



# Water Resources and Water Quality Report

## **Berkheimer Subdivision Filing No.1**

**MVE Project No. 61222**

**November 6, 2024**

**PCD File No.**

Prepared for  
**John M. Berkheimer**  
14060 Black Forest Road  
Colorado Springs, CO 80908  
(719) 424-6598

Prepared by  
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1903 Lelaray Street, Suite 200  
Colorado Springs, CO 80909  
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# Contents

<b>Introduction .....</b>	<b>1</b>
<b>Expected Water Demands .....</b>	<b>2</b>
<b>Amounts Decreed and Available.....</b>	<b>3</b>
<b>Wastewater and Wastewater Treatment.....</b>	<b>3</b>
<b>Augmentation .....</b>	<b>3</b>
<b>Water Quality .....</b>	<b>4</b>
<b>Appendix.....</b>	<b>6</b>

## Introduction

This Water Resources Report describes the water supply to serve the two (2) residential lots proposed in the Berkheimer Subdivision Filing No.1 minor subdivision of 13.686+/- acres located within the southeast quarter of the northeast quarter of Section 6, Township 12 South, Range 65 West of the 6th principal meridian in El Paso County, Colorado (Subject Property). This report is intended to demonstrate the sufficiency in terms of quantity, quality, and dependability, of the water rights and resources to be utilized in the proposed subdivision. The proposed two lots of the subdivision are 5.002 acres in area and 7.960 acres. Each of the lots are to be provided with water and sewer service through individual wells and individual Onsite Wastewater Treatment Systems (OWTS).

A water court decree facilitated by Monson, Cummins, Shohet & Farr, LLC, attorneys at law, is attached to this report showing the decreed amounts of the Dawson aquifer groundwater, along with the Denver, Arapahoe, and Laramie-Fox aquifers' groundwater, underlying the Subject Property. The document also approves a plan for augmentation for use of up to two (2) wells in the Dawson aquifer to serve each lot for a 300-year water supply period. Berkheimer Wells No. 1 is an existing well (Permit No. 215326). Berkheimer Well No. 2 is a proposed well to be constructed following platting of the property into two lots.

## Expected Water Demands

It is expected that the two residential lots in the subdivision will utilize two individual wells (one well per lot) drilled to the Dawson aquifer for domestic type uses, including indoor use, household uses including pool/hot tub, irrigation of lawn and garden and watering of horses, goats, chicken, or equivalent livestock. It is anticipated that the residences on the lots will each utilize up to 0.2 acre-feet annually for indoor use (0.4 acre-feet for two lots). It is projected that each lot will also use 0.583 acre-feet per year for irrigation of lawn and garden and the watering of livestock (1.166 acre-feet combined), as consistent with the decree in Case No. 24CW3038 and the El Paso County Land Development Code Section 8.4.7. The expected water uses and demands are presented in the table below.

Uses for the Existing Berkheimer Well No. 1 and the To Be Constructed Berkheimer Well No. 2	
Indoor and household use	0.20 acre-feet per year per unit for total of <b>0.40 acre-feet</b> per year
Irrigation use	0.0566 acre-feet per 1000 square feet per unit per year for total of <b>0.686 acre-feet</b> per year limited to irrigation of 6,060 square feet of lawn or garden per unit for total of 12,120 square feet

Stock-watering use	0.24 acre-feet per year per unit limited to watering of 4 head per unit for total of <b>0.48 acre-feet</b> per year for total of 8 horses or equivalent livestock
Total annual Use per lot	<b>0.783 acre-feet</b> per year
Total annual Use in subdivision = 2 x 0.783 = <b>1.566 acre-feet</b> per year	
Total decreed Dawson aquifer water (24CW3038) for 300 years = <b>1.566 acre-feet</b> (See Decreed Amounts Below)	

The existing Berkheimer Well No. 1 and To Be Constructed Berkheimer Well No. 2 are expected to produce from the not-nontributary Dawson aquifer at a flow rate of 10 to 15 gallons per minute, based upon past production in the immediate area. The existing well will be re-permitted in accordance with the referenced Decree. There are no other wells currently constructed on the subject property except as listed above. Based on past experience with the numerous Dawson aquifer wells serving rural residential properties throughout El Paso County, this rate of production should be more than sufficient to meet demand for in-house use.

**Amounts Decreed and Available**

The decreed amount of Dawson aquifer groundwater is not-nontributary. The decreed amounts of the Denver aquifer groundwater, Arapahoe aquifer groundwater and Laramie-Fox Hills aquifer groundwater are nontributary. The referenced decree sets forth withdrawal amounts based on 100-year aquifer life required by the State of Colorado as well as the El Paso County required 300-year aquifer life. The following annual amounts are decreed and are based on annual withdrawals over a 300-year period (one acre-foot is 325,851 gallons).

Annual withdrawals of the Existing Berkheimer Well No. 1 and To-Be-Constructed Berkheimer Well No. 2 from the Dawson aquifer (not-nontributary) shall not exceed 0.835 acre-feet each, nor more than 1.67 acre-feet total per year.

A copy of the Decree entered in Case No. 24CW3038 is attached in the appendix, including the following specific quantities of water anticipated to be available for and utilized in Berkheimer Subdivision Filing No.1:

AQUIFER	Annual Average Withdrawal – 100 Years (Acre Feet)	Annual Average Withdrawal – 300 Years (Acre Feet)	Total Withdrawal (Acre Feet)
Dawson (NNT)	10.70	3.566	1070
Denver (NT)	10.90	N/A	1090
Arapahoe (NT)	5.47	N/A	547
Laramie-Fox Hills (NT)	3.72	N/A	372

Based on the anticipated water demands, the water supply for the residential lots using two (2) Dawson aquifer wells pursuant to the augmentation plan approved in the referenced Decree is sufficient and satisfies the 300-year supply requirement of El Paso County.

### **Wastewater and Wastewater Treatment**

A Soils and Geology Study and a Wastewater Study was prepared for this subdivision by Entech Engineering, Inc., both dated October 16, 2024. The reports address the suitability of the site to support the use of individual On-site Wastewater Treatment Systems (OWTSs) which are to be utilized. The site has been evaluated for the use of on-site wastewater treatment systems to be located on each of the new lots. Based on such evaluation, the site is suitable for on-site wastewater treatment systems.

Septic projections are based on similar Denver Basin residential uses on rural residential lots. Average daily wastewater loads are expected to be approximately 178.5 gallons per day per single-family residence assuming residential in-house use at the 0.20 acre-feet per year rate described in the approved Augmentation Plan. Maximum daily wastewater loads are expected to be approximately 232 gallons per day per single-family residence based on the El Paso County Land Development Code residential demand standard of 0.26 acre-feet per year.

All single-family homes within Berkheimer Subdivision Filing No.1 shall be served by individual on-site wastewater treatment systems which will be installed according to El Paso County and State Guidelines and properly maintained to prevent contamination of surface and subsurface water resources.

### **Augmentation**

Consistent with the Plan for Augmentation decreed in Water Division 1 Case No. 24CW3038, it is anticipated that each single-family residence will utilize a maximum of 0.783 annual acre feet of water through individual wells, with total demand for all two lots estimated at a maximum of 1.566 annual acre feet. Of this pumping, it is anticipated that 0.20 annual acre feet will be utilized for indoor and household purposes for each residence (0.40 annual acre-feet combined), with the remainder of pumping available for other uses authorized under the augmentation plan.

A plan for augmentation utilizing the underlying Denver Basin aquifers has been decreed by the District Court, Water Division 1, in Case No. 24CW3038. As particularly described in the attached Decree, a 300-year water supply is demonstrated in the Dawson aquifer, with all depletions augmented in time, place and amount through septic return flows during pumping, and through dedication of nontributary groundwater in the Arapahoe and Laramie-Fox Hills aquifers for replacement of injurious post-pumping depletions. Applicants shall reserve 479.4 acre-feet of the total 547 acre-feet of their decreed nontributary Arapahoe aquifer water and the entire 372 acre-

feet of their decreed Laramie-Fox Hills aquifer water for the replacement of post-pumping depletion.

Rural residential water supply demand will be met using not-nontributary Dawson formation wells, consistent with the plan for augmentation decreed in Case No. 24CW3038. Only one of the proposed two wells which will ultimately provide water supply to the lots within Berkheimer Subdivision Filing No.1 has been drilled, to date.

The augmentation plan decreed in Case No. 24CW3038 will provide for a 300-year water supply for each of the anticipated lots within Berkheimer Subdivision Filing No.1, with each lot utilizing an OWTS of a non-evaporative nature. The water resources to be utilized in the subdivision are typical to 5-acre rural residential development near the Black Forest and other parts of rural northeastern El Paso County, Colorado. The plan for augmentation decreed in Case No. 24CW3038 demonstrates a sufficient quantity and reliability of water to support compliance with El Paso County's 300-year water supply rules for subdivisions of this nature.

### **Water Quality**

M.V.E., Inc. has examined water quality testing results for the existing Berkheimer Well No. 1 (permit No. 215326) located within the subject property. Testing for the required contaminants was performed by the Colorado-certified testing laboratories, Colorado Analytical Laboratories, Inc. and Hazen Research, Inc. The examined reports contain tests for each of the required contaminants for a confined aquifer in accordance with the Land Development Code of El Paso County (LDC). M.V.E. Inc. compared the test results to the Maximum Contaminant Level (MCL) for each substance and found the results to be within acceptable levels in accordance with El Paso County standards contained in the LDC. Copies of those testing results are collectively attached hereto as Exhibit E.

So as to ensure compliance with LDC Section 8.4.7(B)(3)(d), and all provisions of the LDC Section 8.4.7(B)(10), a full spectrum water quality testing on said well was obtained, including chemical analysis (see LDC Section 8.4.7(B)(10)(a)), testing against all applicable MCL's established by the EPCPH (see LDC Section 8.4.7(B)(10)(b)), and analysis of all major ions (see LDC Section 8.4.7(B)(10)(c)). The water samples were drawn from the closest available outdoor spigot connected to the State of Colorado permitted well of the Dawson Aquifer at 14060 Black Forest Road, Colorado Springs, CO 80908 on 9/19/2024. Said samples were collected by the applicant's consultant pursuant to instructions provided by Colorado Analytical Laboratories, Inc., who likewise assisted in maintaining a proper chain of custody on all such samples (see LDC Section 8.4.7(B)(10)(d)). All samples tested by Colorado Analytical Laboratories were obtained from the Dawson aquifer at an existing well on the project site and within ½ mile (see LDC Section 8.4.7(B)(10)(e)).

In accordance with LDC Section 8.4.7(B)(3)(d)(3), the owner has identified no unusual or atypical on-site or off-site sources of potential contamination, which is likely to, or has the real potential to, contaminate the confined Dawson aquifer from which the owner's source water is to be obtained.

The requested subdivision of the subject property into approximately 5-acre lots is typical of the region, as is the proposed water source. Potential contaminants would be non-compliant or poorly located septic systems (which will not be permitted within the subdivision), hazardous material spills, and sources of contamination contrary to existing law and regulation, and beyond the owner's control. Barring such misfeasance or malfeasance, the owner does not believe any on or off-site hazards of note exist.

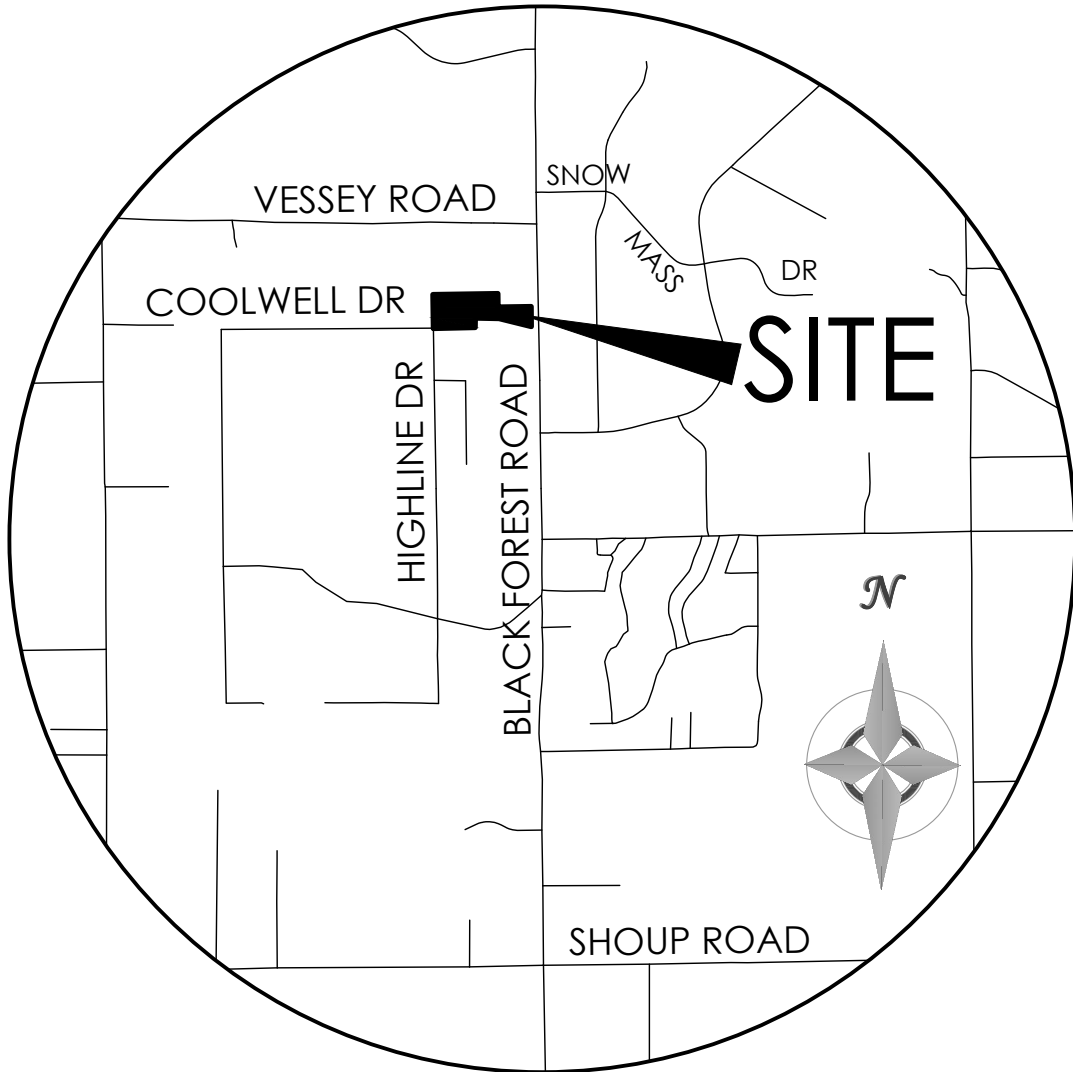
Based on these findings we recommend that the El Paso County Public Health and El Paso County Attorney's office make a finding of sufficiency for water quality for the Berkheimer Subdivision Filing No.1 final plat. The existing Berkheimer Well No. 1 and To-Be-Constructed Berkheimer Well No. 2 will meet all such regulatory requirements regarding quality testing before being utilized as a residential water source.



# Appendix

Exhibit A	Vicinity Map and Site Map
Exhibit B	Water Decree (Water Division 1 Case No. 24CW3038)
Exhibit C	Well Permit (Permit No. 215326)
Exhibit D	Water Supply Information Summary (Form No. GWS-76)
Exhibit E	Water Quality Testing Results

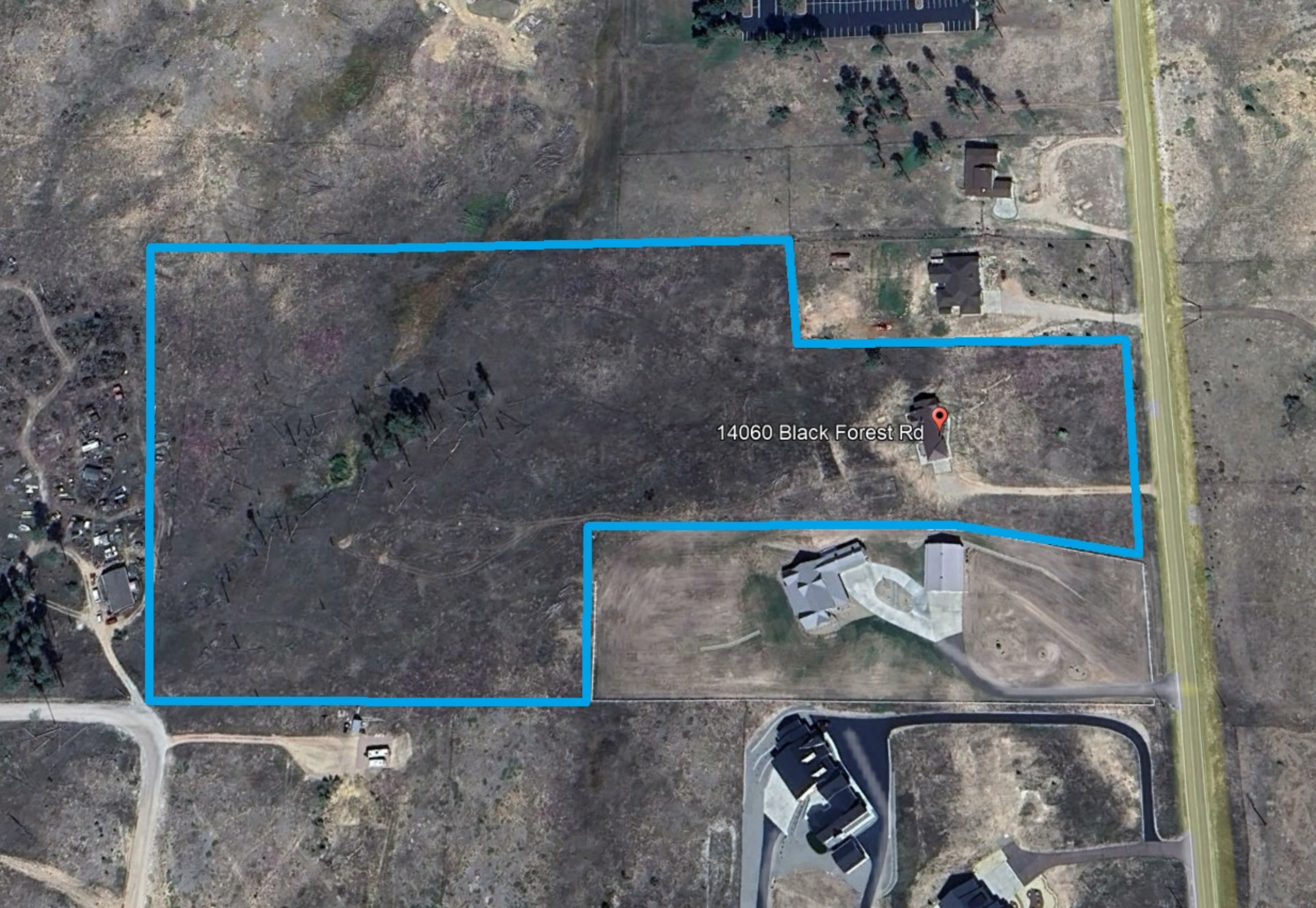
## **Exhibit A    Vicinity Map and Site Map**



# VICINITY MAP

NOT TO SCALE



An aerial photograph of a residential area. A large, irregularly shaped property is outlined in a bright blue line. The property is mostly undeveloped, with sparse vegetation and some trees. To the right of the property, there is a road and several houses. One house is marked with a red location pin and the text "14060 Black Forest Rd". The surrounding area includes other residential lots, some with houses and swimming pools, and a parking lot. The overall scene is a mix of developed and undeveloped land.

