

20 YEARS AGO today

BY BONNIE CHLIPALA

The following stories appeared in this publication 20 years ago this week.

Supreme Court slams Union Park curve ball

by Will Sands

An unusual turn in the effort to divert local water to feed the Front Range was shut down recently. The Union Park Water Authority had filed a motion to block a local agreement that has been more than 40 years in the making. However, the Colorado Supreme Court made "quick work" of the motion, denying it earlier this month.

Since 1982, there has been a push to pipe 60,000 acre-feet (nearly 2 billion gallons) of local water over the Continental Divide and into Front Range

suburbs. However, the Union Park project, which would tap into numerous local creeks and rivers, has been deadlocked in court virtually since its inception. Water Court judge Robert Brown has twice ruled that there is not sufficient water locally to serve the Front Range's needs. Courtesy of an Arapahoe County appeal, Union Park should be before the Colorado Supreme Court after February 28 (2000).

A separate effort has been in the works for more than 40 years and is also currently awaiting its conclusion. When the Aspinall Unit (Blue Mesa, Crystal and Morrow Point reservoirs) was created in 1957, the Bureau of Reclamation made a big promise to Gunnison County residents. In



The Golden Marmots packed in the crowds at the Mountain Theater Cabaret last Friday night.

PHOTO BY TIFFANY WARDMAN



Snowboarder Todd Jones trains on the Saloon stairs in preparation for the opening of the half pipe. PHOTO BY TIFFANY WARDMAN

exchange for creating three reservoirs and covering the Gunnison River, the bureau agreed to give up 60,000 acre-feet of water a year. The water would be available for future Gunnison County use under a subordination agreement. To date, subordination has existed, but a document outlining the 1957 agreement has not been put on the books. There is hope that such a document will be created in the near future.

In late December these issues collided when the Union Park Water Authority filed a motion asking the Colorado Supreme Court to prevent the subordination agreement from being executed.

John Henderson, Arapahoe County attorney, explained the rationale behind the motion, saying, "The [subordination] agreement's environmental analysis is accompanied by the findings that the court made on Union Park." As a result, the Union Park Water Authority wanted to see these findings formalized by the appeal before the agreement was signed.

In addition, the authority recently sent a lengthy letter to the Bureau of Reclamation in an effort to derail the subordination agreement. Upper Gunnison board member Steve

Glazer read the letter and said, "It's as if they're trying to retry the Union Park case all over again before the Bureau of Reclamation. I got the impression that they're being very aggressive with those comments."

However, the authority's efforts before the Colorado Supreme Court apparently were not aggressive enough. The court quickly denied the motion on January 4, and on January 19, the court also denied a Union Park effort to reply.

"The Supreme Court ruled very quickly that it was denied. They turned it down basically out of hand," noted Dick Bratton, attorney to the Upper Gunnison River Water Conservancy District, an active Union Park opposer.

Henderson said, "I wish the Supreme Court had offered us more illumination, but they denied it without comment. When they make no comment, there's really no analysis you can offer."

Bratton said the Union Park motion was irregular, but amounted to no more than an annoyance for the opposition. "It didn't have any impact on the outcome of the main case [the Union Park appeal]," he noted.

Efforts to defeat the main Union Park case again are

going full-bore. Last Monday, the Upper Gunnison board signed off on contributing up to \$4,000 to a review of the opposition's briefs and motions. Gunnison County and the Colorado Water Conservation Board ponied up similar sums, and the city of Gunnison has been approached for a \$3,000 contribution. Two former Supreme Court justices have been retained, and as Bratton noted, "The idea is to get some insight on the Supreme Court review."

The Union Park Water Authority is taking a much more relaxed approach to the upcoming trial. Saying that the Colorado Supreme Court typically gives parties six weeks notice for the trial's opening. Henderson said, "When we receive notice, we'll begin to gear up for oral argument. Heaven knows, we've been at this for ten years now, and there's more than enough paperwork lying around."

Bratton said he is expecting a day in court on February 28, but "It's possible it will be a little later."

