**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 **August 2024.**

**2023CW16 Routt County.** Application for Absolute and Conditional Water Rights. **Applicant:** Meier Investments, LLLP. c/o Casey Ruiz ruiz.casey2018@gmail.com. 1231 Shallowford Rd Marietta, GA 30066. (404) 569-5317. **Name of Structures:** Meier Spring 1, Meier Spring 2, and Meier Pond 1. **Location of Structures: Meier Spring 1:** NW of NE, Section 34, T5N, R89W of the 6th PM, Routt County, Colorado, UTM coordinates (Zone 13): Northing 4469182.5, Easting: 299218.6. **Meier Spring 2:** NW of NE, Section 34, T5N, R89W of the 6 PM, Routt County, Colorado, UTM Coordinates (zone 13): Northing: 4469032.8, Easting: 299497.6. **Meier Pond 1:** NE of NE, Section 34, T5N, R89W of the 6th PM, Routt County, Colorado, UTM Coordinates (Zone 13): Northing: 4469244.2, Easting: 299653.9. **Source:** Surface water within unnamed tributaries to Dunstan Gulch, tributary to the East Fork Williams Fork River. **If filled from Ditch:** N/A. **Date of Appropriation:** June 1, 2022, for all structures. **How Appropriation was initiated:** By contracting with an excavator to develop the springs and construct the pond. **Date Water Applied to Beneficial Use:** August 1, 2022, for all structures. **Amount Claimed Absolute:** Meier Spring 1: 2gpm or 0.0045cfs, Meier Spring 2: 12gpm or 0.0267 cfs, Meier Pond 1: 0.2ac-ft. **Amount Claimed Conditional:** Meier Pond 1: 0.8 ac- ft. See Photos from August 2022 and August 2023 engineering field inspections for evidence of absolute claims. **List all Uses or Proposed Uses:** Livestock and Wildlife watering, for all structures and for all absolute and conditionally claimed uses. **If irrigation, complete the following:** N/A. **If non-irrigation, describe purpose fully:** The applicant has developed the springs to supply livestock tanks and small excavated livestock water storage pits; and has constructed the pond for watering livestock and wildlife. The applicant leases their property for grazing and also hunts the property. See attached map for locations of structures. **Surface area of high water line:** Meier Pond 1: 0.07 acres (Absolute) Meier Pond 1: 0.25 acres (Conditional). **Vertical Height of dam in feet:** Meier Pond 1: 5 feet (Absolute), Meier Pond 1: 9.5 feet (Conditional). **Length of dam in feet:** Meier Pond 1: 60 feet (Absolute), Meier Pond 1: 120 feet (Conditional). **Total capacity of reservoir in acre feet:** Meier Pond 1: 0.2 ac-ft (Absolute), Meier Pond 1: 0.8 ac-ft (Conditional). The entire capacity of the pond is in active, i.e. dead storage. **All structures are located on lands owned by the applicant. Remarks:** The claimed spring flow rates and pond dimensions were measured by an engineer during a field inspection.

**2024CW3026–ROUTT COUNTY. Application for Sexennial Finding of Reasonable Diligence.** Applicant: Morrison Creek Metropolitan Water and Sanitation District, 24490 Uncompahgre Road, Oak Creek, CO 80467. Direct Pleadings to: Thomas R. Sharp, Esq., P.O. Box 774968, Steamboat Springs, CO 80477. Name of Structure: **STAGECOACH WELL NO. 5.** A description of each conditional water right as to each structure, from the prior referee’s rulings and Judgments and Decrees is as follows: (a) Date of original amended decree: October 24, 1977, District Court, Case No. W-968-76. Previous findings of due diligence are found at Case Nos. 2016CW3048, 08CW66, 07CW119, 01CW77, 95CW38, 89CW32, 85CW75, and 81CW85, all in the Water Court for Water Division No. 6. Original SEO Permit #015697-F.

