

COLVIN HERITAGE FARMS Minor Subdivision

WATER RESOURCES REPORT

**For
Colvin Heritage Farms
Minor Subdivision**

December 8, 2020

Prepared By:



13511 Northgate Estates Dr., Ste. 250, Colorado Springs, Colorado 80921

Executive Summary:

Water Resources Report – Colvin Heritage Farms Minor Subdivision

Chris D. Cummins of Monson, Cummins & Shohet, LLC, on behalf of the Applicant, Michelle Colvin and Kevin Colvin, (“Owner”), provides the following Water Resources/Wastewater Disposal Report in support of the Colvin Heritage Farms Minor Subdivision. The undersigned has been practicing water law almost exclusively, for over 17 years, and has substantial experience with Denver Basin groundwater resources, augmentation plans, designated basin replacement plans, subdivision proceedings, and rural water usage, and therefore should be considered a “qualified professional” as concerns water resources, as discussed at Section 8.4.7(B)(1)(c) of the El Paso County Land Development Code. This Report, prepared in conjunction with other professionals, is intended to demonstrate to the El Paso County Planning Commission and the BoCC, the sufficiency in terms of quantity and dependability, of the water rights and resources to be utilized in the proposed Colvin Heritage Farms Minor Subdivision (the “Subdivision”), near Black Forest in El Paso County, Colorado.

The Property consists of approximately 19.8 acres located at the current street addresses of 11545 and 11660 Green Acres Lane, Colorado Springs, CO 80908, in the E½ SE¼ SE¼ all in Section 15, Township 12 South, Range 65 West of the 6th P.M. Each of the 2 lots in the Subdivision is to be provided water and sewer/septic services through an on-site individual well and Individual Septic Disposal Systems (“ISDS”). The proposed minor subdivision includes two residential lots. Lot 1 has an existing residence and will be approximately 10.1 acres, while Lot 2, which is currently unimproved land, will be approximately 9.7 acres in size.

It is expected that each of the residential homes on each residential lot in the Subdivision will require an average of 1.0 annual acre-feet of water supply, for a total of 2.0 annual acre-feet, to be provided through two individual wells to the not-nontributary Dawson aquifer, consistent with the Determination of Water Right No. 3655-BD, and associated Replacement Plan, as approved by the Colorado Ground Water Commission. Such water supply demand is consistent with other rural residential homes’ historical demand. The Determination of Water Right provides for a 300-year water supply for both lots within the Subdivision, with each lot utilizing ISDS of a non-evaporative nature.

The water resources to be utilized on the residential lots in the Subdivision are typical of rural residential development in areas east of the Black Forest in El Paso County, Colorado. The Determination of Water Right and associated Replacement Plan approved by the Colorado Ground Water Commission demonstrates a sufficient quantity and reliability of water to support compliance with El Paso County’s 300-year water supply rules for subdivisions of this nature.

I. INTRODUCTION

The purpose of this report is to provide a preliminary outline of the water resources, associated wastewater requirements, necessary for approval of the CHF minor Subdivision, as proposed.

1.1 New Development Description: The Subdivision consists of approximately 19.8 acres located at 11545 and 11660 Green Acres Lane, Colorado Springs, CO 80908 in the E½ SE¼ SE¼ all in Section 15, Township 12 South, Range 65 West of the 6th P.M. The Property will be subdivided into two lots. **Exhibit A**, attached hereto, is a plat for the Subdivision as proposed, prepared by Compass Surveying & Mapping, LLC, including an area/vicinity map.

II. PROJECTION OF WATER NEEDS

2.1 Analysis of Water Demands: It is expected that the two residential lots in the Subdivision will utilize two individual wells drilled to the Dawson aquifer to be used for domestic-type uses, including in-house, landscape/irrigation of lawn and gardens, and watering of domestic animals and stock, and limited pasture irrigation, including one individual well existing on the Property and one individual well to be constructed on the Property. An existing non-exempt well with Permit No. 84459-F will provide water supply to one of the lots, while the to-be constructed non-exempt well with Permit No. 84460-F will serve the other lot. Both well locations are depicted on attached **Exhibit B**. It is anticipated that the residences on both lots will utilize a maximum total of 1.0 annual acre feet of water, for in-house residential purposes, consistent with Section 8.4.7(B)(7)(d). The existing well, permitted under Permit No. 84459-F, is constructed to and will produce from the not-nontributary Dawson aquifer at a flow rate of 10 to 15 gallons per minute, based upon past production. There are no other wells currently constructed on the property; however, the Applicant has obtained Permit No. 84460-F to drill a non-exempt well upon approval of the Subdivision. Based on past experience with the numerous Dawson aquifer wells serving rural residential properties throughout El Paso County, this rate of production should be more than sufficient to meet demand for in-house use.

III. PROPOSED WATER RIGHTS AND FACILITIES

3.1 Water Rights: A Replacement Plan for utilizing the underlying Dawson aquifer was approved by the Colorado Ground Water Commission on May 14, 2020. A copy of the recorded Replacement Plan is attached hereto as **Exhibit C**, and a copy of the associated Determinations of Water Rights for the underlying Denver Basin groundwater in Determination Nos. 3655-BD (Dawson), 3654-BD (Denver), 3653-BD (Arapahoe), and 3652-BD (Laramie-Fox Hills), are collectively attached as **Exhibit D**, including the following specific quantities of water:

AQUIFER	Saturated Thickness (ft)	Total Water Adjudicated (Acre Feet)	Annual Average Withdrawal – 100 Years (Acre Feet)
Dawson (NNT)	310	1,230	4.1 ¹
Denver 4% (NNT)	320	1,030	10.3
Arapahoe (NT)	250	842	8.42
Laramie Fox Hills (NT)	180	535	5.35

The Determinations document ownership of the water rights by the Owner/Applicant, and Owner/Applicant shall be responsible for all financial expenses associated with development of all wells/infrastructure necessary to access the water rights. All depletions are augmented in time, place and amount through septic return flows during pumping. Post-pumping depletions are not considered in obtaining a Replacement Plan in the designated basin, and therefore the deeper nontributary supplies remain available for other uses. The available supplies will meet both legal and physical needs on a 300-year basis.

3.2 Source of Supply: Rural residential water supply demand will be met using an existing not-nontributary Dawson aquifer formation well and a to-be-constructed not-nontributary Dawson aquifer formation well. Consistent with El Paso County Land Development Code Section 8.4.7(B)(3)(c)(v), a minor subdivision utilizing individual wells need not make a further showing as to source of supply.

3.3 Pumping Rates for Service: The Dawson aquifer in the location of the Subdivision is generally known to produce approximately 10-15 gallons per minute, more than sufficient for single family residential and accessory uses, and such production is consistent with the historical use of Permit No. 84559-F. A copy of the well permit file from the Division of Water Resources for Permit No. 84559-F is attached hereto as **Exhibit E**. Such flow rates are typical of individual wells on subdivisions within the area surrounding the Black Forest, including typical for firefighting purposes.

¹ The Dawson aquifer annual withdrawal figures represent not the 100-year aquifer life discussed at C.R.S. §37-90-137(4), but rather a 300-year aquifer life consistent with provision of a 300-year water supply in compliance with El Paso County, Colorado land development code as applicable to the subdivision of Applicant's Property. The 100-year aquifer life average annual amount is 12.3 acre-feet.

IV. WASTEWATER AND WASTEWATER TREATMENT – While soils, geology and geotechnical analysis has been provided by other of Applicant’s consultants, Applicant provides a summary of ISDS to be utilized herein, as relates to water usage and resulting return flows which support the approved Replacement Plan.

4.1 Septic/Wastewater Loads: Septic projections are based on similar Denver Basin residential uses on rural residential lots. Average daily wastewater loads are expected to be approximately 180 gallons per day per single-family residence. Maximum daily wastewater loads are expected to be roughly 200 gallons per day per single-family residence, assuming residential in-house use at the 0.25 acre foot per year rate described in the approved Replacement Plan.

