

IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4
STATE OF COLORADO

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER
DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of January 2024.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

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.

CASE NO. 2024CW1. Applicant: Jacobs Family LLLP, PO Box 309, Hotchkiss, CO 81419, and M2 Trail LLC, 100 Waugh Dr., Suite 400, Houston, TX 77007. Application for Absolute Surface Water Rights: The Lost Cabin Ditch – NW1/4NW1/4 of Section 4, T11S, R89W, 6th PM., Easting: 296973, Northing: 4334821, Zone 13. Source: Drift Creek, East Muddy Creek, North Fork of the Gunnison River, Gunnison River. Appropriation Date: 07/1915. Amount Claimed: 3.0 cfs absolute for stockwater. **GUNNISON COUNTY.**

CASE NO. 2024CW2 (REF NO. 17CW37). Applicant: Upper Valley Holsteins, Inc., 11488 2100 Rd., Austin, CO 81410. Application to Make Absolute: Upper Valley Holsteins Well – NW1/4SW1/4 of Section 24, T14S, R95W, 6th P.M., Easting 242184, Northing 4301043, Zone 13. Source: Cedar Run, Gunnison River. Appropriation Date: 05/22/2017. Amount Claimed: .08 cfs absolute for commercial, stockwater and irrigation. The Application on file with the Water Court contains an outline of the work performed during the diligence period. **DELTA COUNTY.**

CASE NO. 2022CW3084 AMENDED APPLICATION (Ref No.16CW3036, 97CW104, 91CW80) THE OLD ELAM HOMEOWNERS ASSOCIATION c/o Robert M. Noone, Esq., The Noone Law Firm, P.C., P.O. Box 39, Glenwood Springs, CO 81602; Phone (970) 945-4500; Email: rnoone@noonelaw.com. **I. Background: 1. Correction of Applicant's Well Data.** In Section II, below, Applicant is correcting certain technical errors in the descriptions of the Old Elam Well No. 1 and Old Elam Well No. 3 for consistency with the Decree entered in Case No. 2016CW3036 and to reflect to the amendments to the Augmentation Plan described below. Applicant is also seeking revised permits for both wells to reflect those corrections and to reflect the amendments to the Augmentation Plan described in Sections IV II below. **2. Amendment of Augmentation Plan to Change Applicant's Source of Augmentation Water Including Appropriative Rights of Exchange.** In Sections III (Claim for Conditional Water Storage Right) and IV (Amended Augmentation Plan with Appropriative Rights of Exchange), below, the Applicant acknowledges that Applicant's current augmentation plan, originally decreed in Case No. 1991CW080 and more recently updated in Case No. 2016CW3036 ("Augmentation Plan"), which was initially designed to rely upon releases from Applicant's augmentation ponds to augment out-of-priority depletions, is potentially inadequate to meet the call on the San Miguel River, which call occurs in approximately 50% of years. In order to address

Applicant's potential inability to meet the San Miguel River call, Applicant is amending its Augmentation Plan including appropriative rights of exchange to change the source of Applicant's augmentation water from its ponds to securing a Water Storage Lease from the Public Service Company of Colorado ("Public Service") for the storage of augmentation water in Trout Lake Reservoir pursuant to Applicant's claim for a conditional water storage right for the Trout Lake Reservoir – Old Elam Ranch Enlargement. The terms of the Water Storage Lease will enable Applicant to store a maximum amount of 2.0 acre-feet (per Tables 1 and 2, attached) of storage capacity per year in Trout Lake for later release to the San Miguel River to augment out-of-priority depletions associated with the Augmentation Plan. First Amended Application to Amend Augmentation Plan Including Appropriative Rights of Exchange, Make Conditional Water Rights Absolute in Part and For Findings of Reasonable Diligence. Name, Address and Telephone Number of Applicant Old Elam Homeowners Association C/O Cheryl Marlof, 2233 East Main Street, Montrose, CO 81401. **II. Amended Claim to Make Conditional Water Rights Absolute in Part, And for Findings of Reasonable Diligence. 1.Name of Structure: Old Elam Well No. 1** (the existing well permit for Old Elam Well No. 1, Permit No. 43551-F, is currently being revised to be consistent with the amendments to the augmentation plan's acre-feet limits being requested in this Amended Application). A. Date of Original Decree: December 31, 1991. Case No. 1991CW80. Court: Water Court, Division No. 4. B. Subsequent Decrees Awarding Findings of Diligence: Case No. 1997CW104, Decree entered April 12, 1999, by the Division No. 4 Water Court; and Case No.16CW3036, Decree entered December 16, 2016, by the Water Court for Division No. 4. C. Legal Description: The decreed location of Old Elam Well No. 1 is located in the SW¹/₄NE¹/₄, Section 36, Township 44 North, Range 11 West, N.M.P.M. at a point 2,560 feet from the North line and 2,590 feet from the East line of said Section 36. D. Source: The Burro Canyon Aquifer, tributary to Alder Creek, tributary to Leopard Creek, tributary to the San Miguel River. E. Appropriation Information: 1.Date of Appropriation: June 1, 1990. 2.Amount: 0.022 cfs (10 gpm), conditional 3.Use: Per the Decree entered in Case 16CW3036: Livestock watering of 15 animals; Irrigation of 5000 sqft or 0.115 acres; and Domestic in up to 5 lots (2 single family dwelling units per lot)(Well No. 1 serves Lots 4-8 for 5 lots total). F. Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Trout Lake Reservoir: Public Service Company d/b/a Xcel Energy, Water Resources, 4653 Table Mountain Drive, Golden, CO 80383; remaining structures: Applicant. G. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: The application on file with the Water Court contains an outline of the work performed during the diligence period. With respect to any remaining portion of the conditional water rights decreed to the Old Elam Well No. 1 that are not made absolute in this matter, the Applicant seeks to retain the conditional status thereof by demonstrating its reasonable diligence. **2.Name of Structure: Old Elam Well No. 3** (the existing well permit for Old Elam Well No. 3, Permit No. 41738-F, is currently being revised to be consistent with the amendments to the augmentation plan's acre-feet limits being requested in this Amended Application).A. Date of Original Decree: December 31, 1991. Case No. 1991CW80.