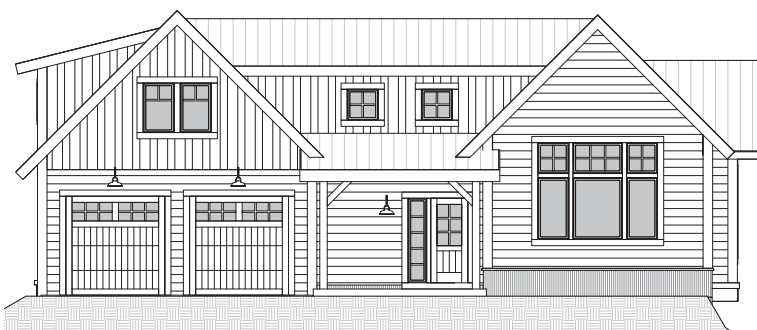
Nel Burkett is the curator at the Crested Butte Mountain Heritage Museum and enjoys putting the present in the context of history.

Legals

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

—NOTICE OF HEARING— CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION, INC. SPECIAL AREA ARCHITECTURAL REVIEW

PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday, February 13th, 2020 for the purpose of considering the following:
A Certificate of Appropriateness for the application for a **Single-Family Residence**, Lot 38, Block 23, Filing #3, a.k.a. 2689 Bryant Ave. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road.



CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION DESIGN REVIEW COMMITTEE. Submitted by Dom Eymere, CB South Property Owners Association Manager

Published in the Crested Butte News. Issue of February 7, 2020. #020712

—DESIGN REVIEW COMMITTEE (DRC)— CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION AGENDA THURSDAY FEBRUARY 13, 2020 ~ 6:00 P.M. 61 TEOCALLI ROAD (P.O.A. OFFICE, UPSTAIRS)

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

- 6:00 PM Call to Order
- 6:05 PM Approve Minutes for the January DRC meeting
- New Business:
- 6:10 PM DEK LLC, Single Family Residence, Lot 27, Block 24, Filing #3, 708 Zeligman Street
- 6:50 PM Cullen, Single Family Residence, Lot 38, Block 23, Filing #3, 2689 Bryant Avenue
- 7:30 PM Unscheduled DRC Business
- 7:40 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 February 7, 2020. #020713

Legals

—A CALL FOR NOMINATIONS—

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the Crested Butte Fire Protection District of Gunnison County, Colorado. **NOTICE IS HEREBY GIVEN** that an election will be held on May 5, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, 3 directors will be elected to serve 3-year terms. Eligible electors of the Crested Butte Fire Protection District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO): Sean Caffrey 308 Third Street- 1st Floor Crested Butte, CO 81224 970.349.5333 x1scaffrey@cbfpd.org The Office of the DEO is open on the following days: Monday – Friday from 8:30 a.m. to 5:00 p.m. If the DEO determines that a Self-Nomination and Acceptance form is not sufficient, the eligible elector

who submitted the form may amend the form once, at any time, prior to 3:00 p.m. on **Friday, February 28, 2020**, the deadline for submission of a signed and witnessed Self-Nomination and Acceptance form. Affidavit of Intent To Be A Write-In-Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 2, 2020** (the sixty-fourth day before the election). **NOTICE IS FURTHER GIVEN**, an application for absentee ballot shall be filed with the designated election official no later than the close of business on **Tuesday** immediately preceding the election, **April 28, 2020**. **CRESTED BUTTE FIRE PROTECTION DISTRICT**
Sean Caffrey

Published in the *Crested Butte News*. Issues of January 31 and February 7, 2020. #013104

—A CALL FOR NOMINATIONS FOR—
GUNNISON COUNTY METROPOLITAN RECREATION DISTRICT
§1-13.5-501, 1-13.5-1102(3), 32-1-905(2), C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the Gunnison County Metropolitan Recreation District of Gunnison and Saguache Counties, Colorado. **NOTICE IS HEREBY GIVEN** that an election will be held on the 5th day of May, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, three directors will be elected to serve 3-year terms and two directors will be elected to serve 2-year terms. Eligible electors of the Gunnison County Metropolitan Recreation District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO): Sue Wallace 710 S. 9th Street Gunnison, CO 81230 (970) 901-6851 DEO@gcmetrec.com