14060 Black Forest Rd



**Exhibit B      Water Decree (Water Division 1 Case No.  
24CW3038)**

<b>DISTRICT COURT, WATER DIVISION 1, COLORADO</b>  Court Address: 901 9th Avenue, P.O. Box 2038 Greeley, CO 80632  Phone Number: (970) 475-2540	DATE FILED October 21, 2024 9:22 AM CASE NUMBER: 2024CW3038  <p style="text-align: center;">▲ COURT USE ONLY ▲</p>
<b>CONCERNING THE APPLICATION FOR WATER RIGHTS OF:</b>  <b>JOHN M. BERKHEIMER</b>  <b>IN EL PASO COUNTY</b>	Case No.: 24CW3038
<b>FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF REFEREE AND DECREE: ADJUDICATING DENVER BASIN GROUNDWATER, AND APPROVING PLAN FOR AUGMENTATION</b>	

THIS MATTER comes before the Water Court on the Application filed by John M. Berkheimer. Having reviewed said Application and other pleadings on file, and being fully advised on this matter, the Water Court makes the following findings and orders:

### FINDINGS OF FACT

1. The applicant in this case is John M. Berkheimer. His address is 6485 Connaught Drive, Colorado Springs, CO 80908 (“Applicant”). The Applicant is the owner of the land totaling approximately 13.4 acres on which the structures sought to be adjudicated and augmented herein are and will be located, and under which lies the Denver Basin groundwater described in this decree, and is the owner of the place of use where the water will be put to beneficial use, except for any potential off-property uses as described in Paragraph 19.

2. The Applicant filed this Application with the Water Court for Water Division 2, and in Water Court for Water Division 1 on March 29, 2024. The Application was referred to the Water Referee in Division 2, and the Water Referee for Division 1 on the same day. After the publication period ended, the Applications were consolidated into Division 1 on July 9, 2024.

3. The time for filing statements of opposition to the Application expired on the last day of May 2024. No Statements of Opposition were filed.

4. In accordance with the notice requirements of C.R.S. § 37-92-302(2), a Notice of No Lienholders on the Applicant’s Property was filed with the Division 2 Water Court, and the Division 1 Water Court on April 8, 2024.

*Ruling of Referee and Decree*  
*John M. Berkheimer.*  
*Case No. 24CW3038*  
*Page 2 of 20*

5. On April 3, 2024, the Division 2 Water Court ordered that no publication need occur in Division 2, and that publication shall occur in Division 1.

6. The Clerk of this Court has caused publication of the Application filed in this matter as provided by statute and the publication costs have been paid. On April 17, 2024, proof of publication in *The Gazette* was filed with Division 1 Water Court. All notices of the Application have been given in the manner required by law.

7. Pursuant to C.R.S. § 37-92-302(2), the Office of the State Engineer has filed a Determination of Facts for each Denver Basin aquifer with this Court on May 3, 2024, which have been considered by the Court in the entry of this decree.

8. Pursuant to C.R.S. § 37-92-302(4), the office of the Division Engineer for Water Division No. 1 filed its Consultation Report dated June 28, 2024, and a response to the Consultation Report was not required by the Water Court. The Consultation Report and the Applicant's response have been considered by the Water Court in the entry of this decree.

9. The Water Court has jurisdiction over the subject matter of these proceedings and over all who have standing to appear as parties whether they have appeared or not. The land and water rights involved in this case are not within a designated groundwater basin.

### **GROUNDWATER RIGHTS**

10. The Application requested quantification and adjudication of vested underground water rights from the Denver basin groundwater underlying the Applicant's property described in Paragraph 13, below, and use of the Berkheimer Well No. 1 located on the Applicant's Property constructed to the Dawson aquifer, and the Berkheimer Well No. 2, which is a proposed well that may be constructed to the Dawson aquifer, and any additional or replacement wells associated therewith, for withdrawal of Applicant's full entitlement of supply from the Dawson aquifer under the plan for augmentation decreed herein. Applicant also requested quantification and adjudication of vested underground water rights and uses from the Denver, Arapahoe, and Laramie-Fox Hills aquifers underlying the Applicant's property. The following findings are made with respect to such underground water rights and use of wells on the Applicant's Property:

11. The land overlying the groundwater subject to the adjudication in this case is owned by the Applicant and consists of approximately 13.4 acres located in the SE $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 6, Township 12 South, Range 65 W. of the 6th P.M., with a street address of 14060 Black Forest Road, Colorado Springs, CO 80908, as described on the **Exhibit A** deed and shown on the **Exhibit B** map ("Applicant's Property"). Applicant intends to subdivide the property into two (2) lots. All groundwater adjudicated herein shall be withdrawn from the overlying land unless there is a further order of this Court allowing otherwise following the filing of a new water court application.

12. Berkheimer Well No. 1: Berkheimer Well No. 1, is located on the Applicant's Property and is permitted and constructed into the Dawson aquifer as an exempt domestic well

*Ruling of Referee and Decree*  
*John M. Berkheimer.*  
*Case No. 24CW3038*  
*Page 3 of 20*

pursuant to C.R.S. § 37-92-602(5) under Well Permit No. 215326. This well will be re-permitted under the plan for augmentation adjudicated herein for use on one of the subdivided lots on Applicant's Property. Applicant is awarded the vested right to use the Berkheimer Well No. 1, along with any necessary additional or replacement wells associated with such structure, for the extraction and use of groundwater from the not-nontributary Dawson aquifer pursuant to the plan for augmentation decreed herein. Upon entry of this decree and submittal by the Applicant of a complete well permit application and filing fee, if the State Engineer finds that a permit can be issued, the State Engineer shall issue a new well permit for the Berkheimer Well No. 1, pursuant to C.R.S. § 37-90-137(4), consistent with and referencing the plan for augmentation decreed herein.

13. Berkheimer Well No. 2: Applicant is awarded the vested right to use the Berkheimer Well No. 2, along with any additional or replacement wells associated with such structure, for the extraction and use of groundwater from the not-nontributary Dawson aquifer pursuant to the plan for augmentation decreed herein. Upon entry of this decree and submittal by the Applicant of a complete well permit application and filing fee, the State Engineer shall issue a well permit for Berkheimer Well No. 2, pursuant to C.R.S. § 37-90-137(4), consistent with and referencing the plan for augmentation decreed herein.

14. Of the statutorily described Denver Basin aquifers, the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers all exist beneath the Applicant's Property. The Dawson and Denver aquifers underlying the Applicant's Property contain not-nontributary water, while the water of the Arapahoe and Laramie-Fox Hills aquifers underlying the Applicant's Property is nontributary. The quantity of water in the Denver Basin aquifers exclusive of artificial recharge underlying the Applicant's Property is as follows:

<b>AQUIFER</b>	<b>NET SAND (Feet)</b>	<b>Total Appropriation (Acre Feet)</b>	<b>Annual Avg. Withdrawal 100 Years (Acre Feet)</b>	<b>Annual Avg. Withdrawal 300 Years (Acre Feet)</b>
Dawson (NNT Actual)	400	1070	10.70	3.566
Denver (NNT 4%)	480	1090	10.90	N/A
Arapahoe (NT)	240	547	5.47	N/A
Laramie Fox Hills (NT)	185	372	3.72	N/A

The terms and conditions set forth in this decree governing the withdrawal and use of groundwater from the Denver Basin aquifers underlying the Applicant's Property are applicable only to permitted non-exempt wells constructed into the aquifers.

15. Pursuant to C.R.S. § 37-90-137(9)(c.5)(I), the augmentation requirements for wells in the Dawson aquifer require the replacement to the affected stream systems of actual stream depletions on an annual basis. Applicant shall not be entitled to construct a non-exempt well or use water from the not-nontributary Dawson aquifer except pursuant to an approved augmentation



*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 4 of 20*

plan in accordance with C.R.S. § 37-90-137(9)(c.5), including as decreed herein as concerns the Dawson aquifer. In addition, Applicant shall be required to comply with the requirements of Paragraph 38.A prior to constructing and using a non-exempt well completed into the Dawson aquifer.

16. Pursuant to C.R.S. § 37-90-137(9)(c.5)(I)(C), the augmentation requirements for wells in the Denver aquifer require the replacement to the affected stream systems of four percent (4%) of stream depletions on an annual basis. Applicant shall not be entitled to construct a non-exempt well or use water from the not-nontributary Denver aquifer except pursuant to an approved augmentation plan in accordance with C.R.S. § 37-90-137(9)(c.5), including as decreed herein as concerns the Denver aquifer. In addition, Applicant shall be required to comply with the requirements of Paragraph 38.B prior to constructing and using a non-exempt well completed into the Denver aquifer.

17. Subject to the augmentation requirements described in Paragraphs 15, 16 and 23 and the other requirements and limitations in this decree, Applicant shall be entitled to withdraw all legally available groundwater in the Denver Basin aquifers underlying Applicant's Property. Said amounts may be withdrawn over the 100-year life for the aquifers as set forth in C.R.S. § 37-90-137(4), or withdrawn over a longer period of time based upon local governmental regulations or Applicant's water needs, provided withdrawals during such longer period are in compliance with the total amounts available to Applicant as decreed herein and the augmentation requirements of this decree. This decree describes a pumping period of 300-years as to pumping from the Dawson aquifer, as required by El Paso County, Colorado Land Use Development Code § 8.4.7(C)(1). The average annual amounts of groundwater available for withdrawal from the underlying Denver Basin aquifers, based upon the 100-year and 300-year aquifer life calculations, are determined and set forth above, based upon the May 3, 2024, Office of the State Engineer Determination of Facts described in Paragraph 7.

18. Applicant shall be entitled to withdraw an amount of groundwater in excess of the average annual amount decreed herein from the Denver Basin aquifers underlying Applicant's Property, so long as the sum of the total withdrawals from wells in each of the aquifers does not exceed the product of the number of years since the date of issuance of the original well permit or the date of entry of the decree herein, whichever comes first, and the average annual volume of water which Applicant is entitled to withdraw from each of the aquifers underlying Applicant's Property, subject to the requirement that such banking and excess withdrawals do not violate the terms and conditions of the plan for augmentation decreed herein and any other plan for augmentation decreed by the Court that authorizes withdrawal of the Denver Basin groundwater decreed herein. Applicant shall be permitted to produce the full legal entitlement from the Denver Basin aquifers underlying Applicant's Property through any combination of wells. The wells shall be treated as a well field

19. Subject to the terms and conditions in the plan for augmentation decreed herein and final approval by the State Engineer's Office pursuant to the issuance of well permits in accordance with C.R.S. §§ 37-90-137(4) or 37-90-137(10), the Applicant shall have the right to use the groundwater from the Dawson, Denver, Arapahoe, and Laramie Fox Hills aquifers for beneficial uses upon the Applicant's Property consisting of domestic, irrigation, stock watering, fire

*Ruling of Referee and Decree*  
*John M. Berkheimer.*  
*Case No. 24CW3038*  
*Page 5 of 20*

protection, recreation, and also for storage and augmentation purposes associated with such uses. The amount of groundwater decreed for such uses upon the Applicant's Property is reasonable as such uses are to be made for the long-term use and enjoyment of the Applicant's Property and is to establish and provide for adequate water reserves. The nontributary groundwater may be used, reused, and successively used to extinction, both on and off the Applicant's Property subject, however, to the limitations imposed on the use of the Arapahoe and Laramie-Fox Hills aquifers groundwater by this decree and the requirement under C.R.S. § 37-90-137(9)(b) that no more than 98% of the amount withdrawn annually shall be consumed. Applicant may use such water by immediate application or by storage and subsequent application to the beneficial uses and purposes stated herein. Provided however, as set forth above, Applicant shall only be entitled to construct a non-exempt well and use water from the not-nontributary Dawson and Denver aquifers pursuant to a decreed augmentation plan entered by the Court, including that plan for augmentation decreed herein for the Dawson aquifer.

20. Applicant has waived the 600-foot well spacing requirement for wells to be constructed upon the Applicant's Property. The Applicant may withdraw groundwater from the Berkheimer Wells No. 1 and 2 and any additional or replacement wells for those wells, or from wells constructed into the Arapahoe and Laramie-Fox Hills aquifers, at rates of flow necessary to withdraw the entire amounts decreed herein. The actual depth of each well to be constructed within the respective aquifers will be determined by topography and actual aquifer conditions.

21. Withdrawals of groundwater available from the nontributary Arapahoe and Laramie-Fox Hills aquifers beneath the Applicant's Property in the amounts determined in accordance with the provisions of this decree will not result in injury to any other vested water rights or to any other owners or users of water.

### **PLAN FOR AUGMENTATION**

22. The structures to be augmented are the Berkheimer Wells No. 1 and 2, as constructed and to be constructed to the not-nontributary Dawson aquifer underlying the Applicant's Property, along with any additional or replacement wells associated therewith ("Berkheimer Wells"). This plan for augmentation does not cover depletions associated with diversions from the Denver aquifer. Absent entry of a separate decreed plan for augmentation that allows such pumping, no groundwater in the Denver aquifer underlying the Applicant's Property is available for withdrawal by any well except if reserved and used under an exempt well permit or plan for augmentation. If Applicant would like to divert their entitlement in the Denver aquifer, they must do so under a separate future decreed augmentation plan.

23. Pursuant to C.R.S. § 37-90-137(9)(c.5), the augmentation obligation for the Berkheimer Wells requires the replacement of actual stream depletions attributable to pumping of the residential wells from the Dawson aquifer. The water to be used for augmentation during pumping are the septic system return flows of the not-nontributary Dawson aquifer to be pumped from the Berkheimer Wells No. 1 and 2 as set forth in this plan for augmentation. The water to be used for augmentation of depletions following the pumping period described in this decree is the reserved portion of Applicant's nontributary water rights in the Laramie-Fox Hills aquifer as described in Paragraph 23.D. Applicant shall provide for the augmentation of stream depletions

*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 6 of 20*

caused by pumping the Berkheimer Wells, as approved herein. Water use criteria is determined as follows:

A. Use: Based on a 300-year pumping period, the Berkheimer Wells may pump a maximum combined total of 1.566 acre feet from the Dawson aquifer annually, with each lot pumping a maximum of 0.783 acre-feet per year (469.8 acre-feet total) pursuant to the plan for augmentation authorized by this decree. Indoor use will utilize an estimated 0.2 acre-feet of water per year for each residence (0.4 acre-feet combined), with the remaining 0.583 acre-feet (1.166 acre-feet combined) per year pumping entitlement available for other uses on the Applicant's Property, including: irrigation of lawn and garden and the watering of livestock. An example of the use breakdown for El Paso County land use planning purposes is household use of 0.26 acre-feet of water per year with the additional 0.523 acre-feet of available for irrigation of lawn and garden and the watering of livestock annually. The foregoing figures assume the use of individual non-evaporative septic systems, with resulting return flows from such systems as described below in Paragraph 23.C.

B. Depletions: Pumping from the Dawson aquifer will require replacement of actual stream depletions of the pumped amount over the 300-year pumping period. Maximum stream depletions over the 300-year pumping period for the Dawson aquifer amounts to approximately 22.40% of pumping. Maximum annual depletions from the Berkheimer Wells are therefore 0.351 acre-feet in year 300. Should Applicant's pumping be less than the 1.566 total per year described herein, resulting depletions and required replacements will be correspondingly reduced.

