COLORADO
Division of Water Resources
Department of Natural Resources

April 30, 2026

Amber Pacheco, Deputy General Manager
Rio Grande Water Conservation District
8805 Independence Way
Alamosa, CO 81101

RE: 2026 ANNUAL REPLACEMENT PLAN APPROVAL: SPECIAL IMPROVEMENT SUBDISTRICT NO. 5 OF THE RIO GRANDE WATER CONSERVATION DISTRICT

Dear Ms. Pacheco:

Thank you for your April 15, 2026 submission of the Special Improvement District No. 5's proposed Annual Replacement Plan (ARP) for the 2026 Plan Year (**May 1, 2026 through April 30, 2027**).

My staff and I have reviewed the proposed ARP and its appendices, and it is hereby approved. A copy of this approval will be available on the DWR website at:

https://dwr.colorado.gov/division-offices/division-3-office

All information and data related to this approved ARP will be available on our website.

Enclosed, please find my approval of the 2026 ARP.

Very Sincerely,

Jason T. Ullmann, P.E.
State Engineer
Director of Division of Water Resources

cc: Division 3

Review, Findings, and Approval of Subdistrict No. 5's 2026 Annual Replacement Plan

Background

Special Improvement District No. 5 ("Subdistrict"), a political subdistrict of the Rio Grande Water Conservation District ("RGWCD"), formed through Saguache County District Court in Case 2017CV30015, timely submitted its proposed Annual Replacement Plan ("ARP") pursuant to its Plan of Water Management ("PWM") approved by the State Engineer and noticed through Division No. 3 Water Court in Case No. 2020CW3002 on March 13, 2020.

The 2026 Plan Year ARP and its appendices were available for download through a link on the RGWCD website. The ARP, its appendices, and resolutions were provided to the State and Division Engineers on April 15, 2026. Copies of the ARP were made available for viewing at the State and Division Engineers' offices. This letter will be posted on DWR's website. My staff and I have conducted this review of the ARP and comments thereon in accordance with the operational timelines specified in the Court approved 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 ("Rules"), Case 2015CW3024.

DWR Review

As set forth in the Rules, I must determine whether the ARP presents "sufficient evidence and engineering analysis to predict where and when Stream Depletions will occur and how the Subdistrict will replace or Remedy Injurious Stream Depletions to avoid injury to senior surface water rights." (Rules 11.3). Also, "the ARP will include: a database of Subdistrict and Contract Wells that will be covered by the ARP; a projection of the groundwater withdrawals from Subdistrict and Contract Wells during the current Water Administration Year; the amount of Rio Grande Canal deliveries which will be included as an offset to gross Subdistrict and Contract Well groundwater withdrawals; a calculation of the projected stream depletions resulting from net groundwater withdrawals from Subdistrict and Contract Wells; a forecast of the flows for Division No. 3 streams; detailed information regarding the methods that will be utilized to replace or remedy injurious stream depletions during the ARP Year, including any contractual agreements used for replacement or remedy of injurious stream depletions that will be in place; any information regarding the fallowing of Subdistrict Lands; information to document progress towards achieving and maintaining a Sustainable Water Supply; and, documentation that sufficient funds are or will be available to carry out the operation of the ARP." (Subdistrict PWM, Section 6.1.2). Finally, I must review the ARP pursuant to the statutory mandates, constitutional requirements, rules and regulations adopted in Division No. 3, and any letters, comments, or other objections

submitted by water users regarding the adequacy of the ARP. There were no letters, comments, or other objections submitted regarding the 2026 ARP.

With the foregoing in mind, I turn to a review of the ARP. It would be unwieldy to include in my review every detail of the thorough ARP, so for the purpose of this letter, I incorporate it and its supplements by reference.

11.1.1 Database of All Wells to be Covered by the ARP

Structure Identification Number (WDID) (Section 1 of 11.1.1 of the ARP)

A comprehensive list of wells included in the ARP is necessary in order to allow DWR to verify which wells are authorized to operate in accordance with the ARP. To that end, the Subdistrict submitted the most current tabulation of the structure identification number (WDID) of each well included in the Subdistrict (see Appendix A of the ARP). The Subdistrict also supplied a spreadsheet to DWR of the list of Subdistrict Wells as a supplement to the 2026 ARP. Appendix A lists 241 wells. In 2026, the Subdistrict added one well, WDID 2705260, a flood irrigation well with a consumptive use of 60% that has had no pumping since 2020, before the Subdistrict operated under an ARP. The Subdistrict submitted a separate letter requesting to include in the 2026 ARP WDID 2606020, a flood well in the Russell Lakes area. A copy of the letter is included as an exhibit. The total number of wells is 242.

The contract wells accepted by the Subdistrict are listed in Appendix B. Contract wells are reviewed for the terms of the contracts, associated permits and decrees for each well, and historical meter records. Any wells that are used for any beneficial uses not authorized by permit and/or decree for those structures cannot be covered by the Subdistrict's ARP.

Wells that have submitted an SWSP and/or started the process of changing an existing permitted/decreed use to a Non-Exempt use described in the participation contract can be conditionally accepted. These wells cannot be operated until the SWSP and/or decree is finalized and approved. Should an SWSP become invalid during the ARP Year or the change of use in a court case be denied, the well can no longer be covered by the ARP and the owners will be notified.

All wells accepted for this ARP approval have permitted and/or decreed limits, and they will only be accepted for groundwater withdrawals up to those respective limits. If historical records indicate a pattern of exceedance of these limits in the past, owners of these wells may be notified by separate correspondence that their wells are being conditionally accepted, and that exceedance of the legal limits will not be covered under this ARP. The Subdistrict will be copied on all separate correspondence sent for these purposes.

Other Well Identification Information (Section 2 of 11.1.1 of the ARP)

The requirement to provide the database of wells the Subdistrict has accepted as part of this ARP was satisfied under 11.1.1.1.

Subdistrict Wells with Plans for Augmentation (Section 3 of 11.1.1 of the ARP)

The ARP Well List does not include any wells that are either fully or partially augmented by an approved plan for augmentation which is administered separately from the Subdistrict's PWM. Therefore, all wells on the ARP list will be treated as Subdistrict Wells and the Subdistrict will remedy injurious stream depletions and post-plan injurious stream depletions attributable to the well's total groundwater withdrawals as part of this ARP. "The Subdistrict and this Plan of Water Management or ARP cannot be used as a source of water for new or expanded consumptive use of groundwater which is not within the terms and conditions of a valid permit or decree which existed as of December 18, 2017, or for new or expanded plans for augmentation or other replacement plans without the approval of both the Court and the Subdistrict's Board of Managers." (PWM at 2.4.6)

I have reviewed Appendix A and Appendix B of the ARP and consulted with staff and find it to be an accurate inventory of Subdistrict Wells that meets the requirements of Rule 11.1.1.

Total Projected Annual Diversion for All Subdistrict Wells (Section 4 of 11.1.1 of the ARP)

The Subdistrict developed Groundwater Allocation Rules in 2021 that govern the setting of enforcement of a maximum groundwater withdrawal amount for Subdistrict and Contract Wells which were supplied as a supplement to the ARP. The Board of Managers (BOM) set an allocation based on the anticipated need for groundwater withdrawal restrictions during the upcoming irrigation season. The allocation is set as a percentage reduction of a Farm Unit's historical groundwater withdrawals and is the same percentage for all Farm Units.

The Subdistrict set the total allocation per the Groundwater Allocation Rules as 85% of the average of the highest 5 years of pumping from the period of 2011 through 2020. This is a reduction of 15% of historical high period pumping. Using the allocation under the rules and considering the 2026 forecast is predicting a dry year, the Subdistrict projected the ARP Well groundwater withdrawals in 2026 to be **36,102 acre-feet**. The actual pumping allowed may be higher than the projected amount because the Allocation Rules allow Subdistrict members to request a variance from the typical calculation that will result in a higher allocation.

Subdistrict Historical Metered Pumping (acre-feet)

2011	2012	2013	2014	2015	2016	2017	2018	2019	2020
45,156	44,653	38,740	40,028	35,406	38,432	37,942	44,043	32,845	42,407

2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
24,965	24,505	30,683	29,465	38,837					

Subdistrict Projected Pumping (acre-feet)

Input to Application Workbook	Predicted	Percent	Consumptive Use Ratio
Sprinkler Irrigation	10,016	28	0.85
Leveled Flood Irrigation	6,968	19	0.60
Wild Flood Irrigation	15,738	44	0.40
Other Pumping	3,379	9	0.37
Total Groundwater Withdrawals	36,102		

Expected Methods of Irrigation, the Combined Projected Number of Acres Irrigated and the Total Projected Acreage by Each Irrigation Method (Section 5 of 11.1.1 of the ARP)

Subdistrict ARP wells are projected to irrigate approximately 11,971 acres during the Plan Year, including 7,852 acres irrigated by center pivot sprinklers and 4,119 acres irrigated by flood application. The Subdistrict made this estimate based on review of the breakdown of acres in the RGWCD's annual Irrigated Ag Census and information submitted with Participation or Inclusion Contracts.

