

Legals

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

—NOTICE OF FINAL PAYMENT—

Notice is hereby given that Lacy Construction Company, LTD the Contractor for the construction of the **Town of Crested Infrastructure Extension Project Block 79 & 80**, has completed the work specified in the Contract dated June 2, 2015 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 August 30, 2016, 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

Published in the *Crested Butte News*.
Issues of July 29 and August 5, 2016.
#072903

—GUNNISON COUNTY PLANNING COMMISSION—

PRELIMINARY AGENDA
FRIDAY, AUGUST 5, 2016
CRESTED BUTTE TOWN COUNCIL CHAMBERS
CRESTED BUTTE TOWN HALL
507 MAROON AVENUE, CRESTED BUTTE, CO

Planning Commission will leave Blackstock at 8:15 a.m.

8:50 a.m. • Call to order; determine quorum
• Approval of Minutes

9:00 a.m. **Slate River Development – Cypress Foothills, LP** – continued joint public hearing/possible action – Sketch Plan Recommendation; request to subdivide 44.4-acres, bisected by the Slate River. The East Parcel (30.4-acres) would be subdivided into 23 single-family lots, with the allowance for a secondary residence on each lot. The West Parcel (14.1-acres) remainder lot is proposed to be annexed to the Town of Crested Butte, legally described as Tract Q (aka Lot 13) Section 35, Township 13 South, Range 86 West, 6th P.M. LUC-16-00009

Adjourn

The applications can be viewed on gunnisoncounty.org, link to <http://204.132.78.100/citizenaccess/>

- Public access
- Projects
- Application # LUC-
- Attachments

NOTE: Unless otherwise noted, all meetings are conducted in the Blackstock Government Center Meeting Room 221 N. Wisconsin St. in Gunnison, across the street from the Post Office. This is a preliminary agenda; agenda times may be changed up to 24 hours before the meeting date. If you are interested in a specific agenda item, you may want to call the Planning Department (641-0360) ahead of time to confirm its scheduled time. Anyone needing special accommodations may contact the Planning Department before the meeting.

Published in the *Crested Butte News*. Issue of August 5, 2016. #080504

—NOTICE OF PUBLIC HEARING BEFORE THE— PLANNING COMMISSION TOWN OF MT. CRESTED BUTTE, COLORADO

Please take notice that the Mt. Crested Butte Planning Commission will hold a public hearing on Wednesday, August 17, 2016 at 5:00 p.m. in the Council Chambers, Municipal Building, Mt. Crested Butte, Colorado. The purpose of the hearing is for public input on a rezoning application submitted by the Town of Mt. Crested Butte to rezone lots 10, 11 & 13, CVA 6 and lot 6A, Block G, CVA 2 also

know as 42, 43 & 45 Cinnamon Mtn. Rd. and 29 Whetstone Rd. from the Single Family Zoning District to the Recreation and Open Space Zoning District. Written comments are welcome and should be received at the Town Offices, P. O. Box 5800, Mt. Crested Butte, CO 81225-5800, or by fax to (970) 349-6326, by Thursday, August 11, 2016. Dated this 26th day of July, 2016.

/s/ Jill Lindros
Town Clerk

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

Published in the *Crested Butte News*.
Issues of July 29, August 5 and 12, 2016. #072905

—COMBINED NOTICE - PUBLICATION— CRS §38-38-103 FORECLOSURE SALE NO. 2016-008

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust:

On May 25, 2016, 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)
ROBERT DUDLEY and LINEA DUDLEY
Original Beneficiary(ies)
MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC. AS NOMINEE FOR AMERICA'S WHOLESALER LENDER, ITS SUCCESSORS AND ASSIGNS

Current Holder of Evidence of Debt
DITECH FINANCIAL LLC
Date of Deed of Trust
January 10, 2006
County of Recording
Gunnison
Recording Date of Deed of Trust
January 18, 2006
Recording Information (Reception No. and/or Book/Page No.)
562267

Original Principal Amount
\$300,000.00
Outstanding Principal Balance
\$304,580.05
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. SEE ATTACHED LEGAL DESCRIPTION PURSUANT TO AFFIDAVIT OF SCRIVENER'S ERROR RECORDED ON 3/17/2016 AT RECEPTION NO. 638441

