

**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 **March, 2022**.

2022CW6 ROUTT COUNTY Application for Absolute Water Rights (Surface). **Applicant:** Leland C. Silver; 4600 RCR 78, Hayden, CO 81639; 970-276-3786. **Name of Structure:** Mud Gulch Silver Spring. **Legal Description:** Routt County; NW4 SW4 Sec: 15; T7N; R89W; 6th PM. **UTM Coordinates:** E299401 N4492978 Zone 13. **Distance from Section Lines:** 2962 Feet from North and 590 Feet from West; **Source of PLSS Information:** Scaled from USGS Topo Map. **Source of Water:** Mud Gulch Tributary to; Elk Head Creek to; Yampa River. **How Appropriation was Initiated:** Stock Water; **Date Water Applied to Beneficial Use:** July 1920; Date from when original herders put the water to use as shown on case No W-1169-77. Also, by fencing on lines of original survey came thru country prior to 1920. **Amount Claimed in Cubic Feet (cfs) Per Second or Gallons Per Minute (gpm): Absolute:** .04 cfs; **List All Uses or Proposed Uses:** Stock Water; **If Non-Irrigation:** Stock cattle to drink out of catch pond up to 40 pair (cow calf combo or yearlings) and when necessary three loads of 440 gallons of water each can be hauled by pickup truck daily to other range locations for stock water. **Additional Remarks:** Pond was developed on top of the spring (spring is under the pond within 50 feet) to accumulate water for when livestock come to drink. Pond is approximately 4 feet deep. Also useful for filling the 440-gal tank on a pickup truck up to 3 times daily when stock water needed on the range. **Name of Landowner:** Applicant.

2022CW3018 Routt County. **Application for Determination of Water Rights; Confirmation of Absolute Water Right.** Applicant: Upper Yampa Water Conservancy District, c/o Balcomb & Green, P.C., P.O. Drawer 790, Glenwood Springs, CO 81602; 970-945-6546. In this Application, Applicant seeks confirmation that 2,500 a.f. of the Pleasant Valley Reservoir right stored in Yamcolo Reservoir is absolute for all decreed uses. Name of Water Right: **Pleasant Valley Reservoir.** Original decree: Decree entered in CA 3926, Dist. Ct., Water Div. No. 6 on 05/30/1972. Subsequent Decree (all decreed in Water Div. 6): (1) Case No. W-144 on 11/30/1973, finding of reasonable diligence. (2) Case No. W-144-76 on 12/14/1979, finding of reasonable diligence. (3) Case No. W-946-76 on 02/06/1979, granting alternate places of diversion or storage in Woodchuck Reservoir, Yamcolo Reservoir, and Bear Reservoir. (4) Case No. W-1091-76 on 05/19/1978, granting Pleasant Valley Reservoir as an alternate place of storage for the Four Counties Rights. (5) Case No. 80CW50 on 09/24/1982, finding of reasonable diligence, as amended by Case No. 84CW53. (6) Case No. 82CW210 on 04/18/1983, making absolute a portion of the right. Legal description as changed in W-946-76 to Yamcolo Reservoir: the intersection of the centerline axis of said dam and the right abutment thereof being located at a point whence the E1/4 Corner of the Sec. 16, T. 1 N., R. 86 W., 6th P.M. bears N. 41 degrees 53' E., a distance of 873 ft. The location is depicted in Figure 1 attached hereto. Source: Yampa River and water discharged into the reservoir from the Pleasant Valley Feeder Canal. Amt.: 2,500 a.f. made absolute in Case No. 82CW210, Water Div. 6, 43,220 a.f. originally decreed to Pleasant Valley Reservoir. Original Decreed Uses: Irr., dom., stock watering, muni., industrial, power. Date of Approp.: 06/29/1959. Confirming Absolute: Pleasant Valley Reservoir water right is decreed for irr., dom., stock watering, muni., industrial, and power. Irr., dom., storage, and manufacturing uses were made absolute for storage in Yamcolo Reservoir on 04/18/1983, in Case No. 82CW210 Dist. Ct., Water Div. 6. Applicant requests confirmation that all uses be made absolute by virtue of storage in Yamocolo Reservoir. Pursuant to 37-92-305(7) the Applicant did not receive the required notice from the Ct. to cancel any conditional water rights. A portion of the water rights were made absolute, and those uses were not specifically contained in CA 3926 have not been abandoned. The UYWCD has contracts to deliver water for municipal purposes per decree in 82CW210. Applicant has stored water for the decreed uses and has issued contracts for such water use. Pursuant to 37-92-301(4)(e) Applicant requests that Pleasant Valley Reservoir shall be made absolute for all decreed purposes. WHEREFORE, Applicant respectfully requests this Ct. enter a decree confirming that the absolute use for Pleasant Valley Reservoir water right be confirmed as absolute in the amt. of 2,500 a.f. for all decreed uses of including irr., dom., stock watering, muni., industrial, and power. (4 pages of original application)

