Peak Rd, #304, Scottsdale, AZ 85255, 6.3. Holly Reservoir, Goff Reservoir, and Lamay Reservoir: JM Boyce Lake Land Holdings, LLC, 441 Daly Ave., Missoula, MT 59801, 6.4. Lily Pond Reservoir: Cascade Hospitality LLC, 1245 Rosemont Dr., Suite 112, Fort Mill, SC 29707-7765. WHEREFORE, Applicant respectfully requests that the Court enter an order (1) granting Applicants' request for findings of reasonable diligence for all conditional water rights decreed to the Reservoirs as requested in Paragraph 4 above and continuing said conditional water rights in full force and effect in all decreed amounts and uses; and (2) granting such other and further relief as deemed appropriate. (11 pages including exhibits)

2026CW3012 San Juan County, (19CW3037) 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. IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF: PURGATORY VILLAGE LAND, LLC, AND PURGATORY RECREATION I, LLC, IN LA PLATA AND SAN JUAN COUNTIES, COLORADO. **APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE.** 1. Name, Address, Telephone Number, and Email Address of Applicant: Purgatory Village Land, LLC ("PVL"), c/o Dave Rathbun, CEO of Purgatory Resort Holdings, LLC, the sole member of PVL, 2615 Main Avenue, Suite D, Durango, CO 81301, Telephone: (970) 382-2890, Email: drathbun@purgatory.ski, Purgatory Recreation I, LLC ("Purgatory Recreation"), c/o Dave Rathbun, CEO of Purgatory Resort Holdings, LLC, the sole member of Purgatory Recreation, 2615 Main Avenue, Suite D, Durango, CO 81301, Telephone: (970) 382-2890, Email: drathbun@purgatory.ski. The prior diligence

finding for the water rights herein was entered in the name of Durango Mountain Land Company, LLC, and Purgatory Recreation. On November 2, 2020, Durango Mountain Land Company, LLC, merged into Durango Mountain Holdings, LLC., and on December 28, 2020, Durango Mountain Holdings, LLC, merged into PVL. PVL now owns the Million Dollar Reservoir, Holly Reservoir, Goff Reservoir, Lamay Reservoir, and Lily Pond Reservoir. Purgatory Recreation owns Old Entry Reservoir. PVL and Purgatory Recreation will be referred to collectively herein as the “Applicants.” Direct All Pleadings to: Bushong & Holleman PC, Steven J. Bushong, Lesley Lawrence-Hammer, Cassidy L. Woodard, 1966 13th Street, Suite 270, Boulder, CO 80302, Email: sbushong@BH-Lawyers.com; lhammer@BH-Lawyers.com; cwoodard@BH-Lawyers.com

2. Names of Structures: 2.1. Old Entry Reservoir; 2.2. Million Dollar Reservoir; 2.3. Holly Reservoir; 2.4. Goff Reservoir; 2.5. Lamay Reservoir; and 2.6. Lily Pond Reservoir. The six reservoirs listed in Paragraphs 2.1 to 2.6 above will be referred to collectively herein as the “Reservoirs.”

