

24. PURSUANT TO C.R.S., §37-92-302, AS AMENDED, YOU ARE NOTIFIED THAT THE FOLLOWING PAGES COMPRISE A RESUME OF THE APPLICATIONS AND AMENDED APPLICATIONS FILED WITH THE WATER CLERK FOR WATER DIVISION 5 DURING THE MONTH OF NOVEMBER 2023. *The water right claimed by this application 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 within the time provided by statute or be forever barred.*

23CW3176 GRAND COUNTY. Middle Park Water Conservancy District (“MPWCD”), P.O. Box 145, Granby, CO 80446. Applicant is represented by Katie Randall and Kent Whitmer, The Whitmer Law Firm, LLC, P.O. Box 38, Hot Sulphur Springs, CO 80451, (970) 725-3460. APPLICATION FOR FINDING OF REASONABLE DILIGENCE. Original Decree: September 5, 1964 as modified on October 5, 1970, Case No.: C.A. 946, Grand County District Court. Subsequent Decrees: December 8, 1982 (W-789-76; 80SA12); March 8, 1982 (80CW94); January 27, 1987 (84CW70); November 28, 1989 (88CW85); January 7, 1997 (95CW250); June 21, 2004 (03CW04); June 23, 2011 (10CW159); November 19, 2017 (17CW3136); all in Water Court Division No. 5. **Claim for Finding of Reasonable Diligence – The Troublesome Project:** Name of Structures: Haypark Reservoir, Haypark Canal Headgate No. 1, Haypark Canal Headgate No. 2, Kirtz No. 2 Enlargement, Kremmling Canal. Legal Descriptions: **Haypark Reservoir:** Sections 22, 27, 28, 33 and 34, Township 3 North, Range 79 West, 6th P.M., whence Northwest corner of Section 4, Township 2 North, Range 79 West, 6th P.M. bears South 26°13’ West 2,417.5 feet. **Haypark Canal Headgate No. 1:** Right bank of the East Fork of Troublesome Creek, whence Northwest corner of Section 4, Township 2 North, Range 79 West, 6th P.M. bears South 42°57’ East 1,344.4 feet. **Haypark Canal Headgate No. 2:** Right bank of the Monument Creek, whence Northwest corner of Section 4, Township 2 North, Range 79 West, 6th P.M. bears South 77°34’ East 3,549.2 feet. **Kirtz No. 2 Enlargement:** Whence North 1/4 corner of Section 26, Township 3 North, Range 80 West, 6th P.M. bears North 58°15’ West 2,350.8 feet. **Kremmling Canal:** NE1/4 NW1/4 of Section 18, Township 2 North, Range 79 West of the 6th P.M., 665 feet from North Section line, 1,572 feet from the West Section line. The legal descriptions are explained in more detail in the application and are shown in the map attached as Exhibit A. Sources: Haypark Reservoir: East Fork Troublesome Creek, tributary to Troublesome Creek, tributary to Colorado River. Haypark Canal Headgate No. 1: East Fork Troublesome Creek, tributary to Colorado River. Haypark Canal Headgate No. 2: Monument Creek, tributary to East Fork Troublesome Creek, tributary to Troublesome Creek, tributary to Colorado River. Kirtz No. 2 Enlargement: Troublesome Creek, tributary to Colorado River. Kremmling Canal: Troublesome Creek, tributary to Colorado River. Appropriation Date for All Structures: August 5, 1959. Amounts: Haypark Reservoir: 20,115.9 acre-feet, conditional. Haypark Canal Headgate No. 1: 70 cubic feet per second (“c.f.s.”), conditional for irrigation. 145 c.f.s. conditional for all other uses. Haypark Canal Headgate No. 2: 70 c.f.s., conditional for irrigation. 145 c.f.s., conditional for all other uses. Kirtz No. 2 Enlargement: 82.55 c.f.s., conditional. Kremmling Canal: 35 c.f.s., conditional. Uses: All structures decreed for irrigation, stock, domestic, municipal, industrial, piscatorial and recreation. Landowner Notice: C.R.S. § 37-92-302(2)(b)(II) requires notice to the owners or reputed owners of land upon which any new diversion or storage structure or modification to any existing diversion or storage structure or existing storage pool is or will be constructed or upon which water is or will be stored. See the application for a list of the names and addresses of landowners receiving notice of this application. Additional Information: Applicant requests a finding of diligence for the conditional water rights described herein. The application contains a detailed outline of the work performed during the diligence period (8 pages).

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of JANUARY 2024 to file with the Water Clerk a verified Statement of Opposition setting forth facts as to why this application should not be granted or why it should be granted in part or on certain conditions. A copy of such statement of opposition must also be served upon the applicant or the applicant’s attorney and an affidavit or certificate of such service shall be filed with the Water Clerk, as prescribed by Rule 5, CRCP. (Filing Fee: \$192.00) KATHY POWERS, Water Clerk, Water Division 5; 109 8th Street, Suite 104 Glenwood Springs, CO 81601