4.2 On-Site Wastewater Treatment Systems: The two residential lots within the Subdivision will be served by individual on-site wastewater treatment systems. There is an existing and approved on-site wastewater treatment system on one lot, and the other will be constructed to the other lot upon approval of the Subdivision. Based on such historical use, the site is suitable for on-site wastewater treatment system/ISDS. The on-site wastewater treatment system will be evaluated and installed according to El Paso County Guidelines and properly maintained to prevent contamination of surface and subsurface water resources.

Respectfully submitted this 8th day of December, 2020.

MONSON, CUMMINS & SHOHET, LLC

/s/ Chris D. Cummins

Chris D. Cummins

cc: Client, Jane Fredman

Exhibits:

- A – Location Map/Plat of Property
- B – Map Location of the Wells
- C – Replacement Plan
- D – Determinations of Water Rights
- E – Existing Well Permit File 84459-F

A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO



That Kevin Colvin and Michelle Colvin, being the owners of the following described tract of land to wit:

The Northeast Quarter of the Southeast Quarter of Section 15,
Township 12 South, Range 65 West of the 6th Principal Meridian, El Paso County, Colorado.

The Southeast Quarter of the Southeast Quarter of Section 15, Township 12 South, Range 65 West of the 6th Principal Meridian, El Paso County, Colorado, except the South 30 feet for road purposes.

Containing a calculated area of 862,493 square feet (19,8001 acres), more or less.

The underpings, being of the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have had said, abolished, and public **SECTION** **HERITAGE** **WAS** **WAS** **SUBORDINATE**. The utility assessments shown herein are hereby recognized for public utilities and communication systems and other purposes as shown herein. The entities responsible for providing the services for which the assessments are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for irrigation, maintenance, and replacement of utility lines and related facilities.

Date _____

Date _____

STATE OF COLORADO } ss

Acknowledged before me this _____ day of _____, 2020 by Kevin Corbin and Michelle Corbin.

Witness my hand and official seal

Notary Public

This bid for **COVNA HERITAGE PARKS MAJOR SUBDIVISION** was approved for filing by the El Paso County, Colorado Board of County Commissioners on the _____ day of _____, 2020. Subject to any and all orders specified herein and any conditions included in the result of the public hearing, the election of land to the public. Public notice responsibility of El Paso County upon preliminary acceptance of the public improvements in accordance with the requirements of the Land Development Code and Engineering Criteria Manual, and the Subdivision Improvements Agreement.

Date _____

Approval is granted for this plot of COLVIN HERITAGE FARMS MINOR SUBDIVISION this _____ day of _____

2020, A.D.

El Paso County Director of Planning and Community Development

E) Paso County Assessor



COMPASS SURVEYING & MAPPING, LLC
 3249 WEST CAREFREE CIRCLE
 COLORADO SPRINGS, CO 80917
 719-354-4120
WWW.CSAMLIC.COM



- 1) This surveying is not constituting a title search by Compass Surveying & Mapping, LLC to determine ownership or easements of record. For all information regarding easements, title searches, or title insurance, please contact the title insurance company of your choice. The title insurance policy is being issued by Old Republic National Title Insurance Company, SPS55081052 with an effective date of 11/20/2019 at 5:00 PM.
- 2) Basis of bearings is the east line of the property, monumented as shown and assumed to be correct.
- 3) Station D equals 18 inches OD steel pipe wellhead.
- 4) This property is located within Zone X (forces determined to be outside the 100-year effective date of the Flood Insurance Rate Map (FIRM) 040101C0330-C and 040101C0333-A effective as of December 31, 2018).
- 5) Notice: According to California law, you own and control any legal action based on any defect in this survey within three years after you first discover such defect in no event longer than the date of the certification shown hereon. We have commented more than 100 years on the date of the certification shown hereon.
- 6) The survey only used in this drawing are U.S. Survey feet.
- 7) E Pace County Planning and Community Development Department Engineering must be consulted and approved for any engineering.
- 8) The survey and results have been prepared in accordance with the Flood Reg. for this subdivision and are on file at the County Planning and Community Development Department.
- 9) All property owners are responsible for monitoring proper storm water drainage in and around their property. Public organizations are specifically noted on the plat, however, through their property, public organizations are responsible for the proper maintenance, repair, and/or landscaping that could impede the flow of rainfall shall not be placed in drainage easements.
- 10) The property (s)15450, exhibited on this plat is for informational purposes only. They are not the legal description and are subject to change.
- 11) Easements are set apart, with the lot responsibility for maintenance of these easements, is hereby stated with the plat property owners.
- 12) Developer and comply with Federal and state law, regulations, ordinances, codes and standards, but not limited to the Colorado Division of Wildlife, Colorado Department of Agriculture, Colorado Department of Transportation, Colorado Department of Public Health and the following State Agencies (see the Enclosed Survey Act, particularly as it relates to the listed species (e.g. Preble's Meadow Jumping Squirrel).
- 13) Actions must be initiated in accordance with all of El Paso County and United States National Service regulations.
- 14) The Engineer and consultants are responsible for conducting drainage involving necessary drainage control from Volante Road per Local Development Code Section 6.3.3.2 and 6.3.3.3.
- 15) Water Supply: Water service for this subdivision is provided by individual wells are the responsibility of each property owner. Permits for individual wells must be obtained from the Colorado Department of Natural Resources. The responsibility for the installation of these permits rests with the owner of the wells.

1. Mark S. Johanson, a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this plot truly and correctly represents the results of a survey made on the date of survey shown hereon, by me or under my direct supervision and that all measurements as shown hereon: that mathematical closure errors are less than 1/10,000; and that said plot has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.

This certification is neither a warranty nor guarantee, either expressed or implied.

Damage Fee:	School Fee:
Bridge Fee:	Park Fee:

STATE OF COLORADO } ss

COUNTY OF EL PASO)
I hereby certify that this instrument was filed for record in my office at _____ o'clock
_____ M., this _____ day of _____, 2020, A.D., and is duly recorded
under Reception No. _____ of the records of El Paso County.

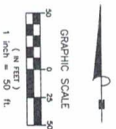
CHUCK BROERMAN, RECORDER

BY: _____ Deputy
SURCHARGE: _____
FEE: _____

DSD FILE NO: MS _____

	REVISIONS
PROJECT NO. 19277 APRIL 30, 2020 SHEET 1 OF 2	

A SUBDIVISION OF A PORTION OF THE SOUTHEAST QUARTER OF SECTION 15,
TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH P.M.,
EL PASO COUNTY, COLORADO