Court: Water Court, Division No. 4. B. Subsequent Decrees Awarding Findings of Diligence: Case No. 1997CW104, Decree entered April 12, 1999, by the Division No. 4 Water Court; and Case No.16CW3036, Decreed entered December 16, 2016, by the Water Court for Division No. 4. C. Legal Description: The decreed location of the well is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 36, Township 44 North, Range 11 West, N.M.P.M. at a point 1,290 feet from the South line and 310 feet from the East line of said Section 36.D.Source: The Burro Canyon Aquifer, tributary to Alder Creek, tributary to Leopard Creek, tributary to the San Miguel River. E. Appropriation Information:1.Date of Appropriation: June 1, 1990 2.Amount: 30 gpm, conditional 3.Use: Per the Decree entered in Case 16CW3036: Livestock watering of 39 animals; Irrigation of 13000 sqft or 0.3 acres; and Domestic in up to 13 lots (2 single family dwelling units per lot) F. names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Trout Lake Reservoir: Public Service Company d/b/a Xcel Energy, Water Resources, 4653 Table Mountain Drive, Golden, CO 80383; remaining structures: Applicant. G. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures: The application on file with the Water Court contains an outline of the work performed during the diligence period. With respect to any remaining portion of the conditional water rights decreed to the Old Elam Well No. 3 described above that are not made absolute in this matter, the Applicant seeks to retain the conditional status thereof by continuing to demonstrate its reasonable diligence. **III. Applicant's Claim for Conditional Water Storage Right. 3. Name of Structure: Trout Lake Reservoir – Old Elam Ranch Enlargement.** Legal Description: Trout Lake Reservoir is located on the Lake Fork of the San Miguel River, at a point at a point whence the NW corner of the SW $\frac{1}{4}$ of Section 8, Township 41 North, Range 9 West, N.M.P.M., bears North 89°15' West 976 feet. B. Source: Lake Fork of the San Miguel River. C. Date of Initiation of Appropriation: December 15, 2023, by field investigation and formation of intent to appropriate. D. Amount: 2.0 AF.E. Uses: Storage, augmentation. F. Applicant intends to enter into a water storage lease with Public Service Company, the owner and operator of Trout Lake Reservoir, to allow Applicant to store up to 2.0 AF of water each year, for later release for augmentation purposes. This water right will be conditional until releases have occurred. **IV. Applicant's Claim for Second Amendment of Plan for Augmentation Including Appropriative Rights of Exchange 4. Statement of Second Amended Plan for Augmentation:** A. Background. The original Augmentation Plan for the Old Elam Ranch development (the "Development") was decreed in Case No. 1991CW80, Water Court for Water Division 4 ("Original Augmentation Plan"), to augment out-of-priority depletions resulting from the use of the subject water rights in connection with the Old Elam Ranch development located on approximately 1,200 acres of land within Sec. 36, T. 44 N. , R. 11 W., N.M.P.M., Sec. 31, T.44 N. , R. 10 W. , N.M.P.M., and Sec. 1 and 12, T. 43 N. , R. 11 W. , N.M.P.M., in San Miguel County, Colorado. The Original Augmentation Plan was amended in Case No. 2016CW3036 ("First Amended Augmentation Plan") to reflect the then-actual operation of the Plan. This request for approval of a second amended plan for augmentation including appropriative rights of exchange will replace out-of-priority depletions from Applicant's structures described

above to be augmented in amount, time and location by releases from Trout Lake Reservoir – Old Elam Ranch Enlargement - to prevent injury to vested and decreed conditional water rights of others. The Applicant has revised its estimates of the consumptive uses and the associated augmentation requirements necessary to augment its out-of-priority water uses (See, the attached Table 1 – “Consumptive Use Estimates” - and Table 2 - “Total Augmentation for Old Elam Ranch”), which calculations form the basis of Applicant’s pending request for a Water Storage Lease from the Public Service Company’s Trout Lake Reservoir. Consistent with Applicant’s revised estimates of its consumptive use and revised augmentation requirements set forth on Table Nos. 1 and 2, Applicant has notified the Public Service Company of its desire to lease storage space in Trout Lake to enable it to store the maximum amount 2.0 acre-feet of storage capacity per year in Trout Lake for later release to the San Miguel River to augment out-of-priority depletions associated with Applicant’s Augmentation Plan decreed in Case No. 91CW80. Public Service has informally indicated its intention to lease the requested storage space in Trout Lake to Applicant, subject to the terms and conditions set forth in Public Service’s standard form Trout Lake Water Storage Lease, which terms and conditions are acceptable to Applicant and which Applicant is submitting to Public Service for its final review and approval. Public Service owns the following senior, non-consumptive water rights associated with Ames Hydro: Howard Fork Flowline, 28 cfs; Trout Lake Flowline, 55 cfs; Trout Lake Reservoir, 3,186 acre feet; and Lake Hope Reservoir, 2,315 acre feet, all decreed for industrial purposes by the Montrose County District Court on November 1, 1939, in Civil Action No. 4641. In addition, Public Service owns two small, consumptive use water rights: Trout Lake Domestic, 0.22 cfs and Ames Domestic, 0.6 cfs, both of which were decreed by the Montrose County District Court in Civil Action No. 9042 on January 16, 1967. Collectively, these water rights are hereinafter referred to as “Public Service’s Trout Lake Rights.” Trout Lake is generally used by Public Service to store water for subsequent beneficial use for hydroelectric power generating purposes at Ames Hydro. Pursuant to the terms of the pending Trout Lake Water Storage Lease agreement, Applicant seeks a conditional water storage right in Trout Lake in the maximum amount 2.0 acre-feet, which, once decreed, may be used for augmentation and exchange purposes according to the term of the Trout Lake Water Storage Lease agreement.

B. Structures to be Augmented: The Old Elam Well Nos. 1 and 3, described above.

C. Remarks: Applicant’s augmentation plan had previously relied upon storage of augmentation water in the Old Elam Reservoir Nos. 1, 2 and 3. Reservoirs Nos 1, 2 and 3, however, will be operated in priority, with the reservoirs naturally going down by the amount of evaporation and seepage during the call period. They will no longer be maintained at the full level to store augmentation water for release.

