

DISTRICT COURT, WATER DIVISION 3, STATE OF COLORADO
TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS FILED IN
WATER DIVISION 3.

Pursuant to C.R.S. 37-92-302(3), you are notified that the following is a resume in Water Division 3, containing notice of applications and certain amendments filed in the office of the Water Clerk during the month of December 2022 for each county affected.

2022CW6: Brian W. & Terry R. Harrison, 2031 West County Road 9 North, Center, CO 81125, terrbria4@gmail.com, 719-850-1220. Amended Application for Change of Water Right in Rio Grande County. Decreed water right for which change is sought: Name of structure: Well No. 1, Case No. W-672, WDID 2009460, Permit No. 3268-F (Well No. 1). Date of original and all relevant subsequent decrees: December 19, 1974 Case No: W-672. Court: Division 3 Water Court. Legal description: SE1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM, in Rio Grande County, Colorado. Note to the Court- The original Ruling and Decree erroneously stated the well is located in the SE1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM. Well No. 1 is actually located in the SW1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM as verified by the Colorado Division of Water Resources staff. The GPS location of the actual well is: UTM, NAD83 394689 mE, 4173730 mN. The well is located in the very southwest corner of the SE1/4 Section 15, Township 40 North, Range 7 East, NMPM. Applicants seek to correct the decreed location in this application. Decreed source of water: Confined Aquifer. Note to the Court - while this well is decreed to produce from the confined aquifer, at a total depth of 155 feet with a perforated interval of 15 feet to 155 feet, the well actually produces from both the unconfined and confined aquifers. Applicants seek to correct the decreed source in this application. Appropriation Date. July 13, 1961. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs): Absolute: 1,500 gpm being 3.34 cfs. Decreed use or uses: Irrigation. Amount of water that applicant intends to change: Absolute: 100 gpm being 0.222 cfs. Decreed water right for which change is sought: Name of structure: Well No. 2, Case No. W-672, WDID 2005195, Registration No. 8609-R (Well No. 2). Date of original and all relevant subsequent decrees: December 19, 1974 Case No: W-672 Court: Division 3 Water Court. Legal description of structure as described in most recent decree that adjudicated the location: SW1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM, in Rio Grande County, Colorado. Decreed source of water: Unconfined Aquifer. Appropriation Date: August 27, 1934. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs): Absolute: 2,000 gpm being 4.46 cfs. Decreed use or uses: Irrigation. Amount of water that applicant intends to change: Absolute: 2,000 gpm being 4.46 cfs. Note: Case No. W-3428 adjudicated the transfer of 1,000 gpm (2.23 cfs) from Well No. 2 to Well No. 1 of Case No. W-3428. Well permit no. R8609-RF was issued initially by the State Engineer on December 26, 1973 as a replacement of Well No. 2 to the center of the field. The well was completed to a depth of 110 feet on April 16, 1974 with perforated casing in the interval of 31 feet to 110 feet. The replacement well was re-permitted by permit no. R8609-RF issued May 25, 1976. Detailed description of proposed change: PART A- convert a portion of the Well No. 1 water right from irrigation use to commercial use Applicant seek to change 100 gpm (total) from Well No. 1, Case No. W-672 and convert 70 gpm to commercial use at Well

No. 1 and transfer 30 gpm to well no. 252753-A for commercial use. Both wells produce from the confined aquifer. Applicant intends to use the transferred 100 gpm for commercial use in two potato storages at 2501 W Cty Rd 9 North, Center, Co (70 gpm) and one storage and shop at 2031 W Cty Rd 9 North (30 gpm). Applicant intends to use the transferred 100 gpm for commercial use in existing potato storage facilities totaling 160,000 cwt, future potato storage facilities that would include humidifier, washing, cleaning, fluming, packing, hay steaming, restrooms, and other associated commercial use. Well No. 1 is located in the southwest corner of the SE1/4 Section 15, T40N, R7E, NMPM and well no. 252753-A is located in the southeast corner of the SE1/4 Section 15, T40N, R7E, NMPM. In order to offset the consumptive use for commercial purposes with the transferred 100 gpm, applicant will dry-up the northeast and southeast corners of the existing center pivot sprinkler on the SE1/4 Section 15, T40N, R7E, NMPM from groundwater use. These corners were historically flood irrigated (1924-1974) with surface water and well water. The dry-up of approximately 10 acres of corners alone will generate approximately 2 acre feet of consumptive use. All water used for commercial purposes will be metered in accordance with the Division 3 Well Measurement Rules. If necessary, applicant will dry-up sufficient corners on the SE1/4 Section 15, T40N, R7E, NMPM from groundwater use to offset the commercial water needed. PART B- adjudication of the alternate point of diversion well for Well No. 1, Case No. W-672 Well permit no. 25358-F was issued by the State Engineer on June 18, 1981 as an alternate point of diversion to Well No. 1 at the center of the field. The well was completed to a depth of 145 feet on May 21, 1981 with perforated casing in the interval of 60 feet to 145 feet. At this completed depth and casing interval, this well produces from both the unconfined and confined aquifers, just as the parent Well No. 1 does. The State Engineer's depth to clay series map indicates the confining clay series should be found in the interval of 110 feet to 120 feet. The 25358-F well permit limited the individual pumping rate of well no. 25358-F to 1,200 gpm and the combined pumping rate of Well No. 1 and well no. 25358-F (Well No. 1A) to 1,500 gpm. With the transfer of 100 gpm of the Well No. 1 water right to commercial use, the combined pumping limitation is reduced to 1,400 gpm. Well no. 25358-F is located approximately 50 feet west of Well No. 1, Case No. W-3428 at GPS location: UTM, NAD83 395081 mE, 4174103 mE. The WDID for this well is: 2013949. PART C- decree the supplemental point of diversion well for Well No. 1, Case No. W-3428 Well permit no. 34808-F was issued by the State Engineer on March 20, 1989 as a supplemental point of diversion to Well No. 1, Case No. W-3428. The well was completed to a depth of 143 feet on May 15, 1989 with perforated casing in the interval of 44 feet to 143 feet. At this completed depth and casing interval, this well produces from both the unconfined and confined aquifers. The State Engineer's depth to clay series map indicates the confining clay series should be found in the interval of 110 feet to 120 feet. The 34808-F well permit limited the individual pumping rate of well no. 34808-F to 1,000 gpm and the combined pumping rate of Well No. 1, Case No. W-3428 and well no. 34808-F to 1,000 gpm. This well is located approximately 300 feet south of the center of the field at GPS location: UTM, NAD83 395089 mE, 4173998 mE. The WDID for this well is: 2013958. Applicants would prefer to adjudicate this well as a partial replacement of the original Well No. 2 water right in the remaining amount of 1,000 gpm (2.23 cfs) so as not to lose a portion of the original 2,000 gpm decreed to Well No. 2. Applicants will limit the use of groundwater from well nos. 3268-F, 25358-F and 34808-F to irrigation of not more than 135

