

IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4

STATE OF COLORADO

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER
DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of August 2026.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

The water right claimed by this application may affect in priority any water right 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.

Case No. 26CW19 (Ref No. 06CW107, 13CW093, 20CW017) Applicant Ed and Ruth Kneese 13890 Marine Road Montrose, CO 81403. Application and Amended Application for Finding of Reasonable Diligence. Kneese Wastewater Ditch SE1/4 SE1/4 Section 20 T49N R9W NMPM. Easting 246872 Northing 4264148. Source: Wastewater return flows from irrigation with UVWUA water of lands tributary to Happy Canyon Creek and the Uncompahgre River. Date of Appropriation: June 7, 2006. Amount Claimed: 1.0 cfs for supplemental irrigation of 20 acres. The application on file with the Water Court contains an outline of the work performed during the diligence period. **MONTROSE COUNTY**

Case No. 26CW20 (Ref No. 99CW199, 06CW10, 13CW90, 20CW26) Applicant David and Elizabeth Koos 15464 2525 Road Cedaredge CO 81413. Application to Make Absolute. Koos Well - NE1/4NW1/4SW1/4 Section 34 T13S R94W 6th. Easting 0248977 Northing 4307260. Source: Groundwater taken tributary to Surface Creek, which is a tributary to the Gunnison River. Date of Appropriation: November 5, 1999. Amount Claimed: .033cfs (15gpm) for household use for two residences, irrigation of less than one acre of lawn and garden, and fire protection use. The application on file with the Water Court contains an outline of the work performed during the diligence period. **DELTA COUNTY**

Case No. 26CW21 Applicant Daniel Lee Bolton 34879 Powell Mesa Road Hotchkiss CO 81419. Application for Absolute Surface Water Rights. Papa's Spring – NW1/4 NW1/4 Section 20 T14S R92W 6th. Easting 265356 Northing 4301123. Source: Spring Tributary of the North Fork of Gunnison. Date of Appropriation: August 1, 2026. Amount Claimed: 20gpm conditional for domestic 2 homes, pond, wildlife, fire protection, stock water, fire protection, wildlife. **DELTA COUNTY**

Case No. 26CW22 (Ref No. 14CW3000, 20CW0024) Applicant Daniel Lee Bolton 34879 Powell Mesa Road Hotchkiss CO 81419. Application for Finding of Reasonable Diligence. Well Permit #228338A – NW1/4 NW1/4 Section 20 T14S R92W 6th. Source: Ground Water Tributary of the North Fork of Gunnison. Date of Appropriation: March 28,

2002. Amount Claimed: 15gpm for domestic for 2 dwellings. The application on file with the Water Court contains an outline of the work performed during the diligence period.

DELTA COUNTY

Case No. 26CW3038 (Ref No. 13CW62, 20CW3012) Gunnison County – North Fork Gunnison River. Applicant: Thomas M. Abbott and Abbott Ranches, LLC, c/o Bradley N. Switzer, P.O. Box 816, Montrose, CO 81402, (970) 249-8749; APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Name of Structures: 1) Abbott Pond No. 9; Location: A point in the SW1/4NW1/4 Section 32, Township 12 South, Range 89 West, 6th P.M., being 1,648 feet from the south line and 97 feet from the east line of said Section 32. Zone 13, NAD 83, Easting 0294830 Northing 4316508. 2) Abbott Pond No. 21; Location: A point in the NE1/4NE1/4, Section 6, township 13 South, Range 89 West, 6th P.M., being 1,495 feet north of the south line and 665 feet east of the west line of said Section 6. Zone 13, NAD 83, Easting 0294397 Northing 4314944. 3) Abbott Cottonwood Spring; Location: A point in the NE1/4NE1/4, Section 6, Township 13 South, Range 89 west, 6th P.M., being 1230 feet north of the south section line and 693 feet east of the west section line of said Section 6. Zone 13, NAD 83, Easting 0294391 Northing 4315025. Source: For the ponds, surface run-off tributary to Muddy Creek; For Abbott Cottonwood Spring, ground water tributary to Muddy Creek, tributary to the North Fork of the Gunnison River. Quantity: Abbott Pond No. 8, 0.23 a.f.; Abbott Pond No. 21, 1.05 a.f.; Abbott Cottonwood Spring, 0.06 c.f.s., conditional. Type of use: For the ponds, stock, wildlife, recreation and piscatorial uses; For Abbott Cottonwood Spring, irrigation 2 acres, domestic use in one single-family dwelling, stock, wildlife and to fill Abbott Pond No. 21. Appropriation date: October 11, 2010, for all structures. 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: A detailed description of what has been done toward completion of the Appropriation and Application of water to its decreed beneficial uses is attached to the Application which is on file with the Water Clerk for Water Division No. 4. The application on file with the Water Court contains an outline of the work performed during the diligence period.

GUNNISON COUNTY

Case No. 26CW3039 (Ref No. 19CW3082) San Miguel County – San Miguel River; San Juan Vista Landowners Association; c/o William T. Raley and John R. Pierce, DUFFORD WALDECK, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE; Name, address, and telephone number of Applicant: San Juan Vista Landowners Association, P.O. Box 71, Ridgeway, CO 81432, (208) 419-1719; Request for finding of diligence: Name of Structure: Leopard Creek Ditch, aka Boyd Collins Ditch; Description of conditional water right: This conditional water right for 82 wells was decreed in Case Nos. W-2225 and W-2264 as a conditional change in use and location from the Leopard Creek Ditch, aka the Boyd Collins Ditch of 0.279 c.f.s. to those 82 wells, limiting each well to 15 gpm (0.033 c.f.s.) and 0.20 acre-feet annual appropriation for household use only. So far, fifty-seven (57) wells have been made absolute. Applicant is herein requesting four (4) additional wells to be made absolute: Well Nos. 51, 60, 61, and 62. Applicant requests a finding of

diligence on the remaining twenty-one (21) wells within the conditional right; Original Decree: Case No. W-2225, October 31, 1974, District Court, Water Division No. 4; Subsequent decrees awarding findings of diligence: Case No. 81CW173, dated January 22, 1982; Case No 85CW274, dated August 16, 1990; Case No 96CW177, dated March 26, 1997; Case No 03CW089, dated August 7, 2006; Case No 12CW093, dated November 18, 2013; Case No 2019CW3082, dated August 13, 2020; Legal Description: San Juan Vista Subdivision, Filing No. 1, encompasses approximately 600 acres of land, more or less, in San Miguel County, Colorado and more particularly described as lying in the SE1/4SE1/4, Section 12, S1/2, S1/2N1/2 and N1/2NE1/4, Section 13, all in Township 44 North, Range 10 West, N.M.P.M., San Miguel County, Colorado, and the headgate for Leopard Creek is located on the west bank of the Middle Fork of the Leopard Creek at a point whence the southeast corner of Section 13, Township 44 North, Range 10 West, N.M.P.M. bears South 67°37' East, 681 feet; Source: Leopard Creek, tributary to the San Miguel River; Date of appropriation: June 20, 1887; Amount: 0.279 c.f.s. (16.4 acre-feet annually) and limiting each well to 15 gpm (0.033 c.f.s.) (0.20 acre-feet annually); Use: In-house wells for domestic purposes. Formerly decree for municipal purposes. Municipal use was cancelled in Order dated February 25, 1997 in Case No. 96CW177; Depth: Original decree is for 82 separate wells of unspecified depth; Outline of what has been done toward completion of the appropriation and application of water to a beneficial use: Applicant was granted, by Decree in Case No. W-2264 (ref W-2225), dated April 13, 1979, a conditional decree for 0.279 c.f.s. to be used for a maximum of 82 in-house wells with an annual appropriation of 0.020 acre-feet for each well in the San Juan Vista Subdivision. In Case No. 81CW173, dated January 22, 1982, Applicant was granted absolute decrees for 9 wells (Wells 1 through 9) for 15 g.p.m. each and the Court also granted continued diligence on the remaining 73 wells. In Case No 85CW274, dated August 16, 1990, Applicant was granted absolute decrees for 8 wells (Wells 10 through 17) for 15 g.p.m each and also granted continued diligence on the remaining 65 wells. In Case No 96CW177, dated March 26, 1997, Applicant was granted absolute decrees for 8 wells (Wells 18 through 25) for 15 g.p.m each and also granted continued diligence on the remaining 57 wells. In Case No 03CW089, dated August 7, 2006, Applicant was granted absolute decrees for 14 wells (Wells 26 through 39) for 15 g.p.m. each and also granted continued diligence on the remaining 43 wells. In Case No 12CW093, dated November 18, 2013, Applicant was granted absolute decrees for 2 wells (Wells 40 and 41) for 15 g.p.m. each and also granted continued diligence on the remaining 41 wells. In Case No 2019CW3082, dated August 13, 2020, Applicant was granted absolute decrees for 15 wells (Wells 43 through 50 and 52 through 58) for 15 g.p.m each and also granted continued diligence on the remaining 26 wells, including Well No. 42 and Well No. 51. In Case No 23CW3036, dated October 26, 2023, Applicant was granted an absolute decree for 1 well (Well No. 59) for 7 g.p.m. During this last diligence period, Well Nos. 51, 60, 61, and 62 have been applied to beneficial use, as described below. Applicant has continued to develop the San Juan Vista Subdivision, including the remaining twenty-one (21) wells and the lots on which they are located. The amount expended during this diligence period is in excess of \$78,789 for construction of these wells and toward continuation of the conditional rights on unpermitted wells; Claim to make absolute in part: Name of Structures: Well Nos. 51, 60, 61, and 62; Locations: Well No. 51: Located

