

Legals

legals@crestedbuttenews.com • phone: 970.349.0500 ext. 105 • fax: 970.349.9876 • www.crestedbuttenews.com

**—TAX LIEN SALE NUMBER 20140066—
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: **Flatiron Enterprises LLC, James N Clark and Christine Clark and Arrowhead Improvements Association**
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 James N Clark and Christine Clark the following described property situate in the County of Gunnison, State of Colorado, to-wit:
**Schedule Number: 398525001047
Legal Description: LOT 25 BLK 8 ARROWHEAD FILING 3 B783 P845 #491391**
and said County Treasurer issued a certificate of purchase therefore to James N Clark and Christine Clark. 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 Flatiron Enterprises LLC for said year 2013;
That said James N Clark and Christine Clark on the 31st day of August 2020, 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 James N Clark and Christine Clark at 2:00 o'clock p.m., on the 20th day of January 2021 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 October 2, 2020, October 9, 2020 and October 16, 2020.
Witness my hand this 2nd day of October 2020
Debbie Dunbar
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of October 2, 9 and 16, 2020. #100204

**—TAX LIEN SALE NUMBER 20170179—
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: **Villas Summit Development LLC, First Pinkston Limited Partnership and Community Banks of Colorado**
You and each of you are hereby notified that on the 2nd day of November 2017, the then County Treasurer of Gunnison County, in the State of Colorado, sold at public tax lien sale to First Pinkston Limited Partnership the following described property situate in the County of Gunnison, State of Colorado, to-wit:
**Schedule Number: 317726129024 R032351
Legal Description: LOTS 43 & 44 VILLAS AT MT CB PHASE 1 #560449**
and said County Treasurer issued a certificate of purchase therefore to First Pinkston Limited Partnership. That said tax lien sale was made to satisfy the delinquent property (and special assessment) taxes assessed

against said property for the year 2016; That said property was taxed or specially assessed in the name(s) of Villas Summit Development LLC for said year 2016;
That said First Pinkston Limited Partnership on the 31st day of August 2020, 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 First Pinkston Limited Partnership at 2:00 o'clock p.m., on the 20th day of January 2021 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 October 2, 2020, October 9, 2020 and October 16, 2020.
Witness my hand this 2nd day of October 2020
Debbie Dunbar
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of October 2, 9 and 16, 2020. #100203

**—TAX LIEN SALE NUMBER 20150004—
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: **Pinnacle LTD and Richard Raymond**
You and each of you are hereby notified that on the 29th day of October 2015, the then County Treasurer of Gunnison County, in the State of Colorado, sold at public tax lien sale to Richard Raymond the following described property situate in the County of Gunnison, State of Colorado, to-wit:
**Schedule Number: 291723401044 R013836
Legal Description: 7.8% INT LOTS 7,9 MARBLE CONDO 1 B452 P290**
and said County Treasurer issued a certificate of purchase therefore to Richard Raymond.
That said tax lien sale was made to satisfy the delinquent property (and special assessment) taxes assessed against said property for the year 2014;
That said property was taxed or specially assessed in the name(s) of Pinnacle LTD for said year 2014;
That said Richard Raymond on the 27th day of May 2020, 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 Richard Raymond at 2:00 o'clock p.m., on the 20th day of January 2021 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 October 2, 2020, October 9, 2020 and October 16, 2020.
Witness my hand this 2nd day of October 2020
Debbie Dunbar
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of October 2, 9 and 16, 2020. #100202

**—COMBINED NOTICE - PUBLICATION—
CRS §38-38-103 FORECLOSURE SALE NO. 2020-004**

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust: On July 14, 2020, 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) GARY SCHAFFER
Original Beneficiary(ies) MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR TAYLOR, BEAN & WHITAKER MORTGAGE CORP., ITS SUCCESSORS AND ASSIGNS
Current Holder of Evidence of Debt U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE FOR TBW MORTGAGE-BACKED TRUST 2006-6, TBW MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-6
Date of Deed of Trust October 31, 2006
County of Recording Gunnison
Recording Date of Deed of Trust November 07, 2006
Recording Information
(Reception No. and/or Book/Page No.) 570714
Original Principal Amount \$534,000.00
Outstanding Principal Balance \$537,584.94

