

# Legals

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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 February 2021.

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. 2021CW3010 (ref. 14CW3074; 03CW238)** Name, address, and telephone number of Applicant: Riverwalk Estates Homeowners Association, Inc., 600 W. Tomichi Ave., Gunnison, CO 81230, 970-641-2393. Please direct all correspondence to counsel for Applicant: Law of the Rockies, Kendall K. Burgemeister, Atty. Reg. No. 41593, 525 North Main Street, Gunnison, CO 81230, (970) 641-1903, kburgemeister@lawoftherockies.com. Name of right: Riverwalk Estates Well Field. Legal description: Township 50 North, Range 1 West, N. M. P. M., Section 24: portions of the SW1/4 as shown on Exhibit A, in Gunnison County. UTM coordinates: Northing 4271615; Easting 332145. Source of water: groundwater tributary to the Gunnison River. Amount: 1. 47 c. f. s., conditional, cumulatively on an instantaneous basis by diversion through 45 wells in the Riverwalk Estates Well Field. The total annual volume to be diverted through all 45 wells shall not exceed 29. 1 acre-feet. Use: domestic and irrigation of up to 4. 19 acres. Appropriation Date: 10/1/2003. Name of right: Drummond Well. Legal description: Section 24, Township 50 North, Range 1 West, N. M. P. M., 2,270 feet from west line, 1,815 feet from the South line. UTM coordinates: Northing 4271760; Easting 332348. Source of water: Groundwater tributary to the Gunnison River. Amount: 0. 033 c. f. s. conditional. The total annual volume to be diverted shall not exceed 0. 63 acre-feet. Use: domestic and irrigation of up to 4,150 square feet. Appropriation Date: 10/1/2003. Name of right: Pond No. 1 Well. Legal description: Section 24, Township 50 North, Range 1 West, N. M. P. M., 1,950 feet from the west line, 2,050 feet from the south line. UTM coordinates: Northing 4271834; Easting 332342. Source of water: groundwater tributary to the Gunnison River. Amount: 4. 61 acre-feet per year conditional from 1. 5 surface acres. Use: Recreation, piscatorial and fire protection. The pond will also be a temporary staging and bypass facility for irrigation water diverted by the Riverwalk Pump and Pipeline and Whipp Ditch Riverwalk Enlargement. Appropriation Date: 10/1/2003. Name of right: Pond No. 2 Well. Legal description: Section 24, Township 50 North, Range 1 West, N. M. P. M., 2,200 feet from the west line, 1,500 feet from the south line. UTM coordinates: Northing 4271665; Easting 332415. Source of water: groundwater tributary to the Gunnison River. Amount: 2. 45 acre-feet per year conditional

from 0. 8 surface acres. Use: Recreation, piscatorial and fire protection. The pond will also be a temporary staging and bypass facility for irrigation water diverted by the Riverwalk Pump and Pipeline and Whipp Ditch Riverwalk Enlargement. Appropriation Date: 10/1/2003. Riverwalk Pump and Pipeline: Legal description: Section 24, Township 50 North, Range 1 West, N. M. P. M., 2,550 feet from the west line, 2,500 feet from the south line. UTM coordinates: Northing 4271967; Easting 332527. Source of water: Gunnison River. Amount: 1. 0 c. f. s. conditional. Use: domestic and irrigation. Appropriation Date: 10/1/2003. Whipp Ditch Riverwalk Enlargement: Legal description: Section 24, Township 50 North, Range 1 West, N. M. P. M., 800 feet from the east line, 1,100 feet from the north line. UTM coordinates: Northing 4272537; Easting 333220. Source of water: Gunnison River. Amount: 1. 2 c. f. s. conditional. Use: irrigation, recreation, piscatorial and fire protection. Appropriation Date: 10/1/2003. Applicant seeks to make the following rights absolute, all located in the SW1/4 of Section 24, Township 50 N, Range 1 West, NMPM (all UTM locations are NAD 83, Zone 13): Riverwalk Estates Well Field. The well field water right has been applied to beneficial use at the following structures, each in the amount of 15 gpm for domestic use inside a single-family dwelling and irrigation of up to 4,150 square feet of land and garden:

Well	UTM Easting	UTM Northing	Date of Beneficial Use
Lot 8 Well (Permit 84398-F)	332141	4271748	7/10/2020
Lot 10 Well (Permit 78562-F)	332090	4271717	11/24/2014
Lot 15 Well (Permit 82445-F)	331851	4271453	12/5/2015
Lot 18 Well (Permit 79295-F)	332083	4271566	7/18/2019
Lot 19 Well (Permit 80873-F)	332250	4271682	7/14/2017
Lot 21 Well (Permit 65427-F)	332377.5	4271713.3	3/16/2007
Lot 23 Well (Permit 82623-F)	332468	4271759	5/16/2019
Lot 29 Well (Permit 65462-F)	332447.3	4271493.2	4/5/2007
Lot 31 Well (Permit 78001-F)	332314.4	4271510	6/16/2014
Lot 33 Well (Permit 79811-F)	332224	4271510	1/10/2017
Lot 34 Well (Permit 66431-F)	332130.5	4271491	1/9/2008
Lot 35 Well (Permit 82429-F)	332074	4271431	7/18/2019
Lot D Well (Permit 83823-F)	332102	4271370	10/12/2020

