

Legals

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—INVITATION TO BID—

Sealed Bids will be received by the **Crested Mountain Condominium Association** (Owner), at the office of **Evergreen Management, Inc. 22 Crested Mtn. Ln. Crested Mtn. Village, Mt. Crested Butte, CO 81225** until **2:00 PM on Dec. 7, 2016** for Construction of the **Crested Mountain Condominiums Exterior Renovation**. All bids that have been duly received will be opened and read aloud at that time. Late bids will not be accepted. The Contract generally provides for re-siding and trims, masonry, painting, railings, hot tub deck area re-build, and landscaping. All Bids must be in accordance with the Contract Documents on file with the Owner. Questions by bidders should be in writing and addressed to Joe Puchek (joe@puchekconst.com) no later than Nov. 29, 2016. Digital copies of Contract Documents, Construction Drawings, and Specifica-

tions may be obtained by contacting Joe Puchek and will also be on file at the Paper Clip in Gunnison, CO 970-641-1107. Costs for copies are the responsibility of the Contractor. No partial sets will be issued. Bids will be received as set forth in the Bidding Documents. Substantial Completion of the Work is scheduled by priority and required as specified in the Bid Form. A pre-bid conference and job walk-through will be held on Nov. 17, 2016 at 10:00 AM on site at 31 Crested Mtn. Ln, Mt. Crested Butte. Prequalification: All bidders shall be prequalified by the Owner's Representative. Deliver Prequalification form at time of pre-bid conference. Crested Butte Condominium Association. By: Joe Puchek, Title: Consultant

Published in the *Crested Butte News*. Issues of November 4 and 11, 2016. #110402

**—NOTICE AS TO PROPOSED BUDGET—
CRESTED BUTTE FIRE PROTECTION DISTRICT**

Notice is hereby given that a proposed budget has been submitted to the Crested Butte Fire Protection District for the ensuing year of 2017. That a copy of said proposed budget has been filed in the office of the District Manager, 306 Maroon Avenue, Crested Butte, Colorado where the budget is open for public inspection. That said proposed budget will be considered at a regular meeting of the Crested Butte Fire Protection District to be held at the Mt. Crested Butte Fire Station, 751 Gothic Road, Mt. Crested Butte, Colorado on Tuesday, November 8, 2016 at 5:00 PM. Any interested elector within the Crested Butte Fire Protection District may inspect the proposed budget and file or register any objections thereto at any time prior to the final adoption of the budget. Dated October 28, 2016.

CRESTED BUTTE FIRE PROTECTION DISTRICT
By: Michael M. Miller, District Manager

Published in the *Crested Butte News*, Issues of October 28 and November 4, 2016 #102801

**—NOTICE OF PUBLIC HEARING BEFORE THE TOWN COUNCIL—
TOWN OF MT. CRESTED BUTTE, COLORADO**

Please take notice that the Mt. Crested Butte Town Council will hold a public hearing on Tuesday, November 15, 2016 at 6:00 p.m., in the Council Chambers, Municipal Building, Mt. Crested Butte, Colorado.

The purpose of the hearing is for public input on the preliminary plan to rezone from single family residential to planned unit development an unnamed 2.01 acre tract located in the NE1/4 SW1/4 SE1/4 of Section 26 all in Township 13 South Range 86 West, 6th Principal Meridian, County of Gunnison, State of Colorado, into the Town of Mt Crested Butte, Colorado, and also known as the Hillside Parcel. The property is currently in the Single Family Residential zoning district.

All interested persons are urged to attend. Written comments are welcome and should be received at the Town Offices, PO Box 5800, Mt. Crested Butte, CO 81225-5800 or by fax to (970) 349-6326 by Thursday, November 10, 2016.

Application and preliminary plan are available for viewing at Mt. Crested Butte Town Hall during regular business hours.

Dated this 25th day of October, 2016
/s/ Jill Lindros
Town Clerk

If you require any special accommodations in order to attend this meeting, please call the Town Hall at 349-6632 at least 48 hours in advance of the meeting.