The Office of the DEO is open on the following days: Monday through Friday from 9:00 a.m. to 5:00 p.m. The deadline to submit a Self-Nomination and Acceptance is close of business on **Friday, February 28, 2020**. Affidavit of Intent To Be A Write-In Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 2, 2020**. **NOTICE IS FURTHER GIVEN**, an application for an absentee ballot shall be filed with the designated election official no later than the close of business on **Tuesday** preceding the election, **April 28, 2020**.
/s/ Sue Wallace
Designated Election Official Signature

Published in the *Crested Butte News*. Issues of January 31 and February 7, 2020. #013109

—TOWN OF CRESTED BUTTE—
REQUEST FOR PROPOSALS FOR SOLAR PHOTOVOLTAIC CONTRACTING SERVICES

The Town of Crested Butte (Town) is issuing a Request for Proposals for Solar Photovoltaic Installation Contracting Services. This project is being managed by Johnson Controls, Inc. as part of energy performance contracting services being conducted for the Town. The Town is seeking installation bids for roof top solar installation on 9 Town-owned facilities including the Fire Station, Marshals' Office, Center for the Arts, Wastewater Treatment Plant Buildings, Public Works Vehicle Storage Building, and Mountain Express Building. The full Request for Proposals can be viewed on the Town website www.townof-crestedbutte.com under Bids/Proposals. Mandatory site walk scheduled for **February 11, 2020 1:00 pm**, weather dependent. Contractors meet at Crested Butte Town Hall 507 Maroon Ave, Crested Butte, CO 81224 RFP Due Date: **February 25, 2020 4:00 pm** Mountain Time Contact Information: Johnson Controls, Inc Carey Leonard Carey.G.Leonard@jci.com 316-212-1249

Published in the *Crested Butte News*. Issues of January 31 and February 7, 2020. #013107

—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 January 2020.

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. 20CW2. Applicant: Stewart Storms, 708 Agape Cir., Rockwall, TX 75087. Application for Surface Water Right: Storms Pump – Easting 346460, Northing 4290042, Zone 13. Source: Spring Creek, Taylor River, Gunnison River. Appropriation Date: 12/01/1953. Amount Claimed: .25 c.f.s. absolute for domestic use, irrigation of 1.63 acres and fire protection. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of March, 2020 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at 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 February 7, 2020. #020702

—A CALL FOR NOMINATIONS—
MT. CRESTED BUTTE WATER & SANITATION DISTRICT
(NOTICE BY PUBLICATION OF)
§1-13.5-501, 1-13.5-1102(3), 32-1-905(2), C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the MT CRESTED BUTTE WATER & SANITATION DISTRICT of Gunnison County, Colorado. **NOTICE IS HEREBY GIVEN** that an election will be held on the 5th day of May, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, three (3) directors will be elected to serve 3-year terms and one (1) director will be elected for a 2-year term. Eligible electors of the Mt. Crested Butte Water & Sanitation District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO): Perry W. Solheim Mt. Crested Butte Water & Sanitation District PO Box 5740, 100 Gothic Road Mt. Crested Butte, CO 81225-5740 970-349-7575 psolheim@mcbwsd.com The Office of the DEO is open on the following days: Monday - Friday from 8:00 a.m. to 5:00 p.m.