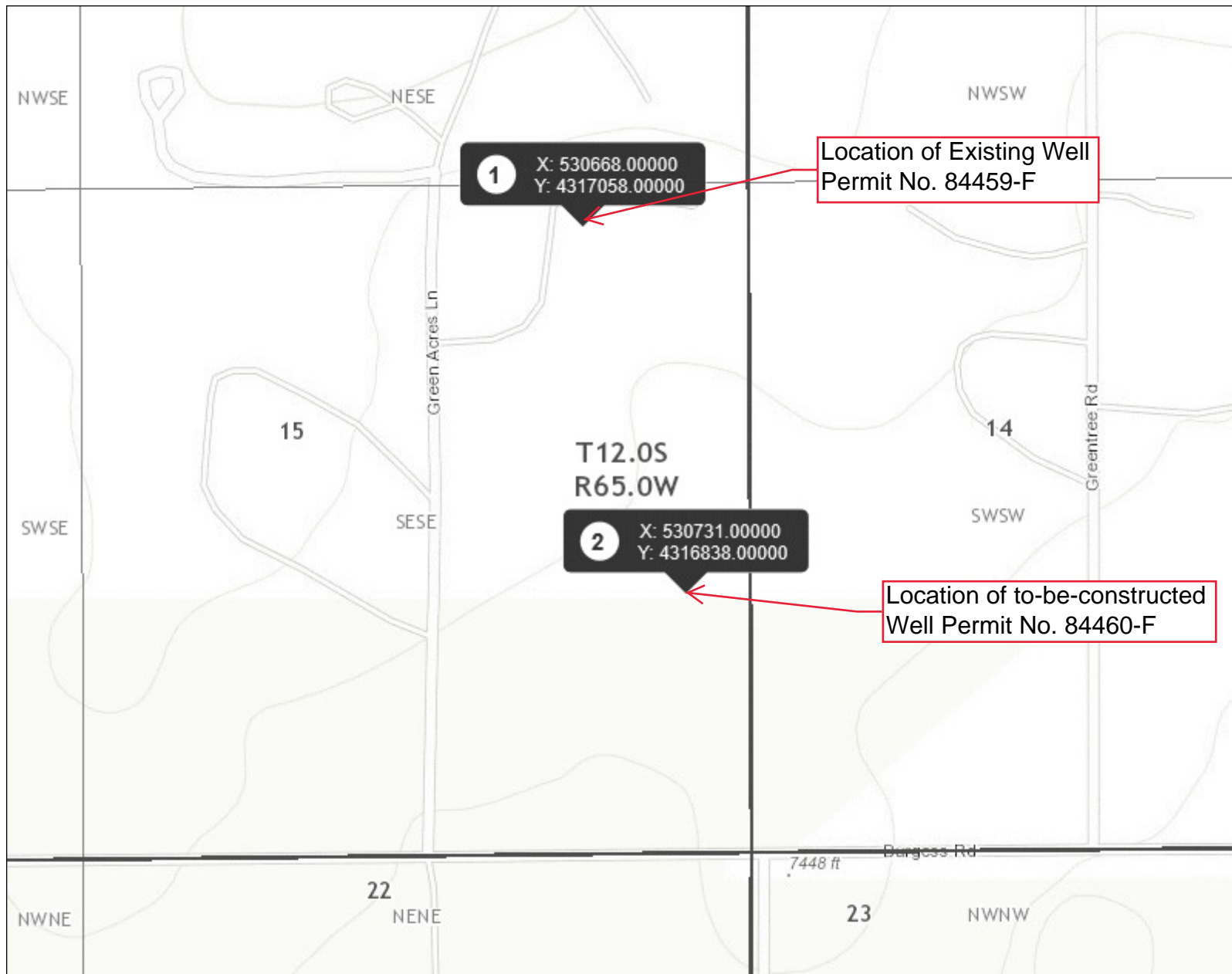
REVISIONS					

PROJECT NO. 19227
APRIL 30, 2020
SHEET 2 OF 2

DSD FILE NO: MS



Exhibit B - Well Locations



Legend

- Township
- Section
- Q40
- County

Location



Notes

585 0 292 585 Feet

1: 3,508



This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date Prepared: 6/24/2020 7:30:14 PM

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER****EXHIBIT C**

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

REPLACEMENT PLAN NO. 2 - DETERMINATION OF WATER RIGHT NO. 3655-BD

AQUIFER: DAWSON

APPLICANT: KEVIN AND MICHELLE COLVIN

In compliance with section 37-90-107.5, C.R.S. and the Designated Basin Rules, 2 CCR 410-1 ("Rules" or "Rule"), Kevin and Michelle Colvin (Applicant) submitted an application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer that has been allocated by Determination of Water Right No. 3655-BD.

FINDINGS

1. Pursuant to section 37-90-107.5, C.R.S., in a Findings and Order dated March 4, 2019, the Ground Water Commission (Commission) approved a Replacement Plan that allowed the withdrawal of 1 acre-foot per year of Dawson Aquifer groundwater allocated by Determination of Water Right No. 3655-BD. This replacement plan application submitted by the Applicant seeks to replace in its entirety the previously approved replacement plan.
2. Pursuant to Section 37-90-107(7), C.R.S., in a Findings and Order dated March 4, 2019, the Commission approved a Determination of a Right to an Allocation of Groundwater, No. 3655-BD, from the Dawson Aquifer (Aquifer), summarized as follows.
 - a. The determination quantified an amount of groundwater from beneath 19.8 acres of overlying land generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., in El Paso County.
 - b. The amount of groundwater in the aquifer that was allocated was 1,230 acre-feet.
 - c. The allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 12.3 acre-feet per year.
 - d. The use of groundwater is limited to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock.
 - e. In accordance with Rule 5.3.6 the withdrawal of the subject groundwater will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal, the groundwater is considered to be not-nontributary, and Commission approval of a replacement plan providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to withdraw the subject groundwater.
3. The subject water is Designated Groundwater located within the boundaries of the Upper Black Squirrel Creek Designated Groundwater Basin and the Upper Black Squirrel Creek Groundwater Management District. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7), C.R.S.
4. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Kiowa-

Aquifer: Dawson

Applicant: Kevin and Michelle Colvin

Creek Designated Groundwater Basin, both of which, according to Rules 5.2.4.2 and 5.2.6.2, respectively, have been determined to be over appropriated. Such depletion would unreasonably impair existing large capacity alluvial rights withdrawing water from those alluvial aquifers.

5. Pursuant to Rule 5.6.1.A this plan must be adequate to prevent any material injury to water rights of other appropriators, which for purposes of this plan means large capacity wells withdrawing water from the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin.
6. Pursuant to Rule 5.3.6.2(C) the amount of replacement water shall provide for the depletion of alluvial water for the first 100 years due to all previous pumping and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.
7. The application was received by the Commission on November 20, 2019.
8. The Applicant proposes to divert 2 acre-feet annually from the Dawson Aquifer for a period of 300 years. The Dawson aquifer water will be withdrawn through two wells to be located within the 19.8 acres of overlying land that are the subject of Determination of Water Right No. 3655-BD. The existing well constructed under permit no. 310053-A shall be re-permitted pursuant to this Replacement Plan and a permit for a new proposed well shall be applied for. Well permit no. 83066-F, issued pursuant to the replacement plan dated March 4, 2019 for a well that has not been constructed, is to be cancelled. Each Dawson Aquifer well is proposed to divert 1 acre-feet of water annually for use in-house use (0.25 acre-feet), landscape/irrigation of lawn, garden and pasture and the watering of domestic animals and livestock (0.75 acre-feet).
9. At a continuous withdrawal of 2 acre-feet annually for 300 years, depletions to the alluvial aquifer systems of the Kiowa-Bijou Designated Groundwater Basin and Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.064 acre-feet per year in the 300th year, which is equal to 3.21% of pumping, as shown in Exhibit A.
10. The Applicant proposes to provide 0.45 acre-feet per year of replacement water to the alluvial aquifer system of the Upper Black Squirrel Creek Designated Groundwater Basin. The proposed source of replacement water is septic and leaching field return flows from the in-house use of the groundwater to be pumped under the plan. The Applicant estimates that return flows from each lot will consist of 90% of the water used for in-house purposes. Assuming each house uses a total annual amount for in-house use of 0.25 acre-feet, the return flow per lot would be 0.225 acre-feet annually, and the return flows under the plan will total 0.45 acre-feet per year for the two houses at full build out.
11. The subject property is located within the drainage of Black Squirrel Creek, and the return flows will flow to the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.
12. Pursuant to Rule 5.6.1.B this plan must be adequate to prevent unreasonable impairment of water quality. Pursuant to Rule 5.6.1.B.1.b, if the replacement source water is from an onsite wastewater treatment system permitted by a local health agency and the applicant demonstrates the source is in compliance with that permit there shall be a rebuttable presumption of no unreasonable impairment of water quality.

Aquifer: Dawson

Applicant: Kevin and Michelle Colvin

13. Pursuant to Rule 5.6.1.C this plan, including the proposed uses of the water withdrawn pursuant to the plan, must not be speculative, and must be technically and financially feasible and within the Applicant's ability to complete. The plan, including the proposed uses of the water withdrawn pursuant to the plan, is not speculative. The plan appears technically and financially feasible and within the Applicant's ability to complete.
14. Pursuant to Rule 5.6.1.D this plan must be able to be operated and administered on an ongoing and reliable basis. The plan appears to be able to be operated and administered on an ongoing and reliable basis.
15. Pursuant to Rule 5.6.1.F replacement source water must be physically and legally available in time, place and amount to prevent material injury. As determined in Determination of Water Right No. 3655-BD water is currently available in the amounts and for the number of years proposed to be diverted.
16. Pursuant to Rule 5.6.1.G the replacement source water must be legally available for use. Records in this office indicate that the Applicant controls the water right to be used as the source of replacement water, consisting of Determination of Water Right No. 3655-BD, and such water is legally available for use pursuant to this plan.
17. On March 17, 2020, in accordance with Rule 5.6.2 of the Designated Basin Rules, written recommendations concerning this application were referred from the Upper Black Squirrel Creek Groundwater Management District. Written recommendations from the District were received on April 13, 2020.
18. In accordance with Sections 37-90-107.5 and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on March 19, 2020 and March 26, 2020. No objections to the application were received within the time limit set by statute.
19. According to Rule 5.6.1:
 - a. The Applicant has the burden of proving the adequacy of the plan in all respects.
 - b. If the applicant meets its burden of proof, the Commission shall grant approval of the plan which shall include any terms and conditions established the Commission.
20. The Commission Staff has evaluated the application pursuant to Section 37-90-107.5, C.R.S., and the requirements of Rule 5.3.6.2(C) and Rule 5.6, finds that the requirements have been meet, and the plan may be approved to allow diversions from the Dawson Aquifer if operated subject to the conditions given below.

