**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 January 2025 for each county affected.**

**CASE NO. 2025CW1** Jose Martinez P.O. Box 96, Mosca CO. 81146 lmartinez@hartlandconstructioninc.com (719)221-4102 **APPLICATION FOR CONDITIONAL ABSOLUTE UNDERGROUND WATER RIGHT In the Rio Grande (Closed Basin) or its Tributaries in ALAMOSA COUNTY.** Well No. 1 permit. Registration, or denial number 21921-F. Location of Structure: SE1/4 of the SE1/4 Section 11 Township 39N Range 10E N.M.P.M Point of diversion. **UTM coordinates Easting 423920 Northing 4162250 Zone 13 street address:** 2070 IRON WAY, MOSCA, CO. 81146. Distance from Section lines (Not from property lines) 100 Feet from the South Section Line and 1300 Feet from the East Section Line. Source of PLSS information: Well Permit No. 219121-F Source of water: Unconfined Aquifer of the Closed Basin. How appropriation was initiated: By receipt of application for well permit by the Office of the State Engineer. Date water applied to beneficial use (for example, the date that the applicant first operated the well for its intended use): prior to December 23, 1976. Does the well withdraw tributary groundwater: **Yes,** Amount claimed in gallons per minute (gpm) or cubic feet per second (cfs): Conditional N/A Absolute 50 gpm. Amount claimed in acre feet annually (one acre foot is the amount of water required to cover an area of one acre to a depth of one foot and is equal to approximately 325,900 gallons). Conditional N/A Absolute 1.5 acre feet per year on average. If claiming an absolute water right, application shall include supporting evidence that applicant diverted water in-priority and applied such water to the beneficial uses claimed in the amounts claimed. Does the well withdraw non-tributary groundwater? -**NO**. Doe the well operate pursuant to a decreed plan for augmentation? **NO Is plan for augmentation operational? If granted, the well will be contracted with Groundwater Management Subdistrict No. 1 of the Rio Grande Water Conservation District.** List All Uses or Proposed Uses: Domestic use for two homes including irrigation of approximately 0.5 acre of home lawn and garden, the watering of domestic animals, and commercial use associated with a repair shop /sales office in an existing nearby building and yard. If irrigation, complete the following: Number of acres historically irrigated 0.5; proposed to be irrigated N/A. Does the Applicant intend to use this water right to supplement irrigation on an area of land already irrigated under another water right? **NO**. A portion of the SE1/4 of Section 22, T39N, R10E, NMPM located within parcel no. 513722104010. This well has historically served two homes, lawn and garden irrigation, animal watering and the water. supply to a diesel repair shop and sales yard. Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new or existing 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 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 by no later than 14 days after filing this application. The certification form is on page 5 of this form. **JOSE MARTINEZ P.O. BOX 96, MOSCA, COLORADO 81146 REMARKS:** Applicant understands that the underground water rights requested would be subject to the Groundwater Use Rules decreed in Case No. 15CW3024 and the Well Measurement Rules decreed in Case No. 05CW12. Despite the fact that the well completion and pump installation reports were never filed for Permit No. 21921-F, this well has been drilled and used for domestic and commercial purposes since 1977. The current well is failing due to age. Applicant intends to apply for a replacement well approximately 150 feet north of the current location pending a Court determination in this matter.

**You are notified that you have, until the last day of March 2025, 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.**

