

DISTRICT COURT, WATER DIVISION 7, COLORADO

WATER RESUME

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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 January 2021, for each county affected.

**21CW1** Roger Candelaria, PO Box 1277, Ignacio, CO 81137: **Ranchito Alegre Ditch**; Piedra River; Archuleta County; SW1/4SE1/4, Section 24, T34N, R5W, NMPM; Easting 292260.9, Northing 4116360.1; 362 feet from South, 1560 feet from East; Piedra River; Date of appropriation, 6/1/18; Appropriation was initiated by installation of headgate, concrete abutment, ditch and pipe on west bank of river and diverted and applied water; Date water applied to beneficial use, on or about 6/1/18; Absolute 3 cfs; Renewable energy and aquaculture; Number of acres historically irrigated, 0.5; Proposed to be irrigated, 52.98; S1/2SW1/4SE1/4, Section 24, T34U, R5W, NMPM and NW1/4NE1/4; W1/2SW1/4NE1/4, Section 25, T34U, R5W, NMPM. Application for Absolute Water Rights (Surface) (8 pages including exhibits)

**21CW3** Philip M. Bennett, 1931 Oakland Ave., Sun Prairie, WI 53590: **Burrows Creek Diversion**; San Juan County; Date of original decree, 12/5/01; Case no., 01CW3; Subsequent decrees, 8/26/08, 07CW69, 2/19/15, 14CW25; SE1/4NE1/4NW1/4, Section 36, T43N, R7W, NMPM; 782 feet from North, 1924 feet from West; Burrows Creek; Appropriation date, 9/21/00; 1 cfs; Irrigation of tree plantings, reclamation and irrigation of wetlands that serve as the headwaters filtering area for the Animas River; Date water applied to beneficial use, 6/1988; 1 cfs; Diversion for reforestation, reclamation and wetlands; Work towards completion of project outlined in application. Application to Make Absolute in Whole or in Part (9 pages including exhibits)

**21CW4** Daniel J. Ziesmer, 308 W. Ute St., Farmington, NM 87401: **Sandusky Millsite**; Animas River; San Juan County; Date of original decree, 1/29/15; Case no., 14CW31; NW1/4SE1/4, Section 7, T42N, R6W, NMPM; 1745 feet from South, 1738 feet from East; Picayune Gulch, tributary to Animas River; Appropriation date, 9/12/14; 0.033 cfs Conditional; Domestic use in up to 3 homes, irrigation of up to one acre of lawns and gardens and domestic animal watering; Work towards completion of project outlined in application. Application for Finding of Reasonable Diligence (10 pages including exhibits)

**21CW3002 CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES OF AMERICA IN THE SAN JUAN RIVER OR ITS TRIBUTARIES IN MONTEZUMA COUNTY, APPLICATION FOR CHANGE OF WATER RIGHT.** 1. Name, address, telephone number of Applicant: United States of America, Bureau of Reclamation, Western Colorado Area Office, 185 Suttle Street, Suite 2, Durango, CO 81303, (970) 385-6500, by its attorney, David W. Gehlert, US Department of Justice, Natural Resource Section, 999 18<sup>th</sup> St., South Terrace, Ste. 370, Denver, CO 80202, (303) 844-1386 2. Decreed water right for which change is sought: A. Name of Structure: Earl Hart Ditch. B. Date of original and all relevant subsequent Decrees: November 5, 1984. Case No.: 84CW0166. Court: District Court, Water Division 7, State of Colorado. C. Legal description of structure as described in most recent Decree that adjudicated the location: Located whence the NW corner of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 16, T36N, R15W, N.M.P.M. bears N 55 degrees 44' W, 1,475.3 ft. D. Decreed source of water: Simon Draw, McElmo Creek. E. Appropriation Date: November 24, 1946. F. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs): 2.0 cfs (1.5 cfs Applicant's) absolute. G. Decreed use or uses: Irrigation of 60 acres of land in the N $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 21, T36N, R15W, N.M.P.M. H. Amount of