ORDER

In accordance with Section 37-90-107.5, C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer underlying 19.8 acres that are the subject of Determination of Water Right no. 3655-BD is approved subject to the following conditions:

21. Approval of this replacement plan hereby cancels the Kevin and Michelle Colvin replacement plan approved by the Commission in a Findings and Order dated March 4, 2019.

22. The Dawson Aquifer water will be withdrawn through two wells to be located within the 19.8 acres of overlying land that are the subject of Determination of Water Right No. 3655-BD. The existing well constructed under permit no. 310053-A shall be re-permitted pursuant to this Replacement Plan and a new permit for a proposed well shall be applied for. Existing well permit no. 83066-F must be cancelled. Each Dawson Aquifer well is proposed to divert 1 acre-feet of water annually for in-house use, landscape/irrigation of lawn, garden and pasture and the watering of domestic animals and livestock.
23. The allowed annual amount of groundwater to be withdrawn from the aquifer by all wells operating under this plan shall not exceed 2 acre-feet. The allowed annual amount of water to be withdrawn from each well shall not exceed 1 acre-feet.
24. A totalizing flow meter shall be installed on each well. The well owner shall maintain the meter in good working order.
25. Permanent records of all withdrawals of groundwater from each well shall be recorded at least annually by the well owners, permanently maintained, and provided to the Commission and the Upper Black Squirrel Creek Groundwater Management District upon request.
26. Pumping under this plan is limited to a period of 300 years. The year of first use of this replacement plan shall be the calendar year of construction of a well permitted pursuant to this plan or permitting of an existing well pursuant to the plan.
27. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 19.8 acres of overlying land that are the subject of Determination of Water Right No. 3655-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.
28. Replacement of depletions must be provided annually in the acre-feet amounts shown in Exhibit A. Annual replacement requirements may be computed by pro-rating between the values given on Exhibit A, or for simplicity may be taken as the amount shown in the next succeeding 5 year increment.
29. The Applicant or their successor(s) are responsible for ensuring that replacement water is provided to the alluvial aquifer as required by this plan. The annual replacement requirement and the annual amount of replacement water provided shall be calculated and reported on a form acceptable to the Commission. The annual amount of replacement water provided must be no less than the annual replacement requirement on a yearly basis. No credit shall be claimed by the Applicant for an oversupply of replacement water provided to the alluvium during previous years.
30. The Applicant must provide the required annual amount of replacement water for the first 100 years, or for as long as a well is operated pursuant to this plan, whichever is longer.
31. To assure adequate return flows, at least one well must be serving an occupied single-family dwelling that is generating return flows via a non-evaporative septic system before any irrigation or animal watering is allowed to be served by any of the wells.
32. So long as at least one well continues to pump and supply an occupied dwelling, the plan's required replacement obligations, shown in Exhibit A, will be met. Should all wells cease pumping for in-house use within the first 100 years an amended or alternate replacement plan must be obtained that will replace actual depletions to the alluvial aquifer so as to prevent any material injury to water rights of other appropriators.

33. The Applicant (and their successors) must gather and maintain permanent records of all information pertaining to operation of this plan, which shall include, but is not be limited to, those items identified below. The Applicant must submit records to the Commission and the Upper Black Squirrel Creek Groundwater Management District on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15th of the following year.
- a. Identification of all well permits issued and wells constructed under this plan.
 - b. The amount of water diverted by each well and all wells in total, both annually and cumulatively since operation of the plan began.
 - c. The number of occupied dwellings served by each well.
 - d. The number of square feet irrigated by each well.
 - e. The number of large domestic animals served by each well.
 - f. The return flows occurring from use of all wells operating under the plan, assuming 0.225 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.
 - g. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.
34. The Applicant (and their successors) are fully responsible for the operation, monitoring, and accounting of the replacement plan. In the event a lot with a well permitted or operating pursuant to this plan is sold, identification of the well that was sold and evidence that the new owner has been notified of their responsibilities under the replacement plan shall accompany that year's accounting.
35. If the property is subdivided, any covenants adopted for the 19.8 acres should contain a description of the replacement plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be reported and the plan is to be administered.
36. In the event the permitted well or wells are not operated in accordance with the conditions of this replacement plan, they shall be subject to administration, including orders to cease diverting groundwater.
37. All terms and conditions of Determination of Water Right No. 3655-BD must be meet.
38. Pursuant to Rule 5.6.1.E, a copy of this Findings and Order shall be recorded by the Applicant in the clerk and recorder's records of El Paso County, so that a title examination of the land on which the structures involved in this plan are located reveals the existence of this plan.

Dated this 14th day of May, 2020.



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

By: 

Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Exhibit A
Replacement Plan No. 2 - Determination No.: 3655-BD

Page 1 of 1

Designated Basin Summary Table for Kevin and Michelle Colvin							
Pumping Rate of 2 acre-feet per year for 300 Years from the Dawson aquifer							
Section(s): Section 15, T12S, R65W, 6th P. M.							
Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)
5	2.0	0.0000	0.00	155	2.0	0.0291	1.45
10	2.0	0.0001	0.01	160	2.0	0.0304	1.52
15	2.0	0.0003	0.01	165	2.0	0.0317	1.58
20	2.0	0.0005	0.03	170	2.0	0.0329	1.65
25	2.0	0.0009	0.04	175	2.0	0.0342	1.71
30	2.0	0.0013	0.07	180	2.0	0.0355	1.77
35	2.0	0.0019	0.09	185	2.0	0.0367	1.84
40	2.0	0.0025	0.13	190	2.0	0.0380	1.90
45	2.0	0.0033	0.16	195	2.0	0.0392	1.96
50	2.0	0.0041	0.20	200	2.0	0.0405	2.02
55	2.0	0.0050	0.25	205	2.0	0.0417	2.09
60	2.0	0.0059	0.30	210	2.0	0.0429	2.15
65	2.0	0.0069	0.35	215	2.0	0.0442	2.21
70	2.0	0.0080	0.40	220	2.0	0.0454	2.27
75	2.0	0.0091	0.45	225	2.0	0.0466	2.33
80	2.0	0.0102	0.51	230	2.0	0.0478	2.39
85	2.0	0.0114	0.57	235	2.0	0.0490	2.45
90	2.0	0.0126	0.63	240	2.0	0.0502	2.51
95	2.0	0.0138	0.69	245	2.0	0.0514	2.57
100	2.0	0.0150	0.75	250	2.0	0.0526	2.63
105	2.0	0.0163	0.81	255	2.0	0.0538	2.69
110	2.0	0.0175	0.88	260	2.0	0.0549	2.75
115	2.0	0.0188	0.94	265	2.0	0.0561	2.80
120	2.0	0.0201	1.00	270	2.0	0.0573	2.86
125	2.0	0.0214	1.07	275	2.0	0.0584	2.92
130	2.0	0.0227	1.13	280	2.0	0.0596	2.98
135	2.0	0.0239	1.20	285	2.0	0.0607	3.04
140	2.0	0.0252	1.26	290	2.0	0.0619	3.09
145	2.0	0.0265	1.33	295	2.0	0.0630	3.15
150	2.0	0.0278	1.39	300	2.0	0.0641	3.21

Created by AAT on November 27, 2019

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

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

EXHIBIT D

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO GROUND WATER IN
THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

DETERMINATION NO.: 3655-BD

AQUIFER: Dawson

APPLICANT: Kevin and Michelle Colvin

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Kevin and Michelle Colvin (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Dawson Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on November 14, 2018.
2. The Applicant requests a determination of right to designated ground water in the Dawson Aquifer (hereinafter "Aquifer") underlying 19.8 acres, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., in El Paso County. According to a signed Ownership Statement dated November 12, 2018, attached hereto as Exhibit A, the Applicant owns the 19.8 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The Applicant's proposed place of use of the Underlying Ground Water is the above described 19.8 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.
7. The quantity of water in the Aquifer underlying the 19.8 acres of Overlying Land claimed by the applicant is 1,230 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 20 percent.