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**Case Number 25CW3000- (2018CW3; 2009CW32; 1999CW22; 1991CW29)** Natural Prairie Colorado Farmland Holdings LLC (Natural Prairie), 811 US Highway 87, P.O. Box 659, Hartley, Texas 79044. Please direct all court filings and all communications to the Attorneys for Natural Prairie Colorado Farmland Holdings LLC: David C. Taussig, Alan E. Curtis, Bryan T. Stacy, CURTIS, JUSTUS, & ZAHEDI LLC, 1333 W. 120th Ave., Suite 302, Westminster, Colorado 80234, Tele: (303) 595-9441, davet@cjzwaterlaw.com, alanc@cjzwaterlaw.com, bryans@cjzwaterlaw.com. **APPLICATION FOR FINDING REASONABLE DILIGENCE IN COSTILLA COUNTY, COLORADO**. 2. SUMMARY OF APPLICATION. The May 25, 1993 Decree in Case No. 91CW29, Water Division 3 (91CW29 Decree) confirmed: (a) a maximum total diversion of 4.5 cubic feet per second (c.f.s.), separately or combined, for irrigation; and (2) 2.0 c.f.s. of diversions for livestock watering, for the Tres Rios Ditch No. 1 and the Tres Rios Ditch No. 2 (Tres Rios Ditch 1 and 2 Water Rights). September 28, 2001, Decree in Case No. 99CW22, Water Division 3 (99CW22 Decree) confirmed that 2.0 cubic feet per second (c.f.s.) of the 4.5 cubic c.f.s. of the Tres Rios Ditch 1 and 2 Water Rights were made absolute for irrigation and livestock watering purposes, with 2.5 c.f.s. remaining conditional for irrigation and livestock purposes. Natural Prairie acquired the Tres Rios Ditch 1 and 2 Water Rights by Special Warranty Deed dated June 24, 2020. Natural Prairie now seeks a finding of reasonable diligence for the remaining 2.5 c.f.s. of the Tres Rios Ditch 1 and 2 Water Rights not previously made absolute (Natural Prairie’s Diligence Claim). The 2.0 c.f.s. of the Tres Rios Ditch 1 and 2 Water Rights previously made absolute by the 99CW22 Decree are not at issue in this diligence proceeding. 3. DESCRIPTION OF TRES RIOS DITCH 1 AND 2 WATER RIGHTS. a. Original Decree. 91CW29 Decree. b. Subsequent Decrees. i. 99CW22 Decree. ii. Case No. 09CW32, Water Division 3 (April 16, 2011). iii. Case No. 18CW3, Water Division 3 (February 11, 2019). c. Name of Structures. Tres Rios Ditch No. 1 and Tres Rios Ditch No. 2. d. Locations. i. Tres Rios Ditch No. 1. Decreed at a point from which the Southeast corner of Section 35, Township 31 South, Range 75 West of the 6th P.M. bears South 33° East, 7,370 feet, in the SW1/4 of the SW1/4 of Section 26, Township 31 South, Range 75 West of the 6th P.M., in Costilla County, Colorado. This diversion has not yet been put to use. ii. Tres Rios Ditch No. 2. Located at a point from which the Southeast corner of Section 35, Township 31 South, Range 75 West of the 6th P.M. bears South 51° East, 1,690 feet, in the SE1/4 of the SE1/4 of Section 35, Township 31 South, Range 75 West of the 6th P.M., in Costilla County, Colorado. The UTM location is as follows: NAD83, 13S 435455mE, 4128813mN. The approximate location of point of diversion for Tres Rios Ditch No. 1 and the actual location of point of diversion for the Tres Rios Ditch No. 2 are shown on Exhibit 1. e. Source. Rio Grande River. f. Appropriation Date. December 31, 1991. g. Amount. 