

## NOTICE OF HEARING ON PETITION

To All Persons Interested:

Public Notice is Hereby Given:

1. That on the July 23, 2024, pursuant to the provisions of the Colorado Water Conservancy Act, C.R.S. §§ 37-45-101 *et. seq.*, there was filed with the clerk of the district court sitting in and for Alamosa County, Colorado, a petition (“Petition”) for the establishment of a water conservancy district to be known as the Southern Colorado Water Conservancy District (“District”) and for the establishment of the Groundwater Management Subdistrict of the Southern Colorado Water Conservancy District (“Subdistrict”).
2. The formation of the District and Subdistrict will encourage the conservation, development, and stabilization of water supplies used for domestic, irrigation, commercial, power, manufacturing, and other beneficial uses. *See* C.R.S. §37-45-108. Irrigated lands within the District and Subdistrict are irrigated by a combination of surface water supplies and wells withdrawing water from the Confined and Unconfined Aquifers. The lands proposed for inclusion also utilize wells for related industrial and commercial uses. In order to continue operating their wells for irrigation and related commercial and industrial uses, these well owners will require the development of works and acquisition of supplemental supplies of water for the purposes of replacing depletions to the Rio Grande River and any other river or creek where depletions are required to be replaced and for purposes of conserving water within the Unconfined Aquifer in order to ensure that a sustainable water supply is achieved and maintained within that aquifer as required by C.R.S. §37-92-501(4). The District and its Subdistrict will be distinct legal entities, funded by a mill levy imposed by its board pursuant to the provisions of the Act, by fees and assessments paid by well owners who enter water allotment contracts with the District or Subdistrict and by any other lawful means. Assessments will be proportional to the cost of obtaining sufficient water to augment the wells of contract holders and to achieve and maintain a sustainable water supply in the Unconfined Aquifer. The District and the Subdistrict will employ a number of means to develop works and a portfolio of water rights sufficient to achieve and maintain a sustainable water supply and augment its member wells to ensure that such wells are allowed to continue operating under all applicable laws, rules, and water court decrees, including but not limited to, the lease and purchase of senior, transmountain or other fully consumable water rights, the change of senior water rights to augmentation use, the development of recharge projects, forbearance agreements, the construction of water storage projects, and the purchase, lease and retirement of irrigated land and wells which divert water from the Confined and Unconfined Aquifers, alone or in concert with other entities, and will employ all means available under the Act for the financing of its activities, including but not limited to the issuance of Water Conservancy Bonds, the imposition of mill levies, the creation of one or more water activity enterprise and financing through the Colorado Water Conservation Board or other available lenders. The District and Subdistrict intend to prosecute an application for approval of one or more plans of augmentation with the Division 3 Water Court, may seek approval of substitute supply plans pursuant to C.R.S.

§37-92-308(4) during the time the application is pending and may develop a groundwater management plan under C.R.S. §37-92-501(4)(c).

3. The District and Subdistrict will be composed of non-contiguous parcels of land in Alamosa, Rio Grande, and Saguache Counties, Colorado, described below. One hundred percent of the owners of said lands have signed the petition for the formation of the District and the Subdistrict.

Irrigated Lands:

Section: 10 Township: 40 Range: 8 LY NW & SE OF FARMERS UNION CANAL

Section: 10 Township: 40 Range: 8 FR SE4SE4 DESC AS FOLS BEG AT SE COR OF PAR WH S4 COR SEC 10 BEARS S 79 DEG 49' W 2296.5 0 FT TH N 45 DEG 27 1/2' W 389.29 FT TH S 89 DEG 15 1/2' E 454.28 FT TH S 88 DEG 46 1/2' E 32 FT TH S 38 DEG 04 1/2' W 388.54 FT TO POB CONT 1.51 A

Section: 11 Township: 40 Range: 8 NW4 LESS 5 AC BK 344 PG 570 N2NW4NW4NW4 SEC 11-40-8 SW4 SEC 11-40-8 LESS 5 AC BK 344 PG 571 FR NE4SE4 SEC 10-40-8 LY S & W OF FARMERS UNION CANAL SE4SE4 SEC 10-40-8 LESS 4.69 AC M/L SW4SE4 SEC 10-40-8 NW4SE4 SEC 10-40-8 LY S & W OF FARMERS UNION CANAL NE4 SEC 10-40-8 LESS 5.11 AC BK 550 PG 44 CONT 605.20 AC M/L FORMERLY 11112-00-389

NE1/4 31-42-10

LOTS 1-2,E1/2NW1/4 31-42-10 (SMR)