5. Lease of Storage Space in Trout Lake for Later Augmentation Release. Applicant will apply for a water storage lease from Public Service Company of Colorado d/b/a Xcel Energy. Applicant has requested an amount of leased storage water sufficient to augment all out-of-priority depletions associated with Applicants diversions and evaporative loses and transit losses. The leased amount will include an assumed transit loss associated with augmentation releases to the lower point of the Exchange Reach in the amount of 2.697% of the release, increasing the amount of release necessary from 1.67 acre-feet to 1.71 acre-feet. Applicant calculates that the total out-of-priority depletions, including transit losses, to be augmented by this plan for augmentation will total 1.71 AF. Releases will be made from

Trout Lake Reservoir - Old Elam Ranch Enlargement. A. Trout Lake. Public Service owns and operates Trout Lake Reservoir which has the following water rights decreed by the District Court, Water Division No. 4: (i)Case No. 4641.(ii)Date of Decree: October 22, 1926.(iii) Legal Description: Trout Lake Reservoir - Price Enlargement: is located on the Lake Fork of the San Miguel River, at a point at a point whence the NW corner of the SW1/4 of Section 81 Township 41 North, Range 9 West, N.M.P.M., bears North 89° 15' West 976 feet. UTM coordinates for Zone 13, NAD83 are: Easting: 0245807; Northing: 4190829. Trout Lake Reservoir is located 21275 feet from the South Section line and 1,594 feet from the West Section line.(iv)Source: Lake Fork of the San Miguel River.(v) Amount: 2.0 AF.(vi) Appropriation Date: July 1, 1891. (vii) Uses: Power generation. 6. **Appropriative Rights of Exchange:** Applicant requests confirmation of appropriative rights of exchange to replace out-of-priority evaporative losses from the water rights described herein by release from Trout Lake. A. Old Elam Well No. 1. As for the location and description of the exchange, Old Elam Well No. 1 has 2 reaches of the exchange from the confluence of the Leopard Creek with the San Miguel River where the releases are, and from Leopard Creek up an unnamed tributary to the Well. The Well No. 1 exchange, with a rate of 0.0018 cfs, is described as follows: Lower terminus: Confluence with San Miguel River with Leopard Creek in the NE/4 of the SW/4 of Section 34, Township 44 North, Range 11 West, NMPM. GPS 12S 757939 mE, 4212080 mN.ii. Middle terminus: Confluence of Leopard Creek and unnamed tributary in the NE/4 of the SE/4 of Section 26, Township 44 North, Range 11 West, NMPM. GPS 12S 759428 mE, 4213623 mN. iii Upper terminus: Old Elam Well No. 1 in the NW/4 of the SE/4 of Section 36, Township 44 North, Range 11 West, NMPM. GPS 12S 761190 mE, 4212398 mN. iii.Date of appropriation: January 17, 2024. iv. How appropriation was initiated: Filing the Water Court Application that requests an Appropriative Right of Exchange. B. Old Elam Well No. 3.The Well No. 3 exchange, with a rate of 0.0047 cfs, is described as follows: i. Lower terminus: Confluence of the San Miguel River with an unnamed tributary in the SE/4 of the NE/4 of Section 11, Township 43 North, Range 11 West, NMPM. GPS 12S 7597350 mE, 4210536 mN. ii.Upper terminus: Old Elam Well No. 3 in the SE/4 of the SE/4 of Section 36, Township 44 North, Range 11 West, NMPM. GPS 12S 761887 mE, 4212020 mN. iii. Date of appropriation: January 17, 2024.v.How appropriation was initiated: Filing the Water Court Application that requests an Appropriative Right of Exchange. C. Remarks: The exchange claimed herein will be operated in conjunction with Applicant's plan for augmentation described above. The total combined annual volume of the exchange will not exceed 2.0 acre-feet. (10 Pages plus two 1-page Exhibits) **SAN MIGUEL COUNTY.**

CASE NO. 2023CW3005 IN GUNNISON COUNTY - AMENDED APPLICATION FOR SIMPLE CHANGE IN SURFACE POINT OF DIVERSION UNDER C.R.S. § 37-92-305(3.5) City of Gunnison, c/o Jennifer M. DiLalla, Evan R. Weis, Moses, Wittemyer, Harrison and Woodruff, P.C., 2595 Canyon Blvd., Suite 240, Boulder, CO 80302 1. Name, address, and telephone number of applicant: City of Gunnison, a Colo. Municipal Corp., c/o David Gardner, Director of Public Works, 1100 W. Virginia Ave., Gunnison, CO 81230 2. Purpose of amendment: Gunnison filed its Application for Simple Change in Surface Point of Diversion Under C.R.S. § 37-92-305(3.5) on Jan. 31, 2023, claiming a simple change in the point of diversion decreed to the Gunnison Town Pipeline ("Original

