

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 November 2023.

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. 2023CW25. Applicant: David S Davis, 39695 Davis Rd., Crawford, CO 81415. Amended Application for Conditional and Absolute Storage Water Rights: Davis Spring Pond – SW1/4SE1/4 of Section 13, T15S, R92W, 6th PM., Easting 272194, Northing 4291745, Zone 13. Source: Cottonwood Creek, North Fork Gunnison River, Gunnison River. Appropriation Date: 8/25/2023. Amount Claimed: 2.25 acre feet conditional for supplemental irrigation of 35-acres, and 2.25 acre feet absolute for wildlife, stockwater, and fire protection uses. **DELTA COUNTY.**

CASE NO. 2023CW35. Applicant: Michael Orpi, 10642 3500 Rd., Hotchkiss, CO 81419. Application for Change of Water Right: Decreed Water Right for Which Change is Sought: Orpi Tail Water Ditch. Date of Original and All Relevant Subsequent Decrees: 1883 Ditch Establishment and 1901 Water Decrees – 1. North Fork Lateral Farmers Ditch, 2. Vanaferd Ditch.

Court: Montrose, CO. Legal Description of Structure as Described in Most Recent Decree that Adjudicated the Location: 1. Head Water of Farmers Lateral Ditch, Easting: 4299916, Northing: 11350265288, Zone 13. 2. Head Water of Vanaferd Ditch, Easting: 4298553, Northing: 13502664563, Zone 13 3. Middle of Vanaferd Ditch, Easting: 4298333, Northing: 1350264556, Zone 13. Decreed Source of Water: North Fork of the Gunnison River. Appropriation Date: 1901, Historical Ditch, Registered 1912. Total Amount Decreed to Structure: Absolute 10.213 cfs. Decreed uses: Agriculture and generation of power. Amount of Water Applicant Intends to Change: Absolute 10.213 cfs. Description of Proposed Change in a Surface Point of Diversion: Change from Hotchkiss to Glen Canyon Dam and below Lake Mead Native American Water Rights Treaty of 1908 Tribe and Reservations. Water Banked in lower Colorado. (See attached forms and documents filed with application). Location of the New Point of Diversion: County: Coco Nino, NW1/4SE1/4, Section 24, T41N, R8E, Principal Meridian: Gilla-Salt River, (Glen Canyon Dam and below lower Co River – Banked Water), Easting: 456939, Northing: 4088055, Zone 12. **DELTA COUNTY.**

CASE NO. 2023CW36. Applicant: Michael Orpi, 10642 3500 Rd., Hotchkiss, CO 81419. Application for Absolute Surface Water Rights: Headwaters of Farmers Lateral Ditch – NW1/4NW1/4 of Section 29, T14S, R92W, 6thP.M., Easting 429916, Northing 11350265288, Zone 13. Headwaters of Vanaferd Ditch – Easting 4298553, Northing

13502664563, Zone 13. Middle Waters of Vanaford Ditch – Easting 4298333, Northing 1350264556, Zone 13. Source: North Fork of the Gunnison River. Appropriation Date: 1883. Amount Claimed: 10.213 cfs for irrigation – Native American Tribal. **DELTA COUNTY.**

CASE NO. 2023CW37. Applicant: Crawford Water Conservancy District, 183 Hwy 92, Crawford, CO 81415. Application for Conditional Surface Water Rights: Smith Fork Feeder Canal – SE1/4SE1/4 of Section 28, T15S, R91W, 6th PM., Easting: 277455, Northing: 4288187, Zone 13. Source: Smith Fork Creek, Gunnison River. Appropriation Date: Prior to April 2016. Amount Claimed: 50 cfs conditional for irrigation – Virginia, Saddle Mountain, Needle Rock, Daisy, Clipper, and Grand View Ditches. Irrigation / Storage Crawford Reservoir. **DELTA COUNTY.**

