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 December, 2012, for each county affected.

12CW38  APPLICATION FOR A CONDITIONAL WATER RIGHT, ARCHULETA COUNTY. Applicant: Robert Girardin, P.O Box 701, Pagosa Springs, CO (970) 264-6078. Direct all correspondence to Amy N. Huff, Huff Water & Land Law, LLC, 679 E. 2nd Ave., Unit 11B, Durango, CO 81301 (970)764-4372. (1) Structure: Big Flat Ditch (2) Legal: (a) Alternate POD (A): SE ¼ SW ¼ Section 25, Township 36N, Range 1W, NMPM, at a point 768 feet from the south Section line and 1474 feet from the West Section line of said Section 25. (b) Alternate POD (B): SE ¼ SW ¼ Section 25, Township 36N, Range 1W, NMPM, at a point 858 feet from the South Section line and 1710 feet from the West Section line of said Section 25 (3) Source: Unnamed tributary of Coal Creek (4) Approp.: June, 1970 (5) Approp. Initiated: Applicant diverted the native flow of the tributary and used it to irrigate his property (6) Amt.: 2 cfs Conditional (7) Use: Irrigation of up to 30 acres on property currently owned by Applicant, and stock water (8) Affected Land Owners: Rebecca and Russell Apodaca; Jerry David Girardin (9) See Application (6 pages)

12CW39  Twilight Trails LLC, c/o J. Patrick Jones, 150 Twilight Trails Circle, Durango, CO 81301: La Plata County; Animas River; Date of original decree, 12/21/06; Case no. 05CW76; Twilight Trails Estates Pond Well; SW1/4SE1/4NE1/4, Section 33, T36N, R9W, NMPM; 1151 feet from North, 989 feet from East; Groundwater tributary to Animas River; Appropriation date, 6/1/05; Piscatorial and recreational uses, including pond evaporation from up to 10 surface acres of exposed groundwater; 33.3 acre feet of water (0.046 cfs) Conditional; Twilight Trails Irrigation Well; SW1/4NE1/4NE1/4, Section 33, T36N, R9W, NMPM; 360 feet from North, 1230 feet from East; Groundwater tributary to Animas River; Appropriation date, 12/14/05; Supplemental irrigation up to 7 acres of land; 0.223 cfs (100 gpm) Conditional; Work towards completion of projects outlined in application. Application for Finding of Reasonable Diligence (7 pages)

being 25 by South Well and 11 by Middle Well. The irrigated acreages are primarily irrigated by water from Applicant’s Sullivan Wallace Ditch separate water rights that are not involved in this app. Non-irr. uses: Refilling and freshening of Beaumont Ranch Ponds for aesthetic, pisc. and rec. purposes. Described as follows: Far North Pond: NE ¼, NE ¼, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 450 ft. from N. Sec. line, 239 ft. from East Sec. line, UTM coordinates: E: 252236, N: 4146946, Zone 13, NAD 83. Capacity: 0.65 AF. Surface Area: 0.13 acres. Near North Pond: NE ¼, NE ¼, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 487 ft. from N. Sec. line, 391 ft. from E. Sec. line, UTM coordinates: E: 252189, N: 4146936, Zone 13, NAD 83. Capacity: 1.68 AF. Surface Area: 0.28 acres. Middle Pond: NE ¼, NE ¼, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1145 ft. from N. Sec. line, 308 ft. from E. Sec. line, UTM coordinates: E: 252207, N: 4146735, Zone 13, NAD 83. Capacity: 0.72 AF. Surface Area: 0.12 acres. South Pond: SE ¼, NE ¼, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1928 ft. from N. Sec. line, 607 ft. from E. Sec. line, UTM coordinates: E: 252107, N: 4146499, Zone 13, NAD 83. Capacity: 1.76 AF. Surface Area: 0.22 acres. Patio Pond. SE ¼, NE ¼, Sec. 36, T. 37 N., R. 9 W., N.M.P.M., 1858 ft. from N. Sec. line, 1427 ft. from E. Sec. line, UTM coordinates: E: 251858, N: 4146528, Zone 13, NAD 83. Capacity: 5.60 AF. Surface Area: 0.70 acres. The Applicant owns the land upon which all structures are located. (34 pages)