Non-Irrigation Subdistrict Wells – Calculation of All Projected Withdrawals and Projected Net Groundwater Consumptive Use (Section 6 of 11.1.1 of the ARP)

Included in the Subdistrict Well List are a number of wells with beneficial uses other than irrigation. The Subdistrict utilized information provided by DWR to calculate the consumptive use rates used in the RGDSS Model to calculate stream impacts and returns. Beneficial uses include municipal, domestic, commercial, industrial, and aquaculture. A spreadsheet was prepared by the Subdistrict to calculate the composite Consumptive Use Ratio that is a necessary input in the Application Workbook. A spreadsheet of the calculation prepared for use in the 2026 ARP was submitted as supplement to this ARP.

Other Data Necessary to Support the Projected Stream Depletions (Section 7 of 11.1.1 of the ARP)

No other data was provided.

Other Information Required by the State and Division Engineers and Reasonably Necessary to Evaluate the Proposed ARP (Section 8 of 11.1.1 of the ARP)

The supplemental information needed to evaluate the 2026 ARP and provided to the State Engineer included:

1. A Resolution from RGWCD approving the Subdistrict 2026 ARP.
2. Spreadsheet showing calculations and projections used to determine Recharge Decree offset for use in the Application Workbook.
3. Application Workbook spreadsheet supporting the calculations submitted in the ARP.

4. The list of Subdistrict Wells included in the 2026 ARP in spreadsheet format matching the list presented in Appendix A. The spreadsheet should identify each WDID as sprinkler, flood, wild flood, other, according to the Subdistrict's designation for the depletion calculation.
5. A spreadsheet describing the pumping and consumptive use percentage for each of the Subdistrict wells that are classified as "Other Pumping" in the Application Workbook calculations.
6. Resolution from RGWCD to use allocated Closed Basin Project water in the 2026 ARP.
7. An MOU between the Subdistrict and the San Luis Subdistrict (Subdistrict No. 4) regarding the remedying of the Saguache Subdistrict depletions owed to San Luis Creek.
8. An MOU between the Subdistrict and Subdistrict No. 1 and the San Luis Subdistrict (Subdistrict No. 4) regarding the remedying of the Subdistrict's No. 1 and No. 4 depletions owed to Saguache Creek.
9. A one-year contract between the Subdistrict and the Town of Saguache regarding the remedying of depletions owed to the Rio Grande and to Saguache Creek per the Town's 16CW3023 plan for augmentation.
10. A Well Injury Payment (or Forbearance) Yield Analysis. This is a description of the Subdistrict's approach to estimate the probable yield of replacement sources for the various forbearance contracts with ditches under forbearance agreements.
11. Memorandum from RGWCD permitting lease of City of Creede, Nelson Tunnel water as a replacement source currently in storage.
12. The Operational Requests to the Division Engineer for the 2026 ARP
    - The Subdistrict requests to aggregate depletions between Stream Reaches as part of the anticipated operation in 2026.
    - The Subdistrict requests to aggregate depletions with other Subdistricts during the 2026 ARP year.
    - The Subdistrict requests the Division Engineer allow a portion of the Closed Basin Project (CBP) production that is generated during the irrigation season be used to offset the Subdistrict's non-irrigation season depletions, though not to exceed the allocation approved by the CBP Operating Committee. This becomes necessary when the depletions owed for all RGWCD Subdistricts combined in any one or more months during the non-irrigation season are greater than the production of the Closed Basin Project production in those months.

11.1.2 Projected Stream Depletions from the Wells Covered by the ARP based on the Applicable Response Function or Approved Alternative Method

The Response Function Application Workbook (or **"Application Workbook")** outputs identify total projected stream depletions for the Plan Year, a breakdown of the monthly stream depletions for Saguache Creek, San Luis Creek, and one reach on the Rio Grande and a projection of the Post-Plan Stream Depletions calculated as a result of the predicted Plan

Year groundwater withdrawals from Subdistrict ARP Wells. The Subdistrict used the current 7P101v2 Application Workbook to calculate projected stream depletions for this ARP.

The United States Department of Agriculture's Natural Resources Conservation Service ("NRCS") streamflow statistics are calculated over a 30-year period and updated each decade, in agreement with World Meteorological Organization (WMO) standards. This 30-year reference period was chosen to characterize the current hydro climatology at each station. The current medians and averages have been updated to include data for the water years 1991-2020. The current year streamflow projection is compared to the 30-year reference period to determine the percent of "normal" streamflow. The NRCS forecasts were reported as percent of the median in this report.

2026 Stream Flow – Saguache Creek (Section 1 of 11.1.2 of the ARP)

The April - September streamflow forecasts the Subdistrict referenced in the ARP includes the NRCS April 1, 2026. The Subdistrict used the flow predicted at 10% chance of exceedance for Saguache Creek to provide the most conservative estimate of depletions under likely stream conditions for 2026. The Subdistrict used the flow predicted at 50% chance of exceedance for the Rio Grande.

Stream Flow - Saguache Creek, Rio Grande

Saguache Creek Stream Flow Analysis	Apr-Sep (acre-feet)	% of median
NRCS 'April 1st' Forecast	(1)	(2)
Saguache Creek near Saguache (10% exceedance)	20,000	71
Rio Grande near Del Norte (50% exceedance)	172,000	36

(1) projected 50% exceedance streamflow at the gaging station
(2) NRCS 30-yr Median Flow: Conejos-168,000, Los Pinos-61,000, San Antonio-9,600, Rio Grande-480,000, Alamosa-61,000, Saguache- 28,000, La Jara-6,800

Projected Plan Year Stream Depletions (Section 2 of 11.1.2 of the ARP)

Subdistrict staff predicted stream depletions caused by Subdistrict ARP Wells utilizing the Application Workbook, 7P101v2, developed for the Saguache Creek Response Area under the RGDSS Groundwater Model Phase 7.

The Application Workbook was built to be used for the whole Response Area. The Subdistrict referenced the Phase 6 instruction sheets for How to Adjust the Application Workbook for use with a Subset of Wells. They did not have a similar sheet for Phase 7, so they described the process they used for the subset of Subdistrict wells as listed on the 2026 ARP. There are no point source returns to streams identified in the Saguache Response Area.

Historical groundwater withdrawals for 2021 – 2025 with consumptive use ratios are entered on the Net CU Worksheet tab for the years 2021 through 2025. The categories are sprinkler irrigation, leveled flood irrigation, wild flood irrigation, and "Other" pumping. Projected ARP Well groundwater withdrawal values were used for 2026. The consumptive use ratio for "other" wells is specific to the uses of those wells and can vary widely. The "Other

Consumptive Use Ratio" for the whole Response Area is a composite derived from the individual well withdrawals and consumptive uses.

The Subdistrict provided a spreadsheet of "Other" wells included in the Subdistrict ARP Well list as a supplement to the ARP. The spreadsheet shows the individual well groundwater withdrawals and consumptive use factors to explain how the composite ratios were determined for the subset wells represented in the ARP.

The ARP next indicates recharge credit as an offset to pumping. The Rio Grande Canal that brings surface water into the Subdistrict has a recharge decree, as detailed in the ARP.

The recharge credit is based upon hydrologic conditions for the 2026 ARP Plan Year using historical diversion records and the terms of the recharge decrees. The process of calculating recharge credit from the recharge decrees was developed for use in the Subdistrict No. 1 ARPs and is followed for the Saguache Subdistrict ARP.

The recharge offsets are derived from the pro-rata shares of the ditch within the Subdistrict boundary. Further, the projected recharge credits are reduced by the projected consumption attributable to the surface water directly used through sprinkler irrigation (85%), leveled flood irrigation (60%) and wild flood irrigation (40%). In the Phase 7 Model, the sprinkler efficiency was updated to 85% for this Response Area.

DWR needs additional information regarding the Recharge Decree calculations. The Subdistrict revised the calculation made for the Recharge Decree offsets. The Subdistrict collects no measurements of direct use of the surface water subject to the Recharge Decree. In the past, the direct use of surface water was estimated by multiplying the number of shares used directly by members of the Subdistrict by the ac-ft/share of the Total Consumable for the Rio Grande Canal as reported by the Canal in the Recharge Decree annual report.

As part of the Recharge Decree reporting, the Rio Grande Canal tracks the amount of Farm Headgate Deliveries over the entire service area. For the 2025 Preliminary Water Report (PWR), the Subdistrict calculated the ac-ft/share of the reported Farm Headgate Deliveries and then used that as the multiplier to determine the amount of direct use of surface water for the shares used directly by Subdistrict members. The Subdistrict determined this would allow these users to receive an offset for the ditch losses that occur delivering the water to the farm headgates, which is part of the calculated offset described in the decree.

The Farm Headgate Deliveries are reported at the end of the irrigation season when actual Canal diversions are known. Since this information is unavailable for 2026, the Subdistrict proposes to use the original method for the projected offsets for the depletion calculations.

DWR would like the Subdistrict to provide a separate written description of the justification for making the changes to the calculations that were in place from 2022 until now, how that better represents the user's actual application of surface water and how the Subdistrict

plans to implement the changes going forward from ARP projections to PWR reviews. This document should be provided to DWR prior to submitting the 2026 PWR.

For the current approval, the Application Workbook output will be generated from DWR's Application Workbook run. The tables presented in this letter have been updated with DWR's calculations.