C. Augmentation of Depletions During Pumping Life of Well: Pursuant to C.R.S. § 37-90-137(9)(c.5), Applicant is required to replace actual stream depletions of the water pumped from the Dawson aquifer. Applicant has shown that, provided water is delivered for indoor use and treated as required by this decree, depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is estimated at 10% per year per residence. At the household indoor use rate of 0.2 acre-feet per year, 0.18 acre-feet per residence is replaced to the stream system per year, utilizing a non-evaporative septic system. Thus, during the pumping period, the total maximum annual stream depletions of 0.351 acre-feet will be augmented provided septic system return flows are generated by indoor use of water in the residence ( $(2 \times 0.2) \times 0.9 = 0.36$  acre-feet of return flows). This calculation of septic system return flows from indoor residential use of 0.2 acre-feet per residence shows that depletions that result from pumping the annual amounts described in Paragraph 23.A will be adequately replaced during the pumping period for the wells under this plan for augmentation.

D. Augmentation of Post-Pumping Depletions: This plan for augmentation shall have a pumping period of 300 years. For the replacement of post-pumping depletions which may be associated with the use of the Berkheimer Wells, Applicant will reserve 479.4 acre-feet of the nontributary Arapahoe aquifer groundwater decreed herein, with such reserved amount reduced based on the amount of actual stream depletions replaced by non-evaporative septic system return flows from Dawson withdrawals during the plan pumping period, to replace any injurious post pumping depletions. The amount of nontributary Arapahoe aquifer groundwater

*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 7 of 20*

reserved may be reduced as may be determined through this Court's retained jurisdiction as described in this decree. If the Court, by order, reduces the Applicant's obligation to account for and replace such post-pumping depletions for any reason, it may also reduce the amount of Arapahoe aquifer groundwater reserved for such purposes, as described herein. Applicant also reserves the right to substitute other legally available augmentation sources for such post-pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post-pumping depletions will be noninjurious. Pursuant to C.R.S. § 37-90-137(9)(b), no more than 98% of water withdrawn annually from a nontributary aquifer shall be consumed. The reservation of a total of 479.4 acre-feet of Arapahoe aquifer groundwater results in approximately 469.8 acre-feet of available post-pumping augmentation water, which, combined with credits for replacements made during pumping, will be sufficient to replace post-pumping depletions obligations from the pumping of 469.8 acre-feet from the Dawson aquifer over 300 years. Post-pumping replacement obligations equal the total amount of water pumped from the not-nontributary Dawson aquifer minus credits received for replacement obligations made during pumping.

E. Permits: Upon entry of a decree in this case, the Applicant will be entitled to apply for and receive well permits for the Berkheimer Wells for the uses in accordance with this decree and otherwise in compliance with C.R.S. § 37-90-137.

24. This decree, upon recording, shall constitute a covenant running with Applicant's Property, benefitting and burdening said land, and requiring construction of well(s) to the nontributary Arapahoe aquifer and pumping of water to replace post-pumping depletions under this decree. Subject to the requirements of this decree, in order to determine the amount and timing of post-pumping replacement obligations under this plan for augmentation, Applicant or its successors shall use information commonly used by the Colorado Division of Water Resources for augmentation plans of this type at the time the post-pumping obligation commences. Pursuant to this covenant, the water from the nontributary Arapahoe aquifer reserved herein may not be severed in ownership from the Applicant's Property. This covenant shall be for the benefit of, and enforceable by, third parties owning vested water rights who would be injured by the failure to provide for the replacement of post-pumping depletions under the decree, and shall be specifically enforceable by such third parties against the owner(s) of the Applicant's Property.

25. Applicant or its successors shall be required to initiate pumping from the Arapahoe aquifer for the replacement of post-pumping depletions when either: (i) the absolute total amount of water available from the Dawson aquifer allowed to be withdrawn under the plan for augmentation decreed herein (469.8 acre-feet) has been pumped; (ii) the Applicant or its successors in interest have acknowledged in writing that all withdrawals for beneficial use through any of the Berkheimer Wells have permanently ceased; (iii) a period of 10 consecutive years where no withdrawals of groundwater from the Berkheimer Wells has occurred; or (iv) accounting shows that return flows from the use of the water being withdrawn are insufficient to replace depletions caused by the withdrawals that already occurred and no modification of pumping or treatment of the Berkheimer Wells is sufficient to make up for such insufficiency.

26. Unless modified by the Court under its retained jurisdiction, Applicant and its

*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 8 of 20*

successors shall be responsible for accounting and replacement of post-pumping depletions as set forth herein. Should Applicant's obligation hereunder to account for and replace such post-pumping stream depletions be reduced or abrogated for any reason, Applicant may petition the Court to also modify or terminate the reservation of the Arapahoe aquifer groundwater.

27. Consideration has been given to the depletions from Applicant's use and proposed uses of water, in quantity, time and location, together with the amount and timing of augmentation water which will be provided by the Applicant, and the existence, if any, of injury to any owner of or person entitled to use water under a vested water right.

28. It is determined that the timing, quantity, and location of replacement water under the protective terms in this decree are sufficient to protect the vested rights of other water users and eliminate injury thereto. The replacement water shall be of a quantity and quality so as to meet the requirements for which the water of senior appropriators has normally been used, and provided of such quality, such replacement water shall be accepted by the senior appropriators for substitution for water derived by the exercise of the Berkheimer Wells. As a result of the operation of this plan for augmentation, the depletions from the Berkheimer Wells will not result in injury to the vested water rights of others.

### **CONCLUSIONS OF LAW**

29. The application for adjudication of Denver Basin groundwater and approval of plan for augmentation was filed with the Water Clerk for Water Division 2 and Water Division 1, pursuant to C.R.S. §§ 37-92-302(1)(a) and 37-90-137(9)(c.5).

30. The Applicant's request for adjudication of these water rights is contemplated and authorized by law, and this Court and the Water Referee have exclusive jurisdiction over these proceedings. C.R.S. §§ 37-92-302(1)(a), 37-92-203, and 37-92-305.

31. Subject to the terms of this decree, the Applicant is entitled to the sole right to withdraw all the legally available water in the Denver Basin aquifers underlying the Applicant's Property as decreed herein, and the right to use that water to the exclusion of all others.

32. The Applicant has complied with C.R.S. § 37-90-137(4), and the groundwater is legally available for withdrawal by the requested nontributary well(s), and legally available for withdrawal by the requested not-nontributary well(s) upon the entry of this decree approving a plan for augmentation pursuant to C.R.S. § 37-90-137(9)(c.5), and the issuance of a well permit by the State Engineer's Office. Applicant is entitled to a decree from this Court confirming his right to withdraw groundwater pursuant to C.R.S. § 37-90-137(4).

33. The Denver Basin water rights applied for in this case are not conditional water rights, but are vested water rights determined pursuant to C.R.S. § 37-90-137(4). No applications for diligence are required. The claims for nontributary and not-nontributary groundwater meet the requirements of Colorado Law.

34. The determination and quantification of the nontributary and not-nontributary

*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 9 of 20*

groundwater rights in the Denver Basin aquifers as set forth herein are contemplated and authorized by law. C.R.S. §§ 37-90-137, and 37-92-302 through 37-92-305.

35. The Applicant's request for approval of a plan for augmentation is contemplated and authorized by law. If administered in accordance with this decree, this plan for augmentation will permit the uninterrupted diversions from the Berkheimer Wells without adversely affecting any other vested water rights in the South Platte River or its tributaries, or the Arkansas River and its tributaries and when curtailment would otherwise be required to meet a valid senior call for water. C.R.S. §§ 37-92-305(3), (5), and (8).

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED AS FOLLOWS:**

36. All of the foregoing Findings of Fact and Conclusions of Law are incorporated herein by reference, and are considered to be a part of this decretal portion as though set forth in full.

37. The Application for Adjudication of Denver Basin Groundwater and Plan for Augmentation filed by the Applicant is approved, subject to the terms of this decree.

A. Applicant is awarded a vested right to 1070 acre-feet of groundwater from the not-nontributary Dawson aquifer underlying Applicant's Property, as quantified in Paragraph 14 or as modified by the Court under its retained jurisdiction. Of this total amount, 469.8 acre-feet may be pumped pursuant to the plan for augmentation decreed herein. The remaining 600.2 acre-feet shall not be withdrawn for any purpose except pursuant to a separate court-approved plan for augmentation authorizing the pumping of such amount.

B. Applicant is awarded a vested right to 1090 acre-feet of groundwater from the not-nontributary Denver aquifer underlying Applicant's Property, as quantified in Paragraph 14 or as modified by the Court under its retained jurisdiction. Such water shall not be withdrawn for any purpose except pursuant to a separate court-approved plan for augmentation authorizing the pumping of such amount.

C. Applicant is awarded a vested right to 547 acre-feet of groundwater from the nontributary Arapahoe aquifer underlying Applicant's Property, as quantified in Paragraph 14 or as modified by the Court under its retained jurisdiction. Subject to the provisions of Rule 8 of the Denver Basin Rules, 2 CCR 402-6, limiting consumption to ninety-eight percent (98%) of the amount withdrawn, including the reservation of the 479.4 acre-feet awarded to be utilized only for replacement of post-pumping depletions under the plan for augmentation decreed herein, as described in Paragraph 23.D., above, and the other terms and conditions of this decree. Applicant's Arapahoe aquifer groundwater may be utilized for all purposes described in Paragraph 19.

D. Applicant is awarded a vested right to 372 acre-feet of groundwater from the nontributary Laramie-Fox Hills aquifer underlying Applicant's Property, as quantified in Paragraph 14 or as modified by the Court under its retained jurisdiction. Subject to the provisions of Rule 8 of the Denver Basin Rules, 2 CCR 402-6, limiting consumption to ninety-eight percent (98%) of the amount withdrawn, and the other terms and conditions of this decree. Applicant's

*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 10 of 20*

Laramie-Fox Hills aquifer groundwater may be utilized for all purposes described in Paragraph 19.

38. The Applicant has furnished acceptable proof as to all claims and, therefore, the Application for Adjudication of Denver Basin Groundwater, and Plan for Augmentation, as filed by the Applicant, is granted and approved in accordance with the terms and conditions of this decree. Approval of this Application will not result in any injury to senior vested water rights.

39. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the Dawson aquifer may occur in both the South Platte and the Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system where the majority of such depletions will occur. Applicant consolidated this matter into Water Division 1 upon completion of publication. The Court hereby finds that the total amount of depletions to both the South Platte River and the Arkansas River systems shall be replaced to the South Platte River as set forth herein, and finds that replacements to the South Platte River system as described are sufficient for this plan for augmentation

40. The Applicant shall comply with C.R.S. § 37-90-137(9)(b), requiring the relinquishment of the right to consume two percent (2%) of the amount of the nontributary groundwater withdrawn annually. Ninety-eight percent (98%) of the nontributary groundwater withdrawn annually may therefore be consumed. No plan for augmentation shall be required to provide for such relinquishment. Applicant shall be required to demonstrate to the State Engineer prior to the issuance of a well permit that no more than ninety-eight percent (98%) of the groundwater withdrawn annually will be consumed.

41. The Berkheimer Wells shall be operated such that pumping from each well does not exceed the annual (0.783 acre-feet per residence, 1.566 acre-feet combined total) and total (469.8 acre-feet) pumping limits for the Dawson aquifer as decreed herein, and is in accordance with the requirements of the plan for augmentation described herein. Consistent with Rule 11.A of the Statewide Nontributary Ground Water Rules, the Denver Basin groundwater decreed herein must be withdrawn from the "overlying land" as defined in Rule 4.A.8 of the Statewide Nontributary Ground Water Rules, and the Berkheimer Wells shall be constructed on the overlying land. The State Engineer, the Division Engineer, and/or the Water Commissioner shall not curtail the diversion and use of water by the Berkheimer Wells so long as the return flows from the annual diversions associated with the Berkheimer Wells accrue to the stream system pursuant to the conditions contained herein and all other applicable conditions of the decree are complied with. To the extent that the Applicant or one of his successors or assigns is ever unable to provide the replacement water required, then the Berkheimer Wells shall not be entitled to operate under the protection of this plan, and shall be subject to administration and curtailment in accordance with the laws, rules, and regulations of the State of Colorado. Pursuant to C.R.S. § 37-92-305(8), the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights. In order for this plan for augmentation to operate, return flows from the septic systems discussed herein shall at all times during pumping be in an amount sufficient to replace the amount of caused stream depletions, and cannot be sold, leased, or otherwise used for any purpose inconsistent with the plan for augmentation decreed herein. Applicant shall be required to have any wells pumping from the Dawson aquifer on the

*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 11 of 20*

Applicant's Property providing water for in-house use and generating septic system return flows prior to pumping the wells for any of the other uses identified in Paragraphs 19 or 23.A.

42. The Court retains jurisdiction over this matter to make adjustments in the allowed average annual amount of withdrawal from the Denver Basin aquifers, either upwards or downwards, to conform to actual local aquifer characteristics, and the Applicant need not file a new application to request such adjustments. The retained jurisdiction described in this Paragraph 43 is applicable only to the quantities of water available underlying Applicant's Property, and does not affect or include the augmentation plan decreed herein, the retained jurisdiction for which is described in Paragraphs 44 and 45, below.

A. At such time as adequate data may be available, Applicant or the State Engineer may invoke the Court's retained jurisdiction as provided in this Paragraph 43 for purposes of making a final determination of water rights as to the quantities of water available and allowed average annual withdrawals from any of the Denver Basin aquifers quantified and adjudicated herein. Any person seeking to invoke the Court's retained jurisdiction for such purpose shall file a verified petition with the Court setting forth with particularity the factual basis for such final determination of Denver Basin water rights under this decree, together with the proposed decretal language to effect the petition. Within four months of the filing of such verified petition, the State Engineer's Office shall utilize such information as available to make a final determination of water rights finding, and shall provide such information to the Court, Applicant, opposer, and the petitioning party.

B. If no protest is filed with the Court to such findings by the State Engineer's Office within sixty-three (63) days, this Court shall incorporate by entry of an Amended Decree such "final determination of water rights", and the provisions of this Paragraph 43 concerning adjustments to the Denver Basin groundwater rights based upon local aquifer conditions shall no longer be applicable. In the event of a protest being timely filed, or should the State Engineer's Office make no timely determination as provided in Paragraph 43.A, above, the "final determination of water rights" sought in the petition may be made by the Water Court after notice to all parties and following a full and fair hearing, including entry of an Amended Decree, if applicable in the Court's reasonable discretion.

43. Pursuant to C.R.S. § 37-92-304(6), the Court shall retain continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others, as pertains to the use of Denver Basin groundwater supplies adjudicated herein for augmentation purposes. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan. The Court further retains jurisdiction should the Applicant later seek to amend this decree by seeking to prove that post-pumping depletions are noninjurious, that the extent of replacement for post-pumping depletions is less than the amount of water reserved herein, and other post-pumping matters addressed in Paragraph 23.D. The Court's retained jurisdiction described in this paragraph may be invoked using the process set forth in Paragraph 45.



*Ruling of Referee and Decree  
John M. Berkheimer.  
Case No. 24CW3038  
Page 12 of 20*

44. Except as otherwise specifically provided in Paragraphs 43-44, pursuant to the provisions of C.R.S. § 37-92-304(6), this plan for augmentation decreed herein shall be subject to the reconsideration of this Court on the question of injury to vested water rights of others, for a period from the date of entry of this decree until five years following the date that Applicant begins operation of the plan for augmentation based on the subdivision of the Applicant's Property and withdrawal of water from the Berkheimer Wells. Applicant shall file a notice with the Court confirming the start of operations under the plan for augmentation within thirty-five (35) days of the start date. Any person, within such period, may petition the Court to invoke its retained jurisdiction. Any person seeking to invoke the Court's retained jurisdiction shall file a verified petition with the Court setting forth with particularity the factual basis for requesting that the Court reconsider injury to petitioner's vested water rights associated with the operation of this decree, together with proposed decretal language to effect the petition. The party filing the petition shall have the burden of proof of going forward to establish a prima facie case based on the facts alleged in the petition. If the Court finds those facts are established, Applicant shall thereupon have the burden of proof to show: (i) that the petitioner is not injured, or (ii) that any modification sought by the petitioner is not required to avoid injury to the petitioner, or (iii) that any term or condition proposed by the Applicant in response to the petition does avoid injury to the petitioner. The Division of Water Resources as a petitioner shall be entitled to assert injury to the vested water rights of others. If no petition concerning the subject of the Court's retained jurisdiction described in this paragraph 45 is filed within the period described in this paragraph, and the retained jurisdiction period is not extended by the Court in accordance with the provisions of the statute, the matter described in this paragraph shall become final under its own terms.

45. Pursuant to C.R.S. § 37-92-502(5)(a), the Applicant shall install and maintain such water measurement devices and recording devices as are deemed necessary by the State Engineer or Division Engineers, and the same shall be installed and operated in accordance with instructions from said entities. Applicant is to install and maintain a totalizing flow meter on the Berkheimer Wells and any wells operating pursuant to this decree, and are required to include geophysical logging on each newly constructed well. Any well constructed to withdraw the herein decreed groundwater may only withdraw groundwater from a single aquifer. Applicant shall read and record the well meter readings on March 31 and October 31 of each year and shall submit the meter readings, and any accounting required to administer this plan, to the Water Commissioner by April 15 and November 15 of each year, or more frequently as requested by the Water Commissioner.

