



WATER-RIGHT DOCKET

Great Sand Dunes National Monument

Docket No: 4

WELL #4

State Water Rights Documentation

00-00-0000: district court, water division no. 3, state of colorado; case no. 81cw161; findings of fact, conclusions of law and decree

COPIES

JUL 5 - 1989
DISTRICT COURT, WATER DIVISION NO. 3, STATE OF COLORADO

*Filed in District Court
Water Division No. 3, Colorado*

CASE NO. 81CW161

*Carol S. Ritting
Clerk Of The Water Court*

FINDINGS OF FACT, CONCLUSIONS OF LAW AND DECREE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF THE UNITED STATES
OF AMERICA IN ALAMOSA COUNTY.

THIS MATTER comes before the court for entry of Findings of Fact, Conclusions of Law and Decree, the parties having consented thereto. The court, having examined the records and files herein, and being now fully and sufficiently advised in the premises, hereby makes the following Findings of Fact, Conclusions of Law and Decree:

FINDINGS OF FACT

1. The United States of America was joined as a party in Water Division No. 3 pursuant to the McCarran Amendment, 43 U.S.C. §666, in 1979.
2. The United States of America filed an application for water rights in December 20, 1979, styled a general application which was assigned Case No. 79CW85. Thereafter, on November 24, 1981, the United States filed this application for water rights at the Great Sand Dunes National Monument as an amendment to Case No. 79CW85 which was assigned Case No. 81CW161.

3. In this case, the Applicant claimed reserved rights in two wells totalling 40 gpm, located on reserved lands in the Great Sand Dunes National Monument, in Alamosa County, Colorado, within the watershed of the Rio Grande River. The priority date claimed for both wells is March 17, 1932, the date the land upon which the wells are located was reserved by Proclamation No. 1994, 47 Stat. 2506. The claim for GRSA Well No. 1 was for 30 gpm for domestic, public and irrigation and for GRSA Well No. 4 is for 10 gpm for municipal, domestic and irrigation.

4. GRSA Well No. 1 was used for domestic uses in government-owned quarters by National Park Service employees engaged in administration, interpretation and protection of the Great Sand Dunes National Monument, for maintenance of government-owned vehicles and equipment, and for domestic use by visitors in a picnic area. After this application was filed, the well was capped and its functions replaced by GRSA Well No. 3, decreed as an appropriative right in Case No. 81CW163. Accordingly, the United States does not seek a decree for GRSA Well No. 1 in this proceeding.

5. The following Objectors filed Statements of Opposition in Case No. 79CW85 but failed to file Supplemental Statements of Opposition in the captioned case:

Seamster Farms, Inc.
Avis Neal Roemer Trust

Homestake Mining Co.
Fullenwider Ranches, Inc.
/LD Ranch
Neil F. Seitz
Blue Pond and Associates
City and County of Denver
Adolph Coors Company
AZL Resources, Inc.
Hans G. Hardt
Rosie Hardt
Walter Mundorf
SLV Municipalities
City of Alamosa
Conejos Water Conservancy District

6. The following Objectors filed timely Statements of Opposition and/or Supplemental Statements of Opposition in the captioned case:

State of Colorado
Rio Grande Water Conservation District
Rio Grande Water Users Association, et al.

The time for filing Supplemental Statements of Opposition to the captioned case expired May 8, 1987, pursuant to the Referee's Order filed March 4, 1987.

7. The Great Sand Dunes National Monument was established pursuant to the Antiquities Act, 16 U.S.C. §431 by Proclamation No. 1994 of March 17, 1932, 47 Stat. 2506, "for the preservation of the great sand dunes and additional features of scenic, scientific, and educational interest." Two later proclamations also pertain to the Great Sand Dunes National Monument. Proclamation No. 2681, dated March 12, 1946, 60 Stat. 1339 and Proclamation No. 3138, dated June 7, 1956, 70 Stat. C31 confirmed

and redefined the boundaries of the Great Sand Dunes National Monument.

8. GRSA Well No. 4 and GRSA Well No. 2, decreed as an appropriative right in Case No. 81CW163, pump into a common tank. The tank supplies a campground used by visitors to the Great Sand Dunes National Monument, a trailer dump station, a drinking fountain at the amphitheater, and one staff residence.

9. All legal descriptions in this Findings of Fact, Conclusions of Law and Decree are with reference to the 6th Principal Meridian.

CONCLUSIONS OF LAW

10. All notices required by law for filing and publication of the application in the Resume of Water Division No. 3 have been fulfilled, and the court has jurisdiction over the subject matter and all parties whether or not they have appeared.

11. The primary purpose of the Great Sand Dunes National Monument is as stated in the March 17, 1932, proclamation, to wit: "preservation of the great sand dunes and additional objects of scenic, scientific, and educational interest."

12. The uses of GRSA Well No. 4 are necessary for the primary purpose of the reservation and the amount is no more than is necessary. Therefore, the United States reserved 10 gpm out of GRSA Well No. 4 with priority of March 17, 1932. Cappaert v. United States, 426 U.S. 128, 138 (1976); United States v. Denver, 656 P.2d 1, ___ (Colo. 1982).

13. This court has previously ruled that applications filed as amendments to Case No. 79CW85 prior to March 31, 1982, relate back to Case No. 79CW85. See, this court's Orders dated December 31, 1981, and June 9, 1988, Case No. 79CW85. The application in this case is within the terms of those Orders and is a clarifying amendment to the application filed by the United States in Case No. 79CW85, and the United States is, therefore, entitled to antedate priorities subsequent to March 17, 1932. United States v. Bell, 724 P.2d 631, 645 (Colo. 1986).

14. The United States has demonstrated its entitlement to this decree as a matter of law.

DECREE

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED THAT:

1. The Findings of Fact and Conclusions of Law contained herein are incorporated by reference and made a part of this Decree.

