

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 August 2026, for each county affected.

2026CW5 La Plata County, Matilda Reed and Jimmy Reed, 718 E 8th Ave, Durango, CO 81301: Alolo Springs (Pipeline); Located in the NE 1/4 SE 1/4 of Section 29, T35N, R9W, NMPM, UTM coordinates: Easting 245440, Northing 4128618; An unnamed tributary of the Animas River emanating from the creek flowing out of Spring Gulch on College Hill in Durango, CO; Appropriation date, July 7, 2026; .03 cfs Absolute; Irrigation of .13 acres; Application for Absolute Water Rights (Surface). See Applications for further details. (6 pages including exhibit)

2026CW6 San Juan County, Seth Weber and Chelsea Weber, PO Box 461 Paonia, CO 81428: Wild Bunch (Pipeline); Date of Original Decree: 11/30/2007 Case No. 06CW127, Subsequent decrees: Date of Decree: 3/10/2016 Case No. 13CW3034, Date of Decree: 10/6/2022 Case No. 22CW3010, Water will be diverted within the Animas Service Area which shall be defined as any point within the Animas River Basin (which includes the Animas River and all of its tributaries) upstream of a point in the Animas River that is located as follows: in the SW 1/4 SW 1/4 of Section 29, T35N, R9W, NMPM, 1250 feet from the South Section line and 720 feet from the West Section line of said Section 29. La Plata County, Colorado; Unnamed tributary, tributary to Arrastra Creek, tributary to the Animas River; Appropriation date, February 22, 2006; Depletion amounts range from 20 to 40 cfs; Year round depletions associated with beneficial uses of water diverted from the Animas River and its tributaries in the Animas Service Area from non-exempt wells and surface diversion for irrigation; supplemental irrigation: wetlands and wetlands irrigation: domestic and municipal use: pond, reservoir water feature and other evaporation; industrial and manufacturing use, power: geothermal: commercial use; gravel and other mining; stock and wildlife watering; fire fighting; recreation: snow and ice making; piscatorial: recharge: augmentation: and exchange.; If claim to make absolute in whole or in part: Date water applied to beneficial use: 7/1/2026 Amount: 15 gpm/.033 cfs, Depletion amounts: Jan 0.000081 cfs, Feb 0.000081 cfs, Mar 0.000081 cfs April 1- 14 - 0.000081 cfs, April 15- 30- 0.000081 cfs, May- 0.000081 cfs, Jun 1- 14- 0.000081 cfs, June 15- 30- 0.000081 cfs, July 1 - 14- 0.000081 cfs, Jul 15- 31- 0.000081 cfs, August- 0.000081 cfs, September- 0.000081 cfs, Oct- 0.000081 cfs , Nov 0.000081 cfs, Dec 0.000081 cfs, Year Round Domestic use in one dwelling, See NOI Exhibit A, San Juan County, NW1/4, SE1/4 Section 14, T41n, R7W, NMPM, UTM Coordinates: Easting 271021, Northing 4187643. Application to Make Absolute. See Applications for further details. (11 pages including exhibits)

2026CW7 Montezuma County, Paul J. Bohmann and Mary M. Vozar, 5892 Road 38 Mancos, CO 81328: Wilburn Tailwater Culvert (tailwater culvert); SE 1/4, NW1/4, Section 14, T35N, R14W, N.M.P.M., UTM Coordinates: Easting 37.297915, Northing -108.364547, Tailwater via Mathews Ditch/Mancos River; Appropriation date, August 18, 2026; tailwater minimum flow 0 gpm, 5-6 gpm; Flood irrigation for the purpose of cultivation of grass for agriculture mulch. Application for Conditional Water Rights (Surface). See Applications for further details. (8 pages including exhibits)

2026CW3018 La Plata County, Water District No. 7 **1. Name, address, and telephone number of applicant:** South Durango Sanitation District, PO Box 2420, Durango, CO 81302, 970-382-2623; **Attorney:** Floyd L. Smith, 48 CR 250, Suite 5, Durango, CO 81301; **2. Name of structure:** SDSD Well

No. 2 (permit # 84647-F); **3.A. Original Decree:** February 12, 2014, Case No. 13CW13, Water Division 7, **3.B. Subsequent Decrees:** August 13, 2020, Case No. 20CW3013, Water Division 7. **3. C. Legal description of each point of diversion:** In the NW1/4SE1/4, Section 8U, T34N, R9W, NMPM, La Plata County, Colorado, being 2,344 from the south section line, and 1,930 feet from the east section line of said Section 8U. GPS location: 4121381 Easting 247396, NAD83 Zone 13N; **3.D. Source:** Unnamed tributary to Animas River, **3.E. Appropriation date:** October 12, 2012; **Amount:** 0.0107 cfs (4.8 gpm) Absolute, 0.0049 cfs (2.2 gpm) Conditional; Limited to 1 acre-foot of diversion in combination with well permit no. 84648-F; **3.F. Use:** Uses associated with the operation and maintenance of a wastewater treatment plant; **3.G. Depth:** 255 feet; **4. Due Diligence:** Applicant diverts water from SDSD Well #2 for use in the operation and maintenance of the Applicant's wastewater treatment plant. Water is used for 3 mixing pumps with water cooled bearings. The fine screen on the influent line uses approximately 20 gal./cycle. In addition, there is minor indoor usage within the wastewater treatment building. Since the original decree was entered Applicant has made increased use of the well, upgraded equipment using water and increased usage as the capacity of the wastewater treatment plant has increased. Applicant is in the process of designing a substantial expansion of the wastewater treatment plant. Additional water supplies will be needed for the expansion. The Applicant's engineer is evaluating the production from Well # 2 to determine if additional production will be needed in the future; **5. Claim for Absolute:** None; **6. Name and address of owner of land:** N/A; **7. Remarks:** None (2 pages)

