

# Legals

legals@crestedbuttenews.com • phone: (970)349.0500 ext. 112 • fax: (970)349.9876 • www.crestedbuttenews.com

**—TAX LIEN SALE NUMBER 20090305—  
NOTICE OF PURCHASE OF PROPERTY AT TAX LIEN SALE  
AND OF APPLICATION FOR ISSUANCE OF TREASURER'S DEED**

To Every Person in Actual Possession or Occupancy of the hereinafter Described Land, Lot or Premises, and to the Person in Whose Name the same was Taxed or Specially Assessed, and to all Persons having Interest of Title of Record in or to the said Premises and To Whom It May Concern, and more especially to: **Frank Nisley Jr and Nyla J Kladder and La Donna McLain**  
You and each of you are hereby notified that on the 22nd day of October 2009, the then County Treasurer of Gunnison County, in the State of Colorado, sold at public tax lien sale to La Donna McLain the following described property situate in the County of Gunnison, State of Colorado, to-wit: **Schedule Number: 34273000010**  
**Legal Description: UND 1/2 INT IN: HUDSON, ELGIN BOTH #6165 TINCUP MD SEC 30 15S81W B392 P94 B594 P833 B738 P83**  
and said County Treasurer issued a certificate of purchase therefore to La Donna McLain.  
That said tax lien sale was made to satisfy the delinquent property (and special assessment) taxes assessed against said property for the year 2008;

That said property was taxed or specially assessed in the name(s) of Frank Nisley Jr and Nyla J Kladder for said year 2008;  
That said La Donna McLain on the 9th day of August 2017, the present holder of said certificate (who) has made request upon the Treasurer of said County for a deed to said property;  
That a Treasurer's Deed will be issued for said property to La Donna McLain at 4:00 o'clock p.m., on the 26th day of March 2018 unless the same has been redeemed;  
Said property may be redeemed from said sale at any time prior to the actual execution of said Treasurer's Deed.  
This Notice of Purchase will be published in Crested Butte News on December 1, 2017, December 8, 2017 and December 15, 2017.  
Witness my hand this 1st day of December 2017  
Debbie Dunbar  
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of December 1, 8 and 15, 2017. #120101

**—TAX LIEN SALE NUMBER 20140187—  
NOTICE OF PURCHASE OF PROPERTY AT TAX LIEN SALE  
AND OF APPLICATION FOR ISSUANCE OF TREASURER'S DEED**

To Every Person in Actual Possession or Occupancy of the hereinafter Described Land, Lot or Premises, and to the Person in Whose Name the same was Taxed or Specially Assessed, and to all Persons having Interest of Title of Record in or to the said Premises and To Whom It May Concern, and more especially to: **Clifton M Jones and Las Cumbres Financial Group Inc and High Country Bank**  
You and each of you are hereby notified that on the 30th day of October 2014, the then County Treasurer of Gunnison County, in the State of Colorado, sold at public tax lien sale to Las Cumbres Financial Group Inc the following described property situate in the County of Gunnison, State of Colorado, to-wit: **Schedule Number: 40510003026**  
**Legal Description: S2S2NW4. SEC 25 47N3W AKA GOOSE CREEK ESTATES B762 P661 B781 P653**  
and said County Treasurer issued a certificate of purchase therefore to Las Cumbres Financial Group Inc.  
That said tax lien sale was made to satisfy the delinquent property (and special assessment) taxes assessed against said property for the year

2013;  
That said property was taxed or specially assessed in the name(s) of Clifton M Jones for said year 2013;  
That said Las Cumbres Financial Group Inc on the 14th day of August 2017, the present holder of said certificate (who) has made request upon the Treasurer of said County for a deed to said property;  
That a Treasurer's Deed will be issued for said property to Las Cumbres Financial Group Inc at 4:00 o'clock p.m., on the 26th day of March 2018 unless the same has been redeemed;  
Said property may be redeemed from said sale at any time prior to the actual execution of said Treasurer's Deed.  
This Notice of Purchase will be published in Crested Butte News on December 1, 2017, December 8, 2017 and December 15, 2017.  
Witness my hand this 1st day of December 2017  
Debbie Dunbar  
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of December 1, 8 and 15, 2017. #120102

