

## REGISTER OF ACTIONS, DISTRICT COURT WATER DIVISION NO. 2, STATE OF COLORADO

CAPTION

CASE NUMBER

IN THE MATTER OF THE APPLICATION FOR WATER RIGHTS OF

WILLIAM N. RICH and BARBARA S.  
RICH, in joint tenancy

IN CHAFFEE COUNTY

W.  
4769

NOTICE PUBLISHED

ATTORNEYS: For Applicants: Philip Charles Klingsmith, Jr., 110 East  
Virginia - P. O. Box 748, Gunnison,  
Colorado 81230

For other counsel see below\*

## PROOF(S) OF PUBLICATION FILED

NATURE OF ACTION: APPLICATION FOR AN ALTERNATE CHANGE OF POINT  
OF DIVERSION (Riches' Pond and Infiltration Gallery)

| DATE        | MICRO. NO.<br>OR<br>BOOK/PAGE | FILINGS AND ORDERS   |
|-------------|-------------------------------|--|
| SEP -6 1978 |                               | Application For An Alternate Change Of Point Of =            |
| SEP -6 1978 |                               | =Diversión filed.  |
| SEP -6 1978 |                               | Letter to Clerk from Esther A. Gazzoli, Legal =              |
| SEP 12 1978 |                               | =Assistant, filed.   |
| SEP 28 1978 |                               | Order Of Referral filed and entered, case referred =         |
|             |                               | =to Wallace A. Doe, Water Referee.                           |
|             |                               | Order for Publication filed and entered, publish in =        |
|             |                               | =Chaffee County, Colorado, Salida Mountain Mail.             |
|             |                               | Copy of letter from Wallace A. Doe, Water Referee, to =      |
|             |                               | =P. C. Klingsmith, attorney, filed pointing out dis- =       |
|             |                               | =crepancies in application.                                  |
| OCT 19 1978 |                               | Copy of Permit No. 86555 and copy of completion report=      |
| OCT 24 1978 |                               | =filed by applicant.   |
|             |                               | Letter of transmittal from P. C. Klingsmith, attorney, =     |
|             |                               | =to Clerk filed.   |
| OCT 24 1978 |                               | Amended Application for an Alternate Point of Diversion =    |
| OCT 30 1978 |                               | =filed, with copy of completion report attached.             |
|             |                               | Letter requesting copy from Fairfield and Woods, =           |
|             |                               | =attorneys to Clerk filed.                                   |
| NOV 21 1978 |                               | Statement of Opposition, Objection and Protest filed by =    |
|             |                               | =Southeastern Colorado Water Conservancy District with =     |
|             |                               | =certificate of Mailing attached.                            |
|             |                               | * ==Attorneys: Fairfield and Woods (Howard Holme)            |
|             |                               | 1600 Colorado National Building                              |
|             |                               | Denver, Colorado 80202                                       |
| JAN 24 1979 |                               | Summary of Consultation filed.                               |
| JAN 24 1979 | Book XLIII<br>p 86            | Order of Re-referral filed, case re-referred by Water =      |
| JAN 24 1979 |                               | =Referee to Judge.   |
| MAR 13 1979 |                               | Certificate of Mailing filed, copies or order mailed by =    |
|             |                               | =certified mail--receipts attached.                          |
|             |                               | Order Setting Case filed and entered; trial to the Court =   |
|             |                               | =scheduled for June 29, 1979, at 10:00 A.M., Pueblo County   |
| JUN 29 1979 |                               | =Judicial Building, Pueblo, Colorado.                        |
| JUN 29 1979 |                               | Trial Brief filed by applicants.                             |
|             |                               | Minute Order filed and entered trial held, Mr. Klingsmith =  |
|             |                               | =to submit proposed decree.                                  |
| JUL 18 1979 |                               | Copy of letter from Judge to Mr. Holme filed.                |
| JUL 20 1979 |                               | Findings of Fact, Conclusions of Law, Judgment and Decree =  |
|             |                               | =filed and entered, application granted and applicants =     |
|             |                               | =awarded an alternate point of diversion to Riches Domestic= |
|             |                               | =well, entry made 7/20/79, copies mailed same date, decree   |
|             |                               | (continued on Page 2)  |