2022CW3020 ROUTT COUNTY. APPLICATION FOR A FINDING OF REASONABLE DILIGENCE. 1. Name and Address of Applicant: City of Steamboat Springs (the "City"), attn: Water Resources Manager, P.O. Box 775088, Steamboat Springs, CO 80477. All pleadings should be directed to Karen Henderson at khenderson@bh-lawyers.com and Steve Bushong at sjbushong@bh-lawyers.com. 2. Overview: By this application, the City seeks a finding of reasonable diligence for the Four Counties Ditch No. 1, Headgate Nos. 5, 6, 7 (collectively the "Four Counties Water

Rights”), as more specifically described below. 3. Description of the Water Rights: a. Name of Water Rights: i. Four Counties Ditch No. 1, Headgate No. 5 (Priority No. 40B). ii. Four Counties Ditch No. 1, Headgate No. 6 (Priority No. 40A). iii. Four Counties Ditch No. 1, Headgate No. 7 (Priority No. 40). b. Original Decree: The Four Counties Water Rights were decreed by the Routt County District Court in Civil Action No. 3538 on March 30, 1964, as amended September 8, 1970. c. Prior Diligence & Absolute Decrees: Previous finding of reasonable diligence and/or to make absolute were entered by the District Court in and for Water Division No. 6 (“Water Court”) in Case No. W-135-73 on January 14, 1974; Case No. W-135-76 on August 29, 1977; Case No. 80CW50 on September 24, 1982; Case No. 84CW53 on April 3, 1986; Case No. 88CW49 on December 29, 1988; Case No. 92CW26 on May 24, 1994; Case No. 98CW79 on October 25, 1999; Case No. 00CW23 on March 6, 2001; Case No. 07CW23 on March 14, 2009; and Case No. 2015CW3012 on March 12, 2016. d. Legal Description of the Originally Decreed Points of Diversion: i. Four Counties Ditch No. 1, Headgate No. 5 is located at a point South 15° 26’ East 22,560 feet to the NW Corner of Section 6, Township 5 North, Range 82 West of the 6th P.M. For ease of reference, but without changing the decreed location, this point of diversion can also be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 358156, Northing: 4484325. *See Exhibit A.* ii. Four Counties Ditch No. 1, Headgate No. 6 is located at a point South 14° 04’ East 24,498 feet to the NW Corner of Section 6, Township 5 North, Range 82 West of the 6th P.M. For ease of reference, but without changing the decreed location, this point of diversion can also be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 358134, Northing: 4484912. *See Exhibit A.* iii. Four Counties Ditch No. 1, Headgate No. 7 is located at a point South 20° 42’ East 26,742 feet to the NW Corner of Section 6, Township 5 North, Range 82 West of the 6th P.M. For ease of reference, but without changing the decreed location, this point of diversion can also be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 357079, Northing: 4485322. *See Exhibit A.* e. Appropriation Date: June 2, 1958. f. Source: i. Four Counties Ditch No. 1, Headgate No. 5: Branch of Granite Creek, tributary to Granite Creek, tributary to Middle Fork Fish Creek, tributary to North Fork Fish Creek, tributary to Fish Creek, tributary to Yampa River. ii. Four Counties Ditch No. 1, Headgate No. 6: Granite Creek, tributary to Middle Fork Fish Creek, tributary to North Fork Fish Creek, tributary to Fish Creek, tributary to Yampa River. iii. Four Counties Ditch No. 1, Headgate No. 7: Middle Fork of Fish Creek, tributary to North Fork Fish Creek, tributary to Fish Creek, tributary to Yampa River. g. Amount: i. Four Counties Ditch No. 1, Headgate No. 5: The City owns 30 cfs of the total 40 cfs decreed, of which 15.18 cfs is absolute and 14.82 cfs remains conditional. ii. Four Counties Ditch No. 1, Headgate No. 6: The City owns 29 cfs of the total 40 cfs decreed, of which 22.19 cfs is absolute and 6.81 cfs remains conditional. iii. Four Counties Ditch No. 1, Headgate No. 7: The City owns all 50 cfs, of which 28.3 cfs is absolute and 21.7 cfs remains conditional. h. Decreed Uses: Domestic, municipal, irrigation, industrial, and recreation uses, and for replacement of evaporation losses. i. Remarks: i. In Case No. W-1091-76, the Water Court approved a change of water right that allowed the subject water rights to be used, directly or by exchange, within the Yampa River drainage for domestic, municipal, irrigation, industrial, generation of electric power and energy, mining, recreation, and all other beneficial uses, as well as granting alternate points of diversion and places of storage, either directly or by exchange, at the structures described in paragraph 14.C. of said decree. Subject to the terms of said decree, the water diverted or stored pursuant to the subject rights can be reused and successively used until 100% has been consumptively used. ii. In Case No. 95CW77, the Water Court approved Fish Creek Reservoir as an additional and alternate point of diversion and storage for the Four Counties Water Rights. Fish Creek Reservoir is located as follows: Initial point of survey (at North end of main dam) is located at a point whence SE Corner of Section 32, Township 7 North, Range 84 West, of the 6th P.M. bears North 77°53’ West a distance of approximately 33,368 feet. For ease of reference, but without changing the decreed location, this point of diversion can also be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 355973, Northing: 4484063. *See Exhibit A.* iii. In Case Nos. 98CW79 and 2015CW3012, the Water Court made portions of the Four Counties Water Rights absolute for domestic, municipal, irrigation, industrial, and recreation uses, and for replacement of evaporation losses. iv. In Case No. 07CW23, the City agreed to eliminate the decreed “mining” and “all other beneficial uses” associated with the Four Counties Water Rights. The Water Court found, however, that as a municipality, the City “may make all such other uses of water under the decreed ‘municipal’ use.” 4. Detailed outline of work done to complete project and apply water to beneficial use: The City seeks a finding of reasonable diligence for the remaining conditional portions of the Four Counties Water Rights. The Four Counties Water Rights are part of an integrated water supply system that the City operates to support its municipal operations. Evidence of the City’s diligence includes, but is not limited to, the following: (a) The City’s integrated water supply system is comprised of several features that are needed to divert, store, treat, deliver, and beneficially use the Four Counties Water Rights as part of its municipal operations. Therefore, work done on these other features is evidence of diligence for the Four Counties Water Rights. During the subject diligence period, the City incurred expenses on the operation, maintenance, replacement, and construction of its water treatment and distribution system, which included, but is not limited to, the following: i. The City spent \$2,776,521 on its portion of the capital expenses, operation, and maintenance expenses associated with the Fish Creek Water