SW1/4 31-42-10

SE1/4 31-42-10

SE1/4 36-41-7 LESS 2.41 AC. B312 P26, ALSO LESS 5.21 AC. B451 P581

SW1/4 1-41-8

A TRACT OF LAND LOCATED IN THE SW1/4NW1/4 21-41-8 CONTAINING 7.10 ACRES, REC# 392916, TRACT 2 SKYLINE LAND COMPANY LOT LINE ADJUSTMENT

NE1/4 14-41-8 (SMR)

NE1/4 20-41-8

NW1/4 21-41-8 LESS A TRACT OF LAND CONT. 1.00 ACRES B32 2 P241, ALSO LESS A TRACT OF LAND CONT. 4.31 ACRES, ALSO LESS A TRACT OF LAND CONT. 4.56 ACRES REC# 320956, ALSO LESS A TRACT OF LAND CONT. .79 ACRES B454 P697

NW1/4 26-41-8 NE1/4 27-41-8 NW1/4 27-41-8 LESS 1.48 AC. SW1/4 22-41-8 B399 P476 (SMR)

NE1/4 23-41-8

S1/2 25-41-8 LESS 2.04 ACRES, ALSO LESS 3.94 ACRES REC# 330222 AKA TRACT 1 OF THE JIM FORD DIVISION OF LAND

NE1/4 26-41-8 SLV

SE1/4 26-41-8

SE1/4 27-41-8

SE1/4 28-41-8

TRACT A IN SE1/4 33-41-8 TRACT F IN SE1/4 33-41-8 LESS A TRACT OF LAND 173.26' X 300'

NE1/4 34-41-8

NE1/4 35-41-8 LESS A TRACT OF LAND LOC. IN: NW1/4NE1/4 35-41-8 CONT. 1.68 ACRES B459 P392 B460 P110

NW1/4 35-41-8

NE1/4 36-41-8 LESS 1.09 ACRES REC# 386664 (AKA TRACT 1 DAVID TONSO DIVISION OF LAND REC# 385346)

NW1/4 36-41-8 LESS 1 AC. B390 P834

SW1/4 36-41-8

NE1/4 1-41-9 LESS 1.835 ACRES B424 P852, ALSO LESS 0 .80 ACRES REC# 338252 (SMR)

ALL SECTION 3-41-9 LESS A TRACT OF LAND LOCATED IN THE SW1/4 CONTAINING 5.00 ACRES REC# 315607 N1/2 10-41-9 (SMR)

TRACT OF LAND IN THE NW1/4 7-41-9 CONT. 147.32 ACRES B490 P161A (SMR)

SW1/4 7-41-9

E1/2 17-41-9 E1/2 20-41-9 (SMR)

W1/2 17-41-9 W1/2 20-41-9 (SMR)

NE1/4 19-41-9

NW1/4 19-41-9 B 364 P 642 (SMR)

SW1/4 19-41-9

SE1/4 19-41-9

SW1/4 22-41-9

SE1/4 22-41-9

NE1/4 27-41-9 LESS A TRACT OF LAND CONTAINING 2.57 ACRES REC# 398180 (A/K/A TRACT 1 MYERS LAND RLLP, DIVISION OF LAND REC# 397712)

NW1/4 27-41-9

SW1/4 29-41-9 B380 P120

NW1/4 30-41-9

SE1/4 31-41-9 LESS 5.78 ACRES REC# 387907, ALSO LESS 4.39 ACRES REC# 391242 (AKA TRACT 2A JADA HOLDINGS DIVISION OF LAND)

SE1/4 7-41-10

N1/2NE1/4 8-41-10

S1/2NE1/4 8-41-10 (SMR)

SW1/4 8-41-10

SE1/4 8-41-10

POR. OF LAND IN SW1/4NW1/4 17-41-10 CONT. 10 AC. (SMR)

NW1/4 17-41-10 LESS 10 ACRES B361 P259

SE1/4 17-41-10

SE1/4 18-41-10 LESS A TRACT OF LAND CONT. 4.35 AC B457 P233 (SMR)

SW1/4 19-41-10

S1/2SW1/4, SE1/4, N1/2 20-41-10

N1/2SW1/4 20-41-10

SW1/4 29-41-10

SE1/4 29-41-10 LESS 7.082 ACRES REC# 350421 (SMR)

E1/2NW1/4 30-41-10, E1/2W1/2NW1/4 30-41-10 LESS MINERALS B420 P745

W1/2W1/2NW1/4 30-41-10 (SMR) B353 P44/45

SE1/4 31-41-10 LESS A TRACT OF LAND LOC. IN SE1/4SE1/4 CONT. 6.62 ACRES B436 P389 (SMR)