2.0 c.f.s. absolute, 2.5 c.f.s. conditional. h. Uses. (i) Irrigation of up to 125 acres of land located in the W1/2 of fractional Sections 1 and 2, Township 32 South, Range 75 West of the 6th P.M. in Costilla County, Colorado; and (ii) livestock watering. i. Remarks. Pursuant to paragraph 61 on page 36 of the 91CW29 Decree, the Tres Rios Ditch 1 and 2 Water Rights may divert: only in years in which: (1) Elephant Butte Reservoir has spilled or, in the judgment of Colorado’s Commissioner on the Rio Grande Compact Commission, is certain to spill and under Article VI of the Compact no credits and debits will be calculated for Colorado under the Compact for that year; or (2) Colorado has obtained or, in the judgment of Colorado’s Commissioner on the Rio Grande Compact Commission, is certain to obtain an annual credit in excess of 150,000 acre-feet. Any such diversions must also be in priority with respect to other water rights in Colorado. No diversions may be made at any other time in the absence of a plan for augmentation approved in the manner required by law. 4. NATURAL PRAIRIE’S DILIGENCE CLAIM. a. Diligence Period. The most recent diligence period for the Tres Rios Ditch 1 and 2 Water Rights is from February 11, 2019, the date the 18CW3 Decree was entered, through January 31, 2025 (Diligence Period). b. Activities and Expenditures. During the Diligence Period, Natural Prairie, together with undersigned water counsel: (i) expended in excess of approximately seven hundred seventy-five thousand dollars ($775,000); and (ii) completed the activities described below, which demonstrate Natural Prairie’s steady and diligent efforts to complete the appropriations of the Tres Rios Ditch 1 and 2 Water Rights, including: i. Acquisition of Tres Rios Ditch 1 and 2 Water Rights. Natural Prairie acquired the Tres Rios Ditch 1 and 2 Water Rights. ii. Rio Grande Monitoring. Natural Prairie and the prior owner of the Tres Rios Ditch 1 and 2 Water Rights monitored hydrologic information along the Rio Grande, including weather sites and Snotel information in the Rio Grande Basin, gaging station flow data in Colorado and New Mexico, reservoir levels at Elephant Butte Reservoir, and review of the Rio Grande Compact Reports. (1). Extended Drought Conditions Confirmed. The hydrologic information described above confirms the Rio Grande Basin has suffered from extended drought conditions during the Diligence Period and water was not available to make absolute the additional portions of 2.5 c.f.s. of the Tres Rios Ditch 1 and 2 Water Rights remaining conditional. iii. Maintenance of Ditch System. Natural Prairie has maintained the existing ditch system and pump equipment necessary to divert and beneficially use the Tres Rios Ditch 1 and 2 Water Rights. iv. Monitoring of Division 3 Water Court Resumes and Substitute Water Supply Plans. Natural Prairie monitored the Division 3 Water Court resumes and Substitute Water Supply Plan notices for new water rights applications to determine potential injury to Natural Prairie’s water rights, including the Tres Rios Ditch 1 and 2 Water Rights. 5. NAMES AND ADDRESSES OF OWNERS OR REPUTED OWNERS OF LAND UPON WHICH ANY NEW DIVERSION OR STORAGE STRUCTURE, MODIFICATION TO ANY EXISTING DIVERSION OR STORAGE STRUCTURE IS OR WILL BE CONSTRUCTED UPON WHICH WATER IS OR WILL BE STORED. All structures are or will be located on land currently owned by Natural Prairie. 6. REQUESTED RULING. Natural Prairie respectfully requests the Water Court enter a decree confirming (a) Natural Prairie’s Diligence Claim is approved; (b) the 2.5 c.f.s of the 4.5 c.f.s. of the Tres Rios Ditch 1 and 2 Water Rights remaining conditional is continued for an additional diligence period in its full amount for all decreed purposes; and (c) such other relief as the Water Court determines is just and proper. (5 pages, 1 exhibit)