- b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 310 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 12.3 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that none of the Underlying Ground Water in the Aquifer beneath the Overlying Land has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water 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.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable 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.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the Underlying Ground Water is considered to be not-nontributary ground water. Withdrawal of water from the Aquifer underlying the claimed land area would impact the alluvial aquifer(s) of Black Squirrel Creek or its tributaries, which has been determined to be over-appropriated. Commission approval of a replacement plan pursuant to Section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules, providing for the actual depletion of the alluvial aquifer and adequate to prevent any material injury to existing water rights, is required prior to approval of well permits for wells to be located on this land area to withdraw the Underlying Ground Water from the Aquifer.
13. On January 9, 2019, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. The District provided comments on January 10, 2019.
14. 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 January 17, 2019 and January 24, 2019. No objections to the application were received within the time limit set by statute.

ORDER


In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of right to


designated ground water in the Dawson Aquifer underlying 19.8 acres of land, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., further described in Exhibit A, is approved subject to the following conditions:

15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 12.3 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 1,230 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. 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.
20. Commission approval of a replacement plan, providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers, is required prior to approval of well permits that allow the withdrawal of the Underlying Ground Water.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The place of use shall be limited to the above described 19.8 acres of Overlying Land. The ground water 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 ground water right determined herein 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 ground water.
22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).
23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
 - a. The wells must be located on the above described 19.8 acres of Overlying Land.

- b. 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.
 - c. The wells must be constructed to withdraw water from only the Dawson Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. 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.
 - f. 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.
24. A copy of this Findings and Order 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 19.8 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground 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 of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Dated this 4th day of March, 2019.

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


Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Prepared by: aat
F&O3655-BD.doc

Exhibit A
3655-BD
Page 1 of 1

Form GWS-1 (08/2016)

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
Phone (303) 866-3581, www.water.state.co.us

RECEIVED

NOV 14 2018

WATER RESOURCES
STATE ENGINEER COLO

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Dawson

I (we) (Please Print) Kevin and Michelle Colvin
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
19.8 acres in the County of El Paso, State of Colorado,
as evidenced by the attached copy of a deed, recorded in the county (or counties) in which the
land is located. (insert the property's legal description)

A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 12 South,
Range 65 West of the 6th P.M. more particularly described as:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15,
Township 12 South, Range 65 West of the 6th P.M., County of El
Paso, State of Colorado, a/k/a 11545 and 11660 Green Acres Lane,
Colorado Springs, CO 80908

I (we) further claim and say that the right to withdraw the ground water in the aquifer underlying
the above described land has not been reserved by another, nor has consent been given to
another for the right to its withdrawal.

NOTE: A completed "Nontributary Landownership or Consent Verification of Notice" form
(GWS-43) must also be provided for all applications submitted pursuant to C.R.S. 37-90-
137(4) outside of a Designated Ground Water Basin.

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

[Signature]
Signature

12 Nov 2018
Date

Signature

Date

Type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional instructions on back.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO GROUND WATER IN
THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

DETERMINATION NO.: 3654-BD

AQUIFER: Denver

APPLICANT: Kevin and Michelle Colvin

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Kevin and Michelle Colvin (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Denver Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on November 14, 2018.
2. The Applicant requests a determination of right to designated ground water in the Denver Aquifer (hereinafter "Aquifer") underlying 19.8 acres, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., in El Paso County. According to a signed Ownership Statement dated November 12, 2018, attached hereto as Exhibit A, the Applicant owns the 19.8 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The Applicant's proposed place of use of the Underlying Ground Water is the above described 19.8 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.
7. The quantity of water in the Aquifer underlying the 19.8 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 the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 17 percent.

- b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 320 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 10.8 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that a small-capacity well, permit no. 310052, is located on the Overlying Land and is permitted to withdraw 0.5 acre-feet per year of ground water from the Aquifer from beneath the Overlying Land. In accordance with Rule 5.3.2.4 of the Designated Basin Rules, the allowed average annual amount of withdrawal from beneath the Overlying Land is reduced to 10.3 acre-feet per year so as to reserve water for that well. The effect of this reservation is to reduce the quantity of Underlying Ground Water which is considered available for allocation to 1,030 acre-feet. Except for that well, review of the records in the Office of the State Engineer has disclosed that none of the water in the Aquifer underlying the land claimed by the Applicant has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water 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.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable 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.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the Underlying Ground Water is considered to be not-nontributary ground water. 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 uppermost aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission.
13. On January 9, 2019, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. The District provided comments on January 10, 2019.
14. 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 January 17, 2019 and January 24, 2019. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of right to designated ground water in the Denver Aquifer underlying 19.8 acres of land, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., further described in Exhibit A, is approved subject to the following conditions:


15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 10.3 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 1,030 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. 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.
20. At least four percent (4%) of the allowed amount of Underlying Ground Water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The place of use shall be limited to the above described 19.8 acres of Overlying Land. The ground water 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 ground water right determined herein 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 ground water.
22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).


23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
- a. The wells must be located on the above described 19.8 acres of Overlying Land.
 - b. 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.
 - c. The wells must be constructed to withdraw water from only the Denver Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. 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.
 - f. 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.
24. A copy of this Findings and Order 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 19.8 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground 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 of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Determination No.: 3654-BD
Aquifer: Denver
Applicant: Kevin and Michelle Colvin

Page 5

Dated this 4th day of March, 2019.

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


Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Prepared by: aat
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Exhibit A
3654-BD
Page 1 of 1

Form GWS-1 (08/2016)

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
Phone (303) 866-3581, www.water.state.co.us

RECEIVED
NOV 14 2018
WATER RESOURCES
STATE ENGINEER COLO

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Denver

I (we) (Please Print) Kevin and Michelle Colvin
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
19.8 acres in the County of El Paso, State of Colorado,
as evidenced by the attached copy of a deed, recorded in the county (or counties) in which the
land is located. (insert the property's legal description)

A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 12 South,
Range 65 West of the 6th P.M. more particularly described as:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15,
Township 12 South, Range 65 West of the 6th P.M., County of El
Paso, State of Colorado, a/k/a 11545 and 11660 Green Acres Lane,
Colorado Springs, CO 80908

I (we) further claim and say that the right to withdraw the ground water in the aquifer underlying
the above described land has not been reserved by another, nor has consent been given to
another for the right to its withdrawal.

NOTE: A completed "Nontributary Landownership or Consent Verification of Notice" form
(GWS-43) must also be provided for all applications submitted pursuant to C.R.S. 37-90-
137(4) outside of a Designated Ground Water Basin.

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


Signature

12 Nov 2018
Date

Signature

Date

Type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional instructions on back.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO GROUND WATER IN
THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

DETERMINATION NO.: 3652-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Kevin and Michelle Colvin

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Kevin and Michelle Colvin (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on November 14, 2018.
2. The Applicant requests a determination of right to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "Aquifer") underlying 19.8 acres, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., in El Paso County. According to a signed Ownership Statement dated November 12, 2018, attached hereto as Exhibit A, the Applicant owns the 19.8 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The Applicant's proposed place of use of the Underlying Ground Water is the above described 19.8 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.
7. The quantity of water in the Aquifer underlying the 19.8 acres of Overlying Land claimed by the applicant is 535 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 15 percent.

- b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 180 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 5.35 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that none of the Underlying Ground Water in the Aquifer beneath the Overlying Land has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water 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.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable 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.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant 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 Underlying Ground Water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the Underlying Ground Water withdrawn annually shall be consumed.
13. On January 9, 2019, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. The District provided comments on January 10, 2019.
14. 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 January 17, 2019 and January 24, 2019. No objections to the application were received within the time limit set by statute.