**—NOTICE OF FINAL PAYMENT—**

Notice is hereby given that **Pinnacle Construction LLC**, the Contractor for the construction of the **2017 Transportation Center**, has completed the work specified in the Contract dated May 16, 2017 and that the work has been accepted by the Town of Crested Butte. Notice is further given that final payment for the work will be made to the Contractor on or after **December 29, 2017**, being at least thirty (30) days

after the first publication of this notice. Any person having a claim for labor or materials furnished under this Contract shall present the same in writing to the Town of Crested Butte at the following address, prior to the date specified above:  
Town of Crested Butte  
Department of Public Works  
Attn: Rodney E. Due  
P.O. Box 39

Crested Butte, CO 81224  
TOWN OF CRESTED BUTTE  
Town Clerk  
/s/ Lynelle Stanford  
Lynelle Stanford  
First publication: April 28, 2017  
Second publication: May 5, 2017  
  
Published in the *Crested Butte News*. Issues of December 1 and 8, 2017. #120107

**—LEGAL—  
NOTICE OF FAIR CAMPAIGN PRACTICES ACT CONTRIBUTION AND SPENDING REPORTS  
FILED BY CANDIDATES FOR THE TOWN OF CRESTED BUTTE MAYOR RUN-OFF ELECTION  
FILING PERIOD NOVEMBER 8, 2017 THROUGH NOVEMBER 23, 2017**

Mayoral Candidates	Amount of Contributions and Contributions In Kind Accepted	Campaign Spending Amount
Jim "Deli" Schmidt	\$230.00	\$0.00
Chris Ladoulis	\$0.00	\$0.00

**Town of Crested Butte, Colorado**  
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of December 8, 2017. #120801

**—LEGAL—  
NOTICE OF LIQUOR AND BEER LICENSE RENEWALS**

PLEASE BE ADVISED that the following liquor and beer license renewals are pending. Complaints concerning the conduct of said licensee or employees of the same should be directed, in writing, to Town Clerk Lynelle Stanford, by mailing to Box 39; Crested Butte, CO 81224, or by delivery to the same at Town Offices, 507 Maroon Ave, Crested Butte, Colorado. Complaints should be received on or before the date noted next to the establishment.  
Base Camp Entertainment LLC DBA Majestic Theatre located at 507 Red Lady Ave December 18, 2017  
Public House LLC DBA Public House located at 202 Elk Ave December 18, 2017

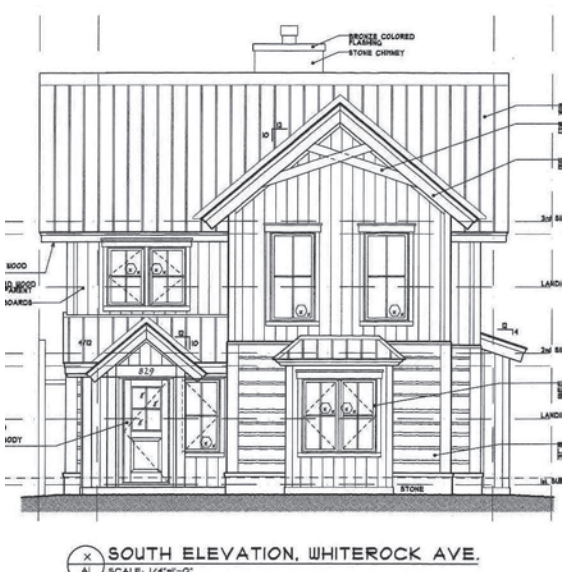
Published in the *Crested Butte News*. Issue of December 8, 2017. #120806

**—LEGAL—**

**PLEASE TAKE NOTICE** that a public hearing will be on the 18th day of December, 2017 at 7PM in the Town Hall Offices at 507 Maroon Ave, Crested Butte, Colorado on Ordinance No. 37, Series 2017:  
Ordinance No. 37, Series 2017 - An Ordinance of the Crested Butte Town Council Adopting Changes and Additions to the 2017 Budget and Appropriations Relative to the Sales Tax Fund and Affordable Housing Fund.  
**TOWN OF CRESTED BUTTE, COLORADO**  
/s/ Lynelle Stanford, Town Clerk  
  
