



# WATER RESOURCE REPORT (Revised January 2026)

## LAZY Y ROCKIN' J RV PARK FINAL PLAT

January 30, 2026

**Prepared by:**

HR Green, LLC.

1975 Research Parkway, Suite 220

Colorado Springs, CO 80920

(719) 300-4140

**Prepared for:**

Scott Smith

Lazy Y Rockin' J RV Park



## **TABLE OF CONTENTS**

### **1.0 WATER RESOURCE REPORT**

#### **A. Summary of Proposed Subdivision**

#### **B. Information Regarding Sufficient Quantity of Water**

- i. Calculation of Water Demand
- ii. Calculation of Quantity of Water Available
- iii. Groundwater Source Information
- iv. Production Wells Information
- v. Surface Water Sources

#### **C. Information Regarding Sufficient Dependability of Water Supply**

- i. Proof of Ownership
- ii. Financial Plan
- iii. Description of Water Supply
- iv. Calculation Demonstrating Quantity
- v. Evidence of Water System Source
- vi. Evidence of Short-Term Supply for Fire

#### **D. Information Regarding Sufficient Quality**

- i. Chemical Analysis of Proposed Water from Each Proposed Source
- ii. Evidence of Compliance with County and State Water Quality Standard
- iii. Discussion of Potential for Water Quality Degradation from On-site and Off-site Sources

#### **E. Public and Private Commercial Water Providers**

- i. Information from commercial water providers
- ii. Water Providers Report

#### **F. State Engineer Summary Narrative**

### **2.0 EXHIBITS**

**Exhibit 1 – Land Plan Map**

**Exhibit 2 – RV Park Design Flow Analysis**

**Exhibit 3 – Water Supply Information Summary**

**Exhibit 4 – Verification of the Groundwater Determination**



## 1.0 WATER RESOURCE REPORT

### A. Summary of the Proposed Subdivision

The purpose of this report is to discuss the specific water needs of the proposed Lazy Y Rockin' J RV Park development in El Paso County, Colorado. The subdivision is divided into 2 lots and 1 Tract (Tract A). The project area consists of a total of 35.3754-acres as summarized in **Table 1**.

**Table 1: Subdivision Area**

Description	Total Area (Ac)
<b>Lot 1 (RV Park)</b>	28.7277
<b>Lot 2 (Single Residential)</b>	5.1896
<b>Tract A</b>	0.6661
<b>Right-of-Way</b>	0.7920
<b>Total</b>	<b>35.3754</b>

Lot 1 consists of 90 Full Hookups RV sites, 10 Dry sites, 3 bathhouses with lavatory and showers, and a common area with bathrooms (including lavatory and shower) and washer/dryer. The irrigation area encompasses 0.47 acres, focusing on slow-growing native plants, while larger sections will rely on crimping techniques and natural rainfall for germination. Located between Peyton Highway and Highway 24, within Section 7 of Township 12 South, Range 63 West of the 6th Principal Meridian. All sites will be served by the proposed well onsite.

Lot 2 consists of 1 single family residence located directly south of Lot 1 with access to the lot off Peyton Highway.

No development is planned for Tract A. Tract A is directly north of Lot 1.

Refer to Exhibit 1 for the site plan depicting the planned land use of the proposed development.

### B. Information Regarding Sufficient Quantity of Water

#### i. Calculation of Water Demand

It is expected that each RV site in Lazy Y Rockin' J RV Park (Lot 1) will require an average of 61 gallons per day which is a reduction of the average water demand from 75 gallons per day provided in the prior submittal. The reduction in average water demand results from the allowed reduction in sanitary sewer flow to the OWTS with a daily flow of 55 gallons as allowed by the County. With the RV sites, most of the water demand results in sanitary sewer flow thus assuming that 90% of the water demand results in sanitary sewer flow, which puts the average water demand at 61 gallons per day.

It is expected that the common area will require 440 gallons per day and each Dry site will require 40 gallons per day. The water demand for the Dry sites is expected to be point loaded at the nearby bathhouse. Since there are no central



water systems near the proposed development, this anticipated water demand is based on an analysis of three similar full RV hookup parks within Colorado and Montana. The analysis evaluated the water supply demand and distilled the data down to a gallons per day per RV site. A safety factor of 1.8 has been applied to the resulting gallons per day per site demand of the analysis three RV parks. Refer to Exhibit 2 for the analysis. The single family residence is expected to have a demand of 230 gallons per day. This value is based on El Paso County Presumptive Use Values from the El Paso County Land Development Code Section 8.4.7. Tract A is not expected to have any water demand.

**Table 2** below summarizes the overall water demand projections for Lazy Y Rockin' J RV Park.

**Table 2: Water Demand Summary**

Description	Annual Water Demand (Ac-Ft)	Aquifer Source
<b>RV sites (full hookups)-90 sites</b>	2.56	Denver
<b>Dry sites-10 sites</b>	0.15	Denver
<b>Common area</b>	0.33	Denver
<b>Lot 2 (single family)</b>	0.26	Dawson
<b>Irrigation demand</b>	1.20	Denver
<b>Total</b>	<b>4.50</b>	

Refer to Exhibit 3 for the Water Supply Information Sheet.

Furthermore, the park will operate for a duration of 8 months, with an average occupancy rate of 62.5% for Full Hookups RV sites and common area. The average occupancy rate for the dry sites is 50%. This seasonal adjustment aligns with zoning regulations, which permit a maximum operational period of 9 months. The projected occupancy rates are consistent with market study findings. The initial maximum water usage for irrigation will be 1.2 acre-feet per year, with irrigation occurring during 67% of the year. This amount is expected to decrease once the native grasses and trees are established. Only the slow-growing native plants on 0.47 acres will be irrigated. For the larger areas, crimping techniques will be employed, and rainfall will be relied upon for germination.

ii. Calculation of Quantity of Water Available

Lazy Y Rockin' J will provide the water supply for the site via groundwater with two separate wells. Lot 1 with the irrigation is expected to be supplied from a well withdrawing from the Denver aquifer through well construction permit 89137-F. Lot 2 will be supplied from the existing well withdrawing from the Dawson aquifer that has the current permit number 324747. The existing well will have a submittal for re-permitting and redrilling (only if necessary) the Dawson well, this will be submitted shortly. **Table 3** displays the available annual year water supply per Water Determination 4633-BD. Based off the water determination, Lazy Y Rockin' J has sufficient water available based on



the 300-years supply.

Currently, the single family residence is supplied from a well withdrawing from the Dawson aquifer through permit 324747. In the Water Determination 4633-BD document, it was requested that the existing Dawson well permit be canceled and a new permit be issued. Within the well construction permit 89137-F, it is noted that this existing Dawson well will be abandoned; however, it is desired to re-permit the Dawson well to continue to supply water to just Lot 2 and the one relocated single family residence. If it is necessary the Dawson well will be redrilled. The re-permitting of the existing Dawson well will be submitted shortly.

iii. Groundwater Source Information

Per coordination with Monson, Cummins, Shohet & Farr, LLC, and the Water Determination 4633-BD, the groundwater source information is as follows in **Table 3**.

**Table 3: Groundwater Source Supply Summary, 4633-BD**

Aquifer	Type	100-Year Supply (annual acre-ft)	300-Year Supply (annual acre-ft)
Denver	Not-Nontributary	12.9	4.30
Arapahoe	Nontributary	10.8	3.60
Laramie Fox-Hills	Nontributary	11.1	3.70
Dawson	Nontributary	3.09	1.03
<b>Total</b>		<b>37.89</b>	<b>12.63</b>

For Lot 1, Lazy Y Rockin' J will construct a new commercial well to the Denver aquifer as the initial physical source of supply. Should actual annual demands exceed the annual allocation available from the Denver aquifer, a second well to the Arapahoe aquifer will be constructed. Lot 1 will not construct a well to the Dawson aquifer. The current demands are based off of a conservative estimate for occupancy.

For Lot 2, Lazy Y Rockin' J will submit a re-permit of the existing Dawson well (permit 324747) and redrill (only if necessary) the well in the Dawson aquifer only for the single family residence.

iv. Production Wells Information

Currently, as noted above, there is an active Dawson well, permit number 324747 is being used for permitted uses only.

v. Surface Water Sources [N/A]

**C. Information Regarding Sufficient Dependability of Water Supply**

i. Proof of Ownership



All water sources to be used to serve Lazy Y Rockin' J RV Park will be owned by the entity itself. Monson, Cummins, Shohet & Farr, LLC provided verification of the groundwater determination rights within Exhibit 4. When the well is drilled, proof of ownership will be supplied.

ii. Financial Plan

Lazy Y Rockin' J RV Park will be the owner and operator of the water system as well as providing the financial backing for its construction and operation.

iii. Description of Water Supply

Water Treatment: Based on nearby wells, disinfection will be needed. Once the proposed well is drilled within the Denver aquifer, water quality data will be obtained and provided. The exact treatment will be determined once this water quality data is obtained.

Storage: Raw water will be stored in two buried cisterns, with the treated water being stored with hydro-pneumatic tanks, maintaining system pressure. Water storage will have to be sized for the peak hourly demand of the RV Park.

Distribution/Transmission: Distribution lines will be PVC, adequately sized to convey the peak hourly flow.

iv. Calculation Demonstrating Quantity

Based on the groundwater information provided by Monson, Cummins, Shohet & Farr, LLC, and the Water Determination 4633-BD, the combined aquifers will be able to provide 12.63 annual acre-feet of water based on the 300-year supply available. The RV Park annual water demand provided in **Table 2** is less than 12.63 annual acre-feet.

v. Evidence of Water System Source

The water collection and distribution system will be constructed with this development. There is a Dawson well currently onsite that will be re-permitted for use with the relocated single family residence.

vi. Evidence of Short-Term Supply for Fire

The water system will not account for short-term fire supply as it is a transient non-conforming system.

**D. Information Regarding Sufficient Quality**

i. Chemical Analysis of Proposed Water from Each Proposed Source

A water quality analysis will be conducted with the proposed well construction and shall be made available to EPC.

ii. Evidence of Compliance with County and State Water Quality Standard

Water quality must meet Colorado Department of Public Health & Environment (CDPHE) regulations for primary drinking water standards. Depending on the



water quality of the proposed well, the water will be treated accordingly.

iii. Discussion of Potential for Water Quality Degradation from On-site and Off-site Sources

All water supplied to the proposed development by Lazy Y Rockin' J RV park for Lot 1, Tract A, and Right-of-Way will be from a drilled well to the Denver aquifer. Lot 2 will be supplied from the existing well to the Dawson aquifer. Potential sources of degradation would be from surface water entering the well or a break in the well casing allowing water to flow from the alluvial into the well. The well will be designed to shed surface water infiltration. There is existing septic field and a proposed septic field downstream of the well outside of the required setbacks.

**E. Public and Private Commercial Water Providers**

- i. Information From Commercial Water Providers [N/A]
- ii. Water Providers Report [N/A]

**F. State Engineer Summary Narrative**

Lazy Y Rockin' J RV Park is located southeast of Colorado Springs. The 35.3754-acre property is proposed to be an RV park with onsite water supply and wastewater treatment as well as 1 single family residence. There is one well that is located on the property under permit 324747 which will have a re-permit submitted for serve the relocated single family residence. The RV sites will be supplied with water by the proposed well onsite through well construction permit 89137-F as well as treated onsite.



Exhibit 1

# LAZY Y ROCKIN' J RVP

## SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

### SITE DEVELOPMENT PLAN

#### LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**BASES OF BEARINGS:** THE EAST LINE OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENT AT THE SOUTH END BY A 3.25" ALUMINUM CAP STAMPED "LS 17498 1985" IN A RANGE BOX AND AT THE NORTH END BY A 3.25" ALUMINUM CAP STAMPED "CDDT LS 23381 2007" IN A RANGE BOX, BEARING S01°04'47"E AS REFERENCED TO COLORADO STATE PLANE CENTRAL ZONE.

