

<p>Colorado Supreme Court 2 East 14th Avenue Denver, CO 80203</p>	<p>DATE FILED: December 29, 2017</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>	

The Court has reviewed the notice of appeal filed with the Court on December 27, 2017. Appellant seeks to appeal the water court referee's order dated August 4, 2017, which Mr. Tucker asserts, (1) placed confidential documents into

the underlying case without notice or hearing, and (2) concluded that Mr. Tucker could not appear as a corporate agent pursuant to Water Court Rule 1 in the underlying case. See § 13-1-127(2) and (2.3); Tucker v. Town of Minturn, 359 P.3d 29 (Colo. 2015) (non-attorney trustee objector cannot proceed pro se on behalf of trust); Marriage of Kanefsky, 260 P.3d 327 (Colo. App. 2010).

The order Mr. Tucker seeks to appeal may not be a final judgment or decree under C.A.R. 1(a), and the order has not been certified as final pursuant to C.R.C.P. 54(b).

The Court, THEREFORE, ORDERS that Appellant shall SHOW CAUSE, if any, in writing why the appeal should not be dismissed for lack of a final, appealable order. Appellant must file a response with the Court on or before January 12, 2018.

Appellee may also respond to this Order on or before January 12, 2018.

BY THE COURT, DECEMBER 29, 2017.