**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 February 2025 for each county affected.**

**Case No: 2024CW11 Applicants: Ben and Laura Coblentz (2/3 owner of Well No. 2), Melvin Coblentz; Marvin Yoder; and Glenn D. & Geneva F. Yutzy (1/3 owner of Well No. 2** Ben and Laura Coblentz 0495 East County Road 11 South Monte Vista, CO. 81144 (719) 852-2689. Melvin R. and Mary A. Coblentz 0104 East County Road 11 South Monte Vista, CO. 81144 (719) 849-3292. Glenn D. and Geneva F. Yutzy 28 East Highway 370 Monte Vista, CO. 81144 (719)849-9935. Marvin T. and Rachel A. Yoder 1942 East County Road 11 South Monte Vista, CO. 81144 (719) 849-5292. **AMENDED APPLICATION FOR A CHANGE OF WATER RIGHTS IN RIO GRANDE COUNTY, COLORADO**. Decreed water right for which change is sought. Name of structure: Well No. 2, Case No. W-2544, Permit No. 473-R, WDID 2005110 (Well No. 2) Date of original and all relevant subsequent decrees: **April 14, 1977. Court: District Court, Water Division No. 3** Legal description of structure: SW1/4 NW1/4 Section 31, Township 37 North, Range 8 East, NMPM at a point 2590 feet from the North section line and 55 feet from the West section line in Rio Grande County, Colorado. Decreed source of water: **Confined Aquifer (well is 240 feet deep with perforated casing from 160 feet to 240 feet. This well actually produces water from an unconfined aquifer west of the confining clay layer.** Appropriation Date: July **31, 1949, for 775 gpm (being 1.72 cfs) and February 27, 1964, for 345 gpm (being 0.768 cfs).**  Total amount decreed to structure: 1120 gpm = 2.50 cfs. Decreed use or uses: Irrigation. Amount of water that applicant intends to change: 20 gpm (being 0.045 cfs) Decreed water right for which change is sought: Name of structure: **Well No. 1, Case No. W-2544, Permit No. 5270, WDID 2012555 (Well No. 1)** Date of original and all relevant subsequent decrees: **July 3, 1974. Court: District Court, Water Division No. 3** Legal description of structure: NW1/4 NW1/4 Section 31, Township 37 North, Range 8 East, NMPM at a point 200 feet from the North section line and 600 feet from the West section line in Rio Grande County, Colorado. Decreed source of water: **Confined Aquifer (well is 227 feet deep with perforated casing from 167 feet to 227 feet. This well actually produces water from an unconfined aquifer west of the confining clay layer** Appropriation Date: March 1, 1960, for 40 gpm (being 0.089 cfs) Total amount decreed to structure: **40 gpm.** Decreed use or uses: **Irrigation.** The amount of water that the applicant intends to change: **N/A - the existing domestic use will remain in place. Water will be transferred from Well No. 2 for commercial use from Well No. 1.** Permitted Well for which change is sought Name of structure: Permit No. 308129, WDID N/A (Well No. 308129) Date of original and all relevant subsequent decrees: N/A Legal description of structure: NE1/4 NE1/4 Section 32, Township 37 North, Range 8 East, NMPM at a GPS location of 410384 mE, 4141355 mN in Rio Grande County, Colorado. Decreed source of water: This well produces water from an unconfined aquifer west of the confining clay layer. Confined Aquifer (well is 150 feet deep with perforated casing from 130 feet to150 feet. Appropriation Date: the well was completed on May 6, 2016. Total amount decreed to structure: N/A. Permitted use or uses: Domestic Amount of water that applicant intends to change: N/A - the existing domestic use will remain in place. Water will be transferred from Well No. 2 for commercial use from Well No. 308129. **PART A (existing application for change of water right)** This 1120 gpm irrigation well (Well No. 2) will be lowered to 1100 gpm. The 20 gpm to be changed will be pumped from existing well Permit No. 5270, Well No. 1, Case No. W-2544, WDID 2012555 (Well No. 1). The existing well is decreed for domestic and stockwater use at 40 gpm. Commercial use is needed within the northwest sprinkler corner of the NW1/4 A Section 31, Township 37 North, Range 8 East, NMPM. Well No. 1 is the best water source, and it also produces from the confined aquifer with a total depth of 227 feet and a perforated interval of 167 feet to 227 feet. This well is located approximately 200 feet from the North Section Line and 600 feet from the West Section Line, a distance of only 2200 feet north of Well No. 2 and located on the same quarter section. Future use of Well No. 1 will be for commercial chicken and egg production in a year-round facility as well as an office to manage the commercial activities while retaining the exempt-type domestic and stock water uses. **PART B (application for an additional change of water right for commercial use)** Well No. 2 will be further lowered to 1075 gpm. This additional 15 gpm to be changed will be pumped from existing well Permit No. 308129. The existing well is permitted for domestic use at 15 gpm. Commercial use is needed at this location for an additional chicken barn in the NE1/4 of the NE1/4 Section 32, Township 37 North, Range 8 East, NMPM. Well No. 308129 is the intended water source. It produces from a total depth of 150 feet and a perforated interval of 130 feet to 150 feet. This well is located in NE1/4 NE1/4 Section 32, Township 37 North, Range 8 East, NMPM at a GPS location of 410384 mE, 4141355 mN in Rio Grande County, Colorado, a distance of approximately 9500 feet to the east of Well No. 2. Future use of Well No. 308129 will be for commercial chicken and egg production in a year-round facility as well as an office to manage the commercial activities while retaining the exempt-type domestic and stock water uses. This transfer will rely on the same dry up of land as Part A. The estimated annual withdrawal of water from Well No. 308129 for commercial use is 1.00 acre-foot (325,851 gallons). Of that amount, approximately 0.90 acre-feet will be consumed. The commercial processes will require an annual diversion of approximately 1.0 acre-foot with 0.9 acre-foot consumed. The domestic use will continue based on the exempt well permit. All wells will be metered as required by the Division of Water Resources. Accounting of water use from the wells shall be kept and provided as required by the Division of Water Resources. **PART C (recognition of the historic use of Well No. 2, Case No. W-2544)** Water from Well No. 2, Case No. W-2544 can and has historically been used on the NW1/4 Section 31, Township 37 North, Range 8 East, NMPM (South Field) and the W1/2 Section 30, Township 37 North, Range 8 East, NMPM (Home Place and Yutzy Place). The long-standing irrigation system allows for efficient delivery of water to “cascade” from Well No. 2 to all three-quarter sections in pipelines to prevent unwanted loss of Terrace and well water. SW1/4 Section 30, Township 37 North, Range 8 East, NMPM (Home Place) was purchased in 2005 by Ben Coblentz. With the exception of putting a new sprinkler on the Home Place in 2015, the current irrigation system was in place. The NW1/4 Section 31, Township 37 North, Range 8 East, NMPM (South Field) was purchased in 2008 by Ben Coblentz. With the exception of putting a new sprinkler on the Soth Field in 2016, the current irrigation system was in place. NW1/4 Section 30, Township 37 North, Range 8 East, NMPM is currently owned and farmed by Glen Yutzy. The system to distribute the surface water from the Terrace Irrigation Company shares and Well No. 2 has been in place to use water on all three quarter-sections of land since entry of the decree in Case No. W-2544, Well No. 2. **Further, the ownership documents within the application for Case No. W-2544 include deeds that identify all three-quarter sections of land under common ownership. Copies of relevant documents are included in this amended filing. If the Court is unable to confirm the legal use of Well No. 2 on the NW1/4 Section 31, Township 37 North, Range 8 East, NMPM (South Field) and the W1/2 Section 30, Township 37 North, Range 8 East, NMPM (Home Place and Yutzy Place), Applicants pray the Court finds approval of a change of water right for use of Well No. 2 on all three quarter sections as has historically occurred with necessary terms and conditions. A portion of the water right decreed to Well No. 2, Case No. W-2544 will be moved to the wells currently permitted as no. 5270 (Well No. 1) and 308129. The physical locations of Well No. 1 and Well No. 308129 will not be changed. Well No. 1: NW1/4 NW1/4 Section 31, Township 37 North, Range 8 East, NMPM. See Attachment A – MAP** Name(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. The applicant must notify these persons that the applicant is applying for this water right, and certify to the Court that the applicant has done so. Ben and Laura Coblentz 0495 East County Road 11 South Monte Vista, CO. 81144 (719) 852-2689. Melvin R. and Mary A. Coblentz 0104 East County Road 11 South Monte Vista, CO. 81144 (719) 849-3292. Glenn D. and Geneva F. Yutzy 28 East Highway 370 Monte Vista, CO. 81144 (719)849-9935. Marvin T. and Rachel A. Yoder 1942 East County Road 11 South Monte Vista, CO. 81144 (719) 849-5292

