

Filed in the office of the  
Clerk, District Court Water  
Division No. 2, State of  
Colorado

DISTRICT COURT, WATER DIVISION 2, COLORADO

CASE NO. 82CW5

JUN 1 1982

JUDGMENT AND DECREE

*Priscilla S. Lucero*  
Clerk

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER in EL PASO County.

THE COURT FINDS That no protest has been filed to the Ruling of the Water Referee within the time provided by law, and that said Ruling should be confirmed, approved and adopted,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED That the Ruling of Referee entered on April 28, 1982, be and is incorporated herein by reference and is confirmed, approved and adopted as the judgment of this Court.

Dated: June 1, 1982.

BY THE COURT:

*John C. Statler*  
\_\_\_\_\_  
JOHN C. STATLER, WATER JUDGE

xc: Glenn T. and Mary J. Wagoner  
10090 W. Hwy. 24, P. O. Box 215  
Green Mountain Falls, Colorado 80819

Robert W. Jesse  
Division Engineer

Jeris A. Danielson  
State Engineer

DISTRICT COURT  
WATER DIVISION NO. 2  
STATE OF COLORADO  
Certified to be a full, true  
and correct copy of original  
on file:  
Date: JUN - 1 1982

PRISCILLA S. LUCERO, CLERK

By: *Priscilla S. Lucero*  
Deputy Clerk

RECEIVED  
JUN 3 1982  
DIVISION ENGINEER  
PUEBLO, COLORADO

**COPY**

Filed in the office of the  
Clerk, District Court Water  
Division No. 2, State of  
Colorado

DISTRICT COURT, WATER DIVISION NO. 2, COLORADO

Case No. 82CW5

APR 28 1982

RULING OF REFEREE

*Priscilla A. Lyons*

Clerk

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER

IN EL PASO COUNTY.

Pursuant to Order of Referral filed and entered in the above case on January 26, 1982, and a subsequent Order Transferring case to the undersigned Water Referee filed and entered on April 27, 1982, the undersigned having investigated the matter of the application on file herein, hereby makes the following findings and ruling thereon:

FINDINGS OF FACT

1. That the said Application was filed on January 26, 1982.

2. That the Water Clerk caused publication of such filing as provided by statute; that the time for filing Statements of Opposition expired on the last day of March, 1982, and that none has been filed.

3. That the said Application concerns one well located in El Paso County, Colorado, and use is claimed for commercial business; drinking and sanitary facilities.

4. That the said well is an exempt well as defined in C.R.S. 1973, 37-92-602(1)(c).

5. That Applicants have furnished acceptable proof as to claims made.

IT IS, THEREFORE, ORDERED AS FOLLOWS: That Applicants be, and are hereby, awarded an absolute underground water right, to-wit:

NAME AND ADDRESS: Glenn T. and Mary J. Wagoner  
10090 W. Hwy. 24  
P.O. Box 215  
Green Mtn. Falls, Colorado 80819

UNDERGROUND WATER RIGHT

NAME OF WELL: Motel X Well #1. *FD 5698*

LOCATION OF WELL: SW1/4 of the NW1/4 of Section 9, Township 13 South, Range 68 West of the 6th P.M., in El Paso County, Colorado, being 1,650 feet from the north line and 990 feet from the west line of said Section 9.

DEPTH: 140 feet.

PRIORITY DATE: July 15, 1953

AMOUNT OF WATER: 0.031 c.f.s., or 14 g.p.m.

USE OF WATER: Commercial-Business; Drinking and Sanitary Facilities.

STATE ENGINEER'S WELL NUMBER: Not registered.

MEANS OF DIVERSION: Well and pump.

IT IS FURTHER ORDERED That Applicants 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.

IT IS FURTHER ORDERED That copies of this ruling shall be mailed as provided by statute.

Dated and filed with the Water Clerk this 28th day of April, A. D. 1982.

BY THE REFEREE:

DISTRICT COURT  
WATER DIVISION NO. 2  
STATE OF COLORADO  
Certified to be a full, true  
and correct copy of original  
of file.  
Date: APR 28 1982

MARCELLA S. LUCERO, CLERK

By: *[Signature]*  
Deputy Clerk

*[Signature]*  
Clyde B. Young, Jr., Water Referee  
Water Division No. 2  
State of Colorado

COPY

DISTRICT COURT WATER DIVISION 2, COLORADO

CASE NO. 82CW5

Filed in the office of the  
Clerk, District Court Water  
Division No. 2, State of  
Colorado

APR 27 1982

ORDER TRANSFERRING CASE

*Trissie L. Spence*  
Clerk

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER,

IN EL PASO COUNTY.

At the request of the Applicants that this case be accelerated and the Water Referee to whom the case has been assigned just having undergone surgery and being presently hospitalized and recuperation period being unknown at this time, it is

ORDERED that the above case be and is hereby transferred from Wallace A. Doe, Water Referee, to Clyde B. Young, Jr. Water Referee for investigation and ruling thereon. The time within which to render said ruling shall remain the same as set by statute unless otherwise extended by the Court.

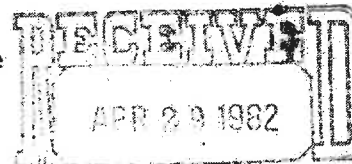
Done this 27th day of April, 1982.