water that Applicant intends to change: 1.0 cfs absolute. 3. Complete description of proposed change: A. Complete statement of change, including a description of all water rights to be changed, a USGS topographic map showing the approximate location of historical use of the rights and proposed place of use, and records or summaries of records of actual diversions of each right the Applicant intends to rely on to the extent such records exist. WHEREAS the original Decree (Case No. 84CW0166) granted 2.0 cfs at the above-described diversion for irrigation use in the N½ of the SW¼ of Section 21, T36N, R15W, N.M.P.M., and WHEREAS Change of Water Right (Case No. 01CW0056) transferred 0.35 cfs to the Kimmel Pump diversion location and abandoned 0.15 cfs to the stream pursuant to the Division Engineer's Abandonment List of 2000, and WHEREAS March 20, 2002 Division Engineer correspondence in Case No. 01CW0056 documents the United States Bureau of Reclamation ("USBR") development of a diversion point near the Kimmel Pump in connection with their proposed change of water right application as yet to be filed (this application), and WHEREAS November 21, 2001 Division Engineer correspondence documents the agreed abandonment of 0.65 cfs of the total 2.0 cfs decreed water right, leaving 1.0 cfs claimed by the USBR and 0.35 cfs claimed by the Kimmels; NOW THEREFORE the USBR seeks to move 1.0 cfs from the decreed point of diversion in Section 16 to the previously developed diversion point at UTM coordinates Easting 189011.8, Northing 4140947.5, Zone 13, near the Kimmel Pump and an existing USBR Dolores Project structure known as the Towoac Canal Siphon 2 Blowoff Structure, from whence: the NW corner of the NE¼ of the SW¼ of Section 21, T36N, R15W, N.M.P.M. bears North 71 degrees 50.9 minutes West a distance of 476.6 feet, Simon Draw, McElmo Creek, the SW corner of said Section 21 being approximately 2420.5 feet South and 1789.9 feet West. The new diversion point is near the Kimmel Pump and an existing USBR Dolores Project structure known as the Towoac Canal Siphon 2 Blowoff Structure. IN ADDITION, the USBR seeks to change the diversion point structure name from the Earl Hart Ditch to the Simon Wetlands. IN ADDITION, the USBR seeks to change the use from irrigation to irrigation of wetland vegetation. The source of location information is based on the Colorado Decision Support System ("CDSS") Map Viewer, Location Converter, and sighting from section lines and BLM Public Land Survey System ("PLSS") monuments. The presumed accuracy is within 10 feet. The USBR has a perpetual easement on property currently owned by Christopher J. Todacheeny and Jenny L. Todacheeny at the proposed diversion location and owns the land to be irrigated. The irrigated lands have historically been used to produce mixed grass hay and/or grass pasture. The USBR constructed approximately 80 acres of wetland area in 1999. A pump will be placed into the existing diversion structure at the above-described location, and the 1.0 cfs will be placed to beneficial use to irrigate approximately 80 acres of wetland vegetation in the NW¼ of the SW¼ of Section 21 and the NE¼ of the SE¼ of Section 20, T36N, R15W, N.M.P.M. via pumping directly into an existing underground pipeline. Attached hereto are the following exhibits in support of this Application: 1. Exhibit A: Diagrams depicting existing and proposed diversion locations. 2. Exhibit B: Diagram of Dolores Project Wetlands, Simon Draw site. 3. Exhibit C: November 21, 2001 letter from Water Division 7 Engineer Kenneth A. Beegles to USBR. 4. Exhibit D: Document summarizing historic consumptive use at the Earl Hart Ditch. 5. Exhibit E: Chart titled "Consumptive Use of Irrigated Pasture in Totten Reservoir Area (af/ac) (1)." B. If Applicant is correcting the location of a well in an existing decree where the actual location of the well is more than 200 feet from the decreed location, or drilling a replacement well more than 200 feet from the decreed location, provide legal description of decreed location in paragraph 2.C. above. Provide actual or new location of well: Applicant is not correcting the location of a well. C. If a change in point of diversion, provide legal descriptions of decreed location and actual or new location of structure: **Location information in UTM format: EXISTING LOCATION: UTM coordinates;** Northing 4142359.1 Easting 189296.9; **Zone 12; x Zone 13;** Street Address: ;Subdivision: ;Lot ;Block ;Source of UTM's (for example, hand-held Garmin GPS): ;CDSS location converter using documented PLSS monument coordinates and sighting from section lines. Accuracy of location displayed on GPS device (for example, accurate to within 200 feet): n/a. **Legal Description using the Public Land Survey System: Legal Description:** Montezuma County NE ¼ of the SW ¼ Section 16 Township 36N Range 15W; Principal Meridian New Mexico; Distance from section lines (not from property lines) 3,429.1 Feet from **N** and 2,548.6 Feet from **W**; Source of PLSS information: BLM PLSS; Street Address: ;Subdivision: ;Lot ;Block . **CHANGED LOCATION: UTM coordinates** Northing