Also known by street and number as: 721 GOTHIC ROAD UNIT 1, CRESTED BUTTE, CO 81224. 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, 09/21/2016, 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 7/29/2016 Last Publication 8/26/2016 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; IF THE BORROWER BELIEVES THAT A LENDER OR SERVICER HAS VIOLATED THE REQUIREMENTS FOR A SINGLE POINT OF CONTACT IN SECTION 38-38-103.1 OR THE PROHIBITION ON DUAL TRACKING IN SECTION 38-38-103.2, THE BORROWER MAY FILE A COMPLAINT WITH THE COLORADO ATTORNEY GENERAL, THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU (CFPB), OR BOTH. THE FILING OF A

COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS. Colorado Attorney General 1300 Broadway, 10th Floor Denver, Colorado 80203 (800) 222-4444

www.coloradoattorneygeneral.gov Federal Consumer Financial Protection Bureau P.O. Box 4503 Iowa City, Iowa 52244 (855) 411-2372

www.consumerfinance.gov
DATE: 05/25/2016
Debbie Dunbar, Public Trustee in and for the County of Gunnison, State of Colorado
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
Elizabeth S. Marcus #16092
Kelly Murdock #46915
David R. Doughty #40042
Alison L. Berry #34531
Sheila J. Finn #36637
Eve M. Grina #43658
Nicholas H. Santarelli #46592
Janeway Law Firm, P.C. 9800 S. MERIDIAN, SUITE 400, ENGLEWOOD, CO 80112 (303) 706-9990
Attorney File # 15-009879
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.
©Public Trustees' Association of Colorado Revised 1/2015
Legal Description
Unit 1, Poplar Building, Out Run Condominiums, according to the Condominium Map thereof as recorded December 14, 1979 bearing Reception No. 413103 and the Condominium Declaration pertaining thereto recorded April 4, 1979 in Book 531 at Page 219 and the Supplemental Condominium Declaration recorded December 14, 1979 in Book 544 at Page 908 and the Supplemental Condominium Declaration recorded September 18, 1980 in Book 555 at Page 503 and the Supplemental Condominium Declaration recorded November 25, 1981 in Book 574 at Page 436 and the Supplemental Condominium Declaration recorded March 29, 1989 in Book 664 at Page 934, Town of Mt. Crested Butte, County of Gunnison, State of Colorado.
Published in the *Crested Butte News*.
Issues of July 29, August 5, 12, 19 and 26. #072901

—COMBINED NOTICE - PUBLICATION— CRS §38-38-103 FORECLOSURE SALE NO. 2016-009

To Whom It May Concern: This Notice is given with regard to the following described Deed of Trust:

On May 31, 2016, 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)
Jean Luc Fouquet, and Victoria Fouquet
Original Beneficiary(ies)
Bank of America, N.A.
Current Holder of Evidence of Debt
Bank of America, N.A.
Date of Deed of Trust
July 15, 2013
County of Recording
Gunnison

Recording Date of Deed of Trust
July 26, 2013
Recording Information (Reception No. and/or Book/Page No.)
621684

Original Principal Amount
\$285,900.00
Outstanding Principal Balance
\$273,577.79

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.

See Exhibit A

Also known by street and number as: 24 Wild Goose Ln, Gunnison, CO 81230-4107. 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, 09/28/2016, 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 8/5/2016 Last Publication 9/2/2016 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; IF THE BORROWER BELIEVES THAT A LENDER OR SERVICER HAS VIOLATED

THE REQUIREMENTS FOR A SINGLE POINT OF CONTACT IN SECTION 38-38-103.1 OR THE PROHIBITION ON DUAL TRACKING IN SECTION 38-38-103.2, THE BORROWER MAY FILE A COMPLAINT WITH THE COLORADO ATTORNEY GENERAL, THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU (CFPB), OR BOTH. THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE PROCESS.