Calculated Recharge Decree Credits for Saguache Subdistrict
During Current Irrigation Year
(Units in acre-feet)

	Rio Grande Canal
Total Consumable	45,261
% Within Saguache Subdistrict	3.65
Total Consumable Within Saguache Subdistrict	1,652
Surface Water Through Sprinklers @85%	- 544
Surface Water Used for Levelled Flood @60%	- 399
Totals	710

Projected recharge decree credits for the Subdistrict for 2026 are calculated as **710 acre-feet**. The projected Net Groundwater Consumptive Use for the Plan Year is **19,540 acre-feet**.

Following determination of the Net Groundwater Consumptive Use, the stream depletions are calculated for the Plan Year and projected into the future. The locations of the stream depletions and monthly quantities are tabulated in the ARP. The total stream depletions are **547 acre-feet** for Subdistrict wells. Including the obligations of contract entities on Saguache Creek, the total stream depletions are **616 acre-feet**.

Subdistrict Projected Depletions (acre-feet)

Stream Reach	May-Oct, Apr	Nov-Mar	Total	Post Plan
Saguache Creek	131	138	269	4,919
Rio Grande 1 Del Norte- Excelsior	112	80	192	808
San Luis Creek	15	71	86	336
Total Depletions	259	288	547	6,063
Saguache Creek- San Luis Subdistrict	8.0423	25.6209	33.6633	400
Saguache Creek- Subdistrict No. 1	8.2051	24.4967	32.7018	417
Saguache Creek- Town of Saguache	0.7052	0.7343	1.4395	23
Rio Grande 1- Town of Saguache	0.6076	0.4264	1.034	4
Total Depletions w/contracts	277	339	616	6,907

Post-Plan Stream Depletions are estimated to accrue to impacted streams for approximately 9 years. Based on predictions from the Application Workbook, there would be a total of

6,063 acre-feet of Post-Plan Stream Depletions as shown in the table above. With contract entities, the total is **6,907 acre-feet.**

11.1.3 Description of How Injurious Stream Depletions from Groundwater Withdrawals by Wells Included in the ARP will be Replaced or Remedied

Amounts and Sources of Replacement Water for 2026 Plan Year (Section 1 of 11.1.3 of the ARP)

The Subdistrict has assembled a portfolio of water supplies for the replacement of Injurious Stream Depletions and remedies other than water. The ARP identifies the water rights, their availability and their amounts in the ARP.

The adequacy of replacement sources for the ARP Year is dependent upon contracted amounts the Subdistrict has acquired as well as the availability of the source to pay depletions in place and time. For purposes of review of adequacy of replacement sources, there are three categories defined below, with examples described for each.

In Storage: Reservoir water in storage under the control of the Subdistrict. This water is available for release at the direction of the Subdistrict.

In Season: Ditch water that will become available to the Subdistrict when in priority during the irrigation season in the amount of depletion owed to streams daily by the Subdistrict. For some sources, water not used to pay daily depletions may be stored for Subdistrict use later.

On Call: Remedies, such as forbearance, that are available in the amount of depletion owed to streams daily by the Subdistrict, limited to when the forbearance ditch is the calling water right. I note that forbearance depends on climate and actual days when a ditch is the calling water right and the exact yield per year is indeterminate. It is also noted that the amount of forbearance water usable by the Subdistrict is limited by their depletions owed daily to streams. In addition, several Subdistricts are seeking forbearance agreements with the same ditches. This further complicates the availability of a firm supply under these agreements.

This replacement water or remedy will be available to replace Injurious Stream Depletions as directed by the Division Engineer. A summary of the portfolio items is shown in the Replacement Sources tables on the following pages. I will approve up to the full amount itemized in the Replacement Sources tables and stated in the following sections for use in the 2026 ARP.

Subdistrict No. 5 Replacement Sources

San Luis Creek (acre-feet)

	Water Right Name	Submitted in ARP	Approved in SWSP's	Remaining 4/15/2026 & Approved for 2026 ARP
	In Storage			0
	None			
	In Season			0
	None			
	On Call	**Limit**	**Expected Yield**	**DWR Expected Yield**
WDID	**Forbearance**			
	Kerber Creek			
2500747	1920 Ditch – 3 yr. 2028	No limit		
2500541	Clayton Ditch D (1 cfs of 3.4 cfs) 29.4% - Dragos – (3 yr. 2027)	No limit		
2500541	Clayton Ditch D (1.7 cfs of 3.4 cfs) 50.0% - Wagner – (5 yr. 2027)	No limit		
2500541	Clayton Ditch D (0.7 cfs of 3.4 cfs) 20.6% - Hutchinson – (5 yr. 2027)	No limit		
2500693	Clayton Ditch FG – Wagner - (5 yr. 2027)	No limit		
2500545	Clayton Old Channel Ditch – (5 yr. 2027)	No limit		
2500546	Cody Ditch – (5 yr. 2027)	No limit		
2500551	Daniels Fish Arroya Ditch – (5 yr. 2029)	No limit		
2500552	Daniels Fish Ditch No. 4 – (5 yr. 2029)	No limit		
2500823	Goodwin Hamby – Dragos (3 yr. 2027)	No limit		
2500583	Hall Ditch 1 – (3 yr. 2028)	No limit		
2500680	Wells Kerber Ditch – (5 yr. 2029)	No limit		
2500682	Wells North Ditch – (5 yr. 2029)	No limit		
2500683	White Ditch – (5 yr. 2027)	No limit		
	San Luis Creek			
2500713	Dittrich Steel Ditch - Arrowpoint (3 yr. 2028)	No limit	No decreed water rights	Not Accepted
2500577	Greer Ditch No. 1 – (5 yr. 2029)	No limit		
2500578	Greer Ditch No. 2 – (5 yr. 2029)	No limit		
2500579	Greer Ditch No. 3 – (5 yr. 2029)	No limit		
2500614	Kennedy Ditch 2 – (1 yr. 2027)	No limit		
2500641	San Luis Co Ditch w/Frees – (5 yr. 2031)	No limit		
2500641	San Luis Co Ditch w/Valley View Farms (5 yr. 2029)	No limit		
2500641	San Luis Co Ditch – SD 4 (1yr. 2027)	No limit		
2500646	Schilling Ditch – – (3 yr. 2027)	No limit		
2500647	Schultz Dittrich Ditch –Blumenhein (3 yr. 2027)	No limit		
2500929	Schultz Dittrich Ditch No. 2 – Blumenhein - (3 yr. 2027)	No limit		
2500695	Schultz Dittrich No. 14 Ditch – Arrowpoint (3 yr. 2028)	No limit		

2500695	Schultz Dittrich No. 14 Ditch – Ridgely (3 yr. 2028)	No limit		
2500657	Squires Ditch 1 – (5 yr. 2026)	No limit		
2500661	Steel Ditch No. 2 – Arrowpoint (3 yr. 2028)	No limit		
2500668	Tobler Ditch – (1 yr. 2027)	No limit		
2500669	Tobler Rominger Ditch – (1 yr. 2027)	No limit		
	Kelly Creek			
2500692	Clayton Ditch ABC – Hutchinson – (5 yr. 2027)	No limit		
2500692	Clayton Ditch ABC – Dragos - (3 yr. 2027)	No limit		
2500822	Clayton Ditch ABC ALT – Dragos – (3 yr. 2027)	No limit		
	Cottonwood Creek			
2500542	Clayton Ditch E – Wagner - (5 yr. 2027)	No limit		
	Total On Call- Forbearance		**>14.7**	**Up to 15.3***

Note: * DWR Analysis

Subdistrict No. 5 Replacement Sources

Saguache Creek (acre-feet)

	Water Right Name	**Submitted in ARP**	**Approved in SWSP's**	**Remaining 4/15/2026 & Approved for 2026 ARP**
SWSP	In Storage			0
	None			
	In Season	**Submitted in ARP**	**Approved in SWSP's**	**DWR Expected Yield**
SWSP	**In Season**			
9367	Malone Sullivan No. 1 *(60% of 152.0 af)	152.0		Up to 161.3
9367	Heimberger Ditch No.1 *(60% of 34.7)	34.7		
9367	Malone Ditch *(60% of 82.1)	82.1		
8308	North Star Water Rights – WDIDs 2605057, 2605685, 2605690, 2605689, 2605049, 2605041– Model Layer 2 *(457.1 af)	±763.2		Up to 457.1
8308	North Star Water Rights – WDIDs 2605057, 2605685, 2605690, 2605689, 2605049, 2605041– Model Layer 1 *(0 af)	±288.7		
	Total In Season	1,320.7		Up to 618.4
	* Note: Yield for the entire SWSP is shown, reduced by the amounts available at this time.			
	On Call	**Limit**	**Expected Yield**	**DWR Expected Yield**
WDID	**Forbearance**			
	Saguache Creek			
2600510	Campbell Ditch 4 (Priority 49 50 62 68) – (5 yr. 2029)	No limit		
2600511	Campbell Ditch 5 (Priority 47 49 66 68) – (5 yr. 2029)	No limit		
2600512	Campbell Ditch 6 (Priority 50) – (5 yr. 2029)	No limit		

2600559	Hearn Ditch - Jungert (Priority 44) – (1 yr. 2027)	No limit		
2600616	Nehls Co Ditch (Priority 55, partial) – (5 yr. 2029)	No limit		
2600654	Roberts Co Ditch (Priority 32) – (5 yr. 2029)	No limit		
	Total On Call- Forbearance		**0**	**0**

Subdistrict No. 5 Replacement Sources

Rio Grande (acre-feet)

SWSP	Water Right Name	**Submitted in ARP 4/15/2026**	**Approved in SWSP's**	**Remaining 4/15/2026 & Approved for 2026 ARP**
	In Storage			
6094	Kanawah/ Cochran Pioneer	9.92		
	Kanawah / Cochran Pioneer*	58.2		58.2
	Kanawah / Cochran Pioneer*	191.8		191.8
	Total Storage	**259.92**		**250**
	**Note: These amounts are still found in the RGWCD account in the Reservoir Book*			
	On Call	**Limit**	**Expected Yield**	**DWR Expected Yield**
	CBP Allocation (as of April 2026)	3,900		
	Total On Call- Irrigation & Non-Irrigation Season		0 to 188	Up to 188

After Acquired Sources of Remedy (Section 2 of 11.1.3 of the ARP)

DWR recognizes the Subdistrict will continue to work to acquire additional sources of remedy and may, with approval from the Division Engineer, use those sources to remedy injury under this ARP.