CASE NO. 2023CW38 (REF NO. 17CW34,11CW12). Applicant: CHT Resources LLC, PO Box 1420, Carbondale, CO 81623. Application for Finding of Reasonable Diligence: TPJ Pipeline – NE1/4SE1/4SW1/4 of Section 21, T14S, R95W, 6th PM., Easting: 237846, Northing: 4300757, 1,073 feet from the south section line and 2,281 feet from the west section line. Amount Claimed: 2.00 cfs conditional for irrigation of 40 acres (including wetlands), filling TPJ Reservoir, commercial (dust control and compost operation moisture control) and fire protection. TPJ Reservoir – NW1/4NW1/4NE1/4 of Section 28, T14S, R95W, 6th PM., Easting: 238090, Northing: 4300333, 280 feet from the north section line and 2,190 feet from the east section line. Amount Claimed: 14.00 acre-feet conditional for irrigation of 40 acres (including wetlands), commercial (dust control and compost operation moisture control) and fire protection. Source for both Structures: Clay Creek, Tongue Creek, Gunnison River. Appropriation Date for both Structures: 02/08/2011. The application of file with the Water Court contains an outline of the work performed during the diligence period. **DELTA COUNTY.**

CASE NO. 2023CW3073, Colorado Water Conservation Board (“CWCB”), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to Christopher Stork, Senior Assistant Attorney General, Mackenzie Herman, Assistant Attorney General, Water Conservation Unit, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado 80203. Telephone: (720) 508-6311 (Stork) (720) 508-6317 (Herman). Email: christopher.stork@coag.gov; mackenzie.herman@coag.gov. APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE.

1. Name & Address of Applicant: Colorado Water Conservation Board (“CWCB”) 1313 Sherman Street, Suite 718 Denver, CO 80203 (303) 866-3441 Please direct communications regarding this case to the attorney listed in the caption. **2. Name of water right:** Curecanti Creek Instream Flow (“ISF”) Water Right. **3. Summary of Application:** By this Application, the CWCB requests adjudication of two ISF Water Rights to preserve the natural environment to a reasonable degree. The water rights are on two distinct segments of Curecanti Creek, a natural stream tributary to Morrow Point Reservoir **4. Legal Description:** Both Curecanti Creek ISF Water Rights are in the natural stream channel of Curecanti Creek, and each segment is described individually below. **A. Curecanti Creek (Upper) ISF Water Right** is located in the natural stream channel of Curecanti Creek from

its headwaters to the confluence with Commissary Gulch, a distance of approximately 9.9 miles. A map depicting the approximate location of the Curecanti Creek (Upper) ISF Water Right reach is attached as **Exhibit 1**. 1. Upstream Terminus: Curecanti Creek headwaters in the vicinity of: a. UTM: Northing: 4286947.81; Easting: 293747.09 (NAD 1983 Zone 13 North) b. Lat/Long: Latitude 38° 42' 25.66" N; Longitude 107° 22' 19.21" W 2. Downstream Terminus: confluence with Commissary Gulch at: a. UTM: Northing: 4272414.37; Easting: 294045.93 (NAD 1983 Zone 13 North) b. Lat/Long: Latitude 38° 34' 34.81" N; Longitude 107° 21' 51.35" W B. **Curecanti Creek (Lower) ISF Water Right** is located in the natural stream channel of Curecanti Creek from the confluence with Commissary Gulch to the confluence with Morrow Point Reservoir, a distance of approximately 10.1 miles. A map depicting the approximate location of the Curecanti Creek (Lower) ISF Water Right reach is attached as **Exhibit 2**. 2. Upstream Terminus: confluence Commissary Gulch at: a. UTM: Northing: 4272414.37; Easting: 294045.93 (NAD 1983 Zone 13 North) b. Lat/Long: Latitude 38° 34' 34.81" N; Longitude 107° 21' 51.35" W 3. Downstream Terminus: confluence Morrow Point Reservoir at: a. UTM: Northing: 4258638.97; Easting: 289312.65 (NAD 1983 Zone 13 North) b. Lat/Long: Latitude 38° 27' 4.29" N; Longitude 107° 24' 51.86" W C. The Universal Transverse Mercator (UTM) of the upstream and downstream termini will be used as the legal description for the decree in this matter. The Lat/Long coordinates are provided as cross-reference locations only. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCB GIS using the National Hydrography Dataset (NHD). **5. Source**: Curecanti Creek, tributary to the Gunnison River, tributary to the Colorado River. **6. A. Date of initiation of appropriation**: January 24, 2023. **B. How appropriation was initiated**: Appropriation and beneficial use occurred on January 24, 2023, by the action of the CWCB pursuant to sections 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. **C. Date applied to beneficial use**: January 24, 2023. **7. Amount of water claimed**: **A. Curecanti Creek (Upper) ISF**: Instream flow of 1.5 cfs (03/01 - 03/31), 8.5 cfs (04/01 - 07/15), 2.5 cfs (07/16 - 07/31), absolute. **B. Curecanti Creek (Lower) ISF**: Instream flow of 3 cfs (03/01 - 03/31), 11.8 cfs (04/01 - 07/15), 4.8 cfs (07/16 - 07/31), 0.4 cfs (08/01 - 09/30), 1.4 cfs (10/01 - 11/30), 0.6 cfs (12/01 - 02/28), absolute. **8. Proposed Uses**: Instream flow to preserve the natural environment to a reasonable degree. **9. Increase to previously decreed ISF Water Right**: The CWCB has an existing ISF Water Right on Curecanti Creek from its headwaters to the confluence with Commissary Creek, in the amount of 3.0 cfs (01/01 – 12/31), decreed in Case No. 84CW0390 with an appropriation date of May 4, 1984. The CWCB also has an existing ISF Water Right on Curecanti Creek from the confluence with Commissary Creek to the confluence with Morrow Point Reservoir, in the amount of 5.0 cfs (01/01 – 12/31), decreed in Case No. 84CW0391 with an appropriation date of May 4, 1984. The flow rates sought herein are in addition to the amount of the existing instream flow water rights. **10. Names and addresses of owners or reputed owners of the land upon which any new or existing diversion structure will be located**: The notice required by section 37-92-302(2)(b), C.R.S., to the owners or reputed owners of the land upon which any new or existing diversion or storage structure is or will be constructed is not applicable in this case. This Application is for instream flow water rights, exclusive to the CWCB under the provisions of section 37-92-102(3), C.R.S. As an instream flow water right, the CWCB's appropriation does not require diversion structures or storage. See *Colo. River Water Conservation Dist. V. Colo. Water Conservation Bd.*, 594 P.2d 570, 574 (Colo. 1979); § 37-92-103(4)(c), C.R.S. As a surface water right, the CWCB's appropriation of instream flow

water rights does not involve construction of a well. **11. Remarks:** This appropriation by the CWCB, on behalf of the people of the State of Colorado, is made pursuant to sections 37-92-102(3) & (4) and 37-92-103(3), (4) & (10), C.R.S. The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 18, 2023, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S., that the natural environment of Curecanti Creek will be preserved to a reasonable degree by the water available for the appropriations to be made; that there is a natural environment that can be preserved to a reasonable degree with the CWCB's water rights herein, if granted; and that such environment can exist without material injury to water rights.

GUNNISON COUNTY.

CASE NO. 2023CW3074, Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to Rebecca Crotty, Assistant Attorney General, Water Conservation Unit, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado 80203. Telephone: (720) 508-6260. Email: rebecca.crotty@coag.gov. APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE. **1. Name & Address of Applicant:** Colorado Water Conservation Board ("CWCB") 1313 Sherman Street, Suite 718 Denver, CO 80203 (303) 866-3441. Please direct communications regarding this case to the attorney listed in the caption. **2. Name of water right:** Cameron Creek Instream Flow Water Right. **3. Legal Description:** The Cameron Creek Instream Flow Water Right is located in the natural stream channel of Cameron Creek from its headwaters to the confluence with Lottis Creek, a distance of approximately 3.69 miles. A map depicting the approximate location of the Cameron Creek Instream Flow Water Right reach is attached as **Exhibit 1.** A. Upstream Terminus: Cameron Creek headwaters in the vicinity of: 1. UTM: Northing: 4284643.53; Easting: 362920.79 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 38° 41' 59.29" N; Longitude 106° 34' 34.93" W B. Downstream Terminus: confluence with Lottis Creek at: 1. UTM: Northing: 4289426.62; Easting: 365596.60 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 38° 44' 35.89" N; Longitude 106° 32' 47.53" W C. The Universal Transverse Mercator (UTM) of the upstream and downstream termini will be used as the legal description for the decree in this matter. The Lat/Long coordinates are provided as cross-reference locations only. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCB GIS using the National Hydrography Dataset (NHD). **4. Source:** Cameron Creek, tributary to Lottis Creek, tributary to the Taylor River, tributary to the Gunnison River, tributary to the Colorado River. **5. A. Date of initiation of appropriation:** January 24, 2023. B. How appropriation was initiated: Appropriation and beneficial use occurred on January 24, 2023, by the action of the CWCB pursuant to sections 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. C. Date applied to beneficial use: January 24, 2023. **6. Amount of water claimed:** Instream flow of 1.1 cfs (04/01 - 09/30), 0.64 cfs (10/01 - 10/31), 0.5 cfs (11/01 - 03/31), absolute. **7. Proposed Uses:** Instream flow to preserve the natural environment to a reasonable degree. **8. Names and addresses of owners or reputed owners of the land upon which any new or existing diversion structure will be located:** The notice required by section 37-92-302(2)(b), C.R.S., to the owners or reputed owners of the land upon which any new or existing diversion or storage