3. Descriptions of the Conditional Water Rights: 3.1. Original Decree: Case No. 89CW87 in the District Court in and for Water Division 7, State of Colorado (“Water Court”), decreed on January 31, 1992, 3.2. Subsequent Diligence Decrees: Water Court Case Nos. 98CW2, 04CW92, 11CW51, and 19CW3037, 3.3. Legal Descriptions: 3.3.1. Old Entry Reservoir: Located in the NE1/4 and the NW1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24 bears S 00°38’W., 3,110.8 feet; thence N 20°00’W., 350.0 feet along the center of the dam. *See Exhibit A.*, 3.3.2. Million Dollar Reservoir: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, and the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of said Section 24 bears S 07°23’W., 4,679.8 feet; thence N 06°00’E., 280.0 feet along the center of the dam; thence North 325.0 feet along the center of the dam. *See Exhibit A.*, 3.3.3. Holly Reservoir: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24 bears S 12°27’W., 4,627.9 feet; thence N 70°00’W., 175.0 feet along the center of the dam. *See Exhibit A.*, 3.3.4. Goff Reservoir: Located in the NE1/4 of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, in La Plata County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24 bears S 18°54’W., 5,048.7 feet; thence N 50°00’E., 100.0 feet along the center of the dam. *See Exhibit A.*, 3.3.5. Lamay Reservoir: Located in the SE1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 06°58’W., 7,864.0 feet; thence N 30°00’E., 120.0 feet along the center of the dam. *See Exhibit B.*, 3.3.6. Lily Pond Reservoir: Located in the NE1/4 and the NW1/4 of Section 13, Township 39 North, Range 9 West, New Mexico Principal Meridian, in San Juan County, Colorado, being more particularly described as beginning at a point on the center of the dam whence the South 1/4 corner of Section 24, Township 39 North, Range 9 West, New Mexico Principal Meridian bears S 00°45’E., 7,416.4 feet; thence N 85°00’E., 420.0 feet along the center of the dam; thence N 06°00’W., 480.0 feet along the center of the dam. *See Exhibit B.*, 3.4. Source: Cascade Creek, tributary to the Animas River, 3.5. Appropriation Date: April 25, 1988, 3.6. Amounts: 3.6.1. Old Entry Reservoir: 90 acre-feet, conditional, 3.6.2. Million Dollar Reservoir: 20 acre-feet, conditional, 3.6.3. Holly Reservoir: 12 acre-feet, conditional, 3.6.4. Goff Reservoir: 10 acre-feet, conditional, 3.6.5. Lamay Reservoir: 10 acre-feet, conditional, 3.6.6. Lily Pond Reservoir: 33 acre-feet, conditional, 3.7. Uses: Municipal, irrigation, domestic, commercial, recreation, augmentation, piscatorial, exchange, fire protection, snowmaking, including irrigation of approximately 15 acres of lawns and approximately 200 acres in a golf course to be located in Sections 13 and 24, Township 39 North, Range 9 West, New Mexico Principal Meridian, San Juan and La Plata Counties, 3.8. Surface Area of High Water Line: 3.8.1. Old Entry Reservoir: approximately 10.0 acres, 3.8.2. Million Dollar Reservoir: approximately 2.2 acres, 3.8.3. Holly Reservoir: approximately 2.3 acres, 3.8.4. Goff Reservoir: approximately 1.6 acres,