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE EAST LINE OF SAID SECTION 7, N01°04'47"W A DISTANCE OF 1,292.42 FEET, TO THE POINT OF BEGINNING;

THENCE DEPARTING SAID EAST LINE, THE FOLLOWING SEVEN (7) COURSES:

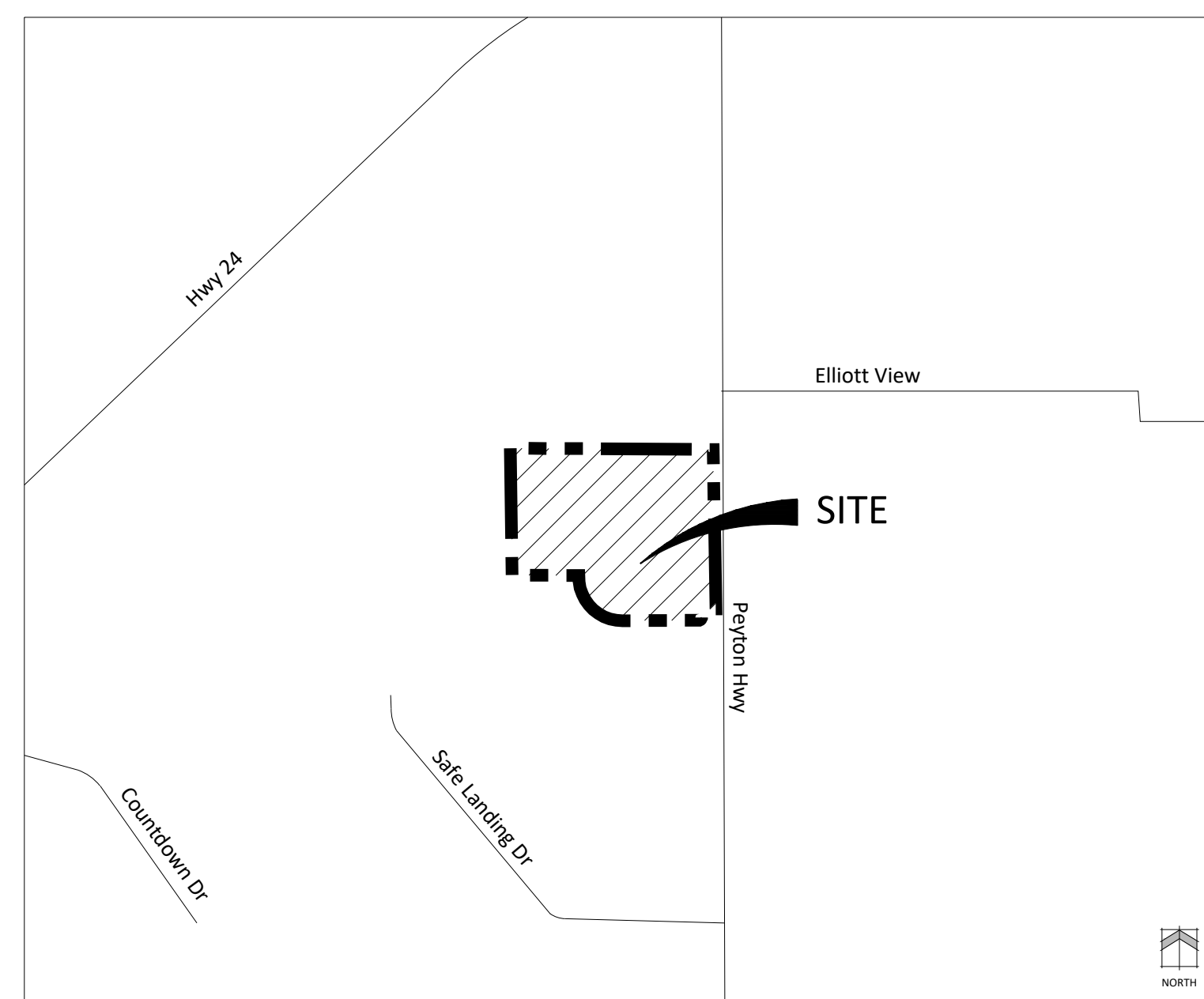
1. S89°55'26"W A DISTANCE OF 53.39 FEET, TO A POINT OF CURVE;
2. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 70.20 FEET, A CENTRAL ANGLE OF 78°31'53" AND AN ARC LENGTH OF 96.22 FEET, TO A POINT OF REVERSE CURVE;
3. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 20.00 FEET, A CENTRAL ANGLE OF 78°08'12" AND AN ARC LENGTH OF 27.27 FEET, TO A POINT OF TANGENT;
4. S89°31'44"W A DISTANCE OF 483.38 FEET, TO A POINT OF CURVE;
5. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 280.00 FEET, A CENTRAL ANGLE OF 90°28'16" AND AN ARC LENGTH OF 442.12 FEET, TO A POINT OF TANGENT;
6. N00°00'00"E A DISTANCE OF 9.25 FEET;
7. N89°47'18"W A DISTANCE OF 425.79 FEET, TO A POINT ON THE WESTERLY LINE OF THAT PROPERTY DESCRIBED IN THE QUITCLAIM DEED RECORDED UNDER RECEPTION NO. 219054389 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER.

THENCE ON SAID WESTERLY LINE, N00°50'14"W A DISTANCE OF 780.62 FEET;

THENCE DEPARTING SAID WESTERLY LINE, N89°28'09"E A DISTANCE OF 1,325.49 FEET, TO A POINT ON THE EAST LINE OF SAID SECTION 7;

THENCE ON SAID EAST LINE, S01°04'47"E A DISTANCE OF 1,007.38 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,281,599 SQUARE FEET OR 29.4215 ACRES.



VICINITY MAP

#### SITE DATA

Tax ID Number:	3807000007
Total Area:	29.4215 AC
Drainage Basin:	---
Current Zoning:	RVP
Current Use:	Storage/Warehouse & Telecommunication
Proposed Use:	RV Park
Proposed Density:	3.3 RV/AC
Maximum Building Height:	30'
Building Setbacks:	
Front (Peyton Hwy):	25'
South:	25'
West:	25'
North:	25'
Landscape Setbacks:	
East (Peyton Hwy):	20'

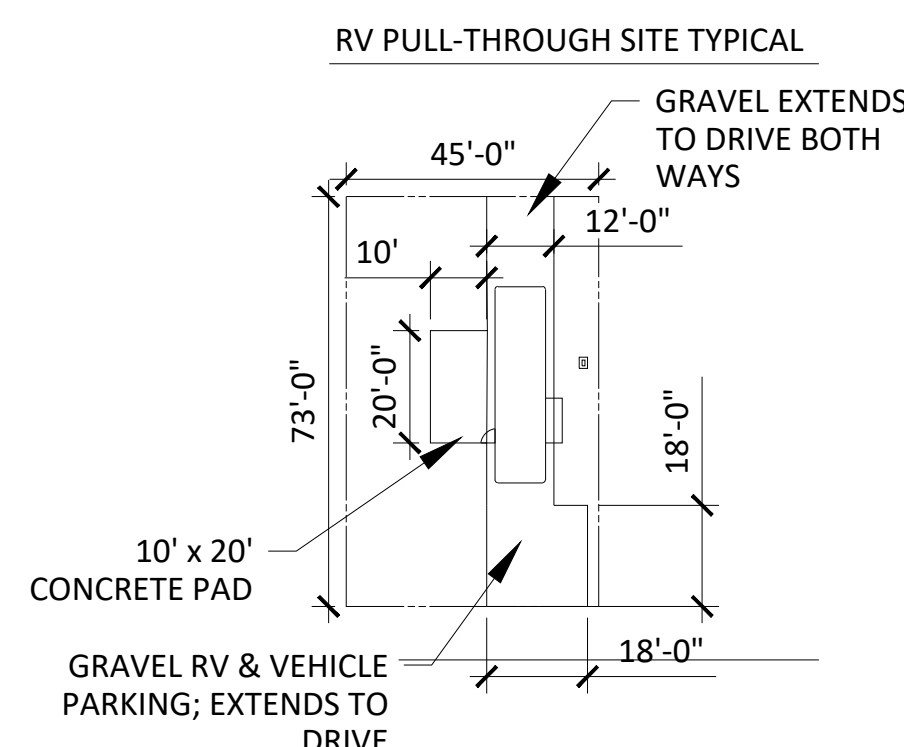
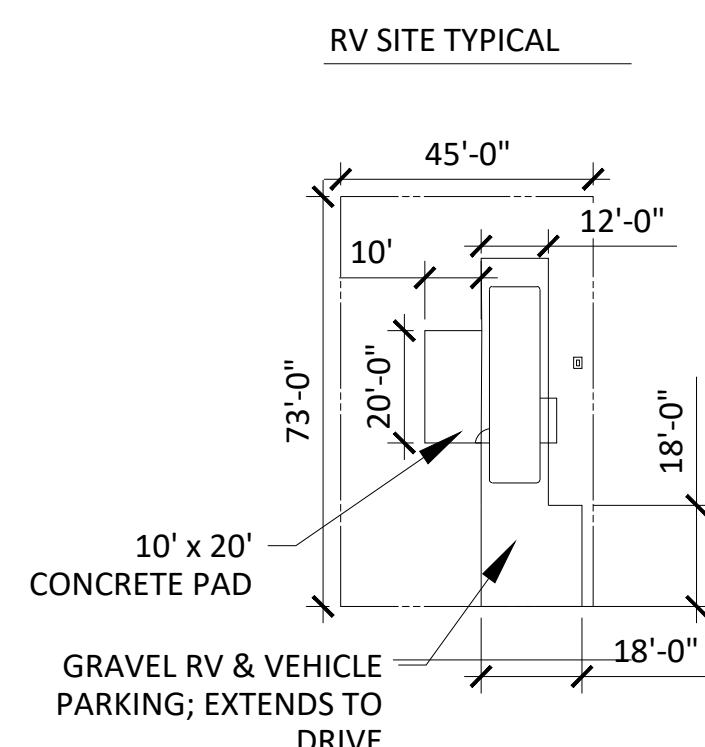
#### LAND USE DATA TABLE

LAND USE	NET DENSITY	UNITS	AREA	% OF LAND
RVP	3.3 RV/AC	725 Lots	--	--
ROAD	N/A	N/A	40,090 SF	3%
OPEN SPACE	N/A	N/A	11.65 AC	39%
BUILDINGS	N/A	N/A	5,313 SF	<1%
IMPERMEABLE SURFACE	N/A	N/A	10,427 SF	<1%

#### GENERAL NOTES

1. All sidewalks shown on development plan are to be 6" concrete unless otherwise specified.
2. Facilities and common area landscape will be maintained by Lazy Y Rockin' J RV Park owners and/or management.
3. Private roads are to be paved asphalt where noted. All other drives or pull-throughs to be gravel.
4. This site, 12960 N Peyton Hwy, Peyton Colorado 80831 is not within a designated F.E.M.A. Floodplain as determined by the flood insurance rate map, community panel number 08041C0375G, effective December 7, 2018.

TRACT	SIZE (AC)	USE	OWNERSHIP	MAINTENANCE
TRACT A	0.6661 AC	Landscaping	Longhorn Acres Land & Cattle, LLC	Longhorn Acres Land & Cattle, LLC



**County Certification**  
 This site development plan Lazy Y RVP Site Development Plan (PCD File No. PPR 2435) was approved by the El Paso County, Colorado Planning and Community Development Department Director on the \_\_\_\_ day of \_\_\_\_ 20\_\_.