acres within the SE1/4 Section 15, Township 40 North, Range 7 East, NMPM in the future to offset the consumptive use of the commercial uses. Surface water rights, Rio Grande Canal and Santa Maria Reservoir shares, will continue to be applied to the whole quarter-section for irrigation or recharge purpose. Provide actual or new location of well: Note to the Court - The original Ruling and Decree erroneously stated Well No. 1 is located in the SE1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM. Well No. 1 is actually located in the SW1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM as verified by the Colorado Division of Water Resources staff. The GPS location of the actual well is: UTM, NAD83 394689 mE, 4173730 mN. The well is located in the very southwest corner of the SE1/4 Section 15, Township 40 North, Range 7 East, NMPM. Applicants seek to correct the decreed location in this application. Location in UTM format: Well No. 1, Case No. W-672 is located in the SW1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM as verified by the Colorado Division of Water Resources staff. The GPS location of the actual well is: UTM, NAD83 394689 mE, 4173730 mN. Well No. 252753-A is located in the SE1/4 SE1/4 Section 15, Township 40 North, Range 7 East, NMPM as verified by the Colorado Division of Water Resources staff. The GPS location of the actual well is: UTM, NAD83 395400 mE, 4173750 mN. Note: The original application for change of water right remains unchanged in this application as Part A. Parts B and C seek to adjudicate existing irrigation wells on the same quarter-section. Name and address of purported owners: Brian W. & Terry R. Harrison, 2031 West County Road 9 North, Center, CO 81125.

2022CW43: Nissen Family Trust, C/O Lyle Nissen, 4230 Cnty Rd 106, Mosca, CO 81146, erin.nissenfarms@gmail.com, 719-480-2600. Application for Change of Water Right in Alamosa County. Decreed water right for which change is sought: Name of structure: Well No. 1, Case No. W-1537, WDID 2005468, Registration No. 9036-F. Date of original: October 2, 1975 Case No. W-1537, Court: District Division 3. Legal description of structure: Center of NE1/4 of Section 17, Township 39 North, Range 10 East, NMPM at a point 1320 feet from the North section line and 1320 feet from the East section line in Alamosa County Colorado. Decreed source of water: Confined Aquifer. Appropriation Date: April 15, 1965. Total amount decreed to structure: 1,100 gpm, being 2.45 cfs. Decreed use or uses: Irrigation. Amount of water that applicant intends to change: 1,100 gpm as described in next section. Detailed description of proposed change: The Applicant owns the NE1/4 of Section 17, Township 39, Range 10, NMPM that has historically been irrigated with the original Well No. 1, Case No. W-1S37, Permit No. 9036-F. The original well was decreed for 1100 gpm. The first supplemental well was drilled under Permit No. 24389-F in 1980. The Applicant wishes to drill two replacement wells of well No. 9036-F to locations greater than 200 feet from the decreed location on the same quarter section. Use will be only on the NE1/4 of Section 17, Township 39 North, Range 10 East, NMPM. The old well no. 9036-F will be plugged and abandoned. The Applicant also desires the right to drill a new unconfined aquifer replacement well to a depth not to exceed 80 feet or to the top of the confining clay series, whichever comes first. Approximately 25% of the production of the original well No. 9036-F came from the confined aquifer. Applicant wishes to replace this portion to a new confined aquifer well on the same quarter section. Legal descriptions of decreed location and actual or new location of well: The applicant would like to drill two replacement wells to well 9036-F. See above. Name and address of reputed owners: Nissen Family Trust, C/O

Lyle Nissen, 4230 Cnty Rd 106, Mosca, CO 81146, erin.nissenfarms@gmail.com, 719-378-2269.