Published in the *Crested Butte News*. Issue of December 8, 2017. #120809

**NOTICE OF PUBLIC HEARING  
CRESTED BUTTE BOARD OF ZONING  
AND ARCHITECTURAL REVIEW  
TOWN OF CRESTED BUTTE, COLORADO  
829 WHITEROCK AVENUE**

PLEASE TAKE NOTICE THAT a public hearing, which may result in the granting of a vested property right, will be held on December 19, 2017 beginning at 6:00 p.m. in the Crested Butte Town Hall located at 507 Maroon Ave. in Crested Butte, Colorado for the purpose of considering the following:  
The consideration of the application of **Scott Allan Houdek** to construct a single family residence and accessory building to be located at 829 Whiterock Avenue, Block 67, Tract 12 in the R1E zone.  
Additional requirements:  
- Architectural approval is required.  
- A conditional use permit for an accessory building in the R1E zone is required.  
(See Attached Drawing)  
**TOWN OF CRESTED BUTTE**  
By Jessie Earley, Building Department Assistant



Published in the *Crested Butte News*. Issues of December 8 and 15, 2017. #120811

**—LEGAL—**

**PLEASE TAKE NOTICE**, that Ordinance No. 35, Series 2017, was passed on second reading and public hearing at a regular meeting of the Town Council of the Town of Crested Butte, Colorado, on Monday, the 4th day of December, 2017 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado:  
Ordinance No. 35, Series 2017 - An Ordinance of the Crested Butte Town Council Amending Chapter 4 of the Crested Butte Municipal Code to Include New Provisions Establishing the Affordable Housing Fund and a Tax on Vacation Rentals and Making  
Such Other Related Changes to the Code in Connection Therewith. The full text of Ordinance No. 35, Series 2017 is on file at the Town Offices at 507 Maroon Avenue and will be available on the Town website at townofcrestedbutte.com for public reading. This ordinance shall become effective five days after the date of publication.  
**TOWN OF CRESTED BUTTE, COLORADO**  
/s/ Lynelle Stanford, Town Clerk  
  
Published in the *Crested Butte News*. Issue of December 8, 2017. #120807

**—LEGAL—**

**PLEASE TAKE NOTICE**, that Ordinance No. 36, Series 2017, was passed on second reading and public hearing at a regular meeting of the Town Council of the Town of Crested Butte, Colorado, on Monday, the 4th day of December, 2017 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado:  
Ordinance No. 36, Series 2017 - An Ordinance of the Crested Butte Town Council Authorizing the Release of 1991 Restrictive Covenant for Parking.  
The full text of Ordinance No. 36, Series 2017 is on file at the Town Offices at 507 Maroon Avenue and will be available on the Town website at townofcrestedbutte.com for public reading. This ordinance shall become effective five days after the date of publication.  
**TOWN OF CRESTED BUTTE, COLORADO**  
/s/ Lynelle Stanford, Town Clerk  
  
Published in the *Crested Butte News*. Issue of December 8, 2017. #120808

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

<p>Please take notice that the Mt. Crested Butte Town Council will hold a public hearing on Tuesday, December 19, 2017 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 a PUD Preliminary</p>	<p>Plan application to rezone 0.22 acres located at 19 Emmons Road (Lot 9, Lodge Sites) from Business District (BD) lot to a Planned Unit Development (PUD) submitted by the Adaptive Sports Center. The application submitted by the Adaptive Sports Center is available</p>	<p>for public viewing at the Mt. Crested Butte Town Hall, 911 Gothic Road, Mt. Crested Butte, CO during regular business hours. All interested parties are urged to attend. Written comments are welcome and should be received at the Town Offices, P. O. Box 5800, Mt. Crested</p>	<p>Butte, CO 81225-5800, or by fax to (970) 349-6326, by Thursday, December 14, 2017. Dated this 28th day of November, 2017. /s/ <u>Jill Lindros</u> Town Clerk If you require any special accom-</p>	<p>modations 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 <i>Crested Butte News</i>. Issues of December 1 and 8, 2017. #120105</p>
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# 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 November 2017.

