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Concerning the Application for Water Rights of Tom O. Moncrief and C.B. Moncrief

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Concerning the Application for Water Rights of Tom O. Moncrief and C.B. Moncrief

Moncrief's ditches pursuant to a Ranch Management Agreement. C.B. and Tom Moncrief's ditches utilized include: Kelmel-Owens No. 1 and No. 2 Irrigating Ditches, Ditch Nos. 18 and 58; Frank Adams Ditch No. 1, Ditch No. 59; April Ditch, Ditch No. 106; and Goodwin Knox Ditch, Ditch No. 320 located along the Gunnison.

Moncrief desires said alternate points of diversion to account for historic irrigation practices on his lands and to more efficiently irrigate his properties adjoining said water rights. Additionally, Moncrief requests said changes be allowed without limitation on his decreed or owned amounts of water because he claims that none of the changes will cause the historic return flows to bypass any vested water right or decreed conditional water right and, therefore, will not cause material injury to vested water rights or decreed surface water rights.

2. Opposition

Kenneth L. Spann of Virgil and Lee Spann Ranches, Inc. ("Spann Ranches") filed a Statement of Opposition. This statement indicated that Spann Ranches co-owned water rights in the same ditches as Moncrief and was filed to protect said interests.

William H. Fronczak

CONCERNING THE APPLICATION FOR WATER RIGHTS OF C.B.

MONCRIEF, Case No. 2002CW200 (Water Division 4, Oct. 31, 2002).

Applicant: C.B. Moncrief, (Atty. Rufus O. Wilderson, Wilderson, O'Hayre, Daswon, McGinty & Frazier, P.C.).

1. Application

C.B. Moncrief owns partial interest in the Kelmel-Owens No. 1 and No. 2 Irrigating Ditches, Ditch Nos. 18 and 58; and the Frank Adams Ditch No. 1, Ditch No. 59 located on the Gunnison River.

C.B. Moncrief requests the Division 4 Water Court allow a change in water right for alternate points of diversion on the aforementioned water rights thereby allowing him the ability to divert his interests in said water rights through some or all of the aforementioned ditches. Additionally, C.B. Moncrief is requesting the ability to divert any or all the aforementioned interests through W.A. Moncrief, Jr.'s ditches and Tom O. Moncrief's ditches pursuant to a Ranch Management Agreement. W.A. Moncrief Jr.'s and Tom Moncrief's ditches utilized include: George Andrew No. 1 Ditch, Ditch No. 14; Frank Adams Ditch No. 2, Ditch No. 33; Browning Ditch, Ditch No. 39; Cooper Ditch No. 2, Ditch No. 60; April Ditch, Ditch No. 106; and Goodwin Knox Ditch, Ditch No. 320 located on the Gunnison River.

C.B. Moncrief desires said alternate points of diversion to account for historic irrigation practices on his property and to more efficiently irrigate his properties adjoining said water right interests. Additionally, C.B. Moncrief requests that said changes be allowed on his decreed or owned amounts of water because he claims that none of

the changes will the cause historic return flows to bypass any vested water right or decreed conditional water right and therefore will not cause material injury to vested water rights or decreed surface water rights.

2. Opposition

No statements of opposition have been filed.

William H. Fronczak

CONCERNING THE APPLICATION FOR WATER RIGHTS OF TOM O. MONCRIEF AND C.B. MONCRIEF, Case No. 2002CW201 (Water Division 4, Oct. 31, 2002). Applicant: Tom O. Moncrief and C.B. Moncrief, (Atty. Rufus O. Wilderson, Wilderson, O'Hayre, Daswon, McGinty & Frazier, P.C.).

1. Applications

Tom O. and C.B. Moncrief own partial interest in the April Ditch, Ditch No. 106 and Goodwin Knox Ditch, Ditch No. 320 located on the Gunnison River.

Tom O. and C.B. Moncrief, request the Division 4 Water Court allow a change in water right for alternate points of diversion on the aforementioned water rights thereby allowing them to divert their interests in said water rights through some or all of the aforementioned ditches. Additionally, Tom O. and C.B. Moncrief request the ability to divert any or all the aforementioned interests through W.A. Moncrief, Jr.'s ditches and Tom O. Moncrief's ditches pursuant to a Ranch Management Agreement. W.A. Moncrief Jr.'s and Tom Moncrief's ditches utilized include: George Andrew No. 1 Ditch, Ditch No. 14; Frank Adams Ditch No. 2, Ditch No. 33; Browning Ditch, Ditch No. 39; Cooper Ditch No. 2, Ditch No. 60; Kelmel-Owens No. 1 and No. 2 Irrigating Ditches, Ditch Nos. 18 and 58; Frank Adams Ditch No. 1, Ditch No. 59; April Ditch, Ditch No. 106; and Goodwin Knox Ditch, Ditch No. 320 located on the Gunnison River.

Tom O. and C.B. Moncrief desire said alternate points of diversion to account for historic irrigation practices on their properties and to more efficiently irrigate their properties adjoining said water right interests. Additionally, the Moncriefs' request that said changes be allowed on their decreed or owned amounts of water because they claim that none of the changes will the cause historic return flows to bypass any vested water right or decreed conditional water right and, therefore, will not cause material injury to vested water rights or decreed surface water rights.

2. Opposition

No statements of opposition have been filed.

William H. Fronczak