2022CW44: Jess Douglas and Emily Lynn Freel, 7257 County Road 112, Mosca, CO 81146, freelfamrs8245@gmail.com, 719-588-7051. Application for Change of Water Right in Alamosa County. Part A- Increase to the Adjudicated Flowrate of existing supplemental wells on Field No. 5 (SE1/4 Section 15, T39N, R10E, NMPM). Decreed water right for which change is sought: Name of structure: Well No. 1, Case No. 87CW39, Permit No. 20096-F, WDID 2006604 (Well No.1). Date of original and all relevant subsequent decrees: March 13, 1991. Court: District Court, Water Division No. 3. Legal description of decreed structure: Center of the SE1/4 Section 15, Township 39 North, Range 10 East NMPM. Decreed source of water: Unconfined Aquifer Note: at a depth of 124 feet and perforated casing from 25 feet to 124 feet, this well likely produces from both the unconfined and confined aquifers. Applicants request the Court to recognize the dual water source. Appropriation Date: March 21, 1976. Total amount decreed to structure: 800 GPM, being 1.78 cfs. Decreed use: Irrigation. Amount of water that applicant intends to change: 800 gpm, being 1.78 cfs. Decreed water right for which change is sought: Name of structure: Well No. 1S, Case No. 87CW40, Permit No. 24862-F, WDID 2006605 (Well No. 1S). Date of original and all relevant subsequent decrees: March 13, 1991. Court: District Court, Water Division No. 3. Legal description of decreed structure: SE1/4 SE1/4 Section 15, Township 39 North, Range 10 East NMPM. Decreed source of water: Unconfined Aquifer Note: at a depth of 60 feet and perforated casing from 20 feet to 60 feet, this well produces from the unconfined aquifer. Appropriation Date: March 21, 1976. Total amount decreed to structure: 400 GPM, being 0.891 cfs as a supplemental well to Well No. 1. Decreed use: Irrigation. Amount of water that applicant intends to change: 800 gpm, being 1.78 cfs. Decreed water right for which change is sought: Name of structure: Well No. 1SS, Case No. 87CW40, Permit No. 24863-F, WDID 2006606 (Well No. 1SS). Date of original and all relevant subsequent decrees: March 13, 1991. Court: District Court, Water Division No. 3. Legal description of decreed structure: SE1/4 SE1/4 Section 15, Township 39 North, Range 10 East NMPM. Decreed source of water: Unconfined Aquifer Note: at a depth of 60 feet and perforated casing from 20 feet to 60 feet, this well produces from the unconfined aquifer. Appropriation Date: March 21, 1976. Total amount decreed to structure: 300 GPM, being 0.668 cfs as a supplemental well to Well No. 1. Decreed use: Irrigation. Amount of water that applicant intends to change: 800 gpm, being 1.78 cfs. Detailed description of proposed change: This portion of the filing seeks to correct the decreed water source for Well No. 1, Case No. 87CW39, WDID 2006604, to the unconfined and confined aquifers AND increase the allowable flowrate of Well Nos. 1S and 1SS to 800 gpm individually and in combination with the other wells. **Part B- Addition of a third supplemental irrigation well on Field No. 5 (SE1/4 Section 15, T39N, R10E, NMPM).** Decreed water right for which change is sought: Name of structure: Well No. 1, Case No. 87CW39, Permit No. 20096-F, WDID 2006604 (Well No.1). Date of original and all relevant subsequent decrees: March 13, 1991. Court: District Court, Water Division No. 3. Legal description of decreed structure: Center of the SE1/4 Section 15, Township 39 North, Range 10 East NMPM. Decreed source of water: Unconfined Aquifer Note: at a depth of 124 feet and perforated casing from 25 feet to 124 feet, this well likely produces from both the unconfined and confined aquifers. Applicants request the Court to recognize the dual water source.

Appropriation Date: March 21, 1976. Total amount decreed to structure: 800 GPM, being 1.78 cfs. Decreed use: Irrigation. Amount of water that applicant intends to change: 800 gpm, being 1.78 cfs. Detailed description of proposed change: Adjudicate an existing supplemental well, unpermitted, located within the NW1/4 SE1/4 Section 15, Township 39 North, Range 10 East, NMPM with GPS location of UTM, NAD83 423990 mE, 4164350 mN. This well was the subject of administrative orders of the Division Engineer in 1990. The well was drilled in 1980 and is approximately 60 feet deep. This well (propose name of No. 1SSS) produces from the unconfined aquifer. This well would be used as the third supplemental irrigation well to Well No. 1. All well production will be metered in compliance with Case No. 05CW12. It is requested that the combined production of Well No. 1, Well No. 1S, Well No. 1SS, and Well No. 1SSS be limited to 800 gpm individually and in combination. Use would be limited to the irrigation of 130 acres in the SE1/4 Section 15, Township 39 North, Range 10 East NMPM as decreed in Case No. 87CW40. The SE1/4 of Section 15, T39N, R10E, NMPM is within the defined service area of the Prairie Ditch Company. Applicants have shares that are used for direct irrigation and recharge. Legal descriptions of decreed location and actual or new location of well: Applying to decree an existing supplemental well to Well No. 1, Case No. 87CW39 that will be named Well No. 1SSS. Change in point of diversion: Yes, see above. Name and address of reputed owners: Jess Douglas and Emily Lynn Freel, 7257 County Road 112, Mosca, CO 81146, freelfamrs8245@gmail.com, 719-588-7051.