Director, Planning & Community Development      Date

#### PROJECT TEAM

OWNER:	Longhorn Acres Land & Cattle, LLC PO Box 516 Peyton, CO 80831
APPLICANT:	N.E.S. Inc. 619 N. Cascade Ave., Suite 200 Colorado Springs, CO 80903
ENGINEER:	JR Engineering, LLC 5475 Tech Center Drive, Suite 235 Colorado Springs, CO 80919

#### SHEET INDEX

Sheet 1 of 17:	Cover Sheet
Sheet 2 of 17:	Development Plan
Sheet 3 of 17:	Development Plan
Sheet 4 of 17:	Development Plan
Sheet 5 of 17:	Development Plan
Sheet 6 of 17:	Preliminary Grading
Sheet 7 of 17:	Preliminary Utilities & Public Facilities Plan
Sheet 8 of 17:	Landscape Notes & Schedules
Sheet 9 of 17:	Final Landscape Plan
Sheet 10 of 17:	Final Landscape Plan
Sheet 11 of 17:	Final Landscape Plan
Sheet 12 of 17:	Final Landscape Plan
Sheet 13 of 17:	Site & Landscape Details
Sheet 14 of 17:	Site & Landscape Details
Sheet 15 of 17:	Building Elevations
Sheet 16 of 17:	Lighting Plan
Sheet 17 of 17:	Lighting Cutsheets



N.E.S. Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903

Tel. 719.471.0073  
Fax 719.471.0267

www.nescolorado.com

© 2012. All Rights Reserved.

## Lazy Y Rockin' J RVP

### SITE DEVELOPMENT PLAN / FINAL LANDSCAPE PLAN

12960 N Peyton Hwy  
Peyton, CO 80831

DATE: 9/13/2024  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

### SITE DEVELOPMENT PLAN

DATE:	BY:	DESCRIPTION:

#### COVER

# 1

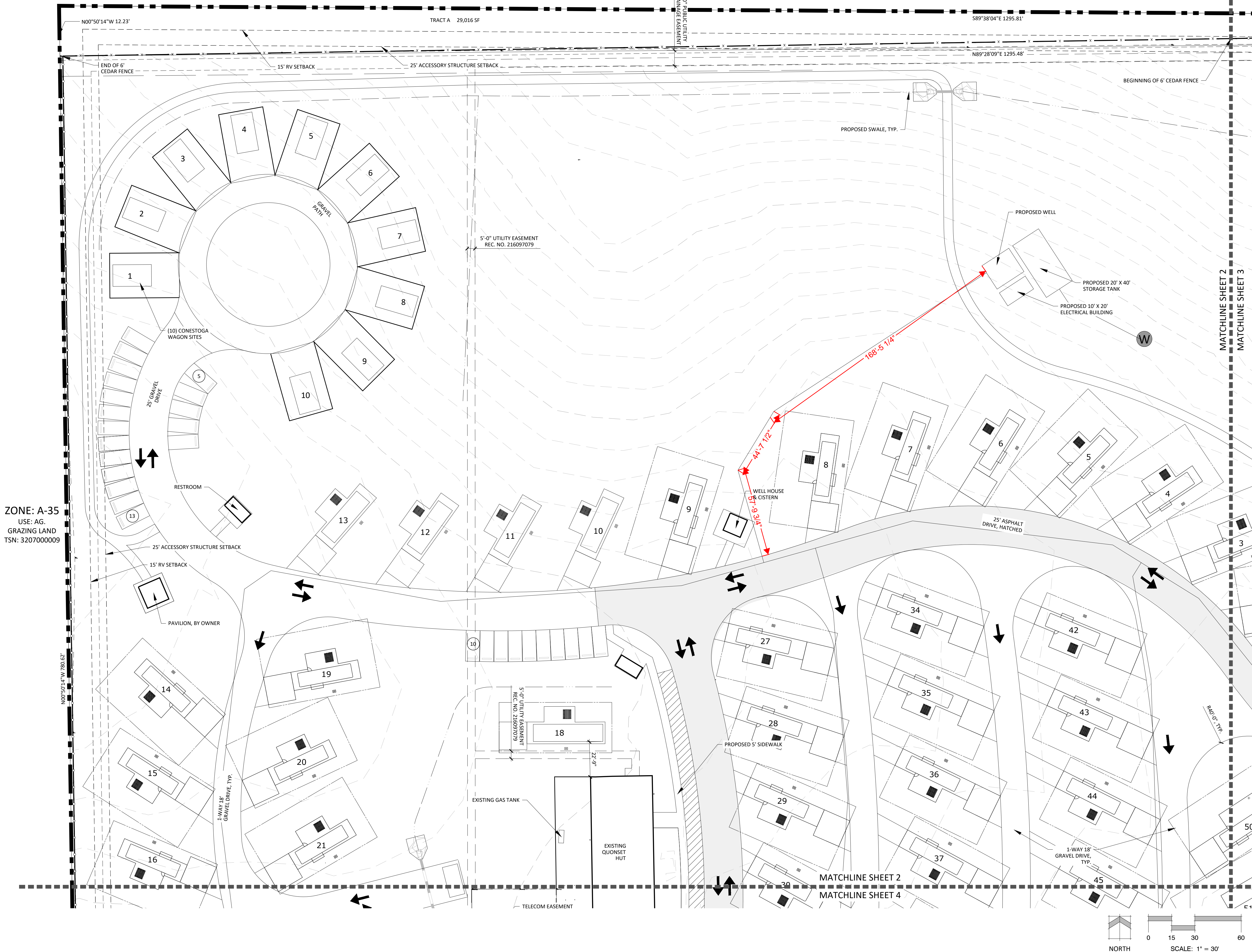
1 OF 17

PPR 2435

# LAZY Y ROCKIN' J RVP

SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO  
SITE DEVELOPMENT PLAN

ZONE: A-35  
USE: SINGLE FAMILY RESIDENCE  
TSN: 3207000011



ZONE: A-35  
USE: AG, GRAZING LAND  
TSN: 3207000009



N.E.S. Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903  
Tel. 719.471.0073  
Fax 719.471.0267  
www.nescolorado.com  
© 2012. All Rights Reserved.

Lazy Y  
Rockin' J RVP  
SITE DEVELOPMENT PLAN /  
FINAL LANDSCAPE PLAN  
12960 N Peyton Hwy  
Peyton, CO 80831

DATE: 9/13/2024  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

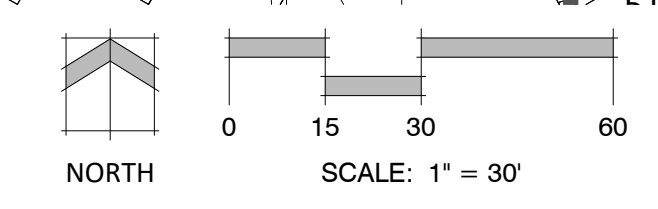
SITE DEVELOPMENT  
PLAN

SITE DEVELOPMENT  
PLAN

2  
2 OF 17

PPR 2435

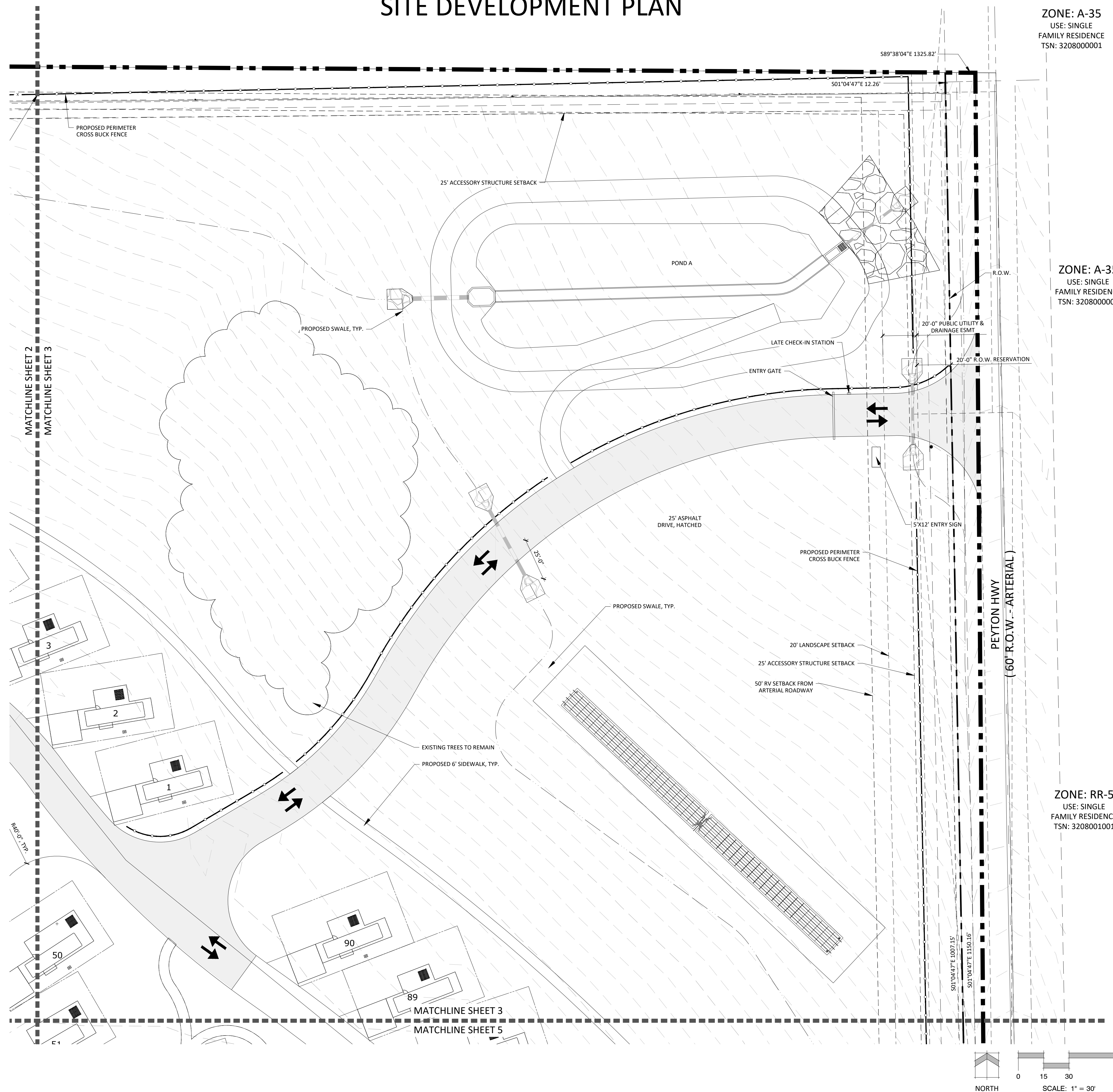
P:\Scott and Dickie Smith\Laughlin Acres\Drawings\Planning\DR\183\_LV\_RVP\_SDP.dwg [RVP PLAN\_2] 3/13/2025 3:29:37 PM jsmith



# LAZY Y ROCKIN' J RVP

SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO

## SITE DEVELOPMENT PLAN



ZONE: A-35  
USE: SINGLE  
FAMILY RESIDENCE  
TSN: 3208000001

ZONE: A-35  
USE: SINGLE  
FAMILY RESIDENCE  
TSN: 3208000003

ZONE: RR-5  
USE: SINGLE  
FAMILY RESIDENCE  
TSN: 3208001001



N.E.S. Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903

Tel. 719.471.0073  
Fax 719.471.0267

www.nescolorado.com

© 2012. All Rights Reserved.

