

District Court, Water Division <u>1</u> , Colorado Court Address: District Court Water Division 1 901 9th Ave Greeley, CO 80631	DATE FILED: February 28, 2024 12:20 PM <div style="border: 1px solid black; padding: 5px; text-align: center;">           FILED IN            COMBINED COURTS  <b>FEB 28 2024</b>            WELD COUNTY, COLO.         </div>
CONCERNING THE APPLICATION FOR WATER RIGHTS OF Applicant: Eldora Ski Area In the <u>Boulder Creek</u> River or its Tributaries In <u>Boulder</u> COUNTY	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): Gary Wockner and Mark Easter Save the World's Rivers P.O. Box 1066 Fort Collins, CO 80522 Phone Number: (970) 218-8310      E-mail: info@savethecolorado.org FAX Number: N/A                              Atty. Reg. #: N/A	Case Number: 2023CW3176 Division: 1                      Courtroom:
<b>STATEMENT OF OPPOSITION</b>	

This Statement of Opposition must be filed by the last day of the second month following the month in which the application is filed. § 37-92-302(1)(c), C.R.S. See instructions for all Colorado water court divisions for the appropriate filing fee.

1. Name, mailing address, email address and telephone number of Opposer:

Name	Mailing Address	Email address	Telephone Number
Gary Wockner and Mark Easter	P.O. Box 1066, Fort Collins, CO 80522	info@savethecolorado.org	(970) 218-8310
Save the World's Rivers			

2. State facts as to why the application should not be granted or why it should be granted only in part or on certain conditions: (Add additional sheets as necessary.)

Save The World's Rivers has an active "Boulder Creek Campaign" through which we have helped the Town of Nederland better protect Boulder Creek and its tributaries. We oppose this application because of the environmental impacts -- including dam building, dam expansion, and additional water diversions -- it may cause to Boulder Creek downstream, to the watershed as a whole, and to the small tributaries in and around Eldora Ski Area.

\_\_\_\_\_  
Signature of Attorney, if applicable

\_\_\_\_\_  
Date

**VERIFICATION**

I declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the 26th day of February, 2024, at Fort Collins, Larimer County, CO  
(date) (month) (year) (city or other location, and state OR country)

Mark J. Easter  
Printed Name

*Mark J. Easter*  
Signature

The person signing this verification is:  Opposer  Engineer  Other (describe) \_\_\_\_\_

Verifications of other persons having knowledge of the facts may be attached to this Statement of Opposition.

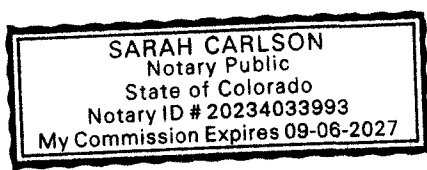
**NOTE TO SELF REPRESENTED PARTIES:** Parties who are not represented by an attorney shall file with the water clerk a single copy of this document in original paper format. Parties who are not represented by an attorney shall also serve a copy of this document on all parties to this case. Such service may be accomplished by sending a copy by first class mail, postage prepaid, by personal service, or by other means authorized under Rule 5 of the Colorado Rules of Civil Procedure.

**CERTIFICATE OF SERVICE**

I certify that on February 26, 2024 (date) a copy of this Statement of Opposition was served on each of the following:

	Full Name	Mailing Address	Manner of Service*
Applicant's Counsel:	Richard Johnson and David Bower	Johnson & Repucci LLP, 850 W. South Boulder Rd., Suite 100, Louisville, CO 80027	First Class Mail
Opposer's Counsel:	Casey Weaver and Scott Holwick	Lyons Gaddis, PC, P.O. Box 978, Longmont CO, 80502	First Class Mail
	Division 1 Water Engineer	1809 56th Avenue, Greeley, CO 80634	First Class Mail
	State Engineer	1313 Sherman St., Suite 821, Denver, CO 80203	First Class Mail

\*Insert one of the following: Personal Service, First-Class Mail, E-Service or by other means authorized under C.R.C.P. 5.



*Mark J. Easter* 2/26/24  
Signature Date

State of Colorado  
County of Larimer  
~~Filed~~  
Signed before me on February 26<sup>th</sup>, 2024  
by Mark J Easter.

*[Signature]*  
Notary Public  
09-06-2027