structure is or will be constructed is not applicable in this case. This Application is for instream flow water rights, exclusive to the CWCB under the provisions of section 37-92-102(3), C.R.S. As an instream flow water right, the CWCB's appropriation does not require diversion structures or storage. See *Colo. River Water Conservation Dist. V. Colo. Water Conservation Bd.*, 594 P.2d 570, 574 (Colo. 1979); § 37-92-103(4)(c), C.R.S. As a surface water right, the CWCB's appropriation of instream flow water rights does not involve construction of a well. **9. Remarks:** This appropriation by the CWCB, on behalf of the people of the State of Colorado, is made pursuant to sections 37-92-102(3) & (4) and 37-92-103(3), (4) & (10), C.R.S. The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 18, 2023, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S., that the natural environment of Cameron Creek will be preserved to a reasonable degree by the water available for the appropriations to be made; that there is a natural environment that can be preserved to a reasonable degree with the CWCB's water rights herein, if granted; and that such environment can exist without material injury to water rights. **GUNNISON COUNTY.**

CASE NO. 2023CW3075, Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to Rebecca Crotty, Assistant Attorney General, and Christopher Davis, Assistant Attorney General, Water Conservation Unit, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado 80203. Telephone: (720) 508-6260 (Crotty), (720) 508-6280 (Davis) Email: christopher.davis@coag.gov; rebecca.crotty@coag.gov. APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE. **Name & Address of Applicant:** Colorado Water Conservation Board ("CWCB"). **Name of water right:** Van Boxel Creek Instream Flow Water Right. **Summary of Application:** By this Application, the CWCB requests adjudication of an ISF Water Right to preserve the natural environment of Van Boxel Creek, a natural stream in the Upper Gunnison Watershed, to a reasonable degree. **Legal Description:** The Van Boxel Creek Instream Flow Water Right is located in the natural stream channel of Van Boxel Creek from its headwaters to the confluence with the Little Cimarron River, a distance of approximately 7.75 miles. A map depicting the approximate location of the Van Boxel Creek Instream Flow Water Right reach is attached as **Exhibit 1. Upstream Terminus:** Van Boxel Creek headwaters in the vicinity of: 1. UTM: Northing: 4233170.73; Easting: 282342.59 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 38° 13' 12.74" N; Longitude 107° 29' 10.89" W. **Downstream Terminus:** confluence with Little Cimarron River at: 1. UTM: Northing: 4242731.81; Easting: 284132.66 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 38° 18' 24.22" N; Longitude 107° 28' 7.83" W. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCB GIS using the National Hydrography Dataset (NHD). **Source:** Van Boxel Creek, tributary to Little Cimarron River, tributary to Cimarron River, tributary to Gunnison River, tributary to Colorado River. **Date of initiation of appropriation:** January 24, 2023. **How appropriation was initiated:** Appropriation and beneficial use occurred on January 24, 2023, by the action of the CWCB pursuant to sections 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. **Date applied to beneficial use:** January 24, 2023. **Amount**

of water claimed: Instream flow of 2.5 cfs (04/01 - 04/30), 7.8 cfs (05/01 - 06/30), 7.1 cfs (07/01 - 07/31), 1.5 cfs (08/01 - 08/31), 0.4 cfs (09/01 - 09/30), absolute. **Proposed Uses:** Instream flow to preserve the natural environment to a reasonable degree. **Names and addresses of owners or reputed owners of the land upon which any new or existing diversion structure will be located:** The notice required by section 37-92-302(2)(b), C.R.S., to the owners or reputed owners of the land upon which any new or existing diversion or storage structure is or will be constructed is not applicable in this case. This Application is for instream flow water rights, exclusive to the CWCB under the provisions of section 37-92-102(3), C.R.S. As an instream flow water right, the CWCB's appropriation does not require diversion structures or storage. See *Colo. River Water Conservation Dist. V. Colo. Water Conservation Bd.*, 594 P.2d 570, 574 (Colo. 1979); § 37-92-103(4)(c), C.R.S. As a surface water right, the CWCB's appropriation of instream flow water rights does not involve construction of a well. **Existing Instream Flow Water Right:** The CWCB has an existing instream flow water right on Van Boxel Creek from its headwaters to the confluence with the Little Cimarron River, in the amount of 2.0 cfs (1/1 – 12/31), with an appropriation date of July 30, 1976, decreed in Case No. W-2921-76. The flow rates sought in this application are in addition to the amount of the existing instream flow water right. **Remarks:** This new appropriation by the CWCB, on behalf of the people of the State of Colorado, is made pursuant to sections 37-92-102(3) & (4) and 37-92-103(3), (4) & (10), C.R.S. The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 18, 2023, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S., that the natural environment of Van Boxel Creek will be preserved to a reasonable degree by the water available for the appropriations to be made; that there is a natural environment that can be preserved to a reasonable degree with the CWCB's water rights herein, if granted; and that such environment can exist without material injury to water rights. **GUNNISON COUNTY.**