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.
LOT 17B, SUBDIVISION OF LOT 17, PRISTINE POINT AT CRESTED BUTTE, ACCORDING TO THE PLAT THEREOF RECORDED JUNE 23, 1998 BEARING RECEPTION NO. 484515, COUNTY OF GUNNISON, STATE OF COLORADO**

**Also known by street and number as: 1010 COUNTY ROAD 811, CRESTED BUTTE, CO 81225.
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, 01/27/2021, continued from the original sale date of 11/04/2020, 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 9/18/2020
Last Publication 10/16/2020
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: 07/14/2020

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:

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.

Lynn M. Janeway #15592 David R. Doughty #40042 Elizabeth S. Marcus #16092
Alison L. Berry #34531 Nicholas H. Santarelli #46592
Janeway Law Firm, P.C. 9800 S. MERIDIAN, SUITE 400, ENGLEWOOD, CO 80112 (303) 706-9990

Published in the *Crested Butte News*. Issues of September 18, 25, October 2, 9 and 16, 2020. #091804



deadline is tuesday at noon

**—TAX LIEN SALE NUMBER 20100206—
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: **Miriam Betula Lapore, Brian D Chase, Fisher, Sweetbaum, Levin & Sands PC and William G Horlbeck PC**
You and each of you are hereby notified that on the 21st day of October 2010, the then County Treasurer of Gunnison County, in the State of Colorado, sold at public tax lien sale to Brian D Chase the following described property situate in the County of Gunnison, State of Colorado, to-wit:

**Schedule Number: 370113011007 R043174
Legal Description: LOT 9 ABRIL MEADOWS FILING II #591549**

and said County Treasurer issued a certificate of purchase therefore to Brian D Chase.
That said tax lien sale was made to satisfy the delinquent property (and special assessment) taxes assessed against said property for the year 2009;

That said property was taxed or specially assessed in the name(s) of Miriam Betula Lapore for said year 2009;

That said Brian D Chase on the 31st day of August 2020, 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 Brian D Chase at 2:00 o'clock p.m., on the 20th day of January 2021 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 October 2, 2020, October 9, 2020 and October 16, 2020.

Witness my hand this 2nd day of October 2020
Debbie Dunbar
Gunnison County Treasurer

Published in the *Crested Butte News*. Issues of October 2, 9 and 16, 2020. #100205

**—SPECIAL TOWN COUNCIL MEETING—
OCTOBER 13, 2020 ~ 5:00 P.M.
COUNCIL CHAMBERS
MT. CRESTED BUTTE, COLORADO
DRAFT AGENDA**

for the official agenda please go to www.mtcrested-buttecolorado.us

CALL TO ORDER - 5:00 PM

ROLL CALL

NEW BUSINESS

• **Discussion and Possible Consideration of the Winter 2020/2021 Admissions Tax Grant Applications.**

- Tourism and Prosperity Partnership ("TAPP") - \$200,000

- Adaptive Sports Center ("ASC") - \$24,090

- Crested Butte/ Mt. Crested Butte Chamber of Commerce - Light Up Night - \$3,500

- Crested Butte/ Mt. Crested Butte Chamber of Commerce - Mountain Money - \$3,000

- Travel Crested Butte - \$120,000
- Blister - \$90,000

ADJOURN

For Call In Instructions please contact Tiffany O'Connell, Town Clerk at 970-349-6632 or toconnell@mtcrestedbuttecolorado.us or go to www.mtcrested-buttecolorado.us

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. Public comment on these agenda items is encouraged.

Published in the *Crested Butte News*. Issue of October 9, 2020. #100902

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 September 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. 2020CW3054 (REF NOS. 2000CW243, 2007CW157 and 2014CW3017).