on Lot 45 of the San Juan Vista Subdivision, Filing No. 1; within the SW1/4NE1/4, Section 13, Township 44 North, Range 10 West, N.M.P.M., UTM Zone 13, NAD83, Easting 244361.0, Northing 4217075.0; Well No. 60: Located on Lot 5 of the San Juan Vista Subdivision, Filing No. 1; within the NE1/4NE1/4, Section 13, Township 44 North, Range 10 West, N.M.P.M., UTM Zone 13, NAD83, Easting 244686.0, Northing 4217717.0; Well No. 61: Located on Lot 81 of the San Juan Vista Subdivision, Filing No. 1; within the NE1/4NE1/4, Section 13, Township 44 North, Range 10 West, N.M.P.M.; UTM Zone 13, NAD83, Easting 244776.0, Northing 4217429.0; Well No. 62: Located on Lot 73A of the San Juan Vista Subdivision, Filing No. 1; within the SW1/4SE1/4, Section 13, Township 44 North, Range 10 West, N.M.P.M., UTM Zone 13, NAD83, Easting 244395.0, Northing 4216564.0; Date water applied to beneficial use: Well No. 51: Water put to beneficial use on June 3, 2003; Well No. 60: Water put to beneficial use on June 22, 2005; Well No. 61: Water put to beneficial use on May 1, 2022; Well No. 62: Water put to beneficial use on May 26, 2026 ; Amount: 0.20 acre-feet annually for each well, with a rate of 15 gpm (0.033 c.f.s.); Use: In-house wells for domestic purposes; Additional pertinent information: Pursuant to the decree in Case No. 03-CW-089, dated August 7, 2006, any absolute decree for Well Nos. 51, 60, 61 or 62 shall be subject to the following limitations which will be stated verbatim in the Ruling and Decree: "With respect to diversions made under the above referenced senior changed Boyd Collins Ditch right, diversions during the 180-day diversion season shall not exceed a total of 0.20 acre-feet for each well from which such rights are now, or are in the future, permitted to be diverted; and, diversions from each well from which such rights are now, or are in the future, permitted to be diverted shall not at any time exceed 0.279 cfs from all wells combined, nor shall they exceed from any one well the rate of 15 gpm (0.033 cfs)." WHEREFORE, Applicant requests that this Court enter a decree granting Applicant's request for an absolute water right for Well No. 51, Well No. 60, Well No. 61, and Well No. 62, and finding that Applicant has pursued completion of appropriation of the remaining twenty-one (21) conditional water rights with reasonable diligence and continue those rights in full force and effect. (7 pages) The application on file with the Water Court contains an outline of the work performed during the diligence period. **SAN MIGUEL COUNTY**

Case No. 26CW3040 (Ref No. 94CW60, 13CW3057, 20CW3014) APPLICATION TO MAKE CONDITIONAL RIGHTS ABSOLUTE IN PART AND FOR FINDING OF REASONABLE DILIGENCE. Applicant: Silver Sage Property Owners' Association, Inc., c/o H&H CPA's & Advisors, P.O. Box 1218, Crested Butte, Co. 81224, 970-648-4415. 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. Name of right: Silver Sage Subdivision Well No. 2. WDID 5905273. Original and Relevant Subsequent Decrees: The conditional water right was adjudicated in Case No. 94CW60 (December 29, 1995, District Court, Water Division 4). A finding of reasonable diligence was made in Case No. 13CW3057 (March 31, 2014, District Court, Water Division 4). A portion of the water right was made absolute, and another finding of reasonable diligence was made, in Case No. 20CW3014 (August 25, 2020, District Court, Water Division 4). Location: In the NE1/4SW1/4 of Section 1, T. 14 S., R. 86 W., 6th P.M. in Gunnison County, Colorado,

at a point approximately 2,570 feet from the south section line and 2,320 feet from the west section line of said Section 1. Approximately 330360E, 4303707N, UTM Zone 13 (NAD 83). Source: Groundwater tributary to the Slate River, tributary to the East River, tributary to the Gunnison River. Appropriation Date: September 10, 1993. Amount: 30 gallons per minute. Uses: Domestic, irrigation, and fire protection. Application to Make Absolute in Part. In 20CW3014, the Silver Sage Subdivision Well No. 2 was made absolute in the amount of 0.066 cfs (30 gpm, 16.35 acre-feet annual appropriation) for irrigation of 1.85 acres, domestic use in 15 single-family dwellings (each of which may have a caretaker unit), and fire protection use; and was continued conditional for domestic use in 8 single-family dwellings (each of which may have a caretaker unit). 17 dwelling units are now connected to the system served by Silver Sage Subdivision Well No. 2. Applicant seeks to make Silver Sage Subdivision Well No. 2 absolute for domestic use in an additional two dwelling units. Applicant seeks a finding of reasonable diligence with respect to any portion of the Silver Sage Subdivision Well No. 2 water right not made absolute in this case. The following actions have been undertaken toward completion of the appropriation and application of water to a beneficial use: Continued use of the well for domestic, irrigation, and fire protection for the residences that have been constructed. Installation of a new chlorination pump. (Yearly cost approx. \$1,200). Upgraded water management plan for Association by SGM Engineering (Cost approx. \$3,200). Well water level meter installed in October 2022, including sensor, electricity repair, labor and materials. (Cost approx. \$2200). Repaired 5 horsepower pump (Cost approx. \$225). Repaired blow out, including new valve, materials and labor in August, 2023. (Cost approx. \$2,900). Cleaned and repaired buried water storage tank, October 2022 & June 2023. (Total cost approx. \$6,900). Repaired main water line (new valves, gaskets, materials & labor) in October 2025. (Cost approx. \$4,100). The well is located on land owned by the Applicant. The application on file with the Water Court contains an outline of the work performed during the diligence period. **GUNNISON COUNTY.**

Case No. 26CW3041 (Ref No. 81CW306, 20CW3029) IN GUNNISON COUNTY - APPLICATION FOR FINDING OF REASONABLE DILIGENCE City of Gunnison, a Colorado Municipal Corporation c/o Jennifer M. DiLalla, Cameron J. Abatti, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Boulevard, Suite 240, Boulder, CO 80302 (303) 443-8782 1. Name, address, and telephone number of applicant: City of Gunnison, a Colorado Municipal Corporation, c/o Nicholas Hill, Water Superintendent, 1100 W. Virginia Avenue, Gunnison, CO 81230, (970) 641-8384 2. Gunnison Reservoir No. 4 ("Reservoir No. 4"): 2.1 Type of structure: Reservoir. 2.2 WDID: 5903781. 2.3 Original decree: Case No. 81CW306, District Court for Water Division No. 4, entered October 21, 1982. 2.4 Subsequent decrees awarding findings of reasonable diligence: Case No. 86CW76, entered May 18, 1987; Case No. 92CW65, entered March 23, 1994; Case No. 00CW41, entered November 20, 2000; Case No. 06CW222, entered November 16, 2007; Case No. 13CW5036, entered April 14, 2014; and Case No. 20CW3029, entered August 31, 2020; all in the District Court for Water Division No. 4. 2.5 Other applicable decrees: Case No. 07CW63, as amended, District Court for Water Division No. 4, entered February 4, 2016 ("07CW63 Decree"). 2.6 Legal description – places of storage: 2.6.1 Originally decreed place of storage: The

