

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 May 2024, for each county affected.

2024CW1 **La Plata County**, Applicant(s): Steve Latham and Bonita Latham, 251 Miller Ranch Rd., Ignacio, CO 81137; Structure: Bonita (ditch); SE1/4 SW1/4, Section 21, T32N, R6W, NMPM; 23 feet from South section line, 108 feet from East section line; UTM coordinates, Zone 13, 276807 Easting, 4097821 Northing; Source: Surface Runoff from Unnamed Tributary to Rock Gulch, Tributary to San Juan River; Appropriation date: 1988; Amount: 0.30 cfs Conditional; Use: Irrigation and stock use; See application for further details; Application to Make Absolute (Surface). (7 pages including exhibits)

2024CW3013 Archuleta County, Colorado. **APPLICATION FOR CONDITIONAL UNDERGROUND WATER RIGHT.** Name and address of Applicant: Archuleta School District, c/o Rick Holt, Superintendent, 309 Lewis Street, PO Box 1498, Pagosa Springs, CO 81128. Please direct all correspondence, motions, and pleadings to Karl J. Hanlon or Danielle T. Skinner, KARP NEU HANLON, P.C., 201 14th Street, Suite 200, P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261. Name of structure: *School Hot Water Well.* Legal description: a point in the SE¼ of the NW¼ of Section 13, T35N, R2W, NMPM. UTM x 321756.1, UTM y 4126597.2, Latitude 37.268906, Longitude -107.010281. Source: Groundwater tributary to the San Juan River. Appropriation date: January 1, 1979 (historic date: August 30, 1924). How appropriation was initiated: By completion of new school building where water was to be used. Amount: 0.75 c.f.s. (335 GPM), conditional. Uses: Heat school buildings (commercial). Depth: Approximately 350 feet. Remarks: The School Hot Water Well was originally decreed on July 28, 1980. Diligence was not maintained on the water right and as a result the original right was deemed abandoned on April 1, 1996. The well is artisan in nature and while capped, it leaks a sufficient amount to cause damage to the surrounding property. Applicant intends to rehabilitate the well for the uses identified above. Names and addresses of owners of land upon which structures are located: Applicant. An exhibit depicting the location of the structures (Exhibit A) is on file with the Water Court: (4 pages including exhibit)

2024CW3014 **Archuleta County.** Application for Finding of Reasonable Diligence. 1. Applicant: Catspaw Ranch, Inc. c/o Peregrine Financial Corporation, 222 Rosewood Drive, Suite 530, Danvers, MA 01923. Direct all pleadings and correspondence to Applicant's counsel: William H. Caile, Holland & Hart LLP, 555 17th St. #3200, PO Box 8749, Denver, CO 80201-8749; telephone: (303) 295-8000; email: whcaile@hollandhart.com 2. Name of Structure. New Bond House Ditch. 3. Information from Previous Decrees. a. Original decree: December 19, 1968 in Case No. 73-308D, District Court for Archuleta County. b. Subsequent decrees awarding diligence: At timely intervals as required by statute and the decrees entered with respect to this water right, Applicants have shown to the Court that reasonable diligence has been exercised in the development of this conditional water right, and the Court has ruled that said water right is to be continued in full force and effect. The previous such decree was issued on May 10, 2018, in Case No. 17CW3039, Water Division 7. c. Location: i. Navajo River Diversion: A headgate on the right or west bank of the Navajo River at a point whence the south quarter corner of Section 1, Township 33 North, Range 2 East, N.M.P.M. bears South 12°44' West a distance of 16,993.5 feet. See Area Map on file with Water Court as Exhibit A. ii. Fall Creek Diversion: A headgate on the left or east bank of Fall Creek at a point within the southwest quarter of Section 24, Township 34 North, Range 2 East, N.M.P.M., whence the south quarter corner of Section 1, Township 33 North, Range 2 East, N.M.P.M. bears South 1°31' East, a

