

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 April 2019.

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. 2019CW12 (REF NO. 12CW126). Applicant: Jim Free, 14920 6000 Road, Montrose, CO 81403. Application for Finding of Reasonable Diligence: Cow Camp Spring – SW1/4NE1/4NE1/4 of Section 5, T46N, R6W, NMPM. 2,645 feet from the south line and 932 feet from the east section line. Easting 277468, Northing 4238571, Zone 13. Source: Big Cimarron River, Gunnison River. Appropriation Date: 10/06/2012. Amount Claimed: 15 g.p.m. conditional for domestic use in on single-family dwelling, stockwater, wildlife and fire protection. The Application on file with the Water Court contains and outline of the work performed during the diligence period.
GUNNISON COUNTY.

CASE NO. 2019CW13 (REF NO. 12CW98). Applicant: Harlan Smith, 3950 Hockaday Dr., Dallas, TX 75229. Application to Make Absolute: Slade Spring – SE1/4SE1/4SW1/4 of Section 12, T43N, R8W, NMPM 596 feet from the south line and 2,655 feet from the west section line. Source: Thistledown Creek, Canyon Creek, Uncompahgre River. Appropriation Date: 06/11/2011. Amount Claimed: .033 c.f.s. absolute for irrigation of ½ acre, domestic use in three single-family dwellings, to fill undecreed pond and wildlife. The Application on file with the Water Court contains and outline of the work performed during the diligence period. **OURAY COUNTY.**

CASE NO. 2019CW14. Applicant: Barton Bortles, 6348 Kannah Creek Rd., Whitewater, CO 81527. Application for Change of Water Right: Smith Ditch – Date of Original Decree: 07/25/1888. Case No. CA 216. Legal Description: At a point whence the SW Corner of the NE1/4NE1/4 of Section 3, T3S, R2E, Ute P.M. bears 30°26' East 813.5 feet. This point is the headgate of the Smith Ditch. Decreed Source of Water: Kannah Creek, Gunnison River. Decreed Appropriation Date: 8/11/1885. Total Amount Decreed to Structure: 23.11 c.f.s. absolute. Decreed Use: Irrigation. Amount of Water Applicant Intends to Change: .5 c.f.s. Detailed Description of Proposed Change: Proposition to move .5 c.f.s. of No. 3 priority water from the Smith Ditch upstream to the William H. Williams Ditch with alternate points of diversion located at the Black Ditch and a point along the creek in which I can pump water to irrigate by sprinkler. The intention is to irrigate approximately 28 acres of pasture land. I am moving this water from land that was historically irrigated under the Smith Ditch and moving it upstream to approximately the same amount of acreage that the original decree allowed for use. The original decree for the priority No. 3 water specifies that 75 acres were to be irrigated with 1.3 c.f.s. of water, therefore .5 will be adequate to irrigate 28.9 acres without causing injury by expansion of use of the original decree. UTM for William H. Williams Ditch: Northing 4316686, Easting 215297, Zone 13. UTM for Black Ditch: Northing

4316188.9, Easting 214635.3, Zone 13. UTM for Alternate Point: 4316686, Easting 215297, Zone13. **MESA COUNTY.**

CASE NO. 2019CW15 (REF NO. 12CW110, 06CW40). Applicant: Terry Comstock and Heidi Comstock, 167 Hanamu Rd, Makawoo, HI, 96768. Application for Finding of Reasonable Diligence – Gratitude Pond - SW1/4SW1/4NW1/4 of Section 23, T47N, R9W, NMPM. 2,443 feet from the north line and 25 feet from the west section line. Source: Uncompahgre River. Appropriation Date: 04/02/2006. Amount Claimed: 1.983 acre-feet conditional for irrigation of 11 acres, stockwater, wildlife and fire protection. The application on file with the Water Court contains an outline of the work performed during the diligence period. **OURAY COUNTY.**

CASE NO. 2019CW16 (REF NO. 12CW116). Applicant: Joe Weimer, P. O. Box 68, Nucla, CO 81424. Application to Make Absolute: Upper Willow Spring – NW1/4NE1/4NW1/4 of Section 22, T50N, R16W, NMPM. 196 feet from the north line and 1,645 feet from the west section line. Source: North Fork Escalante Creek, Escalante Creek, Gunnison River. Appropriation Date: 08/23/2012. Amount Claimed: .033 c.f.s. conditional for stockwater and wildlife. The application on file with the Water Court contains an outline of the work performed during the diligence period. **MESA COUNTY.**

