

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 July 2026, for each county affected.

2026CW4 Archuleta County, Jess E. Ketchum, 320 Stevens Lake Road, Pagosa Springs, CO 81147: Watson Reservoir (Reservoir Pump); Located in the SW 1/4 SE 1/4 of Section 5, T35N, R2W, NMPM, the axis intersects the East abutment at a point approximately 875 ft. North & 1,550 ft. West of the SE corner of Section 5. Feeder Ditch - Watson Ditch, heading of Watson Ditch is approximately 1,430 ft. North & 1,300 ft. West of SE corner of 5, T35N, R2W, NMPM, with a capacity of 2.0 CFS, Dutton Creek, Piedra River, San Juan River Watershed.; UTM coordinates: Easting 315678, Northing 4129388; Dutton Creek, Piedra River, San Juan River Watershed; Appropriation date, August 31, 1987; 1.7 cfs Conditional; Stock Water and Irrigation; Application for Conditional Water Rights (Surface). See Applications for further details. (11 pages including exhibits)

2026CW3007 La Plata County, AMENDED APPLICATION FOR CHANGE OF WATER RIGHT AND NEW WATER RIGHTS. 1. Name and address of Applicants: Gilleland Enterprises, LLC and C&J Gravel Products, Inc. ("Applicants") c/o John Gilleland 27661 Highway 160 Durango, CO 81301 johnnyg@cjgravel.com (970) 759-4112 *Direct all pleadings and correspondence to Applicants' attorneys*: Michael W. Daugherty and Lindsey A. Ratcliff of Somach Simmons & Dunn, P.C. 1155 Canyon Blvd, Suite 110 Boulder, Colorado 80302 (303) 449-2834 2. Summary of Amended Application: The Applicants are a family-owned Durango, Colorado business, they have supplied aggregate materials such as gravel, roadbase, sand, landscape rock, and ready-mix concrete to residential and commercial projects for over forty years. Applicants own 0.20 cubic feet per second ("cfs"), absolute, decreed to the Montoya Ditch that is decreed to irrigate up to two acres. The Montoya Ditch AP is decreed as an alternate point of diversion. By this Amended Application for Change of Water Rights and New Water Rights (the "Amended Application"), Applicants seek to add industrial and commercial as additional decreed uses of the Montoya Ditch water right (described in paragraph 3). The Applicants also seek to decree absolute junior surface water rights for industrial and commercial uses that can be used year-round and can be diverted from the Montoya Ditch alternate point of diversion (described in paragraph 4). Lastly, Applicants seek to decree absolute and conditional storage water rights for four existing ponds (described in paragraph 5). 3. Decreed water right for which change is sought and structures associated with the decreed water right: 3.1. Structure: Montoya Ditch (WDID: 3001335). 3.1.1. Decrees: Case No. W-79CW29, entered February 14, 1980, District Court in and for Water Division No. 7 ("Water Court"); Case No. 87CW28, entered December 15, 1987, by the Water Court to add the alternate point of diversion described in paragraph 3.1.3. 3.1.2. Decreed point of diversion: At a point 2,300.0 feet ("ft.") from East section line and 670.0 ft. from the North section line of Section 10, T34N, R9W, N.M.P.M., Wilson Gulch, Animas River at UTM NAD83 Zone 13 coordinates: 248008.6 m E, 4123903.8 m N ("Montoya Ditch POD"). 3.1.3. Decreed alternate point of diversion: 3.1.3.1. Montoya Ditch AP (WDID: 3001642): Downstream from the point of diversion described in paragraph 3.1.2, approximately 1/4 mile at a point 2,100.0 ft. East and 1,300.0 ft. South of the NW corner of Section 10, T34N, R9W, N.M.P.M at UTM NAD83 Zone 13 coordinates: 247751.8 m E, 4123794.6 m N ("Montoya Ditch APOD"). 3.1.4. Decreed source: Wilson Gulch, tributary to Animas River. 3.1.5. Appropriation date: July 20, 1944. 3.1.6. Decreed amount: The total amount diverted from the Montoya Ditch POD or pumped from the Montoya Ditch APOD, separate or combined, does not exceed 0.20 cfs, absolute. 3.1.7. Decreed use: Irrigation of 2 acres. 3.1.8. Total decreed rate of diversion that Applicants intend to change: The total amount diverted from the Montoya Ditch POD or pumped from the