CASE NO. 2023CW3076, Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, Colorado 80203. Please direct communications regarding this case to Jennifer Mele, First Assistant Attorney General, Mackenzie Herman, Assistant Attorney General, Water Conservation Unit, Natural Resources & Environment Section, Office of the Colorado Attorney General, 1300 Broadway, 7th Floor, Denver, Colorado 80203. Telephone: (720) 508-6282 (Mele) (720) 508-6317 (Herman). Email: jen.mele@coag.gov; mackenzie.herman@coag.gov. APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE **1. Name & Address of Applicant:** Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718 Denver, CO 80203, (303) 866-3441 Please direct communications regarding this case to the attorney listed in the caption. **2. Name of water right:** Monitor Creek Instream Flow Water Right. **3. Legal Description:** The Monitor Creek Instream Flow Water Right is located in the natural stream channel of Monitor Creek from the confluence with Little Monitor Creek to the confluence with Potter Creek, a distance of approximately 8.29 miles. A map depicting the approximate location of the Monitor Creek Instream Flow Water Right reach is attached as **Exhibit 1. A. Upstream Terminus:** confluence with Little Monitor Creek at: 1. UTM: Northing: 4271672.53; Easting: 213030.78 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 38° 32'

49.96" N; Longitude 108° 17' 33.99" W B. Downstream Terminus: confluence with Potter Creek at: 1. UTM: Northing: 4279535.32; Easting: 220671.03 (NAD 1983 Zone 13 North) 2. Lat/Long: Latitude 38° 37' 13.36" N; Longitude 108° 12' 30.11" W C. The Universal Transverse Mercator (UTM) of the upstream and downstream termini will be used as the legal description for the decree in this matter. The Lat/Long coordinates are provided as cross-reference locations only. The UTM and Lat/Long locations for the upstream and downstream termini were derived from CWCB GIS using the National Hydrography Dataset (NHD). **4. Source:** Monitor Creek, tributary to Potter Creek, tributary to Roubideau Creek, tributary to the Gunnison River, tributary to the Colorado River. **5. A. Date of initiation of appropriation:** January 24, 2023. **B. How appropriation was initiated:** Appropriation and beneficial use occurred on January 24, 2023, by the action of the CWCB pursuant to sections 37-92-102(3) and (4) and 37-92-103(3), (4) and (10), C.R.S. **C. Date applied to beneficial use:** January 24, 2023. **6. Amount of water claimed:** Instream flow of 4.6 cfs (04/01-05/31), 3.6 cfs (06/01-06/30) absolute. **7. Proposed Uses:** Instream flow to preserve the natural environment to a reasonable degree. **8. Names and addresses of owners or reputed owners of the land upon which any new or existing diversion structure will be located:** The notice required by section 37-92-302(2)(b), C.R.S., to the owners or reputed owners of the land upon which any new or existing diversion or storage structure is or will be constructed is not applicable in this case. This Application is for instream flow water rights, exclusive to the CWCB under the provisions of section 37-92-102(3), C.R.S. As an instream flow water right, the CWCB's appropriation does not require diversion structures or storage. See *Colo. River Water Conservation Dist. V. Colo. Water Conservation Bd.*, 594 P.2d 570, 574 (Colo. 1979); § 37-92-103(4)(c), C.R.S. As a surface water right, the CWCB's appropriation of instream flow water rights does not involve construction of a well. **9. Remarks:** This appropriation by the CWCB, on behalf of the people of the State of Colorado, is made pursuant to sections 37-92-102(3) & (4) and 37-92-103(3), (4) & (10), C.R.S. The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 18, 2023, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S., that the natural environment of Monitor Creek will be preserved to a reasonable degree by the water available for the appropriations to be made; that there is a natural environment that can be preserved to a reasonable degree with the CWCB's water rights herein, if granted; and that such environment can exist without material injury to water rights. **MONTROSE COUNTY.**

