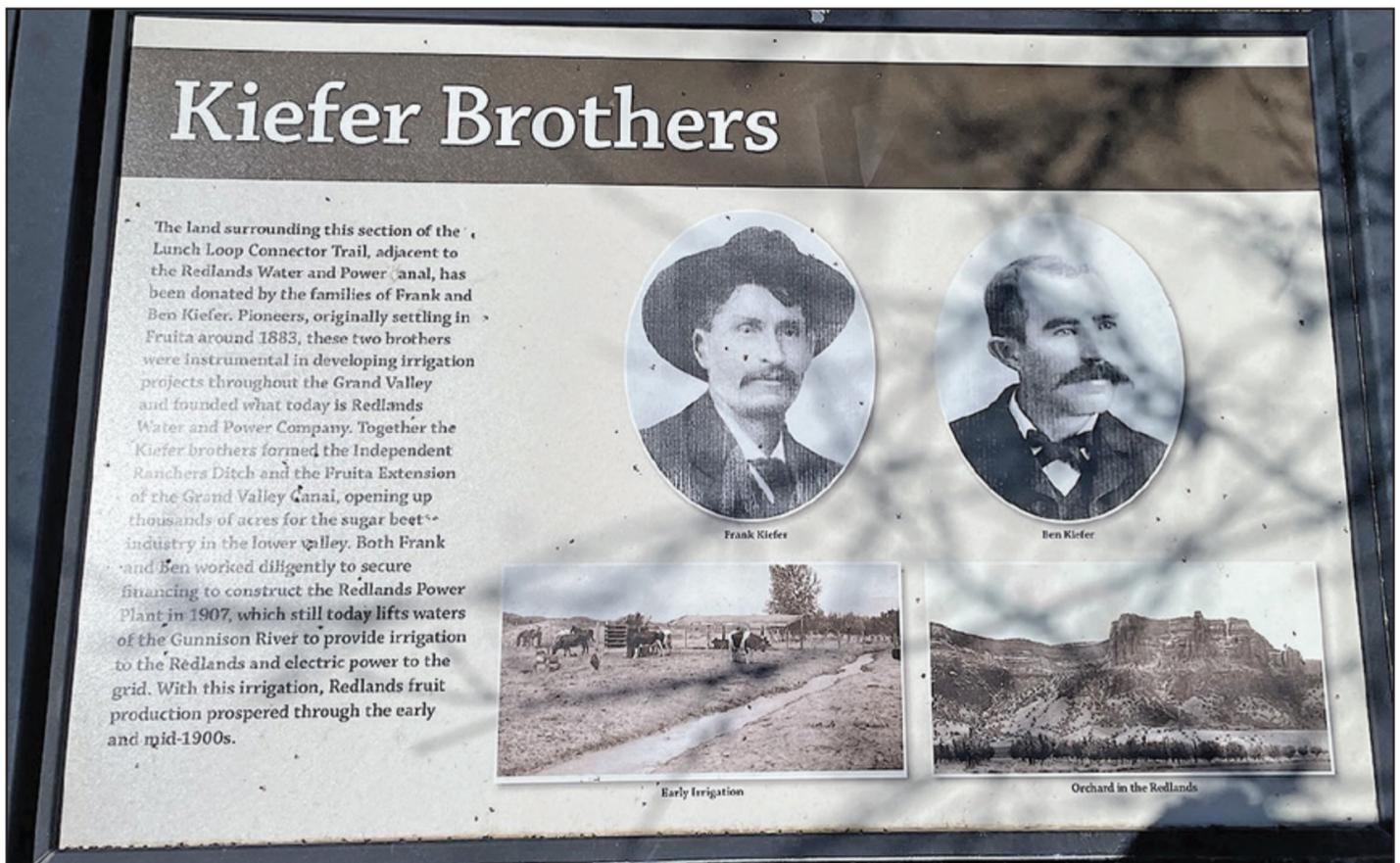


FIRST DRAFT

INDELIBLE IMPACTS



JUDY SILBERNAGEL PHOTO

This plaque along the Lunch Loop Connector Trail, pays tribute to two of the first generation of Kiefer brothers in Colorado, Frank and Ben Kiefer. Their descendants ceded property along the Connector Trail to Colorado West Land Trust.

From horse trading to irrigation, Kiefer family helped shape Grand Valley

In March 1902, John Kiefer joined his uncle, Joe Kiefer, on a trip to the Ute Indian Reservation west of Dragon, Utah. They bought Indian ponies from Chief Atchee and his Ute band. The Kiefers shipped the horses by rail to Indiana, then sold them.

It was no easy excursion. A snowstorm caught the Kiefers as they crossed the Book Cliffs enroute to Utah. They spent a week in a cabin with local cowboys until they could continue their wagon journey.