3.8.5. Lamay Reservoir: approximately 1.0 acres, 3.8.6. Lily Pond Reservoir: approximately 4.2 acres, 3.9. Maximum Height of Dam in Feet: approximately 9 feet for each reservoir, 3.10. Length of Dam in Feet: 3.10.1. Old Entry Reservoir: 350 feet, 3.10.2. Million Dollar Reservoir: 605 feet, 3.10.3. Holly Reservoir: 175 feet, 3.10.4. Goff Reservoir: 100 feet, 3.10.5. Lamay Reservoir: 120 feet, 3.10.6. Lily Pond Reservoir: 900 feet, 3.11. Total Capacity of Reservoirs: 3.11.1. Active Capacity: 3.11.1.1. Old Entry Reservoir: 80 acre-feet, 3.11.1.2. Million Dollar Reservoir: 15 acre-feet, 3.11.1.3. Holly Reservoir: 12 acre-feet, 3.11.1.4. Goff Reservoir: 10 acre-feet, 3.11.1.5. Lamay Reservoir: 10 acre-feet, 3.11.1.6. Lily Pond Reservoir: 28 acre-feet, 3.11.2. Dead Storage: 3.11.2.1. Old Entry Reservoir: 10 acre-feet, 3.11.2.2. Million Dollar Reservoir: 5 acre-feet, 3.11.2.3. Holly Reservoir: 0 acre-feet, 3.11.2.4. Goff Reservoir: 0 acre-feet, 3.11.2.5. Lamay Reservoir: 0 acre-feet, 3.11.2.6. Lily Pond Reservoir: 5 acre-feet. 4. Request for Findings of Reasonable Diligence: Applicants request findings that they have exercised reasonable diligence in the development of the conditional water rights decreed to the Reservoirs, as described in Paragraph 3 and that said conditional water rights continue in full force and effect for all conditional amounts and suits. 5. Diligence Activities: The Applicants are sister-entities. PVL is the developer of a community associated with the base of the Purgatory Ski Resort, a skiing and all-season mountain resort. Purgatory Recreation owns and controls Purgatory Ski Resort. Applicants have been active in continuing to develop their integrated water supply system for the ski resort and development, including the subject water rights. The Reservoirs are part of an integrated water supply system. As such, under C.R.S. § 37-92-301(4)(b), “[w]hen a project or integrated system is comprised of several features, work on one feature of the project or system 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 diligence period, Applicants conducted the following activities to support their request for findings of reasonable diligence, including, but not limited to, the following: 5.1. Development of the lands near the base of Purgatory Ski Resort is ongoing, which increases the need for additional water supplies including the subject conditional water rights. During the diligence period, approximately seventy-five new units were added to the development for a growth rate of approximately 12%. The water rights in the above-captioned case are essential to meet the anticipated long-term demand and growth of Purgatory Ski Resort and development, 5.2. Growth of the development area around Purgatory Ski Resort directly correlates to growth of Purgatory Ski Resort. Since 2020, seven new ski trails have been added. This resulted in eleven additional acres of new snowmaking coverage, increasing the demand for snowmaking water by approximately 5.5 million gallons (16.8 acre-feet). Two additional ski trails are also expected to come online this coming winter. Purgatory Ski resort is awaiting approval from the United States Forest Service to add another six to seven acres of snowmaking coverage, further increasing the demand for snowmaking water by about 2.5 to 3 million gallons (7.7 acre-feet to 9.2 acre-feet). The Reservoirs include snowmaking as a beneficial use, 5.3. PVL signed a letter of intent to develop additional lands surrounding the Purgatory Ski Resort. The proposed development will bring an additional 140 development units to the areas surrounding the ski base, 5.4. Applicants have been actively involved in the stakeholder engagement process started in July 2025 for Regulation 84 through the Water Quality Control Division of the Colorado Department of Public Health & Environment. Regulation 84 addresses the requirements for treatment, distribution, and use of reclaimed water. Applicants are involved in and monitoring this stakeholder process with the goal of developing PVL’s Treatment Plant Discharge water right, which is part of Applicants’ integrated water supply system for the ski resort and development, 5.5. The Purgatory Metropolitan District is in the process of switching its current wastewater treatment facility to a new packaged treatment plant, which will make the current treatment lagoons obsolete. Applicants are actively exploring the conversion of the treatment lagoons into one or more storage reservoirs to increase water storage for Purgatory Ski Resort and the surrounding development, 5.6. During the diligence period, Purgatory Ski Resort obtained a geotechnical engineering analysis on the subsurface soil to explore the expansion of snowmaking ponds. The analysis involved placing twelve exploratory borings around the existing snowmaking pond and sewage lagoon area. The purpose of the exploration was to determine the depth to bedrock to assess the potential depth for additional excavation to increase storage capacity, 5.7. Applicants have long sought special use permits from the United States Forest Service (USFS) to develop conditionally decreed water rights in the Hermosa Creek watershed. Those efforts eventually led to