Pond No. 1 Well. Location: 332342 E; 4271834 N. Date of Beneficial Use: Prior to 12/31/2005. Amount: Approximately 0. 8 acres; 2. 46 acre-feet per year. Pond No. 2 Well. Location: 332415 E; 4271665 N. Date of Beneficial Use: Prior to 12/31/2005. Amount: Approximately 0. 66 acres;

2. 02 acre-feet per year. Whipp Ditch Riverwalk Enlargement. Location: 333220 E; 4272537 N. Date of Beneficial Use: Prior to 12/31/2005. Amount: 1. 2 c. f. s. Applicant seeks a finding of reasonable diligence with respect to any portion of the conditional water rights not made absolute in this case, specifically including the Riverwalk Estates Well Field (in part), Pond No. 1 Well (in part), Pond No. 2 Well (in part) and Riverwalk Pump and Pipeline. Actions undertaken toward completion of the appropriation include application of a portion of the conditional water rights to beneficial use and all action related thereto, including procurement of augmentation water, application for well permits, and construction of wells (see paragraph 8, above). Names and addresses of owners 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: Pond No. 1 Well, Pond No. 2 Well, Lot 34 Well: Applicant. Lot 8 Well: Plumley, Patrick; Trentlage, Becky, 1307 Paragon Pl., Fort Collins, CO 80525-9126. Lot 10 Well: Vernon, Erica J. and Jason A., 355 Riverwalk Dr., Gunnison, CO 81230-9405. Lot 15 Well: With, Elizabeth, 497 Kokanee Ct., Gunnison, CO 81230-9749. Lot 18 Well: Oros, Kenneth J., 345 Kokanee Ct., Gunnison, CO 81230-9650. Lot 19 Well: Niederer, Fred And Lisa, 270 Riverwalk Dr., Gunnison, CO 81230-9431. Lot 21 Well: Leonard Tracy Andrew, 170 Riverwalk Dr., Gunnison, CO 81230-9368. Lot 23 Well: Livermore, TI And Lynn Schumann, 60 Riverwalk Dr., Gunnison, CO 81230-9460. Lot 29 Well: Cattles, John, 114 Kokanee Ct., Gunnison, CO 81230-9810. Lot 31 Well: Blattner, Mary B. And Paul L., 196 Kokanee Ct., Gunnison, CO 81230-9810. Lot 33 Well: Tutor Bryan & Mann Paula, Po Box 1269, Gunnison, CO 81230-1269. Lot 35 Well: Meeuwesen, James, 396 Kokanee Ct., Gunnison, CO 81230-9650. Lot D Well: Jeffery Ford, 1716 Parkwood Dr., Grapevine, TX 76051-7054. Whipp Ditch Riverwalk Enlargement: No new diversion or modification of existing diversion structure. **GUNNISON COUNTY YOU ARE FURTHER NOTIFIED THAT you have until the last day of April, 2021 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 March 5, 2021. #030503

—LEGAL NOTICE—

Notice is hereby given to the following party that their personal items stored at Discount Self Storage, 246 Buckley, Crested Butte, CO will be sold or disposed of unless claimed prior to March.

Unit G15 – Andrew Winogradow Date of Redemption: March 18, 2021

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**DESIGN REVIEW COMMITTEE (DRC)  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION  
NOTICE OF PUBLIC MEETING  
AGENDA  
THURSDAY MARCH 18TH, 2021 ~ 6:00 P.M.  
UBERCONFERENCE**

**Join the call:** <https://www.uberconference.com/dom658>  
Optional dial-in number: 781-448-4005  
PIN: 70089  
This Agenda serves a 14-day public comment period in which comments may be submitted in writing to the DRC. Questions about this Agenda/Meeting can be directed to 349-1162 or [info@cbsouth.net](mailto:info@cbsouth.net) or viewed at: [www.cbsouth.net](http://www.cbsouth.net)  
**6:00 PM Call to Order**  
**6:05 PM Approve Minutes** for the February 25th, 2021 DRC Meeting.  
New Business:  
**6:10 PM Truettner**, Commercial Building- **Zuni Street Brewery**, Lot C17 and C18, Block 6, Filing #2, 235 and 247 Elcho Avenue.  
**7:00 PM Williamson**, Accessory Dwelling Unit and Garage, Lot C39, Block 5, Filing #2, 33 Gillaspay Avenue, Unit 1  
**7:30 PM Fessenden**, Multi-Family Residence, Lot 18, Block 4, Filing #2, 391 Cement Creek Road

**8:10 PM Berry**, Single-Family Residence, Lot 12 and 13, Block 29, Filing #4, 99 Neville Way  
**8:40 PM Preliminary Review, Haverly Townhouse #1, #2 and #3**, Lot C43, Lot C44, Lot C45, Block 4, Filing #2, 65, 83, and 103 Haverly Street- 12 Units Total  
**8:50 PM Scheduled Property Owner Comment Time**  
**9:00 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. A complete set of plans can be viewed at the Crested Butte South POA office, 61 Teocalli Road.

