

**DISTRICT COURT, WATER DIVISION 6, COLORADO
TO ALL PERSONS INTERESTED IN WATER APPLICATIONS
IN WATER DIVISION 6**

Pursuant to C.R.S. 37-92-302, you are hereby notified that the following pages comprise a resume of Applications and Amended Applications filed in the office of Water Division 6, during the month of **July 2022**.

2022CW3093, in ROUTT COUNTY, COLORADO, **APPLICATION FOR FINDING OF REASONABLE DILIGENCE** 1. **Name, address, email address, and telephone number of Applicant:** Curry Living Trust DTD 6/29/2001 (“Curry Living Trust”), 1725 Highland Way, Steamboat Springs, CO 80487, kindracurry5@gmail.com, 970-618-6612. Direct all pleadings and court-related documents to Claire E. Sollars, Esq., Colorado Water Matters, PLLC, P.O. Box 881302, Steamboat Springs, CO 80488-1302, Claire@ColoradoWaterMatters.com, 970-875-3370. 2. **Names of Structures:** House Pond, Meadow Pond, and Smith Pump. 3. **Description of Conditional Rights:** A. **Original Decree:** Issued on June 30, 2009, in Case No. 06CW22, Routt County District Court, Water Division No. 6. B. **Legal Descriptions as Decreed:** i. House Pond: SE ¼ of the NW ¼, Section 14, T7N, R85, of the 6th P.M. at a point 1820 feet from the North line and 2310 feet from the West line of said Section. ii. Meadow Pond: SE ¼ of the NW ¼, Section 14, T7N, R85, of the 6th P.M. at a point 1450 feet from the North line and 2250 feet from the West line of said Section. iii. Smith Pump: SE ¼ of the NW ¼, Section 14, T7N, R85, of the 6th P.M. at a point 2450 feet from the North line and 2400 feet from the West line of said Section. 4. **Sources of Water:** A. House Pond: Local surface runoff, tributary to Elk River, tributary to Yampa River, and Smith Pump. B. Meadow Pond: Local surface runoff, tributary to Elk River, tributary to Yampa River, and Smith Pump. C. Smith Pump: Elk River, tributary to Yampa River. 5. **Appropriation Date:** December 30, 2005 (all structures). **Amounts of Water:** A. House Pond: 1.0 acre-feet, conditional. B. Meadow Pond: 14 acre-feet, conditional. C. Smith Pump: 0.9 cfs, conditional. 7. **Uses of Water:** A. House Pond and Meadow Pond: Irrigation of approximately 5.0 acres in the SE¼ of the NW¼, Section 14, T7N, R85W of the 6th P.M., stockwater, recreation, piscatorial, wildlife water and habitat, fire protection. B. Smith Pump: Fill and refill House Pond and Meadow Pond. 8. **Detailed Outline of Work Done Toward Completion or For Completion of Appropriation and Beneficial Use, including Expenditures:** During the past diligence period, Curry Living Trust evaluated development of the integrated system and determined the decreed storage capacity of Meadow Pond exceeds their needs. Curry Living Trust expects to relinquish 5 – 6 acre-feet of the decreed 14 acre-feet of storage and reduce the surface area from 2.0 acres to slightly over an acre. Curry Living Trust continues its effort to hire an engineer to prepare site plans for construction of the two ponds and the pump system, and to secure a contractor to build the ponds, assist with installation of the Smith Pump system, and provide guidance regarding requisite measuring devices. To date, Curry Living Trust incurred approximately \$1,500 for legal fees and costs (including filing fees and anticipated publication fees) for the preparation and filing of this Application for Finding of Reasonable Diligence. Engineering fees and construction costs are expected to exceed \$15,000.00. 9. **Name and address of owner of land on which structures and places of use are located:** Curry Living Trust DTD 6/29/2001 owns the land where the water rights are located and upon which the water rights will be used. 10. **Remarks:** Curry Living Trust DTD 6/29/2001 requests the Water Court enter a decree in which it: (1) cancels a portion of the Meadow Pond conditional storage rights; (2) finds that Curry Living Trust DTD 6/29/2001 exercised reasonable diligence towards development of the remaining conditional rights; (3) determines the structures are integrated for the purposes of demonstrating reasonable diligence pursuant to C.R.S. § 37-92-301(4)(b), (d); and (4) continues the conditional rights for House Pond, Meadow Pond and Smith Pump in full force and effect throughout the next diligence period.

2022CW14 Rio Blanco County Application for Finding of Reasonable Diligence to Make Absolute in Whole or in Part. **Applicant:** John D and Susan N. Brassard, 2604 East 1100 North, Milford, IL 60953, 815-278-0153, johnbrassard62@gmail.com. **Structure:** Brassard Spring. **Date of Original Decree:** 09/09/16. **Case No.:** 2015CW21, Water Division 6. **Legal Description:** Brassard Spring: NW ¼ of the NE ¼, S30, T2N, R92W, of the 6th PM, Rio Blanco County, Colorado at a point 285 feet from the North line and 1982 feet from the East line of said Section 30. **Street Address:** 8855 County Rd 15 **Source:** Brassard Spring. **Appropriation Date:** October 15, 2015. **Amount:** 0.016 cfs conditional. **Use:** Domestic, Livestock. **What has been Done for Completion of Appropriation:** File to catch water into 1500 gallon tank (cistern) overflow piped to pond for livestock. Built new house below tank for water use. Cost \$8, 000. **Date Water Applied to Beneficial Use:** January 2021. **Amount:** 0.016 cfs. **Use:** Domestic, Livestock. **Landowner:** Applicant

The water right claimed by this application may affect in priority any water right 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 will have until the last day of **September 2022** to file with the Water Court 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 be served on the Applicant or the Applicant's Attorney, with an affidavit or certificate of such service being filed with the Water Court, as prescribed by Rule 5, C.R.C.P. The filing fee for the Statement of Opposition is \$192.00, and should be sent to the Clerk of the Water Court, Division 6, 1955 Shield Dr. Unit 200, Steamboat Springs, CO 80487.

CARMMA PARKISON
CLERK OF COURT
ROUTT COUNTY COMBINED COURT
WATER DIVISION 6

/s/ Julie A. Edwards
Deputy Court Clerk