Published in the *Crested Butte News*. Issues of October 28 and November 4, 2016 #102803

deadline tuesday at noon

**—NOTICE OF PUBLIC HEARING—
2016 AMENDED BUDGET, 2017 PROPOSED BUDGET
NOVEMBER 16, 2016-- 4:00 PM
SKYLAND METROPOLITAN DISTRICT
SKYLAND LODGE
350 COUNTRY CLUB DRIVE, SUITE 112A
CRESTED BUTTE, COLORADO 81224**

Pursuant to C.R.S. 29-1-106, notice is hereby given that the proposed 2016 amended budget and the proposed 2017 budget have been submitted to the Board of Directors of the Skyland Metropolitan District. Copies of the proposed budgets have been filed in the office of the District, Skyland Lodge, 350 Country Club Drive, Suite 112A, Crested Butte, Colorado 81224, where they are open for public inspection. The proposed budgets will be considered at the regular meeting of the Board of Directors of the District to be held at Skyland Lodge, 350 Country Club Drive, Suite 112A, Crested Butte,

Colorado 81224 on November 16, 2016 at 4:00 P.M. The Board will hold a public hearing at such meeting during which all interested parties may be heard. Any interested elector of the Skyland Metropolitan District may inspect the proposed budgets and file any objections thereto at any time prior to the final adoption of the budgets by the Board of Directors. Respectfully submitted, Greg Wiggins, Chairman

Published in the *Crested Butte News*. Issues of November 4 and 11, 2016. #110411

—NOTICE AS TO PROPOSED BUDGET MEETING AND PUBLIC HEARING—

Notice is hereby given that a proposed Budget for the calendar year beginning January 1, 2017 and ending December 31, 2017, has been submitted to the Board of Directors of the Upper Gunnison River Water Conservancy District. Adoption of the proposed Budget will be considered at a public hearing during the regularly scheduled meeting of the Board of Directors on November 28, 2016 commencing at 5:30 p.m. at the District's office, 210 West Spencer, Suite B, Gunnison, Colorado. Any interested elector of the Upper Gunnison River Water Conservancy District may file any objections to the proposed budget at any time prior to the final adoption of the budget. The Budget is available for public inspection at the District offices.

Published in the *Crested Butte News*. Issue of November 4, 2016. #110401

**—NOTICE OF PUBLIC HEARING BEFORE THE TOWN COUNCIL—
TOWN OF MT. CRESTED BUTTE, COLORADO**

Please take notice that the Mt. Crested Butte Town Council will hold a public hearing on Tuesday, November 15, 2016 at 6:00 p.m., in the Council Chambers, Municipal Building, Mt. Crested Butte, Colorado. The purpose of the hearing is for public input on the subdivision preliminary plan of an unnamed 2.01 acre tract located in the NE1/4 SW1/4 SE1/4 of Section 26 all in Township 13 South Range 86 West, 6th Principal Meridian, County of Gunnison, State of Colorado, in the

Town of Mt Crested Butte, Colorado, and also known as the Hillside Parcel. The property is currently in the Single Family Residential zoning district. All interested persons are urged to attend. Written comments are welcome and should be received at the Town Offices, PO Box 5800, Mt. Crested Butte, CO 81225-5800 or by fax to (970) 349-6326 by Thursday, November 10, 2016. Application and preliminary plan are available for viewing at Mt. Crested

Butte Town Hall during regular business hours. Dated this 25th day of October, 2016 /s/ Jill Lindros
Town Clerk
If you require any special accommodations in order to attend this meeting, please call the Town Hall at 349-6632 at least 48 hours in advance of the meeting.

Published in the *Crested Butte News*. Issues of October 28 and November 4, 2016 #102804

**—NOTICE OF PUBLIC HEARING—
2016 AMENDED BUDGET, 2017 PROPOSED BUDGET
NOVEMBER 16, 2016-- 4:00 PM
EAST RIVER REGIONAL SANITATION DISTRICT
SKYLAND LODGE
350 COUNTRY CLUB DRIVE, SUITE 112A
CRESTED BUTTE, COLORADO 81224**

Pursuant to C.R.S. 29-1-106, notice is hereby given that the proposed 2016 amended budget and the proposed 2017 budget have been submitted to the Board of Directors of the East River Regional Sanitation District. Copies of the proposed budgets have been filed in the office of the District, Skyland Lodge, 350 Country Club Drive, Suite 112A, Crested Butte, Colorado 81224, where they are open for public inspection. The proposed budgets will be considered at the regular meeting of the Board of Directors of the District to be held at Skyland Lodge, 350 Country Club Drive, Suite 112A, Crested Butte, Colorado 81224 on November 16, 2016 at