12CW41 DISTRICT COURT, WATER DIVISION 7, COLORADO, 1060 East Second Avenue, Durango, Colorado 81301, (970) 247-2304. CONCERNING THE APPLICATION FOR WATER RIGHTS OF FLORIDA VALLEY INVESTMENTS, LLC, in the Animas River or its Tributaries, La Plata County, COLORADO. Applicant: Florida Valley Investments, LLC, 12161 County Road 240, Durango CO 81301, 970-385-5241 (phone & fax), 505-292-2419 (phone), 505-271-1021 (fax).

Decreed water right for which change is sought: Name of structure: Colorado Trails Ranch Pump; Date of original and all relevant subsequent decrees: November 8, 1923, Case No: 1751-B, Court: District Court of La Plata County, Water Division No. 7, Colorado, and February 28, 1992, Case No: 90CW018, Court: District Court of La Plata County, Water Division No. 7, Colorado. Legal description of structure as described in most recent decree: A point on the Florida River in Section 36, T36N, R8W, N.M.P.M., from whence the southeast corner of Section 36 bears south 40º38' east, a distance of 4780 feet. Decreed source of water: Colorado Trails Ranch Pump, Tributary to Florida River, Tributary to Animas River. Appropriation Date: May 15, 1881. Total amount decreed to structure: Absolute 0.033 c.f.s.; Decreed use or uses: irrigation, stockwatering, domestic and commercial; Amount of water that applicant intends to change: Absolute 0.033 c.f.s. Detailed description of proposed change: The Applicant requests an alternative point of diversion to a Well located upstream from the present point of diversion, both of which are shown on the attached map. The well at the alternate point will have a meter on the well pump and the use will be for the same uses for the Applicant. There will be no increase in the total amount of water used between both points of diversion, both of which will be metered. Legal descriptions of decreed location and actual or new location of structure: UTM coordinates: Northing 4138305, Easting 260790, Zone 13; Street Address: 12161 CR 240 Durango, Colorado 81301; Source of UTMs: Hand-held GPS; Accuracy of location displayed on GPS device is accurate to within 200 feet. Legal Description Using the Public Land Survey System (PLSS): La Plata County, NW1/4 of the SW1/4, Section 25, T36N, R8W, NMPM: 2,007 Feet from the North Section line, and 1,205 Feet from the West Section line. Source of PLSS information: DWR AquaMap; Street Address: 12161 County Road 240, Durango CO 81301. Owner of the land: Florida Valley Investments, LLC, 12161 County Road 240, Durango CO 81301. Attorney for Applicant: Frank J. Anesi, Reg. 1365, Attorney for Applicant, P. O. Box 2185, Durango, CO 81302, (970) 247-9246. (6 pages)