east abutment of the dam is at a point on the east bank of Antelope Creek in the NW1/4 of Section 35, T50N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point 600 feet from the north section line and 200 feet from the west section line of said Section 35, as shown on Ex. A. 2.6.2 Alternate places of storage: The 07CW63 Decree approved the following alternate places of storage, the approximate locations of which are shown on Ex. B: 2.6.2.1 Gunnison Van Tuyl Ranch Pond No. 1: The center point will be located in the SW1/4 NE1/4, Section 26, T50N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point approximately 2,794 feet east of the west section line and 1,694 feet south of the north section line of said Section 26. 2.6.2.2 Gunnison Van Tuyl Ranch Pond No. 2: The center point will be located in the SW1/4 SE1/4, Section 26, T50N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point approximately 2,860 feet east of the west section line and 990 feet north of the south section line of said Section 26. 2.6.2.3 Gunnison Van Tuyl Ranch Pond No. 3: The center point will be located in the NW1/4 NE1/4, Section 35, T50N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point approximately 3,124 feet east of the west section line and 440 feet south of the north section line of said Section 35. 2.6.2.4 Gunnison Pac Man Pond: The center point is located in the NW1/4 NE1/4, Section 1, T49N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point approximately 321 feet south of the north section line and 2,043 feet west of the east section line of said Section 1; alternatively, it has the following averaged GPS points collected in UTM format for Zone 13 using NAD83 units: 4267874.757 mN and 332660.833 mE. 2.6.2.5 Gunnison Community Center Irrigation Pond: The center point is located in the NE1/4 NW1/4, Section 36, T50N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point approximately 533 feet south of the north section line and 1,984 feet east of the west section line of said Section 36; alternatively, it has the following averaged GPS points collected in UTM format for Zone 13 using NAD83 units: 4269433.88 mN and 332316.082 mE. 2.7 Source: Antelope Creek, tributary to the Gunnison River; and the Gunnison River. 2.8 Legal description – points of diversion: Gunnison Reservoir No. 4 may be filled with water diverted into storage from Antelope Creek Basin and from the following points of diversion on the Gunnison River: 2.8.1 Gunnison Town Ditch: Located on the south bank of the Gunnison River at a point whence the E1/4 corner of Section 24, T50, R1W of the N.M.P.M., Gunnison County, Colorado, bears South 56°30' East 1,760 feet, as shown on Ex. A. 2.8.2 Alternate points of diversion approved in the 07CW63 Decree: 2.8.2.1 Piloni Ditch: The headgate is located on the left bank of the Gunnison River at a point whence the SW corner of Section 24, T50N, R1W of the N.M.P.M. bears South 36°25' West 1,308 feet; also described as the NE1/4 SW1/2 of said Section 24, at a point approximately 2,067 feet from the south section line and 1,431 feet from the west section line, as shown on Ex. B. 2.8.2.2 Wilson Creek Diversion Point: The headgate is located in the NW1/4 NE1/4 of Section 26, T50N, R1W of the N.M.P.M., Gunnison County, Colorado, at a point approximately 939 feet south of the north section line and 2,110 feet west of the east section line of said Section 26, as shown on Ex. B; alternatively, it has the following averaged GPS points collected in UTM format for Zone 13 using NAD83 units: 4271842.571 mN and 332187.204 mE. 2.9 Appropriation Date: December 23, 1981. 2.10 Amount: 3,000 acre-feet, CONDITIONAL, with the right to refill when in priority. Water may be stored in the following amounts in the alternate places of storage approved in the 07CW63

Decree: 2.10.1 Gunnison Van Tuyl Ranch Pond No. 1: 156 acre-feet, CONDITIONAL. 2.10.2 Gunnison Van Tuyl Ranch Pond No. 2: 156 acre-feet, CONDITIONAL. 2.10.3 Gunnison Van Tuyl Ranch Pond No. 3: 168 acre-feet, CONDITIONAL. 2.10.4 Gunnison Pac Man Pond: 4.8 acre-feet, CONDITIONAL. 2.10.5 Gunnison Community Center Irrigation Pond: 3.6 acre-feet, CONDITIONAL. 2.11 Use: All municipal purposes, including without limitation domestic, commercial, industrial, irrigation, and fire protection purposes as well as maintenance of storage reserves, replacement, and exchange purposes. The place of irrigation use other than municipal irrigation is the Van Tuyl Ranch, located in the NE1/4 NE1/4, the W1/2 SE1/4 NE1/4, the W1/2 NE1/4, the SE1/4 NW1/4, the SE1/4, and the E1/2 SW1/4 of Section 26 and in the NW1/4 NE1/4 and the NE1/4 NW1/4 of Section 35, all in T50N, R1W of the N.M.P.M., Gunnison County, Colorado, as generally shown on Ex. A. 3. Detailed outline of work and expenditures toward completion of the appropriation and application of the water to beneficial use: 3.1 Diligence Period: The diligence period for Reservoir No. 4 is August 2020 through August 2026 ("Diligence Period"). 3.2 Integrated system: Reservoir No. 4 is part of Gunnison's integrated municipal system to supply water for the City. "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 the water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). 3.3 Diligence work and expenditures: During the Diligence Period, Gunnison has worked diligently to develop the conditional water right decreed to Reservoir No. 4, complete the appropriation, and store water for subsequent beneficial use, as demonstrated by the activities and expenditures described in paragraphs 3.3.1 through 3.3.5 below. 3.3.1 Throughout the Diligence Period, Gunnison devoted significant staff time and financial resources to operating, designing, and constructing components of its integrated municipal system, of which Reservoir No. 4 is a component. This work has included continued operation of Pac Man Pond and the Gunnison Town Ditch, planning and budgeting for improved surface-water measurement and accounting, and preliminary evaluation of future storage on the Van Tuyl Ranch, including under the Reservoir No. 4 water right. 3.3.2 In May 2026, Gunnison spent \$185,056 on consultants and related services to complete the Gunnison Irrigation Ditch Master Plan. The Ditch Master Plan evaluated the condition, operation, and future capital needs of Gunnison's irrigation ditch system, including infrastructure relevant to the Gunnison Town Ditch, Piloni Ditch, and Wilson Creek systems that are used to deliver water under the Reservoir No. 4 water right. 3.3.3 Gunnison approved three major projects as part of its Water Treatment Plant and Infrastructure Program, under which Gunnison will begin treating surface water at a new plant on Van Tuyl Ranch. 3.3.3.1 In May 2026, Gunnison approved a construction contract in the amount of \$2,518,294 and a construction management and administration contract in the amount of \$402,200 for Project 1, which is related to a new intake structure on the Gunnison River. The construction design and surveys have been completed, and construction began on July 28, 2026. The new intake structure is at the point of diversion confirmed for the Town Pipeline in Case No. 23CW3005. The Town Pipeline is a decreed alternate point of diversion for the Town Ditch under the decree entered in Case No. 81CW308, which also approved Gunnison's storage of Town Ditch consumptive use credit in Reservoir No. 4. 3.3.3.2 In February 2026,

Gunnison approved \$3,227,388 for Projects 2 and 3, which relate to future raw-water conveyance and components of Gunnison's water treatment plant and include progress towards the 30% design milestone for the new plant. 3.3.4 Gunnison plans and intends to undertake additional projects to improve the operation and administrability of its integrated municipal system, including without limitation by developing specific plans for storage under the Reservoir No. 4 water right on Van Tuyl Ranch; installing and making operational a new (already acquired) flume at the Wilson Creek Diversion Point; evaluating potential use of the Community Center Irrigation Pond; and incorporating the Reservoir No. 4 water right into the City's capital, drought, irrigation, and source-reliability planning. 3.3.5 Gunnison spent approximately \$168,000 in legal fees for work pertaining to municipal water planning, including planning related to the new surface water treatment plant and the irrigation ditch master plan; prosecuting water court applications for changes of water rights, to make absolute, or for findings of reasonable diligence on other conditional water rights that are components of the integrated municipal system; and prosecuting water court statements of opposition to protect Gunnison's water rights and associated interests, including the Reservoir No. 4 conditional water right, from injury. 4. No claim to make absolute: The City does not seek to make any portion of the water right absolute by this Application. 5. Names and addresses of 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: Gunnison. WHEREFORE, Gunnison requests that the Court enter a decree (i) granting this Application, (ii) finding that Gunnison exercised reasonable diligence in developing the appropriation of the Reservoir No. 4 conditional water right during the Diligence Period, and (iii) continuing the Reservoir No. 4 conditional water right in full force and effect for an additional diligence period. The application on file with the Water Court contains an outline of the work performed during the diligence period. **GUNNISON COUNTY**

Case No. 26CW3042 (Ref No. 20CW3) 1. Applicant: MambaOn3 Real Estate LLC ("Applicant"), 9249 South Broadway, Ste. 200-824, Highlands Ranch, CO 80129, nerissa@mambaon3.com, (424) 303-3880. *Direct all pleadings and correspondence to Applicant's attorneys*: Ramsey L. Kropf, Lindsey A. Ratcliff, Somach Simmons & Dunn, P.C., 1155 Canyon Blvd, Suite 110, Boulder, CO 80302. APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE. 2. Name of Structure: Biard Family Spring. 3. Original decree: Case No. 13CW81, entered January 29, 2014, District Court in and for Water Division No. 4 ("Water Court"). 4. Subsequent decree: Case No. 20CW3, entered May 4, 2020, Water Court for finding of reasonable diligence. 5. Decreed location: At a point in the SW1/4 SW1/4 SE1/4 of Section 10, Township 14 South, Range 91 West of the 6th P.M. at a point 578 feet from the South section line and 2163 feet from the East section line; UTM NAD83 Zone 13 coordinates: 4302381m N, 279122m E. See Exhibit A for general location map of the Biard Family Spring. 6. Source: German Creek, tributary to the North Fork of the Gunnison, tributary to the Gunnison River. 7. Appropriation Date: August 30, 2013. 8. Amount: 0.044 cfs (20 gpm), conditional. 9. Use: Irrigation of one acre, stockwater, and wildlife uses. 10. Claim to make conditional water right absolute. By this application, Applicant seeks to make the entire 0.044 cfs (20 gpm) of its conditional water right for the Biard Family Spring

absolute for all decreed purposes. Applicant has diverted from the spring and irrigated one acre. Applicant also collects the spring into a small pond for stockwater and the spring provides water for wildlife uses. See Exhibit B for aerial photo map and Exhibit C for photos of the irrigation, stockwatering, and wildlife uses. Aside from diverting from the spring for these uses, Applicant has been diligent in perfecting the conditional water rights by purchasing the property in December 2025 and hiring water engineering consultants and water lawyers to assess the water rights included in the sale of the property. In doing so, Applicant has incurred engineering consulting expenses totaling approximately \$5,000. 11. Name and address of owner of the land upon which structures are or will be located, upon which water is or will be stored, and upon which water is or will be placed to beneficial use: Applicant. WHEREFORE, Applicant requests that the Court enter a decree finding that: (i) Applicant has made the full 0.044 cfs of the conditional water right described in paragraph 2 absolute and (ii) any such other and further relief as this Court deems just and proper. (3 pages plus 3 exhibits.) The application on file with the Water Court contains an outline of the work performed during the diligence period. **DELTA COUNTY.**

Case No. 26CW3043 (Ref No. 13CW79, 20CW3025) SAN MIGUEL COUNTY.

Application for Finding of Reasonable Diligence. Telluride Pines Homeowners Association, P.O. Box 1071, Telluride, CO 81430 (970) 394-4480; c/o Peter D. Jaacks and April D. Hendricks, Jewell Jimmerson Natural Resources Law, LLC, 333 Perry St. Suite 310, Castle Rock, CO 80104. Name of Structure: Telluride Pines Alder Creek Pump and Pipeline. Description of conditional water right: Original Decree: Case No. 13CW79, District Court, Water Division No. 4; decree entered April 22, 2014. Subsequent decree awarding finding of diligence: Case No. 20CW3025 (Water Division No. 4), entered August 17, 2020. Legal description: At a point within the SE1/4 SE1/4 NW1/4 of Section 19, Township 44 North, Range 10 West, N.M.P.M., as a point 2595 feet from the north section line and 2031 feet from the west section line (Zone 13 Converted, NAD83, Easting 0236005m, Northing 4215744m), as depicted in the map attached to the Application as **Exhibit A**. Source of water: Alder Creek, tributary to Leopard Creek and the San Miguel River. Appropriation date and amount: August 30, 2013, for 0.016 c.f.s. (7 gpm), conditional. Use: Domestic use on 38 lots and fire protection. Applicant maintains a unified water system. Once built and operated, the Telluride Pines Alder Creek Pump and Pipeline will be operated under the Applicant's augmentation plan, as decreed in Case No. 02CW33. Detailed outline of work performed during the previous diligence period: During the diligence period from August 2020 through August 2026, Applicant continued developing its unified water system by using, maintaining, and repairing various system components. These efforts included maintaining and repairing its water treatment facility, drilling a new well, testing and monitoring wells for water quality, evaluating potential new water supply components through engineering analysis, and adjudicating an additional well and supplemental augmentation plan. Applicant has expended approximately \$300,000 on these efforts during the diligence period and continues to make reasonably diligent efforts to incorporate the water right that is the subject of this application into its unified water system. To further explore options for the integration of the Alder Creek Pump and Pipeline into the Applicant's unified system, Applicant retained a water engineering

consultant, SGM, Inc. SGM conducted an evaluation of potential supplemental water supplies for the Applicant's water system, including the subject water right, the TP1 Well, the Alder Creek Well, and existing spring sources. Work completed during the diligence period includes pumping and water-quality testing of the TP1 Well; review of well permits, construction records, source classification requirements, augmentation plan coverage, and water-rights administration associated with Alder Creek and other potential sources; and coordination with regulatory agencies and water-rights counsel regarding permitting and operational pathways. SGM also coordinated and collected water-quality samples from both well sources and Alder Creek to evaluate source viability and treatment considerations. Name and address of owner(s) or reputed owner(s) of land upon which any new diversion structure is or will be constructed: The structure will be constructed on land owned by the Applicant. (3 pages, 1 Exhibit). The application on file with the Water Court contains an outline of the work performed during the diligence period. **SAN MIGUEL COUNTY.**

Case No. 26CW3044 (Ref No. 13CW3021, 20CW3009) DELTA COUNTY. Applicant:

Harris and Sons Stirrup Bar Ranch, LLC, c/o Doug Harris, Manager, P.O. Box 940, Paonia, CO 81428 (David J. Skarka, Camp & Skarka, LLC, 415 Palmer St., Delta, CO 81416; 970-874-9777). APPLICATION TO MAKE ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE. **Name of structure:** Tonya Reservoir No. 2. **Date of original decree:** January 17, 2014, Case No. 2013CW3021, Water Division 4.

Subsequent decree: August 13, 2020, Case No. 2020CW3009, Water Division 4, in which 1.25 acre-feet was made absolute for all decreed uses and 3.75 acre-feet was continued in full force and effect as a conditional water right. **Legal description:** NE1/4 NE1/4 of Section 26, Township 15 South, Range 92 West, 6th P.M., at a point 1,065 feet from the north section line and 475 feet from the east section line; Easting(m) 0270983 and Northing(m) 4289352, Zone 13, NAD83. **Source:** Cottonwood Creek, tributary to the North Fork of the Gunnison River, tributary to the Gunnison River.

Appropriation date: July 29, 2013. **Amount:** 3.75 acre-feet conditional, of 5.0 acre-feet total decreed. **Uses:** supplemental irrigation of 340 acres, domestic use in 17 single-family dwellings, and stockwater. **Outline of what has been done toward completion of the water right:** Applicant acquired Tonya Reservoir No. 2 and the water rights decreed thereto by Deed recorded July 16, 2020 at Reception No. 720265 in the records of the Clerk and Recorder of Delta County, Colorado, and was substituted as the applicant in 2020CW3009 prior to entry of Decree. Throughout the diligence period Applicant has operated and maintained Tonya Reservoir No. 2 and has applied the water stored therein to the decreed beneficial uses. The Reservoir has filled in each year of the diligence period. Water stored in the Reservoir has been used for supplemental irrigation of 200 acres of the 340 decreed acres, for stockwater, and for domestic use in 5 of the 17 decreed single-family dwellings. In October 2024, Applicant purchased a track hoe at a cost of approximately \$29,000, which can be used for further excavating and enlarging Tonya Reservoir No. 2 to its full decreed capacity of 5.0 acre-feet. Applicant maintained the reservoir embankment to mitigate against erosion, and maintained the Reservoir outlet works, including the Agri-Drain outlet structure by which storage levels are regulated and releases are made. Pursuant to C.R.S. § 37-92-301(4)(e), a decreed conditional water storage right shall be made absolute for all

decreed purposes to the extent of the volume of the appropriation that has been captured, possessed, and controlled at the decreed storage structure. Applicant therefore requests that the remaining 3.75 acre-feet conditional water right decreed to Tonya Reservoir No. 2 be made absolute for all decreed purposes, or in such lesser amount as the evidence supports, and that any amount not made absolute be continued in full force and effect upon a finding of reasonable diligence. **Names and addresses of owners of 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:** Applicant. The application on file with the Water Court contains an outline of the work performed during the diligence period. **DELTA COUNTY**

