

**DISTRICT COURT, WATER DIVISION 3, STATE OF COLORADO
TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS FILED IN
WATER DIVISION 3.**

Pursuant to C.R.S. 37-92-302(3), you are notified that the following is a resume in Water Division 3, containing notice of applications and certain amendments filed in the office of the Water Clerk during the month of May 2023 for each county affected.

2022CW11: Joseph T Valdez; 14299 St. Hwy 15, La Jara, CO 81140; jtvaldez3@gmail.com; 719-588-2575. Amended Application for Change of Water Right in Conejos County. Decreed water right for which change is sought: Name of structure: W-2264 Well No. 1, WDID 2105008, Permit No. 20767-R. Date of original and all relevant subsequent decrees: December 15, 1976 Case No: W-2264. Court: District Court Water Division 3. Legal description of structure as described in most recent decree that adjudicated the location: SW1/4 of the SW1/4, of Section 9, Township 35 North, Range 9 East, NMPM, at a point 825 feet from the South Section line and 33 feet from the West Section line, in Conejos County, Colorado. Decreed source of water: Confined Aquifer. Appropriation Date: a. November 30, 1946 b. August 31, 1951. Total amount decreed to structure: a. Absolute 2,020 gpm (4.49 cfs). b. Absolute 955 gpm (2.13 cfs). Description of proposed change: This filing seeks approval to replace the collapsed well to continue to be used for the irrigation of the historically irrigated land within Section 98, Township 35 North, Range 9 East, NMPM. There will be no increase to the current limitations on pumping or area of use. The Replacement Well will be drilled into the Confining Clay Series. Location information of change or addition of point of diversion: PLSS legal description: Alamosa County, NW1/4 of the SW1/4, Section 9, Township 35N, Range 9E, NMPM. Points of diversion: location information UTM: Easting 411245.12 Northing 4127360.21 Zone 13.

2023CW4: Kelby and Jacque Pepper; 4502 CR59 Center, CO 81125; jpepper319@gmail.com; 719-588-8842. Application for Change of Water Right in Saguache County. Part A: Decreed water right for which change is sought: Name of structure: Well No. 2, Case No. W-2359, Permit No. 15377-F, WDID 2705334. Date of original and all relevant subsequent decrees: April 15, 1976, Case No: W-2593. Court: Water Court Division 3. Legal description of structure as described in most recent decree adjudicated the location: SE1/4 SE1/4 Section 22, Township 41 North, Range 7 East, NMPM, at a point 1,300 Feet from the South Section Line and 1,300 Feet from the East Section Line, in Saguache County, Colorado. Decreed source of water: Unconfined Aquifer of the Closed Basin. Permit Number: 15377-F. Permit Date: January 22, 1971. Well Depth: 87 Feet. Appropriation Date: November 17, 1971. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs): 1,200 GPM, absolute, being 2.67 cubic feet per second of time. Decreed use or uses: Irrigation. Restricted to the irrigation of 160 acres in the SE1/4 of Section 22, Township 41 North, Range 7 East, NMPM, in Saguache County, Colorado. Amount of water that applicant intends to change: 1,200 Gallons Per Minute. Detailed description of proposed change: Well Permit No. 15733-F has been pumping an average of 1,000 GPM and annual pumping diversion of 312 + or - acre-feet per year. However, flow has reduced in recent years. With this application, applicant