Application for Finding of Reasonable Diligence and to Make Absolute. Applicant: ALSH, LLC c/o John T. Howe, Hoskin Farina & Kampf, Professional Corporation, 200 Grand Avenue, Suite 400, Post Office Box 40, Grand Junction, Colorado 81502; (970) 986-3400. Name of Structures: Fullmer Spring No. 1 and Fullmer Pond No. 1. Original Decree: Case No. 00CW243, Water Division 4. Subsequent Decrees: Case No. 07CW157; Case No. 2014CW3017. Source: tributary to Stubbs Gulch, tributary to Tomichi Creek, tributary to the Gunnison River. Location: NE¼SW¼NE¼ of Section 15, T 48 N, R 1 E, N.M.P.M., 1,650 feet from the North section line and 1,800 feet from the East section line. Uses: absolute for wildlife; conditional for domestic and mining. Appropriation Date: June 1, 1998. Quan-

tity: Fullmer Spring No. 1 - .004 c.f.s.; Fullmer Pond No. 1 - .45 acre feet. Landowner: Applicant. Additional Information: Applicant seeks to make Fullmer Spring No. 1 absolute in the amount of .004 c.f.s. with an annual volumetric limit of .184 acre feet for mining purposes, to make Fullmer Pond No. 1 absolute in the amount of .45 acre feet for mining and domestic purposes pursuant to section 37-92-301(4)(e), C.R.S., and to continue all remaining amounts and uses as conditional water rights. The Application contains a detailed description of the work performed during the diligence period. **SAGUACHE COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of November, 2020 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain ap-

plication 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). (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of October 9, 2020. #100903

—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 September 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. 2020CW3055 Applicants: Craig Neil and Mary Jeanne Spring Living Trust, c/o Julie J. Huffman, Attorney, 415 Palmer Street, Delta, CO 81416, 970-874-9777. **APPLICATION TO MAKE EXCHANGE RIGHT ABSOLUTE:** Name of Structure: Smoak Exchange. Legal description of point of diversion: Upper Terminus - This is the location where the side channel of water from Erickson Springs enters back into Anthracite Creek. It

is located in the NW¼ of the SW¼ of Section 6, Township 13 South, Range 88 West of the Sixth P.M. The UTM coordinates are Zone 13 south, Easting 302698, Northing 4313936. Lower Terminus - Where Anthracite Creek comes together with Muddy Creek and starts the North Fork of the Gunnison River. It is located in the NW¼ of the NE¼ of Section 8, Township 13 South, Range 89 West of the Sixth P.M. The UTM coordinates are Zone 13, 295357, Northing 4312777. Date of Appropriation: August 29, 2019. Amount: 0.005 c.f.s. Use: Irrigation of 0.61

acres. Source of Water: Tomahawk Reservoir to Dugout Creek, tributary to Muddy creek, tributary to the North Fork of the Gunnison River, tributary to the Gunnison River. **GUNNISON COUNTY** YOU ARE FURTHER NOTIFIED THAT you have until the last day of November, 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). (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of October 9, 2020. #100904

—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 September 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. 2020CW3058 (REF NO. 14CW3034, 07CW174, 01CW94, 94CW233, 88CW64, 83CW330) Gunnison County - Gunnison River; Mt. Crested Butte Water and Sanitation District; c/o John R. Pierce, Dufford Waldeck, 744 Horizon Court, Suite 300, Grand Junction, CO 81506, (970) 248-5865; **APPLICATION FOR FINDING OF REASONABLE DILIGENCE;** Name and contact information for Applicant: Mt. Crested Butte Water and Sanitation District; P.O. Box 5740; Mt. Crested Butte, CO 81225; (970) 349-7575; Name of structure: North Village Reservoir; Information regarding conditional water right: Date and Case No. of original