CASE NO. 2022CW3046; RIO GRANDE COUNTY; UNCONFINED AND CONFINED AQUIFER. *Applicant and contact information:* Worley Family Farms LLLP c/o Karl Kuenhold, Esq., Law Office of Karl Kuenhold, LLC, Please send all pleadings and correspondence to Karl Kuenhold, Law Office of Karl Kuenhold, 808 Third Street, P.O. Box 30, Alamosa, CO 81101. 719-589-3688. karl@kuenholdlaw.com. *Introduction:* This Application is for:(1) for a decree confirming and clarifying a change of water right administratively approved in the Findings of the State Engineer dated January 12,1994 re: Permit 43118-F (WDID 2014017); (2) for a Change of Water Rights up to 19.7 acre-feet from Well No. 12 in Case W-324 to a commercial use (a) in a greenhouse, (b) to provide additional commercial water to the Hi-Land and Blue Sky potato facilities, (c) a change of up to 10 acre-feet (CU) for humidification use in five potato facilities via five unconfined wells; (3) for the five unconfined wells to be changed to commercial or dual commercial and domestic use; and (4) a change of use for three confined wells to commercial or dual commercial and irrigation use.

Decreed water rights for which correction or changes are sought:

(1) **Well No. 12:** *Orig. Decree:* 11/5/1974: Water Division 3, Case No. W-324. *Location:* the well is situated in the NW 1/4 SW1/4 of **Section 28, T40N, R8E, NMPM** at a point 2400 feet from the South section line and 50 feet from the West section line Rio Grande County, Colorado. *Source:* unconfined Aquifer. *Approp. dates:* July 31,1949 *Use:* irrigation. *Amount of water that Applicant intends to change:* Up to 19.7 acre-feet CU (up to 61.50 acre-feet diverted). This Application seeks In the Second Claim, **Applicant also proposes to change a portion of the water (up to 19.7acre-feet CU) from Well No. 12 in Case W-324 to a commercial use and to use the water right historically applied to the SW 1/4 for:**

1) Irrigation, washing and related domestic use in the greenhouse on the SW 1/4 of Section 28, Township 40 North, Range 8 East, NMPM, and

2) Applicant also wishes to designate commercial Well Permit 43118-F (WDID 2014017) and Well Permit 100187-A (WDID 2014610) as alternate points of diversion for W-324 No. 12 to provide water at the Hi-Land Potato Facility. Well Permit 100187-A should be re-permitted as a dual well allowing the commercial use in addition to its continued as a domestic well to serve the home on the property.

3)Change of up to 10 acre-feet CU) from Well No. 12 in Case W-324 to a commercial use and to use the water right historically applied to the SW 1/4 for: humidification and related commercial uses serving five potato storage facilities via five unconfined wells. These wells are: WDID 20111005 (Sanderson); WDID 2014597 (Home); WDID 2014615 (East Boyce); WDID 2008413 (Rose); and WDID 2011597 (North Hiland).

(2) **Wells No. 13 and 14:** *Orig. Decree: 11/5/1974: Water Division 3, Case No. W-324. Location: the wells is situated in the SE1/4 of Section 28, T40N, R8E, NMPM at a point 2400 feet from the South section line and 50 feet from the West section line Rio Grande County, Colorado. Source: unconfined Aquifer. Approp. dates: July 31,1949 Use: irrigation. Amount of water that Applicant intends to change: This Application seeks to confirm the administrative change of use and to commercial for 5.29acree-feett (CU) as administratively approved in the Findings of the State Engineer dated January 12,1994 re: Permit 43118-F.*

(3) **Five Unconfined Humidification Wells:** *Detailed description of proposed changes: This Application seeks to change these wells to commercial or dual commercial and domestic use to provide humidification at the facilities for which the wells are named in the following table:*

Structure ID	Sanderson	Home	East Boyce	Rose	North Hiland
Permit	11467-R 87439-F	22904-F 87441-F	319209 87611-F	2924-F 87439-F	4111-F 87443-F
WDID	2011005	2014597	2014615	2008413	2011597
Decree	W-1597, Well No. 1;			W-0091 Well No. 7	W-1903 Well No. 14
PLSS	SW 1/4, SE 1/4 Sec. 21, T40N R 8E NMPM	SW 1/4. SW 1/4 Sec. 27, T40N R 8E NMPM	NW 1/4, NW 1/4 Sec. 35, T 40N R 8E NMPM	SW 1/4, NW 1/4 Sec. 36, T 40N R 8E NMPM	NW 1/4 Sec. 2, T 39N R8E NMPM
UTM	E: 402755.0	E: 403660.0	E: 405194.0	E: 406769.0	E: 405144.0