ORDER


In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of right to designated ground water in the Laramie-Fox Hills Aquifer underlying 19.8 acres of land, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., further described in Exhibit A, is approved subject to the following conditions:

15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 5.35 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 535 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. 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.
20. No more than 98% of the allowed amount of Underlying Ground Water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the underlying ground water withdrawn is being consumed.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The place of use shall be limited to the above described 19.8 acres of Overlying Land. The ground water 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 ground water right determined herein 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 ground water.
22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).
23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
 - a. The wells must be located on the above described 19.8 acres of Overlying Land.
 - b. 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.

- c. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. 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.
 - f. 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.
24. A copy of this Findings and Order 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 19.8 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground 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 of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Dated this 4th day of March, 2019.

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


Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Prepared by: aat
F&O3652-BD.doc

Form GWS-1 (08/2016)

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
Phone (303) 866-3581, www.water.state.co.us

RECEIVED
NOV 14 2018
WATER RESOURCES
STATE ENGINEER, COLO

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Laramie-Fox Hills

I (we) (Please Print) Kevin and Michelle Colvin
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
19.8 acres in the County of El Paso, State of Colorado,
as evidenced by the attached copy of a deed, recorded in the county (or counties) in which the
land is located. (insert the property's legal description)

A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 12 South,
Range 65 West of the 6th P.M. more particularly described as:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15,
Township 12 South, Range 65 West of the 6th P.M., County of El
Paso, State of Colorado, a/k/a 11545 and 11660 Green Acres Lane,
Colorado Springs, CO 80908

I (we) further claim and say that the right to withdraw the ground water in the aquifer underlying
the above described land has not been reserved by another, nor has consent been given to
another for the right to its withdrawal.

NOTE: A completed "Nontributary Landownership or Consent Verification of Notice" form
(GWS-43) must also be provided for all applications submitted pursuant to C.R.S. 37-90-
137(4) outside of a Designated Ground Water Basin.

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

Signature

Date

Signature

Date

Type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional instructions on back.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO GROUND WATER IN
THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

DETERMINATION NO.: 3653-BD

AQUIFER: Arapahoe

APPLICANT: Kevin and Michelle Colvin

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Kevin and Michelle Colvin (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Arapahoe Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on November 14, 2018.
2. The Applicant requests a determination of right to designated ground water in the Arapahoe Aquifer (hereinafter "Aquifer") underlying 19.8 acres, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., in El Paso County. According to a signed Ownership Statement dated November 12, 2018, attached hereto as Exhibit A, the Applicant owns the 19.8 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The Applicant's proposed place of use of the Underlying Ground Water is the above described 19.8 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.
7. The quantity of water in the Aquifer underlying the 19.8 acres of Overlying Land claimed by the applicant is 842 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 17 percent.

- b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 250 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 8.42 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that none of the Underlying Ground Water in the Aquifer beneath the Overlying Land has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water 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.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable 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.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant 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 Underlying Ground Water is nontributary ground water as defined in Rule 4.2.19 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the Underlying Ground Water withdrawn annually shall be consumed.
13. On January 9, 2019, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. The District provided comments on January 10, 2019.
14. 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 January 17, 2019 and January 24, 2019. No objections to the application were received within the time limit set by statute.


ORDER


In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for determination of right to designated ground water in the Arapahoe Aquifer underlying 19.8 acres of land, generally described as part of the E 1/2 of the SE 1/4 of the SE 1/4, Section 15, Township 12 South, Range 65 West, Sixth P.M., further described in Exhibit A, is approved subject to the following conditions:

15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 8.42 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 842 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. 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.
20. No more than 98% of the allowed amount of Underlying Ground Water withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the underlying ground water withdrawn is being consumed.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: domestic, including in house, landscape/irrigation of lawn and gardens, pasture irrigation and watering of domestic animals and stock. The place of use shall be limited to the above described 19.8 acres of Overlying Land. The ground water 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 ground water right determined herein 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 ground water.
22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).
23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
 - a. The wells must be located on the above described 19.8 acres of Overlying Land.
 - b. 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.

- c. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. 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.
 - f. 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.
24. A copy of this Findings and Order 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 19.8 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground 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 of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Dated this 4th day of March, 2019.

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


Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Prepared by: aat
F&O3653-BD.doc

Form GWS-1 (08/2016)

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
Phone (303) 866-3581, www.water.state.co.us

RECEIVED
NOV 14 2018
WATER RESOURCES
STATE ENGINEER

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Arapahoe

I (we) (Please Print) Kevin and Michelle Colvin

claim and say that I (we) am (are) the owner(s) of the following described property consisting of
19.8 acres in the County of El Paso, State of Colorado,
as evidenced by the attached copy of a deed, recorded in the county (or counties) in which the
land is located. (insert the property's legal description)

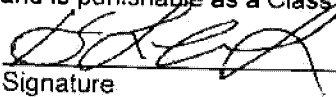
A tract of land in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 12 South,
Range 65 West of the 6th P.M. more particularly described as:

The SE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15,
Township 12 South, Range 65 West of the 6th P.M., County of El
Paso, State of Colorado, a/k/a 11545 and 11660 Green Acres Lane,
Colorado Springs, CO 80908

I (we) further claim and say that the right to withdraw the ground water in the aquifer underlying
the above described land has not been reserved by another, nor has consent been given to
another for the right to its withdrawal.

NOTE: A completed "Nontributary Landownership or Consent Verification of Notice" form
(GWS-43) must also be provided for all applications submitted pursuant to C.R.S. 37-90-
137(4) outside of a Designated Ground Water Basin.

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


Signature

12/14/2018
Date

Signature

Date

.....
Type or print neatly in black ink. This form may be reproduced by photocopy or word
processing means. See additional instructions on back.



ORIGINAL PERMIT APPLICANT(S)

KEVIN COLVIN
MICHELLE COLVIN

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
Designated Basin: UPPER BLACK SQUIRREL CREEK
Management District: UPPER BLACK SQUIRREL
County: EL PASO
Parcel Name: N/A
Physical Address: N/A

SE 1/4 SE 1/4 Section 15 Township 12.0 S Range 65.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 530668.0 Northing: 4317058.0

EXHIBIT E

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT


CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to Sections 37-90-107(7), CRS, and the Findings and Order of the Colorado Ground Water Commission dated March 4, 2019, for Determination of Water Right No. 3655-BD, and pursuant to Section 37-90-107.5, CRS, and the Findings and Order of the Commission dated May 14, 2020, for approval of a replacement plan. In the event the well is not operated in accordance with the conditions of this determination and replacement plan, it will be subject to administration, including orders to cease diverting ground water.
- 4) Approved for a change of use of an existing well constructed under permit no. 310053-A. Issuance of this permit cancels permit no. 310053-A.
- 5) The use of ground water from this well is limited to domestic use inside 1 single family dwelling, including the watering of domestic animals and the irrigation of 1 acre of lawns and gardens. The place of use shall be limited to the 9.9 acre land area, which is part of the 19.8 acres claimed in the above described Order of the Commission.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 1 acre-foot, subject to the total annual withdrawal limitations and conditions as specified by the above referenced Order of the Commission.
- 8) Production is limited to the Dawson aquifer.
- 9) A totalizing flow meter or Commission approved measuring device must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Ground Water Commission upon request.
- 10) The owner shall mark the well in a conspicuous location with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 11) This well shall be located within 200 feet of the location specified on this permit. This well shall not be located within 600 feet of another large-capacity well completed in the Dawson aquifer.
- 12) The return flows from the inhouse supply component of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated May 14, 2020. As a result, the return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.

WELL PERMIT NUMBER 84459-F

RECEIPT NUMBER 10003716

NOTE: This well 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 designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.



