To: Adelaida Romens/Trustee
5135 Cornflower Lane
Colorado Springs CO 80917

CC: David Mijares, PE
Catamount Engineering

From: Julia Murphy, MS PG
Professional Geologist

Date: January 6, 2022
(Updated August 19, 2023)

RE: Water Resources Report, Romens Subdivision

This Water Resources Report was completed by Julia Murphy of Groundwater Investigations LLC , a Professional Geologist, on behalf of Romens Living Trust ("Applicant") in accordance with the requirements of the El Paso County Land Development Code described in Section 8.4.7 (B)(1)(c). Ms. Murphy has over 20 years' experience in hydrogeologic analysis. She has been involved in evaluating water supply for subdivisions in El Paso County for over 15 years. This report presents the data, documentation and analysis in sufficient detail to determine sufficiency of the proposed subdivision's water supply in terms of dependability, quantity and quality.

1.0 Summary of the Proposed Subdivision

The Romens' property (Attachment 1) consists of a 40-acre parcel zoned RR-5 located in the Northeast ¼ of the Northeast ¼ of Section 24, Township 11 South, Range 64 West, of the 6th P.M. ("Property"). The Property is situated within the Upper Black Squirrel Designated Groundwater Basin having the address 17720 Cleese Court, in Peyton in El Paso County Colorado (Figure 1). There is an existing well having Permit 195628 drilled in 1997 completed into the Dawson aquifer (Attachment 2). There are no other wells or existing homes on the Property.

The 40 acre property will be subdivided to create a 7-lot subdivision. The following is a list of the size of each proposed lot (Figure 2):

Proposed Lots Size	
1	5.082
2	5.199
3	5.585
4	5.447
5	5.037
6	5.185
7	5.004

2.0 Information Regarding Sufficient Quantity of Water

2.1 Calculation of Quantity of Water Available and Supply Source

Groundwater underlying the Property will be used as the source of water supply for the subdivision. Determination of Water Rights for the four underlying groundwater aquifers: Dawson (4278-BD), Denver (4277-BD), Arapahoe (4276-BD), and Laramie Fox Hills Aquifers (4375-BD) and Replacement Plan for the not non-tributary Dawson Aquifer (4278-RP) was approved by the Colorado Groundwater Commission ("Commission") on January 5, 2022. Table 1 quantifies the groundwater underlying the property in each of the four aquifers.

Table 1 Aquifer Quantification			
AQUIFER	NET SAND (feet)	Annual Average Withdrawal 100 Years (Acre Feet)	Total Withdrawal (Acre Feet)
Dawson (NNT)	110	8.85	855(1)
Denver (NT)	300	20.40	2040
Arapahoe (NT)	220	15.00	1500
Laramie-Fox Hills (NT)	210	12.60	1260
(1) Reduced by 25 AF to account for the existing well use			

The Dawson aquifer is the shallow most aquifer and was determined to have 855 acre feet of available groundwater. Removal of this groundwater over 300 years would allow for 2.85 acre feet per year to be used by the subdivision or 0.407 acre feet per year per lot.

2.2 Water Demand

In home use established as acceptable by the State Engineer is a presumed 0.20 acre feet per year. This differs from the current El Paso County Land Development Code's presumptive of 0.26 acre feet per year. Using the County's more conservative approach, there would be a remaining 0.147 acre feet per year available for domestic use including domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and/or the watering of stock animals, either directly or after storage in accordance with the Determination of Water Rights 4278-BD (Attachment 3).

2.3. Meeting Replacement Requirements

Pumping from the Dawson aquifer was simulated using a groundwater flow model to evaluate stream depletions to prevent any material injury to existing water rights in

alluvial aquifers. At a continuous withdrawal rate of 2.85 acre-feet annually for 300 years, depletions to the alluvial aquifer systems would steadily increase to a maximum of 0.142 acre-feet per year in the 300th year, which is equal to 4.98% of pumping. Replacement of the depletions will occur from recharge from individual on-site wastewater treatment systems.

In accordance with replacement plan 4278-RP, it is accepted that the septic/leach field return flows from each lot will consist of 90% of the water used for in-house purposes (Attachment 4). Assuming values established as acceptable by the State Engineer, 0.20 acre-feet per lot was used for annual in-home use resulting in a total annual return rate of 1.26 acre-feet for all 7 lots at full build out. This exceeds the maximum depletion of 0.142 acre-feet that is projected to occur in the 300th year. Flow meters will be required on each well to quantify annual use and ensure compliance with the replacement plan. The onsite wastewater treatment systems will be installed and maintained according to the El Paso County Guidelines and approved by the El paso County Department of Health.

Based on accepted methods of quantification, the water supply is sufficient in quantity to meet the average annual demand of the proposed subdivision for a period of 300 years.

3.0 Information Regarding Sufficient Dependability of Water Supply

3.1 Proof of Ownership.

Attachment 1 provides the Warranty Deed for the property and its legal description. The original Well Permit for the existing well and Determination of Water Rights for the Dawson Aquifer are provided as Attachments 2 and 3, respectively. The Romens Living Trust is listed as owner in the Determination of Water Rights and the transfer of water rights for the Dawson aquifer, the sole source of water supply, will occur with the sale of each lot such that each lot will be allocated 122.1 Acre feet of water.

3.2 Water Supply

The 6 proposed new wells and one existing well for the 7 lots will use the not-nontributary Dawson Aquifer groundwater for their water supply. The Dawson aquifer was determined by the Commission to have 855 acre feet of available groundwater underlying the property which will provide a 300 year supply at a rate of 2.85 acre feet per year or 0.407 acre feet per year per lot.

4.0 Information Regarding Sufficient Quality

Water quality samples were collected by GWI using standard collection and preservation methods and are presented in a separate Water Quality Report dated June 23, 2021. Analytes measured are in agreement with the Land Development Code Section 8.4.7(B)(10)(a). The analysis results are presented in the Water Quality Report and provides evidence that the groundwater in the Dawson aquifer collected on the property meets the Colorado Primary Drinking Water Standards for the required analytes at the sample location except for Radium 226/228 which can be mitigated using a Reverse Osmosis or ion exchange treatment system.

5.0 Summary and Conclusions

The proposed subdivision of 40 acres will create 7 new lots. The purpose of the Water Resources Report is to provide the data, documentation and analysis in sufficient detail to determine sufficiency of the proposed subdivision's water supply in terms of dependability, quantity and quality. Water delivered by wells completed in the not non tributary Dawson aquifer underlying the Property will be used to supply each home. The Determination of Water Rights 4278-BD and Replacement Plan 4278-RPwere approved by the Colorado Groundwater Commission on January 5, 2022. Based on the proposed uses and quantification of available groundwater, there is sufficient quantity to meet the County required 300 year water supply criteria providing each home/lot with 0.407 acre feet of water per year. The Dawson aquifer has successfully been a primary source of water supply for similar homes at sufficient rates and duration to meet similar uses; the source is a dependable supply. The quality of the Dawson aquifer groundwater underlying the new proposed lot was evaluated within the parameters specified in the Land Development Code and have been determined to meet Primary Drinking

Water Standards for the selected analytes with the exception of Radionuclides which can be mitigated with a point of use reverse osmosis treatment system. The proposed water supply for the subdivision is in compliance with the Land Development Code requirement of dependability, quantity and quality.

GWI
Ground Water Investigations LLC · 11590 Black Forest Rd. 614 N Suite 15 · Colorado Springs, CO 80908 · (719) 338-1805

To: Adelaida Romens
5135 Cornflower Lane
Colorado Springs CO 80917

From: Julia Murphy MS PG
Professional Geologist

Date: June 23, 2021

RE: Water Quality Report, Romens Subdivision

This Water Quality Report was completed for Adelaida Romens ("Applicant") by Julia Murphy of Groundwater Investigations LLC ("GWI"), a Professional Geologist, in accordance with the requirements of the El Paso County Land Development Code and the Amendment to the Land Development Code dated August 27, 2019 Section 8.4.7 (B)(10). Ms. Murphy has over 25 years' experience in geologic and hydrogeologic investigations with 9 years experience in water quality sampling and analysis of drinking water aquifers with specialization in contaminant hydrogeology.

This report presents a description of groundwater sampling and analysis for the purpose of providing all necessary information for determination of sufficiency in water quality for the Romens' Subdivision water supply. The subdivision water quality is required to be compared with the Colorado Primary Drinking Water Regulations (5CCR 1002-11).

1.0 Site Location

The 40 acre property is described as generally the NE 1/4 of the NE 1/4 of Section 24 Township 11 South, Range 64 west of the 6th P.M., in El Paso, Colorado and having the address of 17720 Cleese Street Colorado Springs, CO (Figure 1). The Property is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black

Squirrel Creek Ground Water Management District. The Applicants intend to subdivide the property into seven lots ranging from 5.004 to 5.585 acres each.

2.0 Subdivision Water Source

The source of water for all Lots is the not-nontributary Denver Basin, Dawson Bedrock aquifer. The Dawson aquifer is the principal aquifer serving as the primary water supply for private wells in the area that range in depth from about 200 to 600 feet below ground surface. There is one existing well having Permit 195628 drilled in 1996 on the Property and located 1020 feet from the North and 1020 feet from the East section lines.

3.0 Sample Location and Collection

The water samples were collected from the existing well. As no home exists on the property, the well was pumped by the Pump installer. Representative water quality samples were collected by GWI on April 01, 2021 using laboratory accepted collection and preservation methods. Water quality samples were received by a Colorado Certified Laboratory on April 2, 2021; all holding times were met. A Chain of Custody was maintained for the transfer of samples to the Colorado Certified Laboratory from GWI and any subcontracted laboratory. Constituents selected to be measured are listed in the Amendment to the Land Development Code dated August 27, 2019, Section 8.4.7(B)(3)(d)(10)(a). Laboratory results and chain of custody forms are included in Exhibit A.