The deadline to submit a Self-Nomination and Acceptance is close of business on **Friday, February 28, 2020**. If the DEO determines a Self-Nomination and Acceptance Form is not sufficient, the form may be amended once prior to 5:00 p.m. on February 28, 2020. Earlier submittal is encouraged as the deadline will not permit curing of an insufficient form after this date. Affidavit of Intent To Be A Write-In-Candidate forms must be submitted to the office of the designated election official by the close of business on **Monday, March 2, 2020**. **NOTICE IS FURTHER GIVEN**, an application for an absentee ballot shall be filed with the designated election official no later than the close of business on **Tuesday** preceding the election, **April 28, 2020**.
By /s/ Perry W Solheim
Designated Election Official

Published in the *Crested Butte News*. Issues of January 31, February 7, 14, 21 and 28, 2020. #013101

—COMBINED NOTICE - PUBLICATION—
CRS §38-38-103 FORECLOSURE SALE NO. 2019-008

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust: On November 18, 2019, the undersigned Public Trustee caused the Notice of Election and Demand relating to the Deed of Trust described below to be recorded in the County of Gunnison records. Original Grantor(s) ERIC S HALL AND ANDREW D HALL Original Beneficiary(ies) MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR BAY EQUITY LLC, ITS SUCCESSORS AND ASSIGNS Current Holder of Evidence of Debt COLORADO HOUSING AND FINANCE AUTHORITY Date of Deed of Trust February 28, 2019 County of Recording Gunnison Recording Date of Deed of Trust March 01, 2019 Recording Information (Reception No. and/or Book/Page No.) 658903 Original Principal Amount \$276,892.00 Outstanding Principal Balance \$276,060.91 Pursuant to CRS §38-38-101(4)(i), you are hereby notified that the covenants of the deed of trust have been violated as follows: failure to pay principal and interest when due together with all other payments provided for in the evidence of debt secured by the deed of trust and other violations thereof. **THE LIEN FORECLOSED MAY NOT**

BE A FIRST LIEN. 1997, CHAMPION, SERIAL #05975392053A/B AND HUD LABEL #NEB-88253 & NEB-088252 "WHICH IS AFFIXED AND ATTACHED TO THE LAND AND IS PART OF THE REAL PROPERTY" LOT 44, SUNSPOT SUBDIVISION, ACCORDING TO THE PLAT RECORDED JULY 10, 1996 AS RECEPTION NO. 468973, CITY OF GUNNISON COUNTY OF GUNNISON, STATE OF COLORADO. Also known by street and number as: 407 N 7th St, Gunnison, CO 81230. THE PROPERTY DESCRIBED HEREIN IS ALL OF THE PROPERTY CURRENTLY ENCUMBERED BY THE LIEN OF THE DEED OF TRUST. NOTICE OF SALE The current holder of the Evidence of Debt secured by the Deed of Trust, described herein, has filed Notice of Election and Demand for sale as provided by law and in said Deed of Trust. THEREFORE, Notice Is Hereby Given that I will at public auction, at 10:00 A.M. on Wednesday, 03/18/2020, at Treasurer's Office, 221 N. Wisconsin, Suite T, Gunnison, CO 81230, sell to the highest and best bidder for cash, the said real property and all interest of the said Grantor(s), Grantor(s)' heirs and assigns therein, for the purpose of paying the indebtedness provided in said Evidence of Debt secured by the Deed of Trust, plus attorneys' fees, the expenses of sale and other items allowed by law, and will issue to the

purchaser a Certificate of Purchase, all as provided by law. First Publication 1/31/2020 Last Publication 2/28/2020 Name of Publication Crested Butte News **IF THE SALE DATE IS CONTINUED TO A LATER DATE, THE DEADLINE TO FILE A NOTICE OF INTENT TO CURE BY THOSE PARTIES ENTITLED TO CURE MAY ALSO BE EXTENDED;** DATE: 11/18/2019 Debbie Dunbar, Public Trustee in and for the County of Gunnison, State of Colorado */s/ Teresa Brown* By: Teresa Brown, Deputy Public Trustee The name, address, business telephone number and bar registration number of the attorney(s) representing the legal holder of the indebtedness is: Lynn M. Janeway #15592 Alison L. Berry #34531 David R. Doughty #40042 Nicholas H. Santarelli #46592 Elizabeth S. Marcus #16092 Janeway Law Firm, P.C. 9800 S. MERIDIAN, SUITE 400, ENGLEWOOD, CO 80112 (303) 706-9990 Attorney File # 19-023105 The Attorney above is acting as a debt collector and is attempting to collect a debt. Any information provided may be used for that purpose. Published in the *Crested Butte News*. Issues of January 31, February 7, 14, 21 and 28, 2020. #013103