2. The United States of America is entitled to reserved water rights with a priority date of March 17, 1932, to a well in Alamosa County, State of Colorado, as set forth below:

Legal description:	SE1/4 NE1/4, Section 35, T. 26 S, R. 73 W. of the 6th P.M.
Name of well:	GRSA Well No. 4
Reg. No.:	None
Depth: 250 ft.	Pump: Submersible
Amount:	10 gpm
Uses:	Domestic

3. This judgment and decree and the judgment and decree in Case No. 81CW164 constitute the final adjudication of all claims of the United States for reserved rights for Great Sand Dunes National Monument pursuant to Proclamation No. 1994, 47 Stat. 2506; Proclamation No. 2681, 60 Stat. 1339; Proclamation No. 3138, 70 Stat. C31, and any act or acts of Congress approved prior to March 31, 1982.

4. The reserved right decreed herein is subject to administration by the State Engineer as is any other decree for the purposes decreed herein with a priority of March 17, 1932.

5. The Applicant shall install and maintain such water measurement devices, recording devices, content gauges and inlet and outlet measurement and recording devices, as the case may be, as are deemed essential by the Office of the State Engineer, and

the same shall be installed and operated in accordance with instructions from said Office.

6. IT IS FURTHER ORDERED that the Water Clerk shall mail copies of this Findings of Fact, Conclusions of Law and Decree as required by statute.

DATED AND ENTERED OF RECORD this 30th day of June,
1989
~~1988.~~

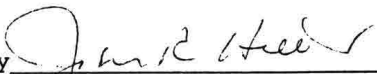
BY THE COURT:


ROBERT W. OGBURN, Judge
Water Division No. 3
State of Colorado

The undersigned agree to the entry of this decree.

DATE: 7 June 1989

MICHAEL J. NORTON
United States Attorney

By 
JOHN R. HILL, JR. #10214
Attorney
U. S. Department of Justice
Land and Natural Resources Div.
1961 Stout Street, Drawer 3607
Denver, CO 80294
(303) 844-2892

ATTORNEYS FOR APPLICANT
UNITED STATES OF AMERICA

DATED: 11-8-88

FOR THE ATTORNEY GENERAL

By Carol D. Angel
CAROL D. ANGEL #13123
Assistant Attorney General
Natural Resources Section
1525 Sherman Street, 3rd Floor
Denver, CO 80203
(303) 866-5114

DATED: 11-3-88

FOR OBJECTOR RIO GRANDE WATER
USERS ASSOCIATION

By Paula C Phillips
PAULA C. PHILLIPS #8029
Carlson, Hammond & Paddock
2750 One United Bank Center
1700 Lincoln Street
Denver, CO 80203
(303) 861-9000

DATED: 10-31-88

FOR OBJECTOR RIO GRANDE WATER
CONSERVATION DISTRICT

By David W. Robbins
DAVID W. ROBBINS #6112
Hill & Robbins
1441 Eighteenth Street, Suite 100
Denver, CO 80202
(303) 296-8100

DISTRICT COURT, WATER DIVISION 3, STATE OF COLORADO

CASE NO. 81CW161

CERTIFICATE OF MAILING

I do hereby certify that on the 30th day of June, 1989
I personally deposited in the United States Mail, a signed copy of
the foregoing Findings of Fact, Conclusions of Law and Decree
in a sealed envelope bearing sufficient postage
properly addressed to:

Jeris A. Danielson
State Engineer
1313 Sherman Street
Denver, CO 80203

Steven E. Vandiver
Division Engineer
Water Division 3
P.O. Box 269
Alamosa, CO 81101

United States of America
c/o John R. Hill, Jr.
Dept. of Justice
Land & Natural Resources Div.
1961 Stout St., Drawer 3607
Denver, CO 80294

John R. Hill, Jr., Attorney
Department of Justice
Land & Natural Resources Sec.
1961 Stout St., Drawer 3607
Denver, CO 80294

State of Colorado
Dept. of Natural Resources
1525 Sherman St., 3rd Floor
Denver, CO 80203

Carol D. Angel
Assistant Attorney General
1525 Sherman St., 3rd Floor
Denver, CO 80203

Rio Grande Water Conservation District
10900 E. Hwy 160
Alamosa, CO 81101

David W. Robbins
HILL & ROBBINS
1441 18th St., #100
Denver, CO 80202

Rio Grande Water Users Association
c/o John U. Carlson
CARLSON, HAMMOND & PADDOCK
1700 Lincoln St., Suite 3900
Denver, CO 80203

Paula C. Phillips
CARLSON, HAMMOND & PADDOCK
1700 Lincoln St., Suite 3900
Denver, CO 80203

BY:  , Deputy
Carol S. Redding
Clerk of the Water Court
Water Division 3

RICHARD D. LAMM
Governor



DIVISION OF WATER RESOURCES

Department of Natural Resources
1313 Sherman Street - Room 818
Denver, Colorado 80203
Administration (303) 839-3581
Ground Water (303) 839-3587

May 24, 1978

U. S. Department of Interior
National Park Service
Great Sand Dunes Natl. Monument
Alamosa, CO 81101

RE: Applications for replacement well permits.

Gentlemen:

Enclosed please find the subject applications which are being returned to you for additional information and clarification. The statements in Item No. 9 of both applications do not correspond to locations as we have described in our files for the existing wells and for the locations proposed for the subject replacement wells. Item No. 4 of the applications must indicate a Colorado licensed well driller will construct the wells.

The proposed location of Well No. 4331-F (6117163) indicates that the well is to be located approximately 5,530 feet northeast of the old well. Our records indicate that the existing structure is located in the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 26, Township 27 South, Range 73 West of the 6th P.M. The distance and direction from the old well should be approximately 5,530 feet southeast. Please verify.

Well No. 16400-R(1-25-62) is proposed to be located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Section 2, Township 27 South, Range 73 West of the 6th P.M., at distances of 1,260 feet from the south section line and 530 feet from the east section line. This places the well outside of the boundaries of the Sand Dunes and we question its location. Item No. 9 indicates that the well will be approximately 2,370 feet east of the old well. The old well, according to our records, is located in the SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Section 34, Township 26 South, Range 73 West of the 6th P.M. This places the distance and direction of the new well approximately 6,500 feet southeast of the old well. We would ask that you please verify this location.