2026CW3019 La Plata County, Water District No. 7 **1. Name, address, and telephone number of applicant:** South Durango Sanitation District, PO Box 2420, Durango, CO 81302, 970-382-2623; **Attorney:** Floyd L. Smith, 48 CR 250, Suite 5, Durango, CO 81301; **2. Name of structure:** SDSD Diversion No. 1; **Type:** spring tributary to Animas River **3.A. Original Decree:** July 31, 2008, Case No. 06CW126, Water Division 7; **3.B. Subsequent Decree:** January 13, 2014, Case No. 13CW10, Water Division 7; August 20, 2020, Case No. 20CW3012 **3.C Legal description of each point of diversion:** In the NE1/4NW1/4SE1/4, Section 8U, T34N, R9W, NMPM, La Plata County, Colorado, being 2,395 from the south section line, and 1,869 feet from the east section line of said Section 8U. GPS location: Northing 4121396, Easting 247415, NAD83 Zone 13N. **Street Address:** 434 Trestle Lane, Durango, CO 81301; **3.D. Source:** Spring flow tributary to the Animas River; **3.E. Appropriation Date:** October 19, 2006, **Amount:** 0.10 cfs absolute, 0.20 cfs conditional; **3.F. Use:** Irrigation of 3 acres of landscaping within South Durango Sanitation District property and industrial including treatment plant cleaning and other non-potable uses within the District's treatment facility; **3.G. Depth:** N/A **4. Due diligence:** Applicant has installed power to the diversion, constructed a wet well and settling pond for silt. A 1 HP Monroe irrigation pump is used for the sprinkler system for the irrigation of approximately 2 acres. The system will operate a maximum of 5 sprinkler heads simultaneously rated at 8 gpm each. Applicant intends to increase irrigated area for dust and weed control. Future improvements to the wet well and/or pump may allow for an increased pumping rate. Applicant is in the process of designing a substantial expansion of the wastewater treatment plant. Additional water supplies will be needed for the expansion. The Applicant's engineer is evaluating the production from the spring to determine if additional production will be needed in the future. **5. Claim to make Absolute:** N/A **6. Names and address of owner:** South Durango Sanitation District, PO Box 2024, Durango, CO 81302. **7. Remarks:** None (2 pages)

2026CW3020 La Plata County, 4M Ventures LLC ("Applicant"), c/o Trisha Mead, Managing Member, 213 Hottell Lane, Bayfield, Colorado 81122, Telephone: (970) 259-4346. **APPLICATION FOR UNDERGROUND WATER RIGHT** in LA PLATA COUNTY. Please send all pleadings and correspondence to: William D. Wombacher, Esq., Stacy L. Brownhill, Esq., NAZARENS STACK & WOMBACHER LLC, 5105 DTC Parkway, Suite 200, Greenwood Village, Colorado 80111. **2. Overview.** Applicant seeks to adjudicate a groundwater right and well field associated with 36.5 acres owned by Applicant, located at 10594 County Road 213 in Durango, Colorado ("Property"), as depicted on **Exhibit A. 3. Name and Description of Underground Water Right.** 3.1. 4M Ventures Wellfield Water Right.

3.1.1. Legal Description of wells. 3.1.1.1. 4M Ventures Well No. 1 (Permit No. 48036-F) (formerly, Anesi Well No. 2): Located in the NE1/4 of the SE1/4, Section 7U, Township 34N, Range 9W of the N.M.P.M. The UTM coordinates are Zone: 13, E: 246337, N: 4121477. 3.1.1.2. 4M Ventures Well No. 2 (Permit No. 54941-F) (formerly, Anesi Well No. 3): Located in the NE1/4 of the SE1/4 of Section 7U, Township 34N, Range 9W of the N.M.P.M. The UTM coordinates are: Zone 13, E: 246360, N: 4121310. 3.1.1.3. 4M Ventures Well No. 3 (Permit No. 81906-F) (formerly, Anesi Well No. 4): Located in the NE1/4 of the SE1/4 of Section 7U, Township 34N, Range 9W of the N.M.P.M. The UTM coordinates are: Zone 13, E: 246357, N: 4121113. 3.1.1.4. Applicant claims the ability to construct additional wells within the Property into order to withdraw the 4M Ventures Wellfield Water Right. 3.1.2. Source of Water. Groundwater tributary to the Animas River. 3.1.3. Date of Appropriation. August 31, 2026. 3.1.3.1. How Appropriation was Initiated. By the filing of this Application. 3.1.4. Anticipated Well Depth. 3.1.4.1. 4M Ventures Well No. 1: 155 feet. 3.1.4.2. 4M Ventures Well No. 2: 308 feet. 3.1.4.3. 4M Ventures Well No. 3: 200 feet. 3.1.4.4. Additional Wells: up to 350 feet. 3.1.5. Amount Claimed. 0.5 cfs cumulative for all wells associated with the 4M Ventures Well Field Water Right, conditional. 4. **Proposed Uses**. Commercial, industrial, irrigation, domestic, augmentation, replacement, storage, and fire protection on the Property as it currently exists or may be subdivided in the future. Applicant also claims the right to reuse and successive uses of the water to extinction, and the right to lease, convey, or otherwise dispose of the water. 5. **Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure, is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool**. Applicant. WHEREFORE, Applicant respectfully request the Court enter a decree granting the conditional water right, and such other relief as it deems proper. (5 pages including exhibit)

2026CW3021

Archuleta County, (19CW3032) APPLICATION FOR FINDING OF

REASONABLE DILIGENCE IN ARCHULETA COUNTY, COLORADO 1. Name and address of Applicant: Her Majesty's Ranch, LLC Attention: Grant Gottfurcht, Member P.O. Box 3729 Pagosa Springs, CO 81147 (970) 731-9475 *Direct all pleadings to*: Ramsey Kropf Oliver Skelly Somach Simmons & Dunn, P.C. 1155 Canyon Blvd, Suite 110 Boulder, CO 80302 2. Names of structures subject to this Application: 2.1. Main House Pond 2.2. Lodge Pond 2.3. Lower Pond A map denoting the decreed locations for the above referenced structures is attached hereto as **Exhibit A**. There are additional water rights on the subject property not subject to this application: Guest House Spring, Guest House Pond, Upper Parelli Pond No. 1, Upper Parelli Pond No. 2, and Parelli Well. 3. Description of conditional water rights: 3.1. Main House Pond: 3.1.1. Original decree: The subject water right was initially decreed by the District Court in and for Water Division No. 7, State of Colorado (the "Water Court") in Case No. 98CW84 on December 13, 2000 ("98CW84 Decree"). 3.1.2. Subsequent decrees: The Water Court entered findings of reasonable diligence in Case No. 06CW112 ("06CW112 Decree") and Case No. 19CW3032 ("19CW3032 Decree"). 3.1.3. Decreed location: The Main House Pond is located in the NE1/4 NW1/4 of Section 7, T. 34 N., R. 2 W., N.M.P.M. at a point South 4°18'08" West from the SW corner of Section 31, T. 35 N., R. 2 W. of the N.M.P.M. a distance of 1,926 feet, also described as a point South 8°10'11" West from the SW corner of Section 6, T. 34 N., R. 2 W. of the N.M.P.M. a distance of 1,031 feet. 3.1.4. Source: Guest House Spring and local surface runoff, Piedra River Drainage. 3.1.5. Appropriation date: December 31, 1924. 3.1.6. Amount: 3.1.6.1. 0.53 acre-foot, conditional. 3.1.6.2. The right to refill twice, conditional, with 1.5 acre-feet for each refill. 3.1.6.3. A total of 0.97 acre-feet of the decreed amount of 1.5 acre-feet was made absolute in Case No. 06CW112. 3.1.7. Uses: Irrigation, recreation, fish propagation and stock watering. 3.2. Lodge Pond: 3.2.1. Original decree: See the 98CW84 Decree, as described in paragraph 3.1.1. 3.2.2. Subsequent decrees: The Water Court entered findings of reasonable diligence in the 06CW112 Decree and 19CW3032 Decree. 3.2.3. Decreed location: The Lodge Pond is located in the SE1/4 SW1/4 of Section 6, T. 34 N., R. 2 W., N.M.P.M. at a point South 7°46'49" West from the SW corner of Section 31, T. 35 N., R. 2 W. of the N.M.P.M. a distance of 1,650 feet, also described as a point South 17°59'51" West from the SW corner of Section 6, T. 34 N., R. 2 W. of the

