

HEARING OFFICER'S REPORT

Colorado Ground Water Commission May 18, 2001, Meeting

The listing below summarizes all adjudicatory matters pending before the Colorado Ground Water Commission as of May 1, 2001.

Bradbury, Thomas H

Designated Basin: Kiowa-Bijou

Management District: North Kiowa-Bijou

Date of Hearing: 18-May-01

Place of hearing: GWC Meeting

Case number: 99-GW-15+

Date of request: 15-Dec-99

Subject: Objection to determination of water rights to allow the appropriation of designated ground water from the Laramie-Fox Hills aquifer. Receipt No. 437543A.

Status: Acknowledgement mailed December 16, 1999. The Status Conference was held on February 22, 2000, at 10:00 a.m. Another Status Conference is scheduled for May 25, 2000 at 10:00 a.m. The parties agreed that it was premature to set a hearing in this case until they were able to determine whether 39 similar applications, which might be consolidated with this case, would be preliminarily evaluated and published. 13 other applications have been consolidated with this application labeling them 99-GW-15 A through N. Prehearing Conference was held on August 29, 2000. Hearing was held on January 16, 2001. Findings mailed February 2, 2001. The Initial Decision was appealed. Oral arguments are scheduled for the GWC meeting in May 2001.

Dunivan, Dennis

Designated Basin: Southern High Plains

Management District: Southern High Plains

Date of Hearing:

Place of hearing:

Case number: 01-GW-03

Date of request: 09-Feb-01

Subject: Objection to application to appropriate designated ground water from the Dockum Group Aquifer to irrigate 240 acres. Receipt No. 456146.

Status: Acknowledgement mailed on February 20, 2001. Staff to notify Hearing Office after publication period ends. Setting of hearing scheduled for May 17, 2001, at 10:00 a.m.

Gargiulo, Joe

Designated Basin: Kiowa-Bijou

Management District:

Date of Hearing: 28-Feb-01

Place of hearing: Denver Rm 814

Case number: 00-GW-13

Date of request: 28-Nov-00

Subject: The applicant is appealing the denial of their applications for a replacement plan for proposed withdrawals from the Dawson aquifer File Nos. AD-14365 and AD-14384.

Status: Acknowledgment mailed December 1, 2000. The staff notified the Hearing Officer that the publication period has ended and no objections were filed. Consolidated with Case No. with 00-GW-03. Hearing was held on February 28, 2001. Findings mailed May 1, 2001.

Gerk, Raymond

Designated Basin: Northern High Plains

Management District: Frenchman

Date of Hearing: 20-Mar-01

Place of hearing: Holyoke

Case number: 01-GW-02

Date of request: 04-Jan-01

Subject: Objection to applications (2) to change the description of irrigated acres by the two comingled wells with Permit Nos. 12147-FP and 12148-FP, also the applicant is requesting to allow for irrigation on a rotational basis in any one calendar year (Receipt Nos. 468098 C and D).

Status: Acknowledgment mailed January 9, 2001. Hearing was held on March 20, 2001, at the Phillips County Court House, 2nd Floor, 221 Interocean, Holyoke, CO 80734. Findings mailed March 27, 2001.

Gerk, Raymond

Designated Basin: Northern High Plains

Management District: Frenchman

Date of Hearing: 20-Mar-01

Place of hearing: Holyoke

Case number: 01-GW-01

Date of request: 04-Jan-01

Subject: Objection to applications (2) to change the description of irrigated acres by the two comingled wells with Permit Nos. 11779-FP and 14840-FP. The applicant is also requesting to reduce the permitted irrigated acres for the well with Permit No. 14840-FP (Receipt Nos. 468098 A and B).

Status: Acknowledgment mailed January 9, 2001. Hearing was held on March 20, 2001, at the Phillips County Court House, 2nd Floor, 221 Interocean, Holyoke, CO 80734. Findings mailed on March 27, 2001.