4.0 Analysis Results

4.1 Primary Drinking Water Standards

The analysis results for each constituent were compared to the Colorado Primary Drinking Water Standards maximum contaminant levels (MCL) and secondary MCLs. The primary MCL is the legal threshold limit on the amount of a substance that is allowed in *public water systems* under the Safe Drinking Water Act (SDWA). Private wells are not regulated under the SDWA however the El Paso County Public Health has required that new subdivisions evaluate their water supply based on the same criteria. Constituent concentrations that exceeded the MCL and possible treatment techniques are as follows:

Radium-226/228 and Gross Alpha & Beta

Radium-226/228 are combined for the purpose of evaluating compliance with the MCL. Radium 226/228 was detected at a concentration exceeding the MCL of 5.0 PCi/L. The occurrence and distribution of radionuclides in groundwater is controlled primarily by the local geology and the waters' geochemistry. Gross alpha and Beta were detected at levels greater than the MCl of 15 PCi/L. It is recommended that water samples be collected from the new wells when they are drilled and tested to assess local concentrations of these constituents and determine appropriate treatment options, if needed. A Point of Use (POU) treatment technology such as ion exchange or reverse osmosis may be installed for the purpose of reducing concentrations.

4.2 Secondary Drinking Water Standards

The secondary MCL was exceeded for Iron, aluminum, and manganese. Secondary MCLs primarily affect the aesthetic qualities of the water and are not enforceable in public water systems but are intended as guidelines. Iron is naturally occurring and can result in a red discoloration to clothing and thereby is considered a "nuisance" mineral however it does not have any known health effects. Excessive Iron can be mitigated by use of a water softener if desired by the homeowner but should not be required.

5.0 Sources of Potential Contaminants

The Romens Subdivision is situated in a rural residential area surrounded by lots of about 5 to 40 acres. There are no existing commercial sites in the area or upgradient of the property. Zoning is rural residential and there is no proposed plan that would indicate future commercial or industrial use. Domestic wells in the vicinity are completed to depths generally ranging from about 200 to 500 feet below ground surface and completed in the Dawson bedrock aquifers. Due to slow vertical infiltration as a result of impeding clay layers, there is a low possibility for on-site or off-site sources of potential water quality degradation from standard property uses. On-site septic system with leach field will be used to treat wastewater, however septic systems are not considered a potential contaminant source when they are constructed in accordance with existing protective regulations regarding design and setbacks from the well.

6.0. Recommendations

It is recommended that the groundwater be resampled and tested for the Radiological parameters when the new wells are drilled. If above the MCL, a POU reverse osmosis system or ion exchange may be used to reduce concentrations.

Colorado Analytical LABORATORIES, INC.

Analytical Results

TASK NO: 210402002

Report To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Bill To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Task No.: 210402002
Client PO:
Client Project: Romens Subdivision

Date Received: 4/2/21
Date Reported: 4/13/21
Matrix: Water - Drinking

Customer Sample ID R0421
Sample Date/Time: 4/1/21 9:30 AM
Lab Number: 210402002-01

Test	Result	Method	ML	Date Analyzed	Analyzed By	MCL
Nitrate/ Nitrite Nitrogen	**0.50 mg/L**	Calculation	0.05 mg/L	4/7/21	MAT	
Chloride	**2.8 mg/L**	EPA 300.0	0.1 mg/L	4/2/21	MAT	
Fluoride	**0.41 mg/L**	EPA 300.0	0.10 mg/L	4/2/21	MAT	4
Nitrate Nitrogen	**0.50 mg/L**	EPA 300.0	0.05 mg/L	4/2/21	MAT	10
Nitrite Nitrogen	**< 0.03 mg/L**	EPA 300.0	0.03 mg/L	4/2/21	MAT	1
Sulfate	**19.0 mg/L**	EPA 300.0	0.1 mg/L	4/2/21	MAT	
Cyanide-Total	**< 0.005 mg/L**	EPA 335.4	0.005 mg/L	4/8/21	CES	0.02
Total						
Iron	**6.636 mg/L**	EPA 200.7	0.005 mg/L	4/6/21	MBN	0.3
Aluminum	**2.957 mg/L**	EPA 200.8	0.001 mg/L	4/5/21	IPC	0.05
Antimony	**< 0.0012 mg/L**	EPA 200.8	0.0012 mg/L	4/5/21	IPC	0.006
Arsenic	**0.0049 mg/L**	EPA 200.8	0.0006 mg/L	4/5/21	IPC	0.01
Barium	**0.0685 mg/L**	EPA 200.8	0.0007 mg/L	4/5/21	IPC	2
Beryllium	**0.0044 mg/L**	EPA 200.8	0.0001 mg/L	4/5/21	IPC	0.004
Cadmium	**< 0.0001 mg/L**	EPA 200.8	0.0001 mg/L	4/5/21	IPC	0.005
Chromium	**0.0077 mg/L**	EPA 200.8	0.0015 mg/L	4/5/21	IPC	0.1
Manganese	**0.2635 mg/L**	EPA 200.8	0.0008 mg/L	4/5/21	IPC	0.05
Mercury	**0.0001 mg/L**	EPA 200.8	0.0001 mg/L	4/5/21	IPC	0.002
Selenium	**0.0027 mg/L**	EPA 200.8	0.0008 mg/L	4/5/21	IPC	0.05

Abbreviations/ References:

ML = Minimum Level = LRL = RL
MCL = Maximum Contaminant Level per The EPA
mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 mls = Most Probable Number Index/ 100 mls
Date Analyzed = Date Test Completed

DATA APPROVED FOR RELEASE BY

Colorado Analytical LABORATORIES, INC.

Analytical Results

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Report To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Bill To: Julia M. Murphy
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Task No.: 210402002
Client PO:
Client Project: Romens Subdivision

Date Received: 4/2/21
Date Reported: 4/13/21
Matrix: Water - Drinking

Customer Sample ID R0421
Sample Date/Time: 4/1/21 9:30 AM
Lab Number: 210402002-01

Test	Result	Method	ML	Date Analyzed	Analyzed By	MCL
Total						
Silver	**< 0.0005 mg/L**	EPA 200.8	0.0005 mg/L	4/5/21	IPC	
Thallium	**< 0.0002 mg/L**	EPA 200.8	0.0002 mg/L	4/5/21	IPC	0.002
Zinc	**0.061 mg/L**	EPA 200.8	0.001 mg/L	4/5/21	IPC	5

Abbreviations/ References:

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mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 mls = Most Probable Number Index/ 100 mls
Date Analyzed = Date Test Completed

DATA APPROVED FOR RELEASE BY

Chain of Custody Form

Colorado Analytical LABORATORIES, INC

Commerce City Lab
10411 Heinz Way
Commerce City CO 80640

Lakewood Service Center
12860 W. Cedar Dr, Suite 100A
Lakewood CO 80228

Phone: 303-659-2313

www.coloradolab.com

Report To Information	Bill To Information (If different from report to)	Project Name / Number
Company Name: GWI	Company Name:	Dameons Subdivision
Contact Name: Julia Murphy	Contact Name:	
Address: 11590 Black Forest Rd #15	Address:	Task Number (Lab Use Only)
City CS State Co Zip 80908	City State Zip	CAL Task 210402002 JML
Phone: (719) 338-1805	Phone:	
Email: jmurphy@2gwi.com	Email:	
Sample Collector: JM		
Sample Collector Phone: (719) 338-1805	PO No.:	

Sample Matrix (Select One Only)

- Waste Water ☐
- Ground Water ☒
- Surface Water ☐
- Soil ☐
- Sludge ☐
- Drinking Water ☐

Tests Requested

Date	Time	Sample ID	No. of Containers	Grab or (Check One Only) Composite	Coliform	Gross α	Radium 226 228	TDS	Metals	Cyanide	N/NO3	SO4	F-	Cl-	Alkalinity
4/1/21	930	TR04/21 Na2SO4	1		✓										
			1			✓									
			1				✓								
			1					✓							
		HNO3	1						✓						
		NaOH	1							✓					
			1								✓	✓	✓	✓	✓
		(a)													
		PER QB0200600094													

Instructions: *Add Langlier Index

C/S Info: Deliver Via: Fedex C/S Charge ☒ K

Seals Present Yes ☐ No ☐ Temp. 4 °C/Ice Y Sample Pres. Yes ☒ No ☐

Relinquished By:	Date/Time:	Received By:	Date/Time:	Relinquished By:	Date/Time:	Received By:	Date/Time:
	4/1/21 5pm		4/2/21 900				

CAL Task
210402002
JML

Colorado Analytical
LABORATORIES, INC.

Quotation for Analytical Services
Quote ID: QBO20060094

Prepared For: **Groundwater Investigations LLC**
11590 Black Forest Road, Suite 15

Colorado Springs, CO 80908

Attn: **Julia M. Murphy**

Quote Date: **Monday, June 29, 2020**
Turn Around Time: **10 Working Days**

Project:

Matrix	Description	Method	Qty.	Price - each	Total
Water - Drinking	Nitrate/ Nitrite Nitrogen	Calculation	1	$0.00	$0.00
Water - Drinking	Fe - Total	EPA 200.7	1	$12.00	$12.00
Water - Drinking	Ph	SM 4500-H-B	1	$12.00	$12.00
Water - Drinking	Ag - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Al - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Alkalinity	SM 2320-B	1	$15.00	$15.00
Water - Drinking	As - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Ba - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Be - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Cd - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Cr - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Hg	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Mn - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Sb - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Se - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	TDS	SM 2540-C	1	$15.00	$15.00
Water - Drinking	Tl - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Zn - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Chloride	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Nitrate Nitrogen	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Nitrite Nitrogen	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Sulfate	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Fluoride	EPA 300.0	1	$18.00	$18.00
Water - Drinking	Total Coliform P/A	SM 9223	1	$23.00	$23.00
Water - Drinking	Cyanide-Total	EPA 335.4	1	$38.00	$38.00
Water - Drinking	Gross Alpha/Beta (Sub)	SM 7110-B	1	$56.16	$56.16
Water - Drinking	Radium 226 (Sub)	SM 7500-Ra B	1	$75.60	$75.60
Water - Drinking	Radium 228 (Sub)	EPA Ra-05	1	$118.80	$118.80
Shipping	Cooler Shipment - UPS	UPS	1	$10.00	$10.00
Shipping	Sample Shipment to Outside Lab	UPS	1	$30.00	$30.00

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313
Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

PAM

Colorado Analytical LABORATORIES, INC.