decree: July 25, 1984, Case No. 83CW330; List of subsequent decrees awarding diligence: December 30, 1988, 88CW64; June 28, 1995, 94CW233; November 27, 2001, 01CW94; April 30, 2008, 07CW174; September 15, 2014, 14CW3034; Legal description: SW¼ NE¼ of Section 23, Township 13 South, Range 86 West, 6th P.M. at a point whence the Northeast corner of said Section 23 bears North 50° East 2,500 feet, in Gunnison County, Colorado; Source: Water from the East and Slate Rivers, both tributary to the Gunnison River; Appropriation date: June 11, 1982; Amount: 700 a.f.; Use: Storage for artificial snowmaking, augmentation of all municipal uses within the Mt. Crested Butte Water and Sanitation District, and augmentation of depletions caused by snowmaking within the Crested Butte Ski Area; Outline of what has been done toward application of conditional water rights to beneficial use: Applicant has initiated a project to improve its delivery system from the East River by doubling its pumping capacity. Estimated cost of this work is \$1.75 million, with design and engineering costs of approximately \$150,000. Additionally, Applicant is enlarging the capacity of its raw water pipeline system by supplementing an existing 8-inch pipeline with nearly 2,900 feet of 12-inch pipe at a cost of approximately \$1.8 million, with

design and engineering costs of approximately \$125,000. These improvements will allow Applicant to provide additional flows to fill the North Village Reservoir during the spring while still meeting direct flow demands for municipal supply. (4 pages) **GUNNISON COUNTY**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of November, 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). (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of October 9, 2020. #100905

—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 September 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. 2020CW3060 (REF NO. 13CW3064) Applicants: James Schnelle, Jr. c/o Julie J. Huffman, Attorney, 415 Palmer Street, Delta, CO 81416, 970-874-9777. **APPLICATION TO MAKE STORAGE RIGHTS ABSOLUTE:** Name of Structure: Earth Village Pond, Legal description of point of diversion: SE¼NW¼NE¼, Section 33, Township 48 North, Range 1 East, N.M.P.M. 1650 feet west of

the east Section line and 503 feet south of the north Section line. Date of Appropriation: November 13, 2013. Amount: 8.60 acre-feet. Uses: Domestic in one single-family residence, stock water and wildlife. Source of Water: Springs tributary to Gunnison River. Name of Structure: Blackjack Pond. Legal description of point of diversion: NE¼SW¼NE¼, Section 33, Township 48 North, Range 1 East, N.M.P.M. 1760 feet west of the east Section line and 1855 feet south of the north Section line. Date of Appropriation: November 13, 2013. Amount:

4.85 acre-feet. Uses: Domestic in one single-family residence, stock water and wildlife. Source of Water: Springs tributary to Gunnison River **SAGUACHE COUNTY** YOU ARE FURTHER NOTIFIED THAT you have until the last day of November, 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). (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of October 9, 2020. #100906

—LEGAL—

PLEASE TAKE NOTICE that a public hearing of the Crested Butte Town Council will be on the 19th day of October, 2020 at 7PM on Ordinance No. 25, Series 2020: Ordinance No. 25, Series 2020 - An Ordinance of the Crested Butte Town Council Authorizing the Lease of a Town Residential Property, 814

Teocalli, Crested Butte, Colorado to a Town Employee.
TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of October 9, 2020. #100909

—LEGAL—

PLEASE TAKE NOTICE that a public hearing of the Crested Butte Town Council will be on the 19th day of October, 2020 at 7PM on Ordinance No. 26, Series 2020: Ordinance No. 26, Series 2020 - An Ordinance of the Crested Butte Town Council Adding Code Section 2-5-100 Providing for Bail Bond Violations and Penalties for Violation of Bail Bonds.
TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

Published in the *Crested Butte News*. Issue of October 9, 2020. #100910

legals@crestedbuttenews.com

970.349.0500 ext. 105

deadline tuesday at noon

—MEETING NOTICE—

The Board of Directors of the Upper Gunnison River Water Conservancy District will conduct a Board meeting on Monday, October 26, 2020, beginning at 5:30 p.m. The meeting will be held by telephone conference and is open to the public. Please contact District staff at (970) 641-6065 for the teleconferencing information. An agenda will be posted prior to the meeting.