PLANNER / LANDSCAPE ARCHITECT

IN ASSOCIATION WITH

### Lazy Y Rockin' J RVP

SITE DEVELOPMENT PLAN /  
FINAL LANDSCAPE PLAN

12960 N Peyton Hwy  
Peyton, CO 80831

DATE: 9/13/2024  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

STAMP

#### SITE DEVELOPMENT PLAN

DATE:	BY:	DESCRIPTION:

ISSUE INFO

#### SITE DEVELOPMENT PLAN

# 3

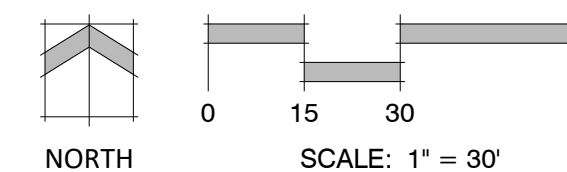
3 OF 17

PPR 2435

SHEET TITLE

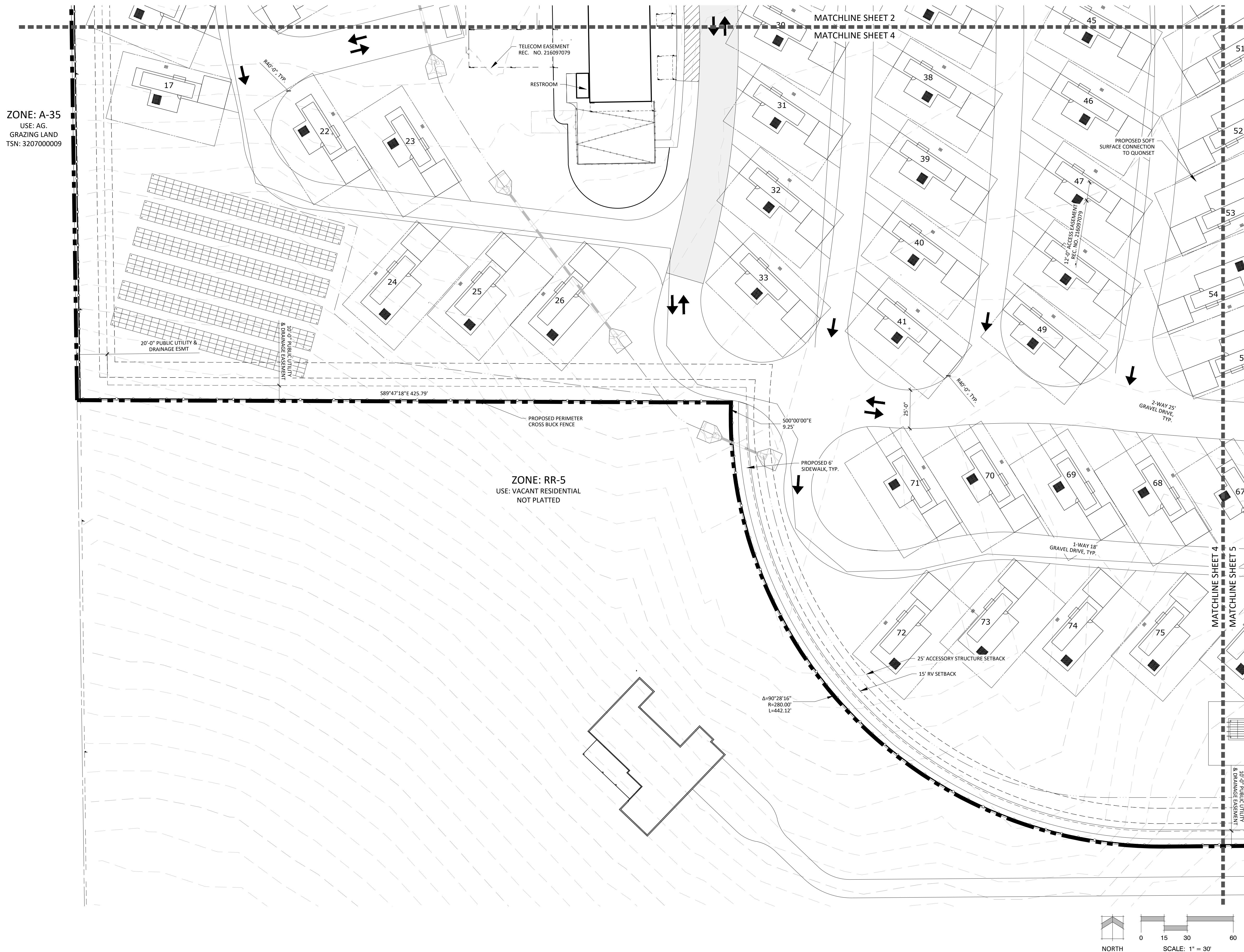
SHEET NUMBER

PLAN FILE #



# LAZY Y ROCKIN' J RVP

SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO  
SITE DEVELOPMENT PLAN



N.E.S. Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903  
Tel. 719.471.0073  
Fax 719.471.0267  
www.nescolorado.com  
© 2012. All Rights Reserved.

Lazy Y  
Rockin' J RVP  
SITE DEVELOPMENT PLAN /  
FINAL LANDSCAPE PLAN

12960 N Peyton Hwy  
Peyton, CO 80831

DATE: 9/13/2024  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

SITE  
DEVELOPMENT  
PLAN

SITE DEVELOPMENT  
PLAN

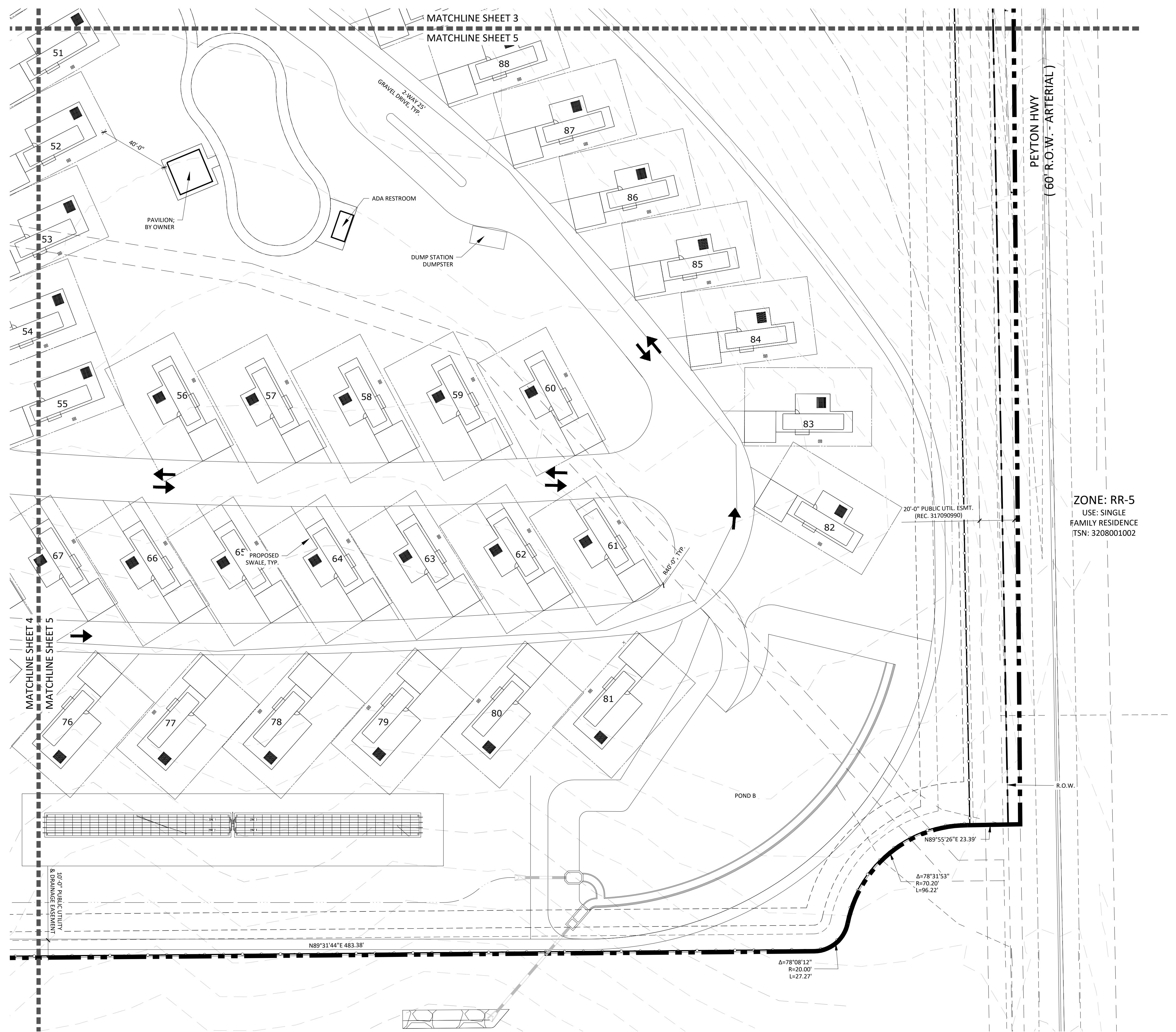
4

4 OF 17

PPR 2435

# LAZY Y ROCKIN' J RVP

SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH PRINCIPAL MERIDIAN, EL PASO COUNTY, COLORADO  
SITE DEVELOPMENT PLAN



ZONE: RR-5  
USE: SINGLE FAMILY RESIDENCE  
ITSN: 3208001002



N.E.S. Inc.  
619 N. Cascade Avenue, Suite 200  
Colorado Springs, CO 80903  
Tel. 719.471.0073  
Fax 719.471.0267  
www.nescolorado.com  
© 2012. All Rights Reserved.

Lazy Y  
Rockin' J RVP  
SITE DEVELOPMENT PLAN /  
FINAL LANDSCAPE PLAN  
12960 N Peyton Hwy  
Peyton, CO 80831

DATE: 9/13/2024  
PROJECT MGR: A. BARLOW  
PREPARED BY: J. SMITH

SITE DEVELOPMENT PLAN

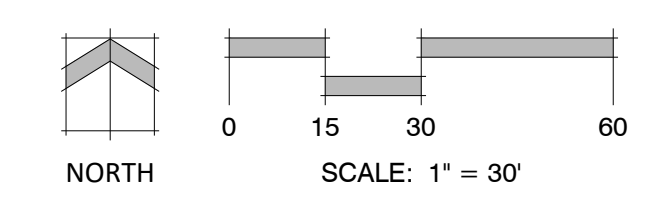
SITE DEVELOPMENT PLAN

5

5 OF 17

PPR 2435

P:\Scott and Dickie Smith\Longhorn Acres\Drainage\Planning\Lazy Y RVP\_SDP.dwg [RVP PLAN\_5] 4/24/2025 3:23:02 PM jsmith









**Exhibit 2**

	Water consumption (GPD)	Unit	Demand GPD	Occupancy Derated Demand* (gpd)	Total Demand (Ac-Ft/Yr)	
<b>Common Area</b>						
2 bathrooms with toilet, lavatory and shower	40	2	80	53.33	0.06	
2 washer/dryer	180	2	360	240.00	0.27	
<b>Bath House#1</b>						
2 bathrooms with toilet, lavatory and shower	40	2	80	53.33	0.06	demand is figured in below Dry site demand
<b>Bath House#2</b>						
2 bathrooms with toilet and lavatory	30	2	60	40.00	0.04	demand is figured in below Dry site demand
<b>Bath House#3</b>						
2 bathrooms with toilet, lavatory and shower	40	2	80	53.33	0.06	demand is figured in below Dry site demand
<b>Lot 2 Single Family</b>						
3 persons	230	1	230	230.00	0.26	
	<b>Total</b>		<b>440</b>		<b>293.33</b>	<b>gpd</b>
			<b>0.49</b>			<b>0.33 Acre-Ft/year</b>

<b>RV site Demand</b>					
Sites#	Unit Demand (gpd)	Occupancy Derated Demand** (gpd)	Total Demand (gpd)	Total Demand (Ac-Ft/Yr)	
90	61	25.42	2,288	2.56	full hookups
10	40	13.33	133	0.15	dry sites

<b>Total Demand (RV+Common Area+Bath House)</b>	<b>3.04</b>	<b>Acre-Ft/year</b>
	<b>2714.17</b>	<b>gpd</b>

Notes:

\* Occupancy Derated Demand is based on 8 months of operation for the RV sites, Common Area, and the three Bath Houses. The Lot 2, Single Family, does not included any derated demand as it is expected to be occupied 12 months a year.

\*\* Occupancy Derated Demand for the RV sites is based on 8 months of operation for the RV sites plus a derating for an assumed occupancy rate of 62.5% for the full hookups sites and 50% occupancy rate for the dry sites.