Filtration Plant and Fish Creek Reservoir from 2015 through 2021. This water treatment plant is jointly operated by the City and Mount Werner Water & Sanitation District (“Mt. Werner”). ii. In 2017, the City spent \$210,223 on the Rollingsstone Water Main Connection capital construction project, which is a connection that measures the City and Mt. Werner’s usage. iii. In 2020, the City hired Baseline Engineering to update the City’s Water and Wastewater Master Plan at a cost of \$174,670, after a contract amendment to include a deeper evaluation of the Willett Heights Pump Station. iv. The City completed three rate studies: In 2016, the City completed a Water and Wastewater Rate Study with the help of Raftelis Consulting at a cost of \$53,488. In 2019, the City completed a Water and Wastewater Rate Study with the help of Raftelis Consulting at a cost of \$60,000. In 2021, the City hired Carollo Engineers, Inc. to complete a Water and Wastewater Rate Study at a cost of \$110,026. v. In 2019, the City engaged Intera and the Applegate Group, Inc. to update its Water Conservation Plan at a cost of \$54,100, of which the City and Mt. Werner each contributed \$7,500 (\$15,000 combined) and the remainder was covered by a CWCB grant. vi. Given the importance of long-range planning to allow adequate time to plan, fund, and complete projects, the City updates its Water Supply Master Plan about every 10 years. The most recent Water Supply Master Plan, which included the subject water rights, was prepared by Applegate Group and was finalized in August of 2019 (at a total cost of \$154,757, of which the City paid \$77,378 and Mt. Werner paid the remainder). vii. In 2020, the City began construction of the West Area Water Tank, which is expected to be completed and online in 2022. The budgeted total project cost is \$4,080,962. viii. In addition to the foregoing, the City also undertook extensive improvements between 2015 and 2021 to its overall water distribution system by replacing multiple water mains within the City’s service area at a cost of \$5,049,565. Additional repair and maintenance to the distribution lines, meter, building, and facilities work required the use of multiple contractors and consultants, and cost the City \$1,942,032. ix. The City paid W.W. Wheeler & Associates, Inc. to manage the accounting for the use of the City’s water rights portfolio, including the Four Counties Water Rights, during the subject diligence period. (b) The City annually updates its Fish Creek Dam Emergency Action Plan. (c) The City spent \$289,588 on major dam maintenance projects including repairs to the Fish Creek Dam, the Saddle Dam, and Long Lake Dam. The City also paid W.W. Wheeler \$146,307 to serve as the engineer of record for the Fish Creek and Long Lake dams from 2016-2021. (d) The City has continued to enforce its Watershed Protection Ordinance, which includes the originally decreed points of diversion for the Four Counties Water Rights in the Fish Creek drainage basin. (e) In 2019, the City adopted the Fish Creek Critical Watershed Wildfire Protection Plan. This plan prioritizes site specific measures to implement within the water supply system and the watershed as a whole before, during, and after a wildfire event to protect critical drinking water supply, infrastructure, and watershed health, as well as identify potential improvements or modifications to the Fish Creek water treatment facility and reservoir operations to minimize postfire water quality impacts. It was conducted in collaboration with Mt. Werner and was partially funded by a grant through the CWCB. The City contributed \$50,000. The Four Counties Water Rights remain a critical component of the City’s present and future water supply. The City believes that it can and will complete the appropriation within a reasonable time and intends to perfect the subject water rights for use by the City and its customers. [7 pages + map]