Operation of the 2026 Annual Replacement Plan (Section 3 of 11.1.3 of the ARP)

The ARP provides documentation that the Subdistrict has implemented "Well Injury Payment" agreements (also known as forbearance agreements) with a number of ditches located on Kelly Creek, Kerber Creek, San Luis Creek, and Saguache Creek for the Plan Year. At times when Kelly Creek, Kerber Creek, and San Luis Creek, are connected, the calling right can be on Kelly Creek or Kerber Creek. This is the only replacement source the Subdistrict has on San Luis Creek. The majority of the well injury payment agreements allow the Subdistrict to exercise these agreements in its sole discretion. The Subdistrict provided no expected yield from forbearance on Saguache Creek in the Operations section of the ARP.

The Subdistrict's portfolio of replacement sources includes reservoir water on the Rio Grande that can be used to pay depletions. The Subdistrict used this source in the past to pay wintertime depletions when there are shortages of CBP deliveries and at times when

there is a dry reach on the Rio Grande so that exchanges from Stream Reach 3 cannot be made.

The Subdistrict included an MOU with the ARP that provides for Saguache Subdistrict to administer the remedy of depletions to the Rio Grande on behalf of the Town of Saguache (16CW3023) for the 2026 ARP Year. The Subdistrict will use reservoir water to remedy depletions owed by the Town of Saguache on the Rio Grande. The Town of Saguache will reimburse the Subdistrict through financial means for the cost of making those replacements. The Subdistrict may use water in storage on the Rio Grande for this purpose.

The Subdistrict submitted an MOU that states the Saguache Subdistrict will pay depletions on Saguache Creek on behalf of the Subdistrict using In-Season replacement sources owned or leased by the Saguache Subdistrict. Historical consumptive use was approved for augmentation under SWSP 9367 on lands served by the Malone Sullivan Ditch No. 1, Heimberger Ditch No. 1, and Malone Ditch. Currently, 60% of the historical consumptive use, **161.94 acre-feet,** of these water rights approved under SWSP 9367 will be available at the ditch headgates to replace injurious stream depletions through storage, recharge, or direct use, including by exchange.

In 2024, the Saguache Subdistrict and Subdistrict No. 1 each purchased three irrigation wells from North Star Farm. In 2026, the historically groundwater irrigated acres on all fields will be fallowed. SWSP 8308 allows the historical consumptive use to be diverted at alternate points and delivered to Saguache Creek to pay the Subdistrict, Subdistrict No. 1 and Saguache Subdistrict depletions. Multiple augmentation wells were anticipated under SWSP 8308, WDID 2606025 has been drilled and is in use. WDIDs 2606028 and 2606030 have been drilled but have not been used yet. All depletions from these wells are covered by the Saguache Subdistrict at 100% CU. Currently, the Subdistrict has yield information and infrastructure in place to use **457.1 acre-feet**.

The Subdistrict also describes additional potential methods of delivering augmentation water from the fallowed lands to Saguache Creek. The concepts include by direct pipeline to Saguache Creek, by pipeline to Saguache Creek via Warner Arroyo, and by pipeline directly to the injured ditch. Any such mechanisms must be approved by the Division Engineer.

The Subdistrict's allocation of Closed Basin Project water allows this source to be used to replace year-round depletions to the Rio Grande, both during and outside the irrigation season. This source is currently not available to the Subdistrict due to the dry conditions and lack of exchange potential to Rio Grande Stream Reach 1. This source should be available during the non-irrigation season.

The Phase 7 Model did not predict stream depletions to streams other than Saguache Creek, San Luis Creek, and the Rio Grande in amounts above the minimum threshold to reliably predict impacts. Therefore, no replacements to any stream other than Saguache Creek, San Luis Creek, and Rio Grande will be made.

The Rules require remedies sufficient to also remedy total Post-Plan Stream Depletions caused by current and past years' ARP Wells groundwater withdrawals that deplete the streams after the term of this ARP. Section 4.1.5 of the Subdistrict's PWM includes the provision, "the Subdistrict may continue to assess fees until all Post-Plan Injurious Stream Depletions caused by past groundwater withdrawals from Subdistrict Wells have been remedied." This allows the Subdistrict to provide a financial guarantee to assure that all Post-Plan Injurious Stream Depletions will be replaced or otherwise remedied if the Subdistrict were to fail or otherwise not be allowed to continue groundwater withdrawals.

If the Subdistrict were to fail, the individual well owners in the Subdistrict would have to obtain plans for augmentation or take other measures to comply with the Rules. Presumably, those plans would be required to replace Post-Plan Injurious Stream Depletions into the future. In the interim, the Subdistrict or the Rio Grande Water Conservation District will remedy Post-Plan Injurious Stream Depletions by supplying water or through agreements pursuant to which injury to water rights is remedied by means other than providing water to replace stream depletions.

Anticipated Funding for Plan Year (Section 4 of 11.1.3 of the ARP)

The Subdistrict submitted sufficient financial information to document the purchase and leases of replacement water for the 2026 Plan Year.

11.1.4 Contractual Arrangements among Water Users, Water User Associations, Water Conservancy Districts, Subdistricts, and/or the Rio Grande Water Conservation District

Subdistrict No. 4 Memorandum of Understanding (Section 1 of 11.1.4 of the ARP)

The Subdistrict included an MOU with the ARP that provides for the San Luis Creek Subdistrict (Subdistrict No. 4) to remedy depletions owed to San Luis Creek on behalf of the Saguache Subdistrict for the 2026 ARP Year. The Subdistrict will reimburse Subdistrict No. 4 through financial means for the cost of making those replacements. A copy of the MOU was included as a supplement to the ARP.

Well Injury Payment Agreements (Section 2 of 11.1.4 of the ARP)

Pursuant to section 37-92-501(4)(b)(I)(B), C.R.S., the Subdistrict has reached agreement with a multitude of ditches whereby they accept that, subject to the specific provisions of the well injury payment agreement, injury to their water rights resulting from the use of groundwater by ARP Wells may be remedied by means other than providing water to replace stream depletions, when they are the calling right on the San Luis Creek system. The Subdistrict has reached similar agreements with several ditches on the Saguache Creek system.

Analysis: The Subdistrict reviewed stream flows on the San Luis Creek system for the current and past years and used the peak and average flows to calculate the percent of priorities that have agreed to Well Injury Payment Agreements for the Plan Year within those stream flow ranges to determine the anticipated acre-feet that will be remedied by Well Injury Payment Agreement. On the San Luis Creek system Well Injury Payment Agreements have been made for priority no.'s 1 through 36. Given the expected steam flows in 2026 and the historical administration of the creek, it is reasonable to assume the calling priority will be senior to Priority No. 36. Subdistrict No. 5 staff estimates, based on this analysis, these agreements will remedy the total depletions owed during the Plan Year.

It is noted that the majority of these agreements allow the Subdistrict to remedy injurious stream depletions under the agreement or by providing water at the Subdistrict's sole discretion. Two of the agreements do not allow this flexibility, the Clayton Ditch ABC and the Clayton Ditch D agreements with Jeffrey & Lucinda Dragos, so are "mandatory" forbearance agreements.

The Subdistrict did not provide a description of the estimated yield analysis of forbearance agreements on Saguache Creek and indicated the yield would be 0 acre-feet.

Closed Basin Project Production (Section 3 of 11.1.4 of the ARP)

According to the information provided in the ARP, the projected production of the Closed Basin Project delivered to the Rio Grande is 6,500 acre-feet during calendar year 2026. The 2026 allocation of the Closed Basin Project production will be 60% to the Rio Grande and 40% to the Conejos River.

Per a letter from the Rio Grande Water Users Association dated April 10, 2026, the Board of Directors passed a motion to specifically allocate 3,900 acre-feet (1,700 in 2026 and 2,200 acre-feet in 2027) of the Rio Grande's share of the usable yield of the Closed Basin Project to replace the stream depletions of the Rio Grande Water Conservation District Subdistricts. Similarly, the Board of Directors of the San Luis Valley Water Conservancy District agreed to the allocation as stated in their letter to the Rio Grande Water Conservation District on April 7, 2026.