12CW43 (05CW66) ARCHULETA COUNTY, Alpine Cascade, Inc c/o Douglas M. Sinor and Kristin L. Bailey, Trout, Raley, Montaño, Witwer & Freeman, P.C., 1120 Lincoln Street, Denver, Colorado 80203; 303-861-1963. APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART; 1. Name, mailing address, email address and telephone.
number of applicant: Alpine Cascade, Inc., c/o J. R. Ford, P.O. Box 4490, Pagosa Springs, Colorado 81157, Telephone: 970-264-5000, E-mail: pagosaland@pagosa.net. 2. Name of each structure: San Juan River Intake. 3. Description of conditional water right: A. Date of original Decree: November 14, 1973, Case No.: W-1063-73, Court: District Court, Water Division No. 7. B. Subsequent decrees awarding findings of diligence: (i) Case No. 85CW44, District Court, Water Division 7, October 17, 1987. (ii) Case No. 89CW29, District Court, Water Division 7, March 28, 1990. (iii) Case No. 96CW19, District Court, Water Division 7, December 13, 1999. (iv) Case No. 05CW66, District Court, Water Division 7, December 14, 2006. C. Change Decree: The decree entered on October 2, 2002, in Case No. 95CW111, Water Division 7, approved alternate points of diversion and uses for the San Juan River Intake water right, as described more fully below. D. Legal Description of Point of Diversion: (i) Original Point of Diversion: Near west bank of San Juan River at Point S 61° 30' E, 2,900.0 feet from NW corner of Section 12, T34N, R2W, N.M.P.M., Archuleta County, Colorado. (ii) Alternate Points of Diversion Decreed for Alpine Cascade's San Juan River Intake in Case No. 95CW111: (i) Pit Park Ditch Headgate: A point of diversion on the westerly bank of the San Juan River in the SW/4 NE/4 of Section 23, Township 34 North, Range 2 West, N.M.P.M., Archuleta County, Colorado, being more particularly described as follows: a point whence the North ¼ Corner of said Section 23 bears North 23° 53' 41" West, a distance of 2,801.0 feet. Water diverted by the Pit Park Ditch will flow into the Perkins Pit (a/k/a Pit Park) gravel pit ponds, where the water will either be beneficially used in the ponds or be pumped to the place of beneficial use. The gravel pit ponds are located in Section 23, Township 34 North, Range 2 West, N.M.P.M., Archuleta County, Colorado as more specifically described below: North Pond: The centroid of the North Pond is located at a point from whence the Southwest Corner of said Section 23 bears S 55° 55' 39" W, a distance of 4,087.16 feet. Middle Pond: The centroid of the Middle Pond is located at a point from whence the Southwest Corner of said Section 23 bears S 66° 56' 39" W, a distance of 3,485.38 feet. South Pond: The centroid of the South Pond is located at a point from whence the Southwest Corner of said Section 23 bears S 74° 11' 57" W, a distance of 2,994.75 feet. (ii) Gazebo Park Infiltration Gallery: A point of diversion approximately 150 feet west of the westerly bank of the San Juan River in the SE/4 NW/4 of Section 12, Township 34 North, Range 2 West, N.M.P.M., in Archuleta County, Colorado, being more particularly described as follows: a point whence the North ¼ Corner of said Section 12 bears North 40° 30' 26" West, a distance of 2,951.1 feet. Water diverted by the Pit Park Ditch will flow into the Perkins Pit (a/k/a Pit Park) gravel pit ponds, where the water will either be beneficially used in the ponds or be pumped to the place of beneficial use. (iii) Legal Description of the lands proposed to be irrigated pursuant to decree in Case No. 95CW111, Water Division 7, December 14, 1973, Case No.: W-1063-73, Court: District Court, Water Division No. 7. 1973 decreed the San Juan River Intake water right for municipal, commercial, industrial, domestic, irrigation, incidental irrigation, recreation, fish and wildlife propagation, and all other beneficial uses. (ii) Change decree. Case No. 95CW111 approved use of Alpine Cascade’s San Juan Intake water right on a direct flow basis by pumping water from the Pit Park or Gazebo Park alternate points of diversion for irrigation, stock watering, domestic, fire suppression, dust control, fish and wildlife propagation and recreation purposes. The Pit Park pumping station is located on the North Pond described above. The 95CW111 decree also allows water to be diverted at the Pit Park Ditch Headgate and to flow through the North, Middle, and South Ponds for fish and wildlife propagation and recreation uses before being returned to the San Juan River. (iii) Legal description of the lands proposed to be irrigated pursuant to decree in Case No. 95CW111: Gazebo Park: an irregular parcel of land lying on the west bank of the San Juan River in the SW/4 of Section 12 and the NW/4 of Section 13, Township 34 North, Range 2 West, N.M.P.M., containing 14.0 irrigated acres, the northernmost corner of which is located at a point whence the Southwest Corner of said Section 12 bears S 49° 41' 04" W a distance of 2,148.26 feet. Pit Park: an irregular parcel of land lying on the west bank of the San Juan River in the NE/4 and the SE/4 of Section 12, Township 34 North, Range 2 West, N.M.P.M., containing 12.2 irrigated acres, the northernmost corner of which is located at a point whence the North ¼ Corner of said Section 23 bears N 29° 14' 34" W a distance of 2,210.64 feet. Low-Density Residential Area on Mesa: approximately 55 irrigated acres lying
between Trujillo Road and the edge of the mesa overlooking the San Juan River canyon within the E/2 of
Section 11, the W/2 of Section 12, the NW/4 of Section 13 and the NE/4 of Section 14, Township 34
North, Range 2 West, N.M.P.M. The location of the above-described parcels is also shown on the map
attached to the Application as Exhibit 1.  