Application”). Gunnison files this amendment to the Original Application under C.R.C.P. 15(a) (“Amended Application”) to refine and correct the location of the claimed changed point of diversion; that corrected location is described in par. 5 below. Gunnison has made no other substantive changes to the Original Application. Gunnison will publish notice of the Amended Application as required by Rule 4(b) of the Uniform Local Rules for All State Water Court Divisions. 3. Decreed water right for which change is sought: 3.1 Name of structure: Gunnison Town Pipeline (WDID: 5900931) (“Town Pipeline”). 3.2 Date of original decree and all relevant subsequent decrees: Civil Action 2021, entered April 29, 1941, in the Dist. Ct. for the County of Gunnison; Case No. 81CW308, entered Jan. 5, 1989, in the Dist. Ct. for Water Div. No. 4 (“81CW308 Decree”). 3.3 Legal description – original point of diversion: Intake gallery on the east bank of the Gunnison River at a point whence the E1/4 corner of Sec. 35, T50N, R1W of the N.M.P.M. bears S. 85° 58' East 3,823.2 feet. (UTM: 330576.0 East, 4268929.0 North.) The decreed location is shown on the maps attached as **Ex. and B**. All UTM coordinates given in this Application are NAD 83, Zone 13. 3.4 Legal descriptions – alternate points of diversion: Under the 81CW308 Decree, the water right decreed to the Town Pipeline may be diverted at the following structures as alternate points of diversion, the approximate locations of which are shown on the map attached as **Ex. A**: 3.4.1 Gunnison Town Ditch (WDID: 5900572): On the south bank of the Gunnison River at a point whence the E1/4 corner of Sec. 24, T50N, R1W of the N.M.P.M. bears S. 56° 30' East 1,760 feet. (UTM: 333114.0 East, 4272361.0 North.) 3.4.2 O’Fallon Ditch (WDID: 5901037): On the east bank of the Gunnison River at a point whence the E1/4 corner of Sec. 33, T51N, R1E of the N.M.P.M. bears North 85° East 1,565 feet. (UTM: 337649.6 East, 4278134.4 North.) 3.4.3 Gunnison Well Nos. 1 through 6: Located as follows within the City of Gunnison: 3.4.3.1 Well No. 1 (WDID: 5905000): 6th St. & Virginia Ave. (UTM: 331072.3 East, 4268216.3 North.) 3.4.3.2 Well No. 2 (WDID: 5905001): 9th St. & Gothic Ave. (UTM: 331042.0 East, 4268506.0 North.) 3.4.3.3 Well No. 3 (WDID: 5905002): 9th St. & Ohio Ave. (UTM: 331079.0 East, 4268397.0 North.) 3.4.3.4 Well No. 4 (WDID: 5905003): 9th St. & Gunnison Ave. (UTM: 331085.0 East, 4267761.0 North.) 3.4.3.5 Well No. 5 (WDID: 5905004): 9th St. & Rio Grande Ave. (UTM: 331037.0 East, 4267161.0 North.) 3.4.3.6 Well No. 6 (WDID: 5905005): 10th St. & Virginia Ave. (UTM: 331109.0 East, 4268119.0 North.) 3.4.4 Gunnison Well Nos. 7 through 13: Located within the County of Gunnison as follows: 3.4.4.1 Well No. 7 (WDID: 5905006; Permit No. 10857-F): NE1/4 NE1/4 of Sec. 35, T50N, R1W of the N.M.P.M. (UTM: 331423.0 East, 4269611.0 North.) 3.4.4.2 Well No. 8 (WDID: 5905007; Permit No. 21363-F): NW1/4 NW1/4 of Sec. 36, T50N, R1W of the N.M.P.M. (UTM: 331942.0 East, 4269267.0 North.) 3.4.4.3 Well No. 9 (WDID: 5905008; Permit No. 21362-F): SW14 NE1/4 of Sec. 35, T50N, R1W of the N.M.P.M. (UTM: 331285.0 East, 4269173.0 North.) 3.4.4.4 Well No. 10 (WDID: 5905943; Permit No. 53045-F): 60 feet North of the South section line and 70 feet West of the East section line in the SE1/4 SE1/4 of Sec. 26, T50N, R1W of the N.M.P.M., Gunnison County. (UTM: 331690.0 East, 4269638.0 North.) 3.4.4.5 Well No. 11 (WDID: 5905944): 1,350 feet South of the North Section line and 2,700 feet West of the East Section line of Sec. 35, T50N, R1W of the N.M.P.M., Gunnison County. (UTM: TBD East, TBD North.) 3.4.4.6 Well No. 12 (WDID: 5905945): The originally decreed location is 2,650 feet North of the South Section line and 2,350 feet East of the West Section line of Sec. 35, T50N, R1W of the N.M.P.M., Gunnison County. (UTM: TBD East, TBD North.) The Well No. 12 Alternate Point decreed

in Case No. 21CW3071 will be located on the City's Van Tuyl Ranch in the NE1/4, the SE1/4, the E1/2 of the SW1/4, and the E1/2 of the SE1/4 of Sec. 26, T50N, R1W of the N.M.P.M., in Gunnison County. 3.4.4.7 Well No. 13 (WDID: 5905935): NE1/4 SE1/4 Sec. 26, T50N, R1W, N.M.P.M., on the City's Van Tuyl Ranch. (UTM: 331567.9 East, 4270393.8 North, Zone 13, NAD 83.) 3.4.5 Unnamed points of diversion: 3.4.5.1 (WDID: 5901568): On the East bank of the Taylor River in Sec. 22, T51N, R1E of the N.M.P.M., 1,700 feet north of the south section line and 3,700 feet east of the west section line of said Sec. 22. (UTM: 339320.2 East, 4281315.7 North.) In the Colorado Decision Support System ("CDSS") online database, this point of diversion is identified as "Gunnison Town Alt Divr 1." 3.4.5.2 (WDID: 5901569): On the East bank of a side channel of the Gunnison River in the SE1/4 NW1/4 of Sec. 35, T50N, R1W of the N.M.P.M., whence the NW corner of said section bears North 39.7° West a distance of 3,054 feet. (UTM: 330690.3 East, 4269032.2 North.) In the CDSS online database, this point of diversion is identified as "Gunnison Town Alt Divr 2." 3.5 Decreed source of water: Gunnison River. 3.6 Appropriation date: April 1, 1883. 3.7 Amount: 15 cfs. 3.8 Decreed uses: Municipal, domestic, fire prevention, irrigation, and commercial purposes. 3.9 Amount of water to be changed: Entirety of the water right. 4. Detailed description of proposed change in surface point of diversion: Under and in accordance with C.R.S. § 37-92-305(3.5) ("Section 305(3.5)"), the City seeks to change the decreed surface diversion point to a new surface diversion point located within an easement granted to the City by Colorado Parks and Wildlife. The City seeks no other change to its decreed water right. 4.1 How the proposed change meets the definition of a simple change in surface point of diversion: Section 305(3.5)(a)(II) defines "simple change in a surface point of diversion" as "a change in the point of diversion from a decreed surface diversion point to a new surface diversion point that is not combined with and does not include any other type of change of water right and for which there is no intervening surface diversion point or inflow between the new point of diversion and the diversion point from which a change is being made," and excludes from that definition "a change of point of diversion from below or within a stream reach for which there is an intervening surface diversion point or inflow or decreed in-stream flow right to an upstream location within or above that reach." 4.1.1 Change from a decreed surface diversion point to a new surface diversion point: The City's requested change is from the decreed surface diversion point for the Town Pipeline to the new surface diversion point shown as "Diversion Location" on the survey attached as **Ex. C**. The Diversion Location is within a City-owned easement on property owned by Colorado Parks and Wildlife. 4.1.2 No combination with or inclusion of other change of water right: The City seeks no other change to the Town Pipeline water right. 4.1.3 No intervening surface diversion point or inflow: As shown on the map attached as **Ex. B**, there is no intervening surface diversion point and no inflow between the new point of diversion and the decreed point of diversion from which the change is being made. 4.1.4 No change to an upstream location within a decreed instream flow reach: There is no decreed instream flow water right in the reach of the Gunnison River between the decreed surface diversion point and the proposed new surface diversion point upstream. 4.2 Applicant's burden of proof: Applicant bears the burden of proving that the simple change in a surface point of diversion will not (i) result in diversion of a greater flow rate or amount of water than has been decreed to the water right and, without requantifying the water right, is physically and legally available at the diversion point from