CASE NO. 2019CW3016 (REF. NO. 97CW114, 06CW103 & 2012CW137). SAN MIGUEL COUNTY- BIG BEAR CREEK, TRIBUTARY TO THE SAN MIGUEL RIVER. LIZARD HEAD WILDERNESS, LLC, c/o Tom Kinney, Western Slope Water Rights, LLC, 0274 Crystal Park Drive, Redstone, CO 81623, (970) 510-0650. Application for Finding of Reasonable Diligence and Award of Absolute Water Rights. Applicant has requested entry of a decree finding that it has shown reasonable diligence towards completing the appropriation of water pursuant to the following-described water rights and for continuing the subject conditional water rights in full force and effect for an additional six-year diligence period. The subject conditional water rights were originally decreed by the District Court, Water Division No. 4, in Case No. 97CW114 on May 4, 2000 and continued conditional by entry of diligence decrees in Case Nos. 06CW103 on November 28, 2006 and 2012CW137 on April 16, 2013. The subject conditional water rights are all located in unincorporated San Miguel County on land owned by the Applicant. All UTM coordinate diversion point descriptions are within UTM Zone 13, NAD83. The subject conditional well water rights divert groundwater tributary to Big Bear Creek and the San Miguel River, subject to an instantaneous cumulative diversion rate limitation of 0.134 cfs (60 gpm) at each well and an annual cumulative volumetric diversion limitation of 30 acre-feet from the four wells which, are described as follows: (1) Faraway Well No. 1. 0.056 cfs (25 gpm), conditional, located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 8, T. 42 N., R. 10 W., N.M.P.M., within a 200-foot radius of a point approximately 3,200 feet distant from the east section line and approximately 2,750 feet distant from the south section line of said Section 8, having a depth of approximately 300 feet. (2) Faraway Well No. 2. 0.056 cfs (25 gpm), conditional, located within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 8 within a 200-foot radius of a point approximately 3,100 feet distant from the east section line and approximately 80 feet distant from the north section line of said Section 8, having a depth of approximately 290 feet. (3) Faraway Well No. 3. 0.056 cfs (25 gpm), conditional, located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8 within a 200-foot radius of a point approximately 4,270 feet distant from the east section line and approximately 2,520 feet distant from the south section line of said Section 8, having a depth of approximately 400 feet. (4) Faraway Well No. 4. 0.056 cfs (25 gpm),