Ron Hermance

C.J. KUIPER
State Engineer

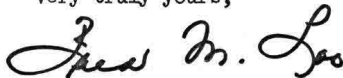
RECEIVED NPS - GRSA		
MAY 31 '78		
SUFF.	DATE	INIT.
A. O.		
C. R.		
C. I.		
M. F.		
S. O.		
E.E.O.		
CC:	<i>Ron Hermance (RMR)</i>	
FILE		

U. S. Department of Interior
May 24, 1978
Page -2-

Finally, in Item 13 of the applications, we must have the signature of someone authorized as agent of the National Park Service.

If you have any additional questions concerning this matter, please contact Mr. Richard Bell of this office.

Very truly yours,



Fred M. Loo
Water Resources Engineer
Ground Water Section

FML/RAB:ew
Encls.

cc: Division 3

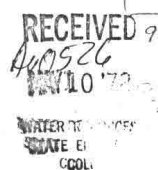
RECEIVED		
NPS - GRSA		
MAY 31 '78		
SUPP.	DATE	TIME
A. O.		
C. R.		
C. I.		
M. F.		
S. D.		
EEO.		
FILE		

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

(x) A PERMIT TO USE GROUND WATER
(x) A PERMIT TO CONSTRUCT A WELL
FOR: () A PERMIT TO INSTALL A PUMP

(x) REPLACEMENT FOR NO. 04331-F(6117163)
() OTHER _____
WATER COURT CASE NO. _____



(1) APPLICANT mailing address
U.S. Department of the Interior
National Park Service
NAME _____
Great Sand Dunes National Monument
STREET _____
CITY Alamosa Colorado 81101
(State) (Zip)
TELEPHONE NO. (303) 378-2312

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____ / _____

Basin _____ Dist. _____

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(2) LOCATION OF PROPOSED WELL

Pinyon Flats
County Alamosa
SE 1/4 of the NE 1/4, Section 35
Twp. 26 S, Rng. 73 W, 6th P.M.
(N.S) (E.W)

(3) WATER USE AND WELL DATAProposed maximum pumping rate (gpm) 30 GPMAverage annual amount of ground water to be appropriated (acre-feet): 6 Acre Feet

Number of acres to be irrigated: _____

Proposed total depth (feet): 250

Aquifer ground water is to be obtained from: _____

Owner's well designation GRSA 352673BF04GROUND WATER TO BE USED FOR:

() HOUSEHOLD USE ONLY - no irrigation (0)
() DOMESTIC (1) () INDUSTRIAL (5)
() LIVESTOCK (2) () IRRIGATION (6)
() COMMERCIAL (4) (X) MUNICIPAL (8)

() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

(4) DRILLER

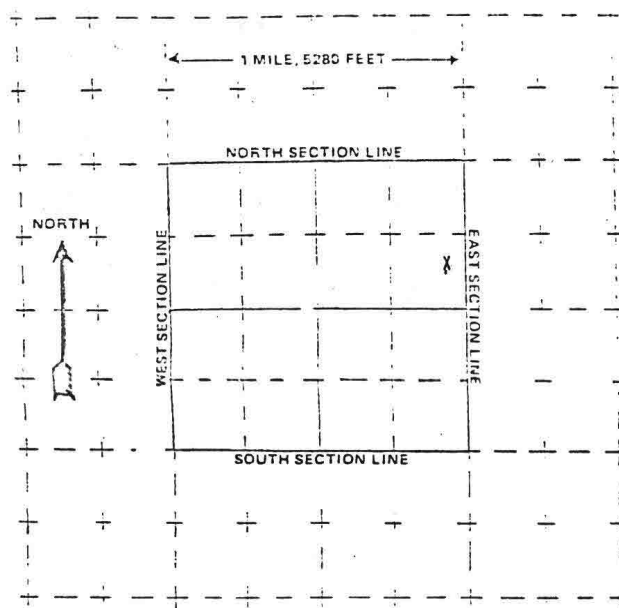
Name _____

Street _____

City _____ (State) (Zip)

Telephone No. _____ Lic. No. _____

Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) ... 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year
1 acre-foot ... 43,560 cubic feet ... 325,900 gallons
1,000 gpm pumped continuously for one day produces 4.42 acre-feet

3170 ft. from South sec. line

(Northern or Southern)

480 ft. from East sec. line

(East or West)

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner _____

No. of acres _____ Will this be the only well on this tract? _____

(8) PROPOSED CASING PROGRAM

Plain Casing

8 in. from 0 ft. to 220 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

8 in. from 220 ft. to 250 ft.

_____ in. from _____ ft. to _____ ft.

(9) **FOR REPLACEMENT WELLS** give distance and direction from old well and plans for plugging it:The new well will be drilled approximately 5530 feet ^{SE} northeast

of the old well. The well will be capped with a metal cap in case well is needed for a standby water system

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): _____ No. of acres: _____

Legal description: _____

(11) **DETAILED DESCRIPTION** of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used. This water will be used in public campgrounds for culinary and sanitation purposes. Disposal by septic tank.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
Groundwater (16400)	Domestic	SE $\frac{1}{4}$, SW $\frac{1}{4}$, S 2, T27S, R73W, 6th P.M.

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S) _____

PERMIT APPLICATION FORM

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

(x) A PERMIT TO USE GROUND WATER
(x) A PERMIT TO CONSTRUCT A WELL
FOR: (x) A PERMIT TO INSTALL A PUMP
(x) REPLACEMENT FOR NO. 16400 (1-25-62)
() OTHER _____
WATER COURT CASE NO. _____

RECEIVED
Aug 5 1978
71.1
WATER RESOURCES
STATE ENGINEER
C0000.

