

District Court, Water Division II, Colorado
 Court Address: 501 N Elizabeth St., Suite 116
 Pueblo, CO 81252

CONCERNING THE APPLICATION FOR WATER RIGHTS OF

Applicant: Upper Arkansas Water Conservancy District

In the Arkansas River or its Tributaries

In CUSTER COUNTY

▲ **COURT USE ONLY** ▲

Attorney or Party Without Attorney (Name and Address):
 Custer County Board of County Commissioners
 205 S. Sixth, Westcliffe, CO 81252
 Phone Number: 719-783-2552
 Email: tom@custercountygov.com
 FAX Number: 719-783-2885 Atty. Reg. #: N/A

Case Number: 2018CW3076
 Division: II Courtroom:

STATEMENT OF OPPOSITION

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
Tom Flower	PO Box 150 Westcliffe, CO 81252	tom@custercountygov.com	719-783-2552
Bill Canda	PO Box 150 Westcliffe, CO 81252	bill@custercountygov.com	719-783-2552
Jay Printz	PO Box 150 Westcliffe, CO 81252	jay@custercountygov.com	719-783-2552

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.)

The Board of Custer County Commissioners oppose the Upper Arkansas Water Conservancy District's application for a Water Augmentation Plan for Custer County, case number 2018CW3076 for the following reasons:

1. We hold the applicant to strict proof of details in the application.
2. The proposed blue line is very arbitrary and difficult, if not impossible, to define as to the actual boundaries of said blue line.
3. We believe the potential injury to existing water rights may be significant if augmentation is allowed.
4. We believe that UAWCD filed the proposed application knowing that the citizens of Custer County had no input nor would they support such an augmentation plan.
5. We believe the language in Attachment A of the proposed UAWCD application previously submitted indicating all or part of a given section of land in the legal descriptions is ambiguous, arbitrary and misleading.

Tommy S. Stover
Signature of Opposer(s) (if self-represented) or Attorney

1/31/19
Date

William R. Canda
Signature of Opposer(s) (if self-represented) or Attorney

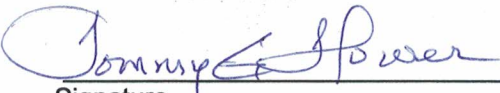
1/31/19
Date

[Signature]
Signature of Opposer(s) (if self-represented) or Attorney

1-31-19
Date

VERIFICATION AND ACKNOWLEDGMENT OF PERSON HAVING KNOWLEDGE OF THE FACTS STATED IN THIS STATEMENT OF OPPOSITION

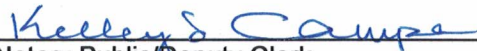
Being first duly sworn, I hereby state that I have read this Statement of Opposition, that I have personal knowledge of the facts stated and verify its contents to the best of my knowledge, information, and belief.


 Signature _____ Date 1/31/19

The foregoing instrument was acknowledged before me in the County of Custer, State of Colorado, this 31st day of January, 2019, by the person whose signature appears above.

KELLEY S. CAMPER
NOTARY PUBLIC
STATE OF COLORADO
 NOTARY ID 20084015733
 MY COMMISSION EXPIRES MAY 5, 2020

My Commission Expires: 05.05.2020


 Notary Public/Deputy Clerk

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 1-31-2019 (date) a copy of this Statement of Opposition was served on each of the following:

Full Name	Mailing Address	Manner of Service*
Kendall Burgemeister UAWCD Attorney	525 North Main St., Gunnison, CO 81230	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.


 Your Signature