Further, the Water Users' letter states they understand that there may be circumstances during the irrigation season when the Subdistricts cannot deliver water to the Rio Grande below the Chicago Ditch due to intervening dry stream reaches or excessive losses in deliveries. In those circumstances, the Water Users believe Project Water is an appropriate replacement source but intend that the use of the allocation described be minimized during the irrigation season.

A copy of each letter reporting the approval was provided with the ARP. The resolution from RGWCD allowing the Subdistrict to use Closed Basin Project water in the 2026 ARP was provided as supplemental information.

North Star Farms Purchase (Section 4 of 11.1.4 of the ARP)

Subdistrict No. 5 and Subdistrict No. 1 have purchased five sprinkler irrigated quarter sections from North Star Farms. During the 2026 irrigation season, the historically irrigated acres will be fallowed, and no irrigation will take place on those acres. The historical consumptive use credits from those acres will be used under the changed water rights, pending renewal of SWSP 8308. Within the historical consumptive use limits set forth in the SWSP, Subdistrict No. 5 will apply the historical consumptive use credits to remedy injurious depletions from Subdistrict Wells to senior surface water rights either directly by pumping the water through a pipeline and releasing it into the stream, or by exchanging the water upstream, or by diverting to storage or recharge, withdrawn from an alternate point of diversion, or with delivering water directly to the injured ditch, with permission of the owners.

Hazard Ranch Purchase (Section 5 of 11.1.4 of the ARP)

Subdistrict No. 5 has purchased 1.2 c.f.s. of Priority No. 1 in the Malone Sullivan Ditch No. 1, 1.0 c.f.s. of Priority No. 2 in the Heimberger Ditch No.1, and 1.075 c.f.s. of Priority No. 4 in the Malone Ditch. The historically irrigated acres will be fallowed, and no irrigation will take place on those acres. The historical consumptive use credits from those acres will be used under the changed water rights, under SWSP 9367. When in priority and within the historical consumptive use limits set forth in the SWSP, Subdistrict No. 5 will apply the historical consumptive use credits to remedy injurious depletions from Subdistrict Wells to senior surface water rights either directly by leaving the water in the stream, or by exchanging the water upstream, or by diverting to storage or recharge.

Additional Augmentation Wells (Section 6 of 11.1.4 of the ARP)

Multiple augmentation wells were anticipated under SWSP 8308, associated with the dry-up of lands that the Subdistrict purchased from North Star Farms. WDID 2606025 was completed in 2023 and has been used since then for augmentation. WDID 2606028 was completed 6/6/2024 and WDID 2606030 was completed 5/5/2025, but neither have been used yet. All depletions from these wells are covered by the Subdistrict at 100% CU.

Memorandum of Understanding with Subdistrict No.'s 1 and 4 for Saguache Creek Replacements (Section 7 of 11.1.4 of the ARP)

The Subdistrict has signed a Memorandum of Understanding, whereby Saguache Subdistrict will utilize its sources of replacement to remedy injurious stream depletions to Saguache Creek. The MOU was made between Subdistrict No. 5 and Subdistrict No.'s 1 and 4. Saguache Subdistrict will be responsible for providing replacement water in an amount equal to the sum of depletions from Subdistrict No. 1, Subdistrict No. 4 and Subdistrict No. 5.

Contract with the Town of Saguache (Section 8 of 11.1.4 of the ARP)

The Subdistrict has entered into a contract whereby the Subdistrict will remedy depletions owed to the Rio Grande and depletions owed to Saguache Creek, if necessary, on behalf of the Town of Saguache. The Town of Saguache will reimburse the Subdistrict through financial means for the cost of making those replacements.

11.1.5 Documentation of Progress towards Achieving and Maintaining a Sustainable Water Supply

Water Levels, Pressure Levels, and/or Groundwater Withdrawals (Section 1 of 11.1.5 the ARP)

Rule 8.1.7 of the Groundwater Rules includes provisions for meeting the requirements for achieving and maintaining a Sustainable Water Supply in the confined aquifer. Per the State Engineer's approval letter for the PWM, dated March 13, 2020, the Saguache Creek Response Area five-year running average groundwater withdrawals were below the 1978-2000 average groundwater withdrawals for the Saguache Creek Response Area of 50,151 acre-feet, incorporating the CAS stipulation. Without the stipulation, the average is 45,592 acre-feet.

By addition of contract wells, Subdistrict metered groundwater withdrawals now account for approximately 97.6% of the total metered groundwater withdrawals annually over the period 2011-2025 in the Saguache Response Area. The current five-year running average groundwater withdrawals for ARP Wells for the period 2021-2025 is **29,306 acre-feet**, using the pumping figures reported in Table 1 of the Application Workbook.

Subdistrict Average Groundwater Withdrawals (acre-feet)

ARP Year	5-Year Average	2011 to-date Average
Average GW Withdrawal (1978-2000) = 45,592		
Projected - 2026	31,494	36,518
Actual – 2025 (2021-2025)	29,306	36,545
Actual – 2024 (2020-2024)	30,567	36,577
Actual – 2023 (2019-2023)	31,211	37,112
Actual – 2022 (2018-2022)	33,838	37,629
Actual – 2021 (2017-2021)	36,479	38,801

For comparison, the longer term average 2011-2025 (15 years) of metered pumping for ARP wells is 36,545 acre-feet. As additional years are added to the period of metered pumping in Division 3, this average can be compared to the 1978-2000 (23 years) estimated groundwater withdrawals reported in the State Engineer's annual memorandum, "Five year Average Groundwater Withdrawals in Confined Aquifer Response Areas", published July 1, 2025.

The Subdistrict anticipates 2026 groundwater withdrawals of 36,102 acre-feet in 2026 due to similar pumping in similar stream flow forecast years. This would produce an average (2022-2026) of 31,494 acre-feet, within the sustainability metric.

Based on the trends of the Subdistrict's five-year average, the Subdistrict will remain in compliance with the Sustainable Water Supply Requirement of the Rules.

Included in Appendix J is the State Engineer's memo dated July 1, 2025, regarding the Composite Water Head for Confined Aquifer Response Areas in Division 3: July 2025 Requirement of Division 3 Groundwater Rules Section 8.1.4. The Composite Water Head for Saguache Response Area for 2025 was 4.22 feet, slightly down from 2024, the highest level measured, but all years since 2015 are above the base year of 2015.

2025 Composite Water Head by Response Area

Response Area	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Saguache	0.00	2.43	2.91	3.07	1.41	2.73	1.48	2.47	4.27	4.88	4.22

Listing of Irrigated Acres Proposed to be Temporarily or Permanently Fallowed and Associated Water Rights (Section 2 of 11.1.5 the ARP)

The Subdistrict is not currently pursuing fallowing of any irrigated lands within the boundaries of the Subdistrict.

Listing of Water Rights Proposed to be Temporarily or Permanently Retired and Historical Operations of Each Water Right (Section 3 of 11.1.5 the ARP)

No listing of retired water rights was submitted with this ARP.

Other Proposed Actions to be Taken as Applicable (Section 4 of 11.1.5 the ARP)

The Subdistrict enacted Rules and Regulations Governing Groundwater Allocations for Subdistrict Wells on July 21, 2021 (discussed in Section 4 of 11.1.1 of this letter)

Findings

Based on the information provided in the ARP and discussed above, I make the following findings:

1. The projected groundwater withdrawals are based upon the inventoried Subdistrict Wells, their historical pumping, and projected stream flows. The inventory of wells is consistent with the information in DWR's databases. The historical pumping associated with the Wells is based on diversion records on file with the DWR. The method implemented by the Subdistrict to project groundwater withdrawals for the ARP Wells for 2026 is consistent with historical pumping information and streamflow forecast from the Division Engineer's projection and the NRCS Forecast.

2. DWR needs additional information regarding the Subdistrict's Recharge Decree calculations. The Application Workbook output for this approval was generated from DWR's Application Workbook run.

3. Projected stream depletions are calculated based on Application Workbooks generated from RGDSS Groundwater Model runs. The Application Workbooks are based on the RGDSS Model Phase 7, which was approved by the PRT. DWR used the 7P101v2 Application Workbook in determining stream depletions. The ARP Year depletion schedule and other Application Workbook output tables are included as an Exhibit to this letter.

4. The yield of the CBP and timing of deliveries is not adequate to cover all subdistrict non-irrigation season depletions. CBP delivers water to Stream Reach 3 of the Rio Grande. Under certain conditions, including 0% curtailment, there is no exchange potential available to the upper reaches. The Subdistrict must provide replacement water to remedy any shortage of CBP deliveries allocated to the Subdistrict.

5. The ARP identifies the sources, availability, and amounts of replacement water and remedies that the Subdistrict will use to remedy Injurious Stream Depletions during the coming year and demonstrates the sufficiency of such water to remedy such Injurious Stream Depletions.