which a change is being made; or (ii) injuriously affect the owner of or persons entitled to use water under a vested water right or decreed conditional water right. 4.2.1 No diversion of greater flow rate than decreed to the Town Pipeline, or than is physically and legally available at the diversion point from which the change is being made: In any proposed ruling or proposed decree submitted to the Court for entry, the City will include a term and condition limiting diversion under the Town Pipeline water right at the changed point of diversion to the amount of water legally and physically available to the water right at its originally decreed point of diversion. 4.2.2 No injury to vested or decreed conditional water rights: As shown on the map attached as **Ex. B**, there are no surface water rights decreed to divert from the Gunnison River in the reach between the decreed point of diversion and the proposed new point of diversion upstream; there also are no tributary inflows to the Gunnison River in that reach. The City's in-priority diversion of the 15 cfs decreed to the Town Pipeline at the proposed new point of diversion therefore will have exactly the same impact on the stream and on other water rights as would the City's in-priority diversion of that water right at the originally decreed point of diversion. Accordingly, the proposed simple change in surface point of diversion will not injure vested water rights or decreed conditional water rights. 5. Location of new surface point of diversion: On the bank of the Gunnison River in the NE1/4 NW1/4 of Sec. 35, T50N, R1W of the N.M.P.M., 1,221 feet west of the East section line and 1,018 feet north of the South section line of said Sec. 35, in Gunnison County, as shown on **Ex. B** and **C**. (UTM: 330570.13 East, 4269535.02 North.) 6. Names and addresses of owner(s) of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed, or upon which water is or will be stored: Colorado Parks and Wildlife, Attn: Ed Perkins, Water Rights Administrator, 6060 Broadway, Denver, CO 80216. WHEREFORE, Gunnison requests that the Court enter a decree granting this Amended Application and approving a simple change in surface point of diversion for the Town Pipeline in accordance with Section 305(3.5). **GUNNISON COUNTY**.

CASE NUMBER: 2024CW3000. in Ouray County, Colorado. **APPLICATION FOR SURFACE WATER RIGHT**. Name and Address of Applicant: Wolf Land Company, LP, 6805 Highway 62, Ridgway, CO 81432, jnwolfcattle@gmail.com. Please direct all correspondence, motions, and pleadings to Jeffrey J. Conklin or Danielle T. Skinner, KARP NEU HANLON, P.C., 201 14th Street, Suite 200, P.O. Drawer 2030, Glenwood Springs, CO 81602, (970) 945-2261. **FIRST CLAIM FOR SURFACE WATER RIGHT**. Name of structure: *Charley Logan Ditch, Wolf Enlargement*. Legal description - Decreed Location: The decreed location for the Charley Logan Ditch is 150 feet west of the SW corner of the SE1/4 SW1/4, Section 2, Township 44 North, Range 8 West, N.M. P.M. Actual Location: The actual location for the headgate of the Charley Logan Ditch is in the NE1/4 NW1/4 of Section 11, Township 44 North, Range 8 West, N.M. P.M., at the following UTM Coordinates: Easting 262577, Northing 4218777, Zone 13, NAD 83., Source: CDSS MapViewer. Source: Uncompahgre River, tributary to the Gunnison River. Appropriation date: May 26, 2022. How appropriation was initiated: Applicant diverted the subject water and placed to beneficial use for irrigation and supplemental irrigation of its property. Date water applied to beneficial use: May 26, 2022. Amount:

6.9 c.f.s., absolute. Use: Irrigation. Number of acres historically irrigated: Applicant historically irrigated 135 acres under the Charley Logan Ditch pursuant to Applicant's existing water rights in the Charley Logan Ditch decreed in Civil Action No. 939, Priority Nos 7 and 94. Number of acres proposed to be irrigated: 135. Legal description of irrigated acreage: Applicant uses this water right to supplement the irrigation of the area of land depicted on an exhibit to the application. Names and addresses of owners of land upon which structures are located: John Edward Lockhart, 4416 E. Horseshoe Road, Phoenix, AZ 85028. The following exhibit is on file with the Water Court: a map depicting the location of the structure and irrigation area (Exhibit A) (pp. 5 with exhibit).
OURAY COUNTY.