Colorado Attorney General 1300 Broadway, 10th Floor Denver, Colorado 80203 (800) 222-4444

www.coloradoattorneygeneral.gov
Federal Consumer Financial Protection Bureau P.O. Box 4503 Iowa City, Iowa 52244 (855) 411-2372
www.consumerfinance.gov
DATE: 05/31/2016

Debbie Dunbar, Public Trustee in and for the County of Gunnison, State of Colorado
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:
Jennifer Cruseturner #44452
Iman Tehrani #44076
Joan Olson #28078
Erin Robson #46557
Holly Shilliday #24423
Courtney Wright #45482
McCarthy & Holthus, LLP 7700 E. Arapahoe

Road, Suite 230, Centennial, CO 80112 (877) 369-6122

Attorney File # CO-16-732488-JS
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.
©Public Trustees' Association of Colorado Revised 1/2015

Exhibit A

Legal Description
THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF GUNNISON, STATE OF COLORADO, AND IS DESCRIBED AS FOLLOWS:
CONDOMINIUM UNIT 7, BUILDING D, TOMICHI CONDOMINIUMS, ACCORDING TO THE CONDOMINIUM MAP THEREOF BEARING RECEPTION NO. 375534 OF THE RECORDS OF GUNNISON COUNTY, COLORADO AND THE CONDOMINIUM DECLARATION PERTAINING THERETO RECORDED IN BOOK 589 AT PAGE 49, AND THE AMENDMENT TO THE CONDOMINIUM DECLARATION RECORDED IN BOOK 591 AT PAGE 856, AND THE SUPPLEMENT TO THE CONDOMINIUM DECLARATION RECORDED IN BOOK 595 AT PAGE 136, AND THE SECOND AMENDMENT TO CONDOMINIUM DECLARATION RECORDED IN BOOK 603 AT PAGE 58 FOR TOMICHI CONDOMINIUMS OF THE RECORDS OF GUNNISON COUNTY, COLORADO.

Published in the *Crested Butte News*. Issues of August 5, 12, 19, 26 and September 2. #080501

Legals

**—NOTICE OF JOINT PUBLIC HEARING—
CONCERNING A LAND USE CHANGE PERMIT
SKETCH PLAN APPLICATION FOR THE
SLATE RIVER INDUSTRIAL PARK
SUBDIVISION OF 35-ACRES INTO 17 LOTS**

**PART OF LOT 1, ALL LOTS 2, 3, 4, PART OF THE SENW, PART OF NESW, SESW 33.93-ACRES IN SWSE,
0.41-ACRES IN SESE SECTION 18, LOT 1 E1/2NW 3.51-ACRE IN W1/2NWNE
SECTION 19, TOWNSHIP 14 SOUTH, RANGE 85 WEST, 6TH P.M.**

HEARING DATE, TIME AND LOCATION: The Gunnison County Planning Commission and Board of County Commissioners will conduct a joint public hearing on **September 2, 2016 at 10:00 a.m.** in the Crested Butte Town Council Chambers, Crested Butte Town Hall, 507 Maroon Avenue, Crested Butte, Colorado, to hear public comment concerning the Sketch Plan application for the Slate River Industrial Park.

APPLICANT: The applicant is L & D Ranches, LLC.

PARCEL LOCATION: The land is located south of the Riverland Industrial Park, west of Highway 135 and is legally described as Part of Lot 1, All Lots 2, 3, 4, Part of the SENW, Part of NESW, SESW 33.93-acres in SWSE, 0.41-acres in SESE Section 18, Lot 1 E1/2NW 3.51-acre in W1/2NWNE Section 19, Township 14 South, Range 85 West, 6th P.M.

PROPOSAL: The applicant requests subdivision of a 35-acre parcel into 17 lots, ranging in size from 1.25-2.15 acres. The use of the lots will be for industrial uses, with an allowance for an ancillary residential use. Water will be supplied by a central water system and wastewater treatment will be provided by individual onsite wastewater treatment systems. Access will be from a subdivision road, via Buckley Drive, to

Highway 135.

PUBLIC PARTICIPATION: The public is invited to submit oral or written comments at the hearing, or to submit written comments by email: planning@gunnisoncounty.org; fax (970) 641-8585, or letter (Community Development, 221 N. Wisconsin, Suite D, Gunnison, CO 81230), so long as they are received by 5 p.m. the afternoon before the date of the meeting so that they may be submitted for the public record during the hearing. A copy of the application is available in the Community Development Department, 221 N. Wisconsin, Suite D, Gunnison, CO; additional information may be obtained by calling the Planning Office (970) 641-0360.

ADA ACCOMMODATIONS: Anyone needing special accommodations as determined by the *American Disabilities Act* may contact the Community Development Department prior to the day of the hearing.