| DATE                  | MICRO. NO.<br>OR<br>BOOK/PAGE | FILINGS AND ORDERS  |
|-----------------------|-------------------------------|---|
| JUL 20 1979           |                               | =entered nunc pro tunc June 29, 1979.                         |
| AUG 7 1979            |                               | Motion for New Trial or to Amend the Judgment filed by =      |
| AUG 7 1979            |                               | =Southeastern Colorado Water Conservancy District.            |
| SEP 11 1979           |                               | Brief filed by Southeastern Colorado Water Conservancy =      |
|                       |                               | =District.  |
| SEP 13 1979           |                               | Order filed and entered; Mr. Klingsmith shall file his =      |
| SEP 13 1979           |                               | =brief and Mr. Beise shall have 20 days thereafter within =   |
| SEP 19 1979           |                               | =which to file a reply brief.                                 |
|                       |                               | Letter to Clerk from P. C. Klingsmith, attorney, filed.       |
|                       |                               | Answer Brief filed on behalf of Applicants.                   |
|                       |                               | Reply Brief filed by Southeastern Colorado Water Conservancy= |
|                       |                               | =District.  |
| OCT 2 1979            |                               | Order Denying Motion for New Trial or to Amend the Judgment = |
|                       |                               | =filed and entered, motion for new trial or to amend the =    |
|                       |                               | =judgment filed by Southeastern Colorado Water Conservancy =  |
|                       |                               | =District is denied. Copies mailed this date.                 |
| OCT 25 1979           |                               | Notice of Appeal and Designation of Parties filed by =        |
|                       |                               | =Southeastern Colorado Water Conservancy District.            |
| OCT 25 1979           |                               | Designation of Record on Appeal filed by Southeastern =       |
|                       |                               | =Colorado Water Conservancy District.                         |
| OCT 25 1979           |                               | Certificate of Mailing filed, copy of Notice, and Designation |
|                       |                               | =mailed to Philip Charles Klingsmith, Jr., Attorney for =     |
|                       |                               | =applicant; David W. Brezina, Clerk of the Supreme Court; =   |
|                       |                               | =Division Engineer and State Engineer on October 25, 1979.    |
| NOV 23 1979           |                               | Letter of transmittal from Charles J. Beise, attorney, to =   |
|                       |                               | =Clerk filed.   |
| NOV 23 1979           |                               | Copy of Bond for Costs on Appeal filed by Southeastern =      |
|                       |                               | =Colorado Water Conservancy District.                         |
| NOV 27 1979           |                               | Memo from Court Reporter to Clerk filed.                      |
| NOV 27 1979           |                               | Motion For Extension of Time filed by appellant.              |
| NOV 27 1979           |                               | Order filed and entered granting motion, time to submit =     |
|                       |                               | =record on appeal extended to December 31, 1979.              |
| (Continued on Page 3) |                               |   |

| DATE        | CLERK'S FEES AND OTHER RECEIPTS                    | PAID IN | PAID OUT |
|-------------|--|---------|----------|
| SEP -6 1978 | Docket Fee   | 25.00   |          |
| SEP -6 1978 | Tax Receipt No. 8326                               | 1.00    | 26.00    |
| OCT 30 1978 | Costs-paid by Fairfield and Woods, copy of =       |         |          |
|             | =application, 3 pg. at 75¢. Receipt No. 8408       | 2.25    | 2.25     |
| DEC 21 1979 | Costs-paid by Fairfield and Woods, Clerk's Record  |         |          |
|             | =on Appeal, 65 pg. at 75¢. Receipt No. 9619        | 48.75   | 48.75    |
| JAN -2 1980 | Costs- pd by Fairfield and Woods-postage on record |         |          |
|             | =on appeal. Receipt No. 9669                       | 3.97    | 3.97     |
| MAY 16 1984 | Costs-pd by Teresa A. Herrin, copy of decree,      |         |          |
|             | =11 pg. at 75¢. Receipt No. 12991                  | 8.25    | 8.25     |

| RESUME BOOK  | SHERIFF FEES, WITNESS FEES, MILEAGE, ETC. | AMOUNT |
|--------------|---|--------|
| BOOK PAGE    |   |        |
| VIII 210-211 |   |        |