CASE NO. 2024CW3001 (02CW391, 17CW3050) CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE ESTATE OF MICHAEL DAVID COMBS, IN MONTROSE COUNTY, COLORADO APPLICATION FOR FINDING OF REASONABLE DILIGENCE AND TO MAKE ABSOLUTE IN PART 1. Name, address, telephone number of Applicant: Estate of Michael David Combs ("Applicant") c/o Deborah Combs, Personal Representative 10671 – 6075 Road Montrose, Colorado 81403 Telephone No.: 970-240-3300 *Please send all pleadings and correspondence to:* Stephen H. Leonhardt, Esq. Bernard F. Gehris, Esq. Peter D. Jaacks, Esq. BURNS, FIGA & WILL, P.C. 6400 South Fiddler's Green Circle, Suite 1000 Greenwood Village, CO 80111 Phone: (303) 796-2626 **2. Name of Structures:** A. Carlene Spring B. Deborah Spring C. San Grail Ranch Spring D. Carlene Pond and Enlargement E. Deborah Pond No. 1 and Enlargement F. Deborah Pond No. 2 and Enlargement G. San Grail Ranch Pond **3. Legal Description of each point of diversion:** A. Carlene Spring: Located in the NW¼ of the NE¼ of Section 28, T46N, R12W of the NMPM, 2,600 from the east line and 750 feet from the north line of Section 28. B. Deborah Spring: Located in the NE¼ of the NW¼ of Section 28, T46N, R12W of the NMPM, 3,000 feet from the east line and 300 feet from the north line of Section 28. D. San Grail Ranch Spring: Located in the SW¼ of the NE¼ of Section 28, T46N, R12W of the NMPM, 1,475 from the east line and 1,900 feet from the north line of Section 28. E. Carlene Pond and Enlargement: Located in NW¼ of the NE¼ of Section 28, T46N, R12W of the NMPM, 2,600 feet from the east line and 750 feet from the north line of Section 28. F Deborah Pond No. 1 and Enlargement: Located in the NW¼ of the SE¼ of Section 28, T46N, R12W of the NMPM, 3,300 feet from the west line and 3,700 feet from the north line of Section 28. G. Deborah Pond No. 2 and Enlargement: Located in the NE¼ of the NW¼ of Section 28, R12W, T46N, 2,200 from the west line and 300 feet from the north line of Section 28. H. San Grail Ranch Pond: Located in the SW¼ of the NE¼ of Section 28, T46N, R12W of the NMPM, 3,300 feet from the west line and 2,450 feet from the north line of Section 28. **4. Previous Decree for Conditional Rights:** A. Original Case No.: 02CW291 B. Decree Date: April 18, 2005. C. Appropriation Dates (as decreed in Case No. 02CW291): i. Carlene Spring: September 5, 2002 ii. Deborah Spring: September 5, 2002 iii. San Grail Ranch Springs: September 5, 2002 iv. Carlene Pond and Enlargement: September 5, 2002 v. Deborah Pond No. 1 and Enlargement: September 5, 2002 vi. Deborah Pond No. 2 and Enlargement: September 5, 2002 vii. San Grail Ranch Pond: September 5, 2002. D. Previous Diligence Decrees: Case No. 11CW43, decreed August 29, 2011; Case No. 17CW3050, decreed January 8,

2018. **5. Source:** Natural seeps, springs, surface runoff, seepage, and groundwater tributary to Albin Draw and Horsefly Creek, tributary to the San Miguel River. **6. Conditionally Decreed Amounts:** A. Carlene Spring: 0.05 c.f.s. for new uses. B. Deborah Spring: 0.05 c.f.s. for new uses. C. San Grail Ranch Spring: 0.033 c.f.s. for new uses. D. Carlene Pond and Enlargement: 3.7 a.f. enlargement; 4.0 a.f. total (including previously decreed amount in Case No. 91CW112) for new uses. E. Deborah Pond No. 1 and Enlargement: 59.25 a.f. enlargement; 60.0 a.f. total (including previously decreed amount in Case No. 91CW113) for new uses. F. Deborah Pond No. 2 and Enlargement: 0.5 a.f. enlargement; 1.0 a.f. total (including previously decreed amount in Case No. 91CW113) for new uses. G. San Grail Ranch Pond: 1.0 a.f. **7. Conditionally Decreed Uses:** A. Additional uses for the structures and amounts decreed in Case Nos. 91CW112, 91CW113, and 93CW4: Domestic, irrigation, commercial, recreation, augmentation and exchange (provided that such augmentation use will be made only upon terms and conditions decreed in Case No. 05CW270, or State Engineer approved substitute water supply plan). Irrigation may occur on 161 acres in Section 20, on 313 acres in Section 28, and on 36 acres in Section 21, all in T46N, R12W of the NMPM, on property owned by Applicant. B. For the Enlargements listed in Paragraph 6.D through 6.F above, and for the San Grail Ranch Pond: All of the uses listed in Paragraph 7.A above, and stock watering, piscatorial, and fish culture uses. **8. Outline of what has been done toward completion or for completion for the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures:** During the diligence period, Applicant continued development of infrastructure to implement decreed beneficial uses of these water rights. In 2019, Applicant enlarged the capacity of Deborah Pond #1, which involved constructing a new dam, including water outlet control structures, and impoundment area below the original dam. The cost of pond engineering and construction was approximately \$28,000. Applicant also retains water lawyers to develop and protect its water rights, including pursuit of this application and a diligence application for Applicant's groundwater rights (originally decreed in Case No. 02CW290) in Case No. 21CW3013. Per the decree in Case No. 11CW043, applicant's surface water rights decreed in Case No. 02CW291, groundwater rights decreed in Case No. 02CW290, and augmentation plan decreed in Case No. 05CW270 constitute an integrated water supply system. The cost of this legal work, during the diligence period of January 2018 through January 2024, has been over \$5,000. Applicant has also incurred engineering costs of over \$18,000 related to planning and feasibility studies for development of structures for the remaining conditional water rights. The work detailed above is evidence of Applicant's continuing intent to develop its conditional water rights. Applicant intends to develop the conditional water rights as decreed to all structures. Full development of these conditional water rights by Applicant is feasible, and there is no intent to abandon any of the conditional water rights. **APPLICATION TO MAKE CONDITIONAL RIGHT ABSOLUTE IN PART 9. Water Right Applied to Beneficial Use:** Deborah Pond # 1. **A. Date Water Applied to Beneficial Use:** From June 2019, after completion of the new dam, to the present. **B. Amount:** A maximum of 47 acre feet was stored in 2023. **C. Use:** Domestic, irrigation, commercial, recreation, stock watering, piscatorial, and fish culture. **D. Place of Use:** Lands owned by the Applicant. **10. Names and Addresses of Owners of Land on which the Structures are Located:** Applicant owns the property where the decreed

structures are located and upon which the water requested will be put to beneficial use.
MONTROSE COUNTY.

