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MAR 30 2010

Colorado Water Conservation Board

The Templeton's
PO Box 103
Nucla, CO 81424
Tele. # 970-864-7438

Colorado Water Conservation Board
1313 Sherman St 7th Floor
Denver, CO 80203

March 26, 2010

To Whom It May Concern:

We, the Templeton's, Marie, Mark, and Susan Templeton Rutherford, are herewith giving Colorado Water Conservation Board notice that we are Contesting the proposed in-stream flow on Tabeguache Creek and would like to request a hearing regarding this issue. We will also be filing a notice Contesting this appropriation with the San Juan/Dolores River Basins Water Court and also requesting a hearing with them.

We met with Linda Bassey, Jeff Baessler and others at our ranch on Tabeguache Creek last summer (2009) to view our segment on Tabeguache Creek and show them the segments of the creek that go dry in the summer. At that time, and in every previous conversation with CWCB personnel, we were assured that any proposed in-stream flow would end at our head gate (Glencoe Ditch Proposal) and begin at our lower property line (Templeton Ranch Proposal). As it is worded now, the Tabeguache Proposal will begin at our head gate. If passed as now proposed, this will negatively impact our use of our water rights, because we already have plans to rejuvenate an old secondary diversion to our property on the south side of Tabeguache Creek to water an orchard and new fields of grass/alfalfa hay. If the Templeton Ranch appropriation as now proposed passes we would not be able to do that, or make any other necessary changes to use our water rights for future agricultural development.

We ask that CWCB change the proposed Templeton in-stream flow appropriation to begin, as promised, at our lower (western) property line. If this happens, we will not contest that proposal. We would be happy to meet with you regarding this matter.

We would also like to be placed on your mailing list, please send us information on all matters concerning the proposed Tabeguache in-stream flow proposals.

Please send postal notices to: Templeton's, PO Box 103, Nucla, CO, 81424 and Susan Rutherford, PO Box 178, Nucla, CO 81424. We can also be reached by email: Mark Templeton – mark.templeton@live.com and Susan – calr1971@gmail.com.

Sincerely,
The Templeton's
Marie, Mark, and Susan Rutherford

Marie Templeton