/s/ Neal Starkebaum
Assistant Director
Gunnison County Community Development Department

Published in the *Crested Butte News*. Issue of August 5, 2016. 080502

—MEETING NOTICE—

The Board of Directors of the Upper Gunnison River Water Conservancy District will conduct a regular board meeting on Monday, August 22, 2016, 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 August 5, 2016. 080503

deadline tuesday at noon

—LEGAL NOTICE—

August 16, 2016 at Mt. Crested Butte Town Council Chambers - 6:00 PM – Public Hearing – Discussion and Possible Consideration of a Special Event Liquor License Submitted By The Crested Butte Nordic Council For An Event To Be Held On September 4, 2016 from 10am to 6pm At The CBMR Ski Area Base (Red Lady) for the 3rd Annual Mountain Bike Grand Traverse.
Jill Lindros, Town Clerk

Published in the *Crested Butte News*. Issue of August 5, 2016. #080511

**—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 July 2016.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3051 (REF NO. 11CW81, 04CW141, 97CW27, 91CW24). Name, Address, Telephone Number of Applicant: Gail Mancuso, 500 S Sepulveda Blvd Ste 303 Los Angeles CA 90049-3549, 970-349-5399. Please direct all correspondence to counsel for Applicant: LAW OF THE ROCKIES, Kendall K. Burgemeister, Atty Reg. #41593, 525 North Main Street, Gunnison, CO 81230, (970) 641-1903, kburgemeister@lawoftherockies.com. APPLICATION TO MAKE CONDITIONAL STORAGE RIGHT ABSOLUTE. Name of water right: Fowler Pond. Case Number, Date, and Court of Original Decree: 91CW24, entered November 26, 1991 by the District Court, Water

Division 4. Case Number, Date, and Court of Subsequent decrees: 97CW27, entered August 25, 1998; 04CW141, entered June 16, 2005; and 11CW81, entered November 21, 2011, all by the District Court, Water Division 4. Location: a point 1850 feet north of the south section line and 600 feet east of the west section line, SW1/4NW1/4SW1/4, Section 27, Township 14 South, Range 85 West 6th P.M.. Source: East River, tributary to the Gunnison River. Appropriation Date: May 25, 1990. Amount: 0.16 acre-feet. Uses: recreation, fish propagation, and augmentation. Remarks: Fowler Pond was decreed conditional in 91CW24. It was continued in its entirety in 97CW197. It was made

absolute for recreation and fish propagation in 04CW141. It was continued for augmentation use in 04CW141 and 11CW81. Relief Requested: Applicant requests that Fowler Pond be decreed absolute for all uses in the amount of 0.16 acre-feet based on C.R.S. § 31-32-301(4)(e) and the confirmation of an absolute water right for recreation and fish propagation in Case No. 04CW141. Owners of the land upon which water is or will be stored: Applicant. **GUNNISON COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of September, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts

as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of August 5, 2016. 080505

**—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 July 2016.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3053 (REF NO. 09CW180, 02CW54). Gunnison County. Groundwater trib. to Slate River, trib. to East River, trib. to Gunnison River, waste, seepage and natural flow accruing to an unnamed trib. to the Slate River (this trib. is sometimes referred to as the Clayton Wastewater Ditch). Application for Finding of Reasonable Diligence and to Make Absolute in Part. Applicants: Mr. Robert Stuplich and Butte Pasture Association, Inc., c/o Balcomb & Green, P.C., P.O. Drawer 790, Glenwood Springs, CO 81602; 970-945-6546. **Structure: Butte Pasture Well Field.** **Orig. Decree:** Case No. 02CW54, 12/15/2003 by the Dist. Court, Water Division No. 4. **Subsequent Diligence Decree:** Case No.