Published in the *Crested Butte News*. Issue of October 9, 2020. #100901

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 September 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. 2020CW3066 Name and Address of Applicant. William Scott Matzelle And Gretchen Matzelle, 921 County Road 317, Crested Butte, CO 81224. Please direct all correspondence to the above-captioned counsel for Applicant. Overview. The "Matzelle Property," owned by Scott and Gretchen Matzelle is a grouping of three legal parcels located in the portions of the NW ¼ and the SW ¼ of Section 35, Township 13 South, Range 86 West, 6th P.M. north of Crested Butte, Colorado and south of Mt. Crested Butte, Colorado. Matzelle may ultimately choose to construct two single family residences on each of the three parcels, and irrigate lawns and gardens not to exceed 5,000 square feet per residence, or an aggregate total of (0.69 acres). In June of 2018, a new well, Cow Camp Well No. 1 designated Permit No. 158142--A, was drilled near the south end of the property. This well produces between 30 to 40 gpm and is capable of providing a physical supply of water to all three parcels and for all of the uses described above. However, a second well, Cow Camp Well No. 2, may also be drilled to supplement Cow Camp Well No. 1 and assist in providing a physical supply of water to one or more of the parcels for all of the uses described above. Accordingly, conditional underground water rights for both Cow Camp Well No. 1 and Cow Camp Well No. 2 are sought herein. The purpose of the Application is to provide a legal supply of augmentation water to replace out of priority depletions from Cow Camp Well No. 1 and Cow Camp Well No. 2 when used for the purposes described above. The Cow Camp Well No. 1 and Cow Camp Well No. 2 results in depletions to the nearby Slate River, and because there is the potential for river calls from senior water rights that would be impacted by these depletions, a plan for augmentation is required in order to replace all out-of-priority depletions and ensure no injury to these existing water rights. When there is a call on the river, releases from the augmentation pond,

referred to herein as the Cow Camp Pond, will be made through a pipeline to a live tributary of the Slate River in order to replace depletions resulting from the Cow Camp Well No. 1 and Cow Camp Well No. 2. Application for Absolute Water Storage Right. Name of Reservoir: COW CAMP POND. Legal description of outlet: A point in the SW ¼ of the NW ¼, Section 35, Range 13S, Township 86W, 6th P.M. UTM coordinates: 328503.0 E, 4305454.0 N, UTM Zone 13N, NAD 83. Source: Surface water tributary to the Slate River, tributary to the East River, tributary to the Gunnison River. Structures used to fill reservoir: Schomler Ditch: decrees entered in case nos. 94CW0075 and 96CW0225; adjudication date 12/31/1994; appropriation date 9/26/1990; priority administration no. 52595.51403 Schomler Domestic Ditch & Pipeline: decrees entered in case nos. 94CW0076, Case No. 01CW171, Case No. 08CW0113, and Case No. 16CW0004; adjudication date 12/31/1994; appropriation date 9/26/1990; priority administration no. 52595.51403. Surface water and runoff tributary to the Slate River. Amount: Volume: 0.9 acre-feet. Maximum Rate of Diversion: Cow Camp Pond will be filled, refilled, and refreshed at a rate of up to 1.0 cfs. Proposed Use: Recreational, fishery, fire protection, and replacement of depletions for domestic uses and irrigation pursuant to the plan for augmentation described herein. Surface area at high water line: 0.21 acres. Vertical height of dam: 8 feet. Length of dam: 120 feet. Capacity: 0.9 acre-feet of live storage. Point of discharge to the Slate River: A point in the NW ¼ of the SW ¼, Section 35, Range 13S, Township 86W, 6th P.M. UTM coordinates: 328,483.0 E, 4,305,255.9 N, Zone 13S, NAD 83. The Cow Camp Pond will discharge to the Slate River through a pipeline running 330 feet from the existing culvert under County Road 734 to the discharge location at a slope of approximately 2.0%. Application for Conditional Underground Water Rights. Name: COW CAMP WELL NO. 1 Legal Description: A point in the SW ¼ of the NW ¼ of Section 35, Township 13.0S, Range 86.0W, 6th P.M. UTM coordinates: 328545.0 E, 4305384.0 N, UTM Zone 13N, NAD 83. Source: Groundwater tributary to the Slate River, tributary to the East River, tributary to the Gunnison River. Amount: 0.11 cfs (50 gpm). Cumulative diversions from Cow Camp No. 1 and Cow Camp. No. 2, which will be alternate points of diversion for one another, shall not exceed 3.51 acre-feet per year. Uses: Domestic and irrigation. Name: COW CAMP WELL NO. 2 Legal Description: A point in the SW ¼ of the NW ¼ of Section 35, Township 13.0S, Range

