

<p>Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203</p>	<p>DATE FILED: January 18, 2018</p>
<p>Appeal from the District Court Water Division 5, 2016CW3059</p>	
<p>Concerning the Application for Water Rights of the Town of Minturn in the Colorado River or its Tributaries in Eagle County, Colorado.</p> <p>Applicant-Appellee:</p> <p>Town of Minturn,</p> <p>v.</p> <p>Opposer-Appellant:</p> <p>J. Tucker,</p> <p>and</p> <p>Opposers-Appellees:</p> <p>Battle South, LLC; Battle North, LLC; Battle One Developer, LLLP; Battle One A Developer, LLC; J. Tucker, Trustee; and Eagle County School District RE-50J;</p> <p>and Concerning</p> <p>Appellee Pursuant to C.A.R. 1(e):</p> <p>Alan C. Martellaro, P.E., Division Engineer, Water Division 5.</p>	<p>Supreme Court Case No: 2017SA306</p>
<p>ORDER OF COURT</p>	

Upon consideration of the Response to Show Cause Order; Applicant-Appellee, Town of Minturn’s Response to Order to Show Cause; and Opposers-

Appellees, Battle Mountain Entities' Response to Order to Show Cause filed in the above cause, and now being sufficiently advised in the premises,

IT IS ORDERED that the above-captioned proceeding is DISMISSED WITHOUT PREJUDICE, and the case REMANDED to the Water Court for further proceedings.

BY THE COURT, JANUARY 18, 2018.