4. Detailed outline of what has been done toward
completion of the appropriation: A. During the diligence period, the Applicant installed a pump and
sprinkler irrigation system to irrigate the Pit Park parcel described above (also known as the Wildlife
Park) at a total cost of $203,236.67. The pump system pumps up to 800 gpm (1.78 cfs). The Applicant
diverted water during the 2011 and 2012 irrigation seasons at a maximum rate of 1.78 cfs for irrigation of
the Wildlife Park. The Applicant first diverted water for irrigation of this parcel on approximately April 1,
2006. B. During the diligence period, the Applicant expended approximately $1,200 toward developing
the Gazebo Park Infiltration Gallery. The Applicant has installed a pump, and has diverted water for
irrigation of the Gazebo Park parcel described above at a maximum rate of 75 gpm (0.17 cfs). C. The
Applicant has diverted water at a rate of up to 8.0 cfs at the Pit Park Ditch Headgate to the North, South
and Middle Ponds described above for fire suppression, as well as fish and wildlife propagation and
recreation purposes in and around the Ponds. D. During the diligence period, the Applicant also
expended approximately $10,800 on grass seeding and improvements for recreation and wildlife in the
Wildlife Park and around the ponds.

5. Claim to make absolute in part: A. Date water applied to
beneficial use: The Applicant first diverted water for beneficial use at the Gazebo Park and Pit Park
alternate points of diversion on approximately October 2, 2002. B. Amount and uses: Applicant has
diverted up to 1.78 cfs through the Pit Park Ditch Headgate alternate point of diversion and the North
Pond pump station for irrigation of the Wildlife Park parcel and dust suppression. The Applicant has
diverted water at a rate of up to 8.0 cfs at the Pit Park Ditch Headgate to the North, South and Middle
Ponds for fire suppression and stock watering, as well as fish and wildlife propagation and recreation
purposes in and around the Ponds. In addition, the Applicant has diverted water at the Gazebo Park
Infiltration Gallery for irrigation of the Gazebo Park parcel at a maximum rate of 0.17 cfs. Therefore, the
Applicant requests a decree confirming that the San River Intake water right has been made absolute in
the amounts of 1.95 cfs for irrigation, 1.78 cfs for dust suppression, and 8.0 cfs for fire suppression, stock
watering, fish and wildlife propagation, and recreation purposes. C. Place of use: The parcels described in
section 3.H.(iii) above. A map showing the location of these lands is attached to the Application as
Exhibit 1.  

6. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any
new diversion or storage structure, or modification to any existing diversion or storage structure is
or will be constructed or upon which water is or will be stored, including any modification to the
existing storage pool: Applicant. (7 pages)
12CW45  Mary K. Carpenter, PO Box 1618, Pagosa Springs, CO 81147: Carpenter’s Pump and Pond; Archuleta County; Rito Blanco; Date of original decree, 12/23/99; Case no. 99CW1; Subsequent decree date, 11/14/06; Case no. 06CW2; NW1/4SE1/4SW1/4, Section 12, T34N, R1W, NMPM; 1223 feet from South, 1768 feet from West; Rito Blanco tributary to Rio Blanco, San Juan River drainage; Appropriation date, 8/31/98; Irrigation of lawn and garden; Work towards completion of project outlined in application; Date water applied to beneficial use, 8/31/98; .0375 cfs. Application to Make Absolute in Whole or in Part. (7 pages)