December 18, 2024

Lazy Y and Rockin' J  
PO Box 516  
Peyton, CO 80831

Attn: Scott Smith

Re: RV Park Design Flow analysis – On-site Wastewater Treatment System  
12960 North Peyton Highway  
Parcel No. 3207-000-007  
El Paso County, Colorado  
Entech Job No. 230520

Dear Mr. Smith:

The proposed RV Park will have full RV hook-up sites. The sites will have electricity, water, and sewer utilities for RV's, camper trailers, wagons and cabins. The site will require new on-site wastewater treatment systems. The El Paso County Health Department Regulation, Chapter 8, "On-Site Wastewater Treatment Systems" (OWTS), dated April 10, 2014, Section 8.6.A.4 allows design flow values to be determined from historical metered water flows. This letter provides our reviews and analysis of sanitary sewer records from similar RV campgrounds in the Colorado Springs area. This data was used to determine a recommended daily wastewater flowrate per RV campsite for the new campground. .

Colorado Springs Utilities (CSU) provided records for three years of flow for two recreational vehicle campsite parks. We also reviewed records from a KOA RV campground. It should be noted that the data is for water flows which includes irrigation and auxiliary uses on site. The actual flow to the septic systems will be less than the tabulated flow. The KOA campground is located in Great Falls, Montana. Water use records were reviewed to determine a recommended design flow for the proposed Lazy Y and Rockin' J RV Park.

The average daily flow per occupied campsite for the Peak RV Resort was 46 gpd and the average for the Unnamed RV Resort was 19 gpd per RV campsite. The KOA site had an average of 36 gpd per campsite. The flow data is attached with this letter. The average flows are summarized in Table 1.

<b>Table 1</b>	
CSU: Peak RV Park	46 gpd
CSU: Unnamed RV Park	19 gpd
KOA Campground	36 gpd
Average:	34 gpd

Based on the data and our experience with similar designs we recommend that the OWTS be designed for a flow value of 55 gpd per site. This value provides for an increase of 21 gpd per site or a factor of safety of 1.5. It also accounts for the fact that not all water usage enters the

Lazy Y and Rockin' J  
RV Park Design Flow analysis – On-site Wastewater Treatment System  
12960 North Peyton Highway  
Parcel No. 3207-000-007  
El Paso County, Colorado  
Page 2

septic system. Entech recommends using the 55 gpd for the design while also monitoring water and owt's flows usage after the park opens.

We trust this letter has provided you with the information required. If you have any questions or need additional information, please do not hesitate to contact us.

Respectfully Submitted,

ENTECH ENGINEERING, INC.

Reviewed By:



Robert P. Jaquet, P.E.  
Project Engineer

A handwritten signature in blue ink, appearing to read "Joseph C. Goode, Jr.".

Joseph C. Goode, Jr., P.E.  
President

RPJ/jcg

Encl.

F:\AA Projects\2023\230520-Lazy Y and Rocking J-250-OWTS\Flow Data - Other RV Parks\230520 - Flow Rate Data.doc

Unnamed RV Resort  
 CSU Water Flows

Start Date	End Date	Days	Billable Service Quantity (CF)	Average Daily Service Quantity (CF)	Billable Quantity - Gallons	Average GPD	GPD per Gross Sites	Estimated Vacancy	Estimated Occupied Sites	GPD per occupied site
					7,481		194			
8/11/21	9/10/21	30	22,532	751.1	168,562	5,619	29	5%	184	30
9/10/21	10/11/21	31	5,409	174.5	40,465	1,305	7	5%	184	7
10/11/21	11/8/21	28	1,504	53.7	11,251	402	2	15%	165	2
11/8/21	12/12/21	34	14,737	433.4	110,247	3,243	17	20%	155	21
12/12/21	1/12/22	31	12,567	405.4	94,014	3,033	16	20%	155	20
1/12/22	2/13/22	32	11,346	354.6	84,879	2,652	14	20%	155	17
2/13/22	3/15/22	30	30,150	1,005.0	225,552	7,518	39	20%	155	48
3/15/22	4/13/22	29	8,271	285.2	61,875	2,134	11	15%	165	13
4/13/22	5/12/22	29	41,789	1,441.0	312,624	10,780	56	5%	184	58
5/12/22	6/13/22	32	23,016	719.3	172,183	5,381	28	5%	184	29
6/13/22	7/13/22	30	8,795	293.2	65,795	2,193	11	5%	184	12
7/13/22	8/10/22	28	10,934	390.5	81,797	2,921	15	5%	184	16
8/10/22	9/12/22	33	12,143	368.0	90,842	2,753	14	5%	184	15
9/12/22	10/10/22	28	5,409	193.2	40,465	1,445	7	5%	184	8
10/10/22	11/8/22	29	10,504	362.2	78,580	2,710	14	15%	165	16
11/8/22	12/12/22	34	14,373	422.7	107,524	3,162	16	20%	155	20
12/12/22	1/10/23	29	18,092	623.9	135,346	4,667	24	20%	155	30
1/10/23	2/8/23	29	11,540	397.9	86,331	2,977	15	20%	155	19
2/8/23	3/9/23	29	10,382	358.0	77,668	2,678	14	20%	155	17
3/9/23	4/10/23	32	7,000	218.8	52,367	1,636	8	15%	165	10
4/10/23	5/12/23	32	9,586	299.6	71,713	2,241	12	5%	184	12
5/12/23	6/12/23	31	23,019	742.5	172,205	5,555	29	5%	184	30
6/12/23	7/11/23	29	21,772	750.8	162,876	5,616	29	5%	184	30
7/11/23	8/11/23	31	21,772	702.3	162,876	5,254	27	5%	184	29
8/11/23	9/12/23	32	19,946	623.3	149,216	4,663	24	5%	184	25
9/12/23	10/11/23	29	14,135	487.4	105,744	3,646	19	5%	184	20
10/11/23	11/9/23	29	8,620	297.2	64,486	2,224	11	15%	165	13
11/9/23	12/11/23	32	5,112	159.8	38,243	1,195	6	20%	155	8
12/11/23	1/10/24	30	6,356	211.9	47,549	1,585	8	20%	155	10
1/10/24	2/9/24	30	5,966	198.9	44,632	1,488	8	20%	155	10
2/9/24	3/11/24	31	6,975	225.0	52,180	1,683	9	20%	155	11
3/11/24	4/10/24	30	5,123	170.8	38,325	1,278	7	15%	165	8
4/10/24	5/10/24	30	6,487	216.2	48,529	1,618	8	5%	184	9
5/10/24	6/11/24	32	21,569	674.0	161,358	5,042	26	5%	184	27
6/11/24	7/11/24	30	19,870	662.3	148,647	4,955	26	5%	184	27
7/11/24	8/12/24	32	20,482	640.1	153,226	4,788	25	5%	184	26
8/12/24	9/11/24	30	13,647	454.9	102,093	3,403	18	5%	184	18
9/11/24	10/11/24	30	8,951	298.4	66,962	2,232	12	5%	184	12
10/11/24	11/12/24	32	6,026	188.3	45,081	1,409	7	15%	165	9

Average GPD  
17

Average GPD  
19

Peak RV Resort  
 CSU Water Flows

Start Date	End Date	Days	Billable Service Quantity (CF)	Average Daily Service Quantity (CF)	Billable Quantity - Gallons	Average GPD	GPD per Gross Sites	Estimated Vacancy	Estimated Occupied Sites	GPD per occupied site
					7,481		146			
11/9/21	12/13/21	29	9,121	314.52	68,234	2,353	16	20%	117	20
12/13/21	1/13/22	29	14,653	505.28	109,619	3,780	26	20%	117	32
1/13/22	2/14/22	29	21,777	750.93	162,914	5,618	38	20%	117	48
2/14/22	3/16/22	29	21,874	754.28	163,639	5,643	39	20%	117	48
3/16/22	4/14/22	29	14,964	516.00	111,946	3,860	26	15%	124	31
4/14/22	5/12/22	29	17,708	610.62	132,474	4,568	31	5%	139	33
5/12/22	6/13/22	29	46,361	1,598.66	346,827	11,960	82	5%	139	86
6/13/22	7/13/22	29	46,296	1,596.41	346,340	11,943	82	5%	139	86
7/13/22	8/11/22	29	32,552	1,122.48	243,522	8,397	58	5%	139	61
8/11/22	9/12/22	32	45,052	1,407.88	337,034	10,532	72	5%	139	76
9/12/22	10/11/22	29	40,667	1,402.31	304,230	10,491	72	5%	139	76
10/11/22	11/9/22	29	33,745	1,163.62	252,446	8,705	60	15%	124	70
11/9/22	12/13/22	34	22,956	675.18	171,734	5,051	35	20%	117	43
12/13/22	1/11/23	29	15,438	532.34	115,492	3,982	27	20%	117	34
1/11/23	2/9/23	29	15,205	524.31	113,749	3,922	27	20%	117	34
2/9/23	3/12/23	31	18,420	594.19	137,800	4,445	30	20%	117	38
3/12/23	4/11/23	30	10,696	356.53	80,017	2,667	18	15%	124	21
4/11/23	5/14/23	33	15,464	468.61	115,686	3,506	24	5%	139	25
5/14/23	6/12/23	29	25,056	864.00	187,444	6,464	44	5%	139	47
6/12/23	7/12/23	30	30,468	1,015.60	227,931	7,598	52	5%	139	55
7/12/23	8/13/23	32	31,001	968.78	231,918	7,247	50	5%	139	52
8/13/23	9/13/23	31	29,759	959.97	222,627	7,182	49	5%	139	52
9/13/23	10/12/23	29	19,825	683.62	148,311	5,114	35	5%	139	37
10/12/23	11/13/23	32	20,595	643.59	154,071	4,815	33	15%	124	39
11/13/23	12/12/23	29	16,550	570.69	123,811	4,269	29	20%	117	37
12/12/23	1/11/24	30	15,340	511.33	114,759	3,825	26	20%	117	33
1/11/24	2/12/24	32	22,979	718.09	171,906	5,372	37	20%	117	46
2/12/24	3/12/24	29	18,248	629.24	136,513	4,707	32	20%	117	40
3/12/24	4/11/24	30	15,157	505.23	113,390	3,780	26	15%	124	30
4/11/24	5/13/24	32	15,989	499.66	119,614	3,738	26	5%	139	27
5/13/24	6/12/24	30	16,099	536.63	120,437	4,015	27	5%	139	29
6/12/24	7/12/24	30	28,188	940	210,874	7,029	48	5%	139	51
7/12/24	8/13/24	32	32,093	1,003	240,088	7,503	51	5%	139	54
8/13/24	9/12/24	30	36,030	1,201	269,540	8,985	62	5%	139	65
9/12/24	10/14/24	32	31,305	978	234,193	7,319	50	5%	139	53
10/14/24	11/13/24	30	22,471	749	168,106	5,604	38	15%	124	45

Average GPD  
41.1

Average GPD  
46

## Water Usage

	Gallons per Camper Night			Gallons per Day		Gallons per Camper Night	
	Service Buildings	Campsites	Sub-Total (Buildings+Sites)	Other *1	Total Campground *2	Total Campground	Sanitary Disposal Station
January	55	30	85	577	673	83	Closed
February	47	27	74	-	251	75	Closed
March	32	21	53	-	276	53	Closed
April	43	30	73	5,698	6,779	73	0.78
May	49	32	81	8,970	10,908	82	0.88
June	63	35	98	11,968	17,427	99	0.80
July	61	35	96	20,059	29,750	97	0.55
August	61	35	96	20,704	28,657	96	0.48
September	46	34	80	7,185	9,866	80	0.44
October	39	41	80	1,483	2,542	81	0.46
November	34	56	90	1,137	1,529	90	Closed
December	48	59	107	879	1,232	106	Closed
Yearly Average	48	36	84	6,555	9,158	85	0.63
Camping Season *3	62	35	97	17,577	25,278	97	0.61

## Wastewater

\*1 Includes all water not used in service building and camp sites - irrigation, etc.

\*2 Includes complete campground - service buildings, camp sites, irrigation, etc.

\*3 June, July, August

I, Loren Smith do certify this data to be correct to the best of my knowledge.