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.

#### AMENDED/CORRECTED:

**CASE NO. 2017CW20.** Applicant: High Cimarron, LLC., 4730 South Downing St., Englewood, CO 80113. Application for Change in Place of Use of Conditional Water Rights: Decreed locations: Couloir Spring – NE1/4NW1/4NE1/4 of Section 34, T47N, R7W, N.M.P.M. 2,236 feet from the north line and 1,408 feet from the east section line. Christmas Spring – NE1/4NW1/4NE1/4 of Section 34, T47N, R7W, N.M.P.M. 2,407 feet from the north line and

1,541 feet from the east section line. Castle Spring – SE1/4SE1/4NW1/4 of Section 27, T47N, R7W, N.M.P.M. 2, 324 feet from the north line and 2,377 feet from the west section line. Decreed Source: Coal Creek, Cimarron River and the Gunnison River for all three springs. Decreed Appropriation date: 10/01/2013 for all three springs. Decreed Amount: .033 c.f.s. conditional for each spring for domestic use in 14 single-family dwellings. Applicant desires to claim new junior contingent water rights from Couloir, Christmas and Castle Springs (for the uses described in the original application in this case) to meet the additional demands and depletions associated with its development above the draft contemplated in Case No. 14CW53. As Summarized in report, the Engineering Report has determined that an additional 5.049 acre-feet will be required to meet projected annual diversions and an additional 0.966 acre-feet will be required to meet projected annual depletions. Applicant desires to claim new junior enlargements to Castle Spring, and Couloir Spring in the amounts of 0.063 c.f.s. and 0.018 c.f.s., respectively. Applicant will divert supply available at Castle Spring and Couloir Spring up to the measured flow

amounts of 0.096 c.f.s. and 0.051 c.f.s. respectively to meet the additional demands and depletions with respect to its development above the draft contemplated in Case No. 14CW53. The augmentation plan approved in 14CW53 contemplates two sources of augmentation water. The primary source is water released from Blue Mesa Reservoir pursuant to a long-term water service contract between applicant and UGRWCD. The secondary source (to be used in the event that the primary source cannot physically meet a call) is water released from High Park Lake Reservoir Augmentation and Domestic Pool, as adjudicated in 14CW53. Applicant desires to retain the augmentation plan approved in 14CW53, but increase the total amount of augmentation supplies from both the primary and secondary sources by up to 0.966 acre-feet/year (for a total of 12.483 acre-feet/year) to meet the annual depletions associated with the springs, pipelines and storage facilities used for domestic, stock, storage, recreation, piscatorial, fire, wildlife and augmentation purposes in connection with Cimarron Mountain Club Development regardless if the eventual number of dwellings, associated buildings, amenities and ponds in the Development.

Except as amended herein, all other terms of the application in case 17CW20 are incorporated by reference, and all other terms of the decree in Case No. 14CW53 are incorporated by reference and remain in full force and effect. **GUNNISON AND MONTROSE COUNTIES.**

**YOU ARE FURTHER NOTIFIED THAT** you have until the last day of January, 2018 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://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 December 8, 2017. #120803

## —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 2017.

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. 2017CW3063.** Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, CO 80203. Please direct all future communications and pleadings regarding this case to Michael Toll, Assistant Attorney General, Natural Resources and Environment Section, Colorado Department of Law, 1300 Broadway, Denver, CO, 80203. Telephone: 720-508-6304. Email: [michael.toll@coag.gov](mailto:michael.toll@coag.gov) APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE IN **GUNNISON COUNTY, COLORADO.** **2. Name of water right:** Brush Creek Instream Flow Water Right. **3. Legal Description:** The Brush Creek Instream Flow Water Right is located in the natural stream channel of Brush Creek from the confluence of Middle and East Brush Creeks to the confluence with West Brush Creek a distance of approximately 2.32 miles. A map depicting the approximate location of the Brush Creek Instream Flow Water Right reach is attached as **Exhibit 1. A. Upstream Terminus:** Confluence of Middle and East Brush Creeks: 1. UTM: Northing: 4308647.90; Easting: 339317.46 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 54' 43.00"N and longitude 106° 51' 12.00"W B. **Downstream Terminus:** Confluence with West Brush Creek: 1. UTM: Northing: 4307385.91 Easting: 336872.42 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 54' 1.00"N