(1) APPLICANT - mailing address

U.S. Department of the Interior
NAME National Park Service
STREET Great Sand Dunes National Monument
CITY Alamosa Colorado 81101
(State) (Zip)
TELEPHONE NO. _____

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. _____

Basin _____

Dist. MM 31 '78

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

EEQ.
FILE

(2) LOCATION OF PROPOSED WELL

County Alamosa
SE 1/4 of the SW 1/4, Section 2
Twp. 27 S, Rng. 73 W, 6th P.M.
(N.S) (E.W)

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 30
Average annual amount of ground water to be appropriated (acre-feet): 10
Number of acres to be irrigated: 1/2 acre lawns
Proposed total depth (feet): 250
Aquifer ground water is to be obtained from: _____

Owner's well designation GRSA 22773BF03

GROUND WATER TO BE USED FOR:

- () HOUSEHOLD USE ONLY - no irrigation (0)
() DOMESTIC (1) () INDUSTRIAL (5)
() LIVESTOCK (2) () IRRIGATION (6)
() COMMERCIAL (4) (x) MUNICIPAL (8)
() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name ✓
Street _____
City _____ (State) (Zip)

APPLICATION APPROVED

PERMIT NUMBER _____

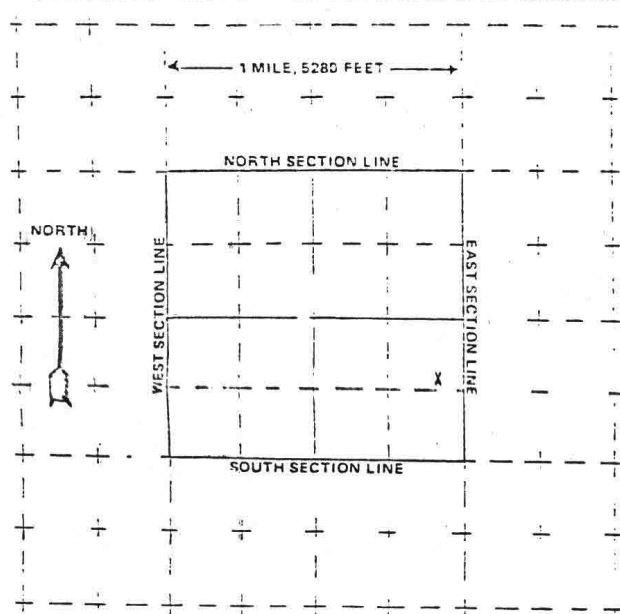
DATE ISSUED _____

EXPIRATION DATE _____

(STATE ENGINEER)

BY _____

Use the CENTER SECTION (sec. 36, 640 acres) for the well location



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 448 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

1260 ft. from South sec. line
(north or south)530 ft. from East sec. line
(east or west)

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE
LOCATED Owner Natl. Park ServiceNo. of acres: _____ Will this be
the only well on this tract? _____

(8) PROPOSED CASING PROGRAM

Plain Casing

8 in. from 0 ft. to 220 ft.

_____ in. from _____ ft. to _____ ft.

Perforated casing

8 in. from 220 ft. to 250 ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance
and direction from old well and plans for plugging
it: The new well will be drilled
approximately 2370 feet east of the

old well. The well will be capped

✓ with a metal cap in case the well
is needed for a standby water system

6500 SE

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): _____ No. of acres: _____

Legal description: _____

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal
system to be used This water will be used for public use, visitor center, and domestic use for
Park Service employee quarters. Disposal by septic tank.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
Groundwater 04331-F	Domestic	SE $\frac{1}{4}$, NE $\frac{1}{4}$, S35, T26S, R73W, 6th P.M.

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS
TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S)

(USE THIS FORM IF WELL IS UNREGISTERED AND NO DOCUMENTATION CAN BE PROVIDED)

To be filed in quadruplicate, with application for adjudication. File separate affidavits for each well included in application. Furnish as much information below as possible.

Name of Applicant United States of America, National Park Service Well No. 4
Great Sand Dunes National Monument, P.O. Box 60, Mosca, CO 81101

STATE OF COLORADO,)
 County of Alamosa) ss.

William L. Mekeel, being first duly sworn, on oath desposes and says: That he is the applicant or one of the applicants for adjudication of the hereinafter described unregistered well, and makes this affidavit in support of the attached application for adjudication of such well;

That said Well No. 4, is located in the SE 1/4 NE 1/4, Section 35, Township 26S, Range 73W, in Alamosa County, approximately 3,230 feet from the South Section line, and 4,160 feet from the East Section line, approximately as shown (N. or S.) (E. or W.) on the Section Plat included herein;

THAT THE DETAILS OF SAID WELL ARE AS FOLLOWS,
 SO FAR AS MY INFORMATION EXTENDS:

That said well produces 10 gallons per minute by Pumping; (Pumping or free flow)

That casing details are as follows:

Plain 8 in. from 0 ft. to 31 ft.
 in. from ft. to ft.

Perf. in. from ft. to ft.
 in. from ft. to ft.

If Well is in a Town or Subdivision, insert following information:

Pump Data: Type Submersible H. P. 3 Outlet Size 1 1/4 in. N/A
 Town, City or Subdivision

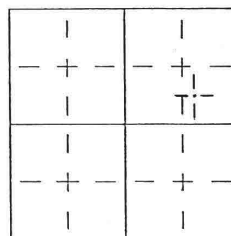
NOTE: Well is 250 feet deep with open hole from 31 feet to 250 feet. Lot Block

If said well is in town or subdivision, the same is feet from the line (N. or S.) and feet from the line of said lot. (E. or W.)

That said Well is used for municipal purposes, and if used for irrigation, is used to irrigate approximately acres.

If a domestic well, the water is used for 1 single family dwellings, including house trailers.

(drilled)
 That said Well was (enlarged) on or about the 22nd day of June, 19 78, by new well to replace existing well, as a result of which the (State whether deepened, larger pump installed, etc.) production of said Well was increased from N/A gallons per minute to N/A gallons per minute.



- Remarks: (a) The United States seeks to antedate the adjudication dates of earlier decrees insofar as they, in conjunction with applicable statutes, appear or purport to preclude this Court from awarding to the United States its water rights bearing their true priority dates.
- (b) The filing fees which accompany this application are paid under protest. The United States hereby claims reimbursement thereof on the grounds that filing fees constitute "costs" within the meaning of 43 U.S.C.A., Section 666(a), and as such are not properly taxed against the government in water adjudication proceedings.

