

DISTRICT COURT, WATER DIVISION 1, COLORADO Weld County Courthouse P. O. Box 2038 Greeley, CO 80632	
APPLICATION FOR AMENDMENT OF AN AUGMENTATION PLAN OF DOUGLAS BNB, LLC., Applicant, IN EL PASO COUNTY	▲ COURT USE ONLY ▲
<i>Attorneys for Applicant:</i> James J. Petrock, #2881 Eric K. Trout, #48640 Hayes Poznanovic Korver, LLC 1999 Broadway, Suite 3200 Denver, CO 80202 P: 303-825-1980 jjp@hpkwaterlaw.com eric@hpkwaterlaw.com	Case Number: 2021CW____ (Case No. 2013CW19)
APPLICATION FOR AMENDMENT OF AN AUGMENTATION PLAN	

1. Name, address, and phone number of Applicant:

Douglas BNB, LLC.
3805 Walker Road
Colorado Springs, CO 80908
719-481-2083

2. Decree for Which Amendment is Sought: Case No. 2013CW19, District Court, Water Division 1, decreed on August 12, 2013, associated with 20.2 acres generally located in the NE1/4 NE1/4 of Section 15, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado, as shown on **Exhibit A** (“Subject Property”). Applicant is the owner of the groundwater as decreed in Case No. 2013CW19. Applicant is the sole owner of the Subject Property.

3. Proposed Amendment: In the original decree, an augmentation plan was approved for use of 4.5 acre-feet per year of not nontributary Dawson aquifer groundwater, as follows:

Uses	Annual Amount
In-building commercial use	1 acre-foot
Two single-family residences	0.8 acre-feet
Irrigation of up to one acre of lawn, garden, and trees	2 acre-feet
Stockwatering of up to 8 large domestic animals	0.1 acre-feet
Storage or use in a water feature	0.6 acre-feet
Total	4.5 acre-feet

By this application, Applicant requests that the 4.5 acre-feet per year of not nontributary Dawson aquifer groundwater be increased to 5.5 acre-feet per year and reallocated, as follows:

Uses	Annual Amount
In-building commercial use	3.5 acre-feet
One single-family residence	0.4 acre-feet
Irrigation of up to half an acre of lawn, garden, and trees (21,780 square feet)	1 acre-foot
Storage or use in a water feature	0.2 acre-feet
Use in a swimming pool, sauna, and spa	0.4 acre-feet
Total	5.5 acre-feet

Depletions occur to the West Cherry Creek stream system and return flows accrue to that stream system. No other provisions of the original decree will be changed.

Applicants request that this Court enter a decree granting this application and for a finding that the change requested herein will not injuriously affect other owners or users of vested or conditional water rights, and for such other relief as it deems proper in the premises.

Respectfully submitted this 26th day of February, 2021.

HAYES POZNANOVIC KORVER, LLC.

//s// Eric K Trout

James J. Petrock, #2881

Eric K. Trout, #48640

VERIFICATION

I, Raimere Fitzpatrick, Project Manager for Applicant, declare under penalty of perjury under the law of Colorado that the foregoing is true and correct.

Executed on the 24th day of February, 2021, at Colorado Springs, Colorado.



Raimere Fitzpatrick, AICP, Project Manager for Applicant

This document was e-filed pursuant to C.R.C.P. 121 and a printed or printable copy with the original, electronic, or scanned signatures is available for inspection upon request at the offices of Hayes Poznanovic Korver, LLC.