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 all applications, amended applications or requests for correction filed in the office of the Water Clerk during the month of November, 2006.

The names and addresses of applicants, description of water rights, or conditional water rights involved, and description of ruling sought, are as follows:

Case No. 06 CW 25, Wayne Wedel, 132 Davis Street, Monte Vista, Colorado 81144, (719) 852-5776
Application for Change of Water Right in Alamosa County
Decreed name of structure for which change is sought: Well 1A. From previous Decree: Date Entered: 11-20-73, Division 3 Water Court, Case No. W-431, Well 1. Decreed point of diversion: 1,320 feet from south section line: 1,320 feet from west section line; SW1/4 of S14, T39N, R9E, NMPM. Source: Unconfined Aquifer. Appropriation Dates: 7-27-65. Amount: 1,100 gpm. Historic Use: Well 1: 9441-F and Well 1A: 25700-F have been used to irrigate 130 acres since 1965. Proposed change: Well 1A of Case No. 82CW117 was adjudicated as an alternate point of diversion from Well 1 of Case No. W-431. Well 1A was decreed in the wrong location of 1,920 feet from south section line and 1,310 feet from west section line. The applicant is proposing a change to the correct location which is 1,320 feet from the south section line and 720 feet from the west section line. Required Description: Alamosa County NW1/4 of the SW1/4, Section 14, T39N, R9E, NMPM, a distance of 1320 feet from south section line and 720 feet from west section line. GPS location: Were points averaged? Yes; Northing 4164278; Easting 0414975; Zone 13. Applicant is the owner of the land on which structure will be located. (3 pages including attachment)

Case No. 06 CW 26, Elfirio Romero, 7674 Road 109 North, Mosca, Colorado 81146, (719) 378-2477
Application for Underground Water Right in Alamosa County
Name of Well: 2S, Permit #55397-F. Legal Description of well: Alamosa County, SW1/4 NW1/4 of Section 23, T40N, R10E, NMPN, at a point 2220 feet from north section line and 30 feet from the west section line. Source: Unconfined aquifer of the Closed Basin. Depth: 80 feet. Date of appropriation: August 15, 2002. How appropriation was initiated: By construction of the well. Date water applied to beneficial use: August 15, 2002. Amount claimed: 400 gpm absolute. Name of Aquifer: Unconfined Aquifer of the Closed Basin. Amount claimed in acre feet annually: 220 af. Proposed use: Number of acres

historically irrigated 123.3. Total number of acres proposed to be irrigated: 123.3. The legal description of land irrigated: NW1/4, Section 23, T40N, R10E, NMPM. (8 pages including attachment)

Case No. 06 CW 27, Vernon C. Howey and Jeanette F. Howey, 10550 North County Road 5 East, Center, Colorado 81125, (719) 754-2425 and (719) 588-2425

Application for Change of Water Right in Rio Grande County

Decreed name of structure for which change is sought: Well No. 2. Case No. W-562, Registration No. 7266-R. From previous Decree: Date Entered: 9-25-75, Division 3 Water Court, Case No. W-562. Decreed point of diversion: SW1/4 NW1/4, Section 12, T40N, R8E, NMPM, at a point 2609 feet from the South Section line and 16 feet from the West Section line. Source: Unconfined Aquifer. Appropriation Date: 7-31-54. Amount: 1,500 gpm or 3.34 cfs. Historic Use: This well, along with Well No. 5, Case No. W-562, was used to flood irrigate the NW1/4 of Section 12 along with the surface water rights available to this quarter from the San Luis Valley Irrigation District until the installation of the center pivot sprinkler in 1978. At that time, the center well was drilled and serves as the water supply for the sprinkler. The ditch water is used for recharge purposes on the quarter. Proposed Change: a) Existing alternate point of diversion well, Permit No. 23079-F. The combined production of this well and Well No. 2, W-562, shall not exceed 1500 gpm. b) Center of the NW1/4, Section 12, T40N, R8E, NMPM. c) Water supply for irrigation of the NW1/4, Section 12, T40N, R8E, NMPM along with well nos. 7266-R and 7269-R and the ditch water. d) 1,000 gpm or 2.23 cfs. e) The alternate point of diversion well was constructed in 1978 to a depth of 100 feet. It has served as the water source for that sprinkler since 1978. Required Description: Rio Grande County, C of the NW1/4, Section 12, T40N, R8E, NMPM, a distance of 1340 feet from the North section line and 1320 feet from the West section line. Applicants are the owners of the land on which structure will be located and upon which water will be placed to beneficial use. (14 pages including attachments)

Case No. 06 CW 28, S. G. Deacon Trust, Kelly Deacon, Trustee, 4039 East Road 4 North, Monte Vista, Colorado 81144, (719) 852-3182; (719) 850-1313(cell) (Atty: Lester, Sigmond, Rooney & Schwiesow, PO Box 1270, Alamosa, Colorado 81101 (719) 589-6626

Application for Change of Water Right in Rio Grande County

This application is for change of water right to decree a center pivot well as an alternate point of diversion. Decreed name of structure for which change is sought: Well No. 2, Case No. W-561. Appropriation date and amount, and decreed point of diversion: May 31, 1954, for 1300 gpm from the unconfined aquifer, NW1/4 SE1/4, Section 25, T40N, R8E, NMPM, at a point 2,540 feet from the East Section line, and 1350 feet from the South Section line, UTM coordinates 407588, 4170749. Historic Use: The well has been used to irrigate 160 acres in the SE1/4 of Section 25, T40N, R8E, NMPM and additional land in the NE1/4 of Section 36, T40N, R8E, NMPM. In 1975, an alternate point of

diversion for the well was drilled at the center of the SE1/4 of Section 25, Permit No. 20136-F, and has irrigated 131 acres under a center pivot, with the original well also pumped into the pivot and additionally used to irrigate the corners of the Quarter. Proposed change: The decree for the original well listed the incorrect quarter quarter section. In fact, the well is located in the NW1/4 SE1/4, Section 25, T40N, R8E, NMPM, at a point 2,540 feet from the East Section line, and 1350 feet from the South Section line, UTM coordinates 407588, 4170749. This application seeks to correct the point of diversion for Well No. 2 to the correct location, and to decree the alternate point of diversion of the pivot well, located at the center of the SE1/4 of Section 25, T40N, R8E, at a point 1340 feet from the East Section line and 1320 feet from the South Section line, UTM coordinates 407987, 4170765. Name and address of owner of land on which proposed well is located: Applicant.
(3 pages including attachments)

THE WATER RIGHTS CLAIMED BY THESE APPLICATIONS MAY AFFECT IN PRIORITY ANY WATER RIGHTS CLAIMED OR HERETOFORE ADJUDICATED WITHIN THIS DIVISION AND OWNERS OF AFFECTED RIGHTS MUST APPEAR TO OBJECT WITHIN THE TIME PROVIDED BY STATUTE OR BE FOREVER BARRED.

You are further notified that you have until the last day of January, 2007, to file with the Water Clerk, in quadruplicate, 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. A **$70.00** filing fee is required. PLEASE NOTE: WATER DIVISION 3 HAS MANDATORY E-FILING FOR ALL PARTIES REPRESENTED BY AN ATTORNEY.

You can review the complete applications or requests for correction in the office of the Alamosa Combined Court, 702 Fourth St., Alamosa, CO 81101.

Witness my hand and seal of this Court this 13th day of December, 2006.

Shirley Skinner

Shirley Skinner, Clerk of the Court
Alamosa Combined Courts
Water Court, Water Division 3
702 Fourth Street, Alamosa, CO 81101

SEAL