Analytical Results

TASK NO: 210402002

Report To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Bill To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Task No.: 210402002
Client PO:
Client Project: Romens Subdivision

Date Received: 4/2/21
Date Reported: 4/13/21
Matrix: Water - Drinking

Customer Sample ID R0421
Sample Date/Time: 4/1/21 9:30 AM
Lab Number: 210402002-01

Test	Result	Method	ML	Date Analyzed	Analyzed By
Bicarbonate	**71.9 mg/L as CaCO3**	SM 2320-B	4	4/6/21	ECM
Calcium as CaCO3	**50.6 mg/L**	EPA 200.7	0.1	4/6/21	MBN
Carbonate	**< 4 mg/L as CaCO3**	SM 2320-B	4	4/6/21	ECM
Hydroxide	**< 4 mg/L as CaCO3**	SM 2320-B	4	4/6/21	ECM
Langelier Index	**-0.73 units**	SM 2330-B		4/12/21	SAN
pH	**7.49 units**	SM 4500-H-B	0.01	4/2/21	PJL
Temperature	**20 °C**	SM 4500-H-B	1	4/2/21	PJL
Total Alkalinity	**71.9 mg/L as CaCO3**	SM 2320-B	4	4/6/21	ECM
Total Dissolved Solids	**150 mg/L**	SM 2540-C	5	4/6/21	ISG

Abbreviations/ References:

ML = Minimum Level = LRL = RL
mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 mls = Most Probable Number Index/ 100 mls
Date Analyzed = Date Test Completed

DATA APPROVED FOR RELEASE BY

Chain of Custody Form

Colorado Analytical LABORATORIES, INC

Commerce City Lab
10411 Heinz Way
Commerce City CO 80640

Lakewood Service Center
12860 W. Cedar Dr, Suite 100A
Lakewood CO 80228

Phone: 303-659-2313

www.coloradolab.com

Report To Information	Bill To Information (If different from report to)	Project Name / Number
Company Name: GWI	Company Name:	Dameons Subdivision
Contact Name: Julia Murphy	Contact Name:	
Address: 11590 Black Forest Rd #15	Address:	Task Number (Lab Use Only)
City CS State Co Zip 80908	City State Zip	CAL Task 210402002 JML
Phone: (719) 338-1805	Phone:	
Email: Jmurphy@2gwi.com	Email:	
Sample Collector: JM		
Sample Collector Phone: (719) 338-1805	PO No.:	

Sample Matrix (Select One Only): Waste Water ☐ Ground Water ☒ Surface Water ☐ Soil ☐ Sludge ☐ Drinking Water ☐

Tests Requested

Date	Time	Sample ID	No. of Containers	Grab or (Check One Only) Composite	Coliform	Gross α	Radium 226 228	TDS	Metals	Cyanide	NO_3	SO_4	F	Cl^-	Alkalinity
4/1/21	930	TR04/21 Na_2SO_4	1		✓										
			1			✓									
			1				✓								
			1					✓							
		HNO_3	1						✓						
		NaOH	1							✓					
			1								✓	✓	✓	✓	✓
		(a)													
		PER QB0200600094													

Instructions: *Add Langlier Index

C/S Info: Deliver Via: Fedex C/S Charge ☒ K

Seals Present Yes ☐ No ☐ Temp. 4 °C/Ice Y Sample Pres. Yes ☒ No ☐

Relinquished By:	Date/Time:	Received By:	Date/Time:	Relinquished By:	Date/Time:	Received By:	Date/Time:
	4/1/21 5pm	Adam	4/2/21 900				

CAL Task
210402002
JML

Colorado Analytical
LABORATORIES, INC.

Quotation for Analytical Services

Quote ID: QBO20060094

Prepared For: **Groundwater Investigations LLC**
11590 Black Forest Road, Suite 15

Colorado Springs, CO 80908

Attn: **Julia M. Murphy**

Quote Date: **Monday, June 29, 2020**
Turn Around Time: **10 Working Days**

Project:

Matrix	Description	Method	Qty.	Price - each	Total
Water - Drinking	Nitrate/ Nitrite Nitrogen	Calculation	1	$0.00	$0.00
Water - Drinking	Fe - Total	EPA 200.7	1	$12.00	$12.00
Water - Drinking	Ph	SM 4500-H-B	1	$12.00	$12.00
Water - Drinking	Ag - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Al - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Alkalinity	SM 2320-B	1	$15.00	$15.00
Water - Drinking	As - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Ba - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Be - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Cd - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Cr - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Hg	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Mn - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Sb - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Se - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	TDS	SM 2540-C	1	$15.00	$15.00
Water - Drinking	Tl - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Zn - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Chloride	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Nitrate Nitrogen	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Nitrite Nitrogen	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Sulfate	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Fluoride	EPA 300.0	1	$18.00	$18.00
Water - Drinking	Total Coliform P/A	SM 9223	1	$23.00	$23.00
Water - Drinking	Cyanide-Total	EPA 335.4	1	$38.00	$38.00
Water - Drinking	Gross Alpha/Beta (Sub)	SM 7110-B	1	$56.16	$56.16
Water - Drinking	Radium 226 (Sub)	SM 7500-Ra B	1	$75.60	$75.60
Water - Drinking	Radium 228 (Sub)	EPA Ra-05	1	$118.80	$118.80
Shipping	Cooler Shipment - UPS	UPS	1	$10.00	$10.00
Shipping	Sample Shipment to Outside Lab	UPS	1	$30.00	$30.00

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313
Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

PAM

Colorado Analytical LABORATORIES, INC.

Analytical Results

TASK NO: 210402002

Report To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Bill To: Julia M. Murphy
Company: Groundwater Investigations LLC
11590 Black Forest Road, Suite 15
Colorado Springs CO 80908

Task No.: 210402002
Client PO:
Client Project: Romens Subdivision

Date Received: 4/2/21
Date Reported: 4/13/21
Matrix: Water - Drinking

Lab Number	Customer Sample ID	Sample Date/Time		Test	Result	Method	Date Analyzed
210402002-01C	R0421	4/1/21	9:30 AM	Total Coliform	**Present**	SM 9223	4/3/21
				E-Coli	**Absent**	SM 9223	4/3/21

Abbreviations/ References:

Absent = Coliform Not Detected
Present = Coliform Detected - Chlorination Recommended
Date Analyzed = Date Test Completed
SM = "Standard Methods for the Examination of Water and Wastewater"; APHA; 19th Edition; 1995

DATA APPROVED FOR RELEASE BY

Chain of Custody Form

Colorado Analytical LABORATORIES, INC

Commerce City Lab
10411 Heinz Way
Commerce City CO 80640

Lakewood Service Center
12860 W. Cedar Dr, Suite 100A
Lakewood CO 80228

Phone: 303-659-2313

www.coloradolab.com

Report To Information	Bill To Information (If different from report to)	Project Name / Number
Company Name: GWI	Company Name:	Dameons Subdivision
Contact Name: Julia Murphy	Contact Name:	
Address: 11590 Black Forest Rd #15	Address:	Task Number (Lab Use Only)
City CS State Co Zip 80908	City State Zip	CAL Task 210402002 JML
Phone: (719) 338-1805	Phone:	
Email: Jmurphy@2gwi.com	Email:	
Sample Collector: JM		
Sample Collector Phone: (719) 338-1805	PO No.:	

Sample Matrix (Select One Only): Waste Water ☐ Ground Water ☒ Surface Water ☐ Soil ☐ Sludge ☐ Drinking Water ☐

Tests Requested

Date	Time	Sample ID	No. of Containers	Grab or (Check One Only) Composite	Coliform	Gross α	Radium 226 228	TDS	Metals	Cyanide	NO_3	SO_4	F	Cl^-	Alkalinity
4/1/21	930	TR04/21 Na_2SO_4	1		✓										
			1			✓									
			1				✓								
			1					✓							
		HNO_3	1						✓						
		NaOH	1							✓					
			1								✓	✓	✓	✓	✓
		(a)													
		PER QB0200600094													

Instructions: *Add Langlier Index

C/S Info: Deliver Via: Fedex C/S Charge ☒ K

Seals Present Yes ☐ No ☐ Temp. 4 °C/Ice Y Sample Pres. Yes ☒ No ☐

Relinquished By:	Date/Time:	Received By:	Date/Time:	Relinquished By:	Date/Time:	Received By:	Date/Time:
	4/1/21 5pm	Adam	4/2/21 900				

CAL Task
210402002
JML

Colorado Analytical
LABORATORIES, INC.