conditional, located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 8 within a 200-foot radius of a point approximately 5,060 feet distant from the east section line and approximately 2,400 feet distant from the south section line of said Section 8, having a depth of approximately 500 feet. The beneficial uses of Faraway Well No. 1 through 4 are for domestic and commercial uses, and the irrigation of one (1) acre of lawns and gardens, and an additional 5,000 ft² of greenhouse irrigation with an appropriation date of September 30, 1994. The following-described subject conditional surface water rights all divert water tributary to Big Bear Creek and the San Miguel River, and are all located on land owned by the Applicant: (5) Homestead Pond. 2.4 acre-feet ("a-f"), conditional, all active capacity with a right to fill and refill in priority at a rate of 0.2 cfs, conditional, from Homestead Spring and runoff and precipitation and is located within portions of the NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ and the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 8 having a dam located at a point bearing approximately South 18 $^{\circ}$ 15' East a distance of 8,450 feet from the northwest corner of Section 5, T. 42 N., R. 10 W., N.M.P.M. which is also described as UTM coordinates 4,200,618 meters North, 236,696 meters East; for stock watering, recreation, wildlife, piscatorial, fire protection and augmentation with an appropriation date of September 20, 1994. (6) Strawberry Roan Pond No. 1. 1.44 a-f, conditional, all active capacity with a right to fill and refill in priority at a rate of 0.2 cfs, conditional, from FAR Spring 1 and runoff and precipitation and is located within a portion of the W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T. 42 N., R. 10 W., N.M.P.M. having a dam located at a point bearing approximately South 31 $^{\circ}$ 20' East a distance of 5,310 feet from the northwest corner of said Section 5 also described as UTM coordinates 4,201,825 meters North, 236,932 meters East; for stock watering, recreation, wildlife, piscatorial, fire protection and augmentation with an appropriation date of September 20, 1994. (7) Strawberry Roan Pond No. 2. 2.64 a-f, conditional, all active capacity with a right to fill and refill in priority at a rate of 0.2 cfs, conditional, from FAR Spring 1 and runoff and precipitation and is located within a portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5 having a dam located at a point bearing approximately South 29 $^{\circ}$ 30' East a distance of 5,200 feet from the northwest corner of said Section 5 also described as UTM coordinates 4,201,832 meters North, 236,733 meters East; for stock watering, recreation, wildlife, piscatorial, fire protection and augmentation with an appropriation date of September 20, 1994. (8) Strawberry Roan Pond No. 3. 1.92 a-f, conditional of which, 0.03 a-f is requested to be awarded absolute, all active capacity with a right to fill and refill in priority at a rate of 0.22 cfs, conditional of which, 0.02 cfs, conditional, is diverted from FAR Spring 1 and 0.2 cfs is requested to be awarded absolute from runoff and precipitation, located within a portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5 having a dam located at a point bearing approximately South 27 $^{\circ}$ 35' East a distance of 5,100 feet from the northwest corner of said Section 5 which location is also described as UTM coordinates 4,201,832 meters North, 236,733 meters East; for stock watering, recreation, wildlife, piscatorial, fire protection and augmentation with an appropriation date of September 20, 1994. (9) Zebulon Pond. 3.0 a-f, conditional, all active capacity with a right to fill and refill in priority at a rate of 0.05 cfs, conditional, from Zeke Spring and runoff and precipitation and is located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, T. 42 N., R. 10 W., N.M.P.M. having a dam located at a point bearing approximately South 47 $^{\circ}$ 00' East a distance of 6,250 feet from the northwest corner of said Section 7 also described as UTM coordinates 4,200,446 meters North, 235,805 meters East; for augmentation with an appropriation date of February 26, 1982. (10) FAR Spring 1. 0.022 cfs, conditional, located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 5 at a point bearing South 35 $^{\circ}$ 20' West a distance of 5,880 feet from the northeast corner of said Section 5 also described as UTM coordinates 4,201,631 meters North, 236,730 meters East for filling Strawberry

Roan Pond Nos. 1, 2 and 3 for the beneficial uses described hereinabove with an appropriation date of September 20, 1994. (11) Homestead Spring. 0.05 cfs, conditional, located in the NE¼SW¼ of said Section 8 at a point bearing South 22°30' West a distance of 8,670 feet from the northeast corner of said Section 5 also described as UTM coordinates 4,201,017 meters North, 236,910 meters East UTM Zone 13, NAD83, for filling Homestead Pond for the beneficial uses described hereinabove with an appropriation date of September 20, 1994. (12) Zeke Spring. 0.05 cfs, conditional, located in the NE¼SE¼ of said Section 7 at a point bearing South 46°30' East a distance of 6,120 feet from the northwest corner of said Section 7 also described as UTM coordinates 4,200,274 meters North, 235,696 meters East or 4,200,456 meters North, 235,871 meters East (CDSS records for the UTM diversion point coordinates for "Zeke Spring" and for "Zeke Springs" may be confused) for filling Zebulon Pond for the beneficial uses described hereinabove with an appropriation date of February 26, 1982. (15 pages with 2 exhibits). **SAN MIGUEL COUNTY.**

CASE NO. 2019CW3017 – Case Rejected.