46. The vested water rights, water right structures, and plan for augmentation decreed herein shall be subject to all applicable administrative rules and regulations, as currently in place or as may in the future be promulgated, of the offices of Colorado State and Division Engineers for administration of such water rights, to the extent such rules and regulations are uniformly applicable to other similarly situated water rights and water users. The Berkheimer Wells shall be permitted as non-exempt structures under the plan for augmentation decreed herein, which plan shall be implemented upon the repermitting of the Berkheimer Well No. 1 and/or construction and use of the Berkheimer Well No. 2. The State Engineer shall identify in any permits issued pursuant to this decree the specific uses which can be made of the groundwater to be withdrawn, and, to the extent the well permit application requests a use that has not been specifically identified in this decree, shall not issue a permit for any proposed use, which use the State Engineer determines to be speculative at the time of the well permit application or which would be inconsistent with the

*Ruling of Referee and Decree*  
*John M. Berkheimer.*  
*Case No. 24CW3038*  
*Page 13 of 20*

requirements of this decree, any separately decreed plan for augmentation, or any modified decree and augmentation plan.

47. The Ruling of Referee, when entered as a decree of the Water Court, shall be recorded in the real property records of El Paso County, Colorado. Copies of this ruling shall be mailed as provided by statute.

Dated September 23, 2024

BY THE REFEREE:

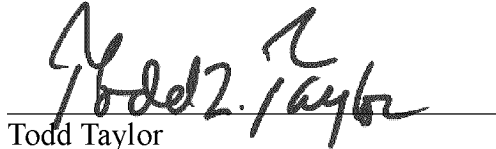


John Cowan, Water Referee  
Water Division One

The Court finds that no protest was filed in this matter. The foregoing ruling is confirmed and approved and is hereby made the judgment and decree of this Court.

Dated: October 21, 2024

BY THE COURT:



Todd Taylor  
Water Judge  
Water Division One

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 PGS 5 \$33.00 DF \$90.00  
 Electronically Recorded Official Records El Paso County CO  
 Steve Schaefer, Clerk and Recorder  
 101000 Y

## EXHIBIT A



Order No.: 370-F14008-23

### GENERAL WARRANTY DEED

Doc Fee: \$90.00

**THIS DEED**, Made this 13th day of November, 2023, between

**Monica D. Bowen, and Matthew K. Bowen,**

grantor, and

**John Matthew Berkheimer, as Tenant in Severally**

whose legal address is 14060 Black Forest Rd 913 CO 80909

grantees:

**WITNESS**, That the grantor, for and in consideration of the sum of Nine Hundred Thousand And No/100 Dollars (\$900,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of El Paso, State of COLORADO, described as follows:

That Portion of the Northeast Quarter of Section 6 in Township 12 South, Range 65 West of the 6th P.M. in El Paso County, Colorado, described as follows:

Beginning at the Southeast Corner of the Northeast Quarter of said Section 6;  
 thence West on the South Line thereof 1320 feet;  
 thence North 643 feet parallel with the East line of said Northeast Quarter;  
 thence East parallel with the South line of said Northeast Quarter 825 feet;  
 thence South 165 feet parallel with the East line of said Northeast Quarter;  
 thence East parallel with the South line of the Northeast Quarter 495 feet to the East line of said Northeast Quarter;  
 thence South 478 feet on said East line to the point of beginning;

Except that portion thereof described as follows:

Beginning at the Southeast corner of said Northeast Quarter;  
 thence West 750 feet;  
 thence North 225 feet;  
 thence East 475 feet;  
 thence Southeastery 275 feet a point on the East line of said Northeast Quarter that is 175 feet North from the point of beginning;  
 thence South 175 feet to the Point of Beginning.  
 County of El Paso, State of Colorado.

also known by street and number as 14060 Black Forest Road, Colorado Springs, CO 80909-2853

**TOGETHER** with all and singular the hereditaments and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

Deed (General Warranty)  
 CDD1258.doc / Updated: 09/28/22

Page 1

Berkheimer  
 24CW3038

EXHIBIT A

**GENERAL WARRANTY DEED**  
(continued)

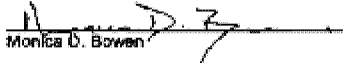
TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. And the grantor, for themselves, their heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensailing and delivery of these presents, they are well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

GRANTOR:

  
Monica D. Bowen

Matthew K. Bowen

**GENERAL WARRANTY DEED**  
(continued)

STATE OF COLORADO

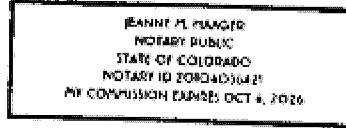
COUNTY OF Arapahoe

The foregoing instrument was acknowledged before me this 13th day of November, 2023, by Monica D. Bowen.

[Signature]  
Notary Public

My Commission Expires: 10/4/2026

(SEAL)



STATE OF COLORADO

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 13th day of November, 2023, by Matthew K. Bowen.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

(SEAL)

**GENERAL WARRANTY DEED**  
(continued)

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. And the grantor, for themselves, their heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the enrolling and delivery of these presents, they are well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except for taxes for the current year, a lien but not yet due and payable, subject to statutory exceptions as defined in CRS 38-30-113, revised.

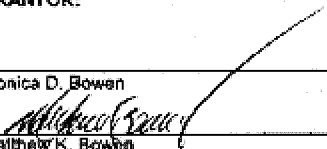
The grantor shall and will WARRANT AND FOREVER DEFEND the above bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

**GRANTOR:**

\_\_\_\_\_  
Monica D. Bowen

  
\_\_\_\_\_  
Matthew K. Bowen

**GENERAL WARRANTY DEED**

(continued)

STATE OF COLORADO

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this 13th day of November, 2023, by Monica D. Bowen.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

(SEAL)

*MICHIGAN*  
STATE OF ~~COLORADO~~

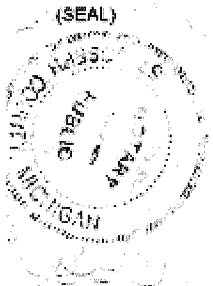
COUNTY OF *St. Joseph*

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of November, 2023, by Matthew K. Bowen.

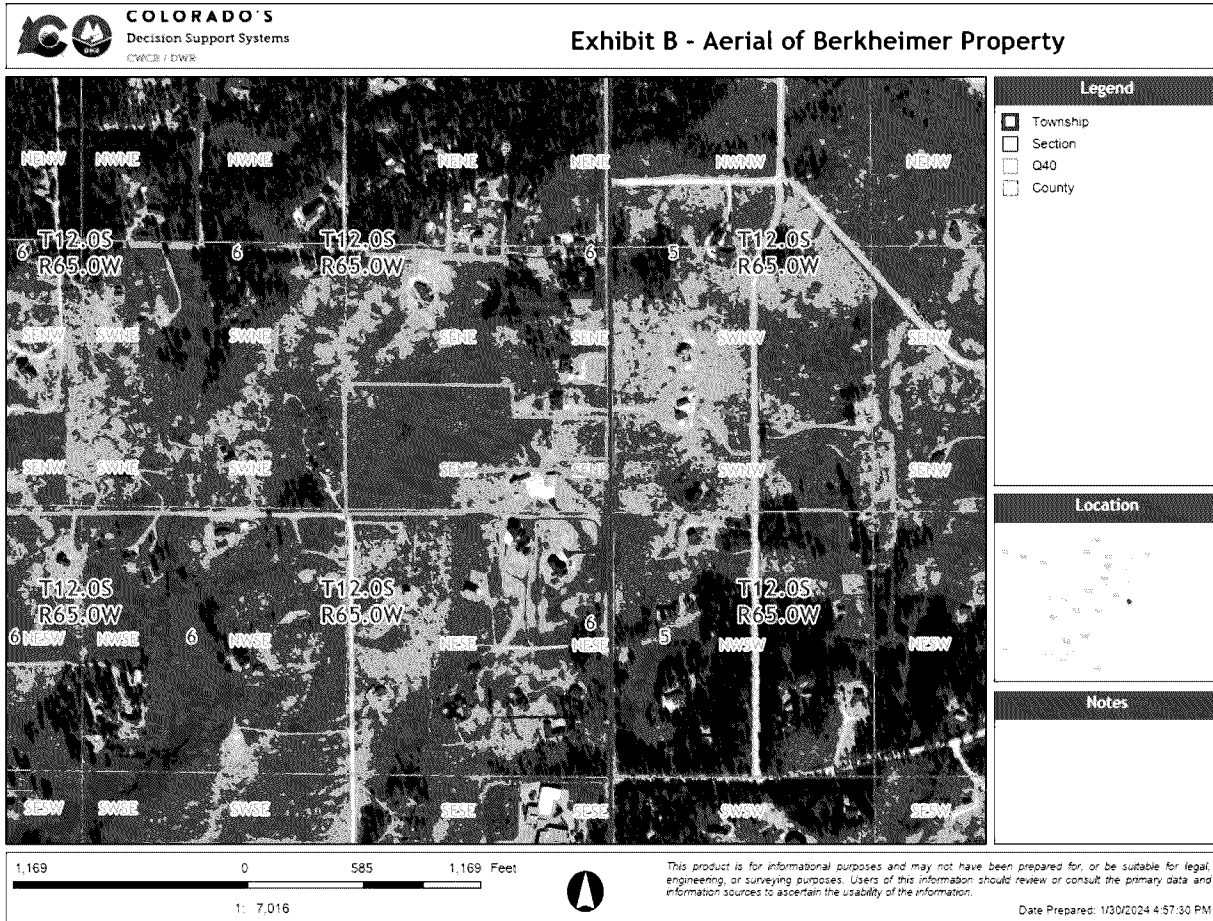
*Kelsey McClish*  
\_\_\_\_\_  
Notary Public

My Commission Expires: *1/11/2025*

(SEAL)



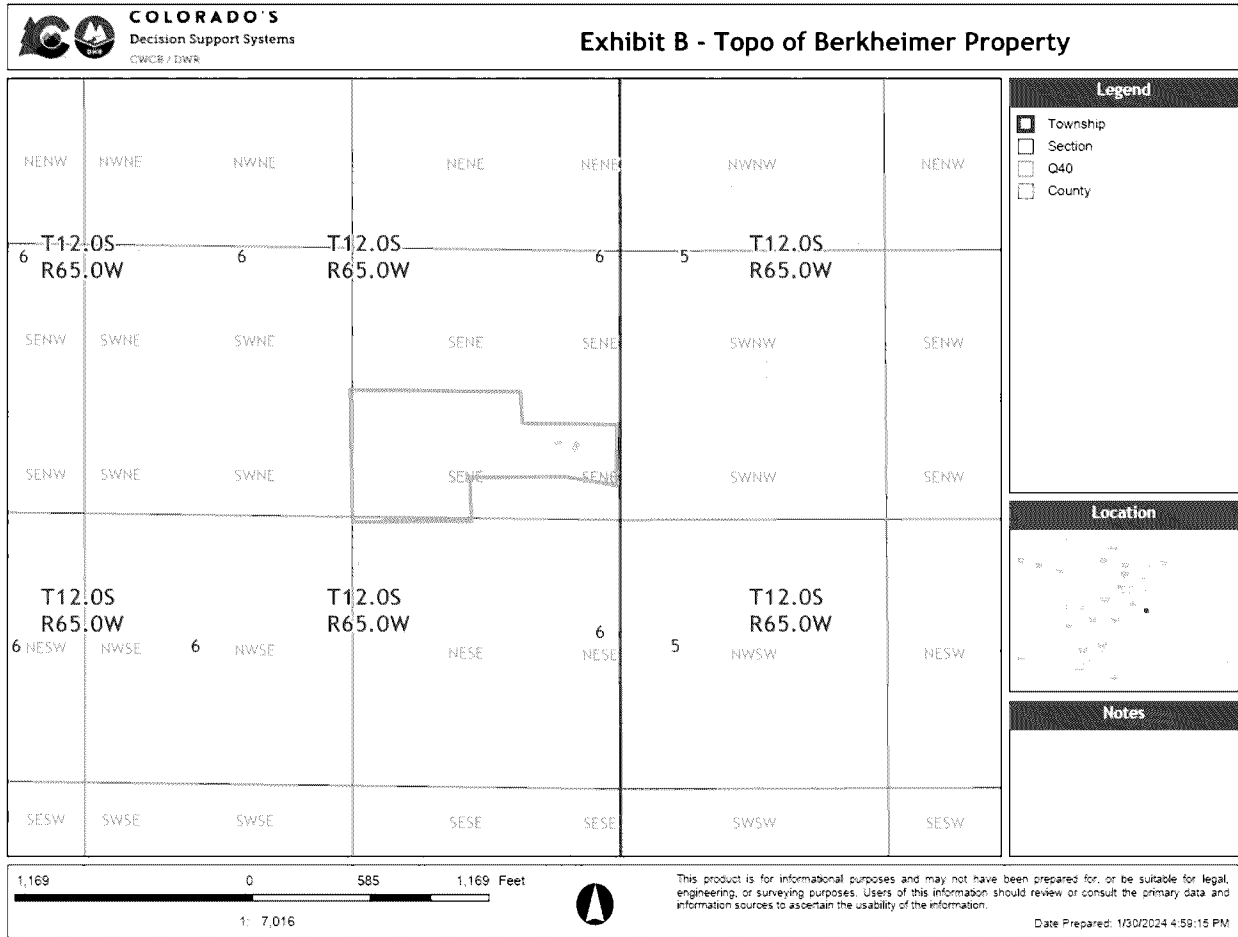
KELSEY MCCLISH  
Notary Public, Saint Joseph County, MI  
My Commission Expires 07/16/2025  
Acting in Saint Joseph County, MI



Berkheimer  
24CW3038

EXHIBIT B





Berkheimer  
24CW3038

**EXHIBIT B**

**Exhibit C      Well Permit (Permit No. 215326)**

OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

LR

WELL PERMIT NUMBER		<b>215326</b>	
DIV. 2	CNTY. 21	WD 10	DES. BASIN MD

APPLICANT

KELLEE SUMMERS  
14060 BLACK FOREST RD  
COLO SPRNG CO 80908-

(719)495-0650

Lot: Block: Filing: Subdiv:

APPROVED WELL LOCATION

EL PASO COUNTY

SE 1/4 NE 1/4 Section 6  
Twp 12 S RANGE 65 W 6th P.M.

DISTANCES FROM SECTION LINES

2500 Ft. from North Section Line  
300 Ft. from East Section Line

REGISTRATION OF EXISTING WELL


ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) This well is recorded, and permit approved, in accordance with CRS 37-92-602(5) for historic use as indicated herein and described in CRS 37-92-602(1)(b), being a well producing 15 GPM and **used for ordinary household purposes inside one (1) single family dwelling**, fire protection, the watering of domestic animals and poultry, and the irrigation of not more than 2,000 square feet of home gardens and lawns.
- 4) The date of first beneficial use, as claimed by the applicant is pre- 1960.
- 5) Approved for a well on a site of 13.4 acres located at 14060 Black Forest Road, Colorado Springs, CO 80908.
- 6) This well shall be within 200 feet from the location specified on this permit.

MPS  
1/22/99

APPROVED  
MPS

  
State Engineer

  
By

Receipt No. 0440325

DATE ISSUED **JAN 26 1999**

EXPIRATION DATE **N/A**

FORM NO. GWS-12 10/89

STATE OF COLORADO  
OFFICE OF THE STATE ENGINEER  
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

For Office Use only

PERMIT NUMBER

21

60.00

FOR INSTRUCTIONS SEE REVERSE SIDE

REGISTRATION OF EXISTING WELL

1. WELL OWNER

NAME(S) KELLEE SUMMERS  
Mailing Address 14060 BLACK FOREST RD.  
City, St. Zip COLORADO SPRINGS, CO 80908  
Phone (719) 495-0150

JAN 19 1999

WATER RESOURCES  
STATE ENGINEER

Receipt No.

TRM440325 011999  
CHECKS  
DIV OF WATER RESOURCES

2. WELL LOCATION: COUNTY EL PASO OWNER'S WELL DESIGNATION DOMESTIC  
14060 BLACK FOREST RD (Address) COLORADO SPRINGS (City) CO (State) 80908 (Zip)  
SE 1/4 of the NE 1/4, Sec. 6 Twp. 12  N. or  S., Range 65  E. or  W. 612 P.M.  
Distances from Section Lines 2500 Ft. from  N. or  S. Line, 200 Ft. from  E. or  W. Line.

3. The well has historically been used for the following purpose(s): HOUSEHOLD, PETS, SEVERAL HORSES

4. Water from the well was first used beneficially by the original owner for the above described purpose(s) on PRE - 1960.

5. The total depth of this well is 300 feet.

6. The pumping rate is 15 gallons per minute.

7. The average annual amount of water diverted is \_\_\_\_\_ acre feet.

8. The land area of home lawn and garden irrigated from this well is: 2000  Acre or  Square feet, (Number)

described as: \_\_\_\_\_ (Legal Description)  
or as \_\_\_\_\_ Subdivision Lot(s) \_\_\_\_\_ Block \_\_\_\_\_ Filing/Unit \_\_\_\_\_

I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a Class 1 misdemeanor.]

9. Name/Title (Please type or print) KELLEE SUMMERS / OWNER Signature Kellee Summers Date 1-13-99

FOR OFFICE USE ONLY

WLV ✓  
Tops ✓ Dist ✓  
623  
510

District 10 Commissioner  
Eddie Taylor 473 2124

State Engineer  
Court Case No.