Quotation for Analytical Services

Quote ID: QBO20060094

Prepared For: **Groundwater Investigations LLC**
11590 Black Forest Road, Suite 15

Colorado Springs, CO 80908

Attn: **Julia M. Murphy**

Quote Date: **Monday, June 29, 2020**
Turn Around Time: **10 Working Days**

Project:

Matrix	Description	Method	Qty.	Price - each	Total
Water - Drinking	Nitrate/ Nitrite Nitrogen	Calculation	1	$0.00	$0.00
Water - Drinking	Fe - Total	EPA 200.7	1	$12.00	$12.00
Water - Drinking	Ph	SM 4500-H-B	1	$12.00	$12.00
Water - Drinking	Ag - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Al - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Alkalinity	SM 2320-B	1	$15.00	$15.00
Water - Drinking	As - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Ba - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Be - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Cd - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Cr - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Hg	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Mn - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Sb - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Se - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	TDS	SM 2540-C	1	$15.00	$15.00
Water - Drinking	Tl - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Zn - Total	EPA 200.8	1	$15.00	$15.00
Water - Drinking	Chloride	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Nitrate Nitrogen	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Nitrite Nitrogen	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Sulfate	EPA 300.0	1	$17.00	$17.00
Water - Drinking	Fluoride	EPA 300.0	1	$18.00	$18.00
Water - Drinking	Total Coliform P/A	SM 9223	1	$23.00	$23.00
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Water - Drinking	Radium 228 (Sub)	EPA Ra-05	1	$118.80	$118.80
Shipping	Cooler Shipment - UPS	UPS	1	$10.00	$10.00
Shipping	Sample Shipment to Outside Lab	UPS	1	$30.00	$30.00

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313
Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

PAM

Hazen Research, Inc.
4601 Indiana Street
Golden, CO 80403 USA
Tel: (303) 279-4501
Fax: (303) 278-1528

Lab Control ID: 21M01591
Received: Apr 02, 2021
Reported: Apr 23, 2021
Purchase Order No.
None Received

Customer ID: 20040H
Account ID: Z01034

Stuart Nielson
Colorado Analytical Laboratories, Inc.
10411 Heinz Way
Commerce City, CO 80640

ANALYTICAL REPORT

Report may only be copied in its entirety.
Results reported herein relate only to discrete samples submitted by the client. Hazen Research, Inc. does not warrant that the results are representative of anything other than the samples that were received in the laboratory

By:_____
Jessica Axen
Analytical Laboratories Director

Hazen Research, Inc.
4601 Indiana Street
Golden, CO 80403 USA
Tel: (303) 279-4501
Fax: (303) 278-1528

Lab Control ID: 21M01591
Received: Apr 02, 2021
Reported: Apr 23, 2021
Purchase Order No.
None Received

Customer ID: 20040H
Account ID: Z01034

ANALYTICAL REPORT

Stuart Nielson
Colorado Analytical Laboratories, Inc.

Lab Sample ID	21M01591-001
Customer Sample ID	**210402003-01 - RO421** - Romens Subdivision sampled on 04/01/21 @ 0900

Parameter	Units	Code	Result	Precision* +/-	Detection Limit	Method	Analysis Date / Time	Analyst
Gross Alpha	**pCi/L**	**T**	^ 89	15	0.1	SM 7110 B	4/7/21 @ 1034	KT
Gross Beta	**pCi/L**	**T**	^ 63	8	7.3	SM 7110 B	4/7/21 @ 1034	KT
Radium-226	**pCi/L**	**T**	NR	-	-	SM 7500-Ra B	-	-
Radium-228	**pCi/L**	**T**	NR	-	-	EPA Ra-05	-	-

NR - Not Requested - Analysis not requested on this sample.

Certification ID's: CO/EPA CO00008

*Variability of the radioactive decay process (counting error) at the 95% confidence level, 1.96 sigma.

Codes: (T) = Total (D) = Dissolved (S) = Suspended (R) = Total Residual (AR) = As Received < = Less Than

^ Due to the large amount of total or dissolved solids in the sample, reduced aliquots were used for the gross alpha and beta analysis.

Hazen Research, Inc.
4601 Indiana Street
Golden, CO 80403 USA
Tel: (303) 279-4501
Fax: (303) 278-1528

Lab Control ID: 21M01591
Received: Apr 02, 2021
Reported: Apr 23, 2021
Purchase Order No.
None Received

Customer ID: 20040H
Account ID: Z01034

ANALYTICAL REPORT

Stuart Nielson
Colorado Analytical Laboratories, Inc.

Lab Sample ID			21M01591-002					
Customer Sample ID			**210402003-01A - RO421** - Romens Subdivision sampled on 04/01/21 @ 0900					
Parameter	**Units**	**Code**	Result	Precision* +/-	Detection Limit	Method	Analysis Date / Time	Analyst
Gross Alpha	**pCi/L**	**T**	NR	-	-	SM 7110 B	-	-
Gross Beta	**pCi/L**	**T**	NR	-	-	SM 7110 B	-	-
Radium-226	**pCi/L**	**T**	2.8	0.8	0.2	SM 7500-Ra B	4/6/21 @ 1430	AS
Radium-228	**pCi/L**	**T**	9.9	1.3	0.2	EPA Ra-05	4/19/21 @ 1033	JR

NR - Not Requested - Analysis not requested on this sample.

Certification ID's: CO/EPA CO00008

*Variability of the radioactive decay process (counting error) at the 95% confidence level, 1.96 sigma.

Codes: (T) = Total (D) = Dissolved (S) = Suspended (R) = Total Residual (AR) = As Received < = Less Than

^ Due to the large amount of total or dissolved solids in the sample, reduced aliquots were used for the gross alpha and beta analysis.

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY Date: 04/07/2021

Batch QC Summary Form

Analyte: Gross Alpha

Control Standard/LFB: ID: C-11 pCi/mL: 57.4 (use 1 diluted)

Spike Solution: ID: C-11 pCi/mL: 57.4 (use 1 mL)

Spike Recovery Calculation: Sample: Tap*

Calculation: $\frac{(50.7)\ (1.000) - (0.3)\ (0.200)}{57.4} \times 100 =$ 88%

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 30 %	x		
Spike Recovery	70 - 130 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap			x

* Required for batch size greater than 10 samples.

Conclusions:

x Batch QC Passes**
____ Batch QC Fails
____ Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluted in this report.

Batch Listing by Lab Control Number:

21M01586
21M01589
21M01591
21M01603
21M01604
21M01609

Evaluator: Lynnea Rockwell

04/08/2021
Date

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY Date: 04/07/2021

Batch QC Summary Form

Analyte: Gross Beta

Control Standard/LFB: ID: C-11 pCi/mL: 44 (use 1 diluted)

Spike Solution: ID: C-11 pCi/mL: 44 (use 1 mL)

Spike Recovery Calculation: Sample: Tap*

Calculation: $\frac{(38.0)\ (1.000) - (0.0)\ (0.200)}{44} \times 100 =$ 86%

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 20 %	x		
Spike Recovery	80 - 120 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap			x

* Required for batch size greater than 10 samples.

Conclusions:

x Batch QC Passes**
____ Batch QC Fails
____ Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluted in this report.

Batch Listing by Lab Control Number:

21M01586
21M01589
21M01591
21M01603
21M01604
21M01609

Evaluator: Lynnea Rockwell

04/08/2021
Date

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY Date: 04/06/2021

Batch QC Summary Form

Analyte: Radium-226

Control Standard/LFB: ID: NBL-6A pCi/mL: 23 (use 2 diluted)

Spike Solution: ID: NBL-6A pCi/mL: 23 (use 2 mL)

Spike Recovery Calculation: Sample: 21M01575-2a

Calculation: $\frac{(54.6)\ (0.980) - (2.5)\ (0.950)}{46} \times 100 =$ 111%

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 20 %	x		
Spike Recovery	80 - 120 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap	x		

* Required for batch size greater than 10 samples.

Conclusions:

x Batch QC Passes**
____ Batch QC Fails
____ Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluted in this report.

Batch Listing by Lab Control Number:

21M01575	21M01609
21M01580	21M01617
21M01592	21M01618
21M01599	21M01621
21M01551	21M01619
21M01570	21M01620
21M01591	
21M01603	
21M01604	
21M01612	

Evaluator: Lynnea Rockwell

04/09/2021
Date

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY Date: 04/19/2021

Batch QC Summary Form

Analyte: Radium-228

Control Standard/LFB: ID: NBL-7A pCi/mL: 13 (use 10 diluted)

Spike Solution: ID: NBL-7A pCi/mL: 13 (use 10 mL)

Spike Recovery Calculation: Sample: 21M01652

Calculation: $\frac{(140.8)\ (0.990) - (4.0)\ (0.990)}{130} \times 100 =$ 104%

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 20 %	x		
Spike Recovery	80 - 120 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap			x

* Required for batch size greater than 10 samples.

Conclusions:

x Batch QC Passes**
____ Batch QC Fails
____ Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluted in this report.

Batch Listing by Lab Control Number:

21M01575
21M01591
21M01592
21M01599
21M01603
21M01652
21M01665

Evaluator: Lynnea Rockwell

04/22/2021
Date

Colorado Analytical LABORATORIES, INC.

Ship To: Hazen Research

Sub-Lab Chain of Custody Form

21M01591

Report To Information	Bill To Information (If different from report to)	Project Name
Company Name: Colorado Analytical Laboratory Report To: Stuart Nielson E-Mail: stuartnielson@coloradolab.com		Romens Subdivision
Address: 10411 Heinz Way Commerce City, CO 80640 Phone: 303-659-2313	Address: CAL TASK 210402003 JML	Compliance Samples: Yes ☐ No ☑ Submit Data to CDPHE: Yes ☐ No ☑

Tests Requested

Sample Date/Time		Sample ID	Matrix	Radium 226 (Sub)	Gross Alpha/Beta (Sub)	Radium 228 (Sub)	Container Type
4/1/21	9:00 AM	210402003-01 - R0421	Water - Ground		X		1l Cylinder - HNO3
4/1/21	9:00 AM	210402003-01A - R0421	Water - Ground	X		X	3 - 1L Cylinder - HNO3

Comment:

Samples contain fine sediment

Relinquished by: (Signature)	Date: Time:	Received by: (Signature)	Date: Time:	Relinquished by: (Signature)	Date: Time:	Received by: (Signature)	Date: Time:
gAdams	4/2/21 1000	Lynnea Rockwell	4/2/21 1412				

FedEx 9779 5422 8226 Rec'd pres'd

Page 1 of 1

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4275-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Laramie-Fox Hills aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 1,260 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 210 feet.

8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,260 acre-feet.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,260 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 12.6 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural steam or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules.

Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Laramie-Fox Hills Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 1,260 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 1,260 acre-feet, less any amount of the Underlying Groundwater allocated

herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4275-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4275-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

RCVD DWR
08/03/2021

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Laramie Fox Hills

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4276-BD

AQUIFER: Arapahoe

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Arapahoe Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Arapahoe aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 1,500 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 220 feet.

8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,500 acre-feet.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,500 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 15 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural steam or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules.

Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Arapahoe Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 1,500 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 1,500 acre-feet, less any amount of the Underlying Groundwater allocated

herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4276-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4276-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

RCVD DWR
08/03/2021

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Arapahoe

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4277-BD

AQUIFER: Denver

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Denver Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Denver aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 2,040 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 300 feet.

8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 2,040 acre-feet.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 2,040 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 20.4 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural steam or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules.

Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 2,040 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 2,040 acre-feet, less any amount of the Underlying Groundwater allocated

herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Denver Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4277-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4277-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

RCVD DWR
08/03/2021

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Denver

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, Trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4278-BD

AQUIFER: Dawson

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Dawson Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Dawson aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 880 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 20 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 110 feet.

8. A review of the records in the Office of the State Engineer has disclosed that a well operating pursuant to section 37-90-105, C.R.S., (i.e. a small-capacity well), permit no. 195628, is located on the Overlying Land and is permitted to withdraw 1 acre-foot per year of groundwater from the Aquifer from beneath the Overlying Land. The applicant has indicated that permit no. 195628 will be cancelled and the well re-permitted to operate pursuant to this Determination. The amount of water considered to have been historically withdrawn from the aquifer by this well is 25 acre-feet. In applying Rule 5.3.2.5 of the Designated Basin Rules to computing the amount of water available for allocation in this Determination, the amount of groundwater in the Aquifer underlying the Overlying Land available for allocation in this Determination is reduced by 25 acre-feet to 855 acre-feet. Except for that well, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the Aquifer underlying the Overlying Land.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 855 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 8.55 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural steam or an alluvial aquifer at an annual

rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Withdrawal of water from the Aquifer underlying the Overlying Land would impact the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, which has been determined to be over-appropriated. Commission approval of a replacement plan pursuant to section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators, is required prior to approval of well permits for wells to be located on this land area to withdraw the groundwater in the Aquifer underlying the Overlying Land. Pursuant to the Rules the replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Dawson Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 855 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information

obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 855 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

    b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

    c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

    d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

    e. Commission approval of a replacement plan, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators in the alluvial aquifer, is required prior to approval of well permits that allow the withdraw of the Underlying Groundwater. The replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.

    f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system

into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Dawson Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. Existing well permit no. 195628 must be canceled and a new permit issued for that well to operate pursuant to this Determination.

21. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

22. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: _____
Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4278-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4278-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

10014221

RCVD DWR
08/03/2021

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Dawson

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, Trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

Replacement Plan Accounting Reporting Form

Determination of Water Right Number: 4278-BD

Aquifer from which wells produce water: Dawson

Submit to: Colorado Ground Water Commission, 1313 Sherman St., Room 821, Denver, CO 80203

Person responsible for gathering and submitting data (required)

Name: _____

Email address: _____

Mailing Address: _____

Telephone: _____

Calendar year being reported [1]: _____

Calendar year operation of the plan was initiated [2]: _____

Year number of operation of the plan [3]: _____

Annual replacement water requirement (acre-feet/year) [4]: _____

Well Permit no. [5]	Address of property served by this well [6]	Meter Reading at beginning of year [7]	Meter Reading at end of year [8]	Metered pumping this year [9]	Meter's Units [10]	Date of Meter reading at end of year [11]	Metered pumping this year [12] (acre-feet)	Pumping of this well since initiation of operation of the plan [13] (acre-feet)

Well Permit no. [5]	Address of property served by this well [6]	Number of Ocupied Single Family Dwellings [14]	Amount of Irrigated Land [15] (ft^2)	Number of Large Domestic Animals [16]	Estimated Return Flow [17] (acre-feet)

Conversion rates:
1 acre-foot equals 325,851 gallons
1 acre-foot equals 43,560 cubic feet

See reverse side for notes.

Notes:

1) Calendar year for which this report is being submitted.

2) The calendar year when the first well permitted pursuant to this plan was constructed, or when the first permit for an existing well was issued pursuant to the plan. Once the plan has been initiated this year will not change.

3) The number of years after initiation of operation of the plan. The year of initiation is year number 1.

4) Equal to "Annual Depletion" on Exhibit A of the Replacement Plan.

5) The well permit number of the well being operated pursuant to the plan.

6) The address of the property served by the well.

7) The reading on the meter at the beginning of the year. Equal to reading on the meter at end of year on last year's reporting form. For the first year of operation of a well this is the meter reading prior to pumping under the plan.

8) Reading on the meter at the end of the year.

9) The amount of water pumped by the well this year. Equal to the reading on the meter at the end of this year minus reading on the meter at the beginning of the year. If a new meter was installed durng the year, explain that fact and report the sum of the readings of the old and new meters over the year.

10) Units of measurement shown on the meter.

11) Date that the meter was read this year. This should be on December 31st or as close to that date as possible.

12)The amount pumped this year, reported in acre-feet.

13) The cumulative amount of water pumped by this well (and all previous wells serving this address) since initiation of operation of the plan. Equal to "Pumping of this well since initiation of operation of the plan" on last year's reporting form plus "Pumping of this well this year" on this year's reporting form.

14) The number of occuped single family dwellings supplied by the well.

15) The amount of irrigated land supplied by the well.

16) The number of large domestic animals supplied by the well.

17) Return flow consists of water recharged into the alluvial aquifer by way of non-evaporative septic and leaching field sytem discharges, which are estimated as 0.25 acre-feet per year (90 percent of the amount of water supplied to in-house uses by each well supplying an occupied dwelling). Refer to the Findings and Orders of the approved replacement plan.

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR REPLACEMENT PLAN TO ALLOW THE WITHDRAWAL OF GROUNDWATER FROM THE DAWSON AQUIFER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN.

REPLACEMENT PLAN NO. 4278-RP

FOR DETERMINATION OF WATER RIGHT NO. 4278-BD

AQUIFER: DAWSON

APPLICANT: ROMENS LIVING TRUST

In compliance with section 37-90-107.5, C.R.S. and the Designated Basin Rules, 2 CCR 410-1 (Rules or Rule), Romens Living Trust (Applicant) submitted an application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer that has been allocated by Determination of Water Right No. 4278-BD.

FINDINGS

1. Pursuant to section 37-90-107(7), C.R.S., in a Findings and Order dated January 5, 2022, the Ground Water Commission (Commission) approved a Determination of a Right to an Allocation of Groundwater, No. 4278-BD, from the Dawson Aquifer (Aquifer), summarized as follows.

    a. The determination quantified an amount of water from beneath 40 acres of overlying land described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land).

    b. The amount of water in the aquifer that was allocated was 855 acre-feet, and the allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 8.55 acre-feet per year (subject to adjustment by the Commission to conform to actual local aquifer characteristics).

    c. The use of groundwater is limited to the following beneficial uses: domestic including in-house use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage.

    d. Withdrawal of the subject groundwater will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal, the groundwater is considered to be not-nontributary, and Commission approval of a replacement plan providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to withdraw the subject groundwater.

2. The subject water is Designated Groundwater located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7).

3. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Kiowa-Bijou

Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, all of which, according to Rules 5.2.4.2, 5.2.7.2 and 5.2.6.2, respectively, have been determined to be over appropriated. Such depletion would unreasonably impair existing large capacity alluvial rights withdrawing water from those alluvial aquifers.

4. Pursuant to Rule 5.6.1.A this plan must be adequate to prevent any material injury to water rights of other appropriators, which for purposes of this plan means large capacity wells withdrawing water from the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin.

5. Pursuant to Rule 5.3.6.2(C) the amount of replacement water shall provide for the depletion of alluvial water for the first 100 years due to all previous pumping and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.

6. The application for the replacement plan was received by the Commission on August 3, 2021.

7. The Applicant proposes to divert 2.85 acre-feet annually from the Dawson Aquifer for a period of 300 years. The Dawson aquifer water will be withdrawn through one or more wells to be located on seven (7) residential lots. Each Dawson Aquifer well is proposed to divert 0.407 acre-feet of water annually for domestic including in-house use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The land on which the wells will be located is the Overlying Land described above.

8. At a continuous withdrawal of 2.85 acre-feet annually for 300 years, depletions to the alluvial aquifer systems of the Kiowa-Bijou Designated Groundwater Basin, Upper Big Sandy Designated Groundwater Basin and Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.142 acre-feet per year in the 300th year, which is equal to 4.98% of pumping, as shown in Exhibit A.

9. The Applicant proposes to provide 1.260 acre-feet per year of replacement water to the alluvial aquifer system of the Upper Black Squirrel Creek Designated Groundwater Basin. The proposed source of replacement water is septic return flows from the in-house use of the groundwater to be pumped under the plan. The Applicant estimates that return flows from each lot will consist of 90% of the water used for in-house purposes. Assuming each lot uses a total annual amount for in-house use of 0.20 acre-feet, the return flow per lot would be 0.18 acre-feet annually, and the return flows under the plan will total 1.260 acre-feet per year for all seven (7) lots at full build out.