N.M.P.M. a distance of 710 feet. The pond is located on the channel of Stollsteimer Creek. 3.2.4. Source: Guest House Spring, Stollsteimer Creek and local surface runoff, Piedra River Drainage. 3.2.5. Appropriation date: May 1, 1996. 3.2.6. Amount: 3.2.6.1. 0.32 acre-foot, conditional. 3.2.6.2. The right to refill twice, conditional, with 1.3 acre-feet for each refill. 3.2.6.3. A total of 0.98 acre-foot of the decreed amount of 1.3 acre-feet was made absolute in Case No. 06CW112. 3.2.7. Uses: Irrigation, recreation, fish propagation and stock watering. 3.3. Lower Pond: 3.3.1. Original decree: See the 98CW84 Decree, as described in paragraph 3.1.1. 3.3.2. Subsequent decrees: The Water Court entered findings of reasonable diligence in the 06CW112 Decree and 19CW3032 Decree. 3.3.3. Decreed location: The Lower Pond is located in the SE1/4 SW1/4 of Section 6, T. 34 N., R. 2 W., N.M.P.M. at a point South 16°33'31" West from the SW corner of Section 31, T. 35 N., R. 2 W. of the N.M.P.M. a distance of 1,010 feet, also described as a point South 81°53'44" West from the SW corner of Section 6, T. 34 N., R. 2 W. of the N.M.P.M. a distance of 290 feet. The pond is located on the channel of Stollsteimer Creek. 3.3.4. Source: Stollsteimer Creek and local surface runoff, Piedra River Drainage. 3.3.5. Appropriation date: July 1, 1998. 3.3.6. Amount: 3.3.6.1. 5.14 acre-feet, conditional. 3.3.6.2. The right to refill twice, conditional, with 7.2 acre-feet for each refill. 3.3.6.3. A total of 2.07 acre-feet of the decreed amount of 7.2 acre-feet was made absolute in Case No. 06CW112. 3.3.7. Uses: Irrigation, recreation, fish propagation, stock watering, and augmentation. 3.4. The subject water rights are part of an integrated water system serving the property which encompasses and includes all the water rights discussed in Paragraph 2. The subject water rights were included in and were the subject of a plan for augmentation adjudicated in Case No. 09CW4. In Case No. 09CW5, Applicant applied for and adjudicated a decreed water right for the Parelli Well, which was included in the plan for augmentation approved in Case No. 09CW4 and became a part of the same unified water system. In Case No. 16CW3009, Applicant applied for and adjudicated an application to make absolute a water right that was included in the plan for augmentation approved in Case No. 09CW4. Applicant has installed parshall flumes, including one below the Lower Pond, and other measuring devices to administer the water rights that are the subject of this application and the related plan for augmentation. 4. Detailed outline of work done to complete project and apply water to beneficial use: 4.1. Since the 19CW3032 Decree was entered, Applicant purchased the subject property from the previous owner in 2024. Applicant specifically intends to build and develop the Property's water structures to their decreed amounts. 4.2. In August 2026, Applicant installed a staff gauge on the Lower Pond in compliance with the Division 7 Measurement Rules. During this work, Applicant also conducted survey work on the Lower Pond in furtherance of its plan to develop the storage and augmentation right, including obtaining survey data necessary for design and engineering of the structure. Applicant paid Bunkhouse Ranch and Gardens LLC \$788 to perform the work. 4.3. Applicant has been in contact with Division of Water Resources staff regarding the installation of staff gauges on the remaining structures where required by the new measurement rules. 4.4. Applicant hired legal counsel to conduct a diligence review of the water rights appurtenant to the Property and to advise Applicant on the steps necessary to continue development of and perfect the conditional water rights. Applicant spent \$2,500 on this diligence work. 5. Name and address of owner of land upon which structures are or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use: Applicant WHEREFORE, Applicant respectfully requests the Water Court enter the following findings: A. Applicant exercised reasonable diligence during the preceding diligence period in the development of all water rights that are the subject of this case, and all portions thereof not made absolute for the Main House Pond, Lodge Pond and Lower Pond, as described herein, are continued as conditional in full force and effect for all remaining amounts and uses. B. Any such other and further relief as this Court deems just and proper. (7 pages including exhibit)

2026CW3022 Archuleta County, Application for Finding of Reasonable Diligence. **1. Applicants:** Pagosa Area Water and Sanitation District ("PAWSD"), P. O. Box 4610, Pagosa Springs, CO 81157, (970) 731-2691, and San Juan Water Conservancy District ("SJWCD"), P.O. Box 2462, Pagosa Springs, CO 81147, (832) 370-5017, c/o their attorneys, Kendall Burgemeister, LAW OF THE ROCKIES, 525 North Main Street, Gunnison, CO 81230, (970) 641-1903, kburgemeister@lawoftherockies.com, and Jeffrey