CASE NUMBER 2019CW3018 (REF NO. 12CW121, 06CW56, 99CW36, 92CW122, 84CW300, 84CW301, 84CW302, 85CW30 and 85CW31). Name, Address, Phone Number and E-Mail Address of Applicant: Double RL Company, c/o Ranch Manager, 5180 Highway 62, Ridgway, Colorado 81432; (970) 626-5485; oakley@rrlranch.com. Copies of all pleadings to: Richard A. Johnson, David F. Bower, Michael S. Davidson, Johnson & Repucci LLP, 850 W. South Boulder Road, Suite 100, Louisville, Colorado 80027, rajohnson@j-rlaw.com; dfbower@j-rlaw.com; msdavidson@j-rlaw.com. APPLICATION FOR FINDING OF REASONABLE DILIGENCE in OURAY and SAN MIGUEL COUNTIES. Name and Description of Conditional Water Right. Name of Structure: The County Line Spring. Original and Subsequent Decrees: The County Line Spring was originally decreed on September 26, 1986, in Case Nos. 84CW300, 84CW301, 84CW302, 85CW30 and 85CW31, Water Division 4, as part of a stipulated order and decree. The decree awarded 0.02 cfs, absolute, for stock watering purposes, and 0.033 cfs, conditional, for domestic purposes. Subsequent findings of reasonable diligence for the domestic use were made in Case Nos. 92CW122, 99CW36, 06CW56, and 12CW121 (consolidated with Case No. 12CW120), Water Division 4, entered on March 11, 1993, March 2, 2000, October 10, 2006 and April 16, 2013, respectively. Decreed Legal Description of Structure: NE1/4 NW1/4 NE1/4 of Section 7, Township 44 North, Range 9 West, N.M.P.M., at a point 269 feet from the north section line and 1,538 feet from the east section line (Zone 13S, NAD83, Easting 0246318m, Northing 4219326m). A map showing the decreed location of The County Line Spring is attached as Exhibit A. Decreed Source: Spring water tributary to the Uncompahgre and San Miguel Rivers. Decreed Amounts and Uses: 0.02 cfs, absolute, for stock watering purposes, and 0.033 cfs, conditional, for domestic purposes. Date of Appropriation for Conditional Right: July 24, 1982. Claim for Finding of Reasonable Diligence. The following activities were undertaken since the last diligence finding in order to complete and apply The County Line Spring conditional water right to its decreed beneficial uses: Development of County Line Spring No. 2. In October 2016, Applicant's engineers, Bishop-Brogden Associates, Inc. ("BBA"), performed a site visit in The County Line Spring area. During its site visit, BBA identified an undecreed pond in the vicinity of the County Line Spring, known as the County Line Spring No. 2. The County Line Spring No. 2 had been historically used for stock watering and, due to its location, Applicant is also developing plans to use it for domestic purposes along with the subject County Line Spring water right. As a result, Applicant filed an application for a water right for the

County Line Spring No. 2, which was granted on April 2, 2018 in Case No. 17CW3060. County Line Spring No. 2 will be used in conjunction with the subject County Line Spring right for servicing Applicant's ranch facilities, including residential homes, cabins and ancillary structures. Applicant incurred approximately \$11,621.41 in legal and engineering costs in connection with obtaining the water right for County Line Spring No. 2. Engineering and Construction Activities. During the subject diligence period, Applicant has continued to develop its plans for a residential or day-use structure in the vicinity of County Line Spring and County Line Spring No. 2, which would utilize the domestic water rights decreed to the springs. Main Ranch Compound Domestic Water Supply. Since the last diligence finding, Applicant has performed extensive work to improve the main ranch compound's domestic water supply system by, among other things, updating its water treatment facilities, installing a new water filtration system, improving piping to certain cabins, adding a new 25,000 gallon cistern and requesting an amended plan for augmentation from the Water Court in Case No. 18CW3064. Applicant has also spent significant time and effort maintaining the Carroll Brown Reservoir and its feeder ditch, excavating, cleaning and replacing infrastructure associated with Double RL Lake No. 1, and performing and providing annual accounting to the Division Engineer for Double RL's domestic water supply. The County Line Spring and County Line Spring No. 2 may also be tied into the main ranch compound's domestic supply for added redundancy and reliability. A letter report prepared by BBA detailing the schematics of such a domestic system and how it is anticipated to provide redundancy to Double RL's main ranch compound's domestic supply is attached hereto as Exhibit B. General Legal and Engineering Costs. Applicant has also incurred significant general legal and engineering costs during the subject diligence period in performing accounting and other water rights related work and in monitoring, evaluating and participating in water rights cases and other related projects in order to protect its water rights against injury. Name of Landowner upon which any New or Modified Diversion Structure is Located. This application does not involve any new diversion or storage structure, or modification to any existing diversion or storage structure upon which water is or will be stored. **OURAY AND SAN MIGUEL COUNTIES.**