4140947.5 Easting 189011.8; **Zone 12**; x **Zone 13**; Street Address: ; Subdivision: ; Lot ; Block .Source of UTM's (for example, hand-held Garmin GPS): CDSS location converter using documented PLSS monument coordinates and sighting from section lines. Accuracy of location displayed on GPS device (for example, accurate to within 200 feet): . **Legal Description using the Public Land Survey System: Legal Description:** Montezuma County NE ¼ of the SW ¼ Section 21 Township 36N Range 15W; Principal Meridian New Mexico; Distance from section lines (not from property lines) 2,420.5 Feet from **S** and 1,789.9 Feet from **W**; Source of PLSS information: BLM PLSS; Street Address: ; Subdivision: ; Lot Block . 4. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. The applicant must notify these persons that the applicant is applying for this water right, and certify to the Court that the applicant has done so. **Name of Owner Mailing Address** Christopher J. Todacheeny Jenny L. Todacheeny 10286 Road 29 Cortez, CO 81321. (15 pages including exhibits)

**21CW3003** District Court, Water Division No. 7, La Plata County, Colorado, 1060 E. 2<sup>nd</sup> Ave, Durango, CO 81301, 970-247-2304. CONCERNING THE APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN WHOLE OR IN PART OF TIERRA HERMOSA LLC, in the Animas River or its tributaries in La Plata County. Applicant: TIERRA HERMOSA LLC, 1500 CR 200, Durango, CO 81302. Name of Structure: Tierra Hermosa Orchard Diversion and Pasture (ditch/creek) Date of Original Decree: March 21, 1966 Case No. B1751, La Plata County District Court Subsequent decrees: October 30, 1979, Case No. BW1896; March 12, 2008, Case No. 04CW34; February 27, 2015, Case No. 14CW3006, La Plata County District Court, Water Division No. 7 Legal description: **Tierra Hermosa Orchard Diversion:** NW1/4SW1/4 of Section 6, Township 37 North, Range 8 West, N.M.P.M., at a point 1630 feet from the South section line and 390 feet from the West section line. 0.23 c.f.s. has been made Absolute to irrigate 6.18 acres from the original Decree entered on February 27, 2015, and 0.02 c.f.s. shall be made Absolute to irrigate 0.52 acres, as shown on Exhibit A to the Application. This structure is Absolute for the Orchard Diversion, and the Orchard Diversion Alternate Points #1 and #2, described as follows: **Tierra Hermosa Orchard Diversion Alternate Point #1:** NW1/4SW1/4 of Section 6, Township 37 North, Range 8 West, N.M.P.M., at a point 1390 feet from the South section line and 390 feet from the West section line. **Tierra Hermosa Orchard Diversion Alternate Point #2:** SW1/4SW1/4 of Section 6, Township 37 North, Range 8 West, N.M.P.M., at a point 1059 feet from the South section line and 383 feet from the West section line. **Tierra Hermosa Pasture Diversion:** NW1/4NW1/4 of Section 7, Township 37 North, Range 8 West, N.M.P.M., at a point 200 feet from the North section line and 620 feet from the West section line. 0.16 c.f.s. has been made Absolute to irrigate 6.47 acres from the original Decree as referenced in the preceding paragraph, and 0.04 c.f.s. shall be made Absolute due to the installation of larger pumps used during the diligence period, which acreage is shown on Exhibit B to the Application. This structure is Absolute for the Pasture Diversion, and the Pasture Diversion Alternate Point #1, described as follows: **Tierra Hermosa Pasture Diversion Alternate Point #1:** NW1/4NW1/4 of Section 7, Township 37 North, Range 8 West, N.M.P.M., at a point 540feet from the North section line and 310 feet from the West section line..Source of water: Cascade Reservoir, Cascade Creek, Little Cascade Creek and Elbert Creek, tributary to the Animas River. Appropriation Date: October 2, 1902, March 10, 1978 & May 25, 2004 Amount: 1.8 acre feet Absolute, 770 c.f.s. Amount to be included in this plan for augmentation: 15 acre feet Use: Power, domestic and other beneficial purposes for which power is not a consumptive use, irrigation, industrial, thermal electric power, hydroelectric and other beneficial uses. Statement of Plan of Augmentation is set forth in the original Decree and is adopted in its entirety and restated herein as follows: Applicant has used pumps placed directly in Elbert Creek to divert water for irrigation of the acreage described above. Pumps are equipped with totalizing flow meters, which have recorded the total diversions. Applicant has kept records and made reports as required by the Division Engineer. Use of the out-of-priority water has only been used between June 1 and September 30, replaced by the water release from Cascade Reservoir pursuant to the contract with Public Service Company of Colorado, dba Excel Energy, Inc., a copy of which is attached as Exhibit C to the Application. Releases