86.0W, 6th P.M. UTM coordinates: 328421.0 E, 4305511.0 N, UTM Zone 13N, NAD 83. Source: Groundwater tributary to the Slate River, tributary to the East River, tributary to the Gunnison River. Amount: 0.11 cfs (50 gpm). Cumulative diversions from Cow Camp No. 1 and Cow Camp. No. 2, which will be alternate points of diversion for one another shall not exceed 3.51 acre-feet per year. Uses: Domestic and irrigation. The locations of the structures described above are all illustrated in the maps attached to the application as Exhibit A. Appropriation Date. The date of initiation of appropriation of the conditional and absolute water rights described herein is July 24, 2018, when a notice of Non-Jurisdictional Water Impoundment Structure for the Cow Camp Pond was submitted to the Division Engineer's Office. Date Water Applied to Beneficial Use: The Cow Camp Pond was first filled on April 29, 2020. A picture of the filled pond on that date is attached as Exhibit B to the application. Application for Conditional Appropriative Right of Exchange. Name: COW CAMP EXCHANGE Lower Terminus: The outlet works of Crystal Dam, located in the SE1/4 SE1/4 NW1/4, Section 14, Township 49 North, Range 7 West, N.M.P.M. Upper Terminus: The point of diversion of the Schomler Domestic Ditch & Pipeline, which is in the NE ¼ of the SW ¼ of the NW ¼ of Section 35, Township 13S, Range 86W, 6th P.M., at a point which is 1326 feet south of the north section line, and 1061 feet east of the west section line. Source of Substitute Supply: Water stored in Blue Mesa Reservoir and leased from the United States Department of the Interior, Bureau of Reclamation. Amount (conditional): Maximum rate: 1.0 cfs. Maximum volume exchanged per year: 2.58 acre-feet per year. Proposed beneficial uses: Recreational, fishery, fire protection, and replacement of depletions for domestic and irrigation uses through filling and refilling of the Cow Camp Pond and pursuant to the plan for augmentation described herein. Remarks: Applicant is not seeking antedation of an existing exchange pursuant to C.R.S. § 37-92-305(10). The exchange will only be operated when there is no controlling call from a senior water right within the exchange reach. Application for Approval of Plan for Augmentation. Structures to be augmented: Cow Camp Well No. 1, Cow Camp Well No. 2, and Cow Camp Pond (the "Augmented Structures"). Water right(s) to be used for augmentation: When there is no senior call in the Cow Camp Exchange Reach: Blue Mesa Reservoir. Decree: 80CW156 (Water Division 4). Type: Storage. Legal Description: The initial point of survey of Blue Mesa Dam is located at