After some tough negotiations with the Utes, they were able to buy 100 horses for \$5 apiece, with the horses to be delivered to Cisco, Utah. But there was a caveat: The young Ute men who gathered the horses and drove

them to Cisco wanted liquor as part of their payment.

Because it was illegal to sell whiskey, brandy or beer to the Indians, the Kiefers found a substitution. John took the wagon back to Colorado, while Joe remained with the Utes. In Grand Junction, John purchased a half dozen bottles of DeWitt's Stomach Bitters, a tonic that was classed as medicine even though,

according to John, it was 92% alcohol.

Then, John took the train to Cisco, where he met Uncle Joe and the Utes, who didn't receive all their bitters until the horses were loaded onto three livestock cars John had sent to Cisco.

Joe owned two carloads of horses because he organized the venture and traded with the

Utes. John — who had provided the \$500 for the purchases — received one carload.

It took six days for the train to reach John's home town of Tipton, Indiana, where his horses were turned into a farmer's pasture, fattened up for a few weeks, then advertised for sale. Uncle Joe took his two carloads of horses to a friend's farm in Kokomo, Indiana, and sold them there.

John was pleased with the outcome. "I had \$600 in the clear after paying the freight and other expenses involved," he wrote. It was profitable enough that he partnered with his brother Charley and Uncle Joe on a second horse-buying endeavor. Later he bought horses at auctions in St. Louis, Missouri, and resold them.

John Kiefer had spent two years in Western Colorado by the time of this horse deal. But, unlike his brother and several uncles, he did not remain here.

He returned to Indiana, where he became a successful merchant.

Last year, I wrote about John Kiefer's adventures riding a special bicycle on the railroad tracks from Fruita to Green River, Utah. But I wrote little about the other members of the Kiefer clan.

They arrived in Colorado about 1879. Joe and his brothers Ben and Frank went first to Gunnison. They moved to the Grand Valley in late 1882, as the Denver & Rio Grande Railroad was being built toward Grand Junction.

According to one account, the Kiefer brothers rode the train to what was then the end of the line at Montrose, gathered their belongings and walked the final 60 miles to Grand Junction.

Soon, they moved west and established a townsite they called Cleveland, which would eventually become part of Fruita. They

homesteaded on several parcels of land around that community. Ben served briefly as the postmaster of Cleveland.

Frank started a general store in Cleveland. He and Ben bought a printing press and for a short time published a newspaper called the Mesa County Mail.

About 1894, they began constructing the Kiefer Extension irrigation ditch, which received water from the Grand Valley Canal. It was not a small project. The ditch was 17 miles long and eventually supplied water to 10,000 acres of land in Loma and Mack area. It is still in use today.

Two other brothers, Valentine and Leopold, also lived in the area for a time.

During the mid-1880s, brother John Kiefer — the father of John and Charley — moved to Colorado briefly. After a few years, he returned to Indiana.

See **Kiefer Family**, page 14B

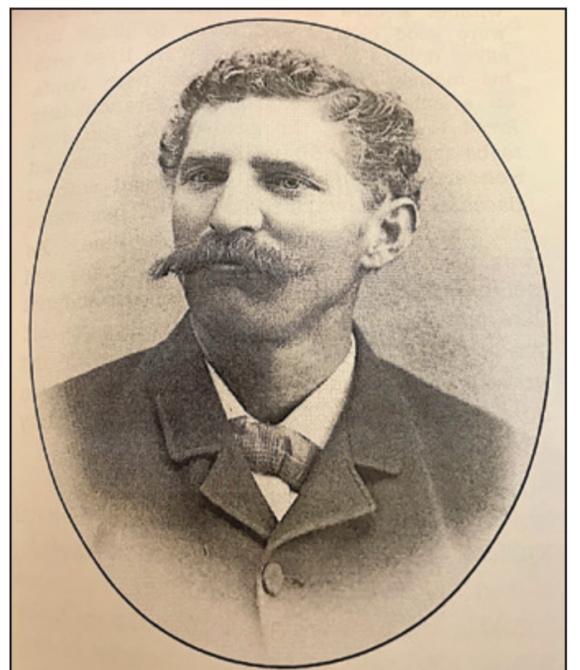


BOB SILBERNAGEL



NATIONAL PARK SERVICE PHOTO

Joe Kiefer, known as Uncle Joe to his family, stands second from left in this photo of John Otto's 1911 wedding to Beatrice Farnum.



FROM THE BOOK "NIP AND TUCK"

Uncle Joe Kiefer, instigator of the horse trading business with the Utes.

Guiding you through life's challenges so you can make *the most of each moment.*



Let us show you the strength that comes from exceptional care.
Dementia Support • PACE • Palliative Care • Hospice • Grief Support
(970) 241-2212 • HopeWestCO.org

Kiefer Family:

Continued from page 1B

He was elected sheriff of Tipton County, Indiana, in 1888, and remained in that community.

