

**BEFORE THE STATE ENGINEER
STATE OF COLORADO**

CASE NO. 25-SE-01

IN THE MATTER OF THE RGDSS MODEL PHASE 7 UPDATE

**NOTICE OF REQUEST FOR HEARING, SETTING CONFERENCE, AND
INSTRUCTIONS FOR REQUESTING PARTY STATUS**

The Division of Water Resources has updated the Rio Grande Decision Support System Groundwater Model (RGDSS Model) to incorporate new and updated data and information obtained through engineering and scientific practices. On April 3, 2025 the State Engineer determined that version 7 of the RGDSS Model (7p101) represents the hydrogeologic system simulated by the RGDSS Model better than the previously approved version 6p98 and that the updated Model is reliable for determining the amount, time, and location of stream depletions resulting from groundwater withdrawals from the RGDSS Model domain. The State Engineer posted notice that the RGDSS Model has been revised pursuant to Rules 22, 24.3 and 24.4 of the *Rules Governing the Withdrawal of Groundwater in Water Division No. 3 (the Rio Grande Basin) and Establishing Criteria for the Beginning and End of the Irrigation Season in Water Division No. 3 for All Irrigation Water Rights* (Groundwater Use Rules).

REQUEST FOR HEARING

On June 6, 2025 Chuck Finnegan, on behalf of Chuck & Val Finnegan, Ryan Finnegan, Armando Valdez, Jessica Valdez, Thomas & JoAnn Ruybal, David Ruybal, Julie Ruybal, Colin & Karen Henderson, Tony Martinez, Leroy & Rosalie Martinez, requested a hearing on the April 3, 2025 revisions to the RGDSS Model.

The request was submitted by Chuck Finnegan and the State Engineer has no email address or other contact information for any of the other requestors.

SETTING CONFERENCE

Pursuant to Rule 20 of the Groundwater Use Rules, any person adversely affected or aggrieved by a decision of the State Engineer or the Division Engineer may request an adjudicatory hearing Pursuant to the State Engineer's Procedural Rules, 2 CCR 402-5 (Procedural Rules). Pursuant to Rule 10.C.5 of the Procedural Rules, the State Engineer hereby acknowledges receipt of a request for a hearing

and is scheduling this matter for a setting conference in order to set this matter for a hearing.

**A setting conference to schedule a hearing is
hereby scheduled for August 8, 2025 at 1:00 pm.**

The setting conference will be virtual. Call-in information will be provided to Parties in an order to be issued following the deadline for requests for Party status.

At the setting conference a hearing in this matter will be set and related prehearing filing requirements will be discussed and deadlines set as necessary.

INSTRUCTIONS FOR REQUESTING PARTY STATUS

Any Person who requested a hearing pursuant to Procedural Rule 10.B will be granted Party status and need not apply for Party status under Procedural Rule 10.D.2, however the requestor must provide their email address to Bryan Garrett at bryan.garrett@state.co.us.

Pursuant to Rule 10.D of the Procedural Rules, any Person who may be affected or aggrieved by the decision to revise the RGDSS Model shall be admitted as a Party to the proceeding upon filing a timely written request pursuant to § 24-4-105(2) C.R.S. Such request shall set forth:

1. a brief and plain statement of the reasons for seeking Party status,
2. the facts that entitle or may allow such Person to be admitted,
3. the matters that such Person claims should be decided,
4. a description of the general nature of the evidence to be presented by the Party in the course of the proceedings, and
5. the physical address, phone number, and email address of each Person requesting to be a Party.

**Requests for party status must be sent by July 21, 2025 to
bryan.garrett@state.co.us.**

Staff of the State Engineer will automatically be a Party and need not apply for Party status. Procedural Rule 10.D.5.

If a Person wishes to have limited Party status, that Person may send an email to bryan.garrett@state.co.us by July 21, 2025 with such request.

All filings will be at: <https://dnrftp.state.co.us/#/DWR/Hearings/>

Dated this 30th day of June, 2025.

A handwritten signature in blue ink, reading "Jason T. Ullmann", is positioned above a horizontal line.

Jason Ullmann, P.E.
State Engineer

CERTIFICATE OF SERVICE

I hereby certify that I have sent the copies of the foregoing **NOTICE OF REQUEST FOR HEARING, SETTING CONFERENCE, AND INSTRUCTIONS FOR REQUESTING PARTY STATUS** by email, this 30th day of June, 2025, addressed as follows:

Chuck Finnegan: cefinnegan1981@gmail.com

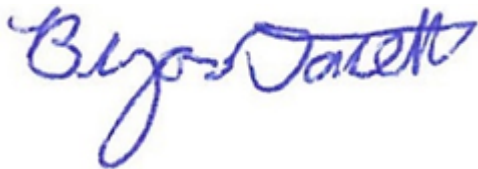
Jason Ullmann: jason.ullmann@state.co.us
State Engineer

Jen Mele: jen.mele@coag.gov
Counsel for the State Engineer

Craig Cotten: craig.cotten@state.co.us
Division Engineer, Water Division 3

Kelley Thompson: kelley.thompson@state.co.us
Ashenafi Madebo: ashenafi.madebo@state.co.us
Staff of the Office of the State Engineer

Preston Hartman: preston.hartman@coag.gov
Dana Showalter: dana.showalter@coag.gov
Counsel for Staff of the Office of the State and Division Engineers



Bryan Garrett

Additionally this notice will be distributed to the ARP Notification List and will be posted on the Division of Water Resources website.