litigation in the U.S. District Court to, among other things, quiet title to easements to access those existing water rights. Although that litigation was unsuccessful, issues potentially remain for resolution in the Water Court and discussions with the USFS are ongoing to finally resolve access to Applicant's water rights, 5.8. In 2025, the Twilight Lake spillway outlet valve to Purgatory Creek was inspected underwater. Twilight Lake is an important source of water for Purgatory Ski Resort, 5.9. Applicants incur ongoing legal and engineering expenses regarding the full development of water supply for Purgatory Ski Resort and the surrounding development lands. 6. Land Ownership: 6.1. Old Entry Reservoir: Purgatory Village Holdings, LLC, which is a sister-entity to Applicants, 6.2. Million Dollar Reservoir: Grayrock Durango, LLC, 8711 E. Pinnacle Peak Rd, #304, Scottsdale, AZ 85255, 6.3. Holly Reservoir, Goff Reservoir, and Lamay Reservoir: JM Boyce Lake Land Holdings, LLC, 441 Daly Ave., Missoula, MT 59801, 6.4. Lily Pond Reservoir: Cascade Hospitality LLC, 1245 Rosemont Dr., Suite 112, Fort Mill, SC 29707-7765. WHEREFORE, Applicant respectfully requests that the Court enter an order (1) granting Applicants' request for findings of reasonable diligence for all conditional water rights decreed to the Reservoirs as requested in Paragraph 4 above and continuing said conditional water rights in full force and effect in all decreed amounts and uses; and (2) granting such other and further relief as deemed appropriate. (11 pages including exhibits)

2026CW3013 **LA PLATA COUNTY, WATER DIVISION NO. 7: 1) Applicants:** La Plata Water Conservancy District (LPWCD), c/o Dan Huntington, Pres., P.O. Box 71, Marvel, CO 81329 **2) Attorneys:** Adam T. Reeves, Maynes, Bradford, Shipp & Sheftel, LLP, 835 East 2nd Avenue, Ste. 123, Durango, CO 81301; **3) Application for a Finding of Reasonable Diligence** for Long Hollow Reservoir (LHR), originally decreed September 22, 1995, in Case No. 94CW75, District Court, Water Division 7; Subsequent decrees re: finding of diligence, Case No. 01CW646 (March 31, 2004); Case No. 10 10CW25 (December 30, 2013); Case No. 19CW3043 (June 29, 2020), District Court, Water Division 7; Location: In the SW1/4NE1/4, Section 32, T33N, R12W, N.M.P.M.; Left Branch of Long Hollow Dam: 1,500 feet North of the South section line in said Section 32, and 1,900 feet East of the West section line of said Section 32; **4) Sources for onstream dam:** Long Hollow Creek, tributary to the La Plata River; Appropriation Date: June 1, 1973; **5) Amount:** 1,200 acre-feet (AF), Conditional, with one refill; Uses: Irrigation domestic, recreational, fish and wildlife, industrial and other beneficial uses upon land within the District and for delivery of Colorado's compact obligations to New Mexico under the La Plata River Compact; Irrigation of up to 650 acres in Sections 3 and 10, T32N, R13W, N.M.P.M.; Feeder Ditch: On-stream dam: sources are Long Hollow Creek and Government Draw; **6) Between June 2020 and June 2026, the following activities took place toward completion of the appropriation for beneficial use as conditionally decreed, at the stated costs below:** ABSOLUTE CLAIM: On April 7, 2020, the District filled the Long Hollow Reservoir in priority to 5,160.9 AF and accordingly claims an absolute right for all decreed uses for the initial 1,200 AF fill and a refill of 1,200 AF; REMAINING CONDITIONAL CLAIMS: In the alternative Applicant requests a finding of reasonable diligence having engaged in the following activities: (i) Operating and maintaining Long Hollow Reservoir and its associated structures, and measurement devices; (ii) Operating and accounting for exchange operations for Long Hollow Reservoir; (iii) Replacing control devices to insure the accurate delivery and release of water; **7) Names and address of owners or reputed owners of the land upon which the new diversion or storage structure will be constructed and upon which water will be stored:** Deems K. Taylor, 9998 C.R. 141, Hesperus, CO 81326; La Plata Water Conservancy District, P.O. Box 71, Marvel, CO 81329; Merrilyn Taylor, P.O. Box 158, Tolovana Park, OR 97145; Russell F. and Judith A. Shows, P.O. Box 54, Marvel, CO 81329; Michael W. Goldberg, 911 Hawks First Canyon Rd., Hesperus, CO 81326; James R. Greer, 7882 C.R. 100, Hesperus, CO 81326; Edward L. Sorensen & Marsha Pearlman, P.O. Box 146, Marvel, CO 81329; John H. and Kathy D. McKay, P.O. Box 96, Marvel, CO 81329; Michael and Susan Ellison Family Revocable Trust, P.O. Box 54000, Phoenix, AZ 85078. (4 pages)