and longitude 106° 52' 52.00"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:** Brush Creek, tributary to East River, tributary to Gunnison River, tributary to Colorado River. **5. A. Date of initiation of appropriation:** January 24, 2017. **B. How appropriation was initiated:** Appropriation and beneficial use occurred on January 24, 2017, 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. (2017). **C. Date applied to beneficial use:** January 24, 2017. **6. Amount of water claimed:** Instream flow of 1.7 cfs (01/01 - 04/14), 1 cfs (04/15 - 04/30), 8 cfs (05/01 - 08/31), 5 cfs (09/01 - 09/30), 8 cfs (10/01 - 10/15), and 2.7 cfs (10/16 - 12/31), 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. (2017), 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. (2017). 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. (2017). 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 Brush Creek from the confluence of Middle and East Brush Creeks to the

confluence with West Brush Creek, in the amount of 5.0 cfs (10/1-4/30) and 8.0 cfs (5/1-9/30), decreed in Case No. 83CW0236 with an appropriation date of June 3, 1982. 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. (2017). The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 17, 2017, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S. (2017), that the natural environment of Brush 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. 2017CW3064.** Colorado Water Conservation Board ("CWCB"), 1313 Sherman Street, Suite 718, Denver, CO 80203. Please direct all future communications and pleadings regarding this case to Michael Toll, Assistant Attorney General, Natural Resources and Environment Section, Colorado Department of Law, 1300 Broadway, Denver, CO, 80203. Telephone: 720-508-6304. Email: [michael.toll@coag.gov](mailto:michael.toll@coag.gov) APPLICATION FOR WATER RIGHTS TO PRESERVE THE NATURAL ENVIRONMENT TO A REASONABLE DEGREE IN **GUNNISON COUNTY, COLORADO.** **2. Name of water right:** Coal Creek Instream Flow Water Right. **3. Legal Description:** The Coal Creek Instream Flow Water Right is located in the natural stream channel of Coal Creek from its headwaters to the Spann Nettick Ditch headgate, a distance of approximately 7.67 miles. A map depicting the approximate location of the Coal Creek Instream Flow Water Right reach is attached as **Exhibit 1. A. Upstream Terminus:** Coal Creek Headwaters in the Vicinity of: 1. UTM: Northing:

4304958.01; Easting: 317839.25 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 52' 29.00"N and longitude 107° 5' 60.00"W B. **Downstream Terminus:** Spann Nettick Ditch Headgate: 1. UTM: Northing: 4304124.83 Easting: 326937.36 (NAD 1983 Zone 13 North) 2. Lat/Long: latitude 38° 52' 8.00"N and longitude 106° 59' 41.00"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:** Coal Creek, tributary to Slate River, tributary to East River, tributary to Gunnison River, tributary to Colorado River. **5. A. Date of initiation of appropriation:** January 24, 2017. **B. How appropriation was initiated:** Appropriation and beneficial use occurred on January 24, 2017, 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. (2017). **C. Date applied to beneficial use:** January 24, 2017. **6. Amount of water claimed:** Instream flow of 1.3 cfs (01/01 - 03/31), 5.9 cfs (04/01 - 08/15), 3.7 cfs (08/16 - 11/30), and 2 cfs (12/01 - 12/31), 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. (2017), 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. (2017). 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. (2017). 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 Coal Creek from its headwaters to the confluence with the Slate River, in the amount of 2.0 cfs (1/1 - 12/31), decreed in Case No. 80CW0102 with an appropriation date of March 17, 1980. 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. (2017). The purpose of the CWCB's appropriation is to preserve the natural environment to a reasonable degree. At its regular meeting on May 17, 2017, the CWCB determined, pursuant to section 37-92-102(3)(c), C.R.S. (2017), that the natural environment of Coal 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.** **YOU ARE FURTHER NOTIFIED THAT** you have until the last day of January, 2018 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://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 December 8, 2017. #120804