In the late 1890s, Uncle Joe Kiefer, the horse trader, felt the lure of Klondike gold. It's not clear how long he stayed in Alaska, but family lore said he returned with more than \$80,000 — earned both from mining and from buying and selling supplies to other miners.

Later, Uncle Joe became a friend of John Otto. Family history says he was best man at Otto's wedding with Beatrice Farnum. He appears standing on the left in the photo of that marriage, taken in Colorado National Monument on June 20, 1911. Later, he moved to California and remained there.

The other Kieifers remained active in the local community. Frank and Ben were founding directors of Mesa Federal Savings, a local institution that continued into the late 20th century.

Additionally, "Frank and Ben led efforts to get the Redlands Canal started," said Dennis Kiefer of Grand Junction, Charley Kiefer's grandson. Frank was the first president of the Redlands Canal Co.

"Eventually, they were the largest landowners in Mesa

County," Dennis added. However, a series of lawsuits over titles to their land cost them much of the land. They appealed and ultimately won in the Colorado Supreme Court. But the effort was devastating, financially and emotionally.

"Frank was so broke up about the lawsuits that he died in 1908," Dennis added. By then, he had a number of children who stayed on the Western Slope.

Ben Kiefer also started a family in the Grand Valley. But like his brother Joe, he moved to California later in life.

After his horse-trading adventures, John Kiefer lived in Indiana, but he kept the Colorado connection. "I grew up in Indiana, but the Kieifers were back and forth between Indiana and Colorado all the time," said Margaret Delaney, John's granddaughter. She often visited family members in Colorado while she was growing up.

But, she added, "My grandfather was a bit of a dandy and he didn't like living in Colorado."

Charley Kiefer — John's brother and Dennis Kiefer's grandfather — did like Colorado. He homesteaded several pieces of property near Mack. On one, he built a house that stands today, south of Interstate 70, and has served as the office of Country Jam music festival.

Charley also farmed and raised a family of six children



FROM THE BOOK "NIP AND TUCK"

The second generation of Kiefers to arrive in Colorado were brothers, left to right, Charley, Mike and John Kiefer.

in the Mack area. For a time, he continued the horse-trading business established by Uncle Joe. In 1905, the U.S. Department of Interior issued a permit to Charley, authorizing him "to be on the Uintah Reservation engaged in buying Indian ponies."

A third brother, Mike Kiefer, also moved to the Fruita area,

then later to Montrose. More than a century later, the Kiefers still have an impact locally. Three years ago, family members ceded property to Colorado West Land Trust for a key link in the Lunch Loops connector trail.

Sources: "Nip and Tuck: Turn of the century Life on

the Colorado Western Slope," by John D. Kiefer; "Echoes of a Dream," by Earlyne Barcus and Irma Harrison; Kiefer family scrapbook provided by Dennis Kiefer; author interview with Dennis Kiefer and Margaret Delaney.

Bob Silbernagel's email is bobsilbernagel@gmail.com.