Case No. 26CW3045 (Ref No. 19CW3003, W-3280, 96CW132, 09CW142, 92CW176, 09CW89, 96CW313, 08CW186) - SAN MIGUEL COUNTY, SAN MIGUEL RIVER AND ITS TRIBUTARIES - APPLICATION FOR FINDINGS OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART Town of Telluride, c/o Jennifer M. DiLalla, Molly K. Haug-Rengers, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Blvd., Suite 240, Boulder, Colorado 80302 (303) 443-8782 1. Name, address, and telephone number of Applicant: Town of Telluride ("Telluride"), c/o Kevin Geiger, Town Attorney, P. O. Box 397, Telluride, Colorado 81435 2. Telluride Municipal Water System: 2.1 Original decree: May 13, 1981, in Case No. W-3280 in the District Court in and for Water Division No. 4. 2.2 Subsequent decrees awarding findings of diligence: September 11, 1987, in Case No. 85CW114; July 25, 1990, in Case No. 89CW91; October 6, 2003, in Case No. 96CW132; January 15, 2013, in Case No. 09CW142; and August 3, 2020, in Case No. 19CW3003 ("19CW3003 Decree"); all in the District Court in and for Water Division No. 4. 2.3 Other relevant decree: 2.3.1 The decree entered on November 19, 1990, in Case No. 89CW92 changed the Telluride Municipal Water System to add an alternate point of diversion at the Oak Street Lift Pump, as described in paragraph 2.4.5 below. 2.3.2 The decree entered on December 12, 2002, in Case No. 96CW313 in the District Court in and for Water Division No. 4 ("96CW313 Decree") changed the Telluride Municipal Water System to add alternate points of diversion at Lower Bridal Veil Creek at the Head of Bridal Veil Falls (a/k/a Falls Crest) and at the Bridal Veil Creek Hydroelectric Power Plant Discharge Point, as those points of diversion are described in paragraphs 5.3.1 and 5.3.2 below, subject to the terms and conditions given in paragraph 12 of the 96CW313 Decree. 2.4 Legal description of decreed points of diversion: As described in paragraphs 2.4.1 through 2.4.5 below. The approximate locations of the decreed points of diversion are shown on **Exhibit A**. 2.4.1 Mill Creek Diversion: The point of diversion is located at an existing dam on Mill Creek approximately 7,650 feet upstream of the confluence of Mill Creek and the San Miguel River, said confluence being 1.8 miles down the San Miguel River from the San Miguel County Courthouse in the Town of Telluride ("San Miguel Courthouse"). The point of diversion can also be described as being located in the NW1/4 SE1/4 of Section 26, T43N, R9W of the N.M.P.M. at a point approximately 2,085 feet from the South section line and 1,640 feet from the East section line. 2.4.2 Cornet Creek Diversion: The point of diversion is located at the Stillwell Tunnel mouth, approximately 200 feet east of Cornet Creek and 16,500 feet upstream of the confluence of Cornet Creek and the San Miguel River, said confluence being 1.1 miles down the San Miguel River from

the San Miguel Courthouse. The point of diversion can also be described as being located in the NW1/4 SW1/4 of Section 30, T43N, R8W of the N.M.P.M. at a point approximately 2,132 feet from the South section line and 1,643 feet from the West section line. 2.4.3 Telluride Well TH-1: The point of diversion is a well located approximately 400 feet south of the San Miguel River and 1,200 feet down the San Miguel River from its confluence with Bear Creek, said confluence being 0.74 miles up the San Miguel River from the San Miguel Courthouse, at a point from which Corner No. 2 of No. 2 Placer, Mineral Survey 11207 bears South 8° 28' West a distance of 503 feet. The point of diversion can also be described as being located in the SE1/4 NE1/4 of Section 1, T42N, R9W of the N.M.P.M. at a point approximately 1,235 feet from the North section line and 1,211 feet from the East section line. 2.4.4 Telluride Well TH-2: The point of diversion is a well located approximately 150 feet south of the San Miguel River and 1,200 feet down the San Miguel River from its confluence with Bear Creek, said confluence being 0.74 miles up the San Miguel River from the San Miguel Courthouse, at a point from which Corner No. 2 of No. 2 Placer, Mineral Survey 11207 bears South 9° West a distance of 741 feet. The point of diversion can also be described as being located in the NE1/4 NE1/4 of Section 1, T42N, R9W of the N.M.P.M. at a point approximately 995 feet from the North section line and 1,150 feet from the East section line. 2.4.5 Oak Street Lift Pump: The point of diversion is a weir pipe on the north bank of the San Miguel River between the southern extensions of Aspen Street and Oak Street in Lot 17, Block 13, Town of Telluride, at a point from which the south quarter corner of Section 36, T43N, R9W of the N.M.P.M. bears south 20° 27' 50" west a distance of 847.67 feet, more or less. The point of diversion can also be described as being located in the NE1/4 NW1/4 of Section 1, T42N, R9W of the N.M.P.M. at a point approximately 484 feet from the North section line and 2,971 feet from the East section line. 2.5 Sources: 2.5.1 Mill Creek Diversion: Mill Creek, tributary to the San Miguel River. 2.5.2 Cornet Creek Diversion: Cornet Creek, tributary to the San Miguel River. 2.5.3 Telluride Well TH-1: Underground water tributary to the San Miguel River. 2.5.4 Telluride Well TH-2: Underground water tributary to the San Miguel River. 2.5.5 Oak Street Lift Station: San Miguel River. 2.6 Appropriation date: February 18, 1977. 2.7 Amount: 2.45 cfs, absolute; 3.55 cfs, conditional. The total of 6.0 cfs may be diverted at any one or more of the decreed alternate points of diversion, provided that the total amount of water being diverted at any time does not exceed 6.0 cfs. 2.8 Use: Municipal use, including domestic, irrigation, fire protection, industrial, manufacturing, commercial, recreational, and all other beneficial uses incident to distribution through the Telluride Municipal System. 3. Junior Bridal Veil Water Rights: The water rights described in this paragraph 3 and in paragraph 4 below are referred to collectively as the "Junior Bridal Veil Water Rights." 3.1 Original decree: July 31, 2003, in Case No. 92CW176, in the District Court in and for Water Division No. 4. 3.2 Subsequent decrees awarding findings of diligence: January 17, 2013, in Case No. 09CW89, in the District Court in and for Water Division No. 4; the 19CW3003 Decree. 3.3 Appropriation date: September 18, 1992. 3.4 Comments: Because section lines can only be estimated for the unsurveyed portion of San Miguel County where the Junior Bridal Veil Water Rights are located, the legal descriptions provided in paragraph 4 below are as decreed in Case No. 92CW176; and **Exhibit B** is a map showing the location of the Junior Bridal Veil Water Rights. 4. Description of individual Junior Bridal