**You are notified that you have, until the last day of April 2025, to file with the Water Clerk with** **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**

**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 February 2025 for each county affected.**

**Case No: 2025CW2 Applicant James D. Warner 48075 County Road N. Center, CO. 81125 (719)850-1897 no email. CONCERNING THE APPLICATION FOR WATER RIGHTS OF SAGUACHE COUNTY, COLORADO**. Application For Finding Reasonable Diligence. Name of structure: Crow Drainage and Seepage Ditch. Describe conditional water right as to each structure: including the following information from previous decree. Date of Original Decree: February 26, 1998, Case No. 96CW41, Court: Division: 3. List all subsequent decrees awarding findings of diligence: Date of decree: 1/14/2005 Case No. 04CW03 Court: Alamosa. Date of Decree: 2/24/2012, Case No. 11CW08 Court: Alamosa. Date of Decree 3/7/2019, Case No. 18CW02, Court: Alamosa. Legal description: SW1/4 NW1/4 of Section 6 Township N, Range 8E, NMPM at a point 2330 ft. from the N. section line and 50 ft from the W section line. GPS: UTM zone 13 S. nad 83 ITM 399351 mE, 4197131mN. Source of water: Seepage, wastewater, tailwater. Appropriation Date: May 19, 1995, Amount: 10.0cfs claimed in 96CW41. 6.77 cfs. Absolute in 04CW03. 3.23 cfs. Remains Conditional. Use: Livestock watering and irrigation. Depth: N/A. Applicant has cleaned and maintained the ditch and headgate. Once the Crow water reaches my ranch there are approximately 9 miles of ranch laterals to maintain. Annually, I clear and prepare the ranch field, although sufficient water was not available during the previous diligence period, my ditches are ready for the water. If claim to make absolute in whole or in part. Date water applied to beneficial use: N/A. Legal Description: Saguache County SW1/4 NW1/4 Section 6 Township 42N Range 8E Principal Meridian: NMPM Easting 399351 Northing 4197131 Zone 13. Distance from Section lines: 2330 Feet from N and 50 Feet from W. Names(s) and address(es) of owner(s) or reputed owners of the land upon which any new diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. The applicant must notify these persons that the applicant is applying for this water right and certify to the Court that the applicant has done so by no later than 14days after filing this Application. James D. Warner 48075 County Road N. Center CO. 81125. Remarks or any other pertinent information: Applicant has sold the G road Ranch; therefore, this N road ranch has become the sole source of income. This amplifies the need for the Crow Ditch water.

**You are notified that you have, until the last day of April 2025, to file with the Water Clerk with** **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**