Issued By SHANNON PORTER

Date Issued: 6/29/2020

Expiration Date: N/A

Form No. GWS-31 9/2016	WELL CONSTRUCTION AND YIELD ESTIMATE REPORT State of Colorado, Office of the State Engineer 1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581 www.water.state.co.us and dwrpermitsonline@state.co.us	For Office Use Only <div style="font-size: 24pt; color: blue; font-weight: bold;">RECEIVED</div> <div style="font-size: 18pt; color: blue; font-weight: bold;">JUL 22 2019</div> <div style="font-size: 12pt; color: blue; font-weight: bold;">WATER RESOURCES STATE ENGINEER COLO</div>																																																																																												
1. Well Permit Number: 34053-A 84459-F Receipt Number: 3080298 10003716																																																																																														
2. Owner's Well Designation:																																																																																														
3. Well Owner Name: Michelle Colvin																																																																																														
4. Well Location Street Address: 11660 Green Acres Lane																																																																																														
5. GPS Well Location: <input type="checkbox"/> Zone 12 <input checked="" type="checkbox"/> Zone 13 Easting: 530656.0 Northing: 4317060 County: El Paso																																																																																														
6. Legal Well Location: SE 1/4, SE 1/4, Sec., 15 Twp. 12 <input type="checkbox"/> N or S <input checked="" type="checkbox"/> E or W <input checked="" type="checkbox"/> 6th P.M. Distances from Section Lines: _____ ft. from <input type="checkbox"/> N or S <input type="checkbox"/> section line, and _____ ft. from <input type="checkbox"/> E or W <input type="checkbox"/> section line Subdivision: _____, Lot _____, Block _____, Filing (Unit) _____																																																																																														
7. Ground Surface Elevation: _____ feet Date Completed: 07/18/2019 Drilling Method: Air Rotary																																																																																														
8. Completed Aquifer Name : Dawson Total Depth: 500 feet Depth Completed: 500 feet																																																																																														
9. Advance Notification: Was Notification Required Prior to Construction? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Date Notification Given: 07/09/2019																																																																																														
10. Aquifer Type: <input type="checkbox"/> Type I (One Confining Layer) <input type="checkbox"/> Type I (Multiple Confining Layers) <input type="checkbox"/> Laramie-Fox Hills (Check one) <input checked="" type="checkbox"/> Type II (Not overlain by Type III) <input type="checkbox"/> Type II (Overlain by Type III) <input type="checkbox"/> Type III (alluvial/colluvial)																																																																																														
11. Geologic Log: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:10%;">Depth</th> <th style="width:15%;">Type</th> <th style="width:15%;">Grain Size</th> <th style="width:15%;">Color</th> <th style="width:15%;">Water Loc.</th> </tr> </thead> <tbody> <tr><td>0-1</td><td>Topsoil</td><td></td><td></td><td></td></tr> <tr><td>6</td><td>Clay</td><td></td><td></td><td></td></tr> <tr><td>97</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>108</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>185</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>209</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>236</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>248</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>298</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>313</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>345</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>363</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>426</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>455</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>471</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> <tr><td>496</td><td>Sandrock</td><td></td><td></td><td></td></tr> <tr><td>500</td><td>Clay, Sandrock</td><td></td><td></td><td></td></tr> </tbody> </table>					Depth	Type	Grain Size	Color	Water Loc.	0-1	Topsoil				6	Clay				97	Clay, Sandrock				108	Sandrock				185	Clay, Sandrock				209	Sandrock				236	Clay, Sandrock				248	Sandrock				298	Clay, Sandrock				313	Sandrock				345	Clay, Sandrock				363	Sandrock				426	Clay, Sandrock				455	Sandrock				471	Clay, Sandrock				496	Sandrock				500	Clay, Sandrock			
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6	Clay																																																																																													
97	Clay, Sandrock																																																																																													
108	Sandrock																																																																																													
185	Clay, Sandrock																																																																																													
209	Sandrock																																																																																													
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Static Level: 170		Estimated Production Rate 7-8 gpm.																																																																																												
Date/Time measured: 07/18/2019		Estimate Length (hrs) 4																																																																																												
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Mailing Address: 23945 Lucky Lane Calhan, CO 80808																																																																																														
Sign (or enter name if filing online) Tim Kunau		Print Name and Title Tim Kunau/ Manager		Date: 07/22/2019																																																																																										

Form No. GWS-32 09/2016	PUMP INSTALLATION AND PRODUCTION EQUIPMENT TEST REPORT State of Colorado, Office of the State Engineer 1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581 www.water.state.co.us and dwrpermitsonline@state.co.us	For Office Use Only <div style="border: 1px solid black; padding: 5px; width: fit-content; margin: 0 auto;"> RECEIVED AUG 19 2019 WATER RESOURCES STATE ENGINEER COLO </div>
1. Well Permit Number: 310053-A 84459-F Receipt Number: 5000298 10003716		
2. Owner's Well Designation:		
3. Well Owner Name: Michelle Colvin		
4. Well Location Street Address: 11660 Green Acres Lane Colorado Springs, CO 80908		
5. GPS Well Location: <input type="checkbox"/> Zone 12 <input checked="" type="checkbox"/> Zone 13 Easting: 530656 Northing: 4317060 County: El Paso		
6. Legal Well Location: <u>SE</u> 1/4, <u>SE</u> 1/4, Sec. <u>15</u> Twp. <u>12</u> <input type="checkbox"/> N or S <input checked="" type="checkbox"/> , Range <u>65</u> <input type="checkbox"/> E or W <input checked="" type="checkbox"/> Distances from Section Lines: _____ ft. from <input type="checkbox"/> N or S <input type="checkbox"/> sec. line, and _____ ft. from <input type="checkbox"/> E or W <input type="checkbox"/> sec. line Subdivision: _____, Lot _____, Block _____, Filing (Unit) _____		
7. Check Installation Type: <input checked="" type="checkbox"/> Initial Pump Installation <input type="checkbox"/> Replacement Pump <input type="checkbox"/> Change in Depth Only <input type="checkbox"/> Repair		
8. Pump Data: Type: <u>Submersible</u> Date Installed(mm/dd/yyyy): <u>07/25/2019</u> Pump Manufacturer: <u>Franklin Waterhorse</u> Pump Model No. <u>7Wa1554-3W230</u> Design GPM: <u>7</u> at RPM <u>3450</u> HP <u>1.5</u> Volts <u>230</u> Full Load Amps <u>11.5</u> Pump Intake Depth: <u>460</u> Feet, Drop/Column Pipe Size Inches, <u>1</u> Kind of Drop Pipe <u>PVC</u> Additional Information for Pumps Greater Than 50 GPM: Turbine Driver Type: <input type="checkbox"/> Electric <input type="checkbox"/> Engine <input type="checkbox"/> Other _____ Design Head: _____ feet Number of Stages: _____ Shaft size: _____ inches		
9. Other Equipment: Airline Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Orifice Depth ft. _____ Monitor Tube Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Depth ft. _____ Flow Meter Mfg. _____ Meter Serial No. _____ Meter Readout: <input type="checkbox"/> Gallons, <input type="checkbox"/> Thousand Gallons, <input type="checkbox"/> Acre feet Beginning Reading: _____		
10. Cistern Information: Material: _____ Capacity: _____ gallons Date Installed: _____		
11. Production Equipment Test Data: <input type="checkbox"/> check box if data is submitted on Form Number GWS-39 Well Yield Test Report. <div style="display: flex; justify-content: space-between;"> <div> Date: _____ Total Well Depth: <u>500</u> ft. Static Level: <u>170</u> ft. Date Measured: <u>07/18/2019</u> </div> <div> Time: _____ Rate (gpm): <u>7</u> Pumping Level (ft): <u>460</u> </div> </div>		
12. Disinfection: Type: <u>HTH</u> Amt. Used: <u>6 oz</u>		
13. Notification: Was Advanced Notification Required Prior to Installation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No, Date Notification Given: <u>07/24/2019</u>		
14. Water Quality analysis available: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please submit with this report.		
15. Remarks: <u>**this redrill was an emergency pump set. we scheduled their pump/waterline connections for a later date,</u> <u>but a few days after the drilling the well collapsed and we had to return promptly to set the pump.</u>		
16. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$1,000 and/or revocation of the contracting license. If filing online, the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.		
Company Name: Kunau Drilling LLC	Email: kunaudrilling@aol.com	Phone w/area code: (719) 683-3720
License Number: 1148		
Mailing Address: 23945 Lucky Lane Calhan, CO 80808		
Sign (or enter name if filing online) Tim Kunau	Print Name and Title Tim Kunau - Manager	Date: 08/18/2019