4:00 P.M. The Board will hold a public hearing at such meeting during which all interested parties may be heard. Any interested elector of the East River Regional Sanitation District may inspect the proposed budgets and file any objections thereto at any time prior to the final adoption of the budgets by the Board of Directors. Respectfully submitted, Greg Wiggins, Chairman

Published in the *Crested Butte News*. Issues of November 4 and 11, 2016. #110410

**—DOWNTOWN DEVELOPMENT AUTHORITY (DDA)—
NOVEMBER 7, 2016 ~ 4:00 P.M.
REGULAR MEETING
AGENDA
COUNCIL CHAMBERS
MT. CRESTED BUTTE, CO**

**Call To Order
Roll Call**

- Approval of the May 2, 2016 Downtown Development Authority Meeting Minutes

Reports

**Correspondence
UNFINISHED BUSINESS-
NEW BUSINESS —**

- Discussion and Possible Consideration of the Budget for the Year 2017

**OTHER BUSINESS —
ADJOURN**

If you require any special accommodations in order to attend this meeting, please call the Town Hall at 970-349-6632 at least 48 hours in advance of the meeting. Public comment on these agenda items is encouraged.

This preliminary agenda is placed in the paper to notify the public of tenta-

tive agenda items for the meeting date above. The official posting place for the agenda is the bulletin board in the Mt. Crested Butte Town Hall entry. Please refer to that official agenda for actual agenda items for the meeting date noted above.

Published in the *Crested Butte News*. Issue of November 4, 2016. #110412

**—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred. **CASE NO. 2016CW66.** Applicant: Pioneer Valley, LLC., C/O Gary Stephens, 18876 6495 Road, Montrose, CO 81403. Application for Conditional Surface Water Right: Pioneer Valley Spring No. 1 – NE1/4NW1/4 of 36, T47N, R7W, N.M.P.M. 2,819 feet from the north line and 2,478 feet from the west section line. Source: Cimarron River. Appropriation Date: 10/12/2016. Amount Claimed: 60 g.p.m. conditional for

domestic, stockwater, piscatorial and Hydro-electric uses. **GUNNISON COUNTY** YOU ARE FURTHER NOTIFIED THAT you have until the last day of December, 2016 to file with the Water Clerk, in duplicate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of November 4, 2016. #110403

**—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred. **CASE NO. 2016CW67 (REF NO.**

10CW106). Carol Ellis, 802 S. Cascade Avenue, Montrose, CO 81401. Application to Make Absolute: James Domestic Spring Ellis Enlargement—SE1/4NW1/4SW1/4 of Section 5, T46N, R5W, NMPM. 1,774 feet north of the south line and 716 feet east of the west section line. Source: Little Cimarron River and the Gunnison River. Appropriation date: 08/10/2010 Amount Claimed: .015 c.f.s. absolute for domestic use in one single-family dwelling. The Application on file with the Water Court contains an outline of the work performed during the diligence period. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of December, 2016 to file with the Water Clerk, in dupli-

cate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of November 4, 2016. #110404

Legals

—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3064, Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, CO 80203. Telephone: (303) 866-3441. Please direct all future correspondence and pleadings regarding this Application to: Patrick Kowaleski, Senior Assistant Attorney General, Natural Resources and Environment Section, Colorado Department of Law, 1300 Broadway, 7th Floor, Denver, CO 80203. Telephone: (720) 508-6297. E-mail: patrick.kowaleski@coag.gov. APPLICATION FOR INSTREAM FLOW WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE IN **GUNNISON COUNTY, COLORADO.** **2. Name of water right:** Little Cimarron River Instream Flow Water Right; **3. Legal Description:** The Little Cimarron River Instream Flow Water Right is located in the natural stream channel of the Little

Cimarron River from the confluence with Firebox Creek to the confluence with Van Boxel Creek, a distance of approximately 7.64 miles. A map depicting the approximate location of the Little Cimarron River Instream Flow Water Right reach is attached as **Exhibit 1.** A. Upstream Terminus: Confluence with Firebox Creek at: 1. UTM: Northing: 4233064.75; Easting: 284126.66 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 13' 10.86"N and longitude 107° 27' 57.47"W B. Downstream Terminus: Confluence Van Boxel Creek at: 1. UTM: Northing: 4242731.81 Easting: 284132.66 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 18' 24.22"N and longitude 107° 28' 7.83"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:** Little Cimarron River, tributary to the Cimarron River, tributary to the Gunnison River, tributary to the Colorado River. **5. A. Date of initiation of appropriation:** January 26, 2016. **B. How appropriation was initiated:** Appropriation and beneficial use occurred on January 26, 2016, 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. (2016). **C. Date applied to beneficial use:** January 26, 2016. **6. Amount of water claimed:** Instream flow