—LEGAL—
NOTICE OF RETAIL MARIJUANA LICENSE RENEWAL

PLEASE BE ADVISED that the following retail marijuana license renewal is 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. Durango Organics LLP DBA DO Crested Butte located at 310 Bellevue Ave, Unit 2 February 18, 2020

Published in the *Crested Butte News*. Issue of February 7, 2020. #020701



—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 January 2020. 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. 2020CW5 (REF NO. 13CW55, 06CW146).** Applicant: Christopher Nash, 2921 Bruton Road, Plant City, FL 33565. Application To Make Absolute: Independent Spring – NE1/4SW1/4SE1/4 of Section 22, T50N, R4E, N.M.P.M. 787 feet north of the south line and 1,822 feet west of the east section line. Source: Hot Springs Creek, Tomichi Creek, Gunnison River. Appropriation Date: 07/31/2005. Amount Claimed: .033 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 March, 2020 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at 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 February 7, 2020. #020703

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 January 2020.

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. 20CW3003 (16CW3067, 10CW25, 09CW125, 03CW204, 19CW18). Gunnison County - Gunnison 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 RIGHTS ABSOLUTE AND FOR FINDING OF REASONABLE DILIGENCE; Name, mailing address, and telephone number of applicant: Mt. Crested Butte Water and Sanitation District; PO Box 5740; Mt. Crested Butte, CO 81225; (970) 349-7575; Background: The District owns water rights decreed

to the Meridian Lake Park Reservoir No. 1 ("Reservoir"), including two refill rights: a 100 a.f. refill right decreed in Case No. 1995CW218 and a 92.46 a.f. first enlargement refill right decreed in Case No. 2009CW175. In Case No. 2016CW3067, the District made 11.32 a.f. of the original 100 a.f. refill right absolute, leaving 88.68 a.f. conditional. By this application, Applicant requests to make absolute the remaining conditional amounts decreed to both refill rights. In the event that Applicant's request is not granted in its entirety, Applicant requests a finding of diligence with regard to any remaining conditional refill rights. Note: The decree in Case No. 2009CW175 included two conditional rights with a January 2020 diligence deadline. This application includes a claim make absolute the conditional refill right from that case. A request for diligence is not necessary with regard to the conditional first-fill right decreed in Case No. 2009CW175 because that right was made absolute in Case No. 2017CW3082; Request to make absolute: Name of structure: Meridian Lake Park Reservoir No. 1 (original refill right); Description of conditional water right: Original Decree: 1995CW218; Subsequent decrees awarding findings of diligence: 2003CW204, 2010CW25, 2016CW3067; Legal description: The point of intersection of the centerline of the dam for the Meridian Lake Park

Reservoir No. 1 and Washington Gulch is located in the NE/4 SW/4 of Section 22, T13S, R86W, 6th P.M., at a point which is 1,986 feet from the south section line and 2,086 feet from the west section line in Gunnison County, Colorado (NAD83, Zone 13, Easting 0327172.45m, Northing 4308401.35m); Source: The Reservoir is an on-channel structure on Washington Gulch, tributary to the Slate River, tributary to the East River, tributary to the Gunnison River; Appropriation Date: December 8, 1995; Amount: 88.68 a.f.; Conditional use: Domestic, municipal, irrigation, recreation, fish and wildlife propagation, and augmentation; If claim to make absolute: Date water applied to beneficial use: The refill under this right began on December 1, 2016 and was completed on March 27, 2017; Amount: 88.68 a.f. (in addition to the 11.32 a.f. made absolute in Case No. 2016CW3067); Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial use: If any portion of the conditional right related to this claim is not made absolute, Applicant requests a finding of diligence. In support of that request, during the diligence period Applicant expended \$950,115 on a substantial overhaul of the outlet and spillway for the MLP Reservoir. Applicant also removed sediment to maintain the reservoir's full capac-