JOSEPH DOLAN, UNITED STATES ATTORNEY

HANK MESHORER, Senior Trial Attorney, Dept. of Justice

By

JOHN R. HILL, JR., Trial Attorney
Department of Justice, Land and Natural Resources Div.
Federal Building, 1961 Stout Street
Drawer 3607, Denver, Colorado 80294

(303-837-2065)

STATE OF ~~CO~~COLORADO)
)
) ss.
)

COUNTY OF JEFFERSON)

Kenneth R. Ashley, being first duly
sworn, upon oath, deposes and says that (s)he has read the
foregoing application, knows the contents thereof, and that
the same are true.

Kenneth R. Ashley
APPLICANT

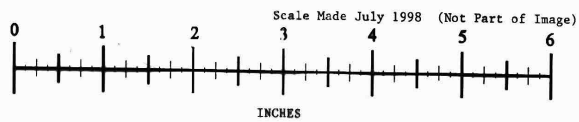
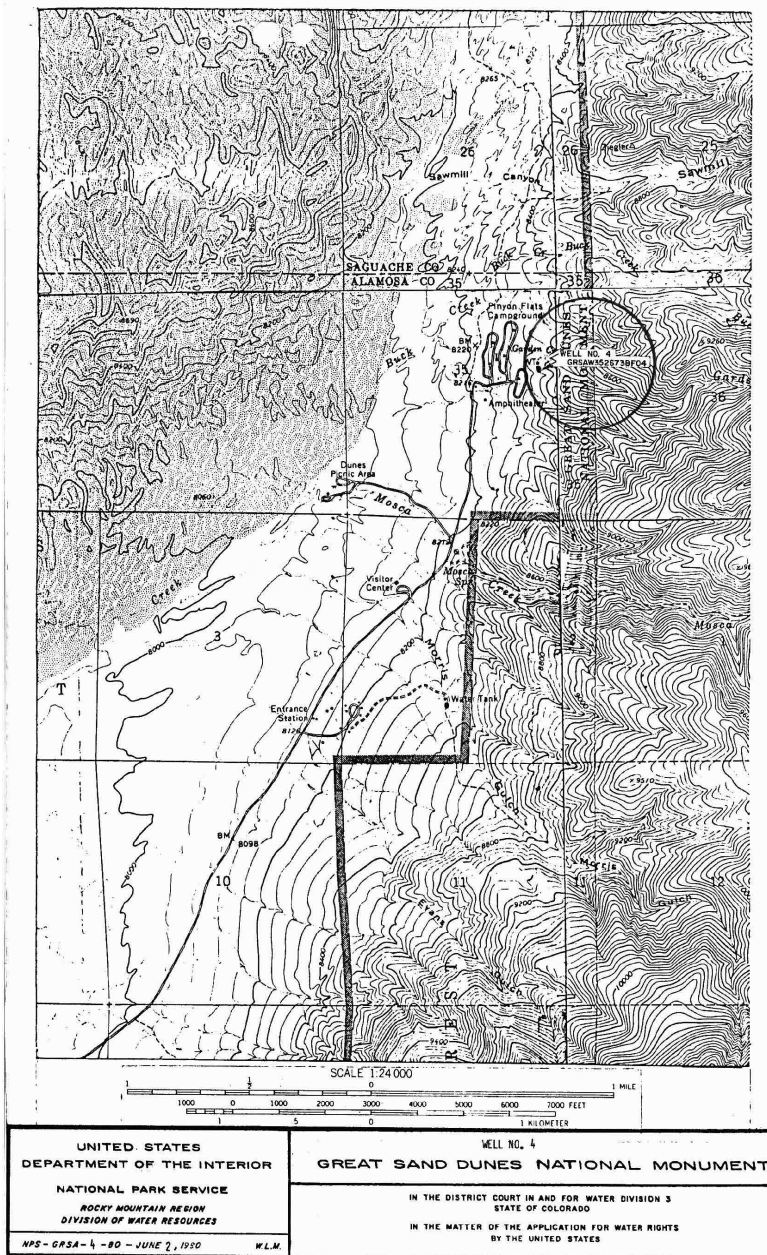
Subscribed and sworn to before me this 27th day of
June, 1980.

Mary Esther Greenleaf
Notary Public

Well No: 4
Pump Test Interpretation

The specific capacity was about 0.10 gal/min. per foot of drawdown after pumping for 498 minutes (8 hours and 18 minutes). The specific capacity data serves only as an indicator of the capability of the aquifer and does not include other necessary data required to make accurate determinations of specific yield. Therefore, the data should be used only for approximating drawdown at pumping rates above 10 gal/min.

Test results indicate that the well should not be pumped at rates above 10 gal/min. for periods longer than 8 hours and in no case should the well be pumped at rates above 20 gal/min.



____ COUNTY

(6) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be shown on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.

1 MILE, 5280 FEET

NORTH SECTION LINE

NORTH

WEST SECTION LINE

EAST SECTION LINE

SOUTH SECTION LINE

The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres

WATER EQUIVALENTS TABLE (Rounded Figures)
An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) = 448 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year
1 acre-foot = 43,560 cubic feet = 325,800 gallons
1,000 gpm pumped continuously for one day produces 440 acre-feet

(6) THE WELL MUST BE LOCATED BELOW
3170 ft. from South sec. line
480 ft. from East sec. line
LOT _____ BLOCK _____ FILING # _____
SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner _____
No. of acres _____ Will this be the only well on this tract? _____

(8) PROPOSED CASING PROGRAM
Plain Casing
8 in. from 0 ft. to 220 ft.
_____ in. from _____ ft. to _____ ft.
Perforated casing
8 in. from 220 ft. to 250 ft.
_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:
The new well will be drilled approximately 5530 feet northeast of the old well. The well will be capped with a metal cap in case well is needed for a standby water system

(10) LAND ON WHICH GROUND WATER WILL BE USED:
Owner(s): _____ No. of acres: _____
Legal description: _____

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used. This water will be used in public campgrounds for culinary and sanitation purposes. Disposal by septic tank.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
Groundwater (16400)	Domestic	SE $\frac{1}{4}$, SW $\frac{1}{4}$, S 2, T27S, R73W, 6th P.M.