Public Notices

CONTINUED FROM PREVIOUS PAGE

Dana Pond, Brody Pond, Gage Pond, Hadlee Pond, Big Tree Pond, Kevin Pond, Cowboy Camp 1 Pond, Cowboy Camp 2 Pond, and/or the Best Pond, all described below, for subsequent decreed uses for such Ponds. Source: unnamed gulch trib. to Sweetwater Creek, trib. to the Colo. Riv. Approp. dates: 05/13/1953 (irrigation of 6.13 acres); 04/20/2007 (irrigation of up to 13.87 acres and pond filling). G. Gate Pump & Pipeline: Location: the point of diversion is in the NW1/4 of Sec. 6, T. 4 S., R. 86 W. of the 6th P.M., 810 ft from the N. sec. line, 3530 ft from the E. sec. line. Amount: 1.0 c.f.s., cond. Uses: irrigation of up to 5 acres, filling the Gate Pond described below for subsequent decreed uses for such Pond. Source: Sweetwater Creek, trib. to the Colo. Riv. Approp. date: 04/20/2007. H. Relocated HMS Ditch, Second Enlargement: Location: on the Southernly bank of Sweetwater Creek whence the corner common to Secs. 9, 10, 15 and 16, T. 3 S., R. 87 W. of the 6th P.M., bears North 30°24' E. 554.7 ft.; also described as: PLSS: a point in the NE 1/4 NE 1/4 of Sec. 16, T. 3 S., R. 87 W. of the 6th P.M., 490 ft from the N. sec. line and 270 ft from the E. sec. line of said Sec. 16, Eagle County, CO. UTM: NAD 1983 UTM Zone 13 N Easting: 315202, Northing: 4407787. Amount: 2.67 c.f.s., cond. Uses: filling Plateau Pond, Kristin Pond, Tracy Pond, The Hollow Pond, Dana Pond, Brody Pond, Gage Pond, Hadlee Pond, Big Tree Pond, Donald Pond, Kevin Pond, Cowboy Camp 1 Pond, Cowboy Camp 2 Pond, Best Pond identified below for subsequent decreed uses for such Ponds. Source: Sweetwater Creek trib. to the Colo. Riv. Approp. date: 04/20/2007. I. Plateau Pond: Location: the center of the dam is in the SW1/4 of Sec. 31, T. 3 S., R. 86 W. of the 6th P.M., 260 ft from the S. sec. line, 5270 ft from the E. sec. line. Amount: 2.0 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: dam height: <10 ft; length: approx. 150 ft; surface area: 0.25 acres; capacity: 2.0 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Elk Camp Spring, Cow Camp Spring, and Big Tree Diversion and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), all trib. to the Colo. Riv. Approp. date: 04/20/2007. J. Kristin Pond: Location: the center of the dam is in the SE1/4 of Sec. 36, T. 3 S., R. 87 W. of the 6th P.M., 1680 ft from the S. sec. line, 320 ft from the E. sec. line. Amount: 12.0 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 220 ft; surface area: 1.6 acres; capacity: 12.0 a.f., all dead. Uses: irrigation of up to 10 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Elk Camp Spring, Cow Camp Spring, Big Tree Diversion and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. K. Tracy Pond: Location: the center of the dam is in the NW1/4 of Sec. 6, T. 4 S., R. 86 W. of the 6th P.M., 80 ft from the N. sec. line, 380 ft from the W. sec. line. Amount: 7.0 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 250 ft; surface area: 1.0 acres; capacity: 7.0 a.f., all dead. Uses: irrigation of up to 10 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Elk Camp Spring, Cow Camp Spring, and Big Tree Diversion (each described above), and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. L. The Hollow Pond: Location: the center of the dam is in the SE1/4 of Sec. 36, T. 3 S., R. 87 W. of the 6th P.M., 470 ft from the S. sec. line, 700 ft from the E. sec. line. Amount: 2.2 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 150 ft; surface area: 0.35 acres; capacity: 2.2 a.f., all dead. Uses: irrigation of up to 10 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Cow Camp Spring, and Big Tree Diversion (each described above), and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. M. Dana Pond: Location: the center of the dam is in the SE1/4 of Sec. 36, T. 3 S., R. 87 W. of the 6th P.M., 180 ft from the S. sec. line, 1590 ft from the E. sec. line. Amount: 8.0 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 450 ft; surface area: 0.80 acres; capacity: 8.0 a.f., all dead. Uses: irrigation of up to 10 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Elk Camp Spring, Cow Camp Spring, and Big Tree Diversion (each described above), and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. N. Brody Pond: Location: the center of the dam is in the NE1/4 of Sec. 1, T. 4 S., R. 87 W. of the 6th P.M., 980 ft from the N. sec. line, 6450 ft from the W. sec. line. Amount: 5.0 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 350 ft; surface area: 0.55 acres; Capacity: 5.0 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion (described above) and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. O. Gage Pond: Location: the center of the dam is in the NE1/4 of Sec. 1, T. 4 S., R. 87 W. of the 6th P.M., 1500 ft from the N. sec. line, 5090 ft from the W. sec. line. Amount: 5.0 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 150 ft; surface area: 0.55 acres; capacity: 5.0 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. P. Hadlee Pond: Location: the center of the dam is in the NE1/4 of Sec. 1, T. 4 S., R. 87 W. of the 6th P.M., 1230 ft from the N. sec. line, 6060 ft from the W. sec. line. Amount: 1.75 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 150 ft; surface area: 0.25 acres; Capacity: 1.75 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion (described above), and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement) and Cow Camp Spring (described above), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. Q. Big Tree Pond: Location: the center of the dam is in the NW1/4 of Sec. 6, T. 4 S., R. 87 W. of the 6th P.M., 1090 ft from the N. sec. line, 4690 ft from the W. sec. line. Amount: 1.50 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 150 ft; surface area: 0.25 acres; Capacity: 1.5 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. R. Donald Pond: Location: the center of the dam is in the NE1/4 of Sec. 1, T. 4 S., R. 87 W. of the 6th P.M., 450 ft from the N. sec. line, 5170 ft from the W. sec. line. Amount: 0.5 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. S. Kevin Pond: Location: the center of the dam is in the NE1/4 of Sec. 1, T. 4 S., R. 87 W. of the 6th P.M., 120 ft from the N. sec. line, 4890 ft from the W. sec. line. Amount: 1.50 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Reservoir Characteristics: height: <10 ft; length: approx. 