ity. Finally, Applicant modified the pumphouse associated with the outlet in order to accommodate increased pumping in the future; Request to make absolute: Name of structure: Meridian Lake Park Reservoir No. 1 (First Enlargement refill right); Description of conditional water right: Original Decree: 2009CW0175; Legal description: The point of intersection of the centerline of the dam for the Meridian Lake Park Reservoir No. 1 and Washington Gulch is located in the NE/4 SW/4 of Section 22, T13S, R86W, 6th P.M., at a point which is 1,986 feet from the south section line and 2,086 feet from the west section line in Gunnison County, Colorado (NAD83, Zone 13, Easting 0327172.45m, Northing 4308401.35m); Source: The Reservoir is an on-channel structure on Washington Gulch, tributary to the Slate River, tributary to the East River, tributary to the Gunnison River; Appropriation Date: December 8, 1995; Amount: 92.46 a.f.; Conditional use: Domestic, municipal, irrigation, recreation, fish and wildlife propagation, commercial, industrial, and augmentation; If claim to make absolute: Date water applied to beneficial use: The refill under this right began on December 1, 2016 and was completed on March 27, 2017; Amount: 92.46 a.f.; Outline of what has been done toward completion or for completion of the appropriation and application of water to a beneficial

use: If any portion of the conditional right related to this claim is not made absolute, Applicant requests a finding of diligence. In support of that request, during the diligence period Applicant expended \$950,115 on a substantial overhaul of the outlet and spillway for the MLP Reservoir. Applicant also removed sediment to maintain the reservoir's full capacity. Finally, Applicant modified the pumphouse associated with the outlet in order to accommodate increased pumping in the future. (5 pages). **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of March, 2020 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at 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 February 7, 2020. #020704

—MEETING NOTICE—

The Board of Directors of the Upper Gunnison River Water Conservancy District will conduct the next regular meeting on Monday, February 24, 2020, beginning at 5:30 p.m. The meeting is being held at the District offices, 210 West Spencer, Suite B, Gunnison, and is open to the public. An agenda will be posted prior to the meeting.

Published in the *Crested Butte News*. Issue of February 7, 2020. #020705

—LEGAL—

PLEASE TAKE NOTICE, that Ordinance No. 4, Series 2020, 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, February 3, 2020 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado: Ordinance No. 4, Series 2020 - An Ordinance of the Crested Butte Town Council Approving the Lease of 902 Red Lady Ave Unit #3 to Andrew Crowley.

The full text of Ordinance No. 4, Series 2020 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 February 7, 2020. #020707

—LEGAL—

PLEASE TAKE NOTICE, that Ordinance No. 39, Series 2019, 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, February 3, 2020 in the Town Offices at 507 Maroon Avenue, Crested Butte, Colorado: Ordinance No. 39, Series 2019 - An Ordinance of the Crested Butte Town Council Approving the Lease of a Portion of the Property at 606 Sixth Street to The Center for the Arts.

The full text of Ordinance No. 39, Series 2019 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 February 7, 2020. #020708

—CB SOUTH P.O.A. BOARD MEETING NOTICE & AGENDA—
WEDNESDAY, FEBRUARY 12, 2020 ~ 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 January 2020 P.O.A. Board Meeting

6:10 PM Monthly Financial Report for January 2020 New Business

6:30 PM Scheduled Property Owner Comment Time

6:40 PM Approved Cluster Declaration Lots 12 and 13, Block 29, Filing #4

6:50 PM Consideration of an RV Pilot Program for summer 2020

7:20 PM Review Draft Description for CB South Climate Action Committee

Continued Business

7:30 PM Review Capital Improvement Projects and Priorities

7:45 PM Manager's Report
Manager's Report
Identify March Board Meeting Agenda Items
Confirm March 11th, 2020 Board Meeting Date

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.