NW1/4 32-41-10

S1/2 32-41-10 LESS 1.471 AC REC# 323646, ALSO LESS 9.490 AC REC# 357650 (SMR)

NW4 7-40-10 157AC M/L (SLV) EXC 1/2 IN M/RTS WD REC #328938 11-29-06 SWD REC #331045 01-29-07

NE4 & SE4 4-40-9 (SLV) SW4 & NW4 4-40-9 (SLV) SWD REC #380852 05-17-2021

SE4 5-40-9 156A (SLV) JWD REC #380858 05-17-2021

TR 1 ALLIED POTATO DOL LOC IN NE4 6-40-9 148.02AC M/L WD REC #373263 05-16-19  
PLAT REC #375223 12-03-19

SW4 6-40-9 TNA 153.5AC EXC SW4SW4SW4SW4 2.5AC (SLV) EXC 1/2 INT M/RTS BSD  
REC #385241 05-13-2022

ALSO OWNER: MYERS GERALD W TRUST (1/3 INT) FRANSEN CHERYL M TRUST 1/3  
INT & MYERS GERALD W TRUST NE4 7-40-9 158A (SLV) PRD REC #383175 10-22-2021  
PRD REC #383176 10-22-2021 PRD REC #373177 10-22-2021 TRD REC #383179 10-22-2021  
TRD REC #383180 10-22-2021 TRD REC #383181 10-22-2021

NW4 7-40-9 155.42A (SLV) PRD REC #383175 10-22-2021 PRD REC #383176 10-22-2021 PRD  
REC #383177 10-22-2021 TRD REC #383179 10-22-2021 TRD REC #373180 10-22-2021 TRD  
REC #383181 10-22-2021

SE4 7-40-9 158A (SLV) WD B 540 P 175 3-14-96 SWD REC #366789 07-10-17

NW4 9-40-9 155AC (SLV) SWD REC #380852 05-17-2021

SE4 9-40-9 156AC (SLV) EXC 1/2 INT M/RTS WD B 288 P 463 4-29-82

SW4 10-40-9 154A (SLV) JPRD REC #383309 12-01-2021

SW4 14-39-9 160AC EXC 1/2 INT M/RTS NW4 14-39-9 160AC EXC 1/2 INT M/RTS WD REC  
#387897 02-10-2023

Non-Irrigated Lands:

A TR OF LAND CONT. 1.835 ACRES LOCATED IN NE1/4 1-41-9 B424 P852

TR A-1 IN SE1/4 33-41-8 B353 P492 B396 P333

SW4SW4SW4SW4 6-40-9 2.5A (SLV) BSD REC #385241 05-13-2022

A TRACT OF LAND LOCATED WITHIN THE NW1/4 24-41-8 CONTAINING 5.535 ACRES  
REC# 369797 (A/K/A MYERS HOME TRACT)

FR SW4NW4 7-40-9 (SLV) BEG SW COR PARCEL HEREIN DE SC A PT ON E LINE CO RD  
AS FENCED WHENCE W2 SEC 7 BEAR S S 1 DEG 42 1/4' W 855.89' TH N 173' ALONG E  
LINE SAID RD TH E 88.88' TH S 77DEG 08' E 19.09' TH S 46DEG 15' E 53.96' TH S 20DEG  
58' E 26.20' TH S 0DEG 01' E 92.03' TH S 39DEG 46' W 15.03' TH S 88DEG 40' W 146.30' TO  
POB .58AC PRD REC #383175 10-22-2021 PRD REC #3831

A TRACT OF LAND LOCATED IN THE SW1/4 3-41-9 CONTAINING 5.00 ACRES A/K/A/  
TRACT 2 REC# 315607

4. Pursuant to C.R.S. §37-45-114, Petitioners request the initial Board of Directors be comprised of Asier Artachevarria who is a farmer and landowner within the District; William Meyers who is a farmer and the appointed agent of Myers Family Farm, LLC and its members who are landowners within the District, and Les Alderete who is the General Manager of Skyline Potato and the appointed agent of Skyline Land Company and its owners who are landowners within the District. These people are landowners or agents for entities who are landowners and are familiar with and representative of the beneficial users of water within the District and Subdistrict.
5. The public hearing on the Petition will take place on **October 17, 2024** at 9:00 a.m. at the Alamosa County Justice Center, Alamosa, Colorado, in Courtroom A.