BY THE COURT:

*John C. Statler*

John C. Statler, Water Judge

c: Glenn T. Wagoner and  
Mary J. Wagoner  
Clyde B. Young, Jr., Water Referee  
Wallace A. Doe, Water Referee  
Division Engineer  
State Engineer



DIVISION ENGINEER

OFFICE OF THE DIVISION ENGINEER

CASE NO. 82CW5

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CONSULTATION RESPONSE  
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CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER in El Paso County.

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In compliance with C.R.S. 1973, 37-92-302, the undersigned submits the following:

1.  Proof of claimed date of initiation of appropriation is inadequate.
2.  Proof of amount of water claimed is inadequate.
3.  No proof of use of water.
4.  No legal description of irrigated land.
5.  Amount claimed for proposed use is excessive.
6.  Application does not include claim for storage rights.

RECOMMENDATIONS

1.  Application should be denied by Water Referee.
2.  Application should be amended.
3.  Applicant should furnish the required information.
4.  None.

ADDITIONAL COMMENTS

Should be decreed Exempt Commercial.

Dated: April 7, 1982

*Robert W. Jesse*

Division Engineer Div. 2

DISTRICT COURT, WATER DIVISION 2, COLORADO

Case No. 82CW5

**RECEIVED COPY**  
JAN 27 1982  
DIVISION ENGINEER  
PUEBLO, COLORADO

APPLICATION FOR UNDERGROUND WATER RIGHT

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

Glenn T. and Mary J. Wagoner in El Paso County

1. Name, address, telephone number(s) (residence and business) of applicant(s)

Glenn T. and Mary J. Wagoner  
10090 W. Hwy. 24 P.O. Box 215  
Green Mtn. Falls, Co., 80819      684-9044      684-2100

2. Name of well and registration number (as registered in State Engineer's office, or, if a new well, the number on the permit):

Motel X Well #1      Not registered

3. Legal description of well: (include feet from Section Line, 1/4 1/4, Section, Township, Range and County)

SW 1/4 of NW 1/4 Section 9, Township 13S, Range 68 W 6th Pm, El Paso County  
1650 feet from North section line & 990 feet from West section line

4. Source: Underground

A. Depth: 140 Feet

5. A. Date of appropriation: July 15, 1953

B. Date water applied to beneficial use: July 15, 1953

C. How appropriation was initiated: Roy & Laura Jones had well drilled and pump installed  
See attached affidavit

6. Amount claimed in gpm: 14 gpm (X) Absolute ( ) Conditional

7. Use or proposed use: Commercial-Business: Drinking and Sanitary Facilities

# WOODLAND PUMP & SUPPLY

Company, Inc.  
Wholesale Distributors

Plumbing - Electrical - Pumps - Well Supplies

Phone 687-9364

P. O. Box ~~35~~ 69  
WOODLAND PARK, COLO. 80863

January 22, 1982

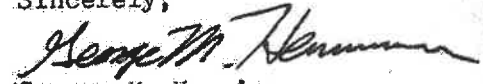
Glenn Wagoner  
P.O. Box 215  
Green Mountain Falls, Colorado

Re: Well located at  
Motel X  
El Paso County, Colorado

To Whom It May Concern:

A pump down test was performed on the well at the above location on January 18, 1982. During the two hours of the test the well produced fourteen (14) gallons per minute. If you have further questions feel free to contact me.

Sincerely,



George M. Hemming  
State License #1079

Stat of Colorado, County of Teller

Subscribed and sworn to before me this 22nd day of January 1982.

My commission expires My Commission Expires Aug. 21, 1985

Notary Public George M. Hemming  
P.O. Box 1004, Woodland Park, CO 80863

For use by Property owner or any one having personal knowledge.

STATE OF COLORADO  
COUNTY OF EL. PASO.

AFFIDAVIT

Laura B. Jones

COMES NOW the undersigned \_\_\_\_\_,  
and being first duly sworn states as follows.

1 That she has been a resident of Ute pass area El. Paso C.O.  
for 31 years.

2 That she is well acquainted with that certain well ,on  
property legally described as follows:

That portion of the N.W.1/4 of section 9 in Township 13  
South, Range 68 west of the 6th P.M. described as follows,  
Beginning at a point on the easterly R.O.W. line of U.S. 24  
whence the S.W. corner of the N.W. 1/4 of section 9 bears  
southwest 635 ft. thence southeast 605.3 ft. thence northeast  
722 ft. thence northwest 513.6 ft thence 723 ft. to the P.O.B.

3 That she states , of her own personal knowledge, that  
said well was drilled and put to beneficial use on or about the  
15th day of July 1953.

Signature Laura B Jones

subscribed and sworn to before me this 25<sup>th</sup> day of  
January 19 52

Witness my hand and official seal.

My commission expires 12/22/84

COMAR Y. Lindson

notary Public



To whom it may concern:

Roy and Laura Jones owned and operated Motel X from 1950 to 1965, and drilled the well in 1953.  
Roy Jones is now deceased.

*David Hansen*

David and Vivian Hansen owned business from 1965 to Feb. 1978.

Glenn and Mary Wagoner owned business from Feb. 1978 to present.

*Glenn Wagoner* 1-25-82

1-25-82

My commission expires My Commission Expires Sept. 28, 1982

*Judith K Wood*  
Notary