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

SIGNATURE OF APPLICANT(S) _____

Use additional sheets of paper if more space is required

Supporting Hydro Data

L54 (RMR)MW

AUG 16 1979

Memorandum

To: Superintendent, Great Sand Dunes National Monument
From: Hydrologist, Rocky Mountain Region
Subject: Well Construction Data

Enclosed are the well drilling materials that I promised. The first well (GRSA-1) was drilled by the water storage tank near the campgrounds. The pump test results indicate that this well should not be pumped at rates above 10 gal/min. for periods longer than 8 hours. The optimum pumping rate is about 8 gal/min. with the pump set at about 235'-240'.

The second well (GRSA-2) was drilled near the water storage tank near the residential area. The pump test results indicate that this well should not be pumped at rates higher than 35 gal/min. The optimum pumping rate is about 20 gal/min. with the pump set at about 350'-360'.

Both wells have higher levels of manganese than recommended by proposed EPA secondary drinking water regulations, which is 50 micrograms/liter (50 ppb). Manganese levels in the first well was 560 micrograms/liter and 70 micrograms/liter in the second well.

Manganese causes discoloration or brown spots in laundered items and imparts a poor taste in drinking water. Also, it causes coatings in pipelines and black precipitates. Manganese can be removed by the same methods used to remove iron.

If I can be of further assistance, please give a call.

/s/ Ronald E. Hermance

Enclosures

cc:
RMR-MW (Hermance) w/o enc.

REHermance:ek 8/16/79

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UNITED STATES DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
CENTRAL LABORATORY, DENVER, COLORADO

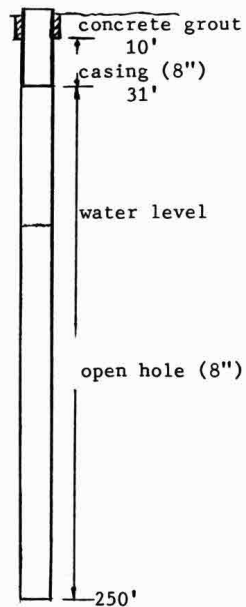
WATER QUALITY ANALYSIS
LAB ID # 251097 RECORD # 54498

SAMPLE LOCATION: GREAT SAND DUNES N.M. GRSA 1
STATION ID: 374444105300500 LAT.LONG.SEQ.: 374444 1053005 00
DATE OF COLLECTION: BEGIN--780719 END-- TIME--1905
STATE CODE: 08 COUNTY CODE: PROJECT IDENTIFICATION: 460800300
DATA TYPE: 2 SOURCE: GROUND WATER GEOLOGIC UNIT:
COMMENTS:
MAILING ADDRESS: N.P.S., P.O. BOX 25287

ALK+TOT (AS CaCO3)	MG/L	200	PH LAB		7.9
ANALYZING AGENCY		80020	PHOS ORTHO DIS AS P	DETR. DELETED	
BICARBONATE	MG/L	240	PHOSPHORUS DIS AS P	MG/L	0.00
CALCIUM DISS	MG/L	64	POTASSIUM DISS	MG/L	1.0
CHLORIDE DISS	MG/L	6.7	RESIDUE DIS CALC SUM	MG/L	267
FLUORIDE DISS	MG/L	1.6	RESIDUE DIS TON/AFT		0.36
HARDNESS NONCARB	MG/L	0	SAR		0.6
HARDNESS TOTAL	MG/L	200	SILICA DISSOLVED	MG/L	20
IRON DISSOLVED	UG/L	70	SODIUM DISS	MG/L	18
MAGNESIUM DISS	MG/L	8.8	SODIUM PERCENT		17
~~MANGANESE DISSOLVED~~	~~UG/L~~	~~560~~	SP. CONDUCTANCE LAB		436
NO2+NO3 AS N DISS	MG/L	0.43	SULFATE DISS	MG/L	26

CATIONS			ANIONS		
	(MG/L)	(MEQ/L)		(MG/L)	(MEQ/L)
CALCIUM DISS	64	3.194	BICARBONATE	240	3.934
MAGNESIUM DISS	8.8	0.724	CHLORIDE DISS	6.7	0.190
POTASSIUM DISS	1.0	0.026	FLUORIDE DISS	1.6	0.085
SODIUM DISS	18	0.783	SULFATE DISS	26	0.542
			NO2+NO3 AS N D	0.43	0.031
TOTAL		4.726	TOTAL		4.779

PERCENT DIFFERENCE = -0.56

GREAT SAND DUNES NATIONAL MONUMENT (GRSA-1)

Well drilling date:

Started: 6/2/78

Completed: 6/22/78

Location:

State: Colorado

Latitude: 37°44'44"N

Longitude: 105°30'05"W

Township: 26S

Range: 73W

Section: SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 35

Depth:

250'

Casing: 31.75'

Perforation: None

Perforation Size: N/A

Plug: None

Log Data:

Driller:

William Peck

Drilling Method:

Cable Tool

Water Level:

91.25'

WELL SPECIFICATION (as built)

GREAT SAND DUNES NATIONAL MONUMENT

Pumping and Recovery Data from the
New Well drilled during the
Period 6/2/78 to 6/22/78

Field No: GRSA-1

Location: SE $\frac{1}{4}$, NE $\frac{1}{4}$, Sec 35, T26S, R73W, 6th P.M.
near the storage tank at the campground area

First Pump Test (7/18/78)

