

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 April 2022, for each county affected.

22CW3017 Application for a Simple Change in a Surface Point of Diversion for Naranjo Ditch and Stropel Ditch, La Plata County. **1.** Applicant: Jessica Long and Richard Steuck, c/o Kimberly C. Perdue, Southwest Water and Property Law LLC, 10 Town Plaza, No. 422, Durango, CO 81301, (970) 422-5510, kperdue@swpropertylaw.com. **2.** Structures: **A. Naranjo Ditch**. i. Loc: At point whence the NW corner of the N W/4 SW/4 of Sec 15 T34N R12W NMPM, bears south 61° W 965 ft; ii. Source: Hay Gulch, tributary to the La Plata River; iii. Appropriation date: June 10, 1899; iv. Amt: 1.33 c.f.s., Absolute (with 0.5 c.f.s held by Applicants); v. Use: Irrigation. **B. Strobel Ditch**. i. Loc: At a point in the NW/4 NW/4 SE/4 of Sec15, T34N, R12W, NMPM, being 2410 feet from the S section line and 2485 feet from the E section line of said Sec 15. ii. Source: Rattlesnake Draw, tributary to Hay Gulch, tributary to the La Plata River. iii. Appropriation date: February 9, 2007. iv. Amt: 0.5 c.f.s Conditional. v. Use: Irrigation and livestock watering. **3A. Naranjo Ditch**. Applicants seek to relocate the point of diversion within their property boundaries to UTM coordinates: 753780.28mE 4119841.53mN Zone 12. **3B. Strobel Ditch**. Applicants seek to relocate the point of diversion within their property boundaries to UTM coordinates: 754096.50mE, 4119796.433mN Zone 12S. **4.** Applicant is the owner of the land upon which all structures applied for herein are located. (12 pages including exhibits)

22CW3018 APPLICATION FOR WATER RIGHTS AND FOR APPROVAL OF PLAN FOR AUGMENTATION, Applicants, Rebecca Schwartz and Kevin Padrez, 205 Highland Avenue, Newton, MA 02465, c/o Nancy Agro, 128 Riverview Drive, Durango, CO 81301, (970) 749-8621, nancy@nancyagro.com; Groundwater rights: Schwartz-Padrez Well, Legal Description: 372 Feet from the South Section Line, 2,419 feet from the West Section Line of the SE/4 SW/4 Section 36, Township 36 North, Range 8 West NMPM, UTM Coordinates Zone 13, NAD 83: X 261098 Y 4135924, Source: groundwater tributary to Florida River Basin, Date of appropriation: October 1, 1979, first beneficial use; Amount claimed: 15 gpm, Absolute, Uses: Domestic for a main residence and guest house, Livestock, Landscaping (4000 square feet), and Greenhouse, Legal description of irrigated acreage: Landscaped area located on Sweetwater Springs Lot 6A, Category 1, Project 84-33, 818 C.R. 245, Durango, CO 81303; Storage Water Right: Schwartz-Padrez Pond I, Legal Description of Structure and Point of Diversion: 30 Feet from the South Section Line, 2,150 feet from the West Section Line of the SE/4 SW/4 Section 36, Township 36 North, Range 8 West NMPM, UTM Coordinates Zone 13, NAD 83: X 261015 Y 4135821; Source: Unnamed tributary to the Florida River and the Schwartz-Padrez Well, Date of Appropriation: December 13, 2021, by FWCD approval of a reservation agreement for augmentation water; Amount: 0.40 acre feet, Uses: Livestock, Recreation, Piscatorial, Landscaping and Greenhouse; Surface Area: 0.07 acres, vertical dam height: 8.7 feet, horizontal dam length 67 feet; Total capacity of reservoir: 0.40 acre feet; Plan of Augmentation: Structures to be augmented: Schwartz-Padrez Well, Ponds I, II, and III; This augmentation plan is intended to provide for the out of priority depletions caused by the diversions made for domestic and landscaping use; Depletions: In-house use would use up to 350 gallons per day for the main residence, and 270 gallons per day for the guest home, for a diversion amount of 0.695 Acre Feet (AF) per year. Return flows from septic are assumed at 85%. Livestock watering for up to four head will total 0.067 acre feet per year. Landscaping use will divert up to 0.222 AF annually with irrigation efficiency assumed as 80%. The greenhouse diverts up to 0.068 AF per year. Pond evaporation totals 0.567 AF for three ponds. Total lagged depletions to be augmented for these uses are 0.98 AF per year. Additional stream