have been in accordance with the monthly schedule. Total annual amount of release from the Cascade Reservoir shall be 12 acre feet, however, the allowable diversions for irrigation use shall not exceed 9 acre feet per year, to account for the conveyance losses from Cascade Reservoir to the diversion points. Provided, however, if the Division Engineer determines that the conveyance losses from Cascade Reservoir to the point of diversion are greater than 25% of the water released from Cascade Reservoir during any pertinent time period hereunder, the out-of-priority diversions for irrigation shall be reduced as determined by the Division Engineer. The rate of diversion at the two points of diversion, and the alternates, shall not exceed 0.45 c.f.s. Domestic use will be provided through a pump from Elbert Creek. Totalizing flow meters will be installed on said pump, Applicant shall supply meter reading records and summaries of annual diversions and depletions under this Decree to the Division Engineer by November 1st of each year for the immediately preceding call period of May through October of each year. The approximate amount expended for the period succeeding the application toward making the water rights absolute is \$62,615. Date water applied to beneficial use: April 2018 to Present Amount: 12.5 acre feet Use: Irrigation of orchard and pasture. Exhibits A&B to the Application depict where the water is applied to beneficial use. Attorney for Applicants: Frank J. Anesi, Reg. 1365, 835 E 2<sup>nd</sup> Ave, #220, Durango, CO 81301, 970-247-9246 (17 pages including exhibits)