	N: 4172231.0	N:4170560.0	N: 4170347.0	N:4169573.0	N: 4168275.0
Source	unconfined	unconfined	unconfined	unconfined	unconfined
Appropriation date	July 10, 1951	June 1936		December 31, 1936	June 16, 1963
Amount	1800 gpm	50 gpm	15 gpm	900 gpm	2100 gpm
Adjudicated Use	irrigation	Irrigation And domestic	Stock and domestic	irrigation	Irrigation
Change	Dual use: Humidification and irrigation	Dual use: Humidification and domestic	Dual use: Humidification and domestic	Dual use: Humidification and irrigation	Dual use: Humidification and irrigation

(4) **Three Confined Aquifer Humidification Wells:** *Detailed description of proposed changes:* This Application seeks to change these wells to commercial or dual commercial and domestic use to provide humidification at the facilities for which the wells are named in the following table:

Structure ID	9 Mile	Davison	Railroad
Permit	52149 (87455-F)	205895 (87438-F)	47736
WDID	2012945	2010776	2010513
Decree	W2794 Well No. 3	W1457 Well No. 2	W1319 Well No. 5
PLSS	SE of SW of Sec 16, T40N, R8E	NE of NE of Sec 26, T40N, R8E	SW of SE of Sec 28, T40N, R8E
UTM	X: 402589.2 Y: 4173825.3	X: 406606.0 Y: 4171771.0	X: 402783.5 Y: 4170445.3
Source	confined	confined	confined
Appropriation date	July 1, 1942	December 31, 1936	June 15, 1890
Amount	10 gpm	30 gpm	45 gpm

Land ownership: Applicant owns all of the land involved in this application.

2022CW3047: Application by Manassa Land and Irrigation Company, P.O. Box 40, Manassa, Colorado 81141. Direct all correspondence to counsel for Applicant: John C. McClure, McClure & Eggleston, LLC, 216 16th Street, Suite 1350, Denver, Colorado 80202, jmccclure@melawllc.com. APPLICATION FOR CHANGE IN POINTS OF DIVERSION AS ALTERNATE POINTS OF DIVERSION. Applicant seeks an alternate point of diversion for Priority No. 98 and Priority No. 112 from the Manassa Westfield Headgate to the Manassa No. 3 Headgate for use within the Manassa irrigation system. **1. Priority No. 98** **A. Location:** Decreed point of diversion on the North bank of the North Branch of the Conejos River at a point approximately 1386 feet (or 84 rods as provided in the decree) northeast from the Southwest corner of the Northeast quarter of Section 35, Township 34 North, Range 9 East, New Mexico Meridian. The GPS location is 415430mE, 4111695mN. **B. Amount:** 30 cfs **C. Date of Appropriation:** February 15, 1885, and decreed on October 3, 1890. **D. Proposed Alternative Point of Diversion:** The proposed alternate point of diversion for Priority No. 98 is the Manassa No. 3 Headgate, which is located on the North bank of the North branch of the Conejos River immediately East of the point where the Denver and Rio Grande Western Railroad crosses the North branch of the Conejos River. Said location of the Manassa No. 3 Headgate is also described as being located on the North bank of the North branch of the Conejos River at a point where the Northeast Corner of Section Seventeen (17), Township Thirty-three (33) North, Range Nine (9) East, bears North 46 degrees, 10' East 1,720 feet on a direct course; or 1,240.7 feet West and 1,171.2 feet South of said Northeast Corner of Section Seventeen (17). The GPS location is 410648mE, 4106966mN. **2. Priority No. 112** **A. Location:** Decreed point of diversion on the North bank of the North Branch of the Conejos River at a point approximately 1386 feet (or 84 rods as provided in the decree) northeast from the Southwest corner of the Northeast quarter of Section 35, Township 34 North, Range 9 East, New Mexico Meridian. The GPS location is 415430mE, 4111695mN. **B. Amount:** 24 cfs **C. Date of Appropriation:** April 11, 1887, and decreed on October 3, 1890. **D. Proposed Alternative Point of Diversion:** The proposed alternative point of diversion for Priority No. 112 is the Manassa No. 3 Headgate, which is located on the North bank of the North branch of the Conejos River immediately East of the point where the Denver and Rio Grande Western Railroad crosses the North branch of the Conejos River. Said location of the Manassa No. 3 Headgate is also described as being located on the North bank of the North branch of the Conejos River at a point where the Northeast Corner of Section Seventeen (17), Township Thirty-three (33), North, Range Nine (9) East, bears North 46 degrees, 10' East 1,720 feet on a direct course; or 1,240.7 feet West and 1,171.2 feet South of said Northeast Corner of Section Seventeen (17). The GPS location is 410648mE, 4106966mN. **E. Efficiencies Gained:** Diversion of Priority Nos. 98 and 112 waters at the Manassa No. 3 Headgate provides for efficiencies and savings to the shareholders of the Applicant in transporting water within the Manassa System. Use of such water at the proposed alternate point of diversion will not be injurious to any appropriators or vested surface rights on the Conejos River, however, otherwise to be remedied if such injury may occur. Overall efficiencies will be realized by the Division Engineer's Office and the Water Commissioner in the Conejos watershed with less transmission losses incurred on the North Branch of the Conejos River for delivery of these waters at the

Manassa No. 3 headgate than delivery of water for Priority No. 98 and Priority No. 112 at the current points of diversion at the Manassa Westfield Ditch headgate.