COLORADO

Division of Water Resources

Department of Natural Resources

WELL PERMIT NUMBER 84459-F

RECEIPT NUMBER 10003716

ORIGINAL PERMIT APPLICANT(S)

KEVIN COLVIN

MICHELLE COLVIN

APPROVED WELL LOCATION

Water Division: 2

Water District: 10

Designated Basin:

UPPER BLACK SQUIRREL CREEK

Management District:

UPPER BLACK SQUIRREL

County:

EL PASO

Parcel Name:

N/A

Physical Address:

N/A

SE 1/4 SE 1/4 Section 15 Township 12.0 S Range 65.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 530668.0

Northing: 4317058.0

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to Sections 37-90-107(7), CRS, and the Findings and Order of the Colorado Ground Water Commission dated March 4, 2019, for Determination of Water Right No. 3655-BD, and pursuant to Section 37-90-107.5, CRS, and the Findings and Order of the Commission dated May 14, 2020, for approval of a replacement plan. In the event the well is not operated in accordance with the conditions of this determination and replacement plan, it will be subject to administration, including orders to cease diverting ground water.
- 4) Approved for a change of use of an existing well constructed under permit no. 310053-A. Issuance of this permit cancels permit no. 310053-A.
- 5) The use of ground water from this well is limited to domestic use inside 1 single family dwelling, including the watering of domestic animals and the irrigation of 1 acre of lawns and gardens. The place of use shall be limited to the 9.9 acre land area, which is part of the 19.8 acres claimed in the above described Order of the Commission.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 1 acre-foot, subject to the total annual withdrawal limitations and conditions as specified by the above referenced Order of the Commission.
- 8) Production is limited to the Dawson aquifer.
- 9) A totalizing flow meter or Commission approved measuring device must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Ground Water Commission upon request.
- 10) The owner shall mark the well in a conspicuous location with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 11) This well shall be located within 200 feet of the location specified on this permit. This well shall not be located within 600 feet of another large-capacity well completed in the Dawson aquifer.
- 12) The return flows from the inhouse supply component of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated May 14, 2020. As a result, the return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.

WELL PERMIT NUMBER 84459-F

RECEIPT NUMBER 10003716

NOTE: This well 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 designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.



Issued By SHANNON PORTER

Date Issued: 6/29/2020

Expiration Date: N/A

<p>COLORADO DIVISION OF WATER RESOURCES DEPARTMENT OF NATURAL RESOURCES 1313 SHERMAN ST., Ste 821, DENVER, CO 80203 Main: (303) 866-3581 dwrpermitsonline@state.co.us</p> <p>RESIDENTIAL Note: Also use this form to apply for livestock watering</p> <p>Water Well Permit Application Review form instructions prior to completing form. Hand completed forms must be completed in black or blue ink or typed.</p>	<div style="border: 1px solid black; padding: 5px;">Office Use Only</div> <div style="border: 1px solid black; padding: 5px; text-align: right;">Form GWS-44 (01/2020)</div> <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 20px;">RCVD DWR</div> <div style="text-align: center; font-size: 3em; font-weight: bold; margin-top: 10px;">05/26/2020</div>																
<p>1. Applicant Information Name(s) _____ questions please contact: _____ Kevin and Michelle Colvin ebp@cowaterlaw.com Mailing address _____ 11660 Green Acres Lane City _____ State _____ Zip code _____ Colorado Springs CO 80908 Telephone (w/area code) _____ E-mail _____ 248-219-4534 kpsogioan@sbcglobal.net</p>	<p>6. Use Of Well (check applicable boxes) See instructions to determine use(s) for which you may qualify <input type="checkbox"/> A. Ordinary household use in one single-family dwelling (no outside use) <input checked="" type="checkbox"/> B. Ordinary household use in 1 to 3 single-family dwellings: Number of dwellings: <u>1</u> <input checked="" type="checkbox"/> Home garden/lawn irrigation, not to exceed one acre: area irrigated _____ <input type="checkbox"/> sq. ft. <input type="checkbox"/> acre <input checked="" type="checkbox"/> Domestic animal watering – (non-commercial) <input type="checkbox"/> C. Livestock watering (on farm/ranch/range/pasture)</p>																
<p>2. Type Of Application (check applicable boxes) <input type="checkbox"/> Construct new well <input type="checkbox"/> Change source (aquifer) <input type="checkbox"/> Replace existing well <input type="checkbox"/> Reapplication (expired permit) <input checked="" type="checkbox"/> Use existing well <input type="checkbox"/> Rooftop precip. collection <input checked="" type="checkbox"/> Change or increase use <input type="checkbox"/> Other: _____</p>	<p>7. Well Data (proposed) <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Maximum pumping rate</td> <td>gpm</td> <td>Annual amount to be withdrawn</td> <td>acre-feet</td> </tr> <tr> <td>15</td> <td></td> <td>1</td> <td></td> </tr> <tr> <td>Total depth</td> <td>feet</td> <td>Aquifer</td> <td></td> </tr> <tr> <td>500</td> <td></td> <td>Dawson</td> <td></td> </tr> </table></p>	Maximum pumping rate	gpm	Annual amount to be withdrawn	acre-feet	15		1		Total depth	feet	Aquifer		500		Dawson	
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15		1															
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<p>3. Refer To (if applicable) Well permit # _____ Water Court case # _____ 310053-A Designated Basin Determination # _____ Well name or # _____ 3655-BD</p>	<p>8. Water Supplier Is this parcel within boundaries of a water service area? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO If yes, provide name of supplier: _____</p>																
<p>4. Location Of Proposed Well (Important! See Instructions) County _____ El Paso SE 1/4 of the SE 1/4 Section _____ Township _____ N or S _____ Range _____ E or W _____ Principal Meridian _____ 15 12 <input checked="" type="checkbox"/> N <input checked="" type="checkbox"/> S 65 <input checked="" type="checkbox"/> E <input type="checkbox"/> W 6th Distance of well from section lines (section lines are typically not property lines) 1235 Ft. from <input type="checkbox"/> N <input checked="" type="checkbox"/> S 327 Ft. from <input checked="" type="checkbox"/> E <input type="checkbox"/> W For replacement wells only – distance and direction from old well to new well _____ feet Direction _____ Well location address (Include City, State, Zip) <input type="checkbox"/> Check if well address is same as in item 1.</p>	<p>9. Type Of Sewage System <input checked="" type="checkbox"/> Septic tank / absorption leach field <input type="checkbox"/> Central system: District name: _____ <input type="checkbox"/> Vault: Location sewage to be hauled to: _____ <input type="checkbox"/> Other (explain) _____</p>																
<p>Optional: GPS well location information in UTM format. GPS unit settings are as follows: Format must be UTM <input type="checkbox"/> Zone 12 or <input checked="" type="checkbox"/> Zone 13 Easting: 530668 Units must be Meters Northing: 4317058 Datum must be NAD83 Remember to set Datum to NAD83 Unit must be set to true north Was GPS unit checked for above? <input checked="" type="checkbox"/> YES</p>	<p>10. Proposed Well Driller License # (optional): _____ 11. Sign or Enter Name 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. Sign or enter name(s) of person(s) submitting application Date (mm/dd/yyyy) <i>Michelle Colvin</i> <i>5/26/2020</i> If signing print name and title Kevin + Michelle Colvin - Owners</p>																
<p>5. Parcel On Which Well Will Be Located (You must attach a current deed for the subject parcel) A. You must check and complete one of the following: <input type="checkbox"/> Subdivision: Name _____ Lot _____ Block _____ Filing/Unit _____ <input type="checkbox"/> County exemption (attach copy of county approval & survey) Name/# _____ Lot # _____ <input type="checkbox"/> Parcel less than 35 acres, not in a subdivision attach a deed with metes & bounds description recorded prior to June 1, 1972, and current deed <input type="checkbox"/> Mining claim (attach copy of deed or survey) Name/#: _____ <input type="checkbox"/> Square 40 acre parcel as described in Item 4 <input type="checkbox"/> Parcel of 35 or more acres (attach metes & bounds description or survey) <input checked="" type="checkbox"/> Other: (attach metes & bounds description or survey) