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 **February 2025.**

**2025CW3005 Moffat County**. **Application for Findings of Reasonable Diligence and to Confirm Absolute**.Applicants: Diamond Peak Cattle Company, LLC, AND Bassett Land, LLC, c/o Scott A. Grosscup & Andrea J. Hall, Balcomb & Green, P.C., P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; [balcombgreen.com](https://balcombgreen.com/). Applicants request the Ct. find they have exercised reasonable diligence in the development of the Bassett Reservoir No. 2 Use Enlargement and Refill Right, and the Fonce Meadow Reservoir Enlargement conditional water rights (“SWRs”). Applicants further request the SWRs be made absolute in their full amts. and for all uses. All SWRS were originally decreed in Dist. Ct, Water Div. 6 in 10CW80 on 11/11/2011, and subsequent diligence decreed in 17CW3039 on 2/24/2019. First Claim for Findings of Reasonable Diligence. Structure: Bassett Reservoir No. 2 Use Enlargement and Refill Right. Legal: The dam is in the NW1/4 SE1/4 of Sec. 2 T. 9 N., R. 102 W., of the 6th P.M. at a point 1,350 ft. N. of the S. Sec. line and 1,950 ft. W. of the E. Sec. line of said Sec. 2. **Source: Bull Canyon, aka Matt Spring Creek, tributary to Vermillion Creek, tributary to the Green River**. Date of Approp.: 12/31/2010. Uses: Livestock watering of up to 1,000 head, fire protection, piscatorial, industrial and com. use in the development of mineral resources in Moffat Cnty, CO, and for export to Sweetwater Cnty, WY, for development of mineral resources, including but not limited to oil and gas production, extraction, and related activities. Amt.: 80.71 AF, conditional, with right to fill and refill in priority. Total annual storage shall not exceed 161.42 AF. Surface Area: 19.04 acres. Dam Height: 11.5 ft. Dam Length: 500 ft. Total Capacity: 80.71 AF. Active Storage: 80.71AF. Dead Storage: 0.0 ft. Remarks: 17CW3039, Applicants abandoned 17.61 AF of the Bassett Reservoir No. 2 Use Enlargement and Refill Right but maintained the right to refill when in priority for all decreed uses with total annual storage not to exceed 161.42 AF. Name and address of owner of the land upon which any 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: Co-Applicant, Bassett Land, LLC, 290 Osborne St., Baggs, WY, 82321. Structure: Fonce Meadow Reservoir Enlargement. Legal: The centerline of the dam intersects the centerline of Fonce Wash at a point located in the SW1/4 SE1/4 of Sec. 26, T. 12 N., R. 102 W., 6th P.M., 2,500 ft. W. of the E. Sec. line and 1,200 ft. N. of the S. Sec. line. **Source: Springs, seeps, and surface runoff from Fonce Wash, tributary to G Wash, tributary to Canyon Creek, tributary to Vermillion Creek, tributary to the Green River**. Date of Approp.: 8/1/2010. Uses: Livestock watering of up to 1,000 head, piscatorial, industrial and com. use in the development of mineral resources in Moffat Cnty, CO, and for export to WY for development of mineral resources, including but not limited to oil and gas production, extraction, and related activities. Amt.: 6.35 AF, conditional, with right to fill and refill in priority. Total annual storage shall not exceed 75 AF. Surface Area: 0.9 acres. Dam Height: 5 ft. (pond was excavated in 2010 by 5 ft. for a total depth of 10 ft.). Dam Length: 250 ft. Total Capacity: 6.35 AF. Active Storage: 6.35 AF. Dead Storage: 0.0 ft. Remark: In 17CW3039, Applicants abandoned 7.15 AF of the Fonce Meadow Reservoir Enlargement but maintained the right to refill when in priority for all decreed uses with total annual storage not to exceed 75 AF. Name and address of owner of the land upon which any 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: Access across the property owned by the United States of America, BLM as may be necessary to access the reservoir for the above-described uses; 455 Emerson St., Craig, Colorado 81625. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. Second Claim to make Absolute. Applicants request that the Ct confirm the SWRs, be made absolute, by Applicants’ application to beneficial use as follows. “A decreed conditional water storage right shall be made absolute for all decreed purposes to the extent of the volume of the appropriation that has been captured, possessed, and controlled at the decreed storage structure.” C.R.S. § 37‑92‑301(4)(e). Water Right: Bassett Reservoir No. 2 Use Enlargement and Refill Right, as described above. Date of Beneficial Use: 9/17/2023. Amt. Claimed Absolute: 80.71 AF. Amt. Remaining Conditional: 0 AF. Uses: Livestock watering of up to 1,000 head, fire protection, piscatorial, industrial and comm. use in the development of mineral resources in Moffat Cnty, CO, and for export to Sweetwater Cnty, WY, for development of mineral resources, including but not limited to oil and gas production, extraction, and related activities. Description of Beneficial Use: Applicants performed a stage capacity survey on 8/22/2011, confirming the as-built capacity of the reservoir as 80.71 AF. Applicants filled and refilled the Bassett Reservoir No. 2 for an annual maximum of 161.42 AF under the Bassett Reservoir No. 2 Use Enlargement and Refill Right in 2023. The reservoir was full on 9/17/2023. Records maintained by the CO DWR indicate that no administrative calls were in place on Vermillion Creek on 9/17/2023, and therefore Applicants stored water under the Basset Reservoir No. 2 Use Enlargement and Refill Right in priority on that date. Water Right: Fonce Meadow Reservoir Enlargement, as described above. Date of Beneficial Use: 10/13/2019. Amt. Claimed Absolute: 6.35 AF, with right to fill and refill in priority. Total annual storage shall not exceed 75 AF. Amt. Remaining Conditional: 0 AF. Uses: Livestock watering of up to 1,000 head, piscatorial, industrial and comm. use in the development of mineral resources in Moffat Cnty, CO, and for export to WY for development of mineral resources, including but not limited to oil and gas production, extraction, and related activities. Description of Beneficial Use: Applicants performed a stage capacity survey on 11/11/2018, confirming the as-built capacity of the reservoir as 6.35 AF. Applicants refill the reservoir to maintain its full volume. The reservoir was full on 10/13/2019. Records maintained by the CO DWR indicate that no administrative calls were in place on 10/13/2019, and therefore Applicants stored water under the Fonce Meadow Reservoir Enlargement right in priority on that date. Remarks: Applicants have initiated the application process to determine whether a right of way from the BLM is necessary to access the Fonce Meadow Reservoir. Applicants will provide copies of any agreements between it and any company that transports water outside of the state upon request from the DE. Applicants shall keep monthly records of water diverted from the state of CO for beneficial use outside of the state of CO and provide such records annually to the DE. Applicants shall provide the DE with accounting for the water stored and released under the Fonce Meadow Reservoir Enlargement right and shall provide copies of such accounting to the BLM as may be required. Name of owner of the land upon which structures are located and where water has been applied to beneficial use: Bassett Reservoir No. 2: Co-Applicant, Bassett Land, LLC, 290 Osborne Street, Baggs, WY, 83231. Fonce Meadow Reservoir: Access across the property owned by BLM as may be necessary to access the reservoir; 455 Emerson St., Craig, CO 81625. (7 pages of original application. Exh. A-G, on file with the Water Ct)

**2025CW2 Rio Blanco County** Application for Simple Change in Surface Point of Diversion **Applicant:** John F. Kenney and Shirley Jean Kenney, 9460 County Road 102, Rangely, Colorado 81648; jkjnKenney@gmail.com; 970-675-8705; **Name of Structure:** Robinson Wardell 15 -Kenney Pump; **Date of Original Decree:** December 31,1976; **Case no**.W3118-76; **Court:** District Court 5; **Legal Description:** NW1/4 Section 16, T1N, R103W, of the 6th P.M., Rio Blanco County, Colorado.; **UTM Coordinates:** 161875E 4442038N, Zone 13 **Address** 9460 County Road 102, Rangely, Colorado 81648; **Source of UTMs:** Hand Held Garmin **Accuracy of location displayed on GPS device:** 10’+or-; **Decreed source of Water:** White River; **Appropriation Date:** July 17, 1974; **Total Amount Decreed Absolute:** 5.205 cfs; **Decreed Use:** irrigation; **Amount of Absolute Water that applicant intends to change:** .5 cfs; **Detailed description of proposed change:** I would like to change point of diversion to irrigate same land. **Landowner:** Applicant

**2025CW3006 Rio Blanco County**. **Application for Findings of Reasonable Diligence**.Applicant: Town of Rangely, c/o Christopher L. Geiger & Andrea J. Hall, Balcomb & Green, P.C., P.O. Drawer 790, Glenwood Springs, CO 81602; (970) 945-6546; [balcombgreen.com](https://balcombgreen.com/). Applicant requests a finding of reasonable diligence in the development of the conditional Rangely Sewage Treatment Plant Discharge water right herein referenced as the “SWR.” A map locating the SWR is attached to the application as Exh. A, on file with the Water Ct. Name of Structure: Rangely Sewage Treatment Plant Discharge. Original Decree: 80CW454 on 5/26/1981, Dist. Ct, Water Div. 5. Diligence Decrees in Water Div. 5: 85CW108 on 10/7/1985, 89CW70 on 4/18/1991, 95CW50 on 11/15/1995, and 01CW257 on 7/11/2005. Diligence Decrees in Water Div. 6: 11CW12 on 5/9/2012 and 18CW3016 on 2/25/2019. Other Decrees: 89CW110 on 4/30/1990, Dist. Ct, Water Div. 5. Legal Description: NW1/4 SE1/4 of Sec. 35, T. 2 N., R. 102 W. of the 6th P.M., 1,641 ft. from the S. Sec. line and 2,288 ft. from the E. Sec. line. This POD was decreed in 89CW110 as a change from the original decreed POD and was originally described as being located: C.E. 778, Sec. 35, T. 2 N., R. 102 W. of the 6th P.M. at a point whence the SE corner of said C.E. bears S. 13°8’44” E. 2,157.62 ft. Source: Municipal wastewater and urban runoff collected, treated and discharged at the Rangely Sewage Treatment Plant, tributary to the White River. Date of Approp.: 10/1/1976. Amts and Uses: Irr. - 1.1 c.f.s., conditional. Industrial, piscatorial and rec. - 3.1 c.f.s., conditional. Remarks: In 11CW12, the decreed uses of dom. and muni. purposes were abandoned and cancelled. Integrated System: As most recently recognized by decree in 11CW12, the conditional SWR is a component of Applicant’s integrated water supply system. Consequently, Applicant’s substantial work identified above regarding its water right system inures to the benefit of diligence concerning the conditional SWR. C.R.S. § 37‑ 92‑ 301(4)(b). A list of diligence activities performed in the six years preceding the filing of this Application is on file with this Ct. (7 pages of original application, Exh. A)

**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 **April 2025** 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