2022CW3048: Joint Application by Manassa Land and Irrigation Company, P.O. Box 40, Manassa, Colorado 81141; and Romero Irrigation Company, 318 Main Street, Manassa, CO 81141. Direct all correspondence to counsel for Applicant: John C. McClure, McClure & Eggleston, LLC, 216 16th Street, Suite 1350, Denver, Colorado 80202,

jmccclure@melawllc.com. JOINT APPLICATION FOR CHANGE IN POINT OF DIVERSION AS AN ALTERNATE POINTS OF DIVERSION. The Romero Irrigation Company (“Romero”) seeks an alternate point of diversion for its Priority No.5, 13 cfs of water adjudicated to the Servietta Ditch on the Conejos River in Water Division 3 of the State of Colorado for use by Romero within its water distribution system (the “Romero System”) by diversion at the Manassa No. 3 Headgate A. Location: Romero is the owner and currently diverts its 13 cfs of Priority No. 5 water at its decreed point of diversion at the Servietta Ditch headgate on the North bank of the North Branch of the Conejos River. The Servietta Ditch headgate is located in the NE-1/4 of Section 17, Township 33 North, Range 9 East, N.M.P.M. The GPS location is 410682mE and 4106952mN. The Servietta Ditch headgate is located approximately 60 feet downstream from the Manassa Ditch No. 3 headgate (“Manassa No. 3 Headgate”). B. Amount: 13 cfs. C. Date of Appropriation: The date of appropriation for Priority No. 5 is March 5, 1856, and the date of the decree is October 22, 1883. D. Background: Manassa operates its distribution system (“the Manassa System”) including the Manassa No. 3 Headgate to divert several of its water priorities to its shareholders. The Manassa No. 3 Headgate is situated to allow distribution of water to approximately 19,000 acres within the Manassa System, as well as acres within the Romero System. Structures will be in place within the Manassa System to ensure the 13 cfs of the Romero Priority No. 5 water is diverted only on the lands of Romero. The Manassa No. 3 Headgate diverts water into a ditch as a part of the Manassa System that after traversing approximately 1.277 miles allows for a diversion into the Romero System. Manassa and Romero agree to use the approximate 1.277 miles of the Manassa ditch as a carrier ditch to transport 13 cfs of Romero Priority No. 5 water for exclusive use on historically irrigated lands within the Romero System (“Romero Lands”) The Romero Lands can be irrigated by use of the Servietta Ditch headgate or the Manassa No. 3 headgate. E. Proposed Alternative Point of Diversion: The proposed alternative point of diversion for the Romero Priority No. 5 water is at the Manassa No. 3 Headgate, which is located on the North bank of the North Branch of the Conejos River immediately East of the point where the Denver and Rio Grande Western Railroad crosses the North branch of the Conejos River. Said location of the Manassa No. 3 Headgate is also described as being located on the North bank of the North branch of the Conejos River at a point where the Northeast Corner of Section Seventeen (17), Township Thirty-three (33), North, Range Nine (9) East, bears North 46 degrees, 10’ East 1,720 feet on a direct course; or 1,240.7 feet West and 1,171.2 feet South of said Northeast Corner of Section Seventeen (17). The GPS location is 410648 mE, 4106966mN. F. Efficiencies Gained. Use of a common conveyance channel (the Manassa ditch) for transporting waters within the Manassa System for the 13 cfs of Romero Priority No. 5 water yields less overall transmission loss as compared to use of two separate conveyance channels. Use of such water at the proposed

alternate point of diversion will not be injurious to any appropriators or vested surface rights on the Conejos River.