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**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**
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**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.**

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**Case No.: 2025CW3001** Groundwater Management Subdistrict of the Trinchera Water Conservancy District, 601 Main Street, Blanca, CO 81123. Please send all pleadings and correspondence to: Karl Kuenhold and O. John Kuenhold, LAW OFFICE OF KARL KUENHOLD, LLC, 808 Third Street, Alamosa, CO 81101. (719) 589-3688 ojohn@kuenholdlaw.com(Attorneys for Applicant) **APPLICATION FOR A CHANGE OF WATER RIGHTS in COSTILLA, ALAMOSA, AND CONEJOS COUNTIES, COLORADO**. 2. Overview. Applicant Groundwater Management Subdistrict of the Trinchera Water Conservancy District (“Trinchera Subdistrict”) adopted a Groundwater Management Plan (“GMP”) which was approved by the State Engineer on March 13, 2020, and by subsequent order of the Water Court for Water Division 3 in Case No. 2020CW3001. 2.1. Purpose of the GMP. The GMP’s purpose is to “assure the protection of existing water rights and promote the optimum and sustainable beneficial use of the water resources available for use within the district or a subdistrict.” C.R.S. §37-48-108(4). The GMP assures that withdrawals from wells in the Trinchera Subdistrict comply with the Rules Governing the Withdrawal of Groundwater in Water Division 3, adopted by the State Engineer and approved by the Water Court (the “Groundwater Withdrawal Rules”). 2.2. Annual Replacement Plan. As required by the GMP and the Groundwater Withdrawal Rules, the Trinchera Subdistrict has adopted an Annual Replacement Plan (“ARP”) for each year since the approval of the GMP. In recent years, as a part of the annual ARP, the Trinchera Subdistrict applied for and obtained approval of substitute water supply plans to address injurious stream depletions by piping water from five wells to a point on the Rio Grande in Reach 3. 2.3. Acquisition of Trinchera Subdistrict Wells. As described below, the Trinchera Subdistrict has contracted acquire fifteen wells from Natural Prairie Colorado Farmland Holdings LLC (“Natural Prairie”). Those wells are collectively referred to in this application (“Application”) as the “Trinchera Subdistrict Wells.” 2.4. Purpose of Application. The Application seeks a decree changing use of the Trinchera Subdistrict Wells to include, in addition to decreed existing irrigation uses, providing water to replace of injurious stream depletions to the Rio Grande and Conejos River as well as Trinchera Creek, Ute Creek and Sangre de Cristo Creek (“Replacement Water”) as required in the GMP, the ARPs and Groundwater Withdrawal Rules, which depletions are determined by the Rio Grande Decision Support System Model (“RGDSSM”). The Replacement Water will also serve as a source of supply for: (a) appropriative exchanges to be sought in a future application; and (b) administrative exchanges. 2.5. Pipeline. The Trinchera Subdistrict has constructed a pipeline to deliver water from up to nine of the Trinchera Subdistrict Wells which pump from the unconfined aquifer to Reach 3 on the Rio Grande (“Pipeline”). The Trinchera Subdistrict reserves the right to connect additional Trinchera Subdistrict Wells to the Pipeline. 3. Summary of Water Rights For Which Change is Sought. 3.1. The Trinchera Subdistrict entered into a Lease-Purchase Agreement with Natural Prairie: (a) dated March 15, 2022, to acquire ten of the Trinchera Subdistrict Wells and water rights; and (b) an Addendum to the Lease-Purchase Agreement, dated January 31, 2025 to acquire five additional Trinchera Subdistrict Wells from Natural Prairie to provide the Replacement Water. 3.1.1. The fifteen Trinchera Subdistrict Wells are shown on EXHIBIT 1 and further described in Table 2 below. All of the irrigation wells on the ten quarters depicted on EXHIBIT 1 are included in this Application. These fifteen wells are physically separated from the wells and water rights that will remain with Natural Prairie. The fifteen wells are located within the following contiguous lands: S 1/2 of Section 15, Township 31 S, Range 74 West, 6th P.M ; S 1/2 of Section 14 Township 31 S, Range 74 West, 6th P.M; Section 22, Township 31 S, Range 74 West, 6th P.M.; N 1/2 of Section 23, Township 31 S, Range 74 West, 6th P.M. 3.1.2. EXHIBIT 2 shows nine of the Trinchera Subdistrict Wells from which water is being delivered to the Rio Grande via the Pipeline. Table 1 shows that the wells and water rights purchased by the Trinchera Subdistrict for which a change of water right is sought have a decreed and permitted diversion limitation of 3,124.5 acre-feet. Table 1: Diversion decreed and permitted for Trinchera Subdistrict Wells.

Table 1: Diversion decreed and permitted for Trinchera Subdistrict Wells

|  |  |  |
| --- | --- | --- |
| **Field** | **WDID** | **Appropriation (Acre-Feet)** |
| 1 | 3505022 | 312.5 |
| 2 | 3505587 3505588Combined  | 312.5312.5312.5 |
| 3 | 3505020 | 312.5 |
| 4 | 3505593 | 312.5 |
| 5 | 3505621 3505606 Combined  | 312160312 |
| 6 | 3505016  | 312.5 |
| 7 | 3505030 3505586 Combined  | 312.5312.5312.5 |
| 8 | 3505584 3505585 Combined  | 312.5312.5312.5 |
| 9 | 3505748  | 312.5 |
| 10 | 3505604 3505631 Combined  | 312.5312.5312.5 |
| **Total Diversion** |  | 3124.5 |