Kane, SOUTHWEST WATER AND PROPERTY LAW LLC, 679 E 2nd Ave Unit 10, Durango, CO 81301, (970) 422-5510; jkane@swpropertylaw.com; 2. Water rights originally decreed Oct. 31, 2011, Case No. 04CW85, Water Division 7, for which a finding of reasonable diligence was entered Aug. 19, 2020, Case No. 18CW3041, for which Co-Applicants request entry of a finding of reasonable diligence: **A. Dry Gulch Reservoir.** i. Location: off-channel reservoir located on Dry Gulch, an ephemeral tributary to the San Juan River. The center point on the dam axis is located on the section line separating Sections 5 and 8, Township 35 North, Range 1 West, of the NMPM, 1,300 feet west of the Southeast corner of said Section 5. Dry Gulch Reservoir will occupy all or portions of the following quarter sections, all located in Township 35 North, Range 1 West, of the NMPM: all of the SW/4, the S/2 of the NW/4, the S/2 and E/4 of the NE/4, and the S/2 and NW/4 of the SE/4 of Section 4; the SE/4 of the SE/4 of Section 5; the N/2 and SE/4 of the NE/4 of Section 8; and all of the NW/4, all of the NE/4, the N/2 of the SW/4, and the NW/4 of the SE/4 of Section 9. ii. Source: Dry Gulch, an ephemeral tributary to the San Juan River, and the San Juan River from Dry Gulch Pumping Station and/or Park Ditch. iii. Appropriation Date: Dec. 20, 2004. iv. Amount: a. First Fill: 4,700 acre-feet (“AF”), conditional, combined filling rate of up to 50 cfs in combination with SJWCD’s existing 6,300 AF conditional storage right (previously decreed in Case No. 308-73D, Archuleta County District Court with a priority date of Dec. 19, 1968. b. Successive Refill: 11,000 AF, conditional, combined filling rate of up to 50 cfs, to refill successively whenever in priority after first fill. v. Uses: municipal (including domestic, industrial, commercial, mechanical, fire protection, sewage treatment, watering of parks, lawns, gardens and other public spaces), irrigation, agriculture, recreation, piscatorial and incidental wildlife uses, lake and reservoir evaporation, exchange, augmentation, and replacement, adjustment and regulation of the Co-Applicants’ respective storage and delivery systems, and those of its users, among themselves and with others. The water may be placed to use only within the PAWSD or SJWCD service areas as such now exist or may exist in the future. vi. Dimensions: a. Surface Area: approx. 319 acres. B. Height of Dam: approx. 105 feet. c. Length of Dam: Approx. 1,500 feet. d. Active Capacity. Approx. 11,000 acre feet. **B. Dry Gulch Pumping Station.** i. Location: in the San Juan River as it flows through the SE/4 of the SW/4 of Section 5, Township 35 North, Range 1 West, of the NMPM, at a point 3,100 feet from the east section line and 750 feet from the south section line of said Section 5. ii. Source. San Juan River. iii. Appropriation Date: Dec. 20, 2004. iv. Amount: 50 cfs, conditional, for direct use and/or storage in Dry Gulch Reservoir or other reservoirs currently owned or controlled by the Districts. v. Uses: municipal (including domestic, industrial, commercial, mechanical, fire protection, sewage treatment, watering of parks, lawns, gardens and other public spaces), irrigation, agriculture, recreation, piscatorial and incidental wildlife uses, lake and reservoir evaporation, exchange, augmentation, and for replacement, adjustment and regulation of the Co-Applicants’ respective storage and delivery systems, and those of its users, among themselves and with others. The water may be placed to use only within the PAWSD or SJWCD service areas as such now exist or may exist in the future. **3. Diligence activities:** A. SJWCD and PAWSD own the land upon with the Dry Gulch Reservoir dam, will be built. B. PAWSD completed the following during the diligence period: i. PAWSD worked with SJWCD to manage the Running Iron Ranch lands it owns for the Reservoir site, including negotiations concerning gravel mining and grazing leases and gravel mine reclamation. ii. PAWSD’s water enterprise fund made the following expenditures to operate, maintain, repair, and develop its integrated water supply system, into which the Dry Gulch Project is decreed to be included: a. 2020: \$5,144,130; b. 2021: \$5,645,248; c. 2022: \$6,832,277; d. 2023: \$11,570,915; e. 2024: \$29,389,922; f. 2025 (approximate): \$31,561,771; and g. 2026 (budgeted): \$12,229,553. iii. PAWSD prosecuted an application for a finding of reasonable diligence and to make absolute in part for other conditional water rights in its raw water supply portfolio. C. SJWCD completed the following during the diligence period: i. Spent approximately \$265,691.32 for engineering analyses and project planning, including water supply and demand analyses for the SJWCD service area, evaluation of its portfolio of water rights, and structural options for meeting such demand. ii. SJWCD spend approximately \$5,301.50 obtaining a finding of diligence for the senior Dry Gulch Reservoir water right. iii. SJWCD worked with PAWSD concerning the management of the Running Iron Ranch lands it owns for the Reservoir site, including negotiations concerning gravel mining and grazing leases and gravel mine reclamation. iv. SJWCD developed and adopted a Strategic Plan in 2021 to identify issues, action items, and priorities for

achieving its mission to be an active leader in all issues affecting the water resources of the Upper San Juan River Basin and discusses implementation of the Strategic Plan at each of its meetings. v. SJWCD has participated in and contributed funding to projects by the Upper San Juan Watershed Enhancement Project, Growing Water Smart, San Juan Headwaters Forest Health Partnership, Geothermal Greenhouse Partnership, and Mountain Studies Institute, spending approximately \$40,361.84, to work with the local community to plan for and implement efforts to ensure water is available in a future warming and drying climate. vi. SJWCD spent approximately \$75,899.26 on public outreach to its constituents concerning water matters and planning. vii. SJWCD spent approximately \$16,500.00 as a partner in the Water Information Program, with a mission to explain, promote, and publish objective and balanced information and educational workshops and festivals related to water in southwestern Colorado. **4.** Names of owners of land upon which any new diversion or storage structure will be constructed or upon which water is or will be stored: A. Co-Applicants jointly own the land upon which the Dry Gulch Reservoir dam will be constructed. B. United States Department of Agriculture, Forest Service. C. Kurt William Laverty, 2244 E Highway 160, Pagosa Springs, Colorado 81147. Notice of this Application will be given in the manner required by law. **4.** Other Pertinent Information: These water rights are subject to the terms and limitations specified in the 04CW85 Decree, including a "Reality Check" provision in Section 29.2, for which Co-Applicants include the following information: A 2022 engineering analysis prepared for SJWCD determined that projected water demand shortages for municipal, environmental, and recreational uses will exceed 20,000 acre-feet in some years and that a 10,000 acre-feet reservoir would meet future municipal and mid-range agricultural and environmental demands of the Districts' constituents in all years except very dry years. After a comprehensive analysis, SJWCD's consulting engineer concluded that the Dry Gulch Reservoir site is the most advantageous reservoir site in the upper San Juan basin to meet the Districts' projected water demands. A map providing the general location and extent of the Reservoir is filed with the Application. (11 pages including exhibit)