12CW516  Susan Young, PO Box 165, Dulce, NM 87528: Paula’s Pumpsite; Archuleta County; Navajo River; Northing 4097799, Easting 312395; Zone 13; NW1/4SW1/4, Section 19, T32N, R2W, NMPM; 773 feet from North, 2173 feet from East; Zone 13; Navajo River; Date of appropriation, June 1999; Appropriation was initiated by irrigating 30 acres; Date water applied to beneficial use, 6/11/99; Irrigation and livestock; Number of acres historically irrigated, 30; .8 cfs Absolute. Application for Absolute Water Rights (Surface) (5 pages)

12CW518  John R. & Barbara B. Sexton, 5375 Union Way, Arvada, CO 80002: Sexton Ditch & Pump; La Plata County; Pine River; Northing 4116759, Easting 263922; Zone 13; NW1/4NW1/4, Section 30, T34N, Range 7W, NMPM; Ignacio Creek tributary to Pine River; Date of appropriation, 10-31-99; Appropriation was initiated by starting construction; Date water applied to beneficial use, 5-10-00; Irrigation; Number of acres historically irrigated, 90; 1.3 cfs Absolute. Application for Absolute Water Rights (Surface) (7 pages)

12CW519  Randal Wayne Speaker, 257 County Road 509A, Ignacio, CO 81137 & Margaret Jeann Speaker-Schmitt, 4773 County Road 514, Ignacio, CO 81137: Brinks Draw; La Plata County; Pine River; Northing 4117596, Easting 265599; Zone 13; NW1/4NW1/4, Section 20, T34N, R7W, NMPM; 2224 feet from South, 271 feet from West; Brinks Draw tributary to Dry Creek, tributary to the Pine River; Date of appropriation, May 1991; Appropriation was initiated by diverting water through ditch; Date water applied to beneficial use, May 1991; Supplemental irrigation of approximately 30 acres; Supplemental irrigation to King Ditch water; 0.25 cfs Absolute. Application for Absolute Water Rights (Surface) (6 pages)

12CW520  Kenneth H. & Linda C. Davies, 11830 Road 24.4, Cortez, CO 81321: Montezuma County; McElmo Creek; Date of original decree, 12/17/06; Case no. 06CW1; Davies Pond; NW1/4NW1/4NE1/4, Section 15, T36N, R16W, NMPM; 654 feet from North, 2354 feet from East; Unnamed draw tributary to Hartman Draw tributary to McElmo Creek; Appropriation date, 1/17/06; Stockwater and supplemental irrigation of 50 acres of applicants 60 acres; 4.0 AF – 2/refill/fill rate .05 cfs from Davies Ditch; Davies Ditch: NW1/4NW1/4NE1/4, Section 15, T36N, R16W, NMPM; 194 feet from North, 2505 feet from East; Unnamed draw tributary to Hartman Draw tributary to McElmo Creek; Appropriation date, 1/17/06; Supplemental irrigation of 50 acres and filling of Davies Pond and stockwater; 0.5 cfs; Date water applied to beneficial use, 5/15/08; .15 cfs Absolute; Work towards completion of projects outlined in application. Request continue of due diligence for Davies Pond and Davies Ditch, any portion not made absolute. Application for Finding of Reasonable Diligence and to Make Absolute in Whole or in Part. (11 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 February, 2013, 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: $130.00; Forms are available through the Office of the Water Clerk or on the Judicial site at www.courts.state.co.us; Danene M. Etz, Clerk of the Water Court, 1060 E. 2nd Ave., Room 106, Durango, CO 81301-5157; 970-247-2304, Ext. 6181)

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Danene M. Etz, Water Clerk