Table 2: Detailed Description of Trinchera Subdistrict Wells

|  |  |  |  |
| --- | --- | --- | --- |
| **WDID** | **Decree** | **Permit** | **Legal Description (T31S, R74W, 6th P.M.)** |
| **3505016**3505020 | W3272 Well No. 20 W3272 Well No. 24 | 18647-F18649-F | NE1/4 of Section 22 SW1/4 of Section 14 |
| **350522** | W3272 Well No. 26 | 18652-F | SW1/4 of Section 15 |
| **3505030****3505584** | 10CW8 Well No. 3410CW8 Well No. 33-A | 18660-F46212-F | NW1/4 of Section 23 NE1/4 of Section 23 |
| **3505585** | 10CW8 Well No. 33-R | 18659-F-R | NE1/4 of Section 23 |
| **3505586** | 10CW8 Well No. 34-S | 45646-F | NW1/4 of Section 23 |
| 3505587 | 10CW8 Well No.27-S | 45647-F | SE1/4 of Section 15 |
| 3505588 | 10CW8 Well No. 27-R | 18653-F-R | SE1/4of Section 15 |
| **3505593** | 10CW8 Well No. 25-R | 18651-F-R | SE1/4 of Section 14 |
| 3505604 | 10CW8 Well No. 3-S | 46309-F | SE1/4 of Section 22 |
| **3505606** | 10CW8 Well No. 21-S | 46211-F | NW1/4 of Section 22 |
| **3505621** | 10CW8 Well No. 21-R | 46210-F | NW1/4 of Section 22  |
| 3505631 | 10CW8 Well No. 3-R | 14262-F-R | SE1/4 of Section 22  |
| 3505748 | 10CW30 Well No. 22-R | 18646-F-R | SW1/4 of Section 22 |
| Wells in bold/blue above are connection to the pipeline and are physcial souroces of water |

3.2. Parent Wells. All of the fifteen wells described above, and an additional fifteen wells owned by Natural Prairie described below in Table 3 (“Natural Prairie’s Wells”), are alternate points of diversion from three parent wells. The parent wells are Wells No. 1, 2 and 3 in Case No. W-112, entered August 26, 1978 (“W-112 Decree”). The priority dates for the three parent wells are as follows: 3.2.1. Well No. 1, Case No W-112 with a priority date of May 31, 1950. 3.2.2. Well No.2, Case No W-112 with a priority date of May 31, 1952. 3.2.3. Well No. 3, Case No. W-112 with a priority date of May 31, 1954. (Replaced by Well No. 3-R as described in Section 3.3.1). 3.3. Decrees for the Fifteen Trinchera Subdistrict Wells. 3.3.1. Well No. 3: W-112 Decree (original decree); Case No. W-3272 entered January 26, 1978 (“W-3272 Decree”) (alternate point); Case No. 10CW8, entered December 10, 2001 (“10CW8 Decree”) (Well No. 3 replaced by Well No. 3-R, WDID 3505631). 3.3.2. The other fourteen Trinchera Subdistrict Wells: Case No. W-3272 Decree; Case No. 10CW8 Decree, and the December 10, 2011 decree in Case No. 10CW30 (“10CW30 Decree”). 3.3.3. The 10CW8 Decree and 10CW30 Decree established a combined diversion limit of 3,124.5 acre-feet for the Trinchera Subdistrict Wells being changed in this case. 3.4. Natural Prairie’s Wells Not Included in Application. Natural Prairie is not an applicant and Natural Prairie’s Wells, which are further described in Table 3 below, are not part of this Application, are not being changed, and will continue to be used by Natural Prairie for irrigation.

