

IN THE DISTRICT COURT IN AND FOR WATER DIVISION NO. 4
STATE OF COLORADO

TO: ALL PERSONS INTERESTED IN WATER APPLICATIONS IN SAID WATER
DIVISION NO. 4

Pursuant to C.R.S. 37-92-302, as amended, you are notified that the following is a resume of all applications filed in the Water Court during the month of May 2022.

The names, address of applicant, source of water, description of water right or conditional water right involved, and description of the ruling sought are as follows:

The water right claimed by this application may affect in priority any water right claimed or heretofore adjudicated within this division, and owners of affected rights must appear to object and protest within the time provided by statute, or be forever barred.

CASE NO. 2022CW11. Applicant: Melanie S Kline and Craig A Hollabaugh 16207 6740 Road, Montrose, CO 81401. Application for Absolute Surface Water Right: Lars Spring Kline Enlargement - SE1/4SE1/4 of Section 1, T46N, R6W, NMPM., Easting 283890, Northing 4237986, Zone 13. Source: Little Cimarron River, Cimarron River, Gunnison River. Appropriation Date: 06/13/2002. Amount Claimed: .011 cfs absolute for domestic use. **GUNNISON COUNTY.**

CASE NO. 2022CW3028 DELTA COUNTY 1. Applicant: **Surface Creek Valley Historical Society**, by Clay, Dodson & Skarka, PLLC, 415 Palmer St., Delta CO 81416, 970-874-9777. APPLICATION TO MAKE ABSOLUTE 2. Name of Structure: **Surface Creek Valley Historical Society Well**, 3. Legal description of location: Delta County, SE1/4NW1/4NW1 /4 of Section 29, Township 13 South, Range 94 West Sixth PM, at a point 1110 feet from the North section line and 1498 feet from the West section line. UTM coordinates for that proposed location are Zone 13 South, 246057 mE, 43909489 mN. 4. Date of Appropriation: July 29, 2015. Amount: 0.033 c.f.s. absolute. 5. Use: Irrigation of 1.762 acres of landscaping, protected by the augmentation plan in the ruling dated June 28, 2016. 6. Source of Water: Groundwater tributary to Hamilton Draw, Surface Creek and the Gunnison River. **Applicant obtained a well permit and a contract with Grand Mesa Water Conservancy District for augmentation water, finished constructing the well and installed the water lines needed to irrigate Pioneer Town. The well is in use, Applicant has filed annual reports with the Water Commissioner for District 40, and Applicant requests to make its conditional decree absolute. DELTA COUNTY.**

CASE NO. 2022CW3029. 1. Applicants: Gary W. Gates, Jr. and Melissa V. Gates. 2205 Ave. I, Ste. 117, Rosenberg, TX 77471-2651, (281) 344-1170. Please direct all correspondence to Law of the Rockies, Kendall Burgemeister, Atty. Reg. No. 41593, 525 N. Main Street, Gunnison, CO, 81230, (970) 641-1903, kburgemeister@lawoftherockies.com. Application for Conditional Water Storage Rights. 2. Name of Structure: Gates Upper Pond. (a) Location: In the SWNW of Section 20, Township 14 South, Range 85 West, 6th PM, UTM Zone 13S 332912E 4299163N. See Application on file with Water Court. (b.) Filling Structure: Gates Ponds Inlet. (i.) Capacity: 0.5 cfs. (ii.) Proposed rate of fill: 0.37 cfs. (iii.) Source: Slate River, tributary to

the East River, tributary to the Gunnison River. (iv.) Point of Diversion: In the SENE Section 19, Township 14 South, Range 85 West, 6th PM, UTM Zone 13S 332728E 4299130N. (v.) The pond may also intercept irrigation return flows and other diffuse surface runoff tributary to the Slate River. (c.) Amount: 3.638 acre-feet for an initial fill, plus refills to provide refreshing flows and replace evaporative loss. (d.) Capacity: 3.638 acre-feet. (e.) Surface Area of High Water Line: 0.56 acres. (f.) Vertical Height and Length of Dam: A small embankment, no more than 550 feet long and no more than 6 feet tall may be constructed on the downstream side of the pond. (g.) Point of discharge to Slate River: In the SWNW of Section 20, Township 14 South, Range 85 West, 6th PM, UTM Zone 13S 332829E 4299054N. 3. Name of Structure: Gates Lower Pond. (a.) Location: In the SENE of Section 19, Township 14 South, Range 85 West, 6th PM, UTM Zone 13S 332912E 4299163N. (b.) Filling Structure: Gates Ponds Inlet. (i.) Capacity: 0.5 cfs. (ii.) Proposed rate of fill: 0.06 cfs. (iii.) Source: Slate River, tributary to the East River, tributary to the Gunnison River. (iv.) Point of Diversion: In the SENE Section 19, Township 14 South, Range 85 West, 6th PM, UTM Zone 13S 332728E 4299130N. (v.) The pond may also intercept irrigation return flows and other diffuse surface runoff tributary to the Slate River. (c.) Amount: 0.592 acre-feet for an initial fill, plus refills to provide refreshing flows and replace evaporative loss. (d.) Capacity: 0.592 acre-feet. (e.) Surface Area of High Water Line: 0.138 acres. (f.) Vertical Height and Length of Dam: A small embankment, no more than 240 feet long and no more than 2 feet tall may be constructed on the downstream side of the pond. (g.) Point of discharge to Slate River: In the SWNW of Section 20, Township 14 South, Range 85 West, 6th PM, UTM Zone 13S 332829E 4299054N. 4. Uses: Recreation, fish propagation, and fire protection. 5. Appropriation Date: May 31, 2022, by hiring a contractor to perform site reconnaissance and develop a design for the structures, and by filing this application. 6. If groundwater is intercepted during construction, the ponds will be lined, or well permits will be obtained. If a well permit is obtained, out-of-priority depletions will be augmented through a contract with the Upper Gunnison River Water Conservancy District. 7. All structures are on land owned by Applicants. **GUNNISON COUNTY.**

YOU ARE FURTHER NOTIFIED THAT you have until the last day of July 2022 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. A copy of such a Statement of Opposition must also be served upon the applicant or the applicant's attorney and an affidavit of certificate of such service shall be filed with the Water Clerk, as prescribed by C.R.C.P. Rule 5. (Filing fee: \$192.00; Forms may be obtained from the Water Clerk's Office or on our website at <https://coloradojudicial.gov>). (This publication can be viewed in its entirety on the state court website at: <https://coloradojudicial.gov>). FRED CASTLE, Water Clerk, Water Division 4, 1200 N. Grand Ave., Bin A, Montrose, CO 81401