DISTRICT COURT, WATER DIVISION 3, STATE OF COLORADOTO: ALL PERSONS INTERESTED IN WATER APPLICATIONS FILED INWATER DIVISION 3.

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

**2023CW6: Roger K. and Julia M. Ensz; 5523 W County Road 11 North; Center, CO 81125,** **renns@ymail.com****, 719-850-1539. Application for Change of Underground Water Right in Rio Grande County. Addition of Supplemental Well on the SE1/4 Section 6, Township 40 North, Range 7 East, NMPM. Decreed water right for which change is sought:** Name of structure: Well No. 1, Case No. W-3179, Permit No. 110-R, WDID 2005828. Date of original and all relevant subsequent decrees: Case No. W-3179: April 20, 1978. Court: District Court, Water Division No. 3. Legal description of decreed structure: SW1/4 SE1/4 Section 6, Township 40 North, Range 7 East, NMPM at a point 70 feet from the South Section line and 2540 feet from the East Section line, in Rio Grande County, Colorado. This well is located by GPS at UTM NAD83 389850 mE, 4177041 mN. Decreed source of water: Unconfined aquifer. The well is 219 feet deep. Appropriation Date: May 1, 1954. Total amount decreed to structure: 1,800 gpm = 4.01 cfs. Decreed use: Irrigation. Amount of water that applicant intends to change: 1,800 gpm. Detailed description of change: This filing seeks approval to construct a supplemental well to be used in combination with Well No. 1, Case No. W-3179, WDID 2005828 and Well No. 1-A, Case No. 82CW120, WDID 2005829 to irrigate the historically irrigated land within the S1/2 Section 6, Township 40 North, Range 7 East, NMPM. The supplemental well will be located within the northwest corner SE1/4 of Section 6, Township 40 North, Range 7 East, NMPM. There will be no increase to the current limitation on pumping rates, volumetric amounts, or area of use for Well Nos. 1 and 1-A. The depth of the supplemental well will not exceed 219 feet. Well No. 1 is located near the edge of the confining clay series as defined by the map prepared by the Office of the State Engineer. Legal description of decreed location and actual or new location of well: Applying to obtain a supplemental well to Well No. 1, Case No. W-3179. Legal descriptions if change in point of diversion: Yes, see above. Names and addresses of reputed owners: Roger K. and Julia M. Ensz; 5523 W County Road 11 North; Center, CO 81125.

**2023CW7: Price Heritage, LLC; 48605 CR C, Center, CO 81125;** **kent@pricefarmsllc.com****; 719-580-4014 719-849-3281. Application for Change of Water Right in Saguache County.** Decreed water right for which change is sought: Name of structure: Irrigation Well No. 5, Case No. W-1509, WDID 2705344. Date of original and all relevant subsequent decrees: January 8, 1976. Case No: W-1509. Court: Water Court Division 3. Legal description of structure as described in most recent decree: Center of the SW1/4 of Section 24, Township 41 North, Range 7 East, NMPM, At a point 1,320 Feet from the South Section Line and 1,310 Feet from the West Section Line, in Saguache County, Colorado. Decreed source of water: Unconfined Aquifer of the Closed Basin. Permit Number: 7273-R-R. Permit Date: October 24, 2003. Well Depth: 90 Feet. Appropriation Date: January 15, 1937. 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 130 acres in the SW1/4 of Section 24, 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: For the past 15 years, well Permit No. 7273-R-R has been pumping more than 700 gpm and annual pumping diversion of greater than 100 acre-feet per year to grow a crop under a center pivot sprinkler. Production from the unconfined aquifer has decreased dramatically in the past several years. With this application, applicant requests an alternate point of diversion in order to drill a supplemental well in the SW1/4 of Section 24, 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.
Applicant is proposing to have the new supplemental well and Irrigation Well No. 5 with individual and combined maximum pumping rates 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 limit would remain at 390 acre-feet, as permitted, and decreed. The subject well is within the Rio Grande Water Conservation District Groundwater management Sub¬ District No. 1 boundary and is in the annual replacement plan of said sub-district. The additional well will contract as a supplemental well into Sub-District 1. Attached Exhibit 1(available for viewing in the 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. Applicant intends to drill the replacement well in the southwest corner of the SW1/4 of Section 24, Township 41 North, Range 7 East, NMPM. The exact location is not known at this time. Please refer to map exhibits A-Z for physical and geographic reference (available for viewing in the Alamosa Court Clerk’s Office). Location information in UTM format: Existing Irrigation Well No. 5, Case No W-1509, Permit No. 7273-R-R: Easting 397661, Northing 4182149 (coordinates for existing Irrigation Well No. 5), Zone 13. Legal description using PLSS: Saguache County, CTR of the SW1/4, Section 24, Township 41N, Range 7E, NMPM. 1320 feet from the South Section line and 1310 feet from the West Section line. Source of PLSS information: Permit No. 7273-R-R. 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 in UTM format – Proposed new well: The new supplemental well will likely be located near Easting 397300, Northing 4181750 Zone 13. Legal description using PLSS: Saguache County, SW1/4 of the SW1/4, Section 24, Township 41N, Range 7E, NMPM. 180 feet from the South Section line and 60 feet from the West Section line. Name and address of the purported owners: Price Heritage, LLC, 48605 CR C, Center, CO 81125. Kent Price, Managing Member.