150 ft; surface area: 0.25 acres; Capacity: 1.5 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion (described above), and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. T. Cowboy Camp 1 Pond: Location: the center of the dam is in the NE1/4 of Sec. 1, T. 4 S., R. 87 W. of the 6th P.M., 40 ft from the N. sec. line, 6180 ft from the W. sec. line. Amount: 0.85 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Dam information: height: <10 ft; length: approx. 120 ft; surface area: 0.15 acres; capacity: 0.85 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Big Tree Diversion (described above), and Sweetwater Creek (via Relocated HMS Ditch, Second Enlargement) and Cow Camp Spring (described above), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. U. Dugout Cabin Pond: Location: the center of the dam is in the NW1/4 of Sec. 6, T. 4 S., R. 86 W. of the 6th P.M., 200 ft from the N. sec. line, 3800 ft from the E. sec. line. Amount: 1.45 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Dam information: height: <10 ft; length: approx. 150 ft; surface area: 0.25 acres; capacity: 1.45 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Dugout Diversion, which is trib. to the Colo. Riv. Approp. date: 04/20/2007. X. Gate Pond: Location: the center of the dam is in the NW1/4 of Sec. 6, T. 4 S., R. 86 W. of the 6th P.M., 500 ft from the N. sec. line, 3520 ft from the E. sec. line. Amount: 5.20 a.f., cond. Rate of diversion for filling reservoir: 1.0 c.f.s. Dam information: height: <10 ft; length: approx. 170 ft; surface area: 0.70 acres; capacity: 5.20 a.f., all dead. Uses: irrigation of up to 5 acres, fire protection, piscatorial, wildlife propagation, recreation, aesthetic; Source: Gage Diversion, Dugout Cabin Diversion and Gate Pump & Pipeline (all described above), which are all trib. to the Colo. Riv. Approp. date: 04/20/2007. Claims to make conditional water rights partially absolute: A. Pursuant to C.R.S. § 37-92-301(4)(c), cond. water storage rights may be made absolute "to the extent of the volume of the appropriation that has been captured, possessed, and controlled at the decreed storage structure." Applicant requests that the following cond. water storage rights be decreed absolute for all decreed purposes pursuant to this statute: 1. Dana Pond: Commencing on about July 2, 2008, Applicant has stored up to 7.5 a.f. of water in the Dana Pond in priority for all decreed purposes. Applicant therefore requests that the cond. water storage right for the Dana Pond be confirmed absolute in the amount of 7.5 a.f. for all decreed purposes, and that 0.5 acre-foot be continued cond. for all decreed purposes. 2. Brody Pond: Commencing on about August 10, 2007, Applicant has stored up to 4.8 a.f. of water in the Brody Pond in priority for all decreed purposes. Applicant therefore requests that the cond. water storage right for the Brody Pond be confirmed absolute in the amount of 4.8 a.f. for all decreed purposes, and continued cond. in the amount of 0.2 acre-foot for all decreed purposes. 3. Gage Pond: Commencing on about June 1, 2007, Applicant has stored up to 3.75 a.f. of water in the Gage Pond in priority for all decreed purposes. Applicant therefore requests that the cond. water storage right for the Gage Pond be confirmed absolute in the amount of 3.75 a.f. for all decreed purposes, and continued cond. in the amount of 1.25 a.f. for all decreed purposes. 4. Hadlee Pond: Commencing on about July 3, 2007, Applicant has stored up to 1.7 a.f. of water in the Hadlee Pond in priority for all decreed purposes. Applicant therefore requests that the cond. water storage right for the Hadlee Pond be confirmed absolute in the amount of 1.7 a.f. for all decreed purposes, and that 0.05 acre-foot be continued cond. for all decreed purposes. 5. Cowboy Camp 1 Pond: Commencing on about May 17, 2008, Applicant has stored up to 0.90 acre-foot of water in the Cowboy Camp 1 Pond in priority for all decreed purposes. Applicant therefore requests that the cond. water storage right for the Cowboy Camp 1 Pond be confirmed fully absolute in the amount of 0.85 acre-foot for all decreed purposes. 6. Cowboy Camp 2 Pond: Commencing on about June 8, 2008, Applicant has stored up to 1.9 a.f. of water in the Cowboy Camp 2 Pond in priority for all decreed purposes. Applicant therefore requests that the cond. water storage right for the Cowboy Camp 2 Pond be confirmed fully absolute in the amount of 1.3 a.f. for all decreed purposes. B. Applicant also requests that the following cond. direct flow water rights be decreed partially absolute due to additional diversion and use of the same: 1. Big Tree Diversion: Commencing on about June 8, 2008, Applicant has diverted up to 0.16 c.f.s. from the Big Tree Diversion to fill Dana Pond, Brody Pond, Gage Pond, Hadlee Pond, Cowboy Camp 1 Pond, and Cowboy Camp 2 Pond — described above. Applicant therefore requests that the cond. water right for the Big Tree Diversion be made absolute in the amount of 0.16 c.f.s. for pond filling, and continued cond. in the amount of 0.59 c.f.s. for pond filling, and 0.75 c.f.s. for irrigation (0.25 c.f.s. is already absolute for irrigation). A detailed outline of activities and expenditures during the diligence period is included in the Application. All structures are located upon Applicant's property except the headgate of the Relocated HMS Ditch, which is located upon property owned by Hope Kapnsner. (24 pages)