CASE NO. 2023CW3077 (REF. NO. 2017CW3035). Applicant: CITY OF GRAND JUNCTION, c/o Jamie B. Beard, 250 N. 5th Street, Grand Junction, CO 81501. Application for Finding of Reasonable Diligence: BRANDON DITCH SECOND ENLARGEMENT. The point of diversion is located at a point from which the quarter corner brass cap marker between Section 8 and 5 in Township 12 South, Range 97 West of 6th Meridian, bears N 62° 30' West a distance of 500 feet. The ditch runs in a southwest direction. It is in the NW ¼ of the NE ¼ of said Section 8 at a distance 2200 feet west of the east section line and 200 feet south of the north section line With an AquaMap indication for location of the NW/4 NE/4 of Section 8, Township 12 South, Range 97 West, 6th P.M. at a point 144 feet from the north section line and 2062 feet from the east section line (Zone 13, NAD83, Easting 0218033.33m, Northing 4324947.00m). Date of Original

Decree: 06/04/1986; Case No. 85CW199. Source: The Brandoan Ditch (sometimes known as the Brandon Ditch) whose source is Brandoan Ditch, tributary to Whitewater Creek which is tributary to the Gunnison River. Appropriation Date: 06/06/1985. Amount Claimed: 15.0 cfs with 7.63 cfs previously made absolute this Request is for a Finding of Reasonable Diligence on remaining 7.37 cfs. Use: The water rights are for reservoir storage, for filling and refilling storage facilities controlled by the City of Grand Junction and for all municipal, industrial, irrigation, power generation, and augmentation purposes and all other beneficial uses to the Brandon Ditch. **MESA COUNTY.**

CASE NO. 2023CW3078 MONTROSE AND OURAY COUNTIES. 1. Applicants: **Tri-County Water Conservancy District, (TCWCD)** 647 N. 7th St., Montrose CO 81401, 970-249-3369; **Uncompahgre Valley Water Users Association, (UVWUA)** P.O. Box 69, Montrose CO 81402 970-249-3813; **United States of America, (USA) c/o U. S. Department of Justice, Environmental and Natural Resources Division,** 999 18th St., South Terrace, Suite 370, Denver CO 80202. APPLICATION FOR FINDING OF DILIGENCE. 2. Name of Structure: **Tri-County / Uncompahgre Valley Water Users Exchange.** 3. Date of Original Decree: July 25, 2011, 08CW150, Division 4. 4. Legal Description: The affected reach is from the confluence of the South Canal and the Uncompahgre River, at UTM coordinates Easting 255386, Northing 4250654, Colorado Central Zone, approximately 445 feet from the east section line and 2584 feet from the south section line, NE1/4NE1/4SE1/4 Section 36, Township 48 North, Range 9 West, N.M.P.M. upstream to the outlet of Ridgway Reservoir, at UTM coordinates Easting 258604, Northing 4235645, Colorado Central Zone, approximately 60 feet from the west section line and 1607 feet from the south section line, SW1/4NW1/4SW1/4, Section 16, Township 46 North, Range 8 West, N.M.P.M 5. Source: Gunnison Tunnel, which takes water from the Gunnison River; Ridgway Reservoir, which stores water from the Uncompahgre River. 6. Date of Appropriation: June 4, 1991. 7. Amount: 200 c.f.s. (133 c.f.s. absolute; 67 c.f.s. conditional). 8. Use: municipal use pursuant to an appropriative right of exchange. 9. Outline of what has been done toward completion of the water right: The exchange is operated each year. On March 2, 2017, Applicants diverted into the Gunnison Tunnel and delivered to Fairview Reservoir 133 c.f.s. of water. The balance of 67 c.f.s. should be continued conditional. 10. Names of owners of the land upon which structure is or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use: Applicant United States as to Gunnison Tunnel and Ridgway Reservoir; Project 7 Water Authority, P.O. Box 1185, Montrose CO 81402-1185 as to Fairview Reservoir. **MONTROSE AND OURAY COUNTIES.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of January 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