Table 3: Natural Prairie’s Wells

|  |  |  |  |
| --- | --- | --- | --- |
| **WDID** | **Decree** | **Permit** | **Annual Appropriation Limit (acre-ft)** |
| 3505009 | W3272 WELL NO 01 | 18641-F-R | 222.9 |
| 3505010 | W3272 WELL NO 07 | 18642-F | 312.5 |
| 3505011 | W3272 WELL NO 08 | 18640-F | 312.5 |
| 3505012 | W3272 WELL NO 09 | 18644-F | 312.5 |
| 3505013 | W3272 WELL NO 10 | 18643-F | 312.5 |
| 3505014 | W3272 WELL NO 12 | 18661-F | 312.5 |
| 3505015 | W3272 WELL NO 13 | 18645-F | 937.5 |
| 3505019 | W3272 WELL NO 23 | 18650-F-R | 312.5 |
| 3505024 | W3272 WELL NO 28 | 18655-F-R | 312.5 |
| 3505025 | W3272 WELL NO 29 | 18654-F | 312.5 |
| 3505026 | W3272 WELL NO 30 | 18656-F | 312.5 |
| 3505027 | W3272 WELL NO 31 | 18657-F-R | 312.5 |
| 3505028 | W3272 WELL NO 32 | 18658-F | 312.5 |
| 3505048 | W0112 WELL NO 01 | 14258-R | \* |
| 3505049 | W0112 WELL NO 02 | 14259-R | \* |
| \* Wells 1 and 2 of W112 do not have individual appropriation limits other than the overall combined limit. |

3.5. Replacement Water Quantification. The Trinchera Subdistrict has performed a historical consumptive use study on its fifteen wells. Based on that study, the result of which are shown in Table 4 below, the Trinchera Subdistrict seeks a decree allowing a total of 1,308 acre-feet of historical consumptive use (“HCU”) associated with the fifteen Trinchera Subdistrict Wells to be utilized as Replacement Water based on fallowing of the acres historically irrigated by the Trinchera Subdistrict Wells. A maximum flow rate of 1,800 gpm is requested for the fifteen Trinchera Subdistrict Wells.

Table 4: Bases for Trinchera Subdistrict Wells HCU

|  |  |  |  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Field | WDID | 2009 | 2010 | 2011 | 2012 | 2013 | 2014 | 2015 | 2016 | 2017 | 2018 | 2019 | 2020 | Average |
|   |   | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft | acre-ft |
| 1 | 3505022 | 155 | 152 | 182 | 95 | 133 | 154 | 138 | 214 | 203 | 267 | 197 | 206 | 175 |
|   | 3505587 | 106 | 140 | 151 | 124 | 107 | 120 | 103 | 80 | 72 | 73 | 60 | 40 |   |
| 2 | 3505588 | 106 | 140 | 151 | 124 | 107 | 120 | 103 | 80 | 72 | 73 | 60 | 40 |   |
|   | Combined | 212 | 281 | 302 | 249 | 213 | 241 | 206 | 161 | 145 | 145 | 120 | 79 | 196 |
| 3 | 3505020 | 106 | 140 | 151 | 128 | 110 | 124 | 106 | 83 | 74 | 75 | 62 | 41 | 100 |
| 4 | 3505593 | 112 | 107 | 0 | 34 | 152 | 127 | 0 | 10 | 13 | 48 | 39 | 42 | 57 |
|   | 3505621 | 155 | 152 | 156 | 95 | 134 | 156 | 140 | 156 | 155 | 156 | 155 | 149 |   |
| 5 | 3505606 | 155 | 152 | 156 | 98 | 135 | 156 | 139 | 156 | 155 | 156 | 155 | 149 |   |
|   | Combined | 310 | 303 | 312 | 193 | 269 | 312 | 279 | 312 | 311 | 312 | 310 | 298 | 293 |
| 6 | 3505016 | 71 | 107 | 105 | 34 | 152 | 127 | 112 | 244 | 237 | 267 | 220 | 206 | 157 |
|   | 3505030 | 112 | 107 | 105 | 30 | 134 | 112 | 99 | 128 | 134 | 130 | 81 | 71 |   |
| 7 | 3505586 | 81 | 107 | 105 | 34 | 152 | 127 | 112 | 128 | 134 | 130 | 81 | 71 |   |
|   | Combined | 194 | 214 | 210 | 63 | 285 | 239 | 211 | 257 | 268 | 260 | 161 | 141 | 209 |
|   | 3505584 | 112 | 107 | 105 | 34 | 152 | 127 | 112 | 10 | 13 | 50 | 40 | 22 |   |
| 8 | 3505585 | 112 | 107 | 105 | 34 | 152 | 127 | 112 | 10 | 13 | 48 | 39 | 22 |   |
|   | Combined | 0 | 214 | 210 | 67 | 0 | 254 | 0 | 21 | 26 | 98 | 79 | 44 | 84 |
| 9 | 3505748 | 0 | 0 | 180 | 11 | 6 | 3 | 0 | 0 | 103 | 151 | 149 | 117 | 60 |
|   | 3505604 | 109 | 112 | 118 | 76 | 67 | 95 | 155 | 100 | 105 | 123 | 94 | 92 |   |
| 10 | 3505631 | 109 | 112 | 118 | 76 | 67 | 95 | 155 | 100 | 105 | 123 | 94 | 92 |   |
|   | Combined | 217 | 224 | 235 | 153 | 133 | 189 | 309 | 200 | 210 | 247 | 187 | 184 | 207 |
| Total | Diversion | 1378 | 1742 | 1887 | 1026 | 1453 | 1771 | 1362 | 1501 | 1589 | 1871 | 1524 | 1359 | 1539 |
| Total | CU | 1171 | 1481 | 1604 | 872 | 1235 | 1505 | 1157 | 1276 | 1351 | 1590 | 1295 | 1155 | 1308 |

