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Colorado Supreme Court

2 East 14th Avenue
Denver, CO 80203

Appeal from the District Court, Water Division
1, Honorable Todd L. Taylor, Case No.
2019CW3220

Opposers-Appellants:

Franktown Citizens Coalition II, Inc., and West
Elbert County Well Users Association,

v.

Applicant-Appellee:

Independence Water and Sanitation District

and

Appellees:

State Engineer and Division 1 Engineer

▲ COURT USE ONLY ▲

*Attorneys for Applicant-Appellee, Independence
Water and Sanitation District*

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Case Number: 2023SA154

UNOPPOSED MOTION FOR CONTINUANCE

COMES NOW, Applicant-Appellee, Independence Water and Sanitation District (“Independence”), by its attorneys Hayes Poznanovic Korver LLC., and hereby submits this Unopposed Motion for Continuance.

1. Pursuant to this Court’s November 16, 2023, order, oral arguments have been set for Wednesday, January 17, 2024, at 1:00 PM.

2. Independence hereby requests a continuance of oral arguments until February 13 or 14, 2024, March 12 or 13, 2024, or the earliest date available thereafter.

3. Extraordinary circumstances exist for this continuance. Undersigned counsel has a family medical emergency. The Court may contact undersigned counsel for a further explanation of the family medical emergency if necessary.

4. Undersigned counsel Matthew S. Poznanovic is lead counsel for Independence. In addition to undersigned counsel, Independence is also represented by co-counsel David S. Hayes and Eric K. Trout. Mr. Hayes has only had limited involvement in this matter, and his direct involvement has been limited to participation in a status conference in Case No. 19CW3220, District Court, Water Division No. 1. Mr. Trout is a junior associate at Hayes Poznanovic Korver, LLC and has not been preparing to argue this appeal.

5. No party will be unfairly prejudiced if this motion is granted. Nor will these proceedings be unduly delayed.

6. Undersigned counsel has conferred with counsel for Opposers-Appellants Franktown Citizens Coalition II, Inc., and West Elbert County Well Users Association, who do not object to this motion.

RESPECTFULLY submitted this 4th day of January 2024.

HAYES POZNANOVIC KORVER LLC

//s// Matthew S. Poznanovic

David S. Hayes, #28661

Matthew S. Poznanovic, #29990

Eric K. Trout, #48640

*Attorneys for Independence Water and
Sanitation District*

***E-filed pursuant to C.A.R. 30. A duly signed original or electronic copy is on file
at the office of Hayes Poznanovic Korver LLC.***

CERTIFICATE OF SERVICE

I certify that, on this 4th day of January 2024, I served a true and correct copy of the above **UNOPPOSED MOTION FOR CONTINUANCE**, via Colorado Courts E-Filing upon all parties of record.

//s// Ruth G. Marquis
Ruth G. Marquis

E-filed pursuant to C.A.R. 30. A duly signed original is on file at the office of Hayes Poznanovic Korver LLC