CASE NO. 2024CW3002 (REF NO. 17CW3048). **Applicant:** United States of America, Department of the Interior, Bureau of Land Management, Uncompahgre Field Office, 2465 South Townsend Ave., Montrose, CO 81401. Application for Finding of Reasonable Diligence. **1. Name of structures:** Reams Spring **2. Description of conditional water rights:** **A. Case number of original decree:** 2017 CW 3048, District Court, Colorado Water Division 4 **B. Date of original decree:** January 2, 2018. **C. Case number of latest diligence decree:** Not Applicable. **D. Date diligence decree entered:** Not Applicable. **E. Legal description of point of diversion:** Located on public lands in the SE/4 SE/4, Section 2, T45N R16W, N.M.P.M., approximately 42 feet from the south section line and 157 feet from the east section line. UTM Zone 13S 185077m E 4231310m N, NAD 83. **F. Source:** Unnamed tributary to Dry Creek/Dry Creek/San Miguel River/Dolores River **G. Appropriation Date:** May 26, 2017. **H. Uses:** Livestock and Wildlife. **I. Amount:** 0.0022 cfs, conditional. **4. Detailed outline of what has been done toward completion of the appropriation and application of water to beneficial use as conditionally decreed:** The Bureau of Land Management (“BLM”) has completed the following activities toward development and beneficial use of Reams Spring: **A.** BLM’s Grazing Advisory Board has set aside \$3,500 for the construction of the spring development. **B.** BLM has placed this project on its schedule for completion of environmental analysis as required by the National Environmental Policy Act, so that construction can occur in Spring 2024. **C.** BLM has discussed the design of the spring development with the grazing permittee on the Coke Ovens Grazing Allotment. BLM’s plan is to excavate the spring discharge area to expose the face of the seep and create a fabric-lined gravel sump at and below the face of the seep. A buried outlet pipe will convey collected water to a bypass valve and thence to a livestock watering trough. **D.** BLM staff visited the spring on May 10, 2023, with the grazing permittee to verify continued flow from the spring and the feasibility of the proposed spring development design. **5. Name and address of owner of land on which point of diversion and place of use is located:** United States of America, Department of the Interior, Bureau of Land Management, Uncompahgre Field Office, 2465 South Townsend Ave., Montrose, CO 81401. **MONTROSE COUNTY.**

CASE NO. 2024CW3003 DELTA COUNTY **1. Applicant:** **John Burgevin and Grace Burgevin**, P.O. 995, Hotchkiss, CO 81419 by Camp & Skarka, LLC, 415 Palmer St., Delta CO 81416, 970-874-9777. APPLICATION FOR UNDERGROUND WATER RIGHT AND APPROVAL OF A PLAN FOR AUGMENTATION. **2. Name of Well and Well Permit for Underground Water Right:** **Burgevin Well.** **3. Name Underground Water Right and Structure to be Augmented:** **Burgevin Well.** **4. Legal description of points of diversion:** The **Burgevin Well** will be installed in the SW ¼ of the SE ¼ of Section 34, Township 14 South, Range 93 West of the 6th Principal Meridian at a point with approximate GPS coordinates Zone 13, NAD83; 259283m E; 4296938m N. **5. Source:** groundwater tributary to the North Fork of the Gunnison River. **6. Date of Appropriation:** August 28, 2003. **7. How Appropriation was Initiated:** Met with attorney about seeking a water right. **8. Date Water Applied to Beneficial Use:** TBD. **9. Water Rights to be Used for Augmentation:** Applicant will utilize replacement water purchased in Blue Mesa Reservoir through a

water-service contract with the U.S. Bureau of Reclamation. 10. Statement of Plan of Augmentation: Applicant seeks to drill a well on Applicant's property for fire protection and up to 0.6 acres of lawns and gardens on Applicant's property. Potential out-of-priority depletions attributed to the Burgevin Well will be offset with the annual purchase of replacement water in Blue Mesa Reservoir through a long-term water service agreement with the U.S. Bureau of Reclamation. Applicant proposes to operate the plan of augmentation according to the hydrology report prepared by Merrill Water Rights Consulting, LLC, which is attached to this Application as **Exhibit A**. 11. Amount Claimed: 20 gallons per minute not to exceed 2.0 acre feet of water per year conditional. 12. Proposed Use: fire protection and irrigation of 0.6 acres of lawn and garden on Applicant's property. 13. Names of Owners of the land upon which a new diversion or modification of existing diversion is sought: Applicant. **DELTA COUNTY.**

CASE NO. 2024CW3004 - APPLICATION, OURAY COUNTY. 1. Name, Address and Telephone no. of Applicant: Miller Mesa LLC, /o William J. Rosetti and Caroline Rosetti, managing members, 364 41st Street, Oakland, CA94609, (415) 990-0668 (William), (415) 310-9372 (Caroline). Please direct all correspondence to Dietze and Davis P.C., Star L. Waring (reg #10009) and Gabriella Stockmayer (reg #43770). **APPLICATION FOR SIMPLE CHANGE IN SURFACE POINT OF DIVERSION PURSUANT TO § 37-92-305(3.5), C.R.S.** 2. Name of Structure: **Cannon Ditch**. 3. Original Decree: A. In the Matter of the Adjudication of Water Rights, Water District No. 68, C.A. No. 930, District Court, Ouray County, Colorado dated December 6, 1909. b. Legal description of decreed point of diversion: A point on the west bank of the west branch of Coal Creek, from which the quarter stake on the South line of Section 33, Township 45 North of Range 8 West, N.M.P.M., bears North 14 degrees, 50 feet East 6950 distant; thence runs in a northerly direction to a point on the west boundary of the S. W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ of Section 4, in Township 44, North of Range 8 West. **See location of said decreed point of diversion on Exhibits A-1 and A-2 attached.** c. Decreed Source of Water: Coal Creek, from a source of springs on the west branch of Coal Creek in Ouray County. d. Appropriation Date: June 1, 1896. e. Amount Decreed to Structure: 4.25 c.f.s. absolute. f. Decreed Use: Irrigation. g. Amount to be changed: 4.25 c.f.s. 4. Description of Proposed Change: Applicant seeks a change in the point of diversion for the subject water right from the decreed surface diversion point to a new surface diversion point that is not combined with and does not include any other type of change of water right and for which there is no intervening surface diversion point or inflow between the new point of diversion and the diversion point from which a change is being made pursuant to § 37-92-305(3.5)(a)(II), C.R.S. The change will not result in a greater flow rate or amount of water than has been decreed to the water right or injuriously affect the owner of or persons entitled to use water under a vested water right or decreed conditional water right. The application does not seek to re-quantify the water right being changed. **Exhibits A-1 and A-2** attached hereto show the approximate decreed location of the point of diversion for the Cannon Ditch and the actual point of diversion to which this change is sought. The new surface diversion location is the historic point of diversion and corrects the errant decreed description in C.A. No. 930, District Court, Ouray County, Colorado. 5. Location of New Surface Point of Diversion: Ouray County, SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Section 21, Township 44 North, Range 8 West, New Mexico Principal Meridian. **See attached Exhibits A-1 and**