**21CW3004** District Court, Water Division 7, La Plata County, Colorado, 1060 E. 2<sup>nd</sup> Ave, Durango, CO 81301, 970-247-2304, CONCERNING THE APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN WHOLE OR IN PART OF DAN HOPPER AND KAREN HOPPER, in the Animas River or its tributaries, in La Plata County. Applicants: DAN HOPPER and KAREN HOPPER, P.O. Box 3188, Durango, CO 81302, 970-749-5116. **KOI DRAINAGE DITCH:** Name of structure: Koi Drainage Ditch Date of Original Decree: July 31, 2008 Case No. 06CW80 Court: La Plata County District Court. Subsequent decree: Date of Decree: January 12, 2015 Case No. 14CW3022 Court: La Plata County District Court. Legal description: SW1/4, SW1/4, NE1/4, Sec. 31, Twp. 37 N, Rng. 8 W, N.M.P.M., 2570 feet from the North section line and 2598 feet from the East section line, Easting 13S 253122, Northing 4146268. Source of water: Return flow from irrigation and natural runoff from property to the north; Appropriation Date: November 16, 2000 Amount: 1 c.f.s. conditional; Uses associated with watering of plants, landscaping, and water features. Continuous filling and replacement of evaporation from Middle Koi pond for commercial, recreation and piscatorial. Since the last Decree, the Applicants have expended approximately \$6,130 including engineering fees, attorney fees and costs to sustain the conditional right. Date water applied to beneficial use: June 1, 1977 Amount: 0.2 cfs (90 gpm); 0.8 cfs to remain conditional Use: The water is obtained from a 5 hp pump from the Koi Drainage Ditch which the Applicants have been doing for the last 40 years following the purchase of the property. That includes the watering of plants, landscaping and water features; continuous filling and replacement of evaporation from Middle Koi Pond for recreational and piscatorial; irrigation of approximately 15 acres owned by the Applicants and Mountain Jay Properties, LLC. Request is made that 0.2 cfs (90 gpm) be made Absolute and Conditional status be maintained on the remaining 0.8 cfs for the continuous filling and replacement of evaporation for Middle Koi Pond. **NORTHEAST WELL:** Name of structure: Northeast Well; Date of Original Decree: July 31, 2008; Case No. 06CW80; La Plata County District Court; Date of Decree: January 12, 2015; Case No. 14CW3022; La Plata County District Court; Legal description: NE1/4, SW1/4, NE 1/4, Sec. 31, Twp. 37 N, Rng. 8 W, N.M.P.M., 1674 feet from the North section line and 1486 feet from the East section line, Easting 13S 253470, Northing 4146529; Source of water: Groundwater, tributary to the Animas River; Appropriation Date: November 16, 2000; Amount: 0.033 c.f.s. conditional; Use: Conditional purposes: Commercial, domestic, watering of plants, landscaping, and water features; Depth: 192 feet; Well Permit No. 182743 for 15 g.p.m. See Exhibit "B-1" attached to the Application; Since the last Decree, the Applicants have expended approximately \$1,500 including engineering fees, attorney fees and costs to sustain the conditional right. **NORTHWEST WELL:** Name of structure: Northwest Well Date of Original Decree: July 31, 2008; Case No. 06CW80; Court: La Plata County District Court. Subsequent decree: Date of Decree: January 12, 2015; Case No. 14CW3022; La Plata County District Court. Legal description: NW1/4, NE1/4, SW1/4, Sec. 31, Twp. 37 N, Rng. 8 W, N.M.P.M, 2416 feet from

the South section line and 1705 feet from the West section line, Easting 13S 252801, Northing 4146190; Source of water: Groundwater, tributary to the Animas River; Appropriation Date: November 16, 2000; Amount: 0.033 c.f.s. conditional; Conditional purposes: Commercial, domestic, watering of plants, landscaping, and water features. \_Depth: (if well) 56 feet; Well Permit No. 182745 for 15 gpm (See Exhibit “B-2” attached to Application). Since the last Decree, the Applicants have expended approximately \$1,500 including engineering fees, attorney fees and costs to sustain the conditional right. **SOUTH WELL:** Name of structure: South Well Date of Original Decree: July 31, 2008 Case No. 06CW80 Court: La Plata County District Court; Subsequent decree: Date of Decree: January 12, 2015 Case No. 14CW3022 Court: La Plata County District Court; Legal description: SW1/4, NE1/4, SW1/4, Sec. 31, Twp. 37 N, Rng. 8 W, N.M.P.M., 1432 feet from the South section line and 1714 feet from the West section line, Easting 13S 252793, Northing 4145890; Source of water: Groundwater, tributary to the Animas River; Appropriation Date: November 16, 2000 Amount: 0.033 c.f.s. conditional; Conditional purposes: Commercial, domestic, watering of plants, landscaping, and water features. Depth: 77 feet; Well Permit No. 182744 for 15 gpm (See Exhibit “B-3” attached to the Application. Since the last Decree, the Applicants have expended approximately \$1,500 including engineering fees, attorney fees and costs to sustain the conditional right. Attorney for Applicants: Frank J. Anesi, Reg. 1365, 835 E 2<sup>nd</sup> Ave, #220, Durango, CO 81301, 970-247-9246 (15 pages including exhibits)