Div. 2 By 21 Co 21 WD 10 Basin MD Use

COLORADO DIVISION OF WATER RESOURCES FIELD INSPECTION REPORT

Please complete this form in INK

RE:                     , appl. receipt no(s)                     

DIV. 2 WD 10  
 DATE OF INSPECTION 1/13/99 PURPOSE OF INSPECTION: LATE REG.  OTHER                     

APPLICANT: Kelley Summers WATER RESOURCES                       
STATE ENGINEER person contacted if not applicant:                     

ADDRESS: 14000 Black Forest Rd W.C. name & phone #: Rich Snyder  
Colorado Springs, CO 80908 (719) 473-2124  
 phone: (719) 495-0650

EXISTING WELL LOCATION:  
SE 114, NE 114, Sec. 4, Twp. 12 S, Rng. 65 W, 6th P.M.  
 DIST. 2500 from N/S sec. line, 300 from E/W sec. line; County El Paso  
 (if repl., give dist. & dir. to new well site -                     )

circle type of existing well. DRILLED HAND DUG, SPRING WELL, GALLERY WELL, GRAVEL PIT, OTHER                       
 any other wells are located on this parcel? (yes) how many                      (no)                      permit #, case #, use?                     

EST. DATE WELL CONSTRUCTED Pre 1960 DATE OF FIRST USE same EST. PUMPING RATE 15 gpm

TOTAL # OF ACRES IN THIS TRACT/PARCEL 13.4 ACRES  
 address of property (if different than applicant address):                       
 add. subd/parcel info:                       
 # acres irrigated (non-exempt/crop irr.)                      NAME OF AUG. PLAN?                     

USE OF WELL:  
 household use in (indicate how many) 1 single family dwelling(s)  
 watering of poultry and/or domestic animals ("domestic animals" would include a few cows, horses, etc.)  
 watering of livestock on a farm or ranch - approx. how many head?                       
 is this a feed lot?                     ; how many head?                       
 (it is important to specify estimated historic lawn/garden irr.) irr. 2000 square feet (acre of lawn and/or garden  
 fire protection                       
 commercial - drinking & san. only? (write details in "comments" section)  
 other (write details in "comments" section)

no WERE THE USES CHECKED ABOVE INITIATED PRIOR TO MAY 8, 1972?  
 NOTE: IF ANY CHANGE IN THE HISTORIC USE OF THIS WELL HAS OCCURRED SINCE MAY 8, 1972, please indicate the date(s) the use changed, and discuss this change and/or expansion of the current/proposed use in the "comments" section of this form

signed Rich Snyder dated: 1/13/99

additional comments and/or information Documentation from County Assessor's office indicates well existence as of 8/9/1960. An old pine slab outbuilding on the property is located on the Black Forest top dating it prior to 1968. The well has PVC casing, indicating some work was done  
 more room for comments on the back

on the well, possibly in the seventies, however this office has not found any record of more recent work



## Title Companies - Change of Owner Name/Contact Information

### Summary Information Overview

Order Number: 36933 Permit Number: 215326  
Date Submitted: 12/13/2023 10:50:44 AM  
eForm Name: Title Companies - Change of Owner Name/Contact Information

#### Well Identification

- Permit No **215326**
- Suffix **N/A**
- Replacement Suffix **N/A**

#### Well Address

- This is for information only and does not affect the permitted well location. **Address**
- Address **14060 Black Forest Road**
- City **Colorado Springs**
- State **Colorado**
- Zip **80908**

#### Owners and Agents

- Well Owners:

#	Name	Mailing Address	Phone	Email
1	BERKHEIMER, JOHN M	6485 CONNAUGHT DR. COLORADO SPRINGS, CO 80908	719-424-6598	AACBUILDS@GMAIL.COM

#### Signature and Certification

This form was submitted by a title company as part of a real estate transaction.



## Change in Owner Name/Contact Information for Well Permits For Use in Connection with a Real Estate Transaction

*To be completed by the individuals or entities claiming ownership of a well permit, and submitted by title companies/settlement agents as an uploaded attachment using the eForm Submittal Tool.*

### New Well Owner(s) Contact Information:

<b>Name(s)*:</b>	John Matthew Berkheimer
<b>Organization<sup>1</sup>:</b>	
<b>Mailing Address*:</b>	6485 Connaught Dr
<b>City, St., Zip*:</b>	Colorado Springs CO 80908
<b>Phone:</b>	
<b>Email(s)*:</b>	aacbuilds@gmail.com

*\*required fields to submit eForm.*


*<sup>1</sup>ONLY enter a name here if the Organization itself OWNS the well.*

### Well Permit

<b>Well Permit Number*</b>	<b>Physical Address of the parcel on which the well is located (include city and zip)</b>
215326	14060 Black Forest Road, Colorado Springs, CO 80908-2853

*\*required field (except when using the title company eForm for wells where a valid permit number cannot be identified. In those cases, this form can still be completed and uploaded; however, the permit number would be left blank on this form)*

I (we) claim and say that I am (we are) the owner(s) of the well permit described above, know the contents of the statements made herein, and state that they are true to my (our) knowledge. This filing is made pursuant to C . R . S . 37 - 90 - 143. I (we) understand that filing a Change of Owner Name/Contact Information form is for contact information purposes only. Filing this form does not convey real property.

<b>Signature of the New Owner(s)*</b>	<b>Please print the Signer's Name* &amp; Trust</b>	<b>Date*</b>
<small>DocuSigned by:</small>  <small>AE8B07A348C84B0...</small>	John Matthew Berkheimer	11/13/2023

*\*required fields*

*Note: If there are multiple owners with different mailing addresses or additional room is needed for signatures, please include this as an attachment to the form.*





**Exhibit D      Water Supply Information Summary  
(Form No. GWS-76)**

FORM NO.  
GWS-76  
05/2011

**WATER SUPPLY INFORMATION SUMMARY**  
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER  
1313 Sherman St., Room 821, Denver, CO 80203  
Main (303) 866-3581 [dwr.colorado.gov](http://dwr.colorado.gov)

Section 30-28-133,(d), C.R.S. requires that the applicant submit to the County, "Adequate evidence that a water supply that is sufficient in terms of quantity, quality, and dependability will be available to ensure an adequate supply of water."

1. NAME OF DEVELOPMENT AS PROPOSED: Berkheimer Subdivision

2. LAND USE ACTION: Minor Subdivision

3. NAME OF EXISTING PARCEL AS RECORDED:  
SUBDIVISION: \_\_\_\_\_, FILING (UNIT) \_\_\_\_\_, BLOCK \_\_\_\_\_, LOT \_\_\_\_\_

4. TOTAL ACREAGE: 13.686 | 5. NUMBER OF LOTS PROPOSED 2 | PLAT MAP ENCLOSED?  YES or  NO

6. PARCEL HISTORY – Please attach copies of deeds, plats, or other evidence or documentation.

A. Was parcel recorded with county prior to June 1, 1972?  YES or  NO

B. Has the parcel ever been part of a division of land action since June 1, 1972?  YES or  NO

If yes, describe the previous action:

7. LOCATION OF PARCEL – Include a map delineating the project area and tie to a section corner.

SE 1/4 of the NE 1/4, Section 6, Township 12  N or  S, Range 65  E or  W

Principal Meridian (choose only one):  Sixth  New Mexico  Ute  Costilla

**Optional GPS Location:** GPS Unit must use the following settings: Format must be **UTM**, Units must be **meters**, Datum must be **NAD83**, Unit must be set to **true N**,  Zone 12 or  Zone 13  
Easting: \_\_\_\_\_  
Northing: \_\_\_\_\_

8. PLAT – Location of all wells on property must be plotted and permit numbers provided.

Surveyor's Plat:  YES or  NO If not, scaled hand drawn sketch:  YES or  NO

9. ESTIMATED WATER REQUIREMENTS

USE	WATER REQUIREMENTS	
	Gallons per Day	Acre-Feet per Year
HOUSEHOLD USE # <u>2</u> of units	_____	<u>0.4</u>
COMMERCIAL USE # _____ of S. F	_____	_____
IRRIGATION # <u>0.28</u> of acres	_____	<u>0.686</u>
STOCK WATERING # <u>8</u> of head	_____	<u>0.48</u>
OTHER: _____	_____	_____
TOTAL	_____	<u>1.566</u>

10. WATER SUPPLY SOURCE

EXISTING WELL  DEVELOPED SPRING

WELL PERMIT NUMBERS  
215326

NEW WELLS -  
PROPOSED AQUIFERS – (CHECK ONE)  
 ALLUVIAL  UPPER ARAPAHOE  
 UPPER DAWSON  LOWER ARAPAHOE  
 LOWER DAWSON  LARAMIE FOX HILLS  
 DENVER  DAKOTA  
 OTHER: \_\_\_\_\_

MUNICIPAL  
 ASSOCIATION  
 COMPANY  
 DISTRICT

NAME \_\_\_\_\_  
LETTER OF COMMITMENT FOR SERVICE  YES or  NO

WATER COURT DECREE CASE NUMBERS:  
24CW3038

11. WAS AN ENGINEER'S WATER SUPPLY REPORT DEVELOPED?  YES or  NO IF YES, PLEASE FORWARD WITH THIS FORM. (This may be required before our review is completed.)

12. TYPE OF SEWAGE DISPOSAL SYSTEM

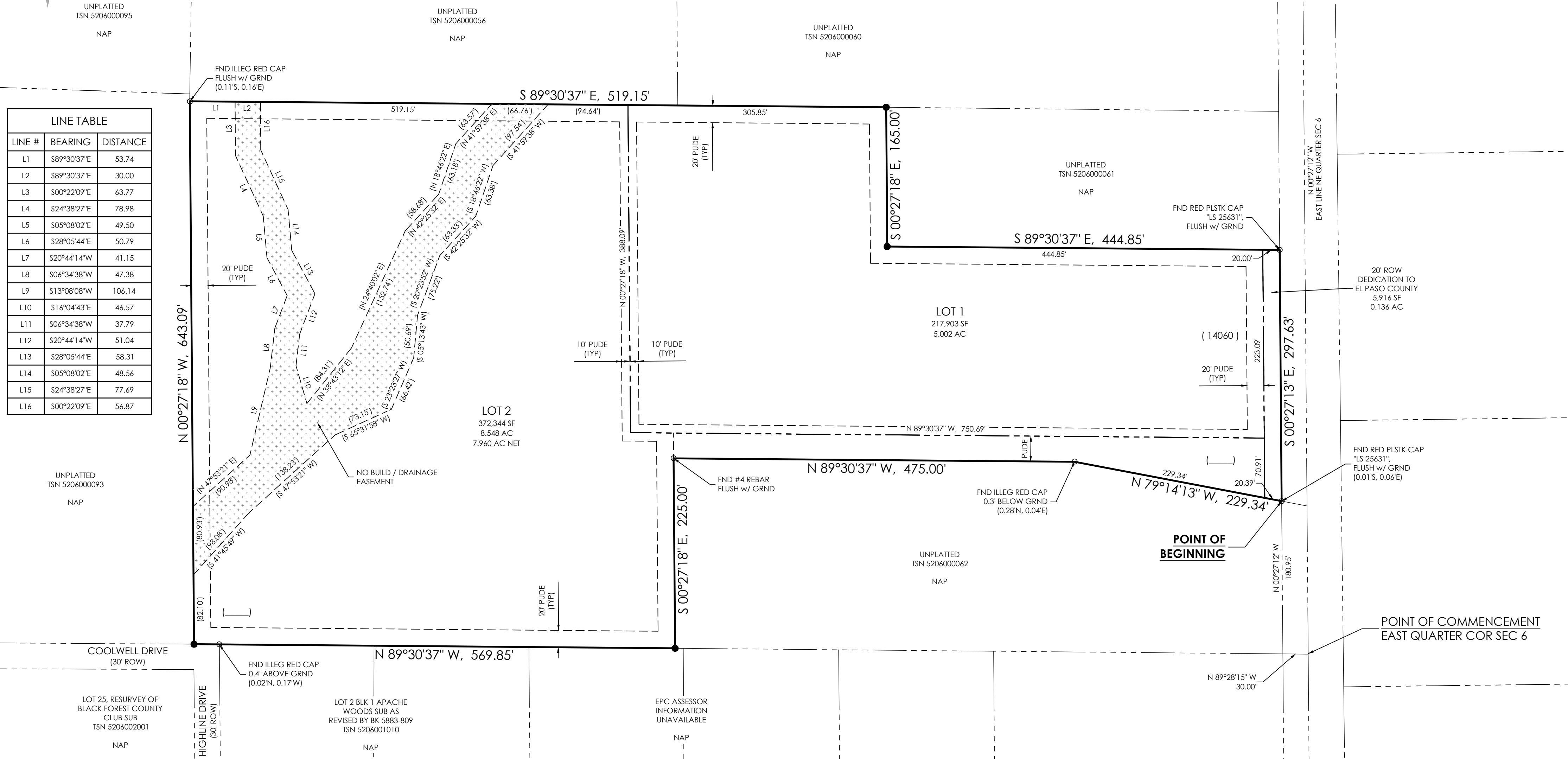
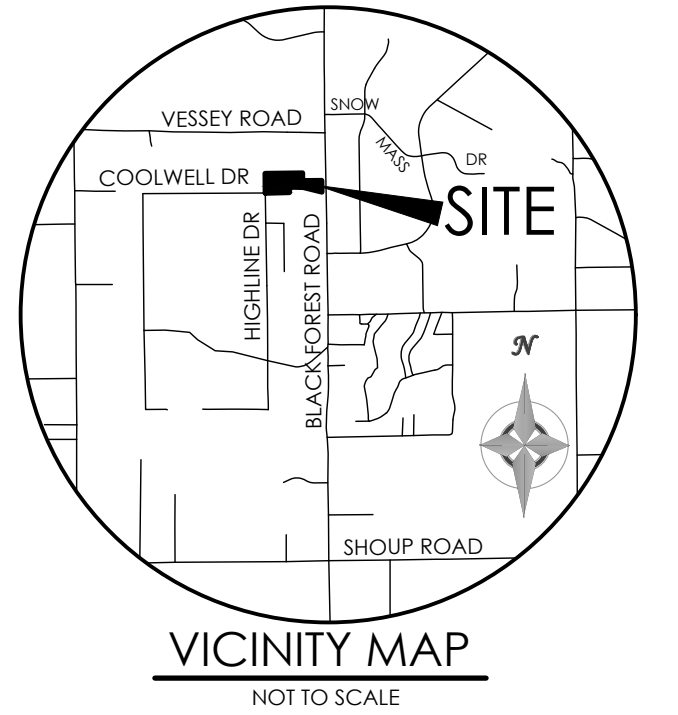
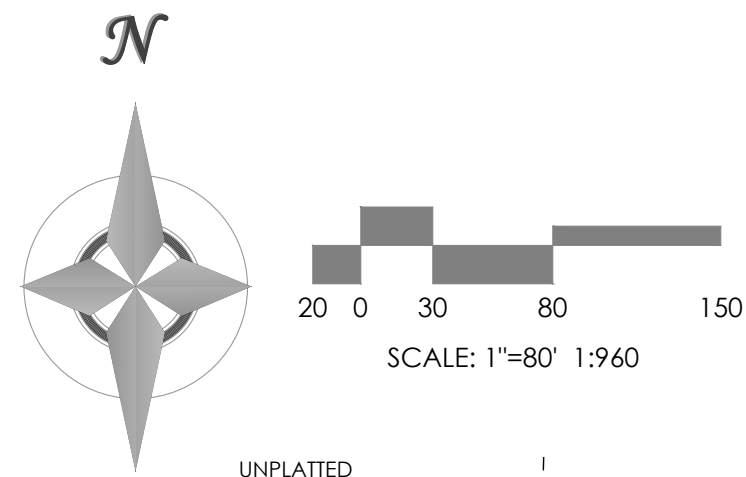
SEPTIC TANK/LEACH FIELD  CENTRAL SYSTEM  
DISTRICT NAME: \_\_\_\_\_

LAGOON  VAULT  
LOCATION SEWAGE HAULED TO: \_\_\_\_\_

ENGINEERED SYSTEM (Attach a copy of engineering design.)  OTHER:

# BERKHEIMER SUBDIVISION FILING NO. 1

A PORTION OF THE SE1/4 OF THE NE1/4 SECTION 6, TOWNSHIP 12 SOUTH, RANGE 65 WEST, EL PASO COUNTY, COLORADO



LINE #	BEARING	DISTANCE
L1	S89°30'37\"	53.74
L2	S89°30'37\"	30.00
L3	S00°22'09\"	63.77
L4	S24°38'27\"	78.98
L5	S05°08'02\"	49.50
L6	S28°05'44\"	50.79
L7	S20°44'14\"	41.15
L8	S06°34'38\"	47.38
L9	S13°08'08\"	106.14
L10	S16°04'43\"	46.57
L11	S06°34'38\"	37.79
L12	S20°44'14\"	51.04
L13	S28°05'44\"	58.31
L14	S05°08'02\"	48.56
L15	S24°38'27\"	77.69
L16	S00°22'09\"	56.87

**LEGAL DESCRIPTION:**  
**BE IT KNOWN BY THESE PRESENTS**  
THAT JOHN M. BERKHEIMER, IS THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND, TO WIT:  
A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 6, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE EAST QUARTER CORNER OF SAID SECTION 6, THENCE N 89°28'15\" W, A DISTANCE OF 30.00 FEET TO A POINT ON THE WEST LINE OF BLACK FOREST ROAD;  
THENCE N 00°27'13\" W, A DISTANCE OF 180.95 FEET ALONG THE WEST LINE OF SAID BLACK FOREST ROAD TO THE POINT OF BEGINNING;  
THENCE N 79°14'13\" W, A DISTANCE OF 229.34 FEET;  
THENCE N 89°30'37\" W, A DISTANCE OF 475.00 FEET;  
THENCE S 00°27'18\" E, A DISTANCE OF 225.00 FEET TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER;  
THENCE N 89°30'37\" W, A DISTANCE OF 569.85 FEET ALONG THE SOUTH LINE OF SAID NORTHEAST QUARTER;  
THENCE N 00°27'18\" W, A DISTANCE OF 643.09 FEET;  
THENCE S 89°30'37\" E, A DISTANCE OF 519.15 FEET;  
THENCE S 00°27'18\" E, A DISTANCE OF 165.00 FEET;  
THENCE S 89°30'37\" E, A DISTANCE OF 444.85 FEET TO A POINT ON THE WEST LINE OF SAID BLACK FOREST ROAD;  
THENCE S 00°27'13\" E, A DISTANCE OF 297.63 FEET ALONG THE WEST LINE OF SAID BLACK FOREST ROAD TO THE TRUE POINT OF BEGINNING.  
SAID TRACT CONTAINS 596,143 SF (13.686 ACRES), MORE OR LESS.

