

DISTRICT COURT, WATER DIVISION NO. 1, STATE OF COLORADO 901 9 th Avenue Greeley, Colorado 80631 (970) 475-2400	DATE FILED: July 27, 2021 6:45 PM FILING ID: E8C421CC33835 CASE NUMBER: 2019CW3220
APPLICATION FOR AMENDMENT OF AN AUGMENTATION PLAN OF INDEPENDENCE WATER AND SANITATION DISTRICT IN ELBERT COUNTY.	<p style="text-align: center;">▲ COURT USE ONLY ▲</p> Case Number: 2019CW3220
Attorneys for Opposer, Franktown Citizens Coalition II: Law Firm of John D. Buchanan, LLC John D. Buchanan, #45191 2806 N. Speer Blvd Denver, Colorado 80211 (720) 413-2773 john@jdbuchananlaw.com	
PLEADING IN PROTEST TO REFEREE'S RULING	

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

 Franktown Citizens Coalition II (“Franktown”)
 c/o Diana Love, President
 PO Box 667
 Franktown CO 80116
 (303) 814-8704
 Rllove1@msn.com


2. Date of ruling being protested: July 21, 2021.

3. Identify the portion being protested: Franktown protests the referee’s ruling in its entirety because the ruling is not supported by the information provided by the applicant and is inconsistent with Colorado law. While this case was on the referee’s docket Franktown filed two rounds of detailed comments to the applicant’s proposed decree and engineering, attached hereto as Exhibits A and B, which provide further details regarding Franktown’s protest of specific portions of the referee’s ruling.

4. State factual and legal grounds for this protest: The specific factual and legal grounds for this protest are set forth in detail in Exhibits A and B.

Respectfully submitted this 27th day of July, 2021.

Law Office of John D. Buchanan, LLC

By: 

John D. Buchanan #45191

ATTORNEYS FOR OPPOSER, FRANKTOWN
CITIZENS COALITION II


E-FILED PURSUANT TO C.R.C.P. 121

*A printed or printable copy of this document with original, electronic, or scanned signatures
is on file at the law offices of Buchanan Sperling & Holleman PC*

CERTIFICATE OF SERVICE
(Case No. 2019CW3220)

I hereby certify that the foregoing Pleading in Protest to Referee's Ruling was served this 27th day of July, 2021 via CCE on the following:

Party Name	Party Type	Attorney Name
Cordillera Corporation	Opposer	CHRISTOPHER DALE CUMMINS (Monson Cummins and Shoet LLC) EMILIE BLAKE POLLEY (Monson Cummins and Shoet LLC)
David and Linda McIntire	Opposer	GUNNAR J PAULSEN (Porzak Browning & Bushong LLP) STEVEN J BUSHONG (Porzak Browning & Bushong LLP)
Division 1 Engineer	Division Engineer	DIVISION 1 WATER ENGINEER (State of Colorado DWR Division 1)
Independence Water and Sanitation District	Applicant	ERIC KRISBERG TROUT (Hayes Poznanovic Korver LLC) MATTHEW STEVEN POZNANOVIC (Hayes Poznanovic Korver LLC)
State Engineer	State Engineer	COLORADO DIVISION OF WATER RESOURCES (State of Colorado - Division of Water Resources)
West Elbert County Well Users Association	Opposer	DAVID MICHAEL SHOET (Monson Cummins and Shoet LLC)



John Buchanan