distance of 16,232.2 feet, and from which water will be carried in Fall Creek Ditch as a feeder South 14°53' East a distance of 347 feet to the point of intersection of Fall Creek Ditch with said New Bond House Ditch. See Exhibit A. iii. Iron Creek Diversion: A headgate on the right or south bank of Iron Creek at a point within the southwest quarter of Section 25, Township 34 North, Range 2 East, N.M.P.M. whence the south quarter corner of Section 1, Township 33 North, Range 2 East, N.M.P.M. bears South 02°55' East, a distance of 12,837.7 feet, and from which water will be carried in the Iron Creek Feeder South 39°30' East a distance of 255 feet to the point of intersection of Iron Creek Feeder with said New Bond House Ditch. See Exhibit A. iv. Beaver Creek Diversion: A headgate on the right or south bank of Beaver Creek at a point within the southeast quarter of Section 26, Township 34 North, Range 2 East, N.M.P.M., whence the south quarter corner of Section 1, Township 33 North, Range 2 East, N.M.P.M. bears South 13°21' East a distance of 12,355.8 feet, and from which water will be carried in the Beaver Creek Inlet in a southerly direction a distance of 770 feet to the Beaver Creek Reservoir, and will flow from the Inlet through and out of said reservoir, which will be provided with an outlet structure located South 44°45' East a distance of 138 feet from the end of the Inlet to the reservoir, and which structure will be so constructed as to permit water to flow directly therefrom and thence South 67° 30' East a distance of 315 feet through a feeder to the point where said feeder intersects said New Bond House Ditch. See Exhibit A. v. Aspen Creek Diversion: A headgate on the right or south bank of Aspen Creek at a point where the New Bond House Ditch intersects said creek within the northeast quarter of Section 2, Township 33 North, Range 2 East, N.M.P.M. whence the south quarter corner of Section 1, Township 33 North, Range 2 East, N.M.P.M., bears South 35°51' East a distance of 5,264.9 feet. See Exhibit A. d. Source: Navajo River and its tributaries. e. Appropriation Date: October 5, 1966, priority 1968-253 f. Amount: 38.0 c.f.s., CONDITIONAL; i. Navajo River 15.0 c.f.s. ii. Fall Creek 5.0 c.f.s. iii. Iron Creek 10.0 c.f.s. iv. Beaver Creek 5.0 c.f.s. v. Aspen Creek 3.0 c.f.s. g. Use: The subject conditional water right is decreed for domestic, irrigation, industrial, fire protection, resort, and stock watering. 4. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed. The application on file with the Water Court contains a detailed description of activities and expenditures in furtherance of the development of the conditional water right. The list of activities and expenses is not intended to be exhaustive. Applicant reserves the right to submit additional evidence of reasonable diligence as necessary or appropriate. 5. Name and address of owners of land upon which any new diversion or storage structures, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored: Applicant or its affiliates. Wherefore, Applicant respectfully requests the Court enter a ruling and decree: Finding that Applicant has demonstrated reasonable diligence in the development of the subject conditional water rights; Continuing the subject conditional water rights in full force and effect; and for such other relief as the Court deems just. (7 pages including exhibit)

2024CW3015 LA PLATA COUNTY, WATER DISTRICT NO. 78: 1) Applicant: Southern Ute Indian Tribe; **2) Attorney:** Adam T. Reeves/Lindsey A. Ratcliff, Maynes, Bradford, Shippo & Sheftel, LLP, P.O. Box 2717, Durango, CO 81302; **3) Application for Finding of Reasonable Diligence;** **4) Source for all Three Structures:** Pine River, tributary to the San Juan River; **5) Severo Ditch-Tobey Addition: Location:** SW 1/4 NE 1/4 SE 1/4 of Section 17, T33N, R7W, N.M.P.M.; UTM Coordinates (Zone 13: Datum NAD 83) Northing 4109301 Easting 266843.4; **Amount Claimed:** 0.5 c.f.s. Absolute; **Appropriation initiated and date water applied to beneficial use:** May 21, 2009; **Use:** Irrigation of 40 acres in the E1/2 SE1/4 of Section 33, T33N, R7W, N.M.P.M.; and Filling of SUIT Tobey Ponds Nos. 1 and 2, for stock watering and fire fighting; **6) SUIT Tobey Pond #s 1 and 2: Appropriation date and how initiated:** May 21, 2009, site visit by Tribal Water Resources staff to investigate water supply and develop improvement plan; **Amount claimed:** 0.4 AF for combined SUIT Tobey Ponds 1 and 2, approximately 0.2 AF per Pond, Conditional; Pond Filling Severo Ditch, Tobey Addition. Rate - 0.5 cfs during the central part of the irrigation season, 3.0 cfs outside the irrigation season or during the fringes of the irrigation season as space is available in the Severo Ditch; **Use:** stock watering and fire fighting; **7) SUIT Tobey Pond #1 Location:** Center of SUIT dam: UTM Coordinates: Zone 13 Datum NAD 83 Northing 4104634; Easting 268175; **8) SUIT Tobey Pond #2: Location:** (Center of Pond) UTM

Coordinates: (Zone 13; Datum NAD 83) Northing 4104186; Easting 268260; **8)** Applicant is updating an Agricultural Farm Plan for the land on which the storage rights are located; Applicant has instituted an inter-disciplinary water use options team to evaluate the totality of the Tribe's water rights portfolio, which operates as an integrated project to serve the Tribe and its membership. Among the rights subject to evaluation is that applied for here; **9)** Applicant is the owner of the land upon which any new diversion or storage structure is or will be constructed. (5 pages)

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 July 2024, 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; Jason Poyer, Water Court Specialist, 1060 E. 2nd Ave., Room 106, Durango, CO 81301; 970-247-2304)

Published: before June 30, 2024

/s/ Jason Poyer
Water Court Specialist