endeavors to request an alternate point of diversion in order to drill a supplemental well in the SE1/4 of the said Section 22, Township 41 North, Range 7 East, NMPM, to a depth not to exceed the top of the confining clay series. This, in order to maintain at or near the permitted and decreed flow rate of 1,200 GPM. The applicant is proposing to have the new well and Well No. 2 with an individual maximum pumping rate of 1,200 gpm each, for a combined total decreed pumping rate of 1,200 gpm at any point in time. The total annual volumetric rate would remain at 400 acre-feet, as permitted, and decreed. The subject well is within the Rio Grande Sub-District No. 1 boundary and is in the annual replacement plan of said sub-district. Attached Exhibit 1 (available for viewing at that Alamosa Court Clerk's Office) is the pumping history for the past 10 years for said well, derived from the Colorado Division of Water Resources database. Please refer to map exhibits A-Z (available for viewing at that Alamosa Court Clerk's Office) for physical and geographic reference. Location information in UTM format: Easting 395226, Northing 4182149 (coordinates for the existing Well No. 2) Zone 13. Legal description using PLSS: Saguache County SE1/4 of the SE1/4, Section 22, Township 41N, Range 7E, NMPM. 1,300 feet from the South section line and 1,300 feet from the East section line. Location information of change or addition of point of diversion: Location information in UTM format – Proposed New Supplemental Irrigation Well (No. 2-S): Easting 395610, Northing 4181920 Zone 13. Legal description using PLSS: Saguache County, SE1/4 of the SE1/4, Section 22, Township 41N, Range 7E, NMPM. Approximately 600 Feet from the S and 100 feet from the E. **Part B:** Name of structure: Well No. 3, Case No. W-2359, Permit No. 10803-R, WDID 2705333. Date of original and all relevant subsequent decrees: April 15, 1976, Case No: W-2593. Court: Water Court Division 3. Legal description of structure as described in most recent decree: SW14 SE1/4 Section 22, Township 41 North, Range 7 East, NMPM, at a point 80 Feet from the South Section Line and 2,600 Feet from the East Section Line in Saguache County, Colorado. Decreed source of water: Unconfined Aquifer of the Closed Basin. Permit Number: 10803-R. Permit Date: March 23, 1960. Well Depth: 81 Feet. Appropriation Date: March 31, 1945. Total amount decreed to structure in gallons per minute (gpm) or cubic feet per second (cfs): 1,800 GPM, absolute, being 4.01 cubic feet per second of time. Decreed use or uses: Irrigation. Restricted to the irrigation of 160 acres, in the SE1/4 of Section 22, Township 41 North, Range 7 East, NMPM, in Saguache County, Colorado. Amount of water that applicant intends to change: 1,800 Gallons Per Minute. Detailed description of proposed change: Well No. 3 has been pumping an average of 300 GPM This well has not performed well for many years, and it is believed that the casing is failing. The well is now located on land that was sub-divided from the subject quarter section. With this application, the applicant endeavors to request a move in point of diversion to a new point of diversion 800 feet north of the subject well in the SE1/4 of the said Section 22, Township 41 North, Range 7 East, NMPM. Because this was the most Senior well on the farm and it was a high capacity well, Applicant wants to keep this water right for future use. This well would maintain its 1,800 GPM flow rate and be used to either hook up to the sprinkler system, or separately irrigate the remaining three corners on the farm. The total annual volumetric rate would be established at 400 acre-feet, as presently permitted, and decreed. The subject well is within the Rio Grande Sub-District No. 1 boundary and is in the annual replacement plan of said sub-district. Location information in UTM format: Easting 394876, Northing 4181767 (coordinates for the existing Well No. 3) Zone 13. Legal description using

PLSS: Saguache County, SW1/4 of the SE1/4, Section 22, Township 41N, Range 7E, NMPM. 80 feet from South Section Line and 2600 feet from the East Section Line. Source of PLSS information: The 90CW08 Decree. Note, this is the location for the existing irrigation well near the center pivot. The proposed supplemental well will be located within the same quarter-section as the existing well. Location information of change or addition of point of diversion: UTM format: Easting 395250, Northing 4182150 (proposed location of replacement well No. 3-R) Zone 13. Legal description using PLSS: Saguache County, SE1/4 of the SE1/4, Section 22, Township 41N, Range 7E, NMPM. Name and address of reputed owners: Kelby and Jacque Pepper 4502 CR59 Center, CO 81125.

You are notified that you have until the last day of July 2023, to file with the Water Clerk a verified statement of opposition setting forth facts as to why a certain application should not be granted or why it should be granted only in part or on certain conditions or a protest to the requested correction. A copy of such a statement of opposition or protest must also be served upon the Applicant or the Applicant's attorney and an affidavit or certificate of such service must be filed with the Water Clerk. The filing fee for the Statement of Opposition is \$192.00. Forms may be obtained from the Water Clerk's Office or our website at www.courts.state.co.us. Jennifer Pacheco, Water Clerk, Water Division 3, 8955 Independence Way, Alamosa, CO 81101.