of 11.0 cfs (4/15 - 9/30), 7.0 cfs (10/1 - 10/31), and 4.6 cfs (11/1 - 4/14), 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. (2016), 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. (2016). 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. (2016). As a surface water right, the CWCB's appropriation of instream flow water rights does not involve construction of a well. The CWCB has an existing instream flow water right on the Little Cimarron River from the headwaters to the Butte Ditch headgate, in the amount of 2.0 cfs (1/1 - 12/31), decreed in Case No. 84CW0396 with an appropriation date of 5/4/1984. The flow rates sought herein are in addition to the amount of the existing instream flow water right. **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. (2016).

The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 18, 2016, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S. (2016), that the natural environment of Little Cimarron River 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.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of December, 2016 to file with the Water Clerk, in duplicate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of November 4, 2016. #110405

—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3066, Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, CO 80203. Telephone: (303) 866-3441. Please direct all future correspondence and pleadings regarding this Application to: Jennifer Mele, Senior Assistant Attorney General, Natural Resources and Environment Section, Colorado Department of Law, 1300 Broadway, 7th Floor, Denver, CO 80203. Telephone: (720) 508-6282. E-mail:

Jennifer.mele@coag.gov. APPLICATION FOR INSTREAM FLOW WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE IN **GUNNISON AND HINSDALE COUNTIES, COLORADO.** **2. Name of water right:** Fourth of July Creek Instream Flow Water Right; **3. Legal Description:** the Fourth of July Creek Instream Flow Water Right is located in the natural stream channel of Fourth of July Creek from its headwaters to the Carris Thompson Ditch headgate, a distance of approximately 6.0 miles. A map depicting the approximate location of the Fourth of July Creek Instream Flow Water Right reach is attached as **Exhibit 1.** A. Upstream Terminus: Fourth of July Creek headwaters in the vicinity of: 1. UTM: Northing: 4223472.28; Easting: 307162.58 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 8' 18.69"N and longitude 107° 12' 1.47"W B. Downstream Terminus: Carris Thompson Ditch headgate at: 1. UTM: Northing: 4225851.27; Easting: 299652.37 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 9' 29.93"N and longitude 107° 17' 12.17"W C. The Universal Transverse Mercator (UTM) of the upstream and down-

stream 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:** Fourth of July Creek, tributary to Lake Fork, tributary to Gunnison River, tributary to Colorado River. **5. A. Date of initiation of appropriation:** January 26, 2016. **B. How appropriation was initiated:** Appropriation and beneficial use occurred on January 26, 2016, 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. (2016). **C. Date applied to beneficial use:** January 26, 2016. **6. Amount of water claimed:** Instream flow of 1.1 cfs (4/1 - 7/31), and 0.6 cfs (8/1 - 3/31), 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. (2016), to the owners or re-

puted 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. (2016). 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, 572-573 (Colo. 1979); § 37-92-103(4)(c) C.R.S. (2016). 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. (2016). The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 18, 2016, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S. (2016), that the natural environment of Fourth of July 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 AND HINSDALE COUNTIES.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of December, 2016 to file with the Water Clerk, in duplicate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of November 4, 2016. #110406

—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3067 (REF NO, 10CW25, 03CW204, 95CW218). Gunnison County - Slate River; Mt. Crested Butte Water and Sanitation District; c/o John R. Pierce, Dufford, Waldeck, Milburn & Krohn, LLP, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; APPLICATION TO MAKE CONDITIONAL WATER RIGHT ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE; **Request to make conditional right absolute and for finding of reasonable diligence:** Name of structure: Meridian Lake Park Reservoir No. 1 Pump and Pipeline; **Describe conditional water right:** Original Decree: Case No. 95CW218, decreed on September 2, 1997; **Subsequent decrees awarding findings of diligence:** Case Nos. 03CW204 and 2010CW25; **Legal description:** NE/4 SW/4 of Section 22, Township 13 South, Range 86 West, 6th P.M., at a point 2,255 feet from the west section line and 1,960 feet from the south section line; **Source of water:** Washington Gulch and/or water previously stored in Meridian Lake Park Reservoir No. 1.; **Appropriation Date:** December 8, 1995; **Amount:** 0.5 c.f.s., conditional; **Use:** Domestic, irrigation, fire protection, and municipal; **Outline of what has been done toward completion of the appropriation and application of water to a beneficial use:** Applicant has constructed and operated the Meridian Lake Park Reservoir No. 1 Pump and Pipeline to deliver to Applicant's water treatment plant as much as 7 million gallons of water per year at a maximum rate of 0.33 c.f.s. Additionally, Applicant has incurred expenses related to the Pump and Pipeline every year during the diligence period, including \$779,380 in 2015/2016 related to repairing and reconstructing the outlet works and spillway for Meridian Lake Park Reservoir; **If claim to make absolute in whole or in part:** **Date water**