Veil Water Rights: 4.1 Blue Lake Reservoir No. 1: 4.1.1 Legal description: The dam outlet structure is located in the NE1/4 of the NE1/4 of Section 20, T42N, R8W of the N.M.P.M., at a point South 34° 45' East, 20,500 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.1.2 Pipelines used to fill reservoir and legal description of points of diversion: 4.1.2.1 Blue Lake Supply Pipeline, Bridal Veil Branch: The point of diversion is located in the SE1/4 of the SW1/4 of Section 20, T42N, R8W of the N.M.P.M., at a point South 22° 30' East, 21,300 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.1.2.2 Blue Lake Supply Pipeline, Mud Lake Branch: The point of diversion is located in the NW1/4 of the SW1/4 of Section 16, T42N, R8W of the N.M.P.M., at a point South 41° 15' East, 19,050 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.1.2.3 Blue Lake Supply Pipeline, Double Eagle Branch: The point of diversion is located in the NW1/4 of the NW1/4 of Section 20, T42N, R8 of the N.M.P.M., at a point South 20° 15' East, 18,000 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.1.3 Source: 4.1.3.1 Natural inflow from the watershed area above Blue Lake Reservoir No. 1, being the headwaters of the East Basin, tributary to Bridal Veil Creek, tributary to the San Miguel River. 4.1.3.2 Bridal Veil Creek, tributary to the San Miguel River, through the Blue Lake Supply Pipeline, Bridal Veil Branch. 4.1.3.3 Mud Lake Creek, tributary to the San Miguel River, through the Blue Lake Supply Pipeline, Mud Lake Branch. 4.1.3.4 An unnamed tributary of Bridal Veil Creek, tributary to the San Miguel River, through the Blue Lake Supply Pipeline, Double Eagle Branch. 4.1.4 Amount: 849 acre-feet absolute and 5,165.5 acre-feet conditional for first fill; 6,014.5 acre-feet conditional for refill. 4.1.5 Diversion rate: 4.1.5.1 Blue Lake Supply Pipeline, Bridal Veil Branch: 12.0 cfs. 4.1.5.2 Blue Lake Supply Pipeline, Mud Lake Branch: 6.0 cfs. 4.1.5.3 Blue Lake Supply Pipeline, Double Eagle Branch: 4.0 cfs. 4.1.6 Use: Augmentation, recreation, fish and wildlife preservation and propagation, hydropower generation, and all municipal purposes, including but not limited to domestic, commercial, irrigation, industrial, snowmaking and all other beneficial uses incident to use by Telluride. 4.1.7 Surface area of high water line: 49.1 acres. 4.1.8 Maximum height of dam: N/A (natural lake). 4.1.9 Maximum length of dam: N/A. 4.1.10 Total capacity: 6,014.5 acre-feet. 4.1.11 Active capacity: 3,900 acre-feet. 4.1.12 Dead storage: 2,114.5 acre-feet. 4.2 Head of Bridal Veil Reservoir (a/k/a Lewis Lake): 4.2.1 Legal description: The dam outlet structure is located in the SE1/4 of the NW1/4 of Section 29, T42N, R8W of the N.M.P.M., at a point South 20° 30' East, 24,400 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.2.2 Source: Natural inflow from the watershed area above the reservoir. 4.2.3 Amount: 175.5 acre-feet, conditional, with the right to refill when in priority. 4.2.4 Use: As described in paragraph 4.1.6 above. 4.2.5 Surface area of high water line: 10.8 acres. 4.2.6 Maximum height of dam: 15 feet. 4.2.7 Maximum length of dam: 165 feet. 4.2.8 Total capacity: 175.5 acre-feet. 4.2.9 Active capacity: 175.5 acre-feet. 4.2.10 Dead storage: 0 acre-feet. 4.3 Silver Lake Reservoir: 4.3.1 Legal description: The dam outlet structure is located in the NW1/4 of the SW1/4 of Section 8, T42N, R8W of the N.M.P.M., at a point South 37° 30' East, 10,950 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.3.2 Source: Natural inflow from the watershed area above the reservoir. 4.3.3 Amount: 233.0 acre-feet, conditional, with the right to refill when in priority. 4.3.4 Use: As described in paragraph 4.1.6 above. 4.3.5 Surface area of high water line: 5.5

acres. 4.3.6 Maximum height of dam: N/A (natural lake). 4.3.7 Maximum length of dam: N/A. 4.3.8 Total capacity: 233 acre-feet. 4.3.9 Active capacity: 16.5 acre-feet. 4.3.10 Dead storage: 216.5 acre-feet. 4.4 Mud Lake Reservoir: 4.4.1 Legal description: The dam outlet structure is located in the NW1/4 of the SW1/4 of Section 16, T42N, R8W of the N.M.P.M., at a point South 41° 15' East, 19,050 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.4.2 Source: Mud Lake Creek and natural inflow from the watershed area above the reservoir. 4.4.3 Amount: 87.0 acre-feet, conditional, with the right to refill when in priority. 4.4.4 Use: As described in paragraph 4.1.6 above. 4.4.5 Surface area of high water line: 5.7 acres. 4.4.6 Maximum height of dam: 15 feet. Mud Lake Reservoir is an existing reservoir with an existing dam, and the height of that dam does not need to be increased to accommodate the conditional storage right claimed herein. 4.4.7 Maximum length of dam: 200 feet. 4.4.8 Total capacity: 87 acre-feet. 4.4.9 Active capacity: 87 acre-feet. 4.4.10 Dead storage: 0 acre-feet. 4.5 Pandora Water Storage Tank Outflow: 4.5.1 Legal description: The point of diversion is located in the SE1/4 of the NE1/4 of Section 8, T42N, R8W of the N.M.P.M., at a point South 73° 30' East, 8,000 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.5.2 Source: Bridal Veil Creek, tributary to the San Miguel River. 4.5.3 Amount: 6.0 cfs, conditional. 4.5.4 Use: As described in paragraph 4.1.6 above. 4.6 Bridal Veil Power Plant Tailrace Diversion: 4.6.1 Legal description: The point of diversion is located in the SW1/4 of the NE1/4 of Section 8, T42N, Range 8 West of the N.M.P.M., at a point South 56° 0' East, 11,900 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.6.2 Source: Bridal Veil Creek, tributary to the San Miguel River. 4.6.3 Amount: 2.9 cfs absolute and 3.1 cfs conditional for hydropower generation; 6.0 cfs conditional for all other uses. 4.6.4 Use: Hydropower generation and all municipal purposes, including but not limited to domestic, commercial, irrigation, industrial, snowmaking, and all other beneficial uses incident to use by Telluride. 4.7 Bridal Veil Pipeline: 4.7.1 Legal description: The point of diversion is located in the SW1/4 of the NE1/4 of Section 8, T42N, R8W of the N.M.P.M., at a point South 55° 30' East, 11,950 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.7.2 Source: Bridal Veil Creek, tributary to the San Miguel River. 4.7.3 Amount: 6.0 cfs, conditional. 4.7.4 Use: As described in paragraph 4.6.4 above. 4.8 Mud Lake Creek Pipeline: 4.8.1 Legal description: The point of diversion is located in the SE1/4 of the NE1/4 of Section 17, T42N, R8W of the N.M.P.M., at a point South 41° 30' East, 16,700 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.8.2 Source: Mud Lake Creek, tributary to Bridal Veil Creek, tributary to the San Miguel River. 4.8.3 Amount: 0.93 cfs absolute; 5.07 cfs, conditional. 4.8.4 Use: As described in paragraph 4.6.4 above. 4.9 Blue Lake Supply Pipeline, Mud Lake Branch: 4.9.1 Legal description: The point of diversion is located in the NW1/4 of the SW1/4 of Section 16, T42N, R8W of the N.M.P.M., at a point South 41° 15' East, 19,050 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.9.2 Source: Mud Lake Creek, tributary to Bridal Veil Creek, tributary to the San Miguel River. 4.9.3 Amount: 6.0 cfs, conditional. 4.9.4 Use: As described in paragraph 4.6.4 above. 4.10 Blue Lake Discharge Pipeline: 4.10.1 Legal description: The point of diversion is located in the NE1/4 of the NE1/4 of Section 20, T42N, R8W of the N.M.P.M., at a point South 34° 30' East, 20,200 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.10.2 Source: Bridal Veil

Creek, tributary to the San Miguel River; Mud Lake Creek, tributary to Bridal Veil Creek, tributary to the San Miguel River; an unnamed tributary of Bridal Veil Creek, tributary to the San Miguel River. 4.10.3 Amount: 12.0 cfs, conditional. 4.10.4 Use: As described in paragraph 4.6.4 above. 4.11 Blue Lake Supply Pipeline, Double Eagle Branch: 4.11.1 Legal description: The point of diversion is located in the NW1/4 of the NW1/4 of Section 20, T42N, R8W of the N.M.P.M., at a point South 20° 15' East, 18,000 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.11.2 Source: An unnamed tributary of Bridal Veil Creek, tributary to the San Miguel River. 4.11.3 Amount: 4.0 cfs, conditional. 4.11.4 Use: As described in paragraph 4.6.4 above. 4.12 Blue Lake Supply Pipeline, Bridal Veil Branch: 4.12.1 Legal description: The point of diversion is located in the SE1/4 of the SW1/4 of Section 20, T42N, R8W of the N.M.P.M., at a point South 22° 30' East, 21,300 feet from the Northwest corner of Section 6, T42N, R8W of the N.M.P.M. 4.12.2 Source: Bridal Veil Creek, tributary to the San Miguel River. 4.12.3 Amount: 8.48 cfs absolute; 3.52 cfs, conditional. 4.12.4 Use: As described in paragraph 4.6.4 above. 5. 96CW313 Exchange: 5.1 Original decree: December 12, 2002, in Case No. 96CW313 in the District Court in and for Water Division No. 4 ("96CW313 Decree"). 5.2 Subsequent decrees awarding findings of diligence: January 15, 2013, in Case No. 08CW186 in the District Court in and for Water Division No. 4; the 19CW3003 Decree. 5.3 Legal description: The downstream terminus of the exchange reach is the confluence of Mill Creek and the San Miguel River, approximately in the SW1/4 NE1/4 of Section 34, T43N, R9W. The upstream termini of the exchange reach are the following intake points ("Exchange-To Points"): 5.3.1 Lower Bridal Veil Creek at the Head of Bridal Veil Falls (a/k/a Falls Crest Diversion): SW1/4 NE1/4 of Section 8, Township 42 North, Range 8 West, N.M.P.M., at a point South 55° 30' East, 11,950 feet from the northwest corner of Section 6, Township 42 North, Range 8 West, N.M.P.M. 5.3.2 Bridal Veil Creek Hydroelectric Power Plant Discharge Point: SW1/4 NE1/4 of Section 8, Township 42 North, Range 8 West, N.M.P.M., at a point bearing South 56° 0' East, 11,900 feet from the northwest corner of Section 6, Township 42 North, Range 8 West, N.M.P.M. The locations of the exchange reach and the Exchange-To Points are shown on **Exhibit C**. 5.4 Sources of substitute supply: The Town's "Municipal Water Rights," as that term is defined in paragraph 8 of the 96CW313 Decree, and as described more fully below: 5.4.1 Cornet Creek Water Right (Priority No. 3): Decreed in Civil Action No. 1621, Montrose County District Court, on October 31, 1911. An alternate point of diversion at Stillwell Tunnel was authorized and decreed in Case No. W-2022 in the District Court in and for Water Division No. 4 on April 18, 1974. Alternate points of diversion at Mill Creek, Bear Creek and Telluride Wells TH-1 and TH-2 were decreed in Case No. W-3281 in the District Court in and for Water Division No. 4 on May 1, 1985. 5.4.1.1 Decreed points of diversion: 5.4.1.1.1 Cornet Creek Original Point of Diversion: A point whence the northeast corner of Township 42 North, Range 9 West of the N.M.P.M., bears South 36°30' East 2,595.42 feet in San Miguel County, Colorado. 5.4.1.1.2 Stillwell Tunnel Diversion: As described in paragraph 2.4.2 above. 5.4.1.1.3 Mill Creek Diversion: As described in paragraph 2.4.1 above. 5.4.1.1.4 Telluride Well TH-1: As described in paragraph 2.4.3 above. 5.4.1.1.5 Telluride Well TH-2: As described in paragraph 2.4.4 above. 5.4.1.2 Source: Cornet Creek, Mill Creek, Bear Creek, and the alluvium of the San Miguel River, all tributary to the San Miguel River. 5.4.1.3 Appropriation Date:

June 15, 1886. 5.4.1.4 Amount: 4.28 cfs. 5.4.1.5 Use: Domestic, fire-fighting, and general municipal purposes. 5.4.2 Cornet Creek Water Right (Priority No. 303): Decreed in Civil Action No. 4641, Montrose County District Court, on November 1, 1939. Alternate points of diversion at Mill Creek, Bear Creek, and Telluride Wells TH-1 and TH-2 were decreed in Case No. W-3281 in the District Court in and for Water Division No. 4 on May 1, 1985. 5.4.2.1 Decreed points of diversion: As described in paragraph 5.4.1.1 above. 5.4.2.2 Source: As described in paragraph 5.4.1.2 above. 5.4.2.3 Appropriation Date: October 22, 1926. 5.4.2.4 Amount: 1.00 cfs. 5.4.2.5 Use: Domestic, irrigation, fire protection and other municipal uses. 5.4.3 Mill Creek Water Right (Priority No. 11): Decreed in Civil Action No. 1621, Montrose County District Court, on October 31, 1911. Alternate points of diversion at the Stillwell Tunnel on Cornet Creek, Bear Creek, and Telluride Wells TH-1 and TH-2 were decreed in Case No. W-3281 in the District Court in and for Water Division No. 4 on May 1, 1985. 5.4.3.1 Decreed points of diversion: 5.4.3.1.1 Stillwell Tunnel Diversion: As described in paragraph 2.4.2 above. 5.4.3.1.2 Mill Creek Diversion: As described in paragraph 2.4.1 above. 5.4.3.1.3 Telluride Well TH-1: As described in paragraph 2.4.3 above. 5.4.3.1.4 Telluride Well TH-2: As described in paragraph 2.4.4 above. 5.4.3.2 Source: Cornet Creek, Mill Creek, Bear Creek, and the alluvium of the San Miguel River, all tributary to the San Miguel River. 5.4.3.3 Appropriation Date: June 1, 1896. 5.4.3.4 Amount: 1.10 cfs. 5.4.3.5 Use: General domestic, fire-fighting, and municipal purposes. 5.4.4 Telluride Municipal Water System: As described in paragraph 2 above. 5.5 Appropriation date: December 10, 1996. 5.6 Amount: 0.6 cfs absolute; 5.4 cfs conditional. Telluride has agreed that it will not operate the 96CW313 Exchange at a rate greater than 3.0 cfs unless it first meets certain conditions specified in the 96CW313 Decree. 5.7 Use: Municipal use, including domestic, irrigation, fire protection, industrial, manufacturing, commercial, recreational, and all other beneficial uses incident to distribution through the Telluride Municipal System. 6. Outline of work and expenditures during the diligence period toward completion of the appropriations and application of water to beneficial use: 6.1 The conditional water rights described in paragraphs 2 through 5 above ("Subject Water Rights") are components of Telluride's integrated water supply system. "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 the water rights for all features of the entire project or system." C.R.S. § 37-92-301(4)(b). 6.2 The diligence period for the Subject Water Rights is August 2020 through August 2026 ("Diligence Period"). During the Diligence Period, Telluride has worked diligently to develop the Subject Water Rights, complete the appropriations, and place the water to beneficial use, as demonstrated by the following representative but non-exhaustive list of activities and expenditures: 6.2.1 Telluride water system: The Subject Water Rights are used within, and dependent upon operation of, Telluride's municipal water system. Telluride is responsible for operation, maintenance, and repair of all water system infrastructure downstream of the so-called "concrete box" at the Bridal Veil Power House ("BVPH") tailrace. During the Diligence Period, Telluride incurred approximately \$2,382,999 in operational and maintenance costs for the Stillwell, Pandora, and Mill Creek water treatment plants, including costs for chemicals, equipment replacements, utilities, supplies, and other non-labor expenditures required to maintain treatment

operations. During the same period, Telluride incurred an additional \$846,512 in costs related to operations, maintenance, emergency repairs, utilities, and associated system needs for the water system, distribution system, water metering, and backflow compliance. Telluride spent \$10,024,290 on capital improvements during the Diligence Period, including the improvements described in paragraph 6.2.2 below as well as a full membrane filtration skid replacement at the Mill Creek Water Treatment Plant, replacement of membrane modules at the Pandora Water Treatment Plant, investigation and partial replacement of high-pressure transmission lines conveying Mill Creek treated water to the Still well tanks, upgrades to the Pandora air compressors, relining of the chemical backwash tanks at Pandora, and ongoing replacement and rehabilitation work throughout the system.

6.2.2 Bridal Veil water system: Telluride and Ildarado Mining Company ("IMC") are co-owners and principal stewards and users of the Bridal Veil basin water system, which includes the infrastructure associated with the Junior Bridal Veil Water Rights described in paragraphs 3 and 4 above. Telluride and IMC operate the Bridal Veil system under a cooperative cost-sharing agreement. Under that agreement during the Diligence period, IMC performed work related to upgrading and repairing pipeline upstream of the BVPH, and Telluride paid approximately \$2 million for that work under the cost-sharing protocol; that \$2 million is part of and not in addition to the capital improvements costs recited in paragraph 6.2.1 above.

6.2.3 Conservation efforts: During the Diligence Period, Telluride continued advancing efforts to conserve, protect, and efficiently manage its municipal water resources. The Town expanded its leak detection capabilities by acquiring a Mueller LeakFinder-ST system and training in-house staff to establish a formal leak detection system; and invested approximately \$341,805 in upgrading water meters; that \$341,805 is part of and not in addition to water system costs recited in paragraph 6.2.1 above. Telluride intends to invest more than \$600,000 over the next several years to complete conversion to Neptune meter technology for improved accuracy and efficiency. Based on the extremely low snowpack during the winter of 2025-2026, Telluride issued an administrative order in April 2026 implementing outdoor watering restrictions in anticipation of reduced summer flows; that order remains in effect. Telluride's continued conservation efforts, operational improvements, and enhanced system monitoring support long-term reliability and efficient use of the municipal water supply of which the Subject Water Rights are a part.

6.2.4 Falls Crest diversion: Telluride is working with design consultants and a contractor to upgrade the Falls Crest diversion box to operate automatically and to ensure continuous compliance with the Town's Comprehensive Settlement Agreement with IMC. The planned improvements will enable a guaranteed bypass of 1 cfs over Bridal Veil Falls at all times while allowing the Town to divert flows only in excess of that rate. The Falls Crest diversion is a component of the 96CW313 Exchange.

7. Claims to make absolute in part:

7.1 Telluride Municipal Water System:

7.1.1 Date water diverted in priority and placed to beneficial use: June 22, 2022, at the Falls Crest alternate point of diversion.