**2023CW8: G. Lee Bagwell and Grace Bagwell; Brandon Bagwell, 12461 CR Road 104 South, Alamosa, CO 81101;** **michellebagwell@yahoo.com****; 719-588-4508. Application to Make Absolute In Conejos County.** Name of structure: Headgate. Type: Ditch. Description of conditional water right: Date of original decree: May 3, 2017. Case No.: 2014CW3026. Court: Water Court Division 3. List all subsequent decrees awarding findings of diligence: Date of decree: NA. Case No.: 2014CW3026. Court: Water Court Division 3. Legal description: Point 1 at the culvert that is 10 feet south of the boundary between the N1/2 and S1/2 of the SW1/4 of Section 17, Township 34 North, Range 10 East, NMPM. UTM Zone 13 Northing 4115753 Easting 419255 and point 2 approximately 1/8 mile North of that boundary. UTM Zone 13 Northing 4115902 Easting 419235. Source of water: Waste water run off. Appropriation date: blank. Amount: Varies. Use: Irrigation of meadow grass. Name and address of owner: Brandon and Michelle Bagwell; 12464 County Road 104 South, Alamosa, CO 81101

**2023CW3010: ALAMOSA COUNTY;** Donovan Liberty’s LLC c/o Karl Kuenhold, Esq., Law Office of Karl Kuenhold, LLC, 719-589-3688, karl@kuenholdlaw.com . APPLICATION FOR A CHANGE OF WATER RIGHTS (Commercial Use). *Decreed water rights for changes are sought*: Well No. 1 in Case W-156, Permit: 20782-R. WDID: 2008576 Location: The existing point of diversion is in the NE 1/4 NE 1/4 Section 27, Township 41 North, Range 10 East in Saguache County, Colorado. *Source*: Confined Aquifer. *Appropriation date*: August 29,1922 for 2,250 gallons per minute, being 5.0 cfs, being 10.0 acre-feet in a period of 24 hours, from a confined aquifer *Decreed Uses*: recreational, domestic and irrigation *Detailed description of proposed changes:* Applicant wishes to change and make available all 119.15 acre-feet of consumptive use of Well No.1 in Case W-156 for existing, expanded and proposed commercial uses as well as recreational, domestic, camping piscatorial and irrigation uses. The change requested in this application will not result in injury to any water right and will not result in any increase in diversions or consumptive use. *Land ownership*: Applicant owns the real property on which well, ponds and other uses are located.

You are notified that you have until the last day of September 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.