Public Notices

YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of APRIL 2026 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.

7. 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 FEBRUARY 2026. 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. 26CW3015 EAGLE COUNTY. Application for Finding of Reasonable Diligence. Applicant Information: The Estate of Gail E. Newman c/o Robert M. Noone, Esq., The Noone Law Firm, P.O. Box 39, Glenwood Springs, CO 81602. Prior Decree entered in Case No. 94CW23, 00CW188, and 11CW193 and 19CW3045 (See most recent Decree entered February 16, 2020). Names of structures: Burnison Ditch, Burnison No. 2 Ditch, Burnison No. 2 Ditch Second Enlargement, and Cornwell Pond No. 1. Description of conditional water rights: Burnison Ditch, 2.4 cfs, conditional, for commercial, domestic, and livestock watering purposes, either by direct flow or into storage for augmentation as contemplated by the augmentation plan decreed in case No. 85CW615, Water Division 5, with an appropriation date of June 30, 1984. Burnison No. 2 Ditch, 0.40 cfs, conditional, for commercial, domestic and livestock watering purposes, either by direct flow or into storage for augmentation as contemplated by the augmentation plan decreed in case No. 85CW615, Water Division 5, with an appropriation date of June 30, 1984. The Burnison No. 2 Ditch Second Enlargement, 0.40 cfs, conditional, for commercial, domestic, livestock watering, storage and augmentation purposes as contemplated by the augmentation plan decreed in case No. 85CW615, Water Division 5, with an appropriation date of June 30, 1984. The Burnison No. 2 Ditch Second Enlargement is a natural spring located on Applicant's property on the west bank of Burnison Creek, aka Beard Creek, at a point whence the Southwest corner of Section 32 Township 4 South, Range 82 West of the 6th P.M. bears S 38°30' W a distance of 3600 feet. The Cornwell Pond No. 1, 0.2 af, absolute, and 2.5 af, conditional, for irrigation, domestic, commercial, livestock watering, and augmentation as contemplated by the augmentation plan decreed in case No. 85CW615, Water Division 5, with appropriation date of June 30, Date of original decree: February 8, 1988 Case No.: 85CW615, District Court, Water Division 5 Locations in UTM Format: The Burnison Ditch 135 363129m E, 4392056m N. The Burnison No. 2 Ditch: 135 362789m E, 4391363m N. The Burnison No. 2 Ditch Second Enlargement: 135 362807m E, 4391159m N. The Cornwell Pond No.1: 135 362741m E, 4391341m N. Sources: The source of supply for the Burnison Ditch is Burnison Creek, aka Beard Creek, a tributary of the Eagle River, and groundwater tributary thereto. The source of supply for the Burnison No. 2 Ditch is Burnison Creek, aka Beard Creek, a tributary of the Eagle River, and groundwater tributary thereto, including the Burnison No. 2 Ditch Second Enlargement described below. The source of supply for the Burnison No. 2 Ditch Second Enlargement is a natural spring located on Applicant's property on the W. bank of Burnison Creek, aka Beard Creek. The source of supply for the Cornwell Pond No. 1 is Burnison Creek aka Beard Creek, a tributary of the Eagle River, and groundwater tributary thereto, including the Burnison No. 2 Ditch Second Enlargement, described above. Appropriation Date: June 30, 1984. Amount: (1) Burnison Ditch, 2.4 cfs, conditional, for commercial, domestic, and livestock watering purposes; (2) Burnison No. 2 Ditch, 0.40 cfs, conditional, for commercial, domestic and livestock watering purposes (3) Burnison No. 2 Ditch, Second Enlargement, 0.1 cfs, absolute, and 0.4 cfs, conditional, for irrigation, commercial, domestic, livestock watering, storage and augmentation purposes. (4) Cornwell Pond, 0.2 af, absolute, and 2.5 af, conditional, for irrigation, domestic, commercial, livestock, and augmentation purposes. Use: irrigation, domestic, commercial, livestock watering, municipal, storage and augmentation. Provide a detailed outline in addition to the work described in the Application for Finding of Reasonable Diligence previously filed herein, during the applicable diligence period, the Applicant has performed the following work towards developing the Spring and applying the water diverted therefrom for the decreed beneficial uses: During the previous diligence period, Gail E. Newman and the Applicant worked continuously with various engineers, consultants and contractors on surveying, improving and developing the existing structures and related easements and rights of way necessary to complete the appropriation of the subject conditional water rights, including the cistern and pipelines associated with the Burnison No. 2 Ditch Second Enlargement and the improvement and completion of the Cornwell Pond No.1, and in marketing the same for sale in conjunction with the sale of the Newman real estate holdings on Beard Creek. During the previous diligence period Gail E. Newman and Applicant incurred costs for legal, engineering, contractor and equipment expenses in excess of \$125,000.00, including the costs of contractor water system monitoring and improvements, engineering, surveying and legal fees and expenses in connection with the development of the subject conditional water rights and litigation necessary to protect and preserve the subject water rights and associated easement rights necessary for the maintenance, development, utilization and of the subject water rights and related structures for a more detailed description of the work performed towards developing the subject conditional water rights see the Application for Finding of Reasonable Diligence on file with the Division 5 Water Court Name and address of owner of the land upon which any structure is or will be located, upon which water is or will be stored, or upon which water is or will be placed to beneficial use: The structures described herein are existing structures. The only structures contemplated to be modified in the future, the cistern and pipelines associated with the Burnison No. 2 Ditch Second Enlargement and the Cornwell Pond, are located on Applicant's property. No additional modifications to any other structures are contemplated at this time. (7 Pages including Exhibit) YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of APRIL 2026 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.