## —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 2017.

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. 2017CW3066. DELTA and GUNNISON COUNTIES, Gunnison River,** Bowie Resources, LLC, William Bear, Manager of Sales and Transportation, PO Box 1488, Paonia, CO 81428, 970-929-5257, [BBear@BowieResources.com](mailto:BBear@BowieResources.com) c/o Kirsten M. Kurath, Williams, Turner & Holmes, PC, 744 Horizon Ct., Ste. 115, Grand Junction, CO 81506, 970-242-6262, **Application for Finding of Reasonable Diligence. Structures:** Bowie-Blue Mesa Exchange and Bowie-East Beckwith Exchange; **Original Decree:** July 15, 2005, Case No. 02CW77, Water Court, Water Div. 4; **Subsequent Decrees:** November 4,

2011, Case No. 11CW85, Water Court, Water Div. 4; **Legal Descriptions:** The downstream terminus of the Bowie-Blue Mesa Exchange is the confluence of the North Fork of the Gunnison River with the Gunnison River. The upstream terminus of the Bowie-Blue Mesa Exchange is the headgate of the Deer Trail Ditch located at a point on the west bank of Hubbard Creek, a tributary of the North Fork of the Gunnison River, whence the SE corner of Section 11, Township 13 South, Range 91 West, 6th P.M. bears south 20°49'East 2191.1 feet. See Exhibit A, attached to the Application. The downstream terminus of the Bowie-East Beckwith Exchange is the confluence of Hubbard Creek with the North Fork of the Gunnison River. The upstream terminus of the Bowie-East Beckwith Exchange is the headgate of the Deer Trail Ditch located at a point on the west bank of Hubbard Creek, a tributary of the North Fork of the Gunnison River, whence the SE corner of Section 11, Township 13 South, Range 91 West, 6th P.M. bears south 20°49'East 2191.1 feet. See Exhibit A; **Source:** The water for the Bowie-Blue Mesa Exchange is Applicant's Blue Mesa Reservoir (Wayne N. Aspinall Unit of the Colorado River Storage Project) contract water, tributary to the Gunnison River. The water for the Bowie-East Beckwith Exchange is Applicant's

East Beckwith Reservoir No. 1 stored water, tributary to Anthracite Creek, tributary to the North Fork of the Gunnison River, tributary to the Gunnison River; **App. Date:** December 31, 2004 for the Bowie-Blue Mesa Exchange and May 31, 2002 for the Bowie-East Beckwith Exchange; **Amounts:** 0.52 c.f.s. for the Bowie-Blue Mesa Exchange and 0.50 c.f.s. for the Bowie-East Beckwith Exchange; **Uses:** Operation of the augmentation plan for the Bowie Mine No. 1 and Bowie Mine No. 2 decreed in Case No. 02CW77. **Finding of Reasonable Diligence:** The Application contains a detailed outline of what has been done toward completion of the appropriation of the Bowie-Blue Mesa Exchange and the Bowie-East Beckwith Exchange conditional water rights during this diligence period. **Name and Address of Landowners:** The headgate for the Deer Trail Ditch is located on land owned by the United States Bureau of Land Management, Montrose District Office, 2505 S. Townsend Ave., Montrose, CO 81401; East Beckwith Reservoir No. 1 is located on land owned by the United States Forest Service, Paonia Ranger District, P.O. Box 1030, Paonia, CO81428; and Blue Mesa Reservoir is located on land owned by the United States of America, Regional Director, Upper Colorado Region, Bureau of Reclamation, 125 South

State Street, Room 6107, Salt Lake City, UT 84138-1102. Applicant requests that the Court enter an order finding that the Applicant has been reasonably diligent in the development of the Bowie-Blue Mesa Exchange and the Bowie-East Beckwith Exchange conditional water rights and continuing the water rights in full force and effect. (8 pages). **DELTA AND GUNNISON COUNTIES.**