10. The subject property is located within the drainage of West Bijou Creek, and the return flows will flow to the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.

11. Pursuant to Rule 5.6.1.B this plan must be adequate to prevent unreasonable impairment of water quality. Pursuant to Rule 5.6.1.B.1.b, if the replacement source water is from an onsite wastewater treatment system permitted by a local health agency and the applicant demonstrates the source is in compliance with that permit there shall be a rebuttable presumption of no unreasonable impairment of water quality.

12. Pursuant to Rule 5.6.1.C this plan, including the proposed uses of the water withdrawn pursuant to the plan, must not be speculative, and must be technically and financially feasible and within the Applicant's ability to complete. The plan, including the proposed uses of the water withdrawn pursuant to the plan, is not speculative. The plan appears technically and financially feasible and within the Applicant's ability to complete.

13. Pursuant to Rule 5.6.1.D this plan must be able to be operated and administered on an ongoing and reliable basis. The plan appears to be able to be operated and administered on an ongoing and reliable basis.

14. Pursuant to Rule 5.6.1.F replacement source water must be physically and legally available in time, place and amount to prevent material injury. As determined in Determination of Water Right No. 4278-BD water is currently available in the amounts and for the number of years proposed to be diverted.

15. Pursuant to Rule 5.6.1.G the replacement source water must be legally available for use. Records in this office indicate that the Applicant controls the water right to be used as the source of replacement water, consisting of Determination of Water Right No. 4278-BD, and such water is legally available for use pursuant to this plan.

16. In accordance with Rule 5.6.4 the application was referred to the Upper Black Squirrel Creek Ground Water Management District on October 25, 2021. No response was received from the District.

17. In accordance with sections 37-90-107.5 and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

18. According to Rule 5.6.1:

    a. The Applicant has the burden of proving the adequacy of the plan in all respects.

    b. If the applicant meets its burden of proof, the Commission shall grant approval of the plan which shall include any terms and conditions established the Commission.

19. The Commission Staff has evaluated the application pursuant to section 37-90-107.5, and the requirements of Rule 5.3.6.2(C) and Rule 5.6, finds that the requirements have been meet, and the plan may be approved to allow diversions from the Dawson Aquifer if operated subject to the conditions given below.

ORDER

In accordance with section 37-90-107.5, and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer underlying 40 acres that are the subject of Determination of Water Right no. 4278-BD is approved subject to the following conditions:

20. The Dawson aquifer water will be withdrawn through one or more wells to be located on seven (7) residential lots. The allowed use of groundwater for each well under this plan is domestic including in-house use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The land on which the wells will be located is the Overlying

Land described above.

21. The allowed annual amount of groundwater to be withdrawn from the Aquifer by all wells operating under this plan shall not exceed 2.85 acre-feet. The allowed annual amount of water to be withdrawn from each on-lot well shall not exceed 0.407 acre-feet.

22. A totalizing flow meter shall be installed on each well. The well owner shall maintain the meter in good working order.

23. Permanent records of all withdrawals of groundwater from each well shall be recorded at least annually by the well owners, permanently maintained, and provided to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

24. Pumping under this plan is limited to a period of 300 years. The year of first use of this replacement plan shall be the calendar year of construction of a well permitted pursuant to this plan or permitting of an existing well pursuant to the plan.

25. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 40 acres of Overlying Land that are the subject of Determination of Water Right No. 4278-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.

26. Replacement of depletions must be provided annually in the acre-feet amounts shown in Exhibit A. Annual replacement requirements may be computed by pro-rating between the values given on Exhibit A, or for simplicity may be taken as the amount shown in the next succeeding 5 year increment.

27. The Applicant or their successor(s) are responsible for ensuring that replacement water is provided to the alluvial aquifer as required by this plan. The annual replacement requirement and the annual amount of replacement water provided shall be calculated and reported on a form acceptable to the Commission. The annual amount of replacement water provided must be no less than the annual replacement requirement on a yearly basis. No credit shall be claimed by the Applicant for an oversupply of replacement water provided to the alluvium during previous years.

28. The Applicant must provide the required annual amount of replacement water for the first 100 years, or for as long as a well is operated pursuant to this plan, whichever is longer.

29. To assure adequate return flows, at least one well must be serving the in-house uses for an occupied dwelling that is generating return flows via a non-evaporative septic system before any other use is allowed.

30. So long as at least one well continues to pump and supply the in-house uses for an occupied dwelling, the plan's required replacement obligations, shown in Exhibit A, will be met. Should all wells cease pumping for in-house use within the first 100 years an amended or alternate replacement plan must be obtained that will replace actual depletions to the alluvial aquifer so as to prevent any material injury to water rights of other appropriators.

31. The Applicant (and their successors) must gather and maintain permanent records of all information pertaining to operation of this plan, which shall include, but is not be limited to, those items identified below. The Applicant must submit records to the Commission and the Upper Black Squirrel Creek Ground Water Management District on forms acceptable to the

Commission, on an annual basis for the previous calendar year, by February 15th of the following year.

a. Identification of all well permits issued and wells constructed under this plan.

b. The amount of water diverted by each well and all wells in total, both annually and cumulatively since operation of the plan began.

c. The number of occupied dwellings served by each well.

d. The return flows occurring from use of all wells operating under the plan, assuming 0.18 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.

e. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.

32. The Applicant (and their successors) are fully responsible for the operation, monitoring, and accounting of the replacement plan. In the event a lot with a well permitted or operating pursuant to this plan is sold, identification of the well that was sold and evidence that the new owner has been notified of their responsibilities under the replacement plan shall accompany that year's accounting.

33. Any covenants adopted for this subdivision should contain a description of the replacement plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be reported and the plan is to be administered.

34. In the event the permitted well or wells are not operated in accordance with the conditions of this replacement plan, they shall be subject to administration, including orders to cease diverting groundwater.

35. All terms and conditions of Determination of Water Right No. 4278-BD must be meet.

36. Pursuant to Rule 5.6.1.E, a copy of this Findings and Order shall be recorded by the Applicant in the clerk and recorder's records of El Paso County, so that a title examination of the land on which the structures involved in this plan are located reveals the existence of this plan.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By:
Joanna Williams, P.E.
Water Resource Engineer

F&O4278-RP.docx
Prepared by: wad

Exhibit A

Replacement Plan - Determination No.: 4278-BD

Designated Basin Summary Table for Romens Living Trust
Pumping Rate of 2.85 acre-feet per year for 300 Years from the Dawson aquifer
Section(s): Sec. 24, T11S, R64W, 6th P.M.

Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)
5	2.9	0.000	0.00	155	2.9	0.065	2.30
10	2.9	0.000	0.01	160	2.9	0.068	2.39
15	2.9	0.001	0.02	165	2.9	0.071	2.49
20	2.9	0.001	0.04	170	2.9	0.074	2.59
25	2.9	0.002	0.07	175	2.9	0.077	2.69
30	2.9	0.003	0.11	180	2.9	0.079	2.78
35	2.9	0.005	0.16	185	2.9	0.082	2.88
40	2.9	0.006	0.22	190	2.9	0.085	2.97
45	2.9	0.008	0.28	195	2.9	0.087	3.07
50	2.9	0.010	0.35	200	2.9	0.090	3.16
55	2.9	0.012	0.42	205	2.9	0.093	3.26
60	2.9	0.014	0.50	210	2.9	0.096	3.35
65	2.9	0.017	0.59	215	2.9	0.098	3.45
70	2.9	0.019	0.67	220	2.9	0.101	3.54
75	2.9	0.022	0.76	225	2.9	0.104	3.63
80	2.9	0.024	0.85	230	2.9	0.106	3.73
85	2.9	0.027	0.94	235	2.9	0.109	3.82
90	2.9	0.030	1.04	240	2.9	0.111	3.91
95	2.9	0.032	1.13	245	2.9	0.114	4.00
100	2.9	0.035	1.23	250	2.9	0.117	4.09
105	2.9	0.038	1.32	255	2.9	0.119	4.18
110	2.9	0.040	1.42	260	2.9	0.122	4.27
115	2.9	0.043	1.52	265	2.9	0.124	4.36
120	2.9	0.046	1.61	270	2.9	0.127	4.45
125	2.9	0.049	1.71	275	2.9	0.129	4.54
130	2.9	0.052	1.81	280	2.9	0.132	4.63
135	2.9	0.054	1.91	285	2.9	0.134	4.72
140	2.9	0.057	2.00	290	2.9	0.137	4.80
145	2.9	0.060	2.10	295	2.9	0.139	4.89
150	2.9	0.063	2.20	300	2.9	0.142	4.98

Created by Wenli Dickinson on October 18, 2021

Values for 'Depletion as a % of Pumping' (q/Q) are not calculated when the pumping rate (Q) is changed to anything but zero

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4275-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Laramie-Fox Hills aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 1,260 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 210 feet.

8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,260 acre-feet.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,260 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 12.6 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural steam or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules.

Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Laramie-Fox Hills Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 1,260 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 1,260 acre-feet, less any amount of the Underlying Groundwater allocated

herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4275-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4275-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

RCVD DWR
08/03/2021

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Laramie Fox Hills

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4276-BD

AQUIFER: Arapahoe

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Arapahoe Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Arapahoe aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 1,500 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 220 feet.

8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,500 acre-feet.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,500 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 15 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural steam or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules.

Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Arapahoe Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 1,500 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 1,500 acre-feet, less any amount of the Underlying Groundwater allocated

herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4276-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4276-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

RCVD DWR
08/03/2021

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Arapahoe

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4277-BD

AQUIFER: Denver

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Denver Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Denver aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 2,040 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 300 feet.