applied to beneficial use: The Meridian Lake Park Reservoir No. 1 Pump and Pipeline is currently capable of pumping at a maximum rate of 150 g.p.m. or 0.33 c.f.s. During the most recent period of diligence from October 19, 2010, through present, the District has routinely operated at this maximum rate for all decreed beneficial uses. More specifically, the District pumped in-priority at a rate of 0.33 c.f.s. during the 2013 water year; a year in which the stream system tributary to the Meridian Lake Park Reservoir No. 1 Pump and Pipeline was not under administration and free river conditions persisted; **Amount:** Applicant requests to make 0.33 c.f.s. absolute and requests a finding of diligence regarding the remaining 0.17 c.f.s.; **Use:** Domestic, irrigation, fire protection, and municipal; **Request to make conditional right absolute and for finding of reasonable diligence:** **Name of structure:** Meridian Lake Park Reservoir No. 1 Refill Right; **Describe conditional water right:** **Original Decree:** Case No. 95CW218, decreed on September 2, 1997; **Subsequent decrees awarding findings of diligence:** Case Nos. 03CW204 and 2010CW25; **Legal description:** NE/4 SW/4 of Section 22, Township 13 South, Range 86 West, 6th P.M., at a point 1,986 feet from the south section line and 2,086 feet from the west section line (NAD83, Zone 13, Easting 0327172.45m, Northing 4308401.35m); **Source of water:** Washington Gulch, tributary to the Slate River, tributary to the East River; **Appropriation Date:** December 8, 1995; **Amount:** 100 a.f., conditional; **Use:** Domestic, municipal, irrigation, recreation, fish and wildlife propagation, and augmentation; **Surface area:** 7.84 acres at the high water line; **Reservoir capacity:** 192.46 a.f.; **Outline of what has been done toward completion of the appropriation and application of water to a beneficial use:** Applicant has routinely impounded a maximum volume of 192.46 a.f. in Meridian Lake Park Reservoir No. 1 and maintained that capacity during the water year by refilling the water supply lost to evaporation and released for beneficial use under the Meridian Lake Park Reservoir No. 1 Refill right. Moreover, the District filed an application and obtained a decree in Case No. 09CW175 to enlarge this refill right from 100 a.f. to 192.46 a.f. in order to match the capacity of the reservoir. Additionally, Applicant has incurred annual expenses related to maintenance of the reservoir, dam, release structure, pump station, and measuring devices, including \$779,380 incurred in 2016 to repair and upgrade some of those structures; **If claim to**

make absolute in whole or in part: **Date water applied to beneficial use:** During the most recent period of diligence from October 19, 2010, through present, the Meridian Lake Park Reservoir No. 1 has carried over a volume of water at or near the capacity of the reservoir from year to year. The "first-fill" water right is therefore completed at or near the start of most water years, and as a result, the water supply lost to evaporation is refilled under the Meridian Lake Park Reservoir No. 1 Refill right. More specifically, the District stored in-priority 11.32 a.f. during the 2013 water year; a year in which the stream system tributary to the Meridian Lake Park Reservoir No. 1 Pump and Pipeline was not under administration and free river conditions persisted. This volume was calculated using methodologies commonly accepted by the State Engineer; **Amount:** 11.32 a.f., with 88.68 a.f. remaining conditional; **Use:** Domestic, municipal, irrigation, recreation, fish and wildlife propagation, and augmentation; WHEREFORE, Applicant respectfully requests that 0.33 c.f.s. of the 0.5 c.f.s. conditional right decreed to the Meridian Lake Park Reservoir No. 1 Pump and Pipeline be made absolute and that a finding of diligence be entered with regard to any remaining conditional amounts. Applicant further requests that 11.32 a.f. of the 100 a.f. conditional right decreed for refilling the Meridian Lake Park Reservoir No. 1 in Case No. 95CW218 be made absolute and that a finding of diligence be entered with regard to any remaining conditional amounts. (6 pages). **GUNNISON COUNTY.** **YOU ARE FURTHER NOTIFIED THAT** you have until the last day of December, 2016 to file with the Water Clerk, in duplicate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of November 4, 2016. #110407