A-2. 6. Distance of New Surface Point of Diversion from Section Lines: 2127 Feet from North section line and 399 Feet from West Section Line of said Section 21, Township 44 N Range 8 W, NMPM; Ouray County, CO. 7. Name and address of owner of land on which the new diversion structure is located: U. S. Department of Agriculture, Forest Service, U.S. Forest Service, Ouray District Office, 2505 S. Townsend Avenue, Montrose, CO 81401. **OURAY COUNTY.**

CASE NO. 2024CW3005. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Name of Applicant: Town of Norwood, c/o Norwood Water Commission. Mailing Address: P.O. Box 528, Norwood, CO 81423. Email address: Deanna Sheriff, Administrator, dsheriff@norwoodtown.com. Telephone Number: (970) 327-4288. Name of structure: **Norwood-Nelson Ditch.** Type: Headgate and ditch. Describe conditional water right (as to each structure) including the following information from previous decree: Date of Original Decree: January 27, 1992. Case No. 91CW0065. Court: Water Court, Division 4. List all subsequent decrees awarding findings of diligence: A. Case No. 2017CW3049, entered on January 2, 2018. B. Case No. 98CW18, entered on December 9, 1998. C. Case No. 04CW181, entered on June 23, 2005. D. Case No. 11CW41, entered on August 15, 2011. Legal Description of Point of Diversion: 300 feet West of the East section line and 200 feet South of the North section line of Section 14, Township 42 North, Range 12 West, N.M.P.M. The proposed point of diversion for the Norwood – Nelson Ditch is depicted on the Norwood – Nelson Ditch Location Map Figure 2 filed as part of Case No. 11CW41. Figure 2 is available for review at the Norwood Water Commission office. Source of Water: Water tributary to McCullough Creek, tributary to Beaver Creek, tributary to the San Miguel River. Appropriation Date: July 24, 1991. Amount: 10.0 c.f.s. Use: Municipal. Detailed outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use as conditionally decreed, including expenditures, during the previous diligence period: The Norwood-Nelson Ditch conditional surface water right is part of an integrated municipal water supply, treatment and delivery system administered by the Norwood Water Commission (“NWC”) in coordination with Applicant, the Town of Norwood. Since the application for finding of reasonable diligence for this water right was filed in Case No. 2017CW3049, the NWC in coordination with Applicant has expended substantial funds for engineering and legal fees in connection with NWC water system planning, grant applications, prosecuting various water right applications and statements of opposition to defend water rights that support the NWC water supply system, rehabilitation of the NWC/Town of Norwood water supply infrastructure, additional water treatment plant upgrade work, and development of a raw water irrigation system. In 2017, the Town of Norwood acting by and through the NWC obtained a decree in Case No. 2017CW3049 finding reasonable diligence for the development of the Norwood-Nelson Ditch conditional water right. During 2016-2017, the Town of Norwood conducted preliminary and final engineering for a Raw Water Irrigation System (“RWIS”). The NWC has spent in conjunction with the Town of Norwood approximately \$1,348,533.00 on completion of the RWIS project, which went on-line during the summer of 2019. In 2019, the Applicant’s water rights engineering firm, SGM Inc. performed a Water Availability Analysis for NWC River Diversion (Case No.10CW202), and a Water Availability Analysis and Supply Development for Lone Cone System (Case No.10CW203). On May 20, 2019 the NWC

obtained a decree in Case No. 2019CW3025 finding reasonable diligence in the development of the Forest Street Subdrain conditional surface water right. In 2019, the Applicant filed applications for finding of reasonable diligence for multiple structures in Case Nos. 19CW3025 and 19CW3026, and obtained favorable rulings and decrees in those cases in 2020. In 2020, NWC completed a Water Master Plan in which the NWC River Diversion was identified as a key water right that could provide a firm yield of 1,000 acre feet per year. The Norwood-Nelson Ditch was included in the 2020 Water Master Plan Engineering study (future needs assessment) completed by Wright Water Engineering. On or about April 19, 2021 the NWC filed its application for finding of reasonable diligence for development of the NWC River conditional surface water right filing, and a Corrected Order granting such water right was entered on or about September 9, 2021. On or about April 21, 2022, the NWC signed an agreement with SGM, Inc., to update the 2020 Water Master Plan to include 24 “Rural Housing” Units in Pinion Park and the future development of land that was purchased by the Town of Mountain Village (75 – 100 housing units), at a cost of \$10,000. On or about October 11, 2022 the NWC filed an application for finding of reasonable diligence for its Gurley water diversion, Case No. 2022CW003067, and a decree was entered on or about February 21, 2023 granting such right. On or about November 30, 2022 the NWC filed its application for finding of reasonable diligence for conditional storage water rights pertaining to NWC Reservoirs Nos. 1, 2, 3 and 4, in Case No. 2022CW3077, which case is still pending.

Description of place of use (where the water is proposed to be applied to beneficial use): Norwood Water Commission Water Service Area, as depicted within the Norwood Water Commission 2010 Water Rights Filing Locations map, Figure 4. A copy of that map is available for review at the NWC office. Location information in UTM format (Preferred): Not available. Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. Name of Owner: United States Forest Service, c/o Norwood Ranger District. Mailing Address: 1150 Forest Street, Norwood, CO 81423. **SAN MIGUEL COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of March 2024 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant’s attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk’s Office or on our website at <https://coloradojudicial.gov>). (This publication can be viewed in its entirety on the state court website at: <https://coloradojudicial.gov>). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401