CASE NO. 2019CW3019 (REF NO. 99CW73, 01CW117, 06CW138, 12CW130). APPLICATION FOR FINDING OF REASONABLE DILIGENCE. CONCERNING THE APPLICATION FOR WATER RIGHTS OF MAJESTIC SKY PARTNERS, LLC, DISTRICT COURT, DIVISION NO. 4, STATE OF COLORADO. 1. NAME AND ADDRESS OF APPLICANT: Majestic Sky Partners, LLC, 1032 Via Mirabel, Palos Verdes Estates, CA 90274, 310-962-6685, gregory.laetsch@ms.com, by its attorney, Bo James Nerlin, J. David Reed, P.C., P.O. 196, Montrose, CO 81402, 970-249-3806, bnerlin@jdreedlaw.com. 2. NAME AND ADDRESS OF STRUCTURES: Sawtooth Ponds. No. B1 and B8 and B10. 3. Description of conditional water rights: 013, the water rights were continued in full force and effect. A. Amounts Conditionally Decreed: Sawtooth Ponds B1, B8 and B10 (the "Ponds") were decreed absolute and conditional water storage rights by decree of the District Court in and for Water Division No. 4 (the "Water Court") in Case No. 99CW73 dated July 3,2000 (the "Original Decree"). By decree of the Water Court in Case No. 04CW186 dated May 19, 2006 (the "Change Decree") (a) portions of such conditional water rights were made absolute, (b) 0.25 AF conditionally decreed to Pond B6 was transferred to Pond B8, and (c) 0.08 AF conditionally decreed to Pond B7 was transferred to Pond B8. By decree of the Water Court in Case No. 06CW138 entered November 28, 2006, diligence was found with respect to the amounts that remained conditionally decreed to Ponds B1, B8 and B10, to wit: Pond B1 – 0.25 AF, Pond B8 – 0.33 AF, and Pond B10 – 0.23 AF. B. B. Decreed

Sources: The source of water for the Ponds in the Original Decree is irrigation return flows in a small drainage tributary to Dry Creek and the Uncompaghre River. By the Change Decree, the Applicant's pro-rata share of water diverted from Cow Creek and delivered through the Alkali No. 1 Ditch and return flows from the irrigation use thereof, at such times as the Ponds' own priorities are in priority, were added as additional sources of supply, and Applicant obtained the right to run freshening flows through the Ponds, subject to certain terms and conditions set forth in such decree. C. Decreed Uses: The decreed uses are stock water and wildlife. D. Decreed Locations: The decreed locations of the subject Ponds, as corrected in the Change Decree, are as follows:

Pond	¼ ¼ Section All Township 45 North, Range 8 West, NMPM	UTM Coordinates NAD83	Distance from North/South Section Line	Distance from East/West Section Line
B1	NE SW of Section 2	E261836 N4229366	2,617 ft. from South	666 ft. from West
B8	SE SE of Section 3	E261419 N4228769	605 ft. from South	656 ft from East
B10	NW NW of Section 2	E261884 N4229898	925 ft. from North	782 ft. from West

4. DETAILED OUTLINE OF WORK DONE TO APPLY WATER TO BENEFICIAL USE: During the diligence period, the Applicant engaged in the following specific activities that demonstrate diligence toward the application of water to the decreed beneficial uses: A. Applicant continued to maintain and improve the Ponds and related structures to enable Applicant to use the subject conditional water rights. B. Applicant constructed fencing around the Ponds to promote their use for livestock watering. C. Applicant made substantial improvements to its operations to support livestock watering use of the subject conditional water rights. D. Applicant continually monitored the filings for water rights and water related activities of other users in the area that could adversely impact the Ponds. F. Applicant intends to develop and utilize the subject conditional water rights to the full decreed amounts within a reasonable time. WHEREFORE, Applicant requests that this Court enter a decree that finds Applicant has exercised reasonable diligence in the development of the subject conditional water rights, and for such other and further relief as this Court deems just and proper. **OURAY COUNTY.**