Legals

—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

Case Number 2016CW3071 (REF NO. 10CW66, 02CW28). **Name, Address, Telephone Number of Applicant:** Eagle Ridge Ranch Homeowners Association, 1622 Eagle Hill Road, Gunnison, CO 81230, (970) 641-3480. All inquiries should be directed to Applicant's attorneys, Rufus Wilderson LLC, P.O. Box 7138, Gunnison, CO 81230, (970) 765-6964. **Type of Application:** Application for Finding of Reasonable Diligence. **Name of Structure:** Eagle Ridge Ranch Spring No. 1. **Legal Description:** In the SW1/4NE1/4NE1/4 of Section 23 (projected), Township 51 North, Range 2 West, N.M.P.M. approximately 1,125 feet west of the east line and 900 feet south of the North Line of Section 23. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.00445 c.f.s. (2 g.p.m.). **Use:** Irrigation, stockwatering, wildlife propagation and recreational uses. **Name of Structure:** Eagle Ridge Ranch Spring No. 6. **Legal Description:** In the SW1/4NE1/4SE1/4 of Section 36 (projected), Township 51 North, Range 2 West, N.M.P.M. approximately 900 feet

west of the east line and 1965 feet north of the south line of Section 36. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.00445 c.f.s. (2 g.p.m.). **Use:** Irrigation, stockwatering, wildlife and recreational uses. **Name of Structure:** Eagle Ridge Ranch Spring No. 8. **Legal Description:** In the SE1/4SW1/4SE1/4 of Section 36 (projected), Township 51 North, Range 2 West, N.M.P.M. approximately 1325 feet west of the east line and 375 feet north of the south line of Section 36. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.00445 c.f.s. (2 g.p.m.). **Use:** Irrigation, stockwatering, wildlife and recreational uses. **Name of Structure:** Hillside Spring. **Legal Description:** In the NE1/4SW1/4SW1/4 of Section 28, Township 51 North Range 1 West, N.M.P.M., approximately 1200 feet east of the west line and 1160 feet north of the south line of Section 28. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.00445 c.f.s. (2 g.p.m.). **Use:** Irrigation, stockwatering, wildlife and recreational uses. **Name of Structure:** Eagle Ridge Ranch Spring/Pond C. **Legal Description:** In the NE1/4SW1/4NW1/4 of Section 31, Township 51 North, Range 1 West, N.M.P.M. approximately 1100 feet east of the west line and 1432 south of the north line of Section 31. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.2295 acre feet. **Use:** Irrigation, stockwatering, wildlife and recreational uses. **Name of Structure:** Eagle Ridge Ranch Spring/Pond D. **Legal Description:** In the SE1/4SW1/4SW1/4 of Section 30, Township 51 North, Range 1 West, N.M.P.M. approximately 1000 feet east of the west line

and 600 feet north of the south line of Section 31. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.2295 acre feet. **Use:** Irrigation, stockwatering, wildlife and recreational uses. **Name of Structure:** Baler Pond. **Legal Description:** In the NE1/4SE1/4NE1/4 of Section 25 (projected), Township 51 North, Range 2 West, N.M.P.M. approximately 250 feet west of the east line and 1,375 south of the north line of Section 25. **Source:** Alluvium of Ohio Creek, tributary of the Gunnison River. **Appropriation Date:** June 25, 2001. **Amount Claimed:** 0.2295 acre feet. **Use:** Irrigation, stockwatering, wildlife and recreational uses. The application contains a detailed list of those activities undertaken by Applicant during the diligence period to complete the appropriation of the subject right in a reasonably expedient and efficient manner. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of December, 2016 to file with the Water Clerk, in duplicate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of November 4, 2016. #110408

—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 October 2016.

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: There has been filed in this proceeding a claim or claims which 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 as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3072 (REF NO. 10CW59). **Name, Address, Telephone Number of Applicants:** Crested Butte

South Metropolitan District, a Colorado special district, P. O. Box 1129, Crested Butte, CO 81224. All inquiries should be directed to Applicant's attorneys, Rufus Wilderson, LLC, P.O. Box 7138, Gunnison, CO 81230, 970 765-6964.