a point on the right abutment being the intersection of the center line of the axis of the dam and of the center line of the outlet works tunnel, whence the SW corner of Section 31, Township 49 North, Range 4 West, N.M.P.M. bears North 78°36'44" West a distance of 3,207.07 feet. The actual releases will be at the outlet works of Crystal Dam located in the SE1/4 SE1/4 NW1/4, Section 14, Township 49 North, Range 7 West, N.M.P.M. Source: Gunnison River. Appropriation Date: November 13, 1957. Amount Decreed: 940,755 acre-feet. Amount included in this plan for augmentation: 2.58 acre-feet. Decreed uses: Domestic and municipal, irrigation and stock watering, industrial, hydropower, piscatorial, wildlife, recreation, and other purposes. When there is a senior call in the Slate River: Water stored in Cow Camp Pond, as described above. Statement of Plan for Augmentation: When there is no senior call within the Cow Camp Exchange reach, out of priority depletions caused by the use of the Augmented Structures will be augmented by exchange with releases from Blue Mesa Reservoir. When there is a senior call within the Cow Camp Exchange reach, out of priority depletions caused by the use of the Augmented Structures will be augmented by releases from Cow Camp Pond. Cow Camp Pond will be filled and refilled whenever there is no local call, either by in-priority junior appropriation or by exchange from Blue Mesa Reservoir. When there is a senior local call, Cow Camp Pond will be managed to ensure that the pond drops in total by a sufficient amount each month to replace stream depletions caused by the use of the Augmented Structures, including evaporation from Cow Camp Pond. Releases from Cow Camp Pond will be conveyed from the outlet works of the Cow Camp Pond directly by pipeline back to a live tributary of the Slate River. Cow Camp Pond may be refreshed even when there is a senior local call, provided that the pond level is allowed to drop by a sufficient amount each month to replace stream depletions caused by the use of the Augmented Structures, including evaporation from Cow Camp Pond. Depletions to be augmented. The plan for augmentation will augment the Cow Camp Well Nos. 1 and 2, which will collectively be used for domestic purposes in no more than 6 single family dwellings and lawn irrigation of no more than 0.69 acres. Annual depletions on the Matzelle Property will be 0.24 acre-feet associated with domestic use, 0.92 acre-feet associated with lawn irrigation; and 0.52 acre-feet associated with pond evaporation. The anticipated annual pattern of total depletions is set forth in the application. When Cow Camp

Pond is serving as the source of augmentation water (as opposed to Blue Mesa Reservoir by exchange), water stored in Cow Camp Pond will be released to offset out of priority depletions to the Slate River resulting from the pumping of Cow Camp Well Nos. 1 and 2. Replacements will be made in the correct time, amount, and location in coordination with the Division Engineer and Water Commissioner to ensure that injury does not occur to other vested water rights. Due to the small volume of annual stream depletions projected to occur from Cow Camp Well Nos. 1 and 2, releases of replacement water during times when the well is not in priority may be made either continuously or aggregated and replaced by one or more short duration releases from storage. The method by which releases are to be made shall be determined by the Division Engineer and Water Commissioner. In order to cover all out-of-priority depletions on the Matzelle Property and be able to fill the 0.9 acre-foot pond by exchange would require a total release from Blue Mesa Reservoir of 2.58 acre-feet. Therefore, Applicant will enter into a long term water service contract (anticipated to be 40 years in duration) with the United States Department of Interior, Bureau of Reclamation, for 3.0 acre-feet of water per year from Blue Mesa Reservoir. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool: Applicant and Crested Butte Land Trust, 308 Third Street, PO Box 2224, Crested Butte, CO 81224. **GUNNISON COUNTY** YOU ARE FURTHER NOTIFIED THAT you have until the last day of November, 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). (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

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—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 September 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. 2020CW3061 (REF NO. 14CW3025, 07CW152, 00CW229, 93CW252, 87CW109, 83CW94, W-2992) Applicant: Fossil Creek Mines, LLC, c/o Jacob With, Law of the Rockies, 525 North Main Street, Gunnison, CO 81230. Please address all correspondence to Applicant's attorneys: Peter D. Nichols, Megan Gutwein, Berg Hill Greenleaf Ruscitti LLP, 1712 Pearl Street, Boulder, Colorado 80302. APPLICATION FOR A FINDING OF REASONABLE DILIGENCE: 2. Description of conditional water right. A. Name of structure: Gold Links Mine. B. Date of original decree: Originally decreed on May 30, 1979 in Case No. W-2992 District Court, Water Division 4. C. Previous findings of reasonable diligence: Findings of reasonable diligence on the conditional Gold Links Mine water right were entered by decree of the District Court, Water Division 4 in Case No. 83CW94, entered on December 22, 1983; Case No. 87CW109, entered