Pump set at 236 feet below land surface

<u>TIME</u> <u>(Minutes)</u>	<u>DEPTH TO WATER</u> <u>(Feet)</u>	<u>DRAWDOWN</u> <u>(Feet)</u>	<u>DISCHARGE</u> <u>(gpm)</u>	<u>REMARKS</u>
0	91.25	-	-	Started
5	114.3	23.05	29.5	
10	133.37	42.12		
15	149.20	57.95		
20	159.20	67.95		
25	167.25	76.00	25.8	
30	180.73	89.48		
35	192.30	101.05		
40	199.38	108.13		
45	210.75	119.50		
52	221.80	130.55		
55	224.70	133.45		
60	235.0	143.75	14.5	Pump shut off due to surging

Well No: GRSA-1

Second Pump Test (7/19/78)

Pump set at 236 feet below land surface

<u>TIME</u> <u>(Minutes)</u>	<u>DEPTH TO WATER</u> <u>(Feet)</u>	<u>DRAWDOWN</u> <u>(Feet)</u>	<u>DISCHARGE</u> <u>(gpm)</u>	<u>REMARKS</u>
0	93.73	-	-	Started
8	108.35	14.62	9.9	
10	110.00	16.27		
16	115.00	21.27		
20	117.25	23.52		
25	120.00	26.27		
30	122.50	28.77		
36	125.00	31.27		
43	127.50	33.77		
53	130.15	36.42	9.2	
63	135.70	41.97	12.0	
75	139.00	45.27	10.9	
79	140.00	46.27		

Well No: GRSA-1 (continued)
 Second Pump Test (7/19/78)
 Pump set at 236 feet below land surface

<u>TIME</u> <u>(Minutes)</u>	<u>DEPTH TO WATER</u> <u>(Feet)</u>	<u>DRAWDOWN</u> <u>(Feet)</u>	<u>DISCHARGE</u> <u>(gpm)</u>	<u>REMARKS</u>
86	141.35	47.62		
95	142.50	48.77	10.5	
102	143.50	49.77		Water Temp. 51° F.
117	145.00	51.27		
125	145.85	52.12		
178	150.30	56.57		
222	152.65	58.92		
233	153.00	59.27	10.2	
251	154.05	60.32		
270	155.45	61.72		
299	157.60	63.87		
344	162.90	69.17		
356	165.35	71.62	9.7	
370	-	-	-	Sampled Well
377	169.00	75.27		
395	170.00	76.27		
407	172.50	78.77		
419	175.00	81.27		
435	177.50	83.77	9.3	
451	180.00	86.27		
498 (8 hrs and 18 min)	185.00	91.27		Pump Off

Well No: GRSA-1
 Recovery Test (7/18/78)

<u>TIME SINCE PUMP</u> <u>WAS SHUT OFF</u> <u>(Minutes)</u>	<u>DEPTH TO</u> <u>WATER</u> <u>(Feet)</u>	<u>RESIDUAL</u> <u>DRAWDOWN</u> <u>(Feet)</u>	
0	235.00	143.75	Pump Shut Off
5	227.00	135.75	
10	212.20	120.95	
15	195.70	104.45	
20	182.80	91.55	
25	165.00	73.75	
29	155.00	63.75	
35	145.00	53.75	
42	135.00	43.75	
57	125.00	33.75	
90	115.00	23.75	
124	110.00	18.75	
210	102.50	11.25	
335	98.00	6.75	
1345 (22 hrs and 25 min.)	93.73	2.48	

Well No: GRSA-1
Pump Test Interpretation

The specific capacity was about 0.10 gal/min. per foot of drawdown after pumping for 498 minutes (8 hours and 18 minutes). The specific capacity data serves only as an indicator of the capability of the aquifer and does not include other necessary data required to make accurate determinations of specific yield. Therefore, the data should be used only for approximating drawdown at pumping rates above 10 gal/min.

Test results indicate that the well should not be pumped at rates above 10 gal/min. for periods longer than 8 hours and in no case should the well be pumped at rates above 20 gal/min.

Final Pumping Water Level 185.00 ft.

PUMP INSTALLATION REPORT

Pump Make _____

Type _____

Powered by _____ HP _____

Pump Serial No. _____

Motor Serial No. _____

Date Installed _____

Pump Intake Depth _____

Remarks _____

WELL TEST DATA WITH PERMANENT PUMP

Date Tested _____

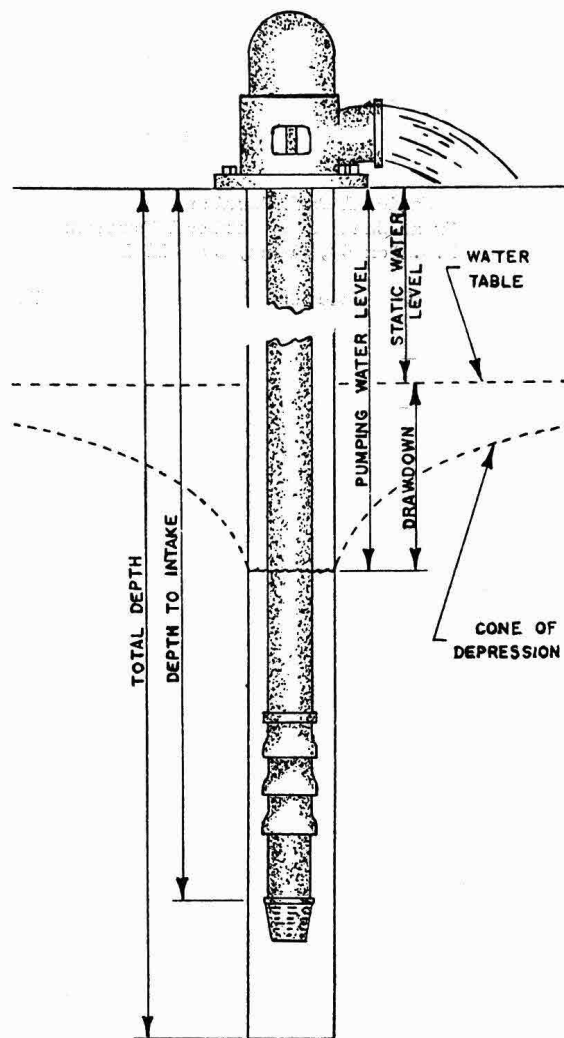
Static Water Level Prior to Test _____

Length of Test _____ Hours

Sustained yield (Metered) _____ GPM

Pumping Water Level _____

Remarks _____

**CONTRACTORS STATEMENT**

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature _____ License No. _____

State of Colorado, County of _____ SS

Subscribed and sworn to before me this ____ day of _____, 19 ____.