8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 2,040 acre-feet.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 2,040 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 20.4 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural steam or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules.

Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 2,040 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 2,040 acre-feet, less any amount of the Underlying Groundwater allocated

herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Denver Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4277-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4277-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

RCVD DWR
08/03/2021

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Denver

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, Trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF GROUNDWATER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4278-BD

AQUIFER: Dawson

APPLICANT: Romens Living Trust

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Romens Living Trust (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Dawson Aquifer.

FINDINGS

1. The application was received by the Commission on August 3, 2021.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Dawson aquifer (Aquifer) underlying 40 acres, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated June 30, 2021, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.

3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.

4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.

5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40 acres of Overlying Land.

6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.

7. The amount of water in storage in the Aquifer underlying the 40 acres of Overlying Land claimed by the Applicant is 880 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

    a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 20 percent.

b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 110 feet.

8. A review of the records in the Office of the State Engineer has disclosed that a well operating pursuant to section 37-90-105, C.R.S., (i.e. a small-capacity well), permit no. 195628, is located on the Overlying Land and is permitted to withdraw 1 acre-foot per year of groundwater from the Aquifer from beneath the Overlying Land. The applicant has indicated that permit no. 195628 will be cancelled and the well re-permitted to operate pursuant to this Determination. The amount of water considered to have been historically withdrawn from the aquifer by this well is 25 acre-feet. In applying Rule 5.3.2.5 of the Designated Basin Rules to computing the amount of water available for allocation in this Determination, the amount of groundwater in the Aquifer underlying the Overlying Land available for allocation in this Determination is reduced by 25 acre-feet to 855 acre-feet. Except for that well, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the Aquifer underlying the Overlying Land.

9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").

11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.

    a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 855 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 8.55 acre-feet per year.

    b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

    c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural steam or an alluvial aquifer at an annual

rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Withdrawal of water from the Aquifer underlying the Overlying Land would impact the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, which has been determined to be over-appropriated. Commission approval of a replacement plan pursuant to section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators, is required prior to approval of well permits for wells to be located on this land area to withdraw the groundwater in the Aquifer underlying the Overlying Land. Pursuant to the Rules the replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.

14. On October 25, 2021, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. No written recommendations from the District were received.

15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Dawson Aquifer underlying 40 acres of land, generally described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40 acres of Overlying Land allocated herein is 855 acre-feet (Underlying Groundwater).

17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information

obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

    a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 855 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

    b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.

    c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).

    d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.

    e. Commission approval of a replacement plan, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators in the alluvial aquifer, is required prior to approval of well permits that allow the withdraw of the Underlying Groundwater. The replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.

    f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic including in-home use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 40 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system

into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40 acres of Overlying Land.

h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

i. The wells must be constructed to withdraw water from only the Dawson Aquifer.

j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

20. Existing well permit no. 195628 must be canceled and a new permit issued for that well to operate pursuant to this Determination.

21. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

22. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By: _____
Joanna Williams, P.E.
Water Resource Engineer

Prepared by: wad
F&O4278-BD.doc

ATTACHMENT 1

Exhibit A
Determination No. 4278-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

10014221

RCVD DWR
08/03/2021

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant: Romens Living Trust

Mailing Address	City	State	Zip Code
5135 Coneflower Lane	Colorado Springs	Colorado	80917

Telephone Number (include area code)	Email
719-331-3310	ajlolly@msn.com

2. AQUIFER Dawson

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40 in the county of: El Paso

described as follows (insert legal description).

NE1/4 of the NE1/4 of Section 24 Township 11 South, Range 64 West of the 6th PM

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Exhibit A

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Adelaida Romens, Trustee Date: June 30, 2021

Print name and title: Adelaida Romens, Trustee

Replacement Plan Accounting Reporting Form

Determination of Water Right Number: 4278-BD

Aquifer from which wells produce water: Dawson

Submit to: Colorado Ground Water Commission, 1313 Sherman St., Room 821, Denver, CO 80203

Person responsible for gathering and submitting data (required)

Name: _____

Email address: _____

Mailing Address: _____

Telephone: _____

Calendar year being reported [1]: _____

Calendar year operation of the plan was initiated [2]: _____

Year number of operation of the plan [3]: _____

Annual replacement water requirement (acre-feet/year) [4]: _____

Well Permit no. [5]	Address of property served by this well [6]	Meter Reading at beginning of year [7]	Meter Reading at end of year [8]	Metered pumping this year [9]	Meter's Units [10]	Date of Meter reading at end of year [11]	Metered pumping this year [12] (acre-feet)	Pumping of this well since initiation of operation of the plan [13] (acre-feet)

Well Permit no. [5]	Address of property served by this well [6]	Number of Ocupied Single Family Dwellings [14]	Amount of Irrigated Land [15] (ft^2)	Number of Large Domestic Animals [16]	Estimated Return Flow [17] (acre-feet)

Conversion rates:
1 acre-foot equals 325,851 gallons
1 acre-foot equals 43,560 cubic feet

See reverse side for notes.

Notes:

1) Calendar year for which this report is being submitted.

2) The calendar year when the first well permitted pursuant to this plan was constructed, or when the first permit for an existing well was issued pursuant to the plan. Once the plan has been initiated this year will not change.

3) The number of years after initiation of operation of the plan. The year of initiation is year number 1.

4) Equal to "Annual Depletion" on Exhibit A of the Replacement Plan.

5) The well permit number of the well being operated pursuant to the plan.

6) The address of the property served by the well.

7) The reading on the meter at the beginning of the year. Equal to reading on the meter at end of year on last year's reporting form. For the first year of operation of a well this is the meter reading prior to pumping under the plan.

8) Reading on the meter at the end of the year.

9) The amount of water pumped by the well this year. Equal to the reading on the meter at the end of this year minus reading on the meter at the beginning of the year. If a new meter was installed durng the year, explain that fact and report the sum of the readings of the old and new meters over the year.

10) Units of measurement shown on the meter.

11) Date that the meter was read this year. This should be on December 31st or as close to that date as possible.

12)The amount pumped this year, reported in acre-feet.

13) The cumulative amount of water pumped by this well (and all previous wells serving this address) since initiation of operation of the plan. Equal to "Pumping of this well since initiation of operation of the plan" on last year's reporting form plus "Pumping of this well this year" on this year's reporting form.

14) The number of occuped single family dwellings supplied by the well.

15) The amount of irrigated land supplied by the well.

16) The number of large domestic animals supplied by the well.

17) Return flow consists of water recharged into the alluvial aquifer by way of non-evaporative septic and leaching field sytem discharges, which are estimated as 0.25 acre-feet per year (90 percent of the amount of water supplied to in-house uses by each well supplying an occupied dwelling). Refer to the Findings and Orders of the approved replacement plan.

COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER

IN THE MATTER OF AN APPLICATION FOR REPLACEMENT PLAN TO ALLOW THE WITHDRAWAL OF GROUNDWATER FROM THE DAWSON AQUIFER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN.

REPLACEMENT PLAN NO. 4278-RP

FOR DETERMINATION OF WATER RIGHT NO. 4278-BD

AQUIFER: DAWSON

APPLICANT: ROMENS LIVING TRUST

In compliance with section 37-90-107.5, C.R.S. and the Designated Basin Rules, 2 CCR 410-1 (Rules or Rule), Romens Living Trust (Applicant) submitted an application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer that has been allocated by Determination of Water Right No. 4278-BD.

FINDINGS

1. Pursuant to section 37-90-107(7), C.R.S., in a Findings and Order dated January 5, 2022, the Ground Water Commission (Commission) approved a Determination of a Right to an Allocation of Groundwater, No. 4278-BD, from the Dawson Aquifer (Aquifer), summarized as follows.

    a. The determination quantified an amount of water from beneath 40 acres of overlying land described as the NE 1/4 of the NE 1/4 of Section 24, Township 11 South, Range 64 West, 6th P.M., in El Paso County (Overlying Land).

    b. The amount of water in the aquifer that was allocated was 855 acre-feet, and the allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 8.55 acre-feet per year (subject to adjustment by the Commission to conform to actual local aquifer characteristics).

    c. The use of groundwater is limited to the following beneficial uses: domestic including in-house use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage.

    d. Withdrawal of the subject groundwater will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal, the groundwater is considered to be not-nontributary, and Commission approval of a replacement plan providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to withdraw the subject groundwater.

2. The subject water is Designated Groundwater located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and the Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7).

3. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Kiowa-Bijou

Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, all of which, according to Rules 5.2.4.2, 5.2.7.2 and 5.2.6.2, respectively, have been determined to be over appropriated. Such depletion would unreasonably impair existing large capacity alluvial rights withdrawing water from those alluvial aquifers.

4. Pursuant to Rule 5.6.1.A this plan must be adequate to prevent any material injury to water rights of other appropriators, which for purposes of this plan means large capacity wells withdrawing water from the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin.

5. Pursuant to Rule 5.3.6.2(C) the amount of replacement water shall provide for the depletion of alluvial water for the first 100 years due to all previous pumping and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.

6. The application for the replacement plan was received by the Commission on August 3, 2021.

7. The Applicant proposes to divert 2.85 acre-feet annually from the Dawson Aquifer for a period of 300 years. The Dawson aquifer water will be withdrawn through one or more wells to be located on seven (7) residential lots. Each Dawson Aquifer well is proposed to divert 0.407 acre-feet of water annually for domestic including in-house use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The land on which the wells will be located is the Overlying Land described above.

8. At a continuous withdrawal of 2.85 acre-feet annually for 300 years, depletions to the alluvial aquifer systems of the Kiowa-Bijou Designated Groundwater Basin, Upper Big Sandy Designated Groundwater Basin and Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.142 acre-feet per year in the 300th year, which is equal to 4.98% of pumping, as shown in Exhibit A.