Montoya Ditch APOD, separate or in combination, not to exceed 0.20 cfs. 3.2. Detailed description of proposed change: 3.2.1. Change in type and place of use: In addition to the existing decreed use of the Montoya Ditch water right described in paragraph 3.1.7, Applicants seek water court approval to add industrial and commercial uses associated with producing and supplying aggregate materials such as gravel, roadbase, sand, landscape rock, and redi-mix concrete for residential and commercial projects, including gravel pit mining, dust suppression, process water for manufacturing, storage in C&J Ponds 1, 2, and 3, and storage in the R Montoya Pond, described in paragraph 5. The use of the changed water right will be limited to the irrigation season as it was historically used. The changed historical consumptive use will be fully consumable to the extent all historical irrigation return flow obligations have been satisfied. Annual diversion records of the Montoya Ditch water right are attached as **Exhibit A**. The locations of the Montoya Ditch POD, Montoya Ditch APOD, historical use of the Montoya Ditch water right, and proposed place of use of the changed water right are depicted in the map attached as **Exhibit B**. Applicants will use the changed water within the vicinity of the gravel operation as it expands. 3.3. Terms and conditions for the change of water right: Applicants shall propose for inclusion into the decree terms and conditions necessary to prevent injury to decreed water rights, including: 3.3.1. Historical use: Applicants seek to quantify the historical use of the Montoya Ditch water right over a representative study period in accordance with § 37-92-305(3)(d), C.R.S., that includes wet, dry, and average years. 3.3.2. Maintenance of historical return flows: Applicants intend to maintain the pattern of return flows associated with the historical use of the Montoya Ditch water right as diverted at the Montoya Ditch POD and Montoya Ditch APOD. Applicants will maintain historical return flows by ensuring that any future use of the Montoya Ditch water right remains consistent with its historical exercise, such that water will continue to be available in Wilson Gulch at the same times, locations, and in the same amounts, subject to the terms and conditions of the decree requested by this Amended Application. 3.3.3. Measurement and administration: Applicants will be responsible for the costs associated with any infrastructure reasonably determined to be necessary by the State and Division Engineers to measure and administer water available for the changed uses, including the cost to construct, maintain, and operate any measuring devices. 4. Description of new surface water right to be adjudicated: 4.1. Structure: Montoya Ditch Enlargement. 4.1.1. Locations of points of diversion: Montoya Ditch APOD, as described in paragraph 3.1.3.1. 4.1.2. Source: Wilson Gulch, tributary to Animas River. 4.1.3. Appropriation date: September 30, 2019. 4.1.4. How appropriation was initiated: Construction of a weir and pumpstation on Wilson Gulch. Applicants began diverting from Montoya Ditch Enlargement to fill trucks and ponds for the industrial and commercial uses described in paragraph 4.1.7. 4.1.5. Date water applied to beneficial use: September 30, 2019. 4.1.6. Amount claimed: 0.67 cfs (300 gallons per minute ("gpm")), absolute. 4.1.7. Uses: Industrial and commercial uses associated with producing and supplying aggregate materials such as gravel, roadbase, sand, landscape rock, and redi-mix concrete for residential and commercial projects, including gravel pit mining, dust suppression, process water for manufacturing, filling, refilling and storing in C&J Ponds 1, 2, and 3, and the R Montoya Pond described in paragraph 5. The Montoya Ditch Enlargement will be used within the vicinity of the gravel operation as it expands. Locations of uses are depicted in the map attached as **Exhibit B**. 5. Description of new storage water rights to be adjudicated: 5.1. Structure: C&J Pond 1. 5.1.1. Location of structure: Center point of the pond is located in the NE1/4, NW1/4, Section 10, Township 34 North, Range 9 West, N.M.P.M. at UTM NAD83 Zone 13 coordinates: 247537 m E, 4123971 m N. 5.1.2. Source: Wilson Gulch, tributary to Animas River, via the Montoya Ditch APOD and Montoya Ditch Enlargement. The location of the Montoya Ditch APOD is described in paragraph 3.1.3.1. 5.1.3. Appropriation date: September 30, 2019. 5.1.4. How appropriation was initiated: Construction and filling of pond for the industrial and commercial uses described in paragraph 5.1.7. 5.1.5. Date water applied to beneficial use: September 30, 2019. 5.1.6. Amount claimed: 1.85 AF, absolute. 5.1.7. Uses: Industrial and commercial uses associated with producing and supplying aggregate materials such as gravel, roadbase, sand, landscape rock, and redi-mix concrete for residential and commercial projects, including gravel pit mining, dust suppression, and process water for manufacturing. 5.1.8. Surface area of high-water line: 0.23 acres. 5.1.8.1. Pond depth: 15.0 ft. 5.1.9. Total capacity: 1.85 AF. 5.1.9.1. Active capacity: 0.0 AF. 5.1.9.2. Dead storage: 1.85 AF. 5.2. Structure: C&J Pond 2. 5.2.1. Location of structure: Center point of the pond is located in the NE1/4, NW1/4, Section

10, Township 34 North, Range 9 West, N.M.P.M. at UTM NAD83 Zone 13 coordinates: 247528 m E, 4124012 m N. 5.2.2. Source: Wilson Gulch, tributary to Animas River, via the Montoya Ditch APOD and Montoya Ditch Enlargement. The location of the Montoya Ditch APOD is described in paragraph 3.1.3.1. 5.2.3. Appropriation date: September 30, 2019. 5.2.4. How appropriation was initiated: Construction and filling of pond for the industrial and commercial uses described in paragraph 5.2.7. 5.2.5. Date water applied to beneficial use: September 30, 2019. 5.2.6. Amount claimed: 0.96 AF, absolute. 5.2.7. Uses: Industrial and commercial uses associated with producing and supplying aggregate materials such as gravel, roadbase, sand, landscape rock, and redi-mix concrete for residential and commercial projects, including gravel pit mining, dust suppression, and process water for manufacturing. 5.2.8. Surface area of high-water line: 0.12 acres. 5.2.8.1. Pond depth: 15.0 ft. 5.2.9. Total capacity: 0.96 AF. 5.2.9.1. Active capacity: 0.0 AF. 5.2.9.2. Dead storage: 0.96 AF. 5.3. Structure: C&J Pond 3. 5.3.1. Location of structure: Center point of the pond is located in the NE1/4, NW1/4, Section 10, Township 34 North, Range 9 West, N.M.P.M. at UTM NAD83 Zone 13 coordinates: 247485 m E, 4124016 m N. 5.3.2. Source: Wilson Gulch, tributary to Animas River, via the Montoya Ditch APOD and Montoya Ditch Enlargement. The location of the Montoya Ditch APOD is described in paragraph 3.1.3.1. 5.3.3. Appropriation date: September 30, 2019. 5.3.4. How appropriation was initiated: Construction and filling of pond for the industrial and commercial uses described in paragraph 5.3.7. 5.3.5. Date water applied to beneficial use: September 30, 2019. 5.3.6. Amount claimed: 0.64 AF, absolute. 5.3.7. Uses: Industrial and commercial uses associated with producing and supplying aggregate materials such as gravel, roadbase, sand, landscape rock, and redi-mix concrete for residential and commercial projects, including gravel pit mining, dust suppression, and process water for manufacturing. 5.3.8. Surface area of high-water line: 0.08 acres. 5.3.8.1. Pond depth: 15.0 ft. 5.3.9. Total capacity: 0.64 AF. 5.3.9.1. Active capacity: 0.0 AF. 5.3.9.2. Dead storage: 0.64 AF. 5.4. Structure: R Montoya Pond. 5.4.1. Location of structure: Center point of the pond is located in the NW1/4, NW1/4, Section 10, Township 34 North, Range 9 West, N.M.P.M. at UTM NAD83 Zone 13 coordinates: 247405 m E, 4123824 m N. 5.4.2. Source: Wilson Gulch, tributary to Animas River, via the Montoya Ditch APOD and Montoya Ditch Enlargement. The location of the Montoya Ditch APOD is described in paragraph 3.1.3.1. 5.4.2.1. Contract supply: Applicants entered into a Third-Party Agreement for Purchase of Florida Project Storage Water for Long-Term Water Service with the Florida Water Conservancy District that was approved by the United States Bureau of Reclamation for 16 AF of water for municipal and industrial purposes. This contract water will be stored in the R Montoya Pond for year-round use. 5.4.3. Appropriation date: April 30, 2026. 5.4.4. How appropriation was initiated: Construction and filling of pond for the industrial and commercial uses described in paragraph 5.4.7. 5.4.5. Date water applied to beneficial use: July 2, 2026. 5.4.6. Amount claimed: Total of 9.2 AF; 2.76 AF, absolute, and 6.44 AF, conditional. 5.4.7. Uses: Industrial and commercial uses associated with producing and supplying aggregate materials such as gravel, roadbase, sand, landscape rock, and redi-mix concrete for residential and commercial projects, including gravel pit mining, dust suppression, and process water for manufacturing. 5.4.8. Surface area of high-water line: 1.06 acres. 5.4.8.1. Pond depth: 21 ft. 5.4.9. Total capacity: 9.2 AF. 5.4.9.1. Active capacity: 0.0 AF. 5.4.9.2. Dead storage: 9.2 AF. 5.5. The C&J Ponds 1, 2, and 3 and the R Montoya Pond will be used within the vicinity of the gravel operation as it expands. The locations of C&J Ponds 1, 2, and 3, the R Montoya Pond, and the place of use are depicted in the map attached as **Exhibit B**. 6. Names and addresses of owners of land on which structures are located: 6.1. Montoya Ditch POD: Colorado Department of Transportation, 3803 North Main Avenue, Suite 206, Durango, Colorado 81301. 6.2. Montoya Ditch APOD: Applicants. 6.3. C&J Ponds 1, 2, and 3: Applicants. 6.4. R Montoya Pond: Bureau of Land Management, 2850 Youngfield Street, Lakewood, Colorado 80215. WHEREFORE, Applicants request that the Water Court enter a decree granting (1) the proposed change to Applicants' Montoya Ditch water right, as described in paragraph 3; (2) the proposed surface water rights, as described in paragraph 4; (3) the proposed storage water rights, as described in paragraph 5; (4) the award as absolute of any portions of the conditional water rights requested in this Amended Application that are put to beneficial use during the pendency of this case; and (5) such additional relief as the Water Court deems appropriate. (12 pages including exhibits)