8. 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 FEBRUARY 2026. 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. 26CW1 (19CW3) GARFIELD COUNTY-BASALT FORMATION TRIBUTARY TO CATTLE CREEK, TRIBUTARY TO THE ROARING FORK RIVER TRIBUTARY TO THE COLORADO RIVER. Anthony M. Baran; 750 C.R. 170; Carbondale, CO 81623 (970)963-8030. Baran Well-Application for Finding of Reasonable Diligence and To Make Absolute in Whole or in Part. Location: NW¼NW¼ of Sec. 17, T.7S., R.87W. of the 6th P.M. 770 ft. from the north sec. line and 1,070 ft. from the west sec. line. Source: the Basalt Formation, tributary to Cattle Creek, tributary to the Roaring Fork River, tributary to the Colorado River. Appropriation: Nov.15, 1989. Amount & Uses: 0.0196 c.f.s., conditional, for in-house domestic purposes inside the same additional dwelling and irrigation of 600 square feet of land. An outline of work completed during the diligence period is included in the application. YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of APRIL 2026 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.

9. 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 FEBRUARY 2026. 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. 26CW3/MESA COUNTY-GOVERNMENT HIGHLINE CANAL TRIBUTARY TO KIMARKE DRAIN DITCH TRIBUTARY TO SALT CREEK TRIBUTARY TO THE COLORADO RIVER. Morgan A. Young-Gilmore & Justin Gilmore; 642 Corona Ct., Fruita, CO 81521. (970)589-5708. Kim Arpkle Drain Ditch-Application for Conditional Water Rights (Surface). UTM: E164397.28310 N4354589.30012.213 Sec. 16, T.9S., R.103 W. of the 6th P.M. Appropriation: Jan. 30, 2026. Amount: 3.0c.f.s., conditional. Use: irrigation. YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of APRIL 2026 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.

10. 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 FEBRUARY 2026. 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. 26CW4 (22CW9) GARFIELD COUNTY- SPRINGS AND RUNOFF WATER TRIBUTARY TO EAST DIVIDE CREEK TRIBUTARY TO THE COLORADO RIVER. Ellie Marie Fazzi & Roger Fazzi; 446 Lariat Rd.; Silt, CO 81652. (970)876-5786. Rose Pond No. 10 and Rose Spring No. 7 - Application to Make Absolute in Whole or in Part. Location: Rose Pond No. 10 - UTM: E286839.42 N4361383.31 Z13 SE¼NE¼ of Sec. 7, T.8S., R.90W. of the 6th P.M., 3,150 ft. from the south sec. line and 50 ft. from the east sec. line. Appropriation: 7.1.91 Amount: 5.0 a.f., absolute. Uses: livestock and wildlife watering, fire protection, piscatorial, wetland creation, domestic, augmentation and exchange. Location: Rose Spring No. 7 - UTM: E286701.6 N4361347.0 Z13 SE¼NE¼ of Sec. 7, T.8S., R.90W. of the 6th P.M., 3,000 ft. from the north sec. line and 500 ft. from the east sec. line. Appropriation: 7.1.91 Amount: 0.467 c.f.s. (209.683 g.p.m.), absolute. Uses: livestock and wildlife watering, and fire protection. An outline of work completed to place the water to beneficial use is included in the application. YOU ARE HEREBY NOTIFIED THAT YOU HAVE until the last day of APRIL 2026 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. PUBLISHED: MARCH 14, 2026

Planning Commission Hearing March 24th

PUBLIC HEARING The Grand Junction Planning Commission will hold a public hearing on Tuesday, March 24th, 2026, to consider the item(s) below. The hearing will be held at 5:30 PM in the City Hall Auditorium at 250 S 5th Street. Persons may review information online at www.gjcity.org starting at 5 p.m. on March 17th, 2026. To provide comment in advance or for information about participation in the meeting for individuals with hearing, speech, or visual impairments, please call 970-244-1430 or e-mail comdev@gjcity.org. Comments must be received by 5:30pm on March 23rd, 2026, for consideration. Register to attend the hearing virtually: bit.ly/GJ-PC-3-24-26 (Case-sensitive)