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—LEGAL—

PLEASE TAKE NOTICE that a public hearing will be on the 18th day of February, 2020 at 7PM in the Town Hall Offices at 507 Maroon Ave, Crested Butte, Colorado on Ordinance No. 44, Series 2019. The public hearing was continued from

the February 3rd, 2020 meeting. Ordinance No. 44, Series 2019 - An Ordinance of the Crested Butte Town Council Authorizing a Potable Water Agreement for Lot 8, Trapper's Crossing at Crested Butte, Gunnison County, Colorado.

TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

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—A CALL FOR NOMINATIONS—
NOTICE BY PUBLICATION OF THE
CRESTED BUTTE SOUTH METROPOLITAN DISTRICT
§1-13.5-501, 1-13.5-1102(3), 32-1-905(2), C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the electors of the Crested Butte South Metropolitan District of Gunnison County Colorado.

NOTICE IS HEREBY GIVEN that an election will be held on the 5th day of May, 2020, between the hours of 7:00 A.M. and 7:00 P.M. At that time, 3 directors will be elected to serve 4-year terms, 1 director a 2-year term. Eligible electors of the Crested Butte South Metropolitan District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance form from the District Designated Election Official (DEO):

Ronnie Benson
280 Cement Creek Road
P.O. BOX 1129
Crested Butte, CO 81224
970-349-5480

The Office of the DEO is open on the following days: Monday thru Friday from 8:00 A.M. to 4:30 P.M. If the DEO determines that a Self-Nomination and acceptance form is not sufficient, the eligible elector who submitted the form may amend the form once, at any time, prior to 4:30 P.M. on Friday **February 28th, 2020**, the deadline to submit a Self-Nomination and Acceptance form. Earlier submittal is encouraged as

the deadline will not permit curing an insufficient form. Affidavit of Intent to be a Write-In Candidate forms must be submitted to the office of the Designated Election Official by close of business on **Monday, March 2nd, 2020**.

NOTICE IS FURTHER GIVEN, an application for absentee ballots shall be filed with Designated Election Official no later than the close of business on **Tuesday, April 28th 2020**. Ronnie Benson
Designated Election Official

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—CALL FOR NOMINATIONS—
(NOTICE BY PUBLICATION OF)
§§ 1-13.5-501; 1-13.5-303, C.R.S.

TO WHOM IT MAY CONCERN, and, particularly, to the eligible electors of the Reserve Metropolitan District No. 1, Mt. Crested Butte, Gunnison County, Colorado (the "District").

NOTICE IS HEREBY GIVEN that an election will be held on May 5, 2020, between the hours of 7:00 a.m. and 7:00 p.m. At that time, two (2) directors will be elected to serve until the next regular special district election (May 2022), and three (3) directors will be elected to serve until the second regular special district election (May 2023). Eligible electors of the District interested in serving on the board of directors may obtain a Self-Nomination and Acceptance Form from the Designated

Election Official ("DEO"), located at 28 Second Street, Suite 213, Edwards, CO 81632 between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

The deadline to submit a Self-Nomination and Acceptance Form is the close of business (4:30 p.m.) on **Friday, February 28, 2020**. If the DEO determines a Self-Nomination and Acceptance Form is not sufficient, the form may be amended prior to 4:30 p.m. on February 28, 2020. Earlier submittal is encouraged as the deadline will not permit curing of an insufficient form after this date and time. An Affidavit of Intent to be a Write-In Candidate must be submitted to the office of the

DEO by the close of business (4:30 p.m.) on **Monday, March 2, 2020**.

NOTICE IS FURTHER GIVEN that information on obtaining an absentee ballot may be obtained from the DEO, and applications for an absentee ballot must be filed with the DEO no later than the close of business on **April 28, 2020**.

RESERVE METROPOLITAN DISTRICT NO.1
By: Debbie Braucht, Designated Election Official

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legals@crestedbuttenews.com

deadline tuesday at noon