**OWNER'S CERTIFICATE**  
THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO STREETS, LOTS, AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF BERKHEIMER SUBDIVISION FILING NO. 1. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE HEREBY GRANTED ARE HEREBY GRANTED THE PERPETUAL RIGHT OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

JOHN M. BERKHEIMER, OWNER  
STATE OF COLORADO )  
COUNTY OF EL PASO ) SS  
ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 BY JOHN M. BERKHEIMER AS OWNER.  
MY COMMISSION EXPIRES \_\_\_\_\_  
WITNESS MY HAND AND OFFICIAL SEAL \_\_\_\_\_  
NOTARY PUBLIC

**BOARD OF COUNTY COMMISSIONERS CERTIFICATE**  
THIS PLAT FOR BERKHEIMER SUBDIVISION FILING NO. 1 WAS APPROVED FOR FILING BY THE EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, SUBJECT TO ANY NOTES SPECIFIED HEREON AND ANY CONDITIONS INCLUDED IN THE RESOLUTION OF APPROVAL. THE DEDICATIONS OF LAND TO THE PUBLIC (STREETS, TRACTS, EASEMENTS) ARE ACCEPTED, BUT PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME THE MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

CHAIR, BOARD OF COUNTY COMMISSIONERS \_\_\_\_\_ DATE \_\_\_\_\_  
PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_

**CLERK AND RECORDER**  
STATE OF COLORADO )  
COUNTY OF EL PASO ) SS  
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD IN MY OFFICE AT \_\_\_\_\_ O'CLOCK \_\_\_\_M. THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2024, A.D. AND IS DULY RECORDED AT RECEPTION NO. \_\_\_\_\_ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

STEVE SCHLEIGER, RECORDER  
BY: \_\_\_\_\_ DEPUTY  
SCHOOL FEE: \_\_\_\_\_  
BRIDGE FEE: \_\_\_\_\_  
PARK FEE: \_\_\_\_\_  
DRAINAGE FEE: \_\_\_\_\_

- COUNTY GOVERNMENT NOTES**
- NOTE REGARDING REPORTS ON FILE: THE FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE FINAL PLAT FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT: FINAL DRAINAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY & SOILS REPORT; AND FIRE PROTECTION REPORT.
  - ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTY. PUBLIC DRAINAGE EASEMENTS AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. HOMEBUILDERS ARE RESPONSIBLE TO ENSURE PROPER DRAINAGE AROUND STRUCTURES, INCLUDING ELEVATIONS OF FOUNDATIONS AND WINDOW WELLS IN RELATION TO SIDE-LOT DRAINAGE EASEMENTS AND SWALES. HOMEOWNERS SHALL NOT CHANGE THE GRADE OF THE LOT OR DRAINAGE SWALES WITHIN SAID EASEMENTS, AS CONSTRUCTED BY THE BUILDER, IN A MANNER THAT WOULD CAUSE ADVERSE DRAINAGE IMPACTS TO PROPERTIES, STRUCTURES, FENCES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE EASEMENTS.
  - DEVELOPER SHALL COMPLY WITH FEDERAL AND STATE LAWS, REGULATIONS, ORDINANCES, AND PERMIT REQUIREMENTS, AND OTHER AGENCY REQUIREMENTS, IF ANY, OF APPLICABLE AGENCIES INCLUDING, BUT NOT LIMITED TO, THE COLORADO DIVISION OF WILDLIFE, COLORADO DEPARTMENT OF TRANSPORTATION, U.S. ARMY CORPS OF ENGINEERS AND THE U.S. FISH AND WILDLIFE SERVICE REGARDING THE ENDANGERED SPECIES ACT, PARTICULARLY AS IT RELATES TO THE LISTED SPECIES (E.G., PEBBLES MEADOW JUMPING MOUSE).
  - THE ADDRESSES EXHIBITED ON THIS PLAT ARE FOR INFORMATIONAL PURPOSES ONLY. THEY ARE NOT THE LEGAL DESCRIPTION AND ARE SUBJECT TO CHANGE.
  - NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
  - MAILBOXES SHALL BE INSTALLED IN ACCORDANCE WITH ALL EL PASO COUNTY AND UNITED STATES POSTAL SERVICE REGULATIONS.
  - INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS FOR THE ISSUANCE OF THESE PERMITS. WATER IN THE DENVER BASIN AQUIFERS IS ALLOCATED BASED ON A 100-YEAR AQUIFER LIFE. HOWEVER, FOR EL PASO COUNTY PLANNING PURPOSES, WATER IN THE DENVER BASIN AQUIFERS IS EVALUATED BASED ON A 300-YEAR AQUIFER LIFE. APPLICANTS AND ALL FUTURE OWNERS OF THE SUBDIVISION SHOULD BE AWARE THAT THE ECONOMIC LIFE OF A WATER SUPPLY BASED ON WELLS IN A GIVEN DENVER BASIN AQUIFER MAY BE LESS THAN EITHER THE 100 YEARS OR 300 YEARS INDICATED DUE TO ANTICIPATED WATER LEVEL DECLINES. FURTHERMORE, THE WATER SUPPLY PLAN SHOULD NOT RELY SOLELY ON NON-RENEWABLE AQUIFERS. ALTERNATE RENEWABLE WATER RESOURCES SHOULD BE ACQUIRED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROVIDES FUTURE GENERATIONS WITH A WATER SUPPLY.
  - SEWAGE TREATMENT IS THE RESPONSIBILITY OF EACH INDIVIDUAL PROPERTY OWNER. THE EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT MUST APPROVE EACH SYSTEM AND, IN SOME CASES THE DEPARTMENT MAY REQUIRE AN ENGINEER DESIGNED SYSTEM PRIOR TO PERMIT APPROVAL. THESE SYSTEMS MAY COST MORE TO DESIGN, INSTALL, AND MAINTAIN.
  - THE SUBDIVIDER(S) AGREES ON BEHALF OF HIM/HERSELF AND ANY DEVELOPER OR BUILDER SUCCESSORS AND ASSIGNEES THAT SUBDIVIDER AND/OR SAID SUCCESSORS AND ASSIGNS SHALL BE REQUIRED TO PAY TRAFFIC IMPACT FEES IN ACCORDANCE WITH EL PASO COUNTY ROAD IMPACT FEE PROGRAM RESOLUTION (RESOLUTION NO. 19-471), OR ANY AMENDMENTS THERETO, AT OR PRIOR TO THE TIME OF BUILDING PERMIT SUBMITTALS. THE FEE OBLIGATION, IF NOT PAID AT FINAL PLAT RECORDING, SHALL BE DOCUMENTED ON ALL SALES DOCUMENTS AND PLAT NOTES TO ENSURE THAT A TITLE SEARCH WOULD FIND THE FEE OBLIGATION BEFORE SALE OF THE PROPERTY.
  - SOIL AND GEOLOGIC CONDITIONS: AREAS WITHIN THIS SUBDIVISION HAVING BEEN FOUND TO BE IMPACTED BY POTENTIAL GEOLOGIC CONSTRAINTS AS DETAILED IN THE SOIL AND GEOLOGIC STUDY FOR BERKHEIMER SUBDIVISION FILING NO. 1 PREPARED BY ENTECH ENGINEERING, INC. AND DATED OCTOBER 14, 2024. THE REPORT IS AVAILABLE IN THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT RECORDS (WWW.EPCDPLANVIEW.COM) UNDER FILE NUMBER \_\_\_\_\_. THE REPORT INCLUDES MAPPING OF THE POTENTIAL HAZARD AREAS WITHIN THE SUBDIVISION. A DESCRIPTION OF AFFECTED LOTS, POTENTIAL CONSTRAINTS AND MITIGATION MEASURES ARE LISTED BELOW. NO AREAS OF THE SITE EXCEED 30% IN GRADE. INDIVIDUAL SOILS INVESTIGATIONS AND FOUNDATION DESIGNS FOR ALL NEW BUILDING SITES AND SEPTIC SYSTEMS ARE

- REQUIRED ONCE BUILDING LOCATIONS HAVE BEEN DETERMINED. SHOULD GROUNDWATER OR BEDROCK BE ENCOUNTERED WITHIN 6 FEET OF THE SURFACE, DESIGNED ON-SITE WASTEWATER SYSTEMS ARE REQUIRED. WASTEWATER ABSORPTION FIELDS MUST BE LOCATED AT LEAST 100 FEET FROM ANY WELL, 50 FEET FROM DRAINAGES, FLOODPLAINS OR PONDED AREAS AND 25 FEET FROM DRY GULCHES.
- ALL LOTS: AREAS OF POTENTIALLY EXPANSIVE SOILS AND POTENTIAL FOR ELEVATED RADON LEVELS
  - LOT 2: SEASONAL SHALLOW GROUNDWATER
- PER ECM SECTION 1.7, 1.8.5, RESIDENTIAL LOTS IMPERVIOUS AREA MAY NOT EXCEED 10 PERCENT UNLESS A STUDY IS PREPARED IN COMPLIANCE WITH THE REQUIREMENTS LAID OUT IN THE ABOVE REFERENCED ECM SECTION. IMPERVIOUS AREA MAY NOT EXCEED 20 PERCENT. THIS IMPERVIOUS AREA FOR EACH LOT MUST INCLUDE THE PROPOSED DRIVEWAY.
  - INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS PER LAND DEVELOPMENT CODE 6.3.3.C2 AND 6.2.2.C.3. DUE TO THEIR LENGTH SOME OF THE DRIVEWAY MUST BE APPROVED BY THE FIRE DISTRICT.
  - OWNERS OF ALL LOTS SHALL SUBMIT AN ENGINEERED SITE PLAN AT TIME OF BUILDING PERMIT. ENGINEERED SITE PLAN SHALL DEPICT LOCATION OF PROPOSED HIGHWAY, INDIVIDUAL DRIVEWAY FROM PRIVATE DRIVEWAY TO HOUSE, AND ANY CULVERTS NECESSARY BASED ON HOUSE AND DRIVEWAY LOCATIONS.
  - LOT AND DENSITY DATA:
    - GROSS ACREAGE: 13.686 ACRES
    - TOTAL NUMBER OF LOTS IN THE SUBDIVISION: 2
    - GROSS DENSITY: 0.146 LOTS PER ACRE
    - ACREAGE DEDICATED TO PUBLIC STREETS: 0.136 ACRES
    - NET ACREAGE: 13.550 ACRES
    - NET DENSITY: 0.149 LOTS PER ACRE

- NOTES**
- BASE OF BEARING: BEARINGS REFERRED TO HEREON ARE RELATIVE TO THE EAST LINE OF THE NORTHEAST QUARTER SECTION 6, BEARING N00°27'18\" W, MONUMENTED AS SHOWN HEREON.
  - THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY M.V.E., INC. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS, RIGHTS-OF-WAY AND TITLE OF RECORD, M.V.E., INC. RELIED UPON TITLE INSURANCE POLICY PREPARED BY \_\_\_\_\_ ORDER NO. \_\_\_\_\_ WITH EFFECTIVE DATE OF \_\_\_\_\_.
  - FLOODPLAIN STATEMENT: ACCORDING TO FEMA FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 08041C0315G, DATED DECEMBER 7, 2018, THE PROPERTY IS LOCATED IN ZONE "X". (AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN).
  - LINEAL UNITS SHOWN HEREON ARE US SURVEY FEET.
  - PROPERTY IS SUBJECT TO TERMS THEREFORE GRANTED IN DECREE IN THE DISTRICT COURT, WATER DIVISION 2, STATE OF COLORADO RECORDED AT RECEPTION NO. \_\_\_\_\_.
  - NOTICE: ACCORDING TO COLORADO LAW, YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON. (SECTION 13-80-105 C.R.S.).
  - ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMIT A CLASS TWO (2) MISDEMEANOR PURSUANT TO C.R.S. § 18-4-508.

**LEGEND**

- PROPOSED SUBDIVISION BOUNDARY LINE
- PROPOSED LOT LINE
- SECTION LINE
- FOUND CORNER AS SHOWN
- SET #5 REBAR W/ ALUMINUM CAP MARKED "POLARIS, PLS 27605" FLUSH WITH THE GROUND
- ADDRESS NUMBER
- PUBLIC UTILITY AND DRAINAGE EASEMENT
- DRAINAGE EASEMENT WITH NO BUILD AND NO STORAGE OF MATERIALS
- NOT A PART OF THIS SUBDIVISION (NO AREAS OUTSIDE OF THE SHOWN BOUNDARY ARE A PART OF THIS SUBDIVISION)

**EASEMENTS**  
UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.

**SURVEYOR'S STATEMENT**  
I, RANDALL D. HENCY, A DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT OF "BERKHEIMER SUBDIVISION FILING NO. 1" TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON 08/06/22, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:10,000; AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION, OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE EL PASO COUNTY LAND DEVELOPMENT CODE AND IS NOT A WARRANTY OR GUARANTEE EITHER EXPRESSED OR IMPLIED.

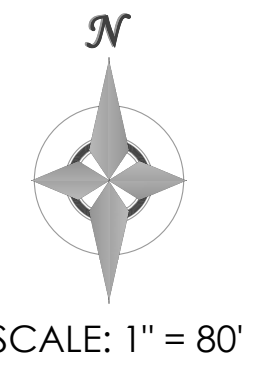
I ATTEST THE ABOVE ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.

RANDALL D. HENCY  
COLORADO REGISTERED PLS #27605  
FOR AND ON BEHALF OF M.V.E., INC.

<b>SUBMITTED:</b> 9/10/2024	<b>CONSULTANT</b> MVE, INC. DAVID GORMAN, P.E. 1903 LELARAY STREET COLORADO SPRINGS CO 80909 PH: (719) 435-5736 FAX: (719) 435-5450 DAVEG@MVECVIL.COM	<b>OWNER OF RECORD</b> AT TIME OF PLATTING: JOHN M. BERKHEIMER 14060 BLACK FOREST ROAD COLORADO SPRINGS CO, 80908
<b>REVISIONS:</b>	<b>SURVEYOR</b> RANDALL D. HENCY CO PLS NO. 27605 POLARIS SURVEYING, INC. 1903 LELARAY ST, STE 100 COLORADO SPRINGS, CO 80909 (719) 448-0844 DATE OF PREPARATION: 8/31/2023 DATE OF SURVEY: 4/25/2022	

PCD FILE NO: \_\_\_\_\_

<b>MINOR SUBDIVISION PLAT</b> <b>BERKHEIMER SUBDIVISION</b> <b>FILING NO. 1</b>	
<b>MVE, INC.</b> ENGINEERS & SURVEYORS 1903 Lelaray Street, Suite 100 Colorado Springs, CO 80909 719.635.5736 www.mvecivil.com	MVE PROJECT: 61222 MVE DRAWING: 61222-PLAT-CS DATE: SEPTEMBER 9, 2024 SHEET: 1 OF 1



## **Exhibit E      Water Quality Testing Results**

## Analytical Results

**TASK NO: 240919099**

**Report To:** David R Gorman, P.E.  
**Company:** Monument Valley Engineers - MVE Civil  
1903 Lelaray St  
Suite 200  
Colorado Springs CO 80909

**Bill To:** David R Gorman, P.E.  
**Company:** Monument Valley Engineers - MVE Ci  
1903 Lelaray St  
Suite 200  
Colorado Springs CO 80909

**Task No.:** 240919099  
**Client PO:**  
**Client Project:** Berkheimer Subdivision 61222

**Date Received:** 9/19/24  
**Date Reported:** 10/14/24  
**Matrix:** Water - Drinking

**Customer Sample ID** 001  
**Sample Date/Time:** 9/19/24 8:14 AM  
**Lab Number:** 240919099-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
Nitrate/ Nitrite Nitrogen	1.95 mg/L	Calculation	0.05 mg/L		9/24/24	-	NRP
Chloride	5.6 mg/L	EPA 300.0	0.1 mg/L	250	9/20/24	QC76359	NRP
Fluoride	0.25 mg/L	EPA 300.0	0.10 mg/L	4	9/20/24	QC76360	NRP
Nitrate Nitrogen	1.95 mg/L	EPA 300.0	0.05 mg/L	10	9/20/24	QC76361	NRP
Nitrite Nitrogen	ND mg/L	EPA 300.0	0.03 mg/L	1	9/20/24	QC76362	NRP
Sulfate	9.3 mg/L	EPA 300.0	0.1 mg/L	250	9/20/24	QC76363	NRP
Cyanide-Total	ND mg/L	EPA 335.4	0.005 mg/L		9/24/24	QC76412	KRB
<b>Total</b>							
Iron	ND mg/L	EPA 200.7	0.005 mg/L	0.3	9/24/24	QC76389	JJA
Aluminum	ND mg/L	EPA 200.8	0.001 mg/L	0.05	9/24/24	QC76387	AMJ
Antimony	ND mg/L	EPA 200.8	0.0012 mg/L	0.006	9/24/24	QC76387	AMJ
Arsenic	ND mg/L	EPA 200.8	0.0006 mg/L	0.01	9/24/24	QC76387	AMJ
Barium	0.0864 mg/L	EPA 200.8	0.0007 mg/L	2	9/24/24	QC76387	AMJ
Beryllium	ND mg/L	EPA 200.8	0.0001 mg/L	0.004	9/24/24	QC76387	AMJ
Cadmium	ND mg/L	EPA 200.8	0.0001 mg/L	0.005	9/24/24	QC76387	AMJ
Chromium	ND mg/L	EPA 200.8	0.0015 mg/L	0.1	9/24/24	QC76387	AMJ
Manganese	ND mg/L	EPA 200.8	0.0008 mg/L	0.05	9/24/24	QC76387	AMJ
Mercury	ND mg/L	EPA 200.8	0.0001 mg/L	0.002	9/24/24	QC76387	AMJ
Selenium	0.0016 mg/L	EPA 200.8	0.0008 mg/L	0.05	9/24/24	QC76387	AMJ
Silver	ND mg/L	EPA 200.8	0.0005 mg/L	0.1	9/24/24	QC76387	AMJ

**Abbreviations/ References:**

RL = Reporting Limit = Minimum Level  
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

(d) RPD acceptable due to low duplicate and sample concentrations.  
(s) The accuracy of the spike recovery value is reduced due to the analyte concentration in the sample being disproportionate to the spike level. The laboratory control sample recovery was acceptable

MCL = Maximum contaminant level per the EPA  
ND = Not Detected at Reporting Limit.