7.1.2 Amount: 2.68 cfs, which is 0.23 cfs above the flow rate previously made absolute.

7.1.3 Use: All municipal purposes, as described in paragraph 2.8 above.

7.1.4 Evidence that water was diverted in priority and placed to beneficial use: Telluride's daily water rights accounting model, as summarized in **Exhibit D**. As shown in Division of Water Resources records, the Telluride Municipal Water System was in priority on June 22, 2022.

7.1.5 Description of

place of beneficial use: Town of Telluride service area, as shown on **Exhibit E**. 7.2 96CW313 Exchange: 7.2.1 Date water diverted in priority and placed to beneficial use: March 13, 2024, at the Bridal Veil Creek Hydroelectric Power Plant Discharge Point. 7.2.2 Amount: 0.95 cfs, which is 0.35 cfs above the flow rate previously made absolute. 7.2.3 Use: Municipal use, as described in paragraph 5.7 above. 7.2.4 Evidence that water was diverted in priority and placed to beneficial use: Telluride's daily water rights accounting model, as summarized on **Exhibit D**. Water diverted by exchange at the Bridal Veil Creek Hydroelectric Power Plant Discharge Point was delivered to the Pandora Water Treatment Plant and then into Telluride's municipal system. The decreed source of substitute supply was the Telluride Municipal Water System water right. As shown in Division of Water Resources records, the 96CW313 exchange was in priority on March 13, 2024. 7.2.5 Description of place of beneficial use: Telluride's service area, as shown on **Exhibit E**. 8.0 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: The storage structures described in paragraphs 3 and 4 above are located on land owned by Idarado Mining Company, 6900 E. Layton Avenue, Suite 700, Denver, Colorado, 80237; or the United States Forest Service, 2250 South Main Street, Delta, Colorado, 81416-8723. WHEREFORE, the Town of Telluride requests that the Court enter a decree (i) granting this Application; (ii) finding that Telluride has exercised reasonable diligence in developing the Subject Water Rights during the Diligence Period; (iii) making the Subject Water Rights partially absolute as described in paragraph 7 above; and (iv) continuing those portions of the Subject Water Rights that remain conditional in full force and effect for six years from the month in which a final decree is entered in this case. The application on file with the Water Court contains an outline of the work performed during the diligence period. **SAN MIGUEL COUNTY**

Case No. 26CW3046 (Ref No. 89CW219, 97CW133, 04CW050, 11CW78, 18CW3013). GUNNISON COUNTY Application for Findings of Reasonable Diligence and to Make Certain Conditional Water Rights Partially Absolute. Applicant: Trappers Crossing at Crested Butte Association, Inc., c/o Mark E. Hamilton, Esq. and William H. Caile, Esq., Holland & Hart LLP, 600 E. Main St., Suite 104, Aspen, CO 81611, (970) 925-3476, mehamilton@hollandhart.com, whcaile@hollandhart.com. Names of structures: Trapper Spring Nos. 1-8. Description of conditional water rights: Original decree information: Case No.: 89CW219. Date: 8/8/1991. Court: District Court, Water Division 4. Subsequent decrees: 97CW133, 04CW50, 11CW78, and 18CW3013. Locations: (1) *Trapper Spring No. 1:* SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 3, T. 14 S., R. 86 W., 6th P.M., whence the NW corner of said Sec. 3 bears N. 13°30'W. a distance of 2060 ft.; (2) *Trapper Spring No. 2:* SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3, T. 14 S., R. 86 W., 6th P.M., whence the NW corner of said Sec. 3 bears N. 16°30' W. a distance of 2290 ft.; (3) *Trapper Spring No. 3:* NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T. 14 S., R. 86 W., 6th P.M., whence the NW corner of said Sec. 3 bears N. 23°0' W. a distance of 2820 ft.; (4) *Trapper Spring No. 4:* SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T. 13 S., R. 86 W., 6th P.M., whence the NE corner of said Sec. 33 bears N. 10°30' a distance of 2270 ft.; (5) *Trapper Spring No. 5:* SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T. 13 S., R. 86 W., 6th P.M., whence the NE corner of said Sec. 33 bears N. 16°30' E. a distance of 2120 ft.; (6) *Trapper Spring No. 6:* NW $\frac{1}{4}$

NE¼ Sec. 4, T. 14 S., R. 86 W., 6th P.M., whence the NE corner of said Sec. 4 bears N. 89°0' E. a distance of 2500 ft.; (7) *Trapper Spring No. 7*: NE¼ NW¼ Sec. 4, T. 14 S., R. 86 W., 6th P.M., whence the NE corner of said Sec. 4 bears N. 89°0' E. a distance of 2910 ft.; (8) *Trappers Spring No. 8*: NE¼ NW¼ Sec. 4, T. 14 S., R. 86 W., 6th P.M., whence the NE corner of said Sec. 4 bears N. 89°0' E. a distance of 3050 ft. Amounts: (1) *Trapper Spring No. 1*: 0.022 c.f.s. (10 g.p.m.), conditional; (2) *Trapper Spring No. 2*: 0.022 c.f.s. (10 g.p.m.), conditional; (3) *Trapper Spring No. 3*: 0.022 c.f.s. (10 g.p.m.), conditional; (4) *Trapper Spring No. 4*: 0.067 c.f.s. (30 g.p.m.), conditional; (5) *Trapper Spring No. 5*: 0.44 c.f.s. (200 g.p.m.), conditional; (6) *Trapper Spring No. 6*: 0.022 c.f.s. (10 g.p.m.), conditional; (7) *Trapper Spring No. 7*: 0.067 c.f.s. (30 g.p.m.), conditional; (8) *Trapper Spring No. 8*: 0.067 c.f.s. (30 g.p.m.), conditional. Source: Coal Creek (Trapper Spring Nos. 1, 2, 3, 6, 7, and 8) and the Slate River (Trapper Spring Nos. 4 and 5), tributary to the East River, which is tributary to the Gunnison River. Uses: domestic, irrigation. Approp. date: September 9, 1989. The Application requests findings of reasonable diligence as to all decreed amounts and uses for these structures. A detailed outline of activity during the diligence period is included in the Application. Claims to Make Partially Absolute: (A) *Trapper Spring No. 5*: Commencing no later than June 1, 2021, the owners of Trappers Crossing at Crested Butte Lot 2 have diverted and put to beneficial use up to 0.09 c.f.s.(40 g.p.m.) of water from Trapper Spring No. 5 for domestic and irrigation purposes. Applicant accordingly seeks confirmation that 0.09 c.f.s. (40 g.p.m) has been made absolute for all decreed purposes and that. The remaining 160 g.p.m. decreed to this structure be continued conditional for all decreed uses. (B) *Trapper Spring No. 8*: Commencing no later than July 1, 2020, the owners of Trappers Crossing at Crested Butte Lot 15 have diverted and put to beneficial use up to 0.067 c.f.s. (30 g.p.m.) of water from Trapper Spring No. 8 for irrigation purposes. Applicant accordingly seeks confirmation that 0.67 c.f.s. (30 g.p.m) has been made absolute for irrigation purposes, and that this structure be continued conditional for all other decreed amounts and uses. Land Ownership: (A) *Trapper Spring Nos. 1 & 2*: Lot 1, Trappers Crossing South, which is owned by Taps LLC, 4016 Shannon Ln, Dallas, TX 75205-1737; (B) *Trapper Spring No. 3*: Lot 2, Trappers Crossing South, which is owned by Walter James Truettner III & Kendyl T. Butler-Truettner, P.O. Box 247 Crested Butte, CO 81224-0247; (C) *Trapper Spring Nos. 4 & 5*: Lot 2, Trappers Crossing at Crested Butte, which is owned by James H. and Aileen P. Utley, P.O. Box 3865, Crested Butte, CO 81224-3865; (D) *Trapper Spring No. 6*: Lot 13, Trappers Crossing at Crested Butte, which is owned by Susan B. Jones GST Trust, Susan B. Jones Trustee, and Samuel A. Jones, 9870 Gaylord Dr., Apt. 704, Houston, TX 77024-2669; (E) *Trapper Spring Nos. 7 & 8*: Lot 15, Trappers Crossing at Crested Butte, which is owned by Willam F. & Marcia A. Stamm, P.O. Box 1203, Crested Butte, CO 81224-1203. (7 pages) The application on file with the Water Court contains an outline of the work performed during the diligence period.

GUNNISON COUNTY

YOU ARE FURTHER 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 a Statement of Opposition must also be served upon

the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at [Division 4 | Colorado Judicial Branch](#) This publication can be viewed in its entirety on the state court website at: [Division 4 | Colorado Judicial Branch](#).) JODI HANSON, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401