P.E. #2874E (Montana)



**Exhibit 3**

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: **Lazy Y Rockin' J RV Park**

2. LAND USE ACTION: **Final Plat**

3. NAME OF EXISTING PARCEL AS RECORDED:  
SUBDIVISION: **N/A**, FILING (UNIT) **N/A**, BLOCK **N/A**, LOT **N/A**

4. TOTAL ACREAGE: **35.3754** 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. (In Submittal)

     1/4 of the      1/4, Section   7  , Township  12   N or  S, Range  63   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>  1  </u> of units	_____	<u>  0.26  </u>
COMMERCIAL USE # _____ of S. F	_____	_____
IRRIGATION # <u> 0.47 </u> of acres	_____	<u>  1.20  </u>
STOCK WATERING # _____ of head	_____	_____
OTHER: <u>RV Sites, Bath</u>	_____	<u>  3.04  </u>
TOTAL <u>Houses, and</u> <u>Common Area Use</u> <u>#100 of units</u>	_____	<u>  4.50  </u>

10. WATER SUPPLY SOURCE

EXISTING WELL  DEVELOPED SPRING

WELL PERMIT NUMBERS  
For Single Family Residence  
In Permit Number 324747

MUNICIPAL  
 ASSOCIATION  
 COMPANY  
 DISTRICT

NAME Lazy Y Rockin' J RV Park  
LETTER OF COMMITMENT FOR SERVICE  YES or  NO

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

WATER COURT DECREE CASE NUMBERS:  
4633-BD

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 **OWTS**

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

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

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





**Exhibit 4**



January 22, 2026

Joe Letke

El Paso County Development Services Department

[DSDcomments@elpasoco.com](mailto:DSDcomments@elpasoco.com)

**RE:** Lazy Y Minor Subdivision  
Part of the SE ¼, Sec. 7, T12S, R63W, 6<sup>th</sup> P.M.  
Upper Black Squirrel Creek Designated Ground Water Basin  
Upper Black Squirrel Creek Ground Water Management District  
Water Division 2, Water District 10  
CODWR Referral No. 32526

Dear Joe Letke:

We have received your recent submittal concerning the above-referenced proposal to subdivide 34.5834 acres into two lots of 5.19 acres (Lot 2) and 28.72 acres (Lot 1) and a tract of 0.66 acres (Tract A). Lot 1 will consist of 90 Full Hookups RV Site, 10 Dry site, 3 bathhouses with lavatory and showers, and a common area with bathrooms and washer/dryer; Lot 2 consists of a single family residence and there is no development planned for Tract A. Our office previously commented on the subdivision in a letter dated October 21, 2024, this letter supersedes the previous letter.

### **Water Supply Demand**

According to the updated Water Supply Information Summary Sheet and Water Resources Report revised December 2025 by HR Green, LLC (“Report”) provided with the submittal, the estimated water requirements total 4.50 acre-feet annually consisting of 1.2 acre-feet/year for irrigation of 0.47 acres, 2.56 acre-feet/year (61 gallons per day) per full hook-up site, 0.33 acre-feet/year (440 gallons per day) for common area usage, 0.15 acre-feet/year (40 gallons per day) per dry site, and 0.26 acre-feet per year (230 gallons per day) for the single



family residence. The water demand from the Denver aquifer is 4.24 acre-feet per year and the water demand from the Dawson aquifer is 0.26 acre-feet per year. Tract A will have no water demand.

### Source of Water Supply

The proposed water supply for Lot 1 is well permit no. 89137-F. Well permit no. 89137-F was issued pursuant to Determination of Water Right no. 4632-BD to withdraw 12.9 acre-feet per year from the Not-Nontributary (4% replacement) Denver aquifer for commercial use, including in an RV park facility and irrigation. The well permit will expire on May 20, 2026 unless our office received information that the well was constructed prior to the permit expiring.

The proposed source of water supply for Lot 2 is an existing well under well permit no. 324747; well permit no. was canceled by well permit no. 88850-F. Well permit no. 88850-F was issued pursuant to Determination of Water Right no. 4633-BD to withdraw 3.09 acre-feet per year from the nontributary Dawson aquifer for domestic in-house use; irrigation of lawns and garden, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage.

The subdivision lies within the allowed place of use of Determination of Water Right nos. 4632-BD (Denver Aquifer) and 4633-BD (Dawson aquifer), and the proposed uses are uses allowed by the Determinations.

The proposed source of water for this subdivision is bedrock aquifers in the Denver Basin. The State Engineer's Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to section 37-90-107(7)(a), C.R.S., "Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years." Based on this **allocation** approach, the annual amounts of water determined in 4632-BD and 4633-BD are equal to one percent of the total amount, as determined by Rule 5.3.2.1 of the Designated Basin Rules, 2 CCR 410-1. Therefore, the water may be withdrawn in those annual amounts for a maximum of 100 years.

The El Paso County Land Development Code, Section 8.4.7.(B)(7)(b) states:

“(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years.”

The State Engineer’s Office does not have evidence regarding the length of time for which this source will “meet the average annual demand of the proposed subdivision.” However, treating El Paso County’s requirement as an allocation approach based on 300 years, the allowed average annual amount of withdrawal of 3.09 acre-feet/year from the Dawson aquifer would be reduced to one third of that amount, or 1.03 acre-feet/year, which is greater than the annual demand for Lot 2 of this subdivision. The allowed average annual amount of withdrawal of 12.9 acre-feet/year from the Denver aquifer would be reduced to one third of that amount, or 4.3 acre-feet/year, which is greater than the annual demand for Lot 1 of this subdivision. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

The submittal indicates that a stormwater detention structure may be a part of this project. The Applicant should be aware that unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in [Designated Basin Rule 5.11](#), the structure may be subject to administration by this office. The Applicant should review Rule 5.11 to determine whether the structure meets the requirements of the Rule and ensure any notification requirement is met.

**State Engineer’s Office Opinion**

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our

determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced water rights, pending actual geophysical data from the aquifer.

**The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 300 years used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.**

If you, or the applicant, have any questions, please contact Ailis Thyne at [ailis.thyne@state.co.us](mailto:ailis.thyne@state.co.us).

Sincerely,

A handwritten signature in blue ink that reads "Ailis A. Thyne".

Ailis Thyne, P.E.

Water Resources Engineer

Ec: Well permit nos. 88850-F & 89137-F

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

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

---

DETERMINATION NO.: 4630-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Longhorn Acres Land and Cattle, LLC

---

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

**FINDINGS**

1. The application was received by the Commission on May 4, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Laramie-Fox Hills aquifer (Aquifer) underlying 36.24 acres, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated April 3, 2023, attached hereto as Exhibit A, the Applicant owns the 36.24 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 36.24 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 36.24 acres of Overlying Land claimed by the Applicant is 1,110 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

- a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 205 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,110 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,110 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 11.1 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is

nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On November 27, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on January 2, 2024.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on December 7, 2023 and December 14, 2023. No objections to the application were received within the time limit set by statute.

#### **ORDER**

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Laramie-Fox Hills Aquifer underlying 36.24 acres of land, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

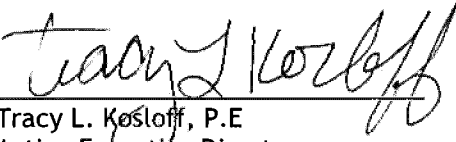
16. The amount (i.e. volume) of water in the Aquifer underlying the 36.24 acres of Overlying Land allocated herein is 1,110 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a

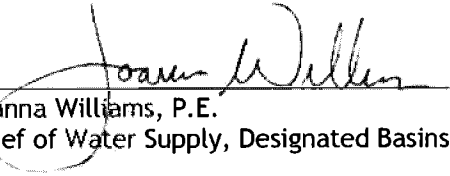
volume 1,110 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 36.24 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
- g. The wells must be located on the above described 36.24 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.

- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 36.24 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 18th day of January, 2024.

  
Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Prepared by: wad  
F&O4630-BD.doc



Exhibit A

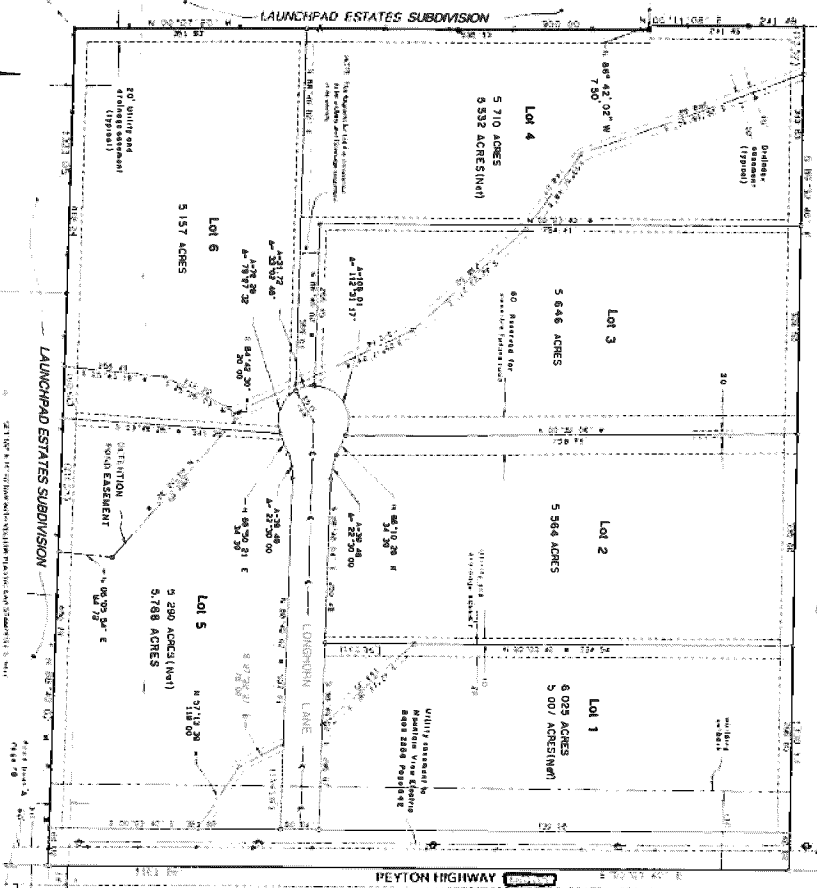
Determination no. 4630-BD

Page 2 of 3

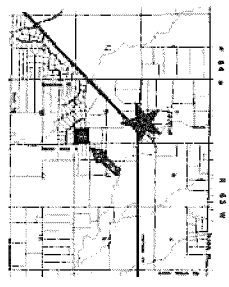
A PORTION OF THE SOUTH HALF OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ALSO BEING A PORTION OF THE TRACT RECORDED MAY 13, 1976 IN BOOK 2829 AT PAGE 198 OF THE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 7, SAID POINT OF BEGINNING ALSO BEING THE MOST EASTERLY, NORTHEAST CORNER OF "LAUNCH PAD ESTATES" AS RECORDED IN PLAT BOOK S-3 AT PAGE 98 OF THE RECORDS OF SAID COUNTY, (THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTHERLY AND EASTERLY BOUNDARY OF SAID "LAUNCH PAD ESTATES"):

(1) THENCE NORTH 88 DEGREES 40 MINUTES 02 SECONDS WEST, A DISTANCE OF 1323.05 FEET, (2) THENCE NORTH 00 DEGREES 07 MINUTES 20 SECONDS WEST, A DISTANCE OF 2312.81 FEET, THENCE SOUTH 89 DEGREES 32 MINUTES 46 SECONDS EAST, A DISTANCE OF 1321.34 FEET, THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST, A DISTANCE OF 2312.81 FEET ALONG THE EAST LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT THAT PORTION PLATTED TO LONGHORN ACRES SUB.