2026CW3023 Mineral County, (17CW3043, 10CW71, 98CW88) DISTRICT COURT, WATER DIVISION NO. 7, STATE OF COLORADO, 1060 East Second Ave, Suite 106, Durango, CO 81301, (970) 247-2304, CONCERNING THE APPLICATION FOR BOOTJACK RANCH, LLC, IN MINERAL COUNTY, COLORADO. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE. 1. Name, Mailing Address and Telephone Number of Applicant: Dennis Burch, Ranch Manager Bootjack Ranch, LLC 12500 E. Hwy. 160 Pagosa Springs, CO 81147 (970) 264-7280 Direct All Pleadings To: Wayne F. Forman, #14082, Michael P. Smith, #48730, and Jack A. Wold-McGimsey, #59382 at BROWNSTEIN HYATT FARBER SCHRECK, L.L.P. 675 15th Street, Suite 2900 Denver, CO 80202 Phone: (303) 223-1100 Fax: (303) 223-0920 E-mail: wforman@bhfs.com; msmith@bhfs.com; jwold-mcgmsey@bhfs.com **I. CONDITIONAL UNDERGROUND WATER RIGHTS** 2. Description of Brown South Well Underground Water Right: (a) Name of Structure: Brown South Well. (b) Date of Original Decree: October 20, 2004; Case No. 98CW88; District Court, Water Division No. 7. (c) Legal description: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, T37N, R1E, N.M.P.M., 2,200 feet from the South section line and 2,200 feet from the West section line of said Section 29. See Exhibit A. (d) Depth: 15 feet. (e) Appropriation Date: July 29, 1998. (f) Uses: Recharge of water level in Michael's Lake and either directly from the Brown South Well or from storage in Michael's Lake for domestic and/or commercial use including but not limited to a house with a maximum of 4 bedrooms and 7 bathrooms, up to 30 guest homes, recreation/aquatic building, greenhouse, and maintenance facility, office complex with 3 baths; piscatorial; stock watering; fire fighting; recreation; and irrigation of 70 acres located in the SW $\frac{1}{4}$ of Section 20, and N $\frac{1}{2}$ of Section 29, T37N, R1E, N.M.P.M., lying west of the West Fork, including golf course watering and watering of lawns and gardens. See Exhibit A. (g) Originally Decreed Amount: 2.67 c.f.s. (1,200 g.p.m.), conditional. (h) Subsequent Decrees Awarding Findings of Diligence: (i) Case No. 10CW71, decree entered on November 28, 2011, District Court, Water Division No. 7., made 156 g.p.m. of the total decreed 1,200 g.p.m. during the irrigation season absolute, and continued in full force and effect the remaining conditional 1044 g.p.m. (2.33 c.f.s.) for all decreed beneficial uses. In the non-irrigation season 53 g.p.m. of the total decreed 1200 g.p.m. was made absolute

and the conditional portion of the remaining 1,147 g.p.m. (2.56 c.f.s.) was continued in full force and effect for all decreed beneficial uses except irrigation. (ii) Case No. 17CW3043, decree entered on August 4, 2020, District Court, Water Division No. 7, made another 332 g.p.m. absolute in the irrigation season, bringing the absolute portion of this right to 488 g.p.m. of the total 1,200 decreed g.p.m. The decree continued in full force and effect the remaining conditional portion of 712 g.p.m. (1.59 c.f.s.) for all decreed beneficial uses. For the non-irrigation season, the remaining conditional 1,147 g.p.m. was continued in full force and effect for all beneficial uses except irrigation. (i) Currently Decreed Amount: (i) Irrigation Season: 488 g.p.m. absolute and 712 g.p.m. (1.59 c.f.s.), conditional, for all decreed beneficial uses. (ii) Non-irrigation Season: 53 g.p.m. absolute, 1,147 g.p.m. (2.56 c.f.s.), conditional, for all decreed beneficial uses except irrigation. (j) Permit Number: 056342-F. (k) Name(s) and Address(es) of owners of the land upon which structure is located: (i) The structure is located on Applicant's property. 3. Description of Well WS-1 Underground Water Right: (a) Name of Structure: Well WS-1. (b) Date of Original Decree: October 20, 2004; Case No. 98CW88; District Court, Water Division No. 7. (c) Legal description: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, T37N, R1E, N.M.P.M., 900 feet from the South section line and 800 feet from the West section line of said Section 32. *See Exhibit A.* (d) Depth: Approximately 135 feet. (e) Appropriation Date: July 29, 1998. (f) Amount: 400 g.p.m., Conditional. (g) Use: Irrigation of 70 acres, lying east of the West Fork and located in the W $\frac{1}{2}$ of Section 32, T37N, R1E, N.M.P.M. *See Exhibit A.* (h) Subsequent Decrees Awarding Findings of Diligence: (i) Case No. 10CW71, decree entered on November 28, 2011, District Court, Water Division No. 7, continued this conditional right in the amount of 400 g.p.m. in full force and effect. (ii) Case No. 17CW3043, decree entered on August 4, 2020, District Court, Water Division No. 7, continued the entire conditional right in the amount of 400 g.p.m. in full force and effect. (i) Permit Number: 061416-F-R. (j) Name(s) and Address(es) of owners of the land upon which structure is located: (i) The structure is located on Applicant's property. 4. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures during the diligence period. (a) Applicant spent more than \$139,000 in salaries for its employees to conduct well inspections, repair flood damage to Applicant's well structures and lakes, and maintain ditches, irrigation equipment, and the Upper Twin Lakes, Marie Lake, and Elizabeth Lake. (i) This includes flood damage repair to the Brown South Well specifically in November 2025, when Applicant repaired a bank from washout to the structure and the well. (b) Applicant engaged the water consulting firm SGM and has spent more than \$67,000 for its water rights support over the diligence period, including in, but not limited to, the following cases: 17CW3014, 17CW3050, 17CW3043, 17CW3041, 18CW3051, 19CW3028, 21CW3029, 22CW3034, 22CW3049, 22CW3044, and 22CW3050. (c) Applicant engaged Evergreen Pump and has spent more than \$40,000 on pump replacements, variable frequency drive ("VFD") replacements, motor replacements & control box replacements. (i) This includes a replacement motor and control box for the Brown South Well and VFD replacement specifically. (d) Applicant engaged Mackey Construction and spent over \$11,000 on flume fabrication and installation for water rights compliance efforts. (e) Applicant engaged Mountain Valley Services and spent over \$40,000 on well repair and improvement work. (f) Applicant engaged Summit Supply and spent over \$1,000 on distribution pipe installation and well pipe repairs. (g) Applicant engaged the law firm of Brownstein Hyatt Farber Schreck, LLP, and spent more than \$160,000 in legal fees to protect its water rights and interests in water court by opposing applications of others, adjudicating new water rights, and meeting its diligence obligations, including in, but not limited to, the following cases: 17CW3014, 17CW3050, 17CW3041, 17CW3043, 18CW3051, 19CW3028, 21CW3029, 22CW3034, 22CW3049, 22CW3044, and 22CW3050. 5. Claims to make conditional water rights absolute. (a) Applicant exercised the Brown South Well water right in the amount of 500 g.p.m. during both the irrigation season (June 15, 2026) and non-irrigation season (April 15, 2026) for all decreed beneficial uses. This constitutes an increase of 12 g.p.m. over the 488 g.p.m. previously made absolute for the irrigation season and 447 g.p.m. over the 53 g.p.m. previously made absolute during the non-irrigation season. The diversion records for the Brown South Well are attached as Exhibit B, and confirm the exercise of the subject water rights during the relevant diligence period. (i) 500 g.p.m. represents the current limits of the pump at the Brown South Well, but Applicant intends to enhance this capacity in the future. (b) Applicant exercised the Well WS-1 water right in the full decreed 400 g.p.m.