09CW180. **Legal Description:** The Butte Pasture Well Field is described on Exhibit A to the Decree in Case No. 02CW54, attached. **Date of Approp.:** 3/17/1999. **Decreed Uses:** Irr., dom. use in nine residential units, and livestock watering. **Irr. Use:** Up to 12,000 sq. ft. within the Butte Pasture Subdivision as described in Exhibit B to the Decree in Case No. 02CW54, attached. **Non-Irr. Use:** dom. use in nine residential units and livestock watering. **Decreed Amt:** 135 gpm, cond. Annual cumulative diversions through all wells completed in the Butte Pasture Well Field are limited to 4.31 AF. **Comments:** The Decree in Case 02CW54 allows for the development of up to nine (9) wells within the Butte Pasture Well Field for the uses and in the amounts described above. **Structure: Butte Pasture Pond.** **Orig. Decree:** Case No. 02CW54, 12/15/2003 by the Dist. Court, Water Division No. 4. **Subsequent Diligence Decree:** Case No. 09CW180. **Legal Description:** the centerline of the dam at its intersec. with an unnamed trib. to the Slate River is located in the SW¼ NW¼, Sec. 7, T. 14 S., R. 85 W., 6th P.M. at a pt. 650 ft. from the W. Sec. line and 2,200 ft. from the N. Sec. line. **Date of initiation of Approp.:** 3/17/1999. **Decreed Uses:** aug. (including of dom., irr. and livestock watering), pisc. and rec. **Surface area of high water line:** 1 acre. **Max. height of dam:** less than 10 ft. **Length of dam:** 400 ft. **Decreed**

Amt: 10 AF, of which 4.02 AF is absolute and 5.98 AF is for pisc. and rec. uses, and of which 10 AF is cond. for aug. use; see Decree, Case No. 09CW180. **Total capacity of reservoir:** 10 AF. **Active capacity:** 10 AF. **Dead storage:** 0 AF. A location map of the Butte Pasture Pond and the Butte Pasture Well Field is Exhibit C to the Decree in Case No. 02CW54, attached. A list of diligence activities performed in the six years preceding the filing of this Application is on file with this court. **Claim to make absolute: Water Right Made Absolute:** Butte Pasture Well Field. **Date water applied to beneficial use:** Various dates, including 6/15/2015, which is a date on which Butte Pasture Well Field was operating to supply dom. use in 8 homes, irr. of 12,000 sf of lawns and gardens, and watering 12 head of livestock. Records maintained by the Colorado Division of Water Resources reflect that no administrative calls were in effect that would curtail in-priority diversion by the Butte Pasture Well Field water right on this date. **Amount claimed absolute:** 92 gpm; the current demonstrated production rate of the 8 wells constructed within the Butte Pasture Well Field. **Uses:** Dom. use in 8 homes, irr. of 12,000 sf of lawns and gardens, and watering 12 head of livestock. **Comment:** A map identifying the location of the 12,000 sf now irrigated by the Butte Pasture Well Field water right is Exhibit D attached to app. Applicants

reserve the right to vary the location of the lands irrigated with the Butte Pasture Well Field water right subject to the terms and conditions of the Decree in Case No. 02CW54. **Name and address of owners of land on which structures are or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use:** Applicant Robert Stuplich and the other members of Applicant Butte Pasture Association listed in app. 13 pgs. **GUNNISON COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of September, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of August 5, 2016. 080506

**—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 July 2016.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3056. Name, Address, Telephone Number of Applicant: Carol A. Foster Separate Property Trust, 5655 Piedmont Dr., Cherry Hills Village, CO 80111-1151, 303-770-2646. Please direct all correspondence to counsel for Applicant: LAW OF THE

ROCKIES, Kendall K. Burgemeister, Atty Reg. #41593, 525 North Main Street, Gunnison, CO 81230, (970) 641-1903, kburgemeister@lawoftherockies.com. APPLICATION FOR SURFACE WATER RIGHT (ABSOLUTE) Structure: Carol's Pipeline. Point of Diversion: 346286E, 4289020N, Zone 13, NAD83. Source: Spring Creek, tributary to the Taylor River, tributary to the Gunnison River. Amount: 20 gpm. Use: Irrigation of 1/2 acre of landscaping. Date of Appropriation: July 1, 2001. How Appropriation was initiated: Diversion and application of water to beneficial use. Date water applied to beneficial use: July 1, 2001. The point of diversion is illustrated on the map attached as Exhibit A to the Application. 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, is owned by Applicant. **GUNNISON COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of September, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

Published in the *Crested Butte News*. Issue of August 5, 2016. 080507

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 July 2016.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows: There has been filed in this proceeding a claim or claims which may affect in priority any water right claimed or heretofore adjudicated within this division and owners of affected rights must appear to object and protest as provided in the Water Right Determination and Administration Act of 1969, or be forever barred.

CASE NO. 2016CW3057 (REF NO. 10CW23, 03CW90, 96CW27). Application for Finding of Reasonable Diligence. Name, Address, Telephone Number of Applicants. Robinson Basin, L.L.C., a Delaware limited liability company, 221 N.