(b) Date of Change Decree: In Case No. 07CW119, Water Division 6, dated April 17, 2011, 80 gpm from Stagecoach Well No. 5 was decreed for diversion at the location of Stagecoach Well No. 2, conditional, as an alternate point of diversion, and 60 gpm from Stagecoach Well No. 5 was decreed for diversion at the location of Stagecoach Well No. 2R, conditional, as an alternate point of diversion, and 100 gpm from Stagecoach Well No. 5 was decreed for diversion at the location of Stagecoach Well No. 10, conditional, as an alternate point of diversion, and the conditional decree for diversions from Stagecoach Well No. 5 at the original plus all alternate points of diversion collectively was reduced from 1,000 gpm to 100 gpm. (c) Location of Original Decreed Point of Diversion of Stagecoach Well No. 5: NE1/4 of the NW 1/4 of Section 6, Township 3 North, Range 84 West of the 6th P.M., at a point 150 feet from the north section line and 1980 feet from the west section line. The actual measured location of Stagecoach Well No. 5 is UTM-X = 341994.076, UTM-Y = 4459263.446. (d) Location of Alternate Decreed Point of Diversion at Stagecoach Well No. 2: SE1/4 of the SW1/4 of Section 5, Township 3 North, Range 84 West of the 6th P.M., at a distance of 1011 feet from the south section line and 2624 feet from the west section line. The actual measured location of Stagecoach Well No. 2 is UTM-X = 343982.356, UTM-Y = 4457850.514. The location of Stagecoach Well No. 2 was corrected by decree in Case No. 05CW043, Water Division No. 6. (e) The decree in Case No. 2016CW3048 made absolute 24.3 gpm from Stagecoach Well No. 5 water right at the location of Stagecoach Well No. 2, leaving 55.7 gpm conditional of the Stagecoach Well No. 5 decree at the location of Stagecoach Well No. 2. (f) Map: Attached as **Exhibit “A”** to the Application is a map showing the above described locations of Stagecoach Wells Nos. 2, 2R, 5, and 10. (g) Source: Yampa River. (h) Appropriation Date: June 20, 1971. (i) Amount: Original Decreed amount was 2.23 cfs or 1,000 gpm. In Case No. 07CW119, Water Division 6, dated April 17, 2011, the conditional decree for diversions from Stagecoach Well No. 5 at the original plus all alternate points of diversion collectively (being the locations of Stagecoach Wells Nos. 5, 2, 2R, and 10) was reduced from 1,000 gpm to 100 gpm in Paragraph 43 of such decree. (j) Use: Municipal, Domestic, Commercial and Irrigation. (k) Depth: The depth of the wells at the above locations are as follows: Stagecoach Well No. 5 = 1,040 feet; Stagecoach Well No. 2 = 755 feet. The following is a 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 water right for Stagecoach Well No. 5 includes the right to divert up to 100 gpm at the original decreed location for Stagecoach Well No. 5. The Well at that original location has not been completed and connected into the central potable water facilities and system of the Applicant, and therefore the Applicant requests in this Application that the Court find reasonable diligence for the eventual diversion and beneficial use of 100 gpm, conditional, of the Stagecoach Well No. 5 at its original decreed location. The water right for Stagecoach Well No. 5 also includes the right to divert up to 80 gpm at the location of Stagecoach Well No. 2, in addition to the prior absolute decree for 40 gpm, for a total of 100 gpm at such Well No. 2. The Applicant has diverted up to 24.3 gpm of water into the central potable water facilities and system of the Applicant at that location (in addition to the 40 gpm previously decreed absolute at such Stagecoach Well No. 2, for a total of 64.3 gpm being diverted under both decrees at such Well No. 2 location), and such additional 24.3 gpm was decreed absolute in Case No. 2016CW3048. There remains 55.7 gpm conditional of such Well No. 5 decree for diversion at the alternate location of Stagecoach Well No. 2. Therefore, the Applicant requests that the court find reasonable diligence for the eventual diversion and beneficial use of the remainder of 55.7 additional gpm, conditional, of the Stagecoach Well No. 5 decree at the location of Stagecoach Well No. 2 and for the eventual diversion and beneficial use of 100 gpm, conditional, at the original location of Stagecoach Well No. 5. In numerous cases, including in Case No. 2016CW3048, the Water Court decreed that Stagecoach Well No. 5 is part of an integrated water supply system of the District. As an integrated water supply system, diligence on any one feature of this system as well as all features of the system can be shown by work done on any one feature of the system. C.R.S. §37-92-301(4)(b); See also, Vail Valley Consolidated Water District v. City of Aurora, 731 P.2d 665 (Colo. 1987). During this diligence period: The District obtained decrees from this Water Court finding due diligence of the District with respect to (1) Water Treatment Plant No. 1, in Case No. 2020CW3029, and (2) Stagecoach Wells 3, 4, 6, and 7, in Case No. 2021CW3051, both of which are also part of the District’s integrated water supply system. In addition, the District drilled the Black Horse II Well, also described as Stagecoach Well No. 11, in 2021, and drilled the Stagecoach Well No. 13 well in 2021, both of which are part of the Morrison Creek District Well Field conditionally decreed in Case No. 2014CW3047, which is part of the integrated Water supply system of the District. The District engaged in other activities evidencing due diligence for parts of its integrated water supply system as described in the Application in this case. The District has expended more than $100,000 on the legal and engineering work and well drilling costs on the other water rights and features in the integrated water supply system. The Applicant also seeks continued confirmation of the Water Court in this case that Stagecoach Well No. 5 is part of an integrated water supply system of the District.