2022CW3021 ROUTT COUNTY. APPLICATION FOR A FINDING OF REASONABLE DILIGENCE. 1. Name and Address of Applicant: City of Steamboat Springs (the “City”), attn: Water Resources Manager, P.O. Box 775088, Steamboat Springs, CO 80477. All pleadings should be directed to Karen Henderson at khenderson@bh-lawyers.com and Cassidy Woodard at cwoodard@bh-lawyers.com. 2. Overview: This application involves the Lufkin Well Nos. 1-5, which are used by the City in connection with the Haymaker Golf Course. The City seeks a finding of reasonable diligence for (i) Lufkin Well No. 1: the 0.056 cfs (25 gpm) that remains conditional for irrigation use; (ii) Lufkin Well No. 2: the 0.027 cfs (12 gpm) that remains conditional for domestic, commercial, irrigation, and municipal uses; and (iii) Lufkin Well No. 5: the 0.156 cfs (70 gpm) that remains conditional for commercial, irrigation, and municipal uses. Further, the City has decided to not seek a finding of reasonable diligence on certain aspects of the Lufkin Well Nos. 3, 4, and 5 water rights, and requests that the Water Court (i) cancel the domestic use conditionally decreed to the Lufkin Well Nos. 3, 4, and 5 water rights, and (ii) cancel 0.067 cfs (30 gpm) of the 0.134 cfs (60 gpm) conditionally decreed to the Lufkin Well No. 3 water right thereby reducing the total decreed amount from 0.134 cfs (60 gpm) to 0.067 cfs (30 gpm). 3. Description of the Water Rights: a. Name of Water Rights: Lufkin Well Nos. 1, 2, 3, 4, and 5. b. Decrees: i. Original Decree: The Lufkin Well Nos. 1, 2, 3, 4, and 5 water rights were decreed by the Water Court in Case No. 83CW24 on September 22, 1983. The application for Case No. 83CW24 was filed on March 1, 1983. ii. Prior Diligence/Absolute Decrees: Previous findings of reasonable diligence and/or to make absolute were entered by the Water Court in Case No. 87CW48 on February 4, 1988; Case No. 93CW48 on November 18, 1993; Case No. 99CW58 on February 7, 2001; Case No. 07CW14 on January 25, 2009; and in the Second Amended Decree entered in Case No. 2015CW3000 on April 29, 2016. iii. Change Decrees: The point of diversion for Lufkin Well No. 2 was changed by the Water Court in Case No. 95CW159. The points of diversion for Lufkin Well Nos. 3 and 4 were