on December 8, 1987; Case No. 93CW252, entered on December 27, 1994; Case No. 00CW229, entered on October 9, 2001; Case No. 07CW152, entered on April 30, 2008 and corrected on November 11, 2008; and Case No. 14CW3035, entered on September 15, 2014. In Case No. 14CW3035, 1.0 c.f.s. of the subject water right was made absolute for mining, milling and industrial uses. D. Legal description of decreed point of diversion: The decreed point of diversion is located within the SE ¼ SW ¼ of Section 36, Township 51 North, Range 3 ½ East N.M.P.M. The decree in Case No. 87CW109 (Water Div. 4) provides that a more exact location will be required before an absolute decree is entered. Based on the Division Engineer's Summary of Consultation in Case No. 14CW3035, the mine adit is located within the NW ¼ SW ¼ SE ¼ of Section 36, Township 51 North, Range 3 ½ East, N.M.P.M. at a point 1000 feet from the South section line and 1617 feet from the East section line (Zone 13, NAD83, Easting 0362608m, Northing 4277082m). See Exhibit A. E. Decreed source of water: Gold Creek (formerly known as Ohio Creek), tributary to the Gunnison River. F. Appropriation date: 1934 for mining, milling, and industrial uses; December 30, 1976 for all other uses. G. Amount decreed: 2.23 c.f.s. total, 1.0 c.f.s. absolute for mining, milling, and industrial uses, 1.23 c.f.s. conditional for mining, milling, and industrial uses; and 2.23 c.f.s. conditional for commercial, piscatorial, recreational, fire protection and domestic purposes. H. Decreed uses: Mining, milling and industrial purposes as of an appropriation date of 1934

and commercial, piscatorial, recreational, fire protection and domestic purposes as of December 30, 1976. I. The landowner upon which structures are to be located: Applicant. 3. Request for Finding of Reasonable Diligence. Applicant has undertaken activities to beneficially use the subject water right and to complete the appropriation of the full amount of the conditionally decreed water right. For purposes of this paragraph 3, "Applicant" includes Applicant's predecessor in interest. Since this Court's last finding of reasonable diligence, the following specific work has been performed related to the development of the Gold Links Mine and the beneficial use of the subject water right in connection therewith: A. Applicant owns, operates, and maintains the land and water rights for the Gold Links Mine. During the diligence period, Applicant has undertaken significant and consistent efforts to expand the known mining resource, to build necessary infrastructure and facilities, and to prepare the mine for production. The commercial development of the mine is a necessary prerequisite to the full beneficial use of the subject water right. B. Applicant has expended approximately \$11,000,000 in developing the mine over the diligence period, including but not limited to drilling tunnels and core drilling. C. Applicant has expended approximately \$1,000,000 over the last diligence period on operating, pumping, and maintaining the water system for the subject water right. D. Applicant has continued to place the Gold Links Mine water right to beneficial uses in connection with this mining operation continuously since the last finding of reasonable diligence, including but

not limited to watering down mined materials and exposed walls, underground drilling, maintenance and cooling, dust mitigation both below and above ground, equipment cleaning, and office uses such as rinse showers and cleanup. WHEREFORE, Applicant prays this Court enter a decree finding that Applicant has exercised reasonable diligence in the development of the Gold Links Mine water, continuing all conditional portions and uses of the Gold Links Mine water right in full force and effect, and granting such other relief as the Court deems just and proper. (6 pages, including 1 exhibit) **GUNNISON COUNTY** YOU ARE FURTHER NOTIFIED THAT you have until the last day of November, 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). (This publication can be viewed in its entirety on the state court website at: www.courts.state.co.us). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

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