22CW3049 COLORADO DIVISION OF PARKS AND WILDLIFE AND THE PARKS AND WILDLIFE COMMISSION, 6060 Broadway, Denver, CO 80216 (Please address all correspondence and inquiries regarding this matter to Elizabeth M. Joyce 720-508-6761 and Tarn Udall 720-508-6266, Office of the Attorney General, 1300 Broadway, 7th Floor, Denver, CO 80203.) Application for Appropriative Rights of Exchange in RIO GRANDE, MINERAL AND HINSDALE COUNTIES, COLORADO. Applicant, the Colorado Division of Parks and Wildlife and the Parks and Wildlife Commission (CPW), hereby files this application for new appropriative rights of exchange of CPW's Piedra Pass 2022 Water Rights. 1. Name, mailing address, e-mail address, and telephone number of Applicants: Colorado Parks and Wildlife Attn: Ed Perkins, Water Rights Administrator, 6060 Broadway, Denver, Colorado 80216, 303-291-7466; ed.perkins@state.co.us 2. General Description of Application: CPW seeks confirmation of two new appropriative rights of exchange of transmountain water in Water Division 3. Concurrent with this application, CPW is filing an application in Water Division 7 seeking confirmation of three new transmountain appropriations in the Don La Font Ditch No. 1, Don La Font Ditch No. 2, and the South Peak River Ditch, collectively referred to as the Piedra Pass 2022 Water Rights. After delivering the Piedra Pass 2022 Water Rights into Water Division 3, CPW may use the transmountain water directly or deliver water into storage in Rio Grande Reservoir or Beaver Park Reservoir by way of the exchanges described in this application. 3. Water Court Jurisdiction: The appropriate venue in which to adjudicate an application for new diversions of transmountain water rights is in the basin of diversion, but the appropriate venue for use of an existing transbasin water right is the basin of use. See Department of Natural Resources v. Ogburn, 570 P.2d 4 at 5 (Colo. 1977). Since these exchanges will occur solely in Water Division 3, Water Division 3 is the appropriate venue. 4. Description of Appropriative Rights of Exchange A. Name of Exchange: Piedra Pass TMD — Rio Grande Reservoir Exchange i. Location of Structures Involved: a. Exchange From Point: The confluence of Red Mountain Creek and Rio Grande River, located in the SW1/4, NW1/4, Section 18, Township 40 North, Range 1 West, NMPM. UTM Coordinates: NAD83, Zone 13, 321587 E 4177217 N. b. Exchange To Point: Rio Grande Reservoir, located in Sections 5, 6, 7, 8, 9, 10, 13, 14, 15, and 16, Township 40 North, Range 4 West, and Sections 31 and 32 of Township 41 North, Range 4 West, NMPM, Hinsdale County, Colorado. Reservoir outlet: NW1/4, SW1/4, Section 13, Township 40 North, Range 4 West, NMPM. UTM Coordinates: NAD83, Zone 13, 300263.7 E 4177292.6 N. c. Exchange Reach: The exchange reach is from the point where Red Mountain Creek enters the Rio Grande River, as described above, to Rio Grande Reservoir, as described above. The length of the exchange is approximately 19.5 river miles. d. Source and Use of Water: CPW's Piedra Pass 2022 Water Rights, for all decreed purposes. The Piedra Pass 2022 Water Rights include diversions from the Don La Font Ditch No. 1, the Don La Font Ditch No. 2, and the South River Peak Ditch, which are diverted from Water Division 7 and delivered into Water Division 3 by way of two pipelines to the headwaters of Red Mountain Creek. 1. Don La Font No. 1: SW1/4, SE1/4 Section 32, Township 39 North, Range 1 West, NMPM. UTM coordinates: NAD 83, Zone 13, 322949 E, 4159889 N. 2. Don La Font No. 2: NW1/4, NW1/4 Section 5, Township 38 North, Range 1 West, NMPM. UTM coordinates: NAD 83, Zone 13, 323476 E, 4159696 N. 3. South River Peak Ditch: NE1/4, NE1/4, Section 5, Township 38 North, Range 1 West, NMPM. UTM coordinates: NAD 83, Zone 13, 234603 E, 4159311 N. e. Appropriation: 1. Date: May 23, 2022. 2. How Initiated: CPW began diverting the

Piedra Pass 2022 Water Rights under free river conditions and delivered DATE FILED: December 30, 2022 5:03 PM them by way of exchange into storage under administrative approval by the Division 3 Engineer. 3. Note: CPW operated the Piedra Pass TMD-Rio Grande Reservoir Exchange in 2022 and is coordinating with the Division 3 Engineer to confirm 2022 water year accounting. The final decree may reflect changes to the amounts made absolute due to input from this consultation. f. Exchange Rate Claimed: 22 cfs, of which 4.42 cfs is ABSOLUTE, with 17.58 cfs remaining CONDITIONAL. B. Name of Exchange: Piedra Pass TMD — Beaver Park Reservoir Exchange i. Location of Structures Involved: a. Exchange From Point: Confluence of South Fork Rio Grande and Rio Grande in the SE1/4, NW1/4, Section 34, Township 40 North, Range 3 East, NMPM. UTM Coordinates: NAD83, Zone 13, 355802.8 E 4170885.3 N. b. Exchange To Point: Beaver Park Reservoir outlet located in the NW1/4, SE1/4, Section 28, Township 39 North, Range 3 East, NMPM. UTM Coordinates: NAD83, Zone 13, 352875.2 E 4162411.2 N. c. Exchange Reach: The exchange reach is from the confluence of the South Fork Rio Grande, as described above, to Beaver Park Reservoir, as described above. The length of the exchange is approximately 7.5 river miles. d. Source and Use of Water: CPW's Piedra Pass 2022 Water Rights, for all decreed purposes. The Piedra Pass 2022 Water Rights include diversions from the Don La Font Ditch No. 1, the Don La Font Ditch No. 2, and the South River Peak Ditch, which are diverted from Water Division 7 and delivered into Water Division 3 by way of two pipelines to the headwaters of Red Mountain Creek. 1. Don La Font No. 1: SW1/4, SE1/4 Section 32, Township 39 North, Range 1 West, NMPM. UTM coordinates: NAD 83, Zone 13, 322949 E, 4159889 N. 2. Don La Font No. 2: NW1/4, NW1/4 Section 5, Township 38 North, Range 1 West, NMPM. UTM coordinates: NAD 83, Zone 13, 323476 E, 4159696 N. 3. South River Peak Ditch: NE1/4, NE1/4, Section 5, Township 38 North, Range 1 West, NMPM. UTM coordinates: NAD 83, Zone 13, 234603 E, 4159311 N. e. Appropriation: 1. Date: May 23, 2022. 2. How Initiated: CPW began diverting the Piedra Pass 2022 Water Rights under free river conditions and delivered them by way of exchange into storage under administrative approval by the Division 3 Engineer. 3. Note: CPW operated the Piedra Pass TMD-Beaver Park Reservoir Exchange in 2022 and is coordinating with the Division 3 Engineer to confirm 2022 water year accounting. The final decree may reflect changes to the amounts made absolute due to input from this consultation. f. Exchange Rate Claimed: 22 cfs, of which 4.42 cfs is ABSOLUTE, with 17.58 cfs remaining CONDITIONAL. 5. Name and addresses of 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 will be stored: To the best of CPW's knowledge, the owners of the underlying lands on which the existing storage structures listed above are located are as set forth below. No construction of new structures or modification of existing structures is contemplated in connection with these appropriations. A. Rio Grande Reservoir: The Rio Grande Reservoir is owned by the San Luis Valley Irrigation District ("SLVID"), 296 Miles St., Center, CO 81125; and is located on lands owned by SLVID and the U.S. Forest Service, Rio Grande National Forest, 1803 W. Highway 160, Monte Vista, CO 81144. B. Beaver Park Reservoir: Beaver Park Reservoir is owned by CPW and located on lands owned by U.S. Forest Service, Rio Grande National Forest, 1803 W. Highway 160, Monte Vista, CO 81144; High Valley Ranch, LLC, Barry Beal, 104 S. Pecos St., Midland, TX 79701. WHEREFORE, CPW respectively requests this Court enter a decree confirming CPW's appropriation of the two exchanges as set forth herein and granting such other relief as the Court deems just and proper. (6 pages)