**LONGHORN ACRES SUBDIVISION**  
LOCALIZED IN THE  
E/2SE1/4 of SECTION 7, T12S, R. 63W, 6th. P.M.  
EL PASO COUNTY, COLORADO



RECEIVED  
DEC 1 8 2001  
EL PASO COUNTY  
COUNTY CLERK



Date of preparation - November 5, 2001

Legal Description: A parcel located in the  
E/2SE1/4 of SECTION 7  
T12S, R. 63W, 6th. P.M.  
EL PASO COUNTY, COLORADO

- NOTES:**
- The Department of Transportation must be contacted prior to the establishment of any driveway.
  - All structural foundation shall be treated and designed by a professional engineer, currently registered in the State of Colorado.
  - Single treatment of the responsibility of each individual property owner. The El Paso County Health Department must approve each system and in some cases, the department may require a Special System of treatment.
  - Individual wells with the responsibility of each property owner. Reports for individual systems will be addressed from the State Engineer, who by law has the authority to set conditions for the issuance of these permits.
  - Utilities including water, sewer, gas, and telephone lines are hereby placed on either side with a 10 ft. public utility and easement. A 10-foot wide utility easement shall be established on the east and west sides of the subdivision. All existing utility easements shall be maintained and any new utility easements shall be established within existing easements.
  - The date of bearing in the south line of Section 7, assumed to be N 88° 40' 00" W.
  - This plat was filed with the office of the County Clerk, El Paso County, Colorado, on November 5, 2001, at 11:17 AM.
  - The subdivision is located within the boundaries of the El Paso County Planning District and is subject to the rules and regulations the district has adopted.
  - This subdivision is hereby approved for informational purposes only. They are not the legal description and are subject to change.
  - In the event the County Board of Health is allocated to issue a 100-year water supply permit for El Paso County planning purposes, water in the Denver Basin aquifer is allocated under a 100-year water supply permit. Any water in the Denver Basin aquifer is allocated under a 100-year water supply permit. Any water in the Denver Basin aquifer is allocated under a 100-year water supply permit. Any water in the Denver Basin aquifer is allocated under a 100-year water supply permit.

**SPECIAL NOTE CONCERNING LONGHORN LANE:**

At the time of platting, Peyton Highway is shown as an easement on the Peyton Road Comprehensive Plan. No other easement or right-of-way is shown on the plat. Any lot in this subdivision. The easement exceeding this property must be considered a temporary easement and may at some future date be cut off from direct access to Peyton Highway.

**STATE OF COLORADO**  
COUNTY OF EL PASO

The above and foregoing statement was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001.

**SEAL OF EL PASO COUNTY**

By \_\_\_\_\_, County Clerk

Approved by \_\_\_\_\_, day of \_\_\_\_\_, A.D. 2001.

By \_\_\_\_\_, day of \_\_\_\_\_, A.D. 2001.

Agreement by the El Paso County Planning Department, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001.

By \_\_\_\_\_, day of \_\_\_\_\_, A.D. 2001.

**STATE OF COLORADO**  
COUNTY OF EL PASO

I hereby certify that this instrument was filed for record in the office of the Clerk and Recorder of El Paso County, Colorado, at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2001, and is duly recorded in Book \_\_\_\_\_, at Page \_\_\_\_\_ of the records of El Paso County, Colorado.

**RECORDED BY:** \_\_\_\_\_  
**FILED:** \_\_\_\_\_  
**BOOK:** \_\_\_\_\_  
**PAGE:** \_\_\_\_\_

Recorded by \_\_\_\_\_, day of \_\_\_\_\_, A.D. 2001.

Recorded by \_\_\_\_\_, day of \_\_\_\_\_, A.D. 2001.

**COMMENTS:**

1. Name E. Johnson, a longhorn land surveyor in the State of Colorado, as a party to this instrument. The name E. Johnson, as a party to this instrument, has been met to the best of my knowledge and belief.



**DETERMINATION NO: 4631-BD**  
**AQUIFER: Arapahoe**

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

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

---

DETERMINATION NO.: 4631-BD

AQUIFER: Arapahoe

APPLICANT: Longhorn Acres Land and Cattle, LLC

---

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

**FINDINGS**

1. The application was received by the Commission on May 4, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Arapahoe aquifer (Aquifer) underlying 36.24 acres, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated April 3, 2023, attached hereto as Exhibit A, the Applicant owns the 36.24 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 36.24 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 36.24 acres of Overlying Land claimed by the Applicant is 1,080 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

- a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 175 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,080 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,080 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 10.8 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is

nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On November 27, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on January 2, 2024.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on December 7, 2023 and December 14, 2023. No objections to the application were received within the time limit set by statute.

#### ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Arapahoe Aquifer underlying 36.24 acres of land, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

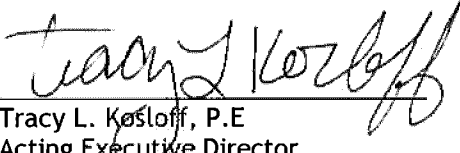
16. The amount (i.e. volume) of water in the Aquifer underlying the 36.24 acres of Overlying Land allocated herein is 1,080 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a

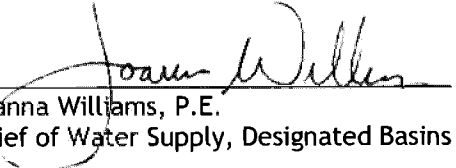
volume 1,080 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 36.24 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
- g. The wells must be located on the above described 36.24 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.
- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.

- k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 36.24 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 18th day of January, 2024.

  
Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Prepared by: wad  
F&O4631-BD.doc

Form no. **DIVISION OF WATER RESOURCES**  
 GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
 (1/2020) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

Exhibit A  
 Determination no. 4631-BD  
 Page 1 of 3

RCVD DWR  
 05/25/2023

**NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT**

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

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <i>Longhorn Acres Land And Cattle, LLC c/o Deidre Smith</i>			
Mailing Address <i>12960 Peyton HWY, PO Box 516</i>	City <i>Peyton</i>	State <i>CO</i>	Zip Code <i>80831</i>
Telephone Number (include area code) <i>719-499-7764</i>		Email <i>scott@yjsmith.com</i>	
<b>2. AQUIFER</b> <i>Arapahoe</i>			
<b>3. CLAIM OF OWNERSHIP</b> – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.			
Number of acres: <u>36.24</u> in the county of: <u>El Paso</u>			
described as follows (insert legal description).			
<i>See Attached <u>Exhibit A</u></i>			
_____			
_____			
_____			
_____			
- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
<b>4. THE APPLICANT MUST PROVIDE</b> – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). <i>Please see attached.</i>			
<b>5. SIGNATURE</b> – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature: <i>Deidre Smith</i>		Date: <i>4/3/2023</i>	
Print name and title: <i>Deidre Smith, Manager</i> of Longhorn Acres Land and Cattle, LLC			

Exhibit A

Determination no. 4631-BD

Page 2 of 3

A PORTION OF THE SOUTH HALF OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ALSO BEING A PORTION OF THE TRACT RECORDED MAY 13, 1976 IN BOOK 2829 AT PAGE 198 OF THE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 7, SAID POINT OF BEGINNING ALSO BEING THE MOST EASTERLY, NORTHEAST CORNER OF "LAUNCH PAD ESTATES" AS RECORDED IN PLAT BOOK S-3 AT PAGE 98 OF THE RECORDS OF SAID COUNTY, (THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTHERLY AND EASTERLY BOUNDARY OF SAID "LAUNCH PAD ESTATES"):

(1) THENCE NORTH 88 DEGREES 40 MINUTES 02 SECONDS WEST, A DISTANCE OF 1323.05 FEET, (2) THENCE NORTH 00 DEGREES 07 MINUTES 20 SECONDS WEST, A DISTANCE OF 2312.81 FEET, THENCE SOUTH 89 DEGREES 32 MINUTES 46 SECONDS EAST, A DISTANCE OF 1321.34 FEET, THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST, A DISTANCE OF 2312.81 FEET ALONG THE EAST LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT THAT PORTION PLATTED TO LONGHORN ACRES SUB.





**DETERMINATION NO: 4632-BD**  
**AQUIFER: Denver**

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

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

---

DETERMINATION NO.: 4632-BD

AQUIFER: Denver

APPLICANT: Longhorn Acres Land and Cattle, LLC

---

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

**FINDINGS**

1. The application was received by the Commission on May 4, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Denver aquifer (Aquifer) underlying 36.24 acres, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated April 3, 2023, attached hereto as Exhibit A, the Applicant owns the 36.24 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 36.24 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 36.24 acres of Overlying Land claimed by the Applicant is 1,290 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

- a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 210 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,290 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,290 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 12.9 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural stream or an alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered

to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Also, the location of the land claimed by the Applicant is farther than one mile from the Aquifer contact with the alluvium. Pursuant to the Rules, at least four percent (4%) of the amount of the underlying water withdrawn annually must be returned to the alluvial aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission. Pursuant to the Rules the Applicant may at any time be required to identify the proposed, or actual, location of the delivery of the replacement water and how the required four percent (4%) of water diverted will be, or is being, delivered into the alluvial aquifer.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On November 27, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on January 2, 2024.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on December 7, 2023 and December 14, 2023. No objections to the application were received within the time limit set by statute.

#### ORDER


In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 36.24 acres of land, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

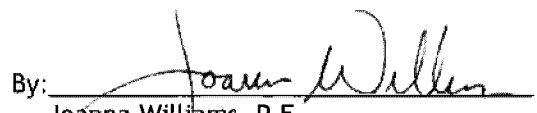
16. The amount (i.e. volume) of water in the Aquifer underlying the 36.24 acres of Overlying Land allocated herein is 1,290 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
- a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 1,290 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
  - b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
  - c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
  - d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
  - e. At least four percent (4%) of the amount of Underlying Groundwater withdrawn annually must be returned to the alluvial aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission. The Applicant may at any time be required to identify the proposed, or actual, location of the delivery of the replacement water and how the required four percent (4%) of water diverted will be, or is being, delivered into the alluvial aquifer.
  - f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 36.24 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
  - g. The wells must be located on the above described 36.24 acres of Overlying Land.

- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
  - i. The wells must be constructed to withdraw water from only the Denver Aquifer.
  - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 36.24 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 18th day of January, 2024.

  
Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Form no. **DIVISION OF WATER RESOURCES**  
GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
(1/2020) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

### NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.

1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR

2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin

NOTE: Form submittal instructions can be found on our website [Colorado.gov/water](http://Colorado.gov/water). See instructions on the reverse of this form. Type or print in black or blue ink.

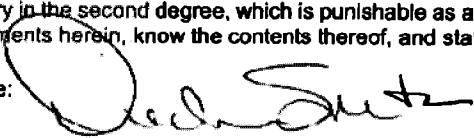
<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <i>Longhorn Acres Land And Cattle, LLC c/o Deidre Smith</i>			
Mailing Address <i>12960 Peyton HWY, PO Box 516</i>	City <i>Peyton</i>	State <i>CO</i>	Zip Code <i>80831</i>
Telephone Number (include area code) <i>719-499-7764</i>	Email <i>scott@yjsmith.com</i>		
<b>2. AQUIFER</b> <i>Denver</i>			
<b>3. CLAIM OF OWNERSHIP</b> – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.  Number of acres: <u><i>36.24</i></u> in the county of: <u><i>El Paso</i></u> described as follows (insert legal description).  <i>See Attached Exhibit A</i>			
- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
<b>4. THE APPLICANT MUST PROVIDE</b> – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). <i>Please see attached.</i>			
<b>5. SIGNATURE</b> – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature:			Date: <i>4/3/2023</i>
Print name and title:	<i>Deidre Smith, Manager</i> of Longhorn Acres Land and Cattle, LLC		

Exhibit A

Determination no. 4632-BD

Page 2 of 3

A PORTION OF THE SOUTH HALF OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ALSO BEING A PORTION OF THE TRACT RECORDED MAY 13, 1976 IN BOOK 2829 AT PAGE 198 OF THE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 7, SAID POINT OF BEGINNING ALSO BEING THE MOST EASTERLY, NORTHEAST CORNER OF "LAUNCH PAD ESTATES" AS RECORDED IN PLAT BOOK S-3 AT PAGE 98 OF THE RECORDS OF SAID COUNTY, (THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTHERLY AND EASTERLY BOUNDARY OF SAID "LAUNCH PAD ESTATES"):

(1) THENCE NORTH 88 DEGREES 40 MINUTES 02 SECONDS WEST, A DISTANCE OF 1323.05 FEET, (2) THENCE NORTH 00 DEGREES 07 MINUTES 20 SECONDS WEST, A DISTANCE OF 2312.81 FEET, THENCE SOUTH 89 DEGREES 32 MINUTES 46 SECONDS EAST, A DISTANCE OF 1321.34 FEET, THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST, A DISTANCE OF 2312.81 FEET ALONG THE EAST LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT THAT PORTION PLATTED TO LONGHORN ACRES SUB.