Hogan Street, Suite 403, Jacksonville, Florida 32202. Please send all correspondence to: Marcus Lock, Law of the Rockies, 525 North Main Street, Gunnison, Colorado 81230, 970-641-1903, facsimile 970-641-1943.

Background. Robinson Basin, LLC acquired the water rights described herein from Harry L. Cashin, III on October 24, 2007, in connection with its acquisition of certain land above Lake Irwin. A copy of the quitclaim deed transferring said water rights was recorded at Reception Number 579771 in the office of the Gunnison County Clerk and Recorder. In accordance with Rule 9 of the Uniform Local Rules For All State Water Court Divisions a Notice of Transfer of Conditional Water Right was filed with this Court on January 28, 2008. **Description of Water Rights.** Penney Springs 1 – 6 are all located in Section 27, Township 13 South, Range 87 West, 6th P.M. **Name of Structure:** Penney Springs 1. **Location:** 675 feet east

of the west section line and 68 feet north of the south section line. **Name of Structure:** Penney Springs 2.

Location: 1328 feet east of the west section line and 256 feet north of the south section line. **Name of Structure:** Penney Springs 3. **Location:** 1472 feet east of the west section line and 670 feet north of the south section line. **Name of Structure:** Penney Springs 4. **Location:** 1433 feet east of the west section line and 715 feet north of the south section line. **Name of Structure:** Penney Springs 5.

Location: 1298 feet east of the west section line and 844 feet north of the south section line. **Name of Structure:** Penney Springs 6. **Location:** 1315 feet east of the west section line and 902 feet north of the south section line. **Source, Use and Appropriation Date for Penney Springs 1 – 6:** Tributary to the Gunnison River, domestic and wildlife, September 6, 1996. Penney Springs 1-6 have been decreed conditional for an aggregate

total of 0.033 c.f.s. A decree granting these conditional water rights was entered by the District Court in and for Water Division 4 ("Water Court") on February 20, 1997. In the Matter of the Application for Water Rights of Harry L. Cashin III, Case No. 96CW27. Decrees granting a finding of reasonable diligence were issued by the Water Court on February 9, 2004, in Case No. 03CW90, and on July 15, 2010, in Case No. 10CW23. **Diligence:** A detailed outline of what has been done toward completion of the appropriation and application of the water to beneficial use as conditionally decreed including expenditures is set forth in the application on file with the Water Court. **Ownership Information:** (1) Robinson Basin, L.L.C., a Delaware limited liability company, 221 N. Hogan Street, Suite 403, Jacksonville, Florida 32202; (2) United States of America, acting through United States Department of Agriculture, Forest Service, Gunnison Ranger District, 216 North

Colorado Street, Gunnison Colorado 81230. **GUNNISON COUNTY.** YOU ARE FURTHER NOTIFIED THAT you have until the last day of September, 2016 to file with the Water Clerk, in duplicate, a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$158.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401

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**—CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION—
NOTICE & AGENDA
ANNUAL MEETING OF THE CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION— 2016
SUNDAY AUGUST 14, 2016 AT 4:00 P.M.
SUNSET HALL, 349 TEOCALLI ROAD, CRESTED BUTTE SOUTH
GUNNISON COUNTY, COLORADO**

Questions about this Agenda/Meeting can be directed to 349-1162 or dom@cbsouth.net. This agenda can also be viewed at www.cbsouth.net

- Agenda**
4:00 PM Call to Order, Welcome, Introductions
4:05 PM Proof of Notice of Annual Meeting
4:10 PM Approval of the Minutes of the 2015 Annual Meeting
4:15 PM Year-to-Date Financial Report
4:30 PM Committee Reports

- 4:50 PM** Association Managers Annual Report
5:00 PM Property Owners Comment/Question Time
5:35 PM Adjournment
6:05 PM Please join us after the Meeting in the Park for the Annual Property Owners Picnic with FREE FOOD and DRINKS

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

Please take notice that the Mt. Crested Butte Town Council will hold a public hearing on Tuesday, August 16, 2016 at 6:00 p.m. in the Council Chambers, Municipal Building, Mt. Crested Butte, Colorado.

The purpose of the hearing is for public input on Ordinance No. 6, Series An Ordinance Of The Town Council Of The Town Of Mt. Crested Butte, Colorado, Amending Ordinance No. 4, Series 2015 To Correct Penalty Provisions For Violation Of Ordinance No. 4, Series 2015. – First Reading.

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 Butte, CO 81225-5800, or by fax to (970) 349-6326, by Thursday, August 11, 2016.

Dated this 2nd day of August, 2016.

/s/ Jill Lindros
Town Clerk

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

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legals@crestedbuttenews.com

**—GUNNISON WATERSHED SCHOOL DISTRICT—
AUGUST 8, 2016 ~ 5:30PM
REGULAR SESSION
LAKE SCHOOL
GUNNISON, COLORADO**

- 5:30** I. Call to Order
 II. Roll Call
 III. Pledge of Allegiance
 IV. Modifications/Approval of Agenda
 V. Commendations and recognition of visitors
**Visitors who wish to address the Board please fill out a slip of paper*

- 5:45** VI. Administrative Action Summaries
 A. Superintendent Update- Doug Tredway

- 6:15** VII. 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:

- Board of Education Minutes*
 - June 20, 2016—Budget Adoption/Regular Session
- Finance*
 Approve for payment, as presented by the Business Manager, warrants as indicated:
 - General Account #32148-32299
 - Payroll Direct Deposit #27578-27829

6:30

3. Personnel*
 a. Resignation of Rochele Martinez-Physical Education-GES
 b. Resignation of Rachel Dando-Physical Education-GES
 c. Resignation of Ralph Goehringer-Custodian – GES
 d. Resignation of Nichole Reyecraft-Office Asst-CBCS
 e. Resignation of Jessica Legere-SPED EA-CBCS
 f. Resignation of Annie Tomlinson-SPED EA-CBCS
 g. Joseph Sul-Custodian-GCS
 h. Michael Young-Bus Driver-District
 i. Kylie Collins-General Education Assistant/ Crossing Guard-CBCS
 j. Amy Galey-SPED/Math Rtl Teacher-CBCS
 k. Danyel Grooms-Custodian-GHS
 l. Mary Schock-Office Assistant-GHS
 m. Taylor Castillo-Asst. Volleyball-CBHS
- B. New Business
 1. Adopt Banking Service Resolution
 2. Consideration of Additional Fourth Grade Section at GES

- 6:45** C. Old Business
 1. Second Reading of Policies:
 DIA- Online Schools and Online Programs
 GBEE- Staff Use of the Internet and Electronic Communications
 GBEE-E – Exhibit
 GBEE-R – Remove this regulation
- 7:00** VIII. Comments from the Public
 IX. Items introduced by Board Members
 X. Board Committee Update
 XI. Forthcoming Agendas/Meeting Dates and Times
 A. Monday, August 22, 2016—Work Session@5:30pm Gunnison
 B. Monday, September 12, 2016—Regular Meeting@5:30pm Crested Butte
 C. Monday, September 26, 2016—District Professional Dev. Day-Crested Butte
 D. Monday, October 3, 2016—Regular Meeting@5:30pm Crested Butte
 E. Monday, October 24, 2016—Work Session@5:30-Gunnison
 XII. Adjournment

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—LEGAL—

PLEASE TAKE NOTICE that a public hearing will be on the 15th day of August, 2016 at 7 p.m. in the Town Hall Offices at 507 Maroon Ave, Crested Butte, Colorado on Ordinance No. 5, Series 2016: Ordinance No. 5, Series 2016 - An Ordinance of the Crested Butte Town Council Amending Chapter 7 of the Crested Butte Municipal Code to Add a New Article 6 Prohibiting the Use of Disposable Plastic Bags and Mandating Certain Standards for the Use of Paper Bags.
TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

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—LEGAL—

PLEASE TAKE NOTICE that a public hearing will be on the 15th day of August, 2016 at 7PM in the Town Hall Offices at 507 Maroon Ave, Crested Butte, Colorado on Ordinance No. 6, Series 2016: Ordinance No. 6, Series 2016 - An Ordinance of the Crested Butte Town Council Imposing a Temporary Moratorium on the Issuance of a Business Oc-

cupation Tax License to any Business Renting or Leasing Residential Units for a Term of 30 Days or Less.
TOWN OF CRESTED BUTTE, COLORADO
/s/ Lynelle Stanford, Town Clerk

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deadline is tuesday at noon • legals@crestedbuttenews.com • 970.349.0500 ext. 112