

IN THE DISTRICT COURT IN AND FOR
WATER DIVISION NO. 3
STATE OF COLORADO
CASE NO. W-2057

JAN 14 1975

CARLA R. GILLELAND
WATER CLERK

IN THE MATTER OF THE APPLICATION
FOR WATER RIGHTS OF

STATE OF COLORADO ACTING BY
AND THROUGH STATE BOARD OF LAND
COMMISSIONERS, OWNER; AND
WALTER WEISS AND MAYME WEISS,
LESSEE

IN SAGUACHE COUNTY)

REFEREE'S REPORT
AND RULING

Artesian
WELL NO. 21 W-2057.

THIS MATTER coming on to be heard this day before the undersigned Referee, pursuant to Order of Referral herein, and upon examination of the records and files herein, and upon his investigation, hereby makes the following Findings and Rulings therein:

(1) That the application of above named applicants for an underground water right was filed on the 29th day of June, 197 2.

(2) That the Water Clerk for Water Division No. 3 issued and caused a resume of said application to be published and mailed as required by statute.

(3) That the time for filing statements of opposition expired on the 31st day of December, 197 2, and no statements of opposition have been filed herein.

(4) That the Referee finds that Well No. 21 of the applicants above named Artesian is located in the Watershed of the Closed Basin at a point 2200 feet from the South section line, and 2350 feet from the West section line, in the NE 1/4 SW 1/4,

in Section 9, Township 43 North, Range 10 East, NMPM in the County of Saguache, State of Colorado, and draws its supply of water from a (confined) (~~unconfined~~) subterranean aquifer into which such well penetrates, and said well is 425 feet in depth. That the casing of said well is 2 inches in diameter, and is unperforated to a depth of unknown feet and perforated from a depth of unknown feet to a depth of unknown feet, and produces 25 gallons of water per minute, being .056 cubic feet of water per second of time, being .112 acre feet of water in a period of twenty-four (24) hours by artesian flow.

W-2057-Artesian Well 21.

(5) That such appropriation was initiated on the 31st day of December, 19 50, by the commencement of drilling operations which were diligently pursued and a producing well obtained. Well Registration No. none.
Artesian

(6) That such Well No. 21 is used as an independent source of water for domestic, irrigation, and stockwater use.

Artesian
(7) That said Well No. 21 of the applicant is entitled to appropriation priority as of the 31st day of December, 19 50, for 25 gallons of water per minute, being .056 cubic feet of water per second of time, being .112 acre feet of water per twenty-four (24) hours, for domestic, irrigation, and stockwater purposes, _____

(8) That said well may be used as an alternate point of diversion for the following surface water rights: Not applied for.

W-2057-Artesian Well 21.

THEREFORE, IT IS HEREBY RULED AND ORDERED that the application herein be and it is hereby granted the indicated priority as follows:

1. Applicant's name and address:

State of Colorado acting by and through the State Board of Land Commissioners, Owner; P. O. Box 88, Alamosa, CO 81101; and Walter Weiss and Mayme Weiss, Lessee
Rural Route One, Box 25
Moffat, CO 81143.

2. Name or designation of well:

Well No. Artesian 21.

3. Location of well and point of diversion:

NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, Township 43 North, Range 10 East, NMPM, at a point 2200 feet from South Section line and 2350 feet from West Section line, in Saguache County, Colorado.

4. Alternate points of diversion, if any:

None.

5. Type of beneficial use:

Domestic, irrigation, and stockwater.

6. Amount and source and means of diversion:

25 gallons per minute, being .056 cubic feet of water per second of time, being .112 acre feet of water in a period of twenty-four hours, from (confined) (~~unconfined~~) aquifer.

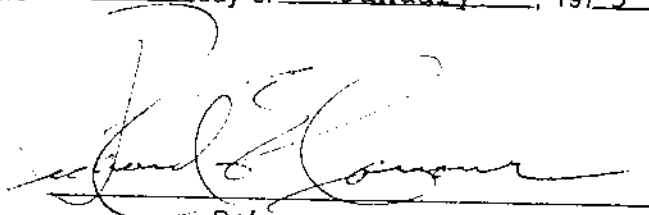
7. Priority date of appropriation:

December 31, 1950.

8. That said well may be used as an alternate point of diversion for the following surface water rights: Not applied for.

IT IS FURTHER ORDERED that the Water Clerk shall mail copies of this report and ruling as provided by statute.

Dated and entered of record this 14th day of January, 1975.



Referee
Water Division No. 3