Type of Application: Application for Finding of Reasonable Diligence. **Name of Structure:** Wastewater Treatment Plant Well. **Legal Description:** In the NW1/4 SW1/4 of Section 27, Township 14 South, Range 85 West, 6th P.M. at a point approximately 3200 feet South of the North line and 925 feet East of the West line of Section 27, Township 14 South, Range 85 West, 6th P.M. **Source:** The alluvium of Cement Creek, tributary to the East River, tributary to the Gunnison River. **Appropriation Date:** April 16, 2004. **Amount Claimed:** 50 g.p.m condi-

tional. **Proposed Use:** Year-round municipal use (cleaning and wash-down of sewage plant). The application contains a detailed list of those activities undertaken by Applicant during the diligence period to complete the appropriation of the subject right in a reasonably expedient and efficient manner. **GUNNISON COUNTY.**

CASE NO. 16CW3073 (REF NO. 10CW60, 02CW243). **Name, Address, Telephone Number of Applicants:** Crested Butte South Metropolitan District, a Colorado special district, P. O. Box 1129, Crested Butte, CO 81224. All inquiries should be directed to Applicant's attorneys, Rufus Wilderson, LLC, P.O. Box 7138, Gunnison, CO 81230. **Type of Application:** Application for Finding of Reasonable Diligence. **Name of Structure:** Dietrich

Spring No. 1. **Legal Description:** In the SE1/4SW1/4NW1/4 of Section 27, Township 14 South, Range 85 West, 6th P.M. 1250 feet east of the west line and 2200 feet south of the north line of said Section 27. **Source:** The alluvium of Cement Creek, tributary to the East River, tributary to the Gunnison River. **Appropriation Date:** June 2002. **Amount Claimed:** 0.75 c.f.s., conditional.

Proposed Use: Year-round domestic use, sanitation, fire protection, yard improvement and commercial uses. The application contains a detailed list of those activities undertaken by Applicant during the diligence period to complete the appropriation of the subject right in a reasonably expedient and efficient manner. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of Decem-

ber, 2016 to file with the Water Clerk, in duplicate, 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401.

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—AGENDA—

TOWN OF CRESTED BUTTE
REGULAR TOWN COUNCIL MEETING
MONDAY, NOVEMBER 7, 2016

COUNCIL CHAMBERS, CRESTED BUTTE TOWN HALL

The times are approximate. The meeting may move faster or slower than expected.

5:00 WORK SESSION

Presentation and Discussion of the 2017 Budget.

7:00 REGULAR COUNCIL MEETING CALLED TO ORDER BY MAYOR OR MAYOR PRO-TEM

7:02 APPROVAL OF AGENDA

7:04 CONSENT AGENDA

1) October 17, 2016 Regular Town Council Meeting Minutes.

2) Letter of Support for the Adaptive Sports Center's For Everyone Campaign to Build a Program Facility at Crested Butte Mountain Resort.

3) Letter of Support for Western State Colorado University's Capital Construction Request to the Department of Higher Education to Bring Redundant Broadband to the Gunnison Valley.

4) Letter of Support for the Colorado Parks and Wildlife OHV Trail Grant for the Carbon Creek Trail.

5) Resolution No. 37, Series 2016 - Resolu-

tions of the Crested Butte Town Council Approving the Agreement for the Use of Public Property with Jeremy Rubingh for the Crested Butte Creative District Project Red Promise.

The listing under Consent Agenda is a group of items to be acted on with a single motion. The Consent Agenda is designed to expedite Council business. The Mayor will ask if any citizen or council member wishes to have any specific item discussed. You may request that an item be removed from Consent Agenda at that time, prior to the Council's vote. Items removed from the Consent Agenda will be considered under New Business.

7:06 PUBLIC COMMENT

Citizens may make comments on item not scheduled on the agenda. Those commenting should state their name and physical address for the record. Comments may be limited to five minutes.

7:15 STAFF UPDATES

7:30 PUBLIC HEARING

1) Ordinance No. 13, Series 2016 - An Ordinance of the Crested Butte Town Council Amending Chapter 13, Article 1 of the Crested Butte Municipal Code Amending the Town's Regulations for the Extension of Town Water and Sewer Services and Associated Systems Outside of Town Boundaries.