2026CW3014 La Plata Cty. Application for Finding of Reasonable Diligence. Applicant: Charlotte Grace Holdings LLC, c/o Balcomb & Green, P.C.; PO Drawer 790, Glenwood Springs, CO

81602; (970) 945-6546. Applicant requests a finding of reasonable diligence in the development of the S. Well and Middle Well (the "SWR's"). S. Well (Permit No. 77584-F): SE1/4, NE1/4, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1,540 ft. from N. Sec. line, 684 ft. from E. Sec. line, UTM coordinates: Easting 252088, Northing 4146618, Zone 13, NAD 83. Source: Tributary to Animas River. Depth: 107 ft. 9 in. Approp. Date: 11/5/2010. Amt.: 250 g.p.m., of which 240 g.p.m. is abs. and 10 g.p.m. remains cond.; average annual amt. of 176 a.f. Use: Irr. and pond freshening. Irr. Use: Supplemental irr. of 25 acres, located as shown on Exhibit A. The irrigated acreages are primarily irrigated by water from Applicant's Sullivan Wallace Ditch separate water rights decreed in Case No. 05CW092. The S. Well historically irrigated 25 acres of the 36 acres. Non-Irr. Use: Refilling and freshening of the Beaumont Ranch Ponds for aesthetic, piscatorial and rec. purposes. Those ponds are located on Applicant's property and are described as follows: Middle Pond: Location: NE1/4, NE1/4, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1,145 ft. from N. Sec. line, 308 ft. from E. Sec. line, UTM coordinates: Easting 252207, Northing 4146735, Zone 13, NAD 83. Source: S. and Middle Wells, described herein; Sullivan Wallace Ditch under separate water rights decreed in Case No. 05CW092. Capacity: 0.72 a.f. Surface Area: 0.12 acres. S. Pond: Location: SE1/4, NE 1/4, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1,928 ft. from N. Sec. line, 607 ft. from E. Sec. line, UTM coordinates: Easting 252107, Northing 4146499, Zone 13, NAD 83. Source: S. and Middle Wells, described herein; Sullivan Wallace Ditch under separate water rights decreed in Case No. 05CW092. Capacity: 1.76 a.f. Surface Area: 0.22 acres. Patio Pond: Location: SE1/4, NE1/4, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1,844 ft. from N. Sec. line, 752 ft. from E. Sec. line, UTM coordinates: Easting 252064, Northing 4146526, Zone 13, NAD 83. Source: S. and Middle Wells, described herein; Sullivan Wallace Ditch under separate water rights decreed in Case No. 05CW092. Capacity: 0.08 a.f. Surface Area: 0.02 acres. W. Pond: Location: SW1/4, NE1/4, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1,858 ft. from N. Sec. line, 1,427 ft. from E. Sec. line, UTM coordinates: Easting 251858, Northing 4146528, Zone 13, NAD 83. Source: S. and Middle Wells, described herein; Sullivan Wallace Ditch under separate water rights decreed in Case No. 05CW092. Capacity: 5.60 a.f. Surface Area: 0.70 acres. Middle Well (Permit No. 77585-F): NE1/4, NE1/4, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1,220 ft. from N. Sec. line, 316 ft. from E. Sec. line; UTM coordinates: Easting 252204, Northing 4146712, Zone 13, NAD 83. Source: Tributary to Animas River. Depth: 106 ft. 9 in. Approp. Date: 12/4/2010. Amt.: 200 g.p.m., of which 60 g.p.m. is abs. and 140 g.p.m. remains cond.; average annual amt. of 116 a.f. Use: Irr. and pond freshening. Irr. Use: Supplemental irr. of 11 acres, located as shown on Exhibit A. The irrigated acreages are primarily irrigated by water from Applicant's Sullivan Wallace Ditch separate water rights decreed in Case No. 05CW092. The Middle Well historically irrigated 11 acres of the 36 acres. Non-Irr. Use: Refilling and freshening of the Beaumont Ranch Ponds for aesthetic, piscatorial and rec. purposes. Those ponds are located on Applicant's property and are described in paragraph 3.6.2 herein: Landowner: The Applicant owns the land upon which all structures are located. Integrated System: The SWR's are part of an integrated water supply for Applicant's property. "When a project or integrated system is comprised of several features, work on one feature of the project or system 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." C.R.S. § 37-92-301(4)(b). Diligence Activities: The Application on file with the Court contains a detailed outline of the work performed during the diligence period. WHEREFORE, Applicant requests the Ct. enter a decree finding of reasonable diligence in the development of the SWR's and requests that the SWR's remain in full force and effect for an additional six years. (9 pages including exhibit)