PRAYER FOR RELIEF: Applicant requests that: (A) The Court find and decree that reasonable diligence has been shown for Stagecoach Well No. 5 for diversion of 100 gpm for beneficial uses of municipal, domestic, commercial, and irrigation at its original decreed location, and that reasonable diligence has been shown for Stagecoach Well No. 5 for diversion of an additional 55.7 gpm for beneficial uses of municipal, domestic, commercial, and irrigation at the location of Stagecoach Well No. 2; and (B The Court order and confirm that Stagecoach Well No. 5, at both its original decreed location and at the alternate points of diversion at the locations of Stagecoach Wells Nos. 2, 2R, and 10, are part of an integrated water supply system of the District as described in the Application, reference to which should be made for greater certainty.

**2024CW7 Rio Blanco County** Application for Absolute Water Rights (Surface). **Applicant:** White River Ranch Inc c/o Ryan Michael Clark ; PO Box 2600, Meeker, CO 81641; Ryan@Petrox-Resources.com ; **Name of Structures:** 1S94W21 South Spring; **Legal Descriptions:** County;SE ¼ of the SW ¼, Section 21, Township 1S, Range 94W of the 6th PM ; **UTM Coordinates:** Easting 247476, Northing 4426099, Zone 13; **Source of UTMs:** QGIS 3.28.2 USGS TOPO MAP; **Accuracy of location displayed on GPS device:** 20 feet; **Distance from Section Lines:** 237 feet from S 2365 feet from W; **Source of PLSS information:** Data.gov Colorado PLSS Shapefile Data; **Source:** Unnamed Spring ; **Appropriation Date:** 11/01/18 ; **How** **Appropriation was Initiated:** Purchase of property ; **Date Water Applied to Beneficial Use:** 11/01/18 ; **Amount Claimed Absolute** : 1 gpm ;  **Decreed Uses or Proposed Uses:** Wildlife and livestock water source; **Purpose of Non-Irrigated Water:** Fill ponds for wildlife and livestock from spring through to fall. Map attached to permit; **Remarks or any other Pertinent Information:** Please find attached 6 other water structures information and maps for Clark White River Ranch, Inc. property. **Landowner:** Applicant

**2024CW8 Moffat County** Application for Simple Change in Surface Point of Diversion **Applicant:** Peter and Tamara Miles, 54800 Highway 318 , Maybell, Colorado 81640; oxbowriver.7@gmail.com ; 970-234-5398 ; **Name of Structure:** Surface Oxbow Ranch Diversion ; **WDID:** 4402442; **Date of Original Decree:** September 27, 2007 ; **Case no**.07CW55 ; **Court:** Water Division No. VI ; **Legal Description:** NW1/4 of the NW1/4 Section 21, T7N, R96W, of the 6th P.M., Moffat County, Colorado at a point 1292 feet from the North line and 961 feet from the West line of said Section. ; **Decreed source of Water:** Yampa River; **Appropriation Date:** September 22, 2007 ; **Total Amount Decreed Absolute:** 1.0 cfs ; **Decreed Use:** irrigation of approximately 40 acres; **Amount of Absolute Water that applicant intends to change:** 1.0 cfs ; **Detailed description of proposed change:** To facilitate moving water to different parts of the property. More central location relative to future irrigated ground. ; **Legal Description:** MoffatCountySE1/4of theNE1/4 Section 20 Township T7N Range 96W Principal Meridian 6th;  **UTM Coordinates:** Easting 229742.0, Northing 4493262.0, Zone 13; **Source of UTMs:** Water Commissioner”s Garmin GPS ; **Accuracy of location displayed on GPS device:** 30 foot accuracy; **Landowner:** Applicant

**The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.**

You are hereby notified that you will have until the last day of **October 2024** to file with the Water Court a Verified Statement of Opposition, setting forth facts as to why a certain Application should not be granted or why it should be granted only in part or on certain conditions. A copy of such Statement of Opposition must be served on the Applicant or the Applicant’s Attorney, with an affidavit or certificate of such service being filed with the Water Court, as prescribed by Rule 5, C.R.C.P. The filing fee for the Statement of Opposition is $192.00, and should be sent to the Clerk of the Water Court, Division 6, 1955 Shield Dr. Unit 200, Steamboat Springs, CO 80487.

CARMMA PARKISON

CLERK OF COURT

ROUTT COUNTY COMBINED COURT

 WATER DIVISION 6

 /s/ Julie A. Edwards

 Judicial Clerk II