ZCA-2026-143 - Zoning Code Amendments Consider a request by the City of Grand Junction to amend Title 21 of the Zoning and Development Code regarding Open and Undeveloped Spaces and Title 28 (Stormwater Management Manual) of the Grand Junction Municipal Code regarding Groundcover and Landscaping for Drainage Facilities

AUDIENCIA PÚBLICA La Comisión de Planificación de Grand Junction celebrará una audiencia pública el martes 24 de Marzo de 2026 para considerar los asuntos que se detallan a continuación. La audiencia se llevará a cabo a las 17:30 horas en el Auditorio del Ayuntamiento, ubicado en 250 N 5th Street. Los interesados pueden consultar la información en línea en www.gjcity.org a partir de las 17:00 horas del 17 de Marzo de 2026.

Para enviar comentarios por adelantado o para obtener información sobre la participación en la reunión para personas con discapacidades auditivas, del habla o visuales, llame al 970-244-1430 o envíe un correo electrónico a comdev@gjcity.org. Los comentarios deben recibirse antes de las 17:30 horas del 23 de Marzo de 2026 para ser considerados. Regístrese para asistir a la audiencia de forma virtual: bit.ly/GJ-PC-3-24-26 (distintivo entre mayúsculas y minúsculas)

ZCA-2026-143 - Zoning Code Amendments Considere una solicitud de la Ciudad de Grand Junction para modificar el Título 21 del Código de Zonificación y Desarrollo con respecto a los Espacios Abiertos y No Desarrollados y el Título 28 (Manual de Gestión de Aguas Pluviales) del Código Municipal de Grand Junction con respecto a la Cobertura del Suelo y el Paisajismo para Instalaciones de Drenaje. Published: March 14, 2026. COL-102913

NOTICE OF PUBLIC HEARING

Public notice is hereby given that at a regular meeting of the Board of Trustees of the Town of Palisade, Colorado, to be held on March 24, 2026, at 6:00 p.m. at the Palisade Civic Center, 341 W. 7th Street, Palisade, Colorado, the Board will hold a public hearing to consider an Ordinance entitled:

AN ORDINANCE OF THE TOWN OF PALISADE, COLORADO, ADOPTING THE COLORADO WILDFIRE RESILIENCY CODE, 2025 EDITION; PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE PRIMARY CODE; AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND THE CODE ADOPTED HEREIN BY REFERENCE.

Said Ordinance proposes to adopt by reference as a primary code, the Colorado Wildfire Resiliency Code, 2025 Edition, together with the appendices thereto, promulgated and published by the Colorado Wildfire Resiliency Code Board in the Colorado Division of Fire Prevention and Control, 1697 Cole Blvd., Unit 200, Lakewood, CO 80401. The subject matter of this code is to enhance life safety and property protection in Colorado's Wildland Urban Interface (WUI) areas by mitigating the risks associated with wildland fires, specifically by preventing wildland fire from spreading into structures and preventing structure fires from spreading into wildland fuels.

PLEASE TAKE NOTICE that the Ordinance to be considered at said public hearing also provides for penalties for violations of the provisions of the primary code in said Ordinance, provides for the maintenance of official copies of such code, provides for the sale of copies of such code, provides for repeal of certain existing Town ordinances, and provides for the effective date of the Ordinance to be considered at said public hearing.

PLEASE FURTHER TAKE NOTICE that copies of the primary code being considered for adoption, and copies of the proposed ordinance adopting said code, are on file with the Palisade Town Clerk and are available for public inspection during regular business hours at the Palisade Town Hall, 175 East Third Street, Palisade, Colorado 81526. Any questions concerning the proposed Ordinance before the Board of Trustees of the Town of Palisade, Colorado, or questions concerning the primary codes being considered for adoption may be directed to Town Hall in person or by telephone at (970) 464-5602. Published: March 7, 14, 2026. COL-102856

Notice to Creditors

District Court MESA County, Colorado In the Matter of the Estate of FRANCES R. HAYES, FRANCES RUTH HAYES Deceased

Attorney or Party Without Attorney (Name and Address): Donna J. Owen PO BOX 71 Cimarron Colorado. 81220 FAX Number: 970-216-1044 E-mail: donnaowe@gmail.com Case Number: 26 PR 16

NOTICE TO CREDITORS BY PUBLICATION PURSUANT TO § 15-12-801, C.R.S.

Estate of Frances R. Hayes, Deceased Case Number 26 PR 16

All persons having claims against the above named estate are required to present them to the personal representative or to District Court of Mesa County, Colorado on or before AUGUST 1, 2026, or the claims may be forever barred.