Saguache Creek

The Subdistrict depletions and obligations for Saguache Creek for this ARP are **148 acre-feet** during the irrigation season and **189 acre-feet** during the non-irrigation season for a total of **337 acre-feet.**

- Irrigation Season: Saguache Subdistrict expects to generate 1,321 acre-feet of replacement water from the dry-up of lands described in SWSP 9367 and SWSP 8308 under 100% confirmed dry up. Currently, the available HCU is 162 acre-feet from SWSP 9367 and 457 acre-feet from SWSP 8308. The current expected yield of 619 acre-feet is adequate to cover Subdistrict's No. 5, 4, 1 depletions, totaling about 148 acre-feet. The portfolio of water from in season sources in the 2026 ARP Year indicates sufficient firm water to cover Injurious Stream Depletions.
- Non-Irrigation Season: The Subdistrict is not obligated to pay depletions on Saguache Creek during the non-irrigation season at this time.

San Luis Creek

The Subdistrict depletions for San Luis Creek for this ARP are **15 acre-feet** during the irrigation season and **71 acre-feet** during the non-irrigation season for a total of **86 acre-feet.**

- Irrigation Season: The Subdistrict indicates they expect to yield a total of 15 acre-feet from well injury payment agreements. My staff reviewed the historical calls on San Luis Creek for the ditches expected to generate forbearance amounts during the irrigation season as summarized below. A copy of the analysis is included as an exhibit. The potential 15 acre-feet needed from well injury payments that will be

administered through Subdistrict No. 4 indicates sufficient water to cover Injurious Stream Depletions for the Plan Year for both Subdistrict No. 4 and Subdistrict No. 5.

- Non-Irrigation Season: The Subdistrict is not obligated to pay depletions on San Luis Creek during the non-irrigation season at this time.

Rio Grande

The Subdistrict depletions and obligations for the Rio Grande for this ARP are **113 acre-feet** during the irrigation season and **80 acre-feet** during the non-irrigation season for a total of **193 acre-feet.**

- Irrigation Season: The Subdistrict has 250 acre-feet of storage in WD20 Reservoirs.

The confirmed portfolio of water from storage in the 2026 ARP Year indicates sufficient firm water to cover Injurious Stream Depletions in the event that no Closed Basin Project water is available during the irrigation season.

- Non-Irrigation Season: The Subdistrict has 188 acre-feet of Closed Basin Project water allocated to pay non-irrigation season depletions and additional storage in WD20 Reservoirs to remedy potential shortages.

6. Section 4.1.5 of the Subdistrict's PWM includes the provision, "the Subdistrict may continue to assess fees until all Post-Plan Injurious Stream Depletions caused by past groundwater withdrawals from Subdistrict Wells have been remedied." This allows the Subdistrict to provide a financial guarantee to assure that all Post-Plan Injurious Stream Depletions will be replaced or otherwise remedied if the Subdistrict were to fail or otherwise not be allowed to continue groundwater withdrawals.

7. Upon approval of the Subdistrict's PWM, it was concluded the Subdistrict is already operating within the 5-year 1978-2000 average as amended by the CAS stipulation. The Subdistrict is in compliance with this metric.

The Subdistrict has presented sufficient evidence and engineering analysis to predict where and when Injurious Stream Depletions will occur and how they will replace those Injurious Stream Depletions to avoid injury to senior surface water rights under the following Terms and Conditions.

This ARP is hereby approved pursuant to the following Terms and Conditions:

1. This ARP shall be valid for the period of **May 1, 2026, through April 30, 2027**, unless otherwise revoked, modified, or superseded by me, a decree, or order of the court.

2. The Subdistrict must replace or remedy the Injurious Stream Depletions resulting from Subdistrict ARP Well groundwater withdrawals.

3. Contract wells will be covered to the extent of their permitted/decreed uses.

4. Deliveries (including transit losses) of stored water made available for the replacement of Injurious Stream Depletions shall be determined by the Division Engineer pursuant to this ARP and associated decrees, policies and statutes. An MOU describing any exchange must be submitted and signed by all parties prior to operating the exchange.

5. If the limit is reached for any particular well injury payment agreement, then the Subdistrict will need to remedy Injurious Stream Depletions to that particular ditch or canal with another remedy.

6. The Division Engineer shall determine on an ongoing basis whether he can administer the operations under each well injury payment agreement. If the Division Engineer cannot, then that operation shall cease. General Forbearance Protocols for the San Luis Valley River Systems for 2026 were prepared by the Division Engineer. A copy of the protocols is included with this letter.

7. The Subdistrict shall provide daily replacement water accounting (including, but not limited to diversions, depletions, replacement sources, and river calls) on a monthly basis. The accounting must be emailed to the Division Engineer (Craig.Cotten@state.co.us), the Water Commissioners (thomas.torrez@state.co.us, robert.mondragon@state.co.us, sam.riggenbach@state.co.us), the Subdistrict Coordinator (deborah.sarason@state.co.us), and Water Accounting Operations Specialist (michelle.lanzoni@state.co.us) within 10 days after the end of the month for which the accounting applies. Accounting and reporting procedures are subject to approval and modification by the Division Engineer.

8. The Subdistrict must adhere to the terms and conditions of any SWSP(s) incorporated as part of the ARP. The use and inclusion of any new replacement water within the ARP is subject to SWSP approval or approved by the Water Division No. 3 Water Court for a change of water right. Prior to the use of any new replacement water, the State Engineer will evaluate for use as an amendment under this ARP.

9. Regarding the Subdistrict's request to aggregate depletions owed between stream reaches on the Rio Grande, at this time, the Subdistrict owes to only a single reach on any river system. Therefore, there is no possibility of aggregating stream depletions.

10. Regarding the Subdistrict's request to aggregate depletions with other subdistricts, the Subdistrict may make requests for these types of changes formally to the Division Engineer, providing details of the request and documentation supporting the need to make a change to the approved ARP depletion schedule. The Division Engineer will consider such a request when it is made, under the protocol of DWR and in light of the conditions on the particular stream at the time and, if deemed appropriate, approve the request. The Subdistrict will not adopt any change until after approval by the Division Engineer.

11. CBP deliveries may only be credited against irrigation and non-irrigation season depletions that occur during the same calendar year and during the same ARP Year. **For 2026 and going forward, only the CBP deliveries generated during the non-irrigation season may be used to remedy Subdistrict non-irrigation season depletions.** The Subdistrict must provide replacement water to remedy any shortage of CBP deliveries allocated to the Subdistrict. It is noted the Rio Grande Water Users offered to make CBP water available to pay depletions during the irrigation season should the current dry conditions persist such that replacement water cannot be delivered to Rio Grande Stream Reach 3. This will only be allowed after approval of the Division Engineer.

12. The Subdistrict relies heavily upon forbearance agreements to meet some of the requirements for mitigation of injurious stream depletions on San Luis Creek. The Subdistrict is strongly encouraged to actively pursue permanent replacement sources to cover depletions in the event that the forbearance agreements are not sufficient. If the forbearance agreements do not yield the amounts needed to cover depletions as expected during the 2026 ARP Year, the Subdistrict will invoke its "After Acquired Sources of Remedy" clause in the ARP and will acquire sufficient additional sources to satisfy the depletion schedule approved under this ARP. If the Subdistrict is unable to acquire sufficient additional sources, the Subdistrict will not be able to continue operation under this ARP.

13. All deliveries of replacement water shall be measured in a manner acceptable to the Division Engineer. The Subdistrict shall install and maintain measuring devices as required by the Division Engineer for operation of this approved ARP.

14. It is requested the Subdistrict provide a separate written description of the justification for making the changes to the Recharge Decree calculations that were in place from 2022 until now, how that better represents the user's actual application of surface water and how the Subdistrict plans to implement the changes going forward from ARP projections to PWR reviews. This document should be provided to DWR prior to submitting the 2026 PWR.

15. The Subdistrict must submit a Preliminary Water Report and Final Review of its ARP pursuant to Rule 12.

16. The Subdistrict must replace or remedy all Injurious Stream Depletions caused by non-augmented pumping associated with Subdistrict ARP Wells.

17. The Subdistrict must comply with the Rules, the Subdistrict PWM, and this ARP.

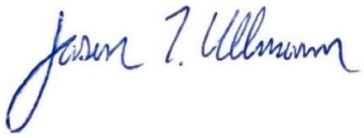
Approval of this ARP does not authorize any change, increase, or expanded use of any water right or permit. Any change, increase, or expansion of a water right or permit will need to comply with existing decrees and or permits, the Confined Aquifer New Use

Rules, the Measurement Rules, the Rio Grande Basin Groundwater Use Rules, and may require approval of the Water Court.

The approval of this ARP is made with the understanding that if the ARP proves insufficient to remedy Injurious Stream Depletions, the State Engineer has the authority to invoke the retained jurisdiction of the Division No. 3 Water Court.

I want to thank you for your cooperation and compliance with this approved ARP and for your continued cooperation and compliance in the future. Your efforts are greatly appreciated. If you have any questions do not hesitate to contact any of my staff in Denver or Alamosa.