Annual Replacement Plan Notification List for Water Division No. 3

The “Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (the Rio Grande Basin) and Establishing Criteria for the Beginning and End of the Irrigation Season in Water Division No. 3 for All Irrigation Water Rights” (“Groundwater Rules”) were adopted by the State Engineer and granted final approval by the Water Court on March 15, 2019.

Under Rule 4.2 of the Groundwater Rules, the Annual Replacement Plan Notification List or ARP List (“List”) means the list of interested persons established by the State Engineer for the purposes of notifying interested persons of the submission of any Subdistrict Annual Replacement Plans, approval or disapproval of those plans by the State and Division Engineers, and requests for variances under the Groundwater Rules. Under Rule 22 of the Groundwater Rules, when the rules mandate the provision of notice in accordance with Rule 22, the State Engineer must provide notice to interested persons through an electronic mailing list, such as the List, and the Division of Water Resources website.

The State Engineer will, in January of each year, cause to have published in the water court resume for Water Division No. 3, an invitation to be included on the List. Interested persons are invited to sign up for the List at: <https://dwr.colorado.gov/public-information/notification-lists>.

SUBSTITUTE WATER SUPPLY PLAN AND PRODUCED NONTRIBUTARY GROUNDWATER NOTIFICATION LIST

Section 37-92-308(6), C.R.S. directs the State Engineer to establish a notification list for each water division for the purpose of notifying interested parties of requests for the State Engineer’s approval of substitute water supply plans (“SWSP”) filed in that water division pursuant to section 37-92-308, C.R.S. The SWSP notification list is also used to provide notice of proposed water right loans to the Colorado Water Conservation Board for use as instream flows under section 37-83-105(2)(b)(II), C.R.S., notice of applications for the State Engineer’s approval of interruptible water supply agreements under section 37-92-309(3)(a), C.R.S., notice of applications for fallowing-leasing pilot projects under section 37-60-115(8)(e)(II), C.R.S., notice of fire suppression ponds under section 37-80-124(10)(a)(II)(E), C.R.S., and notice of storm water detention and infiltration facilities under section 37-92-602(8)(d), C.R.S.

Pursuant to Rule 17.5(B)(2) of the Rules and Regulations for the Determination of the Nontributary Nature of Ground Water Produced Through Wells in Conjunction with the Mining of Minerals, at 2 CCR 402-17 (“Rules”), the State Engineer is publishing this invitation to persons to be included on the Produced Nontributary Ground Water Notification List. According to Rule 17.5(B)(2) of the Rules, the State Engineer must establish a Produced Nontributary Ground Water Notification List for each water division within the State of Colorado for the purposes of ensuring that water users within each water division receive adequate notice of proceedings held pursuant to the Rules. In order to establish such notification list, the State Engineer is directed, in January of each year, to cause to have published in the water court resume for each water division this invitation to be included on the Produced Nontributary Ground Water Notification List for the applicable water division.

This notice is an invitation to be included on the SWSP or Produced Nontributary Groundwater notification lists. Sign up for these or other notification lists maintained by the State Engineer at: <https://dwr.colorado.gov/public-information/notification-lists>. Additional information is available on the Division of Water Resources' website at: <https://dwr.colorado.gov/>.

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 notified that you have until the last day of February 2023, 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 or a protest to the requested correction. A copy of such a statement of opposition or protest must also be served upon the Applicant or the Applicant's attorney and an affidavit or certificate of such service must be filed with the Water Clerk. The filing fee for the Statement of Opposition is \$192.00. Forms may be obtained from the Water Clerk's Office or our website at www.courts.state.co.us. Jennifer Pacheco, Water Clerk, Water Division 3, 8955 Independence Way, Alamosa, CO 81101.