9. The Applicant proposes to provide 1.260 acre-feet per year of replacement water to the alluvial aquifer system of the Upper Black Squirrel Creek Designated Groundwater Basin. The proposed source of replacement water is septic return flows from the in-house use of the groundwater to be pumped under the plan. The Applicant estimates that return flows from each lot will consist of 90% of the water used for in-house purposes. Assuming each lot uses a total annual amount for in-house use of 0.20 acre-feet, the return flow per lot would be 0.18 acre-feet annually, and the return flows under the plan will total 1.260 acre-feet per year for all seven (7) lots at full build out.

10. The subject property is located within the drainage of West Bijou Creek, and the return flows will flow to the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.

11. Pursuant to Rule 5.6.1.B this plan must be adequate to prevent unreasonable impairment of water quality. Pursuant to Rule 5.6.1.B.1.b, if the replacement source water is from an onsite wastewater treatment system permitted by a local health agency and the applicant demonstrates the source is in compliance with that permit there shall be a rebuttable presumption of no unreasonable impairment of water quality.

12. Pursuant to Rule 5.6.1.C this plan, including the proposed uses of the water withdrawn pursuant to the plan, must not be speculative, and must be technically and financially feasible and within the Applicant's ability to complete. The plan, including the proposed uses of the water withdrawn pursuant to the plan, is not speculative. The plan appears technically and financially feasible and within the Applicant's ability to complete.

13. Pursuant to Rule 5.6.1.D this plan must be able to be operated and administered on an ongoing and reliable basis. The plan appears to be able to be operated and administered on an ongoing and reliable basis.

14. Pursuant to Rule 5.6.1.F replacement source water must be physically and legally available in time, place and amount to prevent material injury. As determined in Determination of Water Right No. 4278-BD water is currently available in the amounts and for the number of years proposed to be diverted.

15. Pursuant to Rule 5.6.1.G the replacement source water must be legally available for use. Records in this office indicate that the Applicant controls the water right to be used as the source of replacement water, consisting of Determination of Water Right No. 4278-BD, and such water is legally available for use pursuant to this plan.

16. In accordance with Rule 5.6.4 the application was referred to the Upper Black Squirrel Creek Ground Water Management District on October 25, 2021. No response was received from the District.

17. In accordance with sections 37-90-107.5 and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 4, 2021 and November 11, 2021. No objections to the application were received within the time limit set by statute.

18. According to Rule 5.6.1:

    a. The Applicant has the burden of proving the adequacy of the plan in all respects.

    b. If the applicant meets its burden of proof, the Commission shall grant approval of the plan which shall include any terms and conditions established the Commission.

19. The Commission Staff has evaluated the application pursuant to section 37-90-107.5, and the requirements of Rule 5.3.6.2(C) and Rule 5.6, finds that the requirements have been meet, and the plan may be approved to allow diversions from the Dawson Aquifer if operated subject to the conditions given below.

ORDER

In accordance with section 37-90-107.5, and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer underlying 40 acres that are the subject of Determination of Water Right no. 4278-BD is approved subject to the following conditions:

20. The Dawson aquifer water will be withdrawn through one or more wells to be located on seven (7) residential lots. The allowed use of groundwater for each well under this plan is domestic including in-house use; domestic animal watering; irrigation of landscape, gardens and greenhouse; commercial; fire protection; recreational; and the watering of stock animals, either directly or after storage. The land on which the wells will be located is the Overlying

Land described above.

21. The allowed annual amount of groundwater to be withdrawn from the Aquifer by all wells operating under this plan shall not exceed 2.85 acre-feet. The allowed annual amount of water to be withdrawn from each on-lot well shall not exceed 0.407 acre-feet.

22. A totalizing flow meter shall be installed on each well. The well owner shall maintain the meter in good working order.

23. Permanent records of all withdrawals of groundwater from each well shall be recorded at least annually by the well owners, permanently maintained, and provided to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.

24. Pumping under this plan is limited to a period of 300 years. The year of first use of this replacement plan shall be the calendar year of construction of a well permitted pursuant to this plan or permitting of an existing well pursuant to the plan.

25. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 40 acres of Overlying Land that are the subject of Determination of Water Right No. 4278-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.

26. Replacement of depletions must be provided annually in the acre-feet amounts shown in Exhibit A. Annual replacement requirements may be computed by pro-rating between the values given on Exhibit A, or for simplicity may be taken as the amount shown in the next succeeding 5 year increment.

27. The Applicant or their successor(s) are responsible for ensuring that replacement water is provided to the alluvial aquifer as required by this plan. The annual replacement requirement and the annual amount of replacement water provided shall be calculated and reported on a form acceptable to the Commission. The annual amount of replacement water provided must be no less than the annual replacement requirement on a yearly basis. No credit shall be claimed by the Applicant for an oversupply of replacement water provided to the alluvium during previous years.

28. The Applicant must provide the required annual amount of replacement water for the first 100 years, or for as long as a well is operated pursuant to this plan, whichever is longer.

29. To assure adequate return flows, at least one well must be serving the in-house uses for an occupied dwelling that is generating return flows via a non-evaporative septic system before any other use is allowed.

30. So long as at least one well continues to pump and supply the in-house uses for an occupied dwelling, the plan's required replacement obligations, shown in Exhibit A, will be met. Should all wells cease pumping for in-house use within the first 100 years an amended or alternate replacement plan must be obtained that will replace actual depletions to the alluvial aquifer so as to prevent any material injury to water rights of other appropriators.

31. The Applicant (and their successors) must gather and maintain permanent records of all information pertaining to operation of this plan, which shall include, but is not be limited to, those items identified below. The Applicant must submit records to the Commission and the Upper Black Squirrel Creek Ground Water Management District on forms acceptable to the

Commission, on an annual basis for the previous calendar year, by February 15th of the following year.

a. Identification of all well permits issued and wells constructed under this plan.

b. The amount of water diverted by each well and all wells in total, both annually and cumulatively since operation of the plan began.

c. The number of occupied dwellings served by each well.

d. The return flows occurring from use of all wells operating under the plan, assuming 0.18 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.

e. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.

32. The Applicant (and their successors) are fully responsible for the operation, monitoring, and accounting of the replacement plan. In the event a lot with a well permitted or operating pursuant to this plan is sold, identification of the well that was sold and evidence that the new owner has been notified of their responsibilities under the replacement plan shall accompany that year's accounting.

33. Any covenants adopted for this subdivision should contain a description of the replacement plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be reported and the plan is to be administered.

34. In the event the permitted well or wells are not operated in accordance with the conditions of this replacement plan, they shall be subject to administration, including orders to cease diverting groundwater.

35. All terms and conditions of Determination of Water Right No. 4278-BD must be meet.

36. Pursuant to Rule 5.6.1.E, a copy of this Findings and Order shall be recorded by the Applicant in the clerk and recorder's records of El Paso County, so that a title examination of the land on which the structures involved in this plan are located reveals the existence of this plan.

Dated this 5th day of January, 2022.

Kevin G. Rein, P.E
Executive Director
Colorado Ground Water Commission

By:
Joanna Williams, P.E.
Water Resource Engineer

F&O4278-RP.docx
Prepared by: wad

Exhibit A

Replacement Plan - Determination No.: 4278-BD

Designated Basin Summary Table for Romens Living Trust
Pumping Rate of 2.85 acre-feet per year for 300 Years from the Dawson aquifer
Section(s): Sec. 24, T11S, R64W, 6th P.M.

Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)
5	2.9	0.000	0.00	155	2.9	0.065	2.30
10	2.9	0.000	0.01	160	2.9	0.068	2.39
15	2.9	0.001	0.02	165	2.9	0.071	2.49
20	2.9	0.001	0.04	170	2.9	0.074	2.59
25	2.9	0.002	0.07	175	2.9	0.077	2.69
30	2.9	0.003	0.11	180	2.9	0.079	2.78
35	2.9	0.005	0.16	185	2.9	0.082	2.88
40	2.9	0.006	0.22	190	2.9	0.085	2.97
45	2.9	0.008	0.28	195	2.9	0.087	3.07
50	2.9	0.010	0.35	200	2.9	0.090	3.16
55	2.9	0.012	0.42	205	2.9	0.093	3.26
60	2.9	0.014	0.50	210	2.9	0.096	3.35
65	2.9	0.017	0.59	215	2.9	0.098	3.45
70	2.9	0.019	0.67	220	2.9	0.101	3.54
75	2.9	0.022	0.76	225	2.9	0.104	3.63
80	2.9	0.024	0.85	230	2.9	0.106	3.73
85	2.9	0.027	0.94	235	2.9	0.109	3.82
90	2.9	0.030	1.04	240	2.9	0.111	3.91
95	2.9	0.032	1.13	245	2.9	0.114	4.00
100	2.9	0.035	1.23	250	2.9	0.117	4.09
105	2.9	0.038	1.32	255	2.9	0.119	4.18
110	2.9	0.040	1.42	260	2.9	0.122	4.27
115	2.9	0.043	1.52	265	2.9	0.124	4.36
120	2.9	0.046	1.61	270	2.9	0.127	4.45
125	2.9	0.049	1.71	275	2.9	0.129	4.54
130	2.9	0.052	1.81	280	2.9	0.132	4.63
135	2.9	0.054	1.91	285	2.9	0.134	4.72
140	2.9	0.057	2.00	290	2.9	0.137	4.80
145	2.9	0.060	2.10	295	2.9	0.139	4.89
150	2.9	0.063	2.20	300	2.9	0.142	4.98

Created by Wenli Dickinson on October 18, 2021

Values for 'Depletion as a % of Pumping' (q/Q) are not calculated when the pumping rate (Q) is changed to anything but zero