**21CW3005** Application for a finding of due Diligence, Animas Water Company, P.O. Box 1012, Durango, CO 81302, by its attorney, Nancy Agro, P.C. 700 Main Avenue, Suite K, Durango, CO 81301; Name of Structures and legal descriptions all in La Plata County: Smith Well: NE/4 SE/4 Section 3, Township 36 North, Range 9 West. N.M.P.M.; 2438 feet from the South section line and 400 feet from the east section line; AWC Hermosa Meadows Well: NW/4 SW/4 Section 11, Township 36 North, Range 9 West, N.M.P.M. 2,500 from the South Section line and 180 feet from the West Section line; Red Rocks Well: Red Rock Well: NE/4 NE/4 Section 10, Township 36 North, Range 9 West, N.M.P.M. 835 feet from the North Section Line and 861 feet from the East Section line; Chapin Well: The Chapin Well: NW/4 SE/4 SE/4 of Section 25, Township 37 N. Range 9 West, N.M.P.M. at a point 1067 feet from the South Section Line and 1090 feet from the East Section Line; Dillon Wells: NE/4 SW/4 Section 11, Township 36 N, Range 9 West. Exact location to be determined upon consultation with property owner when well permit is applied for, but shall be located on La Plata County Parcel Number 559715100800; Source: Groundwater tributary to Animas River; Date of Appropriation: October 8, 2004; Amount 2.5 c.f.s, conditional; Use: All uses associated with a rural water system including but not limited to domestic, in-house use, commercial, industrial, lawns and gardens, orchards, livestock, fire flow, recreation, fishery, evaporation from and filling of small ponds and water features, storage at an offstream location associated with water treatment facilities, temporary supply to other treated water systems; Place of Use: AWC Service Area; Applicant expended \$31,526 on water mains including extensions and improvements, \$21,765 on Baker’s Tank Pump Station improvements, \$57,226 on SCADA upgrades, \$14,154 on Mapping and GIS work, \$22,924.78 on gate valve with an upgrade to a pit less adapter for Chapin Well. Applicant’s water rights are part of an integrated water system that are used to supply water to Applicant’s members and operations. Pursuant to C.R.S. §37-92-301(4)(b), work on one or more features of the system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire system. (5 pages)

**21CW3006** **La Plata County, Water District 30: 1) Applicant:** Mt Wilson Properties LLC, 32 Tierra Verde Dr., Durango, CO 81301; **2) Attorney:** Geoffrey M. Craig, The Craig Law Firm P.C., 813 Main Ave., Suite 206, Durango, CO 81301; **3) Name of Structures:** Iron Horse Wells, originally decreed in Case No: 06CW108. In Case No. 2014CW3025, diligence was entered and a portion of the conditional water rights were made absolute. **4) Type of Application:** Application to Make Absolute and for a Finding of Reasonable Diligence; **5) Source and Drainage Basin:** Groundwater tributary to Animas River; **6) Locations:** SE1/4 Section 4, and the SW1/4 Section 3, Township 35 North, Range 9 West, NMPM, on Applicant’s property. The constructed pond well is located 1200 feet from the South line and 50 feet from the East line of Section 4; **7) Decreed Uses:** Irrigation of 5.5 acres, recreation, aesthetics incidental to other

uses, filling and refilling of up to 0.67 surface acres of ponds, and piscatorial use; **8) Quantities:** Originally decreed for 0.173 cfs (77.7 gpm) conditional, to be diverted through any combination of the Wells. In Case No. 2014CW3025, 0.004 cfs was made absolute for recreation, aesthetics incidental to other uses, and the filling and refilling of 0.25 acres of ponds for these uses. **9) Appropriation Date:** April 26, 2005; **10) Summary of Activities to Develop Conditional Water Rights:** Applicant or its predecessor has expanded the pond well as shown on Exhibit B, attached to the Application. The pond well is approximately 6 feet deep and 0.41 acre in surface area. Applicant has used the pond well for recreation, aesthetics, and the filling of a 0.41 acre pond for these uses. Applicant has diverted water from the pond well for these uses at the rate of 0.006 cfs, with an additional 0.002 cfs being used with the pond expansion. Applicant has performed water rights analysis and planning for further development of its water rights; **11) Additional Information:** Applicant requests that the Court enter a decree making Applicants' Iron Horse Wells water rights absolute in the amounts and for the uses described above, and that the conditional rights which have not yet been developed be retained for an additional six year due diligence period. *See* Application for more details. (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 March 2021, 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](http://www.courts.state.co.us); Danene M. Etz, Water Court Specialist, 1060 E. 2<sup>nd</sup> Ave., Room 106, Durango, CO 81301; 970-385-6181)



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Danene M. Etz, Water Court Specialist