Sincerely,



Jason T. Ullmann, P.E.
State Engineer
Director of the Division of Water Resources

Exhibits:

A: Letter, Request to Add Replacement Well WDID 2706366
B: Application Workbook 2026 Stream Depletion Tables (prepared by DWR)
C: Subdistrict No. 5 2026 ARP Application Workbook Table 2.6
D: General Forbearance Protocols for the San Luis Valley River Systems for 2026
E: DWR analysis of Forbearance Yield

ec: Craig Cotten, Division Engineer
Chad Wallace, Second Assistant Attorney General
David W. Robbins, Hill & Robbins
Peter Ampe, Hill & Robbins
Clinton Phillips, Davis Engineering Service, Inc.
DWR electronic notification lists
Division 3 Water Court

Rio Grande Water Conservation District
8805 Independence Way • Alamosa, Colorado 81101
Phone: (719) 589-6301 • Fax: (719) 992-2026
Protecting & Conserving San Luis Valley Water

RE: Request for Inclusion of Russell Lakes State Wildlife Area Well WDID 2606020 in 2026 ARP

Dear Craig and Deb,

On behalf of Subdistrict No. 5 of the Rio Grande Water Conservation District, I am writing to formally request the inclusion of **Russell Lakes State Wildlife Area well, WDID 2606020**, in the approval of the **2026 Annual Replacement Plan (ARP)**.

This well was brought to our attention shortly before the ARP was submitted. Since the ARP has been submitted, we have learned that there are several obstacles preventing this well from complying with the Groundwater Rules other than contracting with Subdistrict No. 5. As such the Board of Managers for Subdistrict No. 5 formally accepted a Participation Contract for this well at a Special Meeting held April 28, 2026.

We respectfully request that the Division of Water Resources recognize this well as an approved participant under the 2026 ARP. All applicable documentation supporting the Participation Contract and board action is available and can be provided upon request.

Please let us know if any additional information or formal amendment documentation is required to facilitate this inclusion.

Thank you for your time and continued coordination on Subdistrict matters. We appreciate your assistance in resolving this oversight.

Sincerely,

Chris Ivers
Program Manager, Subdistrict No. 5
Rio Grande Water Conservation District

Table 1

Saguache Response Area Estimated Net Groundwater Consumptive Use Worksheet

(units of acre-feet)

	Saguache Response Area Pumping									Recharge that Offsets Groundwater						
Year	Irrigation Pumping to Center Pivots	Sprinkler Efficiency	Irrigation Pumping to Leveled Flood Irrigation	Leveled Flood Efficiency	Irrigation Pumping to Wild Flood (Unleveled) Irrigation	Wild Flood (Unleveled) Efficiency	Other Pumping	Other Consumptive Use Ratio	Groundwater Consumption	Recharge Source 1	Recharge Source 2	Recharge Source 3	Recharge Source 4	Other Recharge Offsets	Total	Net Groundwater Consumptive Use
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
2021	8,807	0.85	5,857	0.60	10,651	0.40	125	0.752	15,354	1,261	0	0	0	0	1,261	14,093
2022	8,373	0.85	5,997	0.60	10,491	0.40	185	0.618	15,026	1,397	0	0	0	0	1,397	13,629
2023	12,095	0.85	6,699	0.60	11,713	0.40	630	0.888	19,544	1,841	0	0	0	0	1,841	17,703
2024	9,423	0.85	6,443	0.60	13,030	0.40	942	0.649	17,699	1,686	0	0	0	0	1,686	16,013
2025	10,429	0.85	6,879	0.60	15,843	0.40	2,685	0.251	20,002	1,460	0	0	0	0	1,460	18,543
2026	10,016	0.85	6,968	0.60	15,738	0.40	3,379	0.373	20,250	710	0	0	0	0	710	19,540
2027																
2028																
2029																
2030																
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Avg	9,825	0.85	6,375	0.60	12,346	0.40	913	0.631	17,525	1,529	0	0	0	0	1,529	15,996

Explanation of Columns

(1) Calendar Year
(2) Determined from metered groundwater pumping associated to sprinkler
(3) Consumptive use ratios of total pumping associated with sprinkler irrigation practices
(4) Determined from metered groundwater pumping associated to leveled flood
(5) Consumptive use ratios of total flood pumping associated with leveled flood irrigation practices
(6) Determined from metered groundwater pumping associated to wild flood (unleveled)
(7) Consumptive use ratios of total flood pumping associated with wild flood (unleveled) irrigation practices
(8) Determined from metered groundwater pumping associated to other pumpings that contains M&I pumping
(9) Estimated consumptive use ratio based on operations metered in Col8
(10) Calculated as Col2*Col3 + Col4*Col5 + Col6xCol7 + Col8*Col9
(11) - (15) Determined by engineering consultant to the District from analysis of historic diversions and recharge decrees

Table 1

Saguache Response Area Estimated Net Groundwater Consumptive Use Worksheet

(units of acre-feet)

	Saguache Response Area Pumping									Recharge that Offsets Groundwater						
Year	Irrigation Pumping to Center Pivots	Sprinkler Efficiency	Irrigation Pumping to Leveled Flood Irrigation	Leveled Flood Efficiency	Irrigation Pumping to Wild Flood (Unleveled) Irrigation	Wild Flood (Unleveled) Efficiency	Other Pumping	Other Consumptive Use Ratio	Groundwater Consumption	Recharge Source 1	Recharge Source 2	Recharge Source 3	Recharge Source 4	Other Recharge Offsets	Total	Net Groundwater Consumptive Use
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)

(16) Calculated as Col11 + Col12 + Col13 + Col14 + Col15
(17) Calculated as Col10 - Col16

2026

Table 2.6

SD5 Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area Total												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	28.4	23.0	5.1	2.5	8.0	7.5	10.0	5.5	36.8	43.8	42.0	56.8	269.4
Rio Grande Del Norte-Excelsior	18.1	16.5	15.8	15.3	15.1	16.0	16.3	17.1	15.7	14.5	16.0	15.8	192.2
San Luis Creek below Arthur Young and Kerber Creek	0.3	0.2	0.1	0.1	0.1	0.1	0.1	0.1	1.6	19.7	48.9	14.3	85.6
Total	46.8	39.7	21.0	18.0	23.2	23.6	26.4	22.7	54.1	78.1	106.9	86.9	**547.3**

Table 2.6

SD1 Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	2.30	0.97	0.34	0.19	0.35	0.56	0.16	0.25	6.76	6.30	11.03	3.49	32.7

Table 2.6

SD4 Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	3.02	0.97	0.34	0.19	0.36	0.58	0.16	0.26	7.18	6.73	11.29	2.58	33.7

Table 2.6

Saguache Town on Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	0.15	0.12	0.03	0.01	0.04	0.04	0.05	0.03	0.20	0.23	0.22	0.30	1.4
Rio Grande Del Norte-Excelsior	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	1.0

Table 2.7
Saguache Response Area Post Plan Net Stream Depletions

(units of ac-ft)

Years (May-Apr)	Saguache Creek	Rio Grande Del Norte-Excelsior	Arthur Young and Kerber Creek				Total
2027-2046	4,919	808	336	0			6,063

2026

Table 2.6

Saguache Creek and Subsets Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area Total												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	33.85	25.08	5.79	2.94	8.78	8.69	10.39	5.99	50.89	57.10	64.52	63.21	337.24
Rio Grande Del Norte-Excelsior	18.2	16.6	15.9	15.4	15.1	16.1	16.4	17.2	15.8	14.6	16.1	15.9	193.3
San Luis Creek below Arthur Young and Kerber Creek	0.3	0.2	0.1	0.1	0.1	0.1	0.1	0.1	1.6	19.7	48.9	14.3	85.6
Total	52.34	41.86	21.81	18.46	24.04	24.92	26.82	23.29	68.30	91.44	129.56	93.33	**616.15**

2026

Table 2.6

SD5 Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area Total												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	28.4	23.0	5.1	2.5	8.0	7.5	10.0	5.5	36.8	43.8	42.0	56.8	269.4
Rio Grande Del Norte-Excelsior	18.1	16.5	15.8	15.3	15.1	16.0	16.3	17.1	15.7	14.5	16.0	15.8	192.2
San Luis Creek below Arthur Young and Kerber Creek	0.3	0.2	0.1	0.1	0.1	0.1	0.1	0.1	1.6	19.7	48.9	14.3	85.6
Total	46.8	39.7	21.0	18.0	23.2	23.6	26.4	22.7	54.1	78.1	106.9	86.9	**547.3**

Table 2.6

SD1 Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	2.30	0.97	0.34	0.19	0.35	0.56	0.16	0.25	6.76	6.30	11.03	3.49	32.7

Table 2.6

SD4 Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	3.02	0.97	0.34	0.19	0.36	0.58	0.16	0.26	7.18	6.73	11.29	2.58	33.7

Table 2.6

Saguache Town on Saguache Creek Response Areas Monthly Stream Depletions for Plan Year

(units of ac-ft)

	Saguache Creek Response Area												
	2026								2027				
Stream Reach	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	Total
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
Saguache Creek	0.15	0.12	0.03	0.01	0.04	0.04	0.05	0.03	0.20	0.23	0.22	0.30	1.4
Rio Grande Del Norte-Excelsior	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	0.1	1.0

Updated 4/30/2026

General Forbearance Protocols

for San Luis Valley River Systems

Subdistricts No. 1, No. 2 (Rio Grande Alluvium), No. 3 (Conejos), No. 4 (San Luis Creek), No. 5 (Saguache), No. 6 (Alamosa La Jara), and Trinchera Subdistrict will be operating under ARPs and will replace depletions to their affected streams on May 1st, the beginning of the **2026** ARP year. Along with the replacement of stream depletions, the State and Division Engineer may allow the owners of the calling ditch(es) to forbear or choose to not take the water that otherwise would have been allocated to that ditch in exchange for receiving payment in some other form. This forbearance is authorized under Colorado Revised Statute 37-92-501 (4)(b)(1)(B), which states that the State Engineer shall "Recognize contractual arrangements among water users, water user associations, water conservancy districts, ground water management subdistricts, and the Rio Grande Water Conservation District, pursuant to which... injury to senior surface water rights resulting from the use of underground water is remedied by means other than providing water to replace stream depletions."