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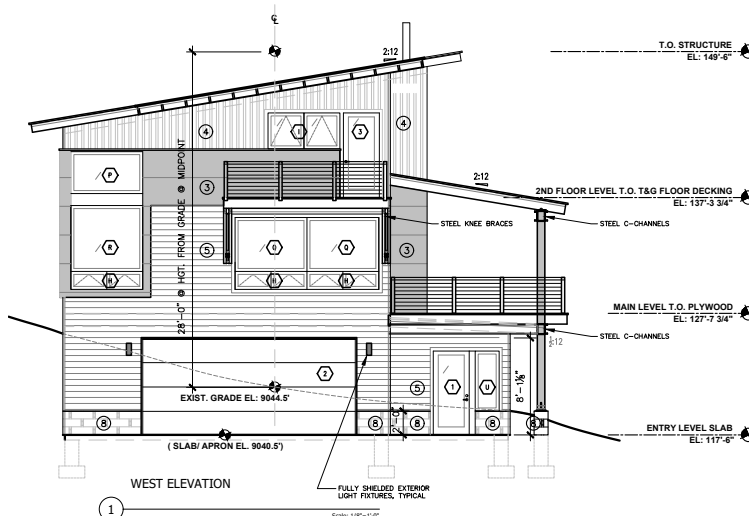
—NOTICE OF APPROVAL CREATING A VESTED PROPERTY RIGHT—

PLEASE TAKE NOTICE that the Town of Crested Butte approved the following site specific development plan(s) for construction or subdivision within the Town which creates a three year vested property right pursuant to Colorado Revised Statutes, section 24-68-103 (as amended).  
The "vested property right" gives the following applicant(s) the right to undertake and conditions of the approval for their site-specific development plan(s).  
February 23, 2021:  
**Michael H. Higuera:** to proceed with "Phase 2" to replace windows and doors and site an addition on the rear (north) of the existing historic single family residence located at 221 Whiterock Avenue, Block 33, Lots 27-28 in the R2C zone. Architectural approval was granted. Permission to demolish the northern portion of the roof of the historic residence was granted.  
More information is available at the Town Office located at 507 Maroon Ave., Crested Butte, CO.  
TOWN OF CRESTED BUTTE  
by Jessie Earley, Planner II

Published in the *Crested Butte News*. Issue of March 5, 2021. #030505

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

Location: On-line at Uberconference  
Join the call: <https://www.uberconference.com/dom658>  
Optional dial-in number: 781-448-4005  
PIN: 70089  
PLEASE TAKE NOTICE THAT a CB South Design Review Committee hearing will be held on Thursday March 18th, 2021 at 8:10 pm for the purpose of considering the following: *A Certificate of Appropriateness* for the application for a **Single-Family Residence** Lot 12 and 13, Block 29, Filing #4, a.k.a. 99 Neville Way. A complete set of plans can be viewed at the Crested Butte South P.O.A. Office, 61 Teocalli Road by appointment.  
This **Notice of Public Hearing** serves as 14-day public comment period in which comments may be submitted in writing to the Design Review Committee.  
CRESTED BUTTE SOUTH PROPERTY OWNERS ASSOCIATION



DESIGN REVIEW COMMITTEE.  
Submitted by Dom Eymere, CB South Property Owners Association Manager  
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—MEETING NOTICE—

The Board of Directors of the Upper Gunnison River Water Conservancy District will conduct a regular board meeting on Monday, March 22, 2021 at 5:30 pm. The meeting will be held by video/telephone conferencing and is open to the public. Please contact District staff at (970)641-6065 for the video/teleconferencing login information. An agenda will be posted at the District Office prior to the meeting.

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—NOTICE OF APPROVAL CREATING A VESTED PROPERTY RIGHT—

PLEASE TAKE NOTICE that the Town of Crested Butte approved the following site specific development plan(s) for construction or subdivision within the Town which creates a three year vested property right pursuant to Colorado Revised Statutes, section 24-68-103 (as amended).  
The "vested property right" gives the following applicant(s) the right to undertake and conditions of the approval for their site-specific development plan(s).  
February 23, 2021:  
**Antelope Partners LLC:** to construct a single family residence and two accessory buildings to be located at

918, 918 1/2 and 920 1/2 Bellevue Avenue, Block 74, Tract 4 in the R1D zone. Architectural approval was granted. Conditional use permits for two non-residential, heated and/or plumbed accessory buildings in the R1D zone was granted.  
More information is available at the Town Office located at 507 Maroon Ave., Crested Butte, CO.  
TOWN OF CRESTED BUTTE  
by Jessie Earley, Planner II

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