amount to irrigate approximately 70 acres of lands lying east of the West Fork and located in the W½ of Section 32, T37N, R1E, N.M.P.M. Applicant diverted the full decreed 400 g.p.m. throughout the diligence period, but specifically observed this pumping rate on May 9, 2022, and August 7, 2026. The diversion records for Well WS-1 are attached as Exhibit C, and confirm the exercise of the subject water rights during the relevant diligence period. 6. Names and addresses of owners or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: (a) All structures are located on Applicant's property. WHEREFORE Applicant requests that the Court enter a decree: 1. Finding that Applicant has been reasonably diligent in the steady application of effort to complete the appropriation of the conditional water rights in a reasonably expedient and efficient manner under the facts and circumstances and continuing the following conditional water rights in full force and effect: (a) Brown South Well: (i) Irrigation Season: 700 g.p.m., conditional, for all decreed beneficial uses. (ii) Non-irrigation season: 700 g.p.m., conditional, for all decreed beneficial uses. 2. Making the following conditional rights absolute: (a) Brown South Well: (i) Irrigation Season: 12 g.p.m., in addition to 488 g.p.m previously made absolute, for a total of 500 g.p.m. absolute for all decreed beneficial uses. (ii) Non-irrigation Season: 447 g.p.m., in addition to 53 g.p.m. previously made absolute, for a total of 500 g.p.m. absolute for all decreed beneficial uses. (b) Well WS-1: 400 g.p.m., absolute, for all decreed beneficial uses. 3. In the event the Court does not make the foregoing rights absolute, then continuing their conditional status in full force and effect until the next diligence application. 4. To the extent Applicant exercises the remaining conditional portions of the Brown South Well water right during the pendency of this case, Applicant requests that the Court decree those additional portions absolute as well. 5. Granting such other relief as the Court deems just and proper. (12 pages including exhibits)

2026CW3024 Mineral County, (17CW3050) DISTRICT COURT, WATER DIVISION NO. 7, STATE OF COLORADO, 1060 East Second Ave, Suite 106, Durango, CO 81301, (970) 247-2304, CONCERNING THE APPLICATION FOR BOOTJACK RANCH, LLC, IN MINERAL COUNTY, COLORADO. APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND TO MAKE CONDITIONAL WATER RIGHTS ABSOLUTE. 1. Name, Mailing Address and Telephone Number of Applicant: Dennis Burch, Ranch Manager Bootjack Ranch, LLC 12500 E. Hwy. 160 Pagosa Springs, CO 81147 (970) 264-7280 Direct All Pleadings To: Wayne F. Forman, #14082, Michael P. Smith, #48730, and Jack A. Wold-McGimsey, #59382 at BROWNSTEIN HYATT FARBER SCHRECK, L.L.P. 675 15th Street, Suite 2900 Denver, CO 80202 Phone: (303) 223-1100 Fax: (303) 223-0920 E-mail: wforman@bhfs.com; msmith@bhfs.com; jwold-mcgmsey@bhfs.com I. CONDITIONAL UNDERGROUND WATER RIGHT 2. Description of Ground Water Right: a) Name of Structure: Brown South Well First Enlargement. b) Date of Original Decree: August 4, 2020; Case No. 17CW3050; District Court, Water Division No. 7. c) Legal Description of Brown South Well: The diversion point is located on the west bank of the West Fork in the NE¼ SW¼, Section 29, T.37N., R.1E., N.M.P.M., 2,320 feet from the South Section line and 2,200 feet from the West Section line of said Section 29. Also described as UTM coordinates: NAD83, Zone 13N, Meters, UTM X: 331887.00, UTM Y: 4142518.00. See Exhibit A. d) Source: West Fork of the San Juan River. e) Originally Decreed Amount: 270 g.p.m. (0.602 c.f.s.), absolute; 30 g.p.m. (0.067 c.f.s.), conditional. f) Appropriation Date: December 29, 2017. i. How appropriation initiated: Formation of an intent to appropriate and actual beneficial use, and the filing of the Application in Case No. 17CW3050. ii. Date water applied to beneficial use: May 31, 2011. g) Uses: To fill and successfully refill the water storage rights and structures described in Paragraphs 7-11 of the decree for Case No. 17CW3050 (Marie Lake, Elizabeth Lake, Upper Twin Lake 1, Upper Twin Lake 2, and Upper Twin Lake 3) for piscatorial, wildlife watering and habitat enhancement, recreation, fire-fighting, and aesthetic uses. h) Permit: Permit No. 83137-F. II. CONDITIONAL SURFACE WATER RIGHT 3. Description of Surface Water Right: a) Name of Structure: Elizabeth Lake Ditch. b) Date of Original Decree: August 4, 2020; Case No. 17CW3050; District Court, Water Division No. 7. c) Legal Description: The diversion point is located on the north bank of an unnamed tributary of the West Fork of the San Juan River in the SW ¼ NW ¼, Section 29, T.37N., R.1E., N.M.P.M. Mineral County - UTM Coordinates: NAD83, Zone 13N, Meters, UTM X:

331286.14, UTM Y: 4142895.75. *See* Exhibit A. d) Source: Unnamed tributary to the West Fork of the San Juan River. e) Amount: 0.71 c.f.s., absolute; 0.29 c.f.s., conditional. f) Appropriation Date: December 29, 2017. g) How appropriation initiated: Formation of intent to appropriate and actual diversion of water to storage in Elizabeth Lake and Marie Lake and the filing of the 2017 Application, Case No. 17CW3050, and the diversion of water to beneficial use on or before May 15, 2020. h) Uses: To fill and successively refill Elizabeth Lake and Marie Lake for recreation, piscatorial, fire-fighting, wildlife watering and habitat enhancement and aesthetic uses. 4. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures. (a) Applicant spent more than \$139,000 in salaries for its employees to conduct well inspections, repair flood damage to Applicant's well structures and lakes, and maintain ditches, irrigation equipment, and the Upper Twin Lakes, Marie Lake, and Elizabeth Lake. (i) This includes flood damage repair to the Brown South Well specifically in November 2025, when Applicant repaired a bank from washout to the structure and the well. (b) Applicant engaged the water consulting firm SGM and has spent more than \$67,000 for its water rights support over the diligence period, including in, but not limited to, the following cases: 17CW3014, 17CW3050, 17CW3043, 17CW3041, 18CW3051, 19CW3028, 21CW3029, 22CW3034, 22CW3049, 22CW3044, and 22CW3050. (c) Applicant engaged Evergreen Pump and has spent more than \$40,000 on pump replacements, variable frequency drive ("VFD") replacements, motor replacements & control box replacements. (i) This includes a replacement motor and control box for the Brown South Well and VFD replacement specifically. (d) Applicant engaged Mackey Construction and spent over \$11,000 on flume fabrication and installation for water rights compliance efforts. (i) For the Elizabeth Lake Ditch specifically, in August 2026 Applicant installed a 12-inch flume. Because Applicant did not have a flume installed until near the end of the diligence period, and the Elizabeth Lake Ditch only runs during spring snowmelt, Applicant could not measure the water right put to beneficial use and does not have any records during large snowpack years, but will exercise and measure this right in the near future. (e) Applicant engaged Mountain Valley Services and spent over \$40,000 on well repair and improvement work. (f) Applicant engaged Summit Supply and spent over \$1,000 on distribution pipe installation and well pipe repairs. This includes a pipeline replacement from the Elizabeth Lake to the Upper Twin Lakes. (g) Applicant engaged the law firm of Brownstein Hyatt Farber Schreck, LLP, and spent more than \$160,000 in legal fees to protect its water rights and interests in water court by opposing applications of others, adjudicating new water rights, and meeting its diligence obligations, including in, but not limited to, the following cases: 17CW3014, 17CW3050, 17CW3041, 17CW3043, 18CW3051, 19CW3028, 21CW3029, 22CW3034, 22CW3049, 22CW3044, and 22CW3050. 5. Claims to make conditional water rights absolute. (a) Brown South Well First Enlargement (i) Applicant has diverted water at the maximum decreed rate of 300 g.p.m. under the Brown South Well First Enlargement water right throughout the diligence period, but specifically observed this pumping rate on August 13, 2026. Applicant delivered that water to Marie Lake, Elizabeth Lake, and Upper Twin Lakes 1, 2, and 3 for piscatorial, wildlife watering and habitat enhancement, recreation, fire-fighting, and aesthetic uses. The diversion records for the Brown South Well are attached as Exhibit B, and confirm the exercise of the subject water rights during the relevant diligence period. 6. Name(s) and address(es) of owner(s) of the land on which structure is or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use: (a) All structures are located on Applicant's property. WHEREFORE Applicant requests that the Court enter a decree: 1. Finding that Applicant has been reasonably diligent in the steady application of effort to complete the appropriation of the following conditional water right in a reasonably expedient and efficient manner under the facts and circumstances and continuing the following conditional water rights in full force and effect: a) Elizabeth Lake Ditch: 0.29 c.f.s., conditional for all decreed beneficial uses. 2. Making the following conditional rights absolute: (a) Brown South Well First Enlargement: 30 g.p.m. (0.067 c.f.s.), absolute for all decreed beneficial uses, in addition to the 270 g.p.m. previously decreed as absolute, which would make the entire decreed 300 g.p.m. (0.669 c.f.s.) absolute. 3. In the event the Court does not make the foregoing rights absolute, then continuing their conditional status until the next diligence application. 4. To the extent Applicant exercises the remaining conditional portions of the Elizabeth Lake Ditch water right during the pendency of this case, Applicant requests that the Court

decree those additional portions absolute as well. 5. Granting such other relief as the Court deems just and proper. (10 pages including exhibits)

2026CW3025 (ref. 17CW3030, 73-308D, et al.), MINERAL COUNTY AND ARCHULETA COUNTY, APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Pagosa Area Water and Sanitation District (“PAWSD”), 100 Lyn Ave, Pagosa Springs, CO 81147, (970) 731-2691; and San Juan Water Conservancy District (“SJWCD,” with PAWSD, the “Applicants”) P.O. Box 2462, Pagosa Springs, Colorado 81147, (832) 370-5017. Please direct all correspondence to Attorney for Pagosa Area Water and Sanitation District: Law of the Rockies Kendall K. Burgemeister, Atty. Reg. #41593 525 North Main Street, Gunnison, CO 81230 970-641-1903, kburgemeister@lawoftherockies.com; Attorney for San Juan Water Conservancy District: Jeffrey M. Kane, Atty. Reg. No. 44075 SOUTHWEST WATER AND PROPERTY LAW LLC 679 E 2nd Ave Unit 10, Durango, CO 81301 (970) 422-5510, jkane@swpropertylaw.com. Summary of Application. Applicants seek a finding of reasonable diligence for the Second Enlargement of Dutton Ditch conditional water right, described in detail below. Name of Structure: **Second Enlargement of the Dutton Ditch**. Previous Decrees: The water right was originally decreed in Case No. 73-308D (December 19, 1968, District Court, Archuleta County). Findings of reasonable diligence were entered in Case Nos. W-193 (1970), W-581-76, 80CW104, 84CW60, 88CW50, 94CW39 (May 25, 1995), 01CW29 (February 23, 2003), 17CW3030 (August 19, 2020), all in District Court, Water Division 7. Source: Four Mile Creek and its tributaries. Date of Appropriation: July 6, 1967. Amount: 40 cfs (conditional). (Each Co-Applicant owns 20 cfs.) Point of diversion: In 73-308D, the point of diversion is described as being on the West Bank of Four Mile Creek, a tributary of the San Juan River, at a point whence the northwest corner of Section 3, Township 36 North, Range 2 West, N.M.P.M. bears South 77°32’ West, a distance of 2,610 feet. The point of diversion is in the SESW of Section 35, T37N, R2W, NMPM, at approximately 318659E, 4140636N, UTM Zone 13, NAD83. See Exhibit A. Beneficial uses: Irrigation, industrial, municipal and domestic uses. Claim for Finding of Reasonable Diligence. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: PAWSD. PAWSD diverted water for beneficial use from Four Mile Creek through the Dutton Ditch pipeline pursuant to its existing absolute right (total decreed rate: 10 cfs, amount owned by PAWSD: 8 cfs) that is senior to the subject conditional water right. Summary of maximum diversion rates by PAWSD during the diligence period: 2021: 5 cfs; 2022: 6 cfs; 2023: 8 cfs; 2024: 4 cfs; 2025: 4 cfs; 2026: 5 cfs. PAWSD took numerous actions to ensure compliance with the terms of its USDA Forest Service Special Use Permit related to the Dutton Ditch Pipeline, including operation and maintenance of the diversion structure in a manner that ensures required bypass flows are sustained. PAWSD maintains a water enterprise fund to account for revenue and expenditures related to the operation, maintenance, and development of its water supply infrastructure (which excludes general fund and wastewater fund revenue and expenditures). During the diligence period, the records of the water enterprise fund reflect that PAWSD expended the following sums operating, maintaining, repairing, and developing its integrated water supply system, which includes the diversion and storage infrastructure used to exercise the subject water right: 2020: \$5,144,130 2021: \$5,645,248 2022: \$6,832,277 2023: \$11,570,915 2024: \$29,389,922 2025 (approximate): \$31,561,771 2026 (budgeted): \$12,229,553 PAWSD prosecuted an application for a finding of reasonable diligence and to make absolute in part other conditional water rights in its raw water supply portfolio. PAWSD continued planning and negotiations with stakeholders to develop capital improvement projects to increase the functionality of Stevens Reservoir, which, if implemented, will allow PAWSD to utilize additional water from the Dutton Ditch pipeline system served by the subject water right. SJWCD. Engineering for Water Demand and Supply Planning. SJWCD spent approximately \$265,691.32 during the diligence period for engineering analyses and water planning, including water supply and demand analyses for the SJWCD service area, evaluation of its portfolio of water rights, and structural options for meeting such demand. Diligence for Companion Water Rights. SJWCD spend approximately \$5,301.50 obtaining a finding of diligence for other conditional water rights it owns. Strategic Planning. The SJWCD Board of Directors retained a consultant and developed and adopted a Strategic Plan in 2021 to identify issues, action items, and priorities for achieving its mission to be an active

