

IN THE DISTRICT COURT IN AND FOR
WATER DIVISION 3
STATE OF COLORADO

STATE OF COLORADO

JAN 8 1976

CASE NO. W-1688

CARLA R. SHAWCROFT
WATER CLERK

IN THE MATTER OF THE APPLICATION)
FOR WATER RIGHTS OF)
FRANCIS W. SOUTHARD AND)
SHIRLEY A. SOUTHARD)
)
)
)
)
)

JUDGMENT AND DECREE
ADJUDICATING
WATER RIGHT

IN ALAMOSA COUNTY WELL NO. 4 W-1688

THIS MATTER came on to be heard this day upon the Referee's Ruling. The Court finds that the application for adjudication herein was filed on June 23, 1972; that the Referee's Ruling granting the hereinafter described water right to applicant was entered on the 5th day of December, A.D. 1975 and served as provided by law; that no protest has been filed and that the time for filing protests has expired; and that the Ruling of the Referee should be confirmed and approved and a water right granted.

HEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Ruling of the Referee herein be, and the same hereby is confirmed and approved and that the applicant is hereby granted the indicated water right and priority as follows:

1. Applicant's name and address:
Francis W. Southard and Shirley A. Southard
Route One
Mosca, CO 81146.
2. Name or designation of well:
Well No. 4 Registration No. none
W.D. 2011179

3. Location of well and point of diversion:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 39 North, Range 10 East, NMPM, at a point 1900 feet from South Section line and 130 feet from East Section line, in Alamosa County, Colorado.

4. Alternate points of diversion, if any:
None.
DEPTH 700'
CASING SIZE 2"
PERFORATIONS _____

5. Type of beneficial use:
Domestic 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, 1956.

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

Done and signed in open Court this 8th day of January A.D. 1976

Donald G. Smith
Donald G. Smith, Water Judge
Water Division 3

W-1688

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IN THE DISTRICT COURT IN AND FOR
WATER DIVISION 3
STATE OF COLORADO
CASE NO. W-1688

FILED IN DISTRICT COURT
WATER DIVISION 3
STATE OF COLORADO.

DEC 5 1975

CARLA R. SHAWCROFT
WATER CLERK

IN THE MATTER OF THE APPLICATION
FOR WATER RIGHTS OF
FRANCIS W. SOUTHARD AND
SHIRLEY A. SOUTHARD

REFEREE'S REPORT
AND RULING

IN ALAMOSA COUNTY } WELL NO. 4 W-1688.

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 Francis W. Southard & Shirley A. Southard
for an underground water right was filed on the 23rd day of June
1972.
- (2) That the Water Clerk for Water Division 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 30th
day of November 1972, and no statements of opposition have
been filed herein.
- (4) That the Referee finds that Well No. 4 of the applicant s above
named is located in the Watershed of the Rio Grande
at a point 1900 feet from the South section line, and 130
feet from the East section line, in the NE $\frac{1}{4}$ SE $\frac{1}{4}$,

in Section 27, Township 39 North, Range 10 East, NMPM in
the County of Alamosa, State of Colorado, and draws its
supply of water from a (confined) ~~(unconfined)~~ subterranean aquifer into which such
well penetrates, and said well is 700 feet in depth. That the casing of said
well is 2 inches in diameter, and is unperforated to a depth of 700 feet
and perforated from a depth of 0 feet to a depth of 0 feet, and pro-
duces 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.

(5) That such appropriation was initiated on the 31st day of December, 1956, by the commencement of drilling operations which were diligently pursued and a producing well obtained. Well Registration No. none.

(6) That such Well No. 4 is used as an independent source of water for domestic and stockwater use.

(7) That said Well No. 4 of the applicant is entitled to appropriation priority as of the 31st day of December, 1956, 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 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.

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:
Francis W. Southard and Shirley A. Southard
Route One
Mosca, CO 81146.

2. Name or designation of well:
Well No. 4.

3. Location of well and point of diversion:
NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27, Township 39 North, Range 10 East, NMPM,
at a point 1900 feet from South Section line and 130 feet
from East Section line, in Alamosa County, Colorado.

4. Alternate points of diversion, if any:
None.

5. Type of beneficial use:
Domestic and stockwater.

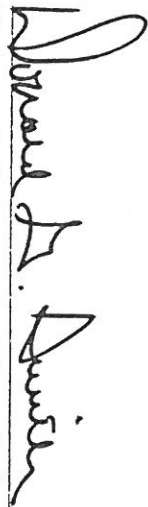
6. Amount and source and means of diversion:
25 gallons per minute, being .056 cubic feet of water per second of time,
being .112 acre feet of water in a period of twenty-four hours, from
(confined) (~~unconfined~~) aquifer.

7. Priority date of appropriation:
December 31, 1956.

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 5th day of December, 1975.


Water Judge as Acting Referee
Water Division 3
Donald G. Smith