My Commission expires: _____, 19 ____.

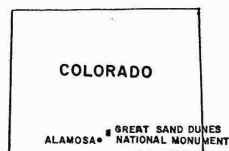
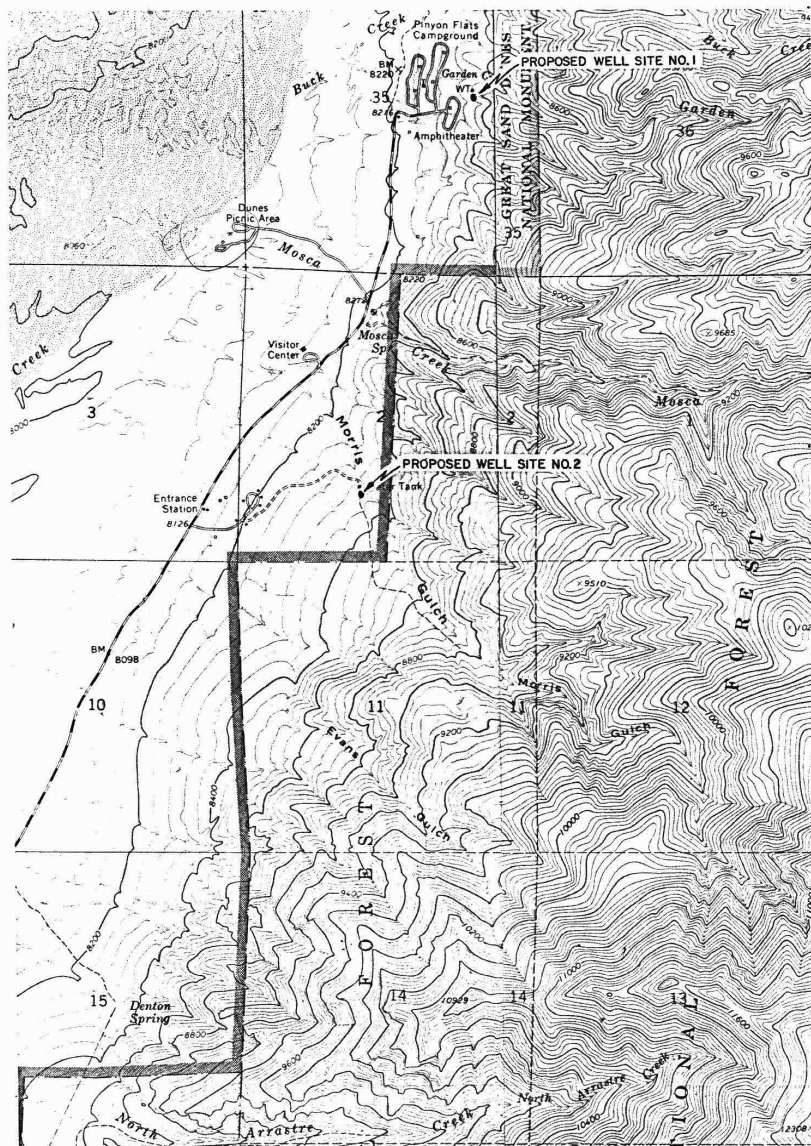
Notary Public _____

FORM TO BE MADE OUT IN QUADRUPLICATE: WHITE FORM must be an original copy on both sides and signed.
WHITE AND GREEN copies must be filed with the State Engineer. PINK COPY is for the Owner and YELLOW COPY is for the Driller.

Other Supporting Information

FORM 10-131 (APRIL 1964)		PURCHASE ORDER			
UNITED STATES DEPARTMENT OF THE INTERIOR NATIONAL PARK SERVICE Rocky Mountain Regional Office 655 Parfet St., Box 25287 Denver, CO 80225 (ISSUING OFFICE)		REQUISITION NO. Mekeel/RMR/MW	THIS NUMBER MUST APPEAR ON ALL PACKAGES AND PAPERS RELATING TO THIS ORDER ORDER NO. FX-1200-8-0613		
		DATE OF ORDER 5/4/78	ACCOUNTING CLASSIFICATION 1272-0003-417 (2600) H		
VENDOR'S NAME AND ADDRESS Colorado Division of Water Resources 818 Centennial Building 1313 Sherman Street Denver, CO 80202		SHIP TO: (Consignee and Address) Attn: Division of Water Resources National Park Service Rocky Mountain Regional Office 655 Parfet St., Box 25287 Denver, CO 80225			
CONTRACT NO. Open Market	DISCOUNT TERMS Net 30 days	SHIP VIA Post Way			
DELIVERY F.O.B. Destination	TIME FOR DELIVERY ASAP	GOVT. B/L NO.			
SHIPPING POINT Destination					
ITEM NO.	ARTICLES OR SERVICES	QUANTITY ORDERED	UNIT	UNIT PRICE	AMOUNT
	"Confirmation Order Do Not Duplicate" Permit fee for two (2) well permits at Great Sand Dunes National Monument	2		25.00	\$ 50.00
THE ARTICLES OR SERVICES LISTED WERE RECEIVED ON _____		TOTAL \$ 50.00			
(DATE) AND ACCEPTED ON _____ (DATE)		SIGNATURE <i>Etzel H. Gause</i>			
RECEIVING REPORT NO: _____		NAME AND TITLE Etzel (Henry) Gause Regional Purchasing Agent			
SIGNATURE: _____		2A. RECEIVING REPORT			

Maps and Miscellaneous Information



GREAT SAND DUNES NATIONAL MONUMENT
ALAMOSA, COLORADO

Docket Information

Number of Documents in Docket 32
Documents Dated from 5/4/1978 to 6/30/1989
Docket Compiled: 3/29/2011