**YOU ARE FURTHER NOTIFIED THAT** you have until the last day of January, 2018 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: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at [www.courts.state.co.us](http://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 December 8, 2017. #120805



# Legals

**NOTICE OF PUBLIC HEARING  
CRESTED BUTTE BOARD OF ZONING AND ARCHITECTURAL REVIEW  
TOWN OF CRESTED BUTTE, COLORADO  
129 ELK AVENUE**

PLEASE TAKE NOTICE THAT a public hearing, which may result in the granting of a vested property right, will be held on December 19, 2017 beginning at 6:00 p.m. in the Crested Butte Town Hall located at 507 Maroon Ave. in Crested Butte, Colorado for the purpose of considering the following:

The consideration of the application of **Douglas Dodd in conjunction with SC Corp** to temporarily site and use a mobile kitchen unit to be located at 129 Elk Avenue, Block 20, Lots 31-32, Tract A Forest Queen Townhomes in the B1 zone. Additional requirements:  
- A temporary expansion of a condi-

tional use permit for a bar/restaurant use in the B1 zone is required.  
TOWN OF CRESTED BUTTE  
By Jessie Earley, Building Department Assistant

Published in the *Crested Butte News*. Issues of December 8 and 15, 2017. #120812

—LEGAL—

December 19, 2017 at Mt. Crested Butte Town Council Chambers - 6:00 PM  
–Public Hearing –Discussion and Possible Consideration of a Special Event Liquor License Submitted By Crested Butte/ Mt Crested Butte Chamber of Commerce For An Event To Be Held On January 25, 2018 from 11am to 6pm at the Gothic Road – North Village Tract 14 in an enclosed area no greater than 75' x 150' and January 26, 2018 from 10a to 6pm at the same site.  
Jill Lindros, Town Clerk

Published in the *Crested Butte News*. Issue of December 8, 2017. #120813

—GUNNISON WATERSHED SCHOOL DISTRICT—  
DECEMBER 11, 2017 ~ 5:30 P.M.  
LAKE SCHOOL

- 5:30 I. Call to Order
  - II. Roll Call
  - III. Pledge of Allegiance
  - IV. Modifications/Approval of Agenda — **ACTION ITEM**
  - V. Commendations
  - VI. Recognition of visitors and comments from the public  
*\*Visitors who wish to address the Board regarding school operations or programs, please fill out a slip of paper*
  - 5:45 VII. Administrative Action Summaries
    - A. 2016-17 Draft Audited Financial Statements-Stephanie Juneau/McMahan and Assoc. LLC
    - B. September Quarterly Financials-Stephanie Juneau
    - C. Investment Report- Stephanie Juneau
    - D. Management Representation letter-Stephanie Juneau
    - E. Attachment A-Stephanie Juneau
    - F. Superintendent Update- Doug Tredway
  - 6:30 VIII. **Action Items**
    - A. Consent Grouping  
*Note: items under the consent grouping are considered routine and will be enacted under one motion. There will not be separate discussion of these items prior to the time the Board votes unless a Board Member requests an item be clarified or even removed from the grouping for separate consideration.*
- The Superintendent recommends approval of the following:
1. Board of Education Minutes\*

- a. November 13, 2017—Regular Session
- 2. Finance\*  
Approve for payment, as presented by the Business Manager, warrants as indicated
  - a. General Account #34550 -34685
  - b. Payroll Direct Deposit # 32801-33164
- 3. Personnel\*
  - a. Vince Rogers-Math teacher-CBHS
  - b. Larry Dunbar-Bus Driver
  - c. Peggy High-SPED Educational Assistant-GCS
  - d. Paul Vickers-Head Girls' Golf Coach-GHS
  - e. Scott Murtaugh-Head 8<sup>th</sup> grade Girls' Basketball Coach-GMS
  - f. Taylor Gibson-Asst. 7<sup>th</sup> grade Girls' Basketball Coach-GMS
  - g. Resignation of Lucia Moss-Math teacher-CBHS
- 4. Correspondence
- B. New Business — **ACTION ITEM**
  - a. Mill Levy Certification-Stephanie Juneau
  - b. Approval of 2016-17 Audit
  - c. Approval of Assurance of Financial Accreditation
- 7:30 C. Old Business—**ACTION ITEM**
  - 1. Second Reading:
    - a. JICDD-Violent Aggressive Behavior
    - b. JICF-Secret Societies/Gang Activity