2026CW3015

La Plata County, Application for Conditional Underground Water Rights and Approval of Plan for Augmentation in La Plata County. (1) Applicant: Barbey Family Trust Dated December 20, 1983, c/o Jeff Kane, Southwest Water and Property Law, jkane@swpropertylaw.com; 970-422-5510. (2) Requested conditional underground water rights: (a) Structure: Bar Bay Ranch Well ("Well"). (b) Loc: SW1/4 NE1/4, Sec 3, T35N, R8W, NMPM; UTM 257937E, 4135395N NAD83, Zone13N (to be updated to as-drilled location when made absolute); (c) Source: groundwater tributary to the Florida River; (d) Depth: TBD; anticipate about 300 feet; (e) Approp date: June 30, 2026; (f) Amt: 25 gallons per minute, conditional, with total annual volume withdrawn not to exceed 3.75 acre-feet per year; (g) Uses: livestock watering of up to 40 horses; supplemental irrigation of up to 1.05 acres of lawns and

gardens; and evaporation from a lined 0.297-acre pond and associated water features; (h) Well permit: Applicant will obtain a well permit using the Well; (3) Requested Plan for Augmentation: (a) Structure to be augmented: Bar Bay Ranch Well; (b) Augmentation source: (i) up to 4.0 acre-feet leased annually from Florida Water Conservancy District ("FWCD") stored in Lemon Reservoir under water rights originally decreed in Case No. 07CW91; (iii) Source: Florida River and all tributaries upstream of Lemon Dam; (iv) Loc: The axis of the Lemon Dam is located in Sec. 17 and 20, T36N, R7W, NMPM, 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; (v) Approp date: Mar 28, 1986; (vi) Amt: 2,500 acre-feet, conditional; (vii) Uses: industrial; municipal; commercial; wildlife; wetlands; exchange; augmentation; hydropower; irrigation; and fire protection; (viii) Place of use: Florida River Basin or FWCD; (c) Plan for Augmentation: Applicant's Plan is designed to replace net stream depletions from the Well year-round on a monthly basis by releases from Lemon Reservoir; Well use will be limited based on availability of augmentation water; all water diverted from the Well is considered fully consumed and no return flow credits are claimed; monthly release amounts will be based on calculated delayed depletions and account for stream losses from the point of release to the point of depletion to the Florida River; total maximum demands for the proposed uses are 3.75 AF/yr, including 1.17 AF/yr for evaporation based on a gross evaporation rate of 41.2 in/yr for the 0.342-acre pond and water feature, 0.45 AF/yr based on 10 gpd/horse for 40 horses, and up to 2.13 AF/yr for irrigation of up to 1.05 acres based on pasture grass and 80% irrigation efficiency; Well diversions will be measured and recorded at least monthly and reported to DWR and FWCD; Applicant's estimates of water use in the Application are for planning purposes; actual depletions to the stream will be calculated from the as-drilled location and actual water use from the Well and a refined delayed impacts analysis; (d) Applicant is the owner of all lands upon which all structures applied for herein are or will be located. See maps and tables filed with Application. (16 pages including exhibits)

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 August 2026, 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 July 31, 2026

/s/ Jason Poyer
Water Court Specialist