**Analytical Results**

**TASK NO: 240919099**

**Report To:** David R Gorman, P.E.  
**Company:** Monument Valley Engineers - MVE Civil  
1903 Lelaray St  
Suite 200  
Colorado Springs CO 80909

**Bill To:** David R Gorman, P.E.  
**Company:** Monument Valley Engineers - MVE Civil  
1903 Lelaray St  
Suite 200  
Colorado Springs CO 80909

<b>Task No.:</b> 240919099	<b>Date Received:</b> 9/19/24
<b>Client PO:</b>	<b>Date Reported:</b> 10/14/24
<b>Client Project:</b> Berkheimer Subdivision 61222	<b>Matrix:</b> Water - Drinking

**Customer Sample ID** 001  
**Sample Date/Time:** 9/19/24 8:14 AM  
**Lab Number:** 240919099-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
<i>Total</i>							
Thallium	ND mg/L	EPA 200.8	0.0002 mg/L	0.002	9/24/24	QC76387	AMJ
Zinc	0.102 mg/L	EPA 200.8	0.001 mg/L	5	9/24/24	QC76387	AMJ

**Abbreviations/References:**

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Report To: David R Gorman, P.E.  
Company: Monument Valley Engineers - MVE Civil

Receive Date: 9/19/24  
Project Name: Berkheimer Subdivision 61222

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Chloride	QC76359	Blank	ND	EPA 300.0	9/20/24
Cyanide-Total	QC76412	Blank	ND	EPA 335.4	9/24/24
Fluoride	QC76360	Blank	ND	EPA 300.0	9/20/24
Aluminum	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Antimony	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Arsenic	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Barium	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Beryllium	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Cadmium	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Chromium	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Manganese	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Mercury	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Selenium	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Silver	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Thallium	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Zinc	QC76387	Method Blank	ND	EPA 200.8	9/19/24
Iron	QC76389	Method Blank	ND	EPA 200.7	9/19/24
Nitrate Nitrogen	QC76361	Blank	ND	EPA 300.0	9/20/24
Nitrite Nitrogen	QC76362	Blank	ND	EPA 300.0	9/20/24
Sulfate	QC76363	Blank	ND	EPA 300.0	9/20/24

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Chloride	QC76359	Duplicate -240919138-01	0 - 20	-	2.0	EPA 300.0
		LCS	90 - 110	100.5	-	
		MS -240919138-01	75 - 125	97.3	-	
Cyanide-Total	QC76412	Duplicate -240917123-01	0 - 20	-	16.7	EPA 335.4
		LCS	90 - 110	91.1	-	
		MS -240918003-02C	75 - 125	90.5	-	
Fluoride	QC76360	Duplicate -240919138-01	0 - 20	-	0.1	EPA 300.0
		LCS	90 - 110	91.0	-	
		MS -240919138-01	75 - 125	92.0	-	
Aluminum	QC76387	LCS	90 - 110	101.3	-	EPA 200.8
		MS -240919001-01A	70 - 130	89.4	-	
		MSD -240919001-01A	0 - 10	-	5.5	
Antimony	QC76387	LCS	90 - 110	104.1	-	EPA 200.8
		MS -240919001-01A	70 - 130	104.5	-	
		MSD -240919001-01A	0 - 10	-	1.5	
Arsenic	QC76387	LCS	90 - 110	102.7	-	EPA 200.8
		MS -240919001-01A	70 - 130	125.1	-	
		MSD -240919001-01A	0 - 10	-	0.1	
Barium	QC76387	LCS	90 - 110	100.6	-	EPA 200.8

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 Date Analyzed = Date Test Completed

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 ND = Not Detected at Reporting Limit.



Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Beryllium	QC76387	MS -240919001-01A	70 - 130	102.9	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	1.5	
		LCS	90 - 110	100.4	-	
Cadmium	QC76387	MS -240919001-01A	70 - 130	75.7	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	1.5	
		LCS	90 - 110	100.0	-	
Chromium	QC76387	MS -240919001-01A	70 - 130	90.6	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	0.2	
		LCS	90 - 110	104.2	-	
Manganese	QC76387	MS -240919001-01A	70 - 130	103.0	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	1.1	
		LCS	90 - 110	106.6	-	
Mercury	QC76387	MS -240919001-01A	70 - 130	77.0	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	1.0	
		LCS	90 - 110	103.0	-	
Selenium	QC76387	MS -240919001-01A	70 - 130	105.1	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	1.4	
		LCS	90 - 110	102.3	-	
Silver	QC76387	MS -240919001-01A	70 - 130	77.3	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	0.2	
		LCS	90 - 110	101.2	-	
Thallium	QC76387	MS -240919001-01A	70 - 130	89.8	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	2.7	
		LCS	90 - 110	98.9	-	
Zinc	QC76387	MS -240919001-01A	70 - 130	106.6	-	EPA 200.8
		MSD -240919001-01A	0 - 10	-	0.2	
		LCS	90 - 110	105.4	-	
Iron	QC76389	Duplicate -240919001-01	0 - 20	-	6.5	EPA 200.7
		LCS	90 - 110	93.5	-	
		MS -240919021-02D	75 - 125	114.0	-	
Nitrate Nitrogen	QC76361	Duplicate -240919138-01	0 - 20	-	0.4	EPA 300.0
		LCS	90 - 110	96.0	-	
		MS -240919138-01	75 - 125	76.4	-	
Nitrite Nitrogen	QC76362	Duplicate -240919138-01	0 - 20	-	0.0	EPA 300.0
		LCS	90 - 110	96.3	-	
		MS -240919138-01	75 - 125	92.5	-	
Sulfate	QC76363	Duplicate -240919138-01	0 - 20	-	0.7	EPA 300.0
		LCS	90 - 110	98.7	-	
		MS -240919138-01	75 - 125	93.9	-	

All analyses were performed in accordance with approved methods under the latest revision to 40 CFR Part 136 unless otherwise identified. Based on my inquiry of the person or persons directly responsible for analyzing the wastewater samples and generating the report (s), the analyses, report, and information submitted are, to the best of my knowledge and belief, true, accurate, and complete.



DATA APPROVED FOR RELEASE BY

Abbreviations/References:

RL = Reporting Limit = Minimum Level  
 mg/L = Milligrams Per Liter or PPM  
 ug/L = Micrograms Per Liter or PPB  
 mpn/100 ml = Most Probable Number Index/ 100 ml  
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(d) RPD acceptable due to low duplicate and sample concentrations.  
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**Quotation for Analytical Services**  
Quote ID: **QBO24090051**

Prepared For: **Monument Valley Engineers - MVE CI**  
1903 Lelaray St  
Suite 200  
Colorado Springs, CO 80909

Quote Date: **Thursday, September 12, 2024**  
Turn Around Time: **10 Working Days**

Attn: **David R Gorman, P.E.**

**CAL Task**  
**240919099**

**KES**

Project: **Berkheimer Subdivision 61222**

Matrix	Description	Method	Qty	Price each	Total
Water - Drinking	Langelier Index	N/A	1	\$60.00	\$60.00
Water - Drinking	Alkalinity	SM 2320-B	1	Incl.	Incl.
Water - Drinking	Ca as CaCO3	EPA 200.7	1	Incl.	Incl.
Water - Drinking	Carb/ Bicarb	SM 2320-B	1	Incl.	Incl.
Water - Drinking	Lang Index	SM 2330-B	1	Incl.	Incl.
Water - Drinking	pH/ Temp	SM 4500-H-B	1	Incl.	Incl.
Water - Drinking	TDS	SM 2540-C	1	Incl.	Incl.
Water - Drinking	Nitrate/ Nitrite Nitrogen	Calculation	1	\$0.00	\$0.00
Water - Drinking	Fe - Total	EPA 200.7	1	\$13.00	\$13.00
Water - Drinking	Ag - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Al - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	As - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Ba - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Be - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Cd - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Cr - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Hg	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Mn - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Sb - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Se - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Tl - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Zn - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Chloride	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Fluoride	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Nitrate Nitrogen	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Nitrite Nitrogen	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Sulfate	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Total Collform P/A	SM 9223	1	\$24.00	\$24.00
Water - Drinking	Cyanide-Total	EPA 335.4	1	\$40.00	\$40.00
Water - Drinking	Gross Alpha/Beta (Sub)	SM 7110-B	1	\$70.80	\$70.80
Water - Drinking	Radium 226 (Sub)	SM 7500-Ra B	1	\$97.20	\$97.20



LABORATORIES, INC.

Water - Drinking	Radium 228 (Sub)	EPA Ra-05	1	\$146.40	\$146.40
Shipping	Cooler Shipment - UPS	UPS	1	\$30.00	\$30.00
Shipping	Sample Shipment to Outside Lab	UPS	1	\$30.00	\$30.00

**\$809.40**

**\*\*Samples should be shipped or hand delivered the same day they are collected. Orders that require sub-lab analysis should be delivered to the lab Monday thru Wednesday only.\*\***

Colorado Analytical Laboratory maintains certification by the Colorado Department of Health (CDPHE) and EPA Region 8 for Wyoming and Tribal Public Water Systems to analyze drinking water for organic contaminants (SOC's VOC's), inorganic contaminants (metals), nitrate nitrite, cyanide, fluoride and coliform bacteria.

Sub-Lab analysis pricing subject to change. Sub-Lab radiological analysis turn-around time is 4 to 8 weeks depending on sample matrix. Due to time, distance and other constraints outside of the control of CAL shipments to sub labs are not guaranteed. All shipment charges will be billed to the client regardless of shipment outcome.

Billing terms are Net 30 on approved accounts; all other accounts are COD. Additional charges may apply for accelerated turn around.

We appreciate the opportunity to be of service to you. If you have questions please call us at 303-659-2313 or visit us at [www.coloradolab.com](http://www.coloradolab.com)

## Analytical Results

**TASK NO: 240919099**

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1903 Lelaray St  
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**Customer Sample ID** 001  
**Sample Date/Time:** 9/19/24 8:14 AM  
**Lab Number:** 240919099-01

Test	Result	Method	RL	Date Analyzed	QC Batch ID	Analyzed By
Bicarbonate	53.8 mg/L as CaCO3	SM 2320-B	0.2 mg/L as CaCO3	9/23/24	-	KJP
Calcium as CaCO3	58.2 mg/L	EPA 200.7	0.1 mg/L	9/24/24	-	JJA
Carbonate	ND mg/L as CaCO3	SM 2320-B	0.2 mg/L as CaCO3	9/23/24	-	KJP
Hydroxide	ND mg/L as CaCO3	SM 2320-B	0.2 mg/L as CaCO3	9/23/24	-	KJP
Langelier Index	-1.62 units	SM 2330-B	units	9/26/24	-	DPL
pH	6.66 units	SM 4500-H-B	0.01 units	9/20/24	-	ARH
Temperature	20 °C	SM 4500-H-B	1 °C	9/20/24	-	ARH
Total Alkalinity	53.8 mg/L as CaCO3	SM 2320-B	4.0 mg/L as CaCO3	9/23/24	QC76416	KJP
Total Dissolved Solids	123 mg/L	SM 2540-C	5 mg/L	9/24/24	QC76377	ISG

**Abbreviations/References:**

RL = Reporting Limit = Minimum Level  
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

(d) RPD acceptable due to low duplicate and sample concentrations.  
(s) Spike amount low relative to the sample amount.  
ND = Not Detected at Reporting Limit.

Report To: David R Gorman, P.E.  
Company: Monument Valley Engineers - MVE Civil

Receive Date: 9/19/24  
Project Name: Berkheimer Subdivision 61222

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Total Alkalinity	QC76416	Blank	ND	SM 2320-B	9/23/24
Total Dissolved Solids	QC76377	Blank	ND	SM 2540-C	9/23/24

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Total Alkalinity	QC76416	Duplicate -240918062-02	0 - 20	-	0.9	SM 2320-B
		LCS	90 - 110	99.1	-	
		LCS-2	90 - 110	107.7	-	
Total Dissolved Solids	QC76377	Duplicate -240919115-06	0 - 10	-	0.6	SM 2540-C
		LCS	85 - 115	100.1	-	

All analyses were performed in accordance with approved methods under the latest revision to 40 CFR Part 136 unless otherwise identified. Based on my inquiry of the person or persons directly responsible for analyzing the wastewater samples and generating the report (s), the analyses, report, and information submitted are, to the best of my knowledge and belief, true, accurate, and complete.



DATA APPROVED FOR RELEASE BY

Abbreviations/ References:

RL = Reporting Limit = Minimum Level  
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

(d) RPD acceptable due to low duplicate and sample concentrations.  
(s) Spike amount low relative to the sample amount.  
ND = Not Detected at Reporting Limit.

# Drinking Water Chain of Custody



**Commerce City Lab**  
 10411 Heinz Way  
 Commerce City CO 80640  
  
**Lakewood Service Center**  
 610 Garrison Street, Unit E  
 Lakewood CO 80215  
  
**Phone: 303-659-2313**  
[www.coloradolab.com](http://www.coloradolab.com)

<b>Report To Information</b>		<b>Project Information</b>	
Company Name: <u>MVE</u>	Company Name: <u>MVE</u>	FWSID:	
Contact Name: <u>David Gorman</u>	Contact Name: <u>Berkheimer Well</u>	System Name:	
Address: <u>1903 LeLaray St., Suite 200</u>	Address: <u>1903 LeLaray St., Suite 200</u>	Compliance Samples: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
City: <u>Colo. Spgs</u> State: <u>CO</u> Zip: <u>80909</u>	City: <u>Colo. Spgs</u> State: <u>CO</u> Zip: <u>80909</u>	Send Results to CDPHE: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Phone: <u>719-635-5736</u>	Phone: <u>719-635-5736</u>	Task Number (Lab Use Only)	<u>CAL Task</u>
Email: <u>DAVEGD@MVEcivil.com</u>	Email: <u>DAVEGD@MVEcivil.com</u>		<u>240919099</u>
Sample Collector: <u>Sara L. Bergstrom</u>	Sample Collector: <u>Sara L. Bergstrom</u>		<u>KES</u>
Sample Collector Phone: <u>719-331-3847</u>	Sample Collector Phone: <u>719-331-3847</u>		

Report To Information		Project Information		PHASE I, II, V Drinking Water Analyses (check requested analysis)												Subcontract Analyses																
Date	Time	Client Sample ID / Sample Pt ID	No. of Containers	Residual Chlorine (mg/L)	P/A Samples Only	Total Coliform P/A	504.1 EDB/BCP	505 Pests/PCBs	515.4 Herbicides	524.2 VOCs	525.2 SOCs-Pest	531.1 Carbamates	547 Glyphosate	548.1 Endothal	549.2 Diquat	524.2 THMs	552.2 HAA5s	Lead/Copper	Nitrate	Nitrite	Fluoride	Inorganics	Alk./Lang. Index (Circle)	TOC, DOC (Circle)	SUVA, UV 254 (Circle)	Gross Alpha/Beta	Radium 226/228	Radon	Uranium	Chlorite		
9-19-24	0814	001																														
		9 bottles																														

**Instructions:**  
 Refer to extra sheet

Delivered Via: Hand C/S Change  Date/Time: 9-19-24  
 Relinquished By: Minnie Gorman Date/Time: 9-19-24  
 Received By: Ray U. Date/Time: 9-19-24

Seals Present Yes  No  Headspace Yes  No   
 Temp. 17.1 °C/F 63 Sample Pres. Yes  No   
 Received By: Ray U. Date/Time: 9-19-24



**Quotation for Analytical Services**  
Quote ID: **QBO24090051**

**Prepared For:** **Monument Valley Engineers - MVE Ci**  
1903 Lelaray St  
Suite 200  
Colorado Springs, CO 80909

**Quote Date:** **Thursday, September 12, 2024**  
**Turn Around Time:** **10 Working Days**

**Attn:** **David R Gorman, P.E.**

**CAL Task**  
**240919099**

**KES**

**Project:**  
**Berkheimer Subdivision 61222**

Matrix	Description	Method	Qty	Price each	Total
Water - Drinking	Langelier Index	N/A	1	\$60.00	\$60.00
Water - Drinking	Alkalinity	SM 2320-B	1	Incl.	Incl.
Water - Drinking	Ca as CaCO3	EPA 200.7	1	Incl.	Incl.
Water - Drinking	Carb/ Bicarb	SM 2320-B	1	Incl.	Incl.
Water - Drinking	Lang Index	SM 2330-B	1	Incl.	Incl.
Water - Drinking	pH/ Temp	SM 4500-H-B	1	Incl.	Incl.
Water - Drinking	TDS	SM 2540-C	1	Incl.	Incl.
Water - Drinking	Nitrate/ Nitrite Nitrogen	Calculation	1	\$0.00	\$0.00
Water - Drinking	Fe - Total	EPA 200.7	1	\$13.00	\$13.00
Water - Drinking	Ag - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Al - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	As - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Ba - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Be - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Cd - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Cr - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Hg	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Mn - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Sb - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Se - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Tl - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Zn - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Chloride	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Fluoride	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Nitrate Nitrogen	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Nitrite Nitrogen	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Sulfate	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Total Coliform P/A	SM 9223	1	\$24.00	\$24.00
Water - Drinking	Cyanide-Total	EPA 335.4	1	\$40.00	\$40.00
Water - Drinking	Gross Alpha/Beta (Sub)	SM 7110-B	1	\$70.80	\$70.80
Water - Drinking	Radium 226 (Sub)	SM 7500-Ra B	1	\$97.20	\$97.20





LABORATORIES, INC.