corrected by the Water Court in Case No. 10CW49. c. Legal Description of the Structures: i. Lufkin Well No. 1: The decreed location is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 84 West of the 6th P.M., at a point 80 feet from the North section line and 2,380 feet from the West section line of said Section 4. The actual location of the well can be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 345951, Northing: 4476937. See Exhibit A. ii. Lufkin Well No. 2: As changed in Case No. 95CW159, the decreed location is in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 4, Township 5 North, Range 84 West of the 6th P.M., at a point 200 feet south of the North section line and 2,500 feet west of the East section line of said Section 4. The actual location of the well can be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 346000, Northing: 4476927. See Exhibit A. iii. Lufkin Well No. 3: As corrected in Case No. 10CW49, the decreed location is in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 84 West of the 6th P.M., at a point 1,833 feet from the North section line and 2,355 feet from the West section line of said Section 4. The actual location of the well can be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 345874, Northing: 4476414. See Exhibit A. iv. Lufkin Well No. 4: As corrected in Case No. 10CW49, the decreed location is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 84 West of the 6th P.M., at a point 65 feet from the North section line and 1,817 feet from the West section line of said Section 4. The actual location of the well can be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 345738, Northing: 4476933. See Exhibit A. v. Lufkin Well No. 5: The decreed location is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 4, Township 5 North, Range 84 West of the 6th P.M., at a point 200 feet from the North section line and 200 feet from the West section line of said Section 4. The actual location of the well can be located as follows: UTM Coordinates NAD 83, Zone 13, Easting: 345228, Northing: 4476872. See Exhibit A. d. Source: Groundwater tributary to the Yampa River. e. Appropriation Date: January 27, 1983. f. Amount and Uses: i. Lufkin Well No. 1: 0.056 cfs (25 gpm), of which 0.056 cfs (25 gpm) is decreed absolute for domestic, commercial, and municipal uses, and 0.056 cfs (25 gpm) remains conditional for irrigation use. ii. Lufkin Well No. 2: 0.067 cfs (30 gpm), of which 0.04 cfs (18 gpm) is decreed absolute for domestic, commercial, irrigation, and municipal uses, and 0.027 cfs (12 gpm) remains conditional for domestic, commercial, irrigation, and municipal uses. iii. Lufkin Well No. 3: 0.134 cfs (60 gpm), of which 0.067 cfs (30 gpm) is decreed absolute for commercial, irrigation, and municipal uses, 0.067 cfs (30 gpm) remains conditional for commercial, irrigation, and municipal uses, and 0.134 cfs (60 gpm) remains conditional for domestic uses. iv. Lufkin Well No. 4: 0.178 cfs (80 gpm), of which 0.178 cfs (80 gpm) is decreed absolute for commercial, irrigation, and municipal uses, and 0.178 cfs (80 gpm) remains conditional for domestic uses. v. Lufkin Well No. 5: 0.223 cfs (100 gpm), of which 0.067 cfs (30 gpm) is decreed absolute for commercial, irrigation, and municipal uses, 0.156 cfs (70 gpm) remains conditional for commercial, irrigation, and municipal uses, and 0.223 cfs (100 gpm) remains conditional for domestic uses. g. Well Permits: (i) Lufkin Well No. 1, Well Permit No. 79610-F; (ii) Lufkin Well No. 2, Well Permit No. 79611-F; (iii) Lufkin Well No. 3, Well Permit No. 79612-F; (iv) Lufkin Well No. 4, Well Permit No. 79613-F; and (v) Lufkin Well No. 5, Well Permit No. 79645-F. 4. Detailed outline of work done to complete project and apply water to beneficial use: The Lufkin Wells are a component of the water supply for the Haymaker Golf Course. The golf course is an important community resource, and the City wants to ensure it always has a sufficient supply of water. Evidence of the City's diligence includes, but is not limited to, the following: (a) in the fall of 2016, the City had the following meters installed: Lufkin Well No. 2, EKM Meter, Model SPWM-075-HD; Lufkin Well No. 3, Badger Meter, Model 70; Lufkin Well No. 4, Badger Meter, Model 70; and Lufkin Well No. 5, Badger Meter, Model 120; (b) Lufkin Well No. 3 had a new main breaker, well cap, and vent pipe installed in 2016; and (c) the City spent approximately \$88,000 on water treatment and water quality testing as part of the drinking water supply and to ensure compliance with the wastewater discharge permit associated with Haymaker Golf Course.