2026CW3016

La Plata County, Application for Finding of Reasonable Diligence in the Florida River Watershed; Prior case no. 18CW3047: Applicant: The Bingel-Davis Gratitude Trust, u/a dated April 17, 2025, 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) Structures: Miller-Taylor Ranch Wells #1, 2, and 3; i. Loc: Lot 1A of Taylor Ranch Resubdivision of Lot 1, 2, 3, 6, and 8 according to the plat therefor filed for record at reception number 880494, also known as 580 Taylor Ranch Road Durango, CO 81301. Centroid of lot: In the SW ¼ SE ¼, Section 5, T35N, R8W, N.M.P.M.; 120 feet from the south section line and 2,073 feet from the east section line; UTM Coordinates: Northing 4134401 Easting 254839 Zone 13 NAD 83 UTM; Source: Groundwater tributary to the Florida River, tributary to the Animas River; ii. Appropriation date: December 20, 2018; iv. Amt: (Conditional) 15 gpm for each of the 3 wells; iii. Uses: Residential use for up to three main residences and three guest houses, and up to 1,200 square feet of landscaping (total for all three lots) and livestock watering, subject to the Plan for Augmentation decreed in case no. 18CW3014; 2) Applicant is the owner of all lands upon which any existing or new diversion or structure is proposed. (6 pages including exhibit)