In order to assist the Subdistricts, water users, and Water Commissioners in determining whether a forbearance contract will be allowed, the following are general guidelines regarding those forbearance contracts for the **2026** ARP year:

- A water right must be the calling water right in order to forbear. In other words, the ditch must be legally and physically entitled and able to receive and divert all of the replacement water that would have been placed into the river or stream reach and made available for that ditch, and the ditch owner(s) could have decided to take the replacement water available instead of forbearing.

- The owner(s) of a ditch that cannot physically divert all of the water under its priorities due to an inadequate ditch size or other physical restrictions cannot forbear for the amount that the ditch is not able to divert. However, this ditch may be able to forbear up to the amount that it is physically and legally able to divert.

- The owner(s) of a ditch that physically is not able to divert the replacement water entitled to it at certain times of the year (for instance during low flow periods), due to an inadequate diversion dam or headgate, or other reasons, cannot forbear during that time of year unless and until the ditch or associated structures are repaired and are physically able to take water. Under certain circumstances this could require the complete drying up of the river or stream.

- If it is certain that the owner(s) of a ditch would have declined to take water in their ditch on a given day that they were in priority to take water, for instance, if that owner cannot take their full priority due to a break in the ditch bank, or if the owner has not called for that water right in the ditch, etc., the ditch owner cannot forbear for that water right on that day.

- Forbearance will be allowed on water rights that are not large enough to cover the entire daily replacement amount. A ditch may be forbearing only a portion of the total daily replacement amount due to the size of the water right. In such cases, there may be several water rights in various ditches that are forbearing at the same time in order to meet the entire replacement obligation of the Subdistrict(s).

- A ditch may operate under a partial forbearance contract, i.e. a situation in which select owners of ditch rights choose to participate in the forbearance agreement. This is allowed with the understanding that the ditch company, Subdistrict, or other appropriate party will manage the partial flow and partial forbearance throughout the ditch system to the satisfaction of all water rights owners in that priority. Prior to operation, the manager of the ditch with partial forbearance must inform the Water Commissioner how they will operate the ditch in order to be in compliance. Without this communication, forbearance is not allowed.

- During times when the river reaches become disconnected, each stretch will be treated as its own calling system. This is true even when non-native water, such as augmentation, storage and transmountain, is delivered across reaches that would otherwise be disconnected. Only RGDSS modelled stream reaches and their connected tributaries may have ditches eligible for forbearance.

- If replacement water delivery could not make it physically to a calling ditch in any particular RGDSS reach, then no forbearance is allowed, and water delivery will be required at the top of the reach. On a day when water could be placed into the river system for replacement of injurious depletions, and a section(s) of the stream is dry between the replacement source and the calling priority ditch(es), forbearance by that ditch(es) will not be allowed unless the stream was live at the time the forbearance began or the delivery would generate a live stream to the point of the call. The determination of the physical properties controlling these situations shall be at the discretion of the Division Engineer and his staff.

- A forbearance that results in a section of the river drying up cannot be used to create a futile call. The river must be administered to replicate what conditions would have taken place had a continuous deliverance of water occurred.

- Ditches with a forbearance contract must have accurate, reliable, and operational measurement devices, headgates and diversion structures for the ditch.

DWR Analysis of Forbearance Yield
Last updated 4/30/2026

This analysis is done by DWR for Subdistricts that rely on forbearance amounts during the irrigation season. This includes those subdistricts with depletion obligations on the Conejos River, Alamosa River, San Luis Creek, La Jara Creek, and Sangre De Cristo Creek. While subdistricts also have valid forbearance agreements on the Rio Grande and Saguache Creek, DWR did not prepare forbearance yield estimates on these systems because adequate wet water sources are available to cover all depletion obligations.

Conejos River

- DWR staff prepared an analysis using the current streamflow numbers and forecast flows for the irrigation season, which is projected to end on November 1st, 2026. The focus of the analysis was to determine which ditches might be the calling priorities throughout this period. A similar analysis was completed for the irrigation month of April 2027 using average conditions because a reliable 2026-2027 winter forecast is not yet available. The Subdistrict has secured forbearance contracts with numerous ditches ranging from the three No. 1 priority ditches through very junior water rights.

- These agreements for ditches that are likely to be the calling rights on the Conejos for the 2026 irrigation season and April of 2027 could possibly account for the values shown in the table below. The table shows the estimated forbearance amounts, the estimated percent of forbearance to cover irrigation season depletions and the total irrigation season depletions owed by each subdistrict on the Conejos System.

	Forbearance Estimate	Irrigation Season % of Depletions	Irrigation Season Depletions
SD 3	1,860 AF	82 %	2,258 AF
SD 6	2,800 AF	82 %	3,419 AF
SD T	130 AF	66 %	196 AF

Alamosa River

- DWR staff prepared an analysis using the current streamflow numbers and forecasted flows for the irrigation season, which presumptively ends on November 1st, 2026. The focus of the analysis was to determine which ditches might be the calling priorities throughout this period. A similar analysis was completed for the irrigation month of April 2027, using average conditions because a reliable 2026-2027 winter forecast is not yet available. The Subdistrict has secured forbearance contracts with numerous ditches ranging from the No. 1 priorities through very junior rights on the Alamosa River.

- These agreements for ditches that are likely to be the calling rights on the Alamosa for the 2026 irrigation season and April of 2027 could possibly account for the values shown in the table below. The table shows the estimated forbearance amount, the estimated percent of forbearance to cover the irrigation season depletions and the total irrigation season depletions owed by each subdistrict.

	Forbearance Estimate	Irrigation Season % of Depletions	Irrigation Season Depletions
SD 3	49 AF	88 %	56 AF
SD 6	125 AF	84 %	149 AF

San Luis Creek

- DWR staff prepared an analysis using the current streamflow numbers and forecasted flows for the irrigation season, which presumptively ends on November 1st, 2026. The focus of the analysis was to determine which ditches would be the calling priorities on all streams where the Subdistrict owes depletions. The Subdistrict secured numerous forbearance contracts for priorities senior and junior to the projected call(s). Based on current snowpack and streamflow's estimated peak, the call on San Luis Creek will in all probability not be junior to the Priority No. 35, and a majority of the irrigation season will be dominated by more senior calling water rights. Even if the streamflows are underestimated, the Subdistrict has contracts with all owners of water rights senior to Priority No. 50 that can divert water, which would reinforce the analysis of forbearance being a valid replacement source. From the first day of the 2026 irrigation season to the end of April 2027, the call on San Luis Creek will, in all probability, not be junior to Priority No. 50 on the river system allowing for forbearance coverage until the end of the ARP year.

La Jara Creek

- DWR staff prepared an analysis using the current streamflow numbers and forecasted flows for the irrigation season, which presumptively ends on November 1st, 2026. The focus of the analysis was to determine which ditches might be the calling priorities throughout this period. A similar analysis was completed for the irrigation month of April 2027, using average conditions because a reliable 2026-2027 winter forecast is not yet available. The Subdistrict has secured forbearance contracts with numerous ditches ranging from the No. 1 priorities through very junior rights on La Jara Creek.

- These agreements for ditches that are likely to be the calling rights on La Jara for the 2026 irrigation season and April of 2027 could possibly account for the values shown in the table below. The table shows the estimated forbearance amount, the estimated percent of forbearance to cover irrigation season depletions and the total irrigation season depletions owed by each subdistrict.

	Forbearance Estimate	Irrigation Season % of Depletions	Irrigation Season Depletions
SD 3	190 AF	96 %	198 AF
SD 6	30 AF	96 %	31 AF
SD T	25 AF	96 %	26 AF

Sangre De Cristo Creek

- DWR staff prepared an analysis using the current streamflow numbers and forecasted flows for the irrigation season, which presumptively ends on November 1st, 2026. The focus of the analysis was to determine which ditches would be the calling priorities on Sangre De Cristo where the Subdistrict owes depletions. The Subdistrict secured numerous forbearance contracts for all priorities projected to be the calling rights. Based on current snowpack and streamflow's estimated peak, the call on Sangre De Cristo Creek will in all probability not be junior to the Priority No. 32 and a majority of the irrigation season is estimated to be a Priority No. 3. Even if the streamflows are underestimated, the Subdistrict has contracts with all owners of water rights senior to Priority No. 86 that can divert water, which would reinforce the analysis of forbearance being a valid replacement source. From the first day of the 2026 irrigation season to the end of April 2027, the call on Sangre De Cristo will, in all probability, not be junior to Priority No. 39 on the river system allowing for full forbearance coverage until the end of the ARP year.