[5 pages + map]

2022CW3019 MOFFAT COUNTY Application for Change of Water Right pursuant to §37-92-302, C.R.S. Applicant: Samuel Jesse Sheridan, P.O. Box 72, Maybell, CO 81640; 970-756-0956. Structure: Lone Mountain Well (WDID 5505016); Date of original Decree- 8/27/2013 in Water Division 6. Existing Legal Description of Structure - SW $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 35, T8N, R99W, of the 6th P.M., Moffat County, Colorado, at a point 1595 feet from the North line and 1808 feet from the East line of said Section; Appropriation dates – 2/9/1996; Amount decreed 7.4 gpm absolute subject to an annual withdrawal not to exceed 1.0 acre-feet; amount to change all; Use – fire protection, domestic including irrigation of not more than 0.25 acres of lawn and garden, watering of domestic animals. Decreed source: Groundwater tributary to Thompson Draw, tributary to Little Snake River, tributary to Yampa River. Proposed change: cease use of water right at current location and authorize use at approx. 40-acre area in portions of Sections 9 & 16, Township 7 North, Range 98 West of the 6th P.M. Record owner of land at currently permitted place of use is Snake River Land & Cattle Company. Applicant is owner of land at proposed place of use. Remarks: See Court file for detailed information.

2022CW5 JACKSON COUNTY Application for Correction for an established but erroneously described point of diversion; **Applicants:** Richard Wamsley/Wades, Inc; 3465 County Rd 11 Walden CO 80430; wamsleyrlw@aol.com; Primary 970-531-3313; Land 970-723-4353; Meyring Livestock; 2002 County Rd 28 Walden CO 80430; dannylucy21@gmail.com; Primary 970-723-4949; Cell 970-631-4438. **Name of Structure:** Cochrane Ditch (Structure ID# 4701024). **Legal Description:** SE ¼ of the SE ¼ Section 4, Township 5 north, Range 80 West of the 6th principal meridian. **Date of original and all relevant subsequent decrees:** June 6, 1888 case No: 3570-3571 Court: Larimer County Division 1, District 46 & 47. **Decreed source of water:** North Fork of Arapahoe Creek. **Appropriation Date:** June 6, 1888. **Total amount decreed to structure in cubic feet per second:** Absolute 30CFS. **Decreed use or uses:** Irrigation. **Amount of water decreed:** Absolute 30 CFS. **Detailed description of proposed correction to an established but erroneously described point of diversion:** Applicant seeks a correction for an established but erroneously described point of diversion. The actual point of diversion of the Cochrane Ditch has existed at the same location, and has never been changed or modified since its adjudication and that the water source has always been the East Fork Arapahoe Creek, which is a tributary of the Grizzly Creek of the north Platte River. The Grizzly River and its tributaries upstream have not been over-appropriated. Furthermore, the applicant has always diverted water and irrigated lands under this decreed right. To further substantiate the established point of diversion and ditch layout, documentation of a “Statement of Claim to Water Right” obtained from the Plat Book 1 Ditches and Reservoirs on page 45 describes the established point of diversion and contains a map filing that matches the established point of diversion and ditch layout. Although the map has the creek labelled as “North Fork of Arapahoe Creek”, the locations and delineations are the same as the East Fork Arapahoe Creek. Applicant first became aware that the legal description of the Cochrane Ditch was erroneously described when the applicant inquired about the Cochrane Ditch’s inclusion in the partial abandonment list in 2020. This application is being filed within three years after applicant became aware of the incorrectly described point of diversion noted in the decree. The established location of the Cochrane Ditch is more than 500 feet away from the erroneous legal description of the Cochrane Ditch set forth in the decree. Lastly, it should be known that the applicant does not seek any other type of change in this application. **Legal description of the corrected point of diversion:** The point of diversion is from a head gate located on the right hand bank of East Fork Arapahoe Creek in the NW ¼ of the NE ¼ of section 22, Township 5 North, Range 80 West of the 6th PM, Jackson County Colorado. **The UTM Coordinates:** Zone 13, northing 4472146m, Easting 385038m. **Source of UTMs:** CDSS. **Landowner:** Applicants.

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 **May, 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 L. Parkison
Clerk of Court
Routt County Combined Court
Water Division 6

/s/ Carmma L. Parkison