loss of 0.625% per mile from Lemon Dam for four miles is 0.02 AF per year. The total depletion will not exceed 1.0 AF per year. Water demand may vary as between uses so long as the total depletions for those uses, using the assumption set forth herein do not exceed 1.0 AF per year; Source of Water for Augmentation: 1 AF of water stored in Lemon Reservoir pursuant to a water service contract with the Florida Water Conservancy District. The water rights decreed to the Florida Water Conservancy District for use in plans of augmentation is Case Numbers W 1689 77 through W 1695 77 as amended in 1994 for use of 114 acre feet of storage water to be used for augmentation. Legal description: The axis of the dam is located in Section 17 and 20, Township 36 North, Range 7 West, N.M.P.M. beginning at a point on the right abutment, from whence the Southwest corner of Section 17, Township 36 North, Range 7 West, N.M.P.M., bears South 84° 34' West, a distance of 1,699.6 feet, thence South 63° 22' East a distance of 1,320 feet to a point on the end of the axis of the dam and rock fill structure. (7 pages including exhibits)

22CW3019 La Plata County, Application for a Finding of Reasonable Diligence. Applicant, Catherine Conrad, 1107 CR 505, Bayfield, CO 81122. Please direct all correspondence to Amy N. Huff, Colorado Water & Land Law, LLC, 679 E. 2nd Ave, Ste 11B, Durango, CO 81301 (970) 403-1770, amy@waterland-law.com. Structure: SULLIVAN DITCH – CONRAD ENLARGEMENT. Date of Original Decree: 11/19/2008, Case No.07CW84. Description: SW¼NE¼SW¼ of §14, T35N, R7W, NMPM, La Plata County, Colorado, 1558 feet from the South Section line and 1819 feet from the West section line of said Section 14. GPS, zone 13, N4131151 E268827. Source: Pine River. App Date: 04/12/2002. Amt: 1.25 c.f.s., Conditional. Uses: Irrigation of up to 100 acres located in the S¾SW¼ of §23, T35N, R7W, NMPM, stock watering, and filling ponds. Structure: CONRAD POND. Date of Original Decree: 11/19/2008, Case No.07CW84. Description: S½ SW¼ of § 23, T35N, R7W, NMPM. Source: Pine River. The Conrad Pond will be filled by SULLIVAN DITCH- CONRAD ENLARGEMENT. App Date: 04/12/2002. Amt: 5 acre-feet, Conditional. Uses Irrigation of the One Hundred Acres and stock watering and storage for said uses. Description of what has been done toward completion of the appropriation: Applicant has continued to pay assessments to the Sullivan Ditch even though she is not yet taking any water in order to maintain her carriage contract so that she will be able to complete the appropriations for the foregoing water rights as soon as practical. Landowners: Applicant Remarks: Additional details about Applicant's activities and expenditures during the last diligence period will be provided upon request. See application for maps. (8 pages including exhibits)

THE WATER RIGHTS CLAIMED BY THE FOREGOING APPLICATION(S) MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT AND PROTEST WITHIN THE TIME PROVIDED BY STATUTE, OR BE FOREVER BARRED.

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of June 2022, 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.courts.state.co.us; Stephanie Dinnocenzo, Water Court Specialist, 1060 E. 2nd Ave., Room 106, Durango, CO 81301; 970-247-2304)

Published: before May 31, 2022

/s/Stephanie Dinnocenzo
Water Court Specialist