- c. JICH-Drug and Alcohol Involvement by Students
- JICH-R-Regulation
- d. JK-Student Discipline
- JK-Regulation
- e. JKA-Use of Physical Intervention and Restraint
- JKA-R-Regulation
- f. JKD/JKE-R-Suspension/Expulsion of Students (Hearing Procedures)
- g. JQ-Student Fees, Fines and Charges
- 7:45 IX. Comments from the Public
- X. Items introduced by Board Members
- XI. Board Committee Update
- XII. Forthcoming Agendas/Meeting Dates and Times
  - A. Monday, January 8, 2018—Regular Session@5:30 Gunnison
  - B. Monday, January 22, 2018—Special Session@5:30 Gunnison
  - C. Monday, February 12, 2018—Regular Session@5:30 Gunnison
  - D. Monday, February 26, 2018—Work Session@5:30 Crested Butte
- XIII. Adjourn

Published in the *Crested Butte News*. Issue of December 8, 2017. #120810

—CB SOUTH P.O.A. BOARD MEETING NOTICE & AGENDA—  
WEDNESDAY DECEMBER 13, 2017 ~ 6:00 P.M.  
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 on-line at www.cbsouth.net**  
6:00 PM **Call to Order**  
6:05 PM Approval of Minutes from November 2017 P.O.A. Board Meeting  
6:10 PM Monthly Financial Report for November 2017  
**Continued Business:**

- 6:20 PM Commercial Area Master Plan (CAMP) Committee Update and First Draft Review
- 6:40 PM Trails, Amenities and Parks (TAP) Committee Update
- 7:00 PM Approve 2018 Budget and Fee/Performance Deposit Schedule
- New Business:**
- 7:20 PM Approve Reserve Contribution for 2017

- 7:30 PM **Manager's Report**  
Manager's General Report  
Rules and Regulations Report  
Identify January Board Meeting Agenda Items  
Set January Board Meeting Date
- 7:50 PM **Unscheduled Property Owner Comment Opportunity Time**
- 8:00 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.

**Agenda Items:** All times are estimates. Please allow for earlier discussion. Please show up at least 20 minutes prior to the listed times.  
Published in the *Crested Butte News*. Issue of December 8, 2017. #120814

# Classifieds

classifieds@crestedbuttenews.com • phone: (970)349.0500 • fax: (970)349.9876 • www.crestedbuttenews.com

## FOR RENT

**1140 W. NEW YORK:** 3 BD, 2.5 bath townhome Unit A. Approximately 1650 sq.ft. One car garage plus 2 off street parking. Built in 2007.\$1,545 monthly. Call owner at 361-550-0919 or Nesbitt and Company 970-641-2235. (12/8/36).

## FOR RENT

**QUIET, RESPONSIBLE PERSON** looking to rent a nice, furnished & preferably unique loft up to a 3BD in CB. NS/NP. Excellent references. Ideal is Jan.-April. THOlson@PurposefulEvolution.com. 602-332-0178. (12/8/28).

## FOR RENT

**WINTER RENTAL:** 3BD/2BA, garage, downtown CB, partially furnished. Want clean, tidy, no smoke, mature caretakers. Flexible with realtor showings. \$2000 + utilities + deposit. Serious inquiries: 303-717-9426. (12/8/26).

## FOR RENT

**LET CB LODGING HELP YOU** take care of your property. Whether it's a short-term or long-term rental property, or if you'd just like help with maintenance or housekeeping. Call us! Paula 970-349-7687. (12/8/32).

## FOR RENT

**MT. CB CONDO:** Brand new construction. 2BD/2BA with incredible views, private deck, stainless appliances, dog friendly & on the bus loop. 1330 sq.ft. \$2000/mo. Call 970-596-3219. (12/8/27).

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mtcbill@yahoo.com

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**EXT. 108**