**DETERMINATION NO: 4633-BD**  
**AQUIFER: Dawson**

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

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

---

DETERMINATION NO.: 4633-BD

AQUIFER: Dawson

APPLICANT: Longhorn Acres Land and Cattle, LLC

---

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

**FINDINGS**

1. The application was received by the Commission on May 4, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Dawson aquifer (Aquifer) underlying 36.24 acres, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated April 3, 2023, attached hereto as Exhibit A, the Applicant owns the 36.24 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and Upper Black Squirrel Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 36.24 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 36.24 acres of Overlying Land claimed by the Applicant is 362 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.

- a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 20 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 50 feet.
8. A review of the records in the Office of the State Engineer has disclosed that a well operating pursuant to section 37-90-105, C.R.S., (i.e. a small-capacity well), permit no. 324747, is located on the Overlying Land and is permitted to withdraw 1 acre-foot per year of groundwater from the Aquifer from beneath the Overlying Land. The applicant has indicated that permit no. 324747 will be canceled and the well re-permitted to operate pursuant to this Determination. The amount of water considered to have been historically withdrawn from the aquifer by this well is 53 acre-feet. In applying Rule 5.3.2.5 of the Designated Basin Rules to computing the amount of water available for allocation in this Determination, the amount of groundwater in the Aquifer underlying the Overlying Land available for allocation in this Determination is reduced by 53 acre-feet to 309 acre-feet. Except for that well, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the Aquifer underlying the Overlying Land.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
- a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 309 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 3.09 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).

- c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.
12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On November 27, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on January 2, 2024.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on December 7, 2023 and December 14, 2023. No objections to the application were received within the time limit set by statute.

#### ORDER

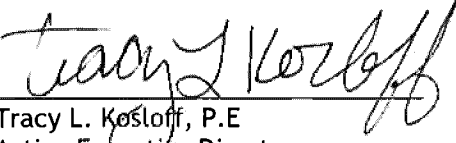
In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Dawson Aquifer underlying 36.24 acres of land, generally described as part of the SE 1/4 of Section 7, Township 12 South, Range 63 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

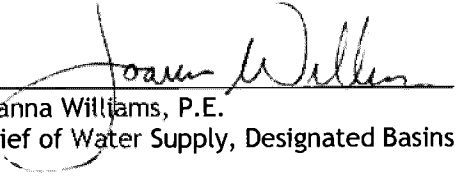
16. The amount (i.e. volume) of water in the Aquifer underlying the 36.24 acres of Overlying Land allocated herein is 309 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).

19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
- a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 309 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
  - b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
  - c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
  - d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
  - e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
  - f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic in-house; irrigation of lawns and gardens, including greenhouse; domestic animal watering; commercial uses, including in an RV park facility; firefighting; piscatorial; and replacement; either directly or after storage. The place of use of the Underlying Groundwater shall be limited to the above described 36.24 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
  - g. The wells must be located on the above described 36.24 acres of Overlying Land.
  - h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.

- i. The wells must be constructed to withdraw water from only the Dawson Aquifer.
  - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. Existing well permit no. 324747 must be canceled and a new permit issued for that well to operate pursuant to this Determination.
21. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 36.24 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
22. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 18th day of January, 2024.

  
Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Prepared by: wad  
F&O4633.-BD.doc

Form no. **DIVISION OF WATER RESOURCES**  
GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
(1/2020) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

**NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT**

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

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <i>Longhorn Acres Land And Cattle, LLC c/o Deidre Smith</i>			
Mailing Address <i>12960 Peyton HWY, PO Box 516</i>	City <i>Peyton</i>	State <i>CO</i>	Zip Code <i>80831</i>
Telephone Number (include area code) <i>719-499-7764</i>		Email <i>scott@yjsmith.com</i>	
<b>2. AQUIFER</b> <i>Dawson</i>			
<b>3. CLAIM OF OWNERSHIP</b> – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.  Number of acres: <u>36.24</u> in the county of: <u>El Paso</u> described as follows (insert legal description).  <i>See Attached Exhibit A</i>			
- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
<b>4. THE APPLICANT MUST PROVIDE</b> – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). <i>Please see attached.</i>			
<b>5. SIGNATURE</b> – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature: <i>Deidre Smith</i>		Date: <i>4/3/2023</i>	
Print name and title: <i>Deidre Smith, Manager</i> of Longhorn Acres Land and Cattle, LLC			

Exhibit A

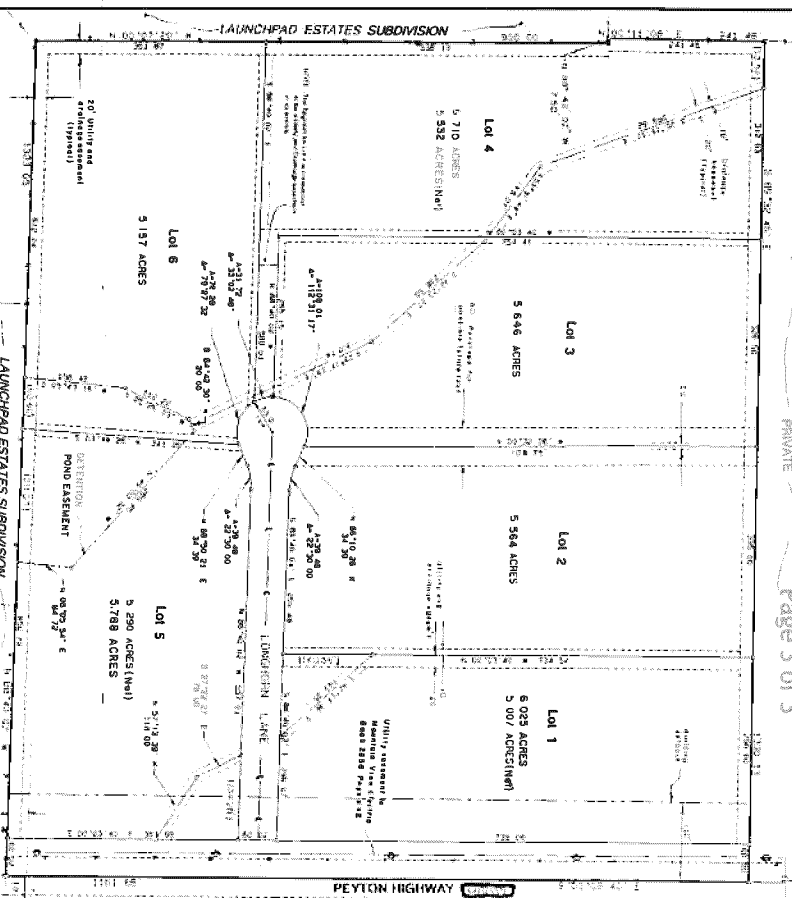
Determination no. 4633-BD

Page 2 of 3

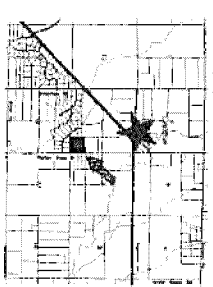
A PORTION OF THE SOUTH HALF OF SECTION 7, TOWNSHIP 12 SOUTH, RANGE 63 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO, ALSO BEING A PORTION OF THE TRACT RECORDED MAY 13, 1976 IN BOOK 2829 AT PAGE 198 OF THE RECORDS OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF SAID SECTION 7, SAID POINT OF BEGINNING ALSO BEING THE MOST EASTERLY, NORTHEAST CORNER OF "LAUNCH PAD ESTATES" AS RECORDED IN PLAT BOOK S-3 AT PAGE 98 OF THE RECORDS OF SAID COUNTY, (THE FOLLOWING TWO (2) COURSES ARE ALONG THE NORTHERLY AND EASTERLY BOUNDARY OF SAID "LAUNCH PAD ESTATES"):

(1) THENCE NORTH 88 DEGREES 40 MINUTES 02 SECONDS WEST, A DISTANCE OF 1323.05 FEET, (2) THENCE NORTH 00 DEGREES 07 MINUTES 20 SECONDS WEST, A DISTANCE OF 2312.81 FEET, THENCE SOUTH 89 DEGREES 32 MINUTES 46 SECONDS EAST, A DISTANCE OF 1321.34 FEET, THENCE SOUTH 00 DEGREES 09 MINUTES 21 SECONDS EAST, A DISTANCE OF 2312.81 FEET ALONG THE EAST LINE OF SAID SECTION 7 TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO, EXCEPT THAT PORTION PLATTED TO LONGHORN ACRES SUB.

**LONGHORN ACRES SUBDIVISION**  
LOCATED IN THE  
E1/2SE1/4 OF SECTION 7, T.12 S., R. 63 W., 6th. P.M.  
EL PASO COUNTY, COLORADO



RECORDED  
DEC 1 8 2001  
PLAT NO. 100  
SUBDIVISION



Date of preparation - November 5, 2001

Legal Description: A parcel located in the  
E1/2SE1/4 OF SECTION 7  
T.12 S., R. 63 W., 6th. P.M.  
EL PASO COUNTY, COLORADO

1. The Department of Transportation will be contacted prior to the installation of any driveway.
2. All structural foundations shall be located and designed by a professional engineer, correctly registered in the State of Colorado.
3. The design of the subdivision shall be the responsibility of the engineer, who shall be responsible for the design of the subdivision, including the design of the roads, utilities, and other facilities.
4. Individual utility easements shall be shown on the subdivision map, and the utility easements shall be subject to the terms and conditions of the utility easement agreements.
5. The design of the subdivision shall be subject to the approval of the El Paso County Board of Commissioners.
6. The design of the subdivision shall be subject to the approval of the El Paso County Board of Commissioners.
7. The design of the subdivision shall be subject to the approval of the El Paso County Board of Commissioners.
8. The design of the subdivision shall be subject to the approval of the El Paso County Board of Commissioners.
9. The design of the subdivision shall be subject to the approval of the El Paso County Board of Commissioners.
10. The design of the subdivision shall be subject to the approval of the El Paso County Board of Commissioners.

APPROVED BY THE EL PASO COUNTY PLANNING DEPARTMENT, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

APPROVED BY THE EL PASO COUNTY BOARD OF COMMISSIONERS, THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, A.D., 2001.

**SPECIAL NOTE CONCERNING LONGHORN LANE**  
At the time of recording, Peyton Highway is shown as an easement on the Longhorn Acres Subdivision. No direct access to Peyton Highway will be allowed from any lot in this subdivision. The cut-de-see accessing this property must be considered a temporary access and may be used only for the purpose of accessing the property. The easement shall be cut off from direct access to Peyton Highway.

**RECORDING**  
The above named general partnership has caused this plat to be prepared and recorded in the public records of the State of Colorado, and the same shall be subject to the terms and conditions of the utility easement agreements and the terms and conditions of the subdivision map.

**WITNESSES**  
I, \_\_\_\_\_, County Clerk, do hereby certify that this plat is a true and correct copy of the original as filed in my office.

**NOTARIAL PUBLIC**  
I, \_\_\_\_\_, Notary Public, do hereby certify that this plat is a true and correct copy of the original as filed in my office.

**STATE OF COLORADO**  
COUNTY OF EL PASO

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

By \_\_\_\_\_, County Clerk

By \_\_\_\_\_, Notary Public

**COMMITTEE APPROVAL**  
Approved by the El Paso County Planning Department, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.

Approved by the El Paso County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2001.