leader in all issues affecting the water resources of the Upper San Juan River Basin. The SJWCD Board of Directors has spent time at each of its meetings during this timeframe managing implementation actions for its Strategic Plan. Cooperative Funding for Community Water Research, Data Collection, Analysis, and Planning. SJWCD has participated in and contributed funding to projects by the Upper San Juan Watershed Enhancement Project, Growing Water Smart, San Juan Headwaters Forest Health Partnership, Geothermal Greenhouse Partnership, and Mountain Studies Institute, spending approximately \$40,361.84. These projects are working with the local community to plan for, and implement, efforts to ensure water is available in a future warming and drying climate. Public Outreach in the District. SJWCD spent approximately \$75,899.26 on public outreach to its constituents concerning water matters and planning. Water Information Program Partner. SJWCD spent approximately \$16,500.00 as a partner in the Water Information Program administered by the Southwestern Water Conservation District. The WIP's mission is to explain, promote, and publish objective and balanced information and educational workshops and festivals related to water in southwestern Colorado. Owners of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or existing storage pool is or will be constructed or upon which water is or will be stored: USDA Forest Service, Pagosa Ranger District Office, 180 Pagosa Street Pagosa Springs, CO 81147. (6 pages including exhibit)

2026CW3026 (ref. 17CW3014, 83CW145, et al.); ARCHULETA COUNTY; APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART; Name, address, and telephone number of Applicant: Pagosa Area Water and Sanitation District ("District") 100 Lyn Ave Pagosa Springs, CO 81147 (970) 731-2691 Please direct all correspondence to Law of the Rockies Kendall K. Burgemeister, Atty. Reg. #41593 525 North Main Street Gunnison, CO 81230 970-641-1903, kburgemeister@lawoftherockies.com. Summary of Application. The District seeks to make a conditional water right for the San Juan River Intake absolute in part, and a finding of reasonable diligence for the portion not made absolute. Description of the subject conditional water right: Name of Structure: San Juan River Intake. Original Decree: 83CW145 (November 14, 1984, District Court, Water Division 7). Relevant Subsequent Decrees: Findings of reasonable diligence were decreed in Case Nos. 88CW101 (April 27, 1989), 94CW94 (July 19, 1995), 01CW42 (August 6, 2002), 08CW62 (March 24, 2011), and 17CW3014 (August 26, 2020), all in the District Court, Water Division 7. The District's ownership was reduced in 97CW51, and alternate points of diversion were adjudicated in 99CW71 (APD #2 was abandoned in 17CW3014). Source: San Juan River. Date of Appropriation: December 19, 1983. Amount: 15.06 cfs conditional, 1.52 cfs absolute. Location of point of diversion: On the west bank of the San Juan River, at a point bearing North 65°17'33" East, 1177.8 feet from the southwest corner of Section 36, Township 35 North, Range 2 West of the N.M.P.M. in the County of Archuleta, State of Colorado; alternatively described as located in the SE1/4SW1/4SW1/4 of said Section 36, 321007E, 4121030N, UTM Zone 13, NAD 83. Beneficial uses: Direct flow or storage for all municipal, commercial, industrial, domestic, irrigation, recreation, piscatorial, wildlife propagation, and all other municipal uses. Claim to Make Absolute. The District owns the following water rights decreed for diversion at the San Juan River Intake (a/k/a San Juan River Intake Alternate Point #1, WDID 2901006): A.D. Archuleta Ditch, Admin No. 16181.00000, 2.5cfs, and Admin No.16954.00000, 1.0 cfs; Keith Ditch, Admin No.17380.00000. 1.0 cfs; Pagosa Lumber Co. Ditch #1, Admin No. 19012.15493, 2.0 cfs; the above rights are limited to a combined 105.11 acre-feet of consumption per year; San Juan River Intake, Admin No.45077.00000, 0.8 cfs (Absolute in 22CW3011); San Juan Raw Water Storage Reservoir, Admin No.45077.00000, 12.0 cfs rate of fill, 250 acre-feet (cond.); San Juan Recreation Reservoir, Admin No.45077.00000, 12.0 cfs rate of fill; San Juan River Intake, Admin. No. 48930.00000, 1.52 (Abs), 15.06 (Cond). The Districts owns 6.5 cfs of absolute water rights that are limited to 105.11 acre-feet of depletions to the San Juan River per year. During many days in the diligence period, the District diverted water through the San Juan Intake for delivery to its water treatment plant at a rate of 6 cfs, including on days after the 105.11 acre-feet limit was met. Because the water was delivered directly to the water treatment plant, it cannot be allocated to the San Juan Raw Water Storage Reservoir and San Juan Recreation Reservoir water rights listed above. Therefore, the 6 cfs of diversions would be allocated first to the 0.8 cfs absolute water right senior to the subject right, and then to the 1.52 cfs portion

of the subject right that is already absolute. 3.68 cfs was diverted under the conditional portion of the subject water right. Therefore, the District seeks to make the subject water right absolute for an additional 3.68 cfs. Diversion records are attached as Exhibit B. Claim for Finding of Reasonable Diligence. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: The District diverted water pursuant to the subject conditional water rights throughout the diligence period, including the diversions described in paragraph 4, above. PAWSD maintains a water enterprise fund to account for revenue and expenditures related to the operation, maintenance, and development of its water supply infrastructure (which excludes general fund and wastewater fund revenue and expenditures). During the diligence period, the records of the water enterprise fund reflect that PAWSD expended the following sums operating, maintaining, repairing, and developing its integrated water supply system, which includes the diversion and storage infrastructure used to exercise the subject water right: 2020: \$5,144,130 2021: \$5,645,248 2022: \$6,832,277 2023: \$11,570,915 2024: \$29,389,922 2025 (approximate): \$31,561,771 2026 (budgeted): \$12,229,553 Exhibit C is a list of specific expenditures on the San Juan water treatment plant, which treats water diverted by the San Juan River Intake. Exhibit D is a list of specific expenditures on upgrades to the San Juan River Intake. Owners of the land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or existing storage pool is or will be constructed or upon which water is or will be stored: Alpine Cascade Corporation, P.O. Box 4490, Pagosa Springs, CO 81157-4490. (17 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 October 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 September 30, 2026

/s/ Jason Poyer
Water Court Specialist