Hisle, Terry L

Designated Basin: Upper Black Squirrel

Management District: Upper Black Squirrel

Date of Hearing: 20-Jun-01

Place of hearing: Denver, Rm 318

Case number: 01-GW-05

Date of request: 21-Mar-01

Subject: Objection to an application for determination of water rights to allow the appropriation of designated ground water from the Dawson aquifer. Receipt No. 469428

Status: Acknowledgement mailed March 26, 2001. Hearing scheduled for June 20, 2001 at 10:00 a.m.

Hisle, Terry L

Designated Basin: Upper Black Squirrel

Management District: Upper Black Squirrel

Date of Hearing: 20-Jun-01

Place of hearing: Denver, Rm 318

Case number: 01-GW-04

Date of request: 21-Mar-01

Subject: Objection to an application for determination of water rights to allow the appropriation of designated ground water from the Dawson aquifer. Receipt No. 469427

Status: Acknowledgement mailed March 26, 2001. Hearing scheduled for June 20, 2001 at 10:00 a.m.

Lost Creek Land & Cattle Co

Designated Basin: Lost Creek

Management District: Lost Creek

Date of Hearing:

Place of hearing:

Case number: 00-GW-04

Date of request: 14-Jul-00

Subject: Appealing to some of the terms and conditions applied to the approval of the application.

Status: The applicant's attorney would like more time to try to resolve this matter. The Hearing Officer granted more time.

Outback Properties LLC

Designated Basin: Kiowa-Bijou

Management District: North Kiowa-Bijou

Date of Hearing: 28-Feb-01

Place of hearing: Denver, Rm 814

Case number: 00-GW-03

Date of request: 13-Jun-00

Subject: The applicant is appealing the denial of their application for a replacement plan for proposed withdrawals from the Dawson aquifer File No. AD-14365.

Status: Acknowledgment sent June 19, 2000. The hearing scheduled for September 19 & 20, 2000, has been vacated. Consolidated with Case No. with 00-GW-13. The staff notified the Hearing Officer that the publication period has ended and no objections were filed. Hearing was held on February 28, 2001. Findings mailed out May 1, 2001.

Woodmen Hills Metro Dist

Designated Basin: Upper Black Squirrel

Management District: Upper Black Squirrel

Date of Hearing: 24-Apr-01

Place of hearing: Denver, Rm 318

Case number: 00-GW-06

Date of request: 21-Jul-00

Subject: Objection to applications to use three ponds to appropriate designated ground water from the alluvial aquifer and an application for a replacement plan allowing withdrawals from the three wells.

Status: Acknowledgment mailed July 26, 2000. No hearing was scheduled, the applicant and the objector are trying to resolve and no hearing will be scheduled until the Hearing Officer is notified to proceed. Consolidated with Case No. with 00-GW-05. Order for extension of time for prehearing statements was sent out March 27, 2001. Hearing was held on April 24, 2001 in Room 318.

Woodmen Hills Metro Dist

Designated Basin: Upper Black Squirrel

Management District: Upper Black Squirrel

Date of Hearing: 24-Apr-01

Place of hearing: Denver, Rm 318

Case number: 00-GW-05

Date of request: 21-Jul-00

Subject: Objection to applications for determination of water rights to allow the appropriation of designated ground water from the Laramie-Fox Hills, Arapahoe, Denver and the Dawson aquifers underlying a 1112 acre land area and a proposed replacement plan allowing withdrawals of ground water from the Dawson aquifers underlying this area.

Status: Acknowledgment mailed July 26, 2000. On August 14, 2000 the applicant and the objector entered into a stipulation. As a result of the stipulation the objector withdrew the determination of water rights portion of this matter. No mention was made of the withdrawal of the objection to the proposed replacement plan. When any party desires to proceed with a hearing that they notify the Hearing Officer in writing. Consolidated with Case No. with 00-GW-06. Order for extension of time for prehearing statements was sent out March 27, 2001. Hearing was held on April 24th in Room 318.

Respectfully submitted



Steve Lautenschlager, Hearing Officer