7:45 NEW BUSINESS

1) Ordinance No. 14, Series 2016 - An Ordinance of the Crested Butte Town Council Adding a New Chapter 10, Article 12 to the Crested Butte Municipal Code for the Purpose of Regulating and Restraining Certain Limited Types of Panhandling.

7:50 2) Update from the Town Manager on Region 10 Broadband Efforts and Possible Action by the Council.

8:10 LEGAL MATTERS

8:15 COUNCIL REPORTS AND COMMITTEE UPDATES

8:30 OTHER BUSINESS TO COME BEFORE THE COUNCIL

8:40 DISCUSSION OF SCHEDULING FUTURE WORK SESSION TOPICS AND COUNCIL MEET-

ING SCHEDULE

• Monday, November 14, 2016 - 6:00PM Special Meeting

• Monday, November 21, 2016 - 6:00PM Work Session - 7:00PM Regular Council

• Monday, December 5, 2016 - 6:00PM Work Session - 7:00PM Regular Council

• Monday, December 19, 2016 - 6:00PM Work Session - 7:00PM Regular Council

8:45 EXECUTIVE SESSION

For the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402(4) (e) regarding (1) Amendment to Pre-Annexation Agreement with Cypress Foothills, LP, (2) Center for the Arts expansion, and (3) Mt. Emmons transactions with Freeport-McMoRan, Inc.

9:30 ADJOURNMENT

Published in the *Crested Butte News*. Issue of November 4, 2016. #110413

TOWN OF MT. CRESTED BUTTE, COLORADO
NOTICE OF
PUBLIC HEARING BEFORE THE TOWN COUNCIL

Please take notice that the Mt. Crested Butte Town Council will hold a public hearing on Tuesday, November 15, 2016 at 6:00 p.m., in the Council Chambers, Municipal Building, Mt. Crested Butte, Colorado.

The purpose of the hearing is for public input on Ordinance No. 8 Series 2016 - An Ordinance Of The Town Council Of The Town Of Mt. Crested Butte, Colorado, Summarizing Expenditures And Revenues For Each Fund And Adopting A Budget For The Town Of Mt. Crested Butte, Colorado For The Calendar Year Beginning On The First Day Of January, 2017 And Ending On The Last Day Of December, 2017.

All interested persons are urged to attend. Written comments are welcome and should be received at the Town Offices, PO Box 5800, Mt. Crested Butte, CO 81225-5800 by 5:00 PM Thursday, November 10, 2016.

A copy of the ordinance is available for viewing at Mt. Crested Butte Town Hall during regular business hours. Dated this 1st day of November, 2016.

/s/ Jill Lindros
Town Clerk

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—LEGAL—

6:00 PM –Public Hearing – November 15, 2016 -Mt. Crested Butte Town Council Chambers- Discussion and Possible consideration of A Special Event Liquor License Submitted By Adaptive Sports Center For An Event To Be Held On December 8, 2016 - Lower Level of the Treasury Center located at 10 Crested Butte Way from 5:00pm-9:00pm.

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legals@crestedbuttenews.com

—CB SOUTH P.O.A. BOARD MEETING NOTICE & AGENDA—
WEDNESDAY NOVEMBER 9TH, 2016 ~ 6:00PM
P.O.A. BOARD MEETING AGENDA
61 TEOCALLI ROAD (P.O.A. OFFICE, UPSTAIRS)

Questions about this Agenda/Meeting can be directed to 349-1162 or info@cbsouth.net

This agenda can also be viewed online at www.cbsouth.net

6:00 PM Call to Order

6:05 PM Approval of Minutes from October 2016 P.O.A Board Meeting

6:15 PM Monthly Financial Report for October 2016

Unfinished Business:

6:25 PM Review of Notice and Hearing and Enforcement Policy and Fine Schedule

6:40 PM Funding discussion for CAMP

6:50 PM Update on TAP Committee

7:00 PM Discussion on the Teocalli Ditch and Pond Improvement

7:10 PM Review Draft Budget 2017

New Business:

7:30 PM Executive Session – Managers Contract

7:50 PM Managers Report

Rules and Regulation Report

Identify December Board Meeting Agenda Items

Set December Board Meeting Date

8:00 PM Unscheduled Property Owner Comment Opportunity Time

8:05 PM Adjourn

ADA Accommodations: Anyone

needing special accommodations as determined by the *American Disabilities Act* may contact the Association Manager prior to the day of the hearing.

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