3.6. HCU Study Period. The Trinchera Subdistrict relies upon the above HCU analysis for the years 2009 through 2020 (the “Study Period), during which time diversion records are available and prior to the Trinchera Subdistrict reducing pumping to allocations for sustainability. 3.7. Efficiency Calculated Using Phase 7 Model. The Trinchera Subdistrict has calculated the efficiency of the center-pivots at 85% based upon the current efficiency for sprinkler irrigation in Phase 7 of the RGDSSM for the Study Period. 3.8. HCU. The Trinchera Subdistrict Wells diverted an average of 1,539 acre-feet with an average annual HCU of 1,308 acre-feet during the Study Period. 3.8.1. Combined diversions of the Trinchera Subdistrict Wells to provide the Replacement Water shall be limited to 1,800 gpm, with a single flow meter to record these diversions. 3.9. Water Not Included in this Application. The W-3272 Decree authorized 12,854 acre-feet of diversions. Paragraph 9(c) of the 10CW8 Decree reduced this diversion limit to 11,475 acre-feet. Deducting the 3,124.5 acre-feet of diversions associated with the Trinchera Subdistrict Wells which this Application seeks to change to provide the Replacement Water, Natural Prairie’s Wells will retain the decreed right to divert 8,350.5 acre-feet for irrigation of its lands pursuant to the 10CW8 Decree. 4. Change for Use as Replacement Water. This Application seeks a change of water rights for the Trinchera Subdistrict Wells to provide the Replacement Water, including as a source of supply for: (a) appropriative exchanges to be sought in a future application; and (b) administrative exchanges. The water rights for the Trinchera Subdistrict Wells will also continue to include use for irrigation. 5. Revegetation. The parcels of land dried up pursuant to the change of water rights sought in the Application will be revegetated and noxious weeds will be controlled as required by C.R.S. §37-92-305(4.5)(a). 6. Concurrence of Natural Prairie. Natural Prairie supports the Application and will file its Statement of Opposition in Support of this Application in the time permitted. 7. Names and Addresses of Owners of Land Upon Which Structures Are or Will be Located. 7.1. Location of Trinchera Subdistrict Wells. The Trinchera Subdistrict Wells are located on land owned by Natural Prairie, c/o Donald De Jong, P.O. Box 659, Hartley, TX 79044. 7.2. Location of Pipeline. The Pipeline is located on land owned by Natural Prairie. WHEREFORE, The Trinchera Subdistrict requests that this Court enter a decree which: (a) adjudicates to the Trinchera Subdistrict the change of water rights for the Trinchera Subdistrict Wells for use as the Replacement Water in addition to the existing decreed irrigation use; and (b) such other relief as may be granted by the Court. (7 pages, 2 exhibits)

**You are notified that you have, until the last day of March 2025, 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.**