Water - Drinking	Radium 228 (Sub)	EPA Ra-05	1	\$146.40	\$146.40
Shipping	Cooler Shipment - UPS	UPS	1	\$30.00	\$30.00
Shipping	Sample Shipment to Outside Lab	UPS	1	\$30.00	\$30.00

**\$809.40**

**\*\*Samples should be shipped or hand delivered the same day they are collected. Orders that require sub-lab analysis should be delivered to the lab Monday thru Wednesday only.\*\***

Colorado Analytical Laboratory maintains certification by the Colorado Department of Health (CDPHE) and EPA Region 8 for Wyoming and Tribal Public Water Systems to analyze drinking water for organic contaminants (SOC's VOC's), inorganic contaminants (metals), nitrate nitrite, cyanide, fluoride and coliform bacteria.

Sub-Lab analysis pricing subject to change. Sub-Lab radiological analysis turn-around time is 4 to 8 weeks depending on sample matrix. Due to time, distance and other constraints outside of the control of CAL shipments to sub labs are not guaranteed. All shipment charges will be billed to the client regardless of shipment outcome.

Billing terms are Net 30 on approved accounts; all other accounts are COD. Additional charges may apply for accelerated turn around.

We appreciate the opportunity to be of service to you. If you have questions please call us at 303-659-2313 or visit us at [www.coloradolab.com](http://www.coloradolab.com)

**Analytical Results**

**TASK NO: 240919099**

**Report To:** David R Gorman, P.E.  
**Company:** Monument Valley Engineers - MVE Civil  
1903 Lelaray St  
Suite 200  
Colorado Springs CO 80909

**Bill To:** David R Gorman, P.E.  
**Company:** Monument Valley Engineers - MVE Ci  
1903 Lelaray St  
Suite 200  
Colorado Springs CO 80909

<b>Task No.:</b> 240919099	<b>Date Received:</b> 9/19/24
<b>Client PO:</b>	<b>Date Reported:</b> 10/14/24
<b>Client Project:</b> Berkheimer Subdivision 61222	<b>Matrix:</b> Water - Drinking

Lab Number	Customer Sample ID	Sample Date/Time	Test	Result	Method	Date Analyzed
240919099-01C 001		9/19/24 8:14 AM	Total Coliform	Absent	SM 9223	9/20/24
			E-Coli	Absent	SM 9223	9/20/24

**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

# Drinking Water Chain of Custody



<b>Report To Information</b> Company Name: <u>MVE</u> Contact Name: <u>David Gorman</u> Address: <u>1903 LeLaray St., Suite 200</u> City: <u>Colo. Spgs</u> State: <u>CO</u> Zip: <u>80909</u> Phone: <u>719-635-5736</u> Email: <u>Daveg@mvecivil.com</u> Sample Collector: <u>Sara L. Bergstrom</u> Sample Collector Phone: <u>719-331-3847</u>		<b>Project Information</b> PWSID: System Name: <u>Berkheimer Well</u> Compliance Samples: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Send Results to CDDPHE: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Task Number (Lab Use Only): <u>CAL Task</u> <u>240919099</u> <u>KES</u>	
<b>Bill To Information (if different from report to)</b> Company Name: <u>MVE</u> Contact Name: Address: <u>1903 LeLaray St., Suite 200</u> City: <u>Colo. Spgs</u> State: <u>CO</u> Zip: <u>80909</u> Phone: <u>719-635-5736</u> Email: <u>Daveg@mvecivil.com</u> PO Number:			

Date		Time	Client Sample ID / Sample PEID	No. of Containers	Residual Chlorine (mg/L)	P/A Samples Only	PHASE I, II, V Drinking Water Analyses (check requested analysis)												Subcontract Analyses												
9-19-24		0814	001				Total Coliform P/A	504.1 EDB/D/BCP	505 Pests/PCBs	515.4 Herbicides	524.2 VOCs	525.2 SOCs-Pest	531.1 Carbamates	547 Glyphosate	548.1 Endothal	549.2 Diquat	524.2 THMs	552.2 HAA5s	Lead/Copper	Nitrate	Nitrite	Fluoride	Inorganics	Alk/Lang. Index (Circle)	TOC, DOC (Circle)	SUVA, UV 254 (Circle)	Gross Alpha/Beta	Radium 226/228	Radon	Uranium	Chlorite
Instructions: Refer to extra sheet				Seals Present Yes <input type="checkbox"/> No <input type="checkbox"/> Headspace Yes <input type="checkbox"/> No <input type="checkbox"/>												Delivered Via: <u>Hand</u> C/S Change <input checked="" type="checkbox"/> Temp. <u>12.1</u> °C/°F <u>✓</u> Sample Pres. Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>															
Relinquished By: <u>Almonie Caplan</u>		Date/Time: <u>9-19-24</u>		Received By: _____		Date/Time: _____		Relinquished By: _____		Date/Time: _____		Received By: <u>Ray U.</u>		Date/Time: <u>9-19-24</u>		Date/Time: <u>12:37</u>															



**Quotation for Analytical Services**  
Quote ID: **QBO24090051**

**Prepared For:** **Monument Valley Engineers - MVE Ci**  
1903 Lelaray St  
Suite 200  
Colorado Springs, CO 80909

**Quote Date:** **Thursday, September 12, 2024**  
**Turn Around Time:** **10 Working Days**

**Attn:** **David R Gorman, P.E.**

**CAL Task**  
**240919099**

**Project:**  
**Berkheimer Subdivision 61222**

**KES**

Matrix	Description	Method	Qty.	Price, each	Total
Water - Drinking	Langelier Index	N/A	1	\$60.00	\$60.00
Water - Drinking	Alkalinity	SM 2320-B	1	Incl.	Incl.
Water - Drinking	Ca as CaCO3	EPA 200.7	1	Incl.	Incl.
Water - Drinking	Carb/ Bicarb	SM 2320-B	1	Incl.	Incl.
Water - Drinking	Lang Index	SM 2330-B	1	Incl.	Incl.
Water - Drinking	pH/ Temp	SM 4500-H-B	1	Incl.	Incl.
Water - Drinking	TDS	SM 2540-C	1	Incl.	Incl.
Water - Drinking	Nitrate/ Nitrite Nitrogen	Calculation	1	\$0.00	\$0.00
Water - Drinking	Fe - Total	EPA 200.7	1	\$13.00	\$13.00
Water - Drinking	Ag - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Al - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	As - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Ba - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Be - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Cd - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Cr - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Hg	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Mn - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Sb - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Se - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Tl - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Zn - Total	EPA 200.8	1	\$16.00	\$16.00
Water - Drinking	Chloride	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Fluoride	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Nitrate Nitrogen	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Nitrite Nitrogen	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Sulfate	EPA 300.0	1	\$18.00	\$18.00
Water - Drinking	Total Coliform P/A	SM 9223	1	\$24.00	\$24.00
Water - Drinking	Cyanide-Total	EPA 335.4	1	\$40.00	\$40.00
Water - Drinking	Gross Alpha/Beta (Sub)	SM 7110-B	1	\$70.80	\$70.80
Water - Drinking	Radium 226 (Sub)	SM 7500-Ra B	1	\$97.20	\$97.20



LABORATORIES, INC.

CAL Task  
240919099

Quotation for Analytical Services

Quote ID: QBO24090051

KES

Water - Drinking	Radium 228 (Sub)	EPA Ra-05	1	\$146.40	\$146.40
Shipping	Cooler Shipment - UPS	UPS	1	\$30.00	\$30.00
Shipping	Sample Shipment to Outside Lab	UPS	1	\$30.00	\$30.00

**\$809.40**

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

Lab Control ID: 24H02886  
Received: Sep 23, 2024  
Reported: Oct 11, 2024  
Purchase Order No.  
None Received

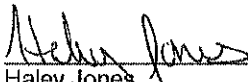
Customer ID: 05377Z  
Account ID: Z01034

Rebecca Manzanares  
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*

Reviewed and approved by:

  
\_\_\_\_\_  
Haley Jones  
Analytical QA Manager



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

Lab Control ID: 24H02886  
 Received: Sep 23, 2024  
 Reported: Oct 11, 2024  
 Purchase Order No.  
 None Received

Customer ID: 05377Z  
 Account ID: Z01034

**ANALYTICAL REPORT**

Rebecca Manzanares  
 Colorado Analytical Laboratories, Inc.

<b>Lab Sample ID</b>			24H02886-001					
<b>Customer Sample ID</b>			240919099-01D - Berkheimer Subdivision - 61222 - 001 sampled on 09/19/24 @ 0814					
<b>Parameter</b>	<b>Units</b>	<b>Code</b>	<b>Result</b>	<b>Precision* +/-</b>	<b>Detection Limit</b>	<b>Method</b>	<b>Analysis Date / Time</b>	<b>Analyst</b>
Gross Alpha	pCi/L	T	3.5	2.4	1.7	SM 7110 B	10/01/24 @ 1500	KT
Gross Beta	pCi/L	T	6.5	2.6	1.7	SM 7110 B	10/01/24 @ 1500	KT

<b>Lab Sample ID</b>			24H02886-002					
<b>Customer Sample ID</b>			240919099-01E - Berkheimer Subdivision - 61222 - 001 sampled on 09/19/24 @ 0814					
<b>Parameter</b>	<b>Units</b>	<b>Code</b>	<b>Result</b>	<b>Precision* +/-</b>	<b>Detection Limit</b>	<b>Method</b>	<b>Analysis Date / Time</b>	<b>Analyst</b>
Radium-226	pCi/L	T	1.7	0.5	0.2	SM 7500-Ra B	09/27/24 @ 1325	KT
Radium-228	pCi/L	T	3.2	0.9	0.2	EPA pg.19	10/01/24 @ 1227	JR

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) = Replicate Sample (AR) = As Received < = Less Than

**Batch QC Summary Form**

Analyte: Gross Alpha

Control Standard/LFB: ID: C11-006 pCi/mL: 57.4 (use 1 diluted)

Spike Solution: ID: C11-006 pCi/mL: 57.4 (use 1 mL)

Spike Recovery Calculation: Sample: Tap spike

$$\text{Calculation: } \frac{(299.8) - (0.200)}{57.4} - \frac{(3.1) - (0.200)}{57.4} \times 100 = 103\%$$

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 evaluated in this report.

Batch Listing by Lab Control Number:

<u>24H02824</u>	<u>24H02910</u>
<u>24H02935</u>	<u>24H02911</u>
<u>24H02852</u>	<u>24H02929</u>
<u>24H02853</u>	<u>24H02930</u>
<u>24H02862</u>	<u>24H02931</u>
<u>24H02865</u>	<u>24H02936</u>
<u>24H02872</u>	_____
<u>24H02873</u>	_____
<u>24H02886</u>	_____

Evaluator:

*Roxanne Sullivan* \_\_\_\_\_

10/08/2024

Date



**Batch QC Summary Form**

Analyte: Gross Beta

Control Standard/LFB: ID: C11-006 pCi/mL: 44 (use 1 diluted)

Spike Solution: ID: C11-006 pCi/mL: 44 (use 1 mL)

Spike Recovery Calculation: Sample: Tap spike

$$\text{Calculation: } \frac{(212.3) - (0.200)}{44} - \frac{(5.0) - (0.200)}{44} \times 100 = 94\%$$

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 evaluated in this report.

Batch Listing by Lab Control Number:

<u>24H02824</u>	<u>24H02911</u>
<u>24H02852</u>	<u>24H02929</u>
<u>24H02853</u>	<u>24H02930</u>
<u>          </u>	<u>24H02931</u>
<u>          </u>	<u>24H02936</u>
<u>24H02871</u>	<u>          </u>
<u>24H02872</u>	<u>          </u>
<u>24H02873</u>	<u>          </u>
<u>24H02886</u>	<u>          </u>

Evaluator:

*Handwritten Signature* \_\_\_\_\_

10/07/2024

Date

**Batch QC Summary Form**

Analyte: Radium-226

Control Standard/LFB: ID: C73-006 pCi/mL: 21.1 (use 2 diluted)

Spike Solution: ID: C73-006 pCi/mL: 21.1 (use 2 mL)

Spike Recovery Calculation: Sample: 24H02886-02b

$$\text{Calculation: } \frac{(46.3) (1.000) - (1.7) (1.000)}{42.2} \times 100 = 106\%$$

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 evaluated in this report.

Batch Listing by Lab Control Number:

24H02885 \_\_\_\_\_  
24H02886 \_\_\_\_\_  
24H02902 \_\_\_\_\_  
24H02910 \_\_\_\_\_  
24H02911 \_\_\_\_\_  
24H02840 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluator:  
 \_\_\_\_\_

Date: 10/02/2024

**Batch QC Summary Form**

Analyte: Radium-228

Control Standard/LFB: ID: C6-008 pCi/mL: 14.2 (use 5 diluted)

Spike Solution: ID: C6-008 pCi/mL: 14.2 (use 5 mL)

Spike Recovery Calculation: Sample: 24H02935-2b

$$\text{Calculation: } \frac{(71.1) (1.000) - (2.2) (1.000)}{71} \times 100 = 97.0\%$$

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 evaluated in this report.

Batch Listing by Lab Control Number:

24H02792 \_\_\_\_\_  
24H02833 \_\_\_\_\_  
24H02848 \_\_\_\_\_  
24H02862 \_\_\_\_\_  
24H02886 \_\_\_\_\_  
24H02902 \_\_\_\_\_  
24H02935 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluator:  
 \_\_\_\_\_

10/07/2024  
 \_\_\_\_\_  
 Date



LABORATORIES, INC.

24H 02886

Ship To: Hazen Research  
 Preserved: Y/N  
 HNO3 Lot #: 2021041412  
 Date Preserved: 9/19/24

<b>Report To Information</b> Company Name: Colorado Analytical Laboratory Report To: Rebecca Manzanares E-Mail: rebeccamanzanares@coloradolab.com		<b>Bill To Information. (if different from report to)</b> Address: CAL TASK 240919099 KES		<b>Project Name</b> 61222 Berkeimer Subdivision	
Address: 10411 Heinz Way Commerce City, CO 80640 Phone: 303-659-2313		Compliance Samples: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Submit Data to CDPHE: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			

Tests Requested

Sample Date/Time	Sample ID	Matrix	Radium 226 (Sub)	Gross Alpha/Beta (Sub)	Radium 228 (Sub)	Container Type
9/19/24	8-14 AM/240919099-01D - 001	Water - Drinking	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1L - Unpreserved
9/19/24	8-14 AM/240919099-01E - 001	Water - Drinking	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4 - 1L - Unpreserved

Comment:

Radon Checked Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Air Bubbles? NO  YES   
 Headspace? NO  YES   
 Initial \_\_\_\_\_ Date: \_\_\_\_\_  
 pH Check and Preservation Acid Lot #: \_\_\_\_\_  
 Initial pH check date: 9/12/24 Time: 11:14  
 2nd pH check date: 9/12/24 Time: 4:12  
 Final pH 7 Preserved by: AK

4.1

Relinquished by: <u>WB</u> (Signature)	Date: Time: _____	Received by: <u>[Signature]</u> (Signature)	Date: Time: <u>09/23/24</u>	Relinquished by: _____ (Signature)	Date: Time: _____	Received by: _____ (Signature)	Date: Time: _____
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