CASE NO. 2019CW3020 (REF NO 11CW86). Taylor River Canyon, LLC, a Colorado limited liability company, c/o Bill Gallen, P.O. Box 1807, Crested Butte, Colorado 81224, bgallen@grassybrook.nl, (970) 275-7577, c/o Austin J. Chambers, Law of the Rockies, LLC, 525 North Main Street, Gunnison, CO 81230, achambers@lawoftherockies.com, (970) 641-1903, fax (970) 641-1943. APPLICATION TO MAKE ABSOLUTE IN WHOLE OR IN PART, OR IN THE ALTERNATIVE, FOR A FINDING OF REASONABLE DILIGENCE, Gunnison County. Name of Structure. TRC Pond. Description of Conditional Water Right for TRC Pond. Original Decree: Case No. 11CW86, April 8, 2013, Water Division 4. Legal description of location of dam centerline: A point in the NE1/4SW1/4, Section 18, Township 15S, Range 83W, 6th PM, 2360 feet from the south section line and 2265 feet from the west section line. This location is indicated on the map attached as Exhibit A to the Application. Source: Five Mile Creek (tributary to the Taylor River) and groundwater tributary to the Taylor River, tributary to the Gunnison

River. Structures used to fill reservoir: Five Mile Pipeline. Legal Description: The point of diversion was decreed in Case No. 83CW265 as a point located on the right bank of Five Mile Creek which is South 10° East 1125 feet from the Northwest Corner of Tract 41, Section 18, Township 15 South, Range 83 West, 6th P.M. The point of diversion was located during a site visit at Zone 13, Easting 351064, Northing 4289800 (NAD 83). Source of Water: Five Mile Creek, tributary to the Taylor River, tributary to the Gunnison River. Appropriation Date: July 28, 2011. Amount: 3.05 acre-feet (conditional). Fill and refill rate: 0.308 cfs (138 gallons per minute). Use: recreational, piscatorial, and wildlife watering. Surface area at high water line: 13,300 square-feet. Capacity: 3.05 acre-feet (dead). Detailed outline of what has been done toward completion of the appropriations. A detailed outline of the Applicant's diligence activities is included in the Application. Under C.R.S. § 37-92-301(4)(b), "[w]hen a project or integrated system is comprised of several features, work on one feature of the project or system shall be considered in finding that reasonable diligence has been shown in the development of water rights for all features of the entire project or system." The activities and expenditures do not reflect each and every activity undertaken by Applicant to place the conditional water right described herein to beneficial use, but are illustrative of Applicant's reasonable diligence in applying such water rights to a beneficial use in accordance with the standards set forth in C.R.S. § 37-92-301(4). Additional work may be performed and additional expenses may be incurred between the date the Application is filed and the entry of any decree in this matter. Application to make conditional water right for TRC Pond absolute. Dates water applied to beneficial use: August 2015 – present. Amount: 3.05 acre-feet. Uses: recreational, piscatorial, and wildlife watering. Evidence that diversion of water was made in priority and applied to beneficial uses. The initial fill of TRC Pond and any refills, from the date water was first applied to beneficial use through the remaining portion of the Diligence Period, have been during free river conditions, when the water right is in priority, or the depletions are augmented pursuant to an approved plan for augmentation. Description of place of use where water is applied to beneficial use. Water is used at the Taylor River Lodge, located on property owned by Applicant. Applicant's property comprises approximately 8 acres and includes a lodge, homes, cabins, bathhouse, gym and spa, and dining facilities. Names(s) and address(es) of owner(s) or reputed 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: Applicant. WHEREFORE, Applicant respectfully requests that the Court enter a Ruling and Decree making TRC Pond absolute in the amount of 3.05 acre-feet with a refill rate of 0.308 cfs (138 gallons per minute), for recreational, piscatorial, and wildlife watering, with an appropriation date of July 28, 2011. In the alternative, Applicant respectfully requests a finding of reasonable diligence and to continue the remaining conditional amount in full force and effect. (4 pages). **GUNNISON COUNTY.**

AMENDED/CORRECTED:

CASE NO. 2019CW9 (REF NO. 06CW43, 12CW106). Applicant: Tom Chairez and Carolyn Chairez, P.O. Box 787, Delta, CO 81416. Amended Application to Make Absolute: Chairez Pump – NW1/4SW1/4NW1/4 of Section 24, T15S, R96W, 6th PM. 1,915 feet from the north line and 653 feet from the west section line. Easting 232204, Northing 4291956, Zone 13. Source: Uncompahgre River. Appropriation Date: 03/15/2006. Amount Claimed: 0.13 c.f.s. absolute for irrigation of 5.5 acres. The application on file with the water court contains an outline of the work performed during the diligence period. **DELTA COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of June, 2019 to file with the Water Clerk a Verified Statement of Opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at www.courts.state.co.us). DARLEEN CAPPANNOKEEP, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401