2026CW3017

La Plata County, (20CW3008, 13CW3027, 05CW90) DISTRICT COURT, WATER DIVISION NO. 7, STATE OF COLORADO, La Plata County Courthouse, 1060 East Second Ave, Suite 106, Durango, CO 81301, (970) 247-2304, CONCERNING THE APPLICATION FOR EDGE HOLDING COMPANY LLC, IN LA PLATA COUNTY, COLORADO. **APPLICATION TO MAKE ABSOLUTE AND FOR FINDINGS OF REASONABLE DILIGENCE.** 1. Name, Address, Telephone Number, and Email Address of Applicant. Edge Holding Company LLC (“Applicant”), 250 Starwood Trail, Durango, CO 81301, (970) 749-5908. Note: Grit Development, LLC, the Applicant in Case No. 20CW3008, conveyed the subject water rights and the land where they are located to John and Sandra Wessman, who conveyed such rights to Edge Holding Company LLC on December 18, 2025. A Notice of Transfer of Conditional Water Rights was filed to document the transfer to Edge Holding Company LLC. Direct All Pleadings To: Steve Bushong, Emily C. McCrary, Bushong & Holleman PC, 1966 13th Street, Suite 270, Boulder, Colorado 80302, sbushong@bh-lawyers.com; emccrary@bh-lawyers.com 2. Names of Structures. 2.1. Riverside Well No. 1, 2.2. Riverside Well No. 2; and 2.3. Riverside Well No. 3. 3. Description of Water Right from Previous Decree. 3.1. Decrees. Riverside Well Nos. 1, 2, and 3 were originally decreed by the District Court in and for Water Division 7, State of Colorado (“Water Court”) on September 28, 2007, in Case No. 05CW90. Subsequent findings of reasonable diligence were made in Water Court Case No. 13CW3027, decreed on February 12, 2014, and Case No. 20CW3008, decreed on July 23, 2020, 3.2. Legal Descriptions. Up to three wells will be located on the Applicant’s property, which consists of approximately 245 acres of land located in the E/2 of the NE/4 of the SE/4 of the SE/4 of Section 9, the SW/4 and the W/2 of the SE/4 of Section 10, and the N/2 of the N/2 of the NW/4 and the N/2 of the NE/4 of the NE/4 of Section 15, T. 35 N., R. 9 W. of the N.M.P.M., La Plata County, Colorado (“Property”), as depicted in the map attached as **Exhibit A.3.2.1. Riverside Well No. 1 (Permit No. 64384-F):** The well was drilled in the SW/4 of the SE/4 of Section 10, T. 35 N., R. 9 W. of the N.M.P.M., 3,360 feet East of the West section line of Section 10 and 470 feet North of the South section line of Section 10, 3.2.2. Riverside Well No. 2. The well will be located within 200 feet of the following legal description: the SE/4 of the SW/4 of Section 10, T. 35 N., R. 9 W. of the N.M.P.M., 1,800 feet East of the West section line of Section 10 and 650 feet North of the South section line of Section 10., 3.2.3. Riverside Well No. 3. The well will be located within the SW/4 of Section 10, T. 35 N., R. 9 W. of the N.M.P.M. of the Property, with a more precise description provided at the time this water right is made absolute, 3.3. Source. Underground water tributary to Spring Creek, tributary to the Animas River, and underground water tributary to the Animas River, 3.4. Depth. Based upon available information, it is expected that Riverside Well Nos. 1, 2, and 3 will be drilled at a depth of up to approximately 200 to 250 feet with the actual depth for each being provided at the time the water rights are made absolute. Riverside Well No. 1 was drilled to a depth of 202 feet, 3.5. Appropriation Date. August 8, 2001, 3.6. Amounts. A cumulative total of 250 gpm (0.557 cfs), conditional 3.7 Uses. Domestic, commercial, irrigation, livestock (including equestrian use), piscatorial, the aesthetic use incidental to and associated with water features, and fire protection, all within the Property

as defined above. The domestic use is expected to provide water for a minimum of 67 units on the Property and irrigation use will include lawns, gardens, and landscaping, as well as open space and/or common area irrigation on the Property, for a total of approximately 21.5 acres of irrigated land on the Property. The actual mix of uses, number of units and amount of irrigated area (not to exceed 21.5 acres) will depend upon approval by the local government and the final build out. Aesthetic water features add value to individual lots and the development as a whole. Aesthetic water features existing at the time the rights are made absolute for aesthetic use shall be specifically identified, 3.8. Remarks. The water rights for Riverside Well Nos. 1, 2, and 3 remain subject to the terms of the 05CW90 Decree. 4. Claim to make absolute. Applicant requests a finding that the Riverside Well No. 1 be made absolute, for domestic and irrigation uses in the amount of 50 gpm, based upon the well's pumping rate and documented domestic and irrigation use by the Property's caretaker. No diversion records are available. 5. Request for Finding of Reasonable Diligence. Applicant requests findings that it has exercised reasonable diligence in the development of the conditional water rights for the Riverside Well Nos. 1, 2, and 3 to the extent not made absolute herein, and that said conditional water rights continue in full force and effect for all decreed amounts and for all decreed uses. 6. Detailed outline of work performed to complete application of water to beneficial use. Applicant's efforts toward development of the subject conditional water right during the last diligence period include, but are not limited to, the following: 6.1. Applicant has expended significant resources with Woodley Architectural Group to develop conceptual plans for the development of the Property in reliance upon the subject water rights, 6.2. Applicant has engaged in numerous meetings and conversations with the City Manager, City Attorney, Assistant City Manager, Housing Director, and Staff for the City of Durango regarding development approvals for the Property that will rely on the subject water rights, 6.3. Applicant formed Edge Holding Company LLC for development of the Property. The Property and subject water rights were then conveyed to Edge Holding Company LLC for that purpose, 6.4. Applicant has been using Riverside Well No. 1 for domestic and irrigation use by the caretaker of the Property, 6.5. A Notice of Transfer of Conditional Water Rights was filed in Case Nos. 20CW3008 and 13CW3027 to record the transfer of these conditional water rights to Edge Holding Company LLC., 6.6. Applicant continues to rely upon the subject water rights for the planned development of the Property and fully intends to develop and use the subject water rights for their decreed uses in the full decreed amounts. Due to the scale and location of the development it is taking considerable time to complete the land use approval process, 6.7. Applicant regularly monitors the water court filings of other water users in Water Division 7 to ensure its water rights will not be adversely affected. 7. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. 7.1. Riverside Well Nos. 1, 2, and 3 are located on land owned by Applicant in the name of Edge Holding Company LLC., WHEREFORE, Applicant respectfully requests that the Court enter a decree (1) making absolute Riverside Well No. 1 in the amount of 50 gpm for domestic and irrigation use; (2) finding that Applicant has exercised reasonable diligence in the development of the subject conditional water rights for the full amounts and uses not made absolute in these proceedings and continuing said conditional water rights in full force and effect; and (3) granting such other and further relief as deemed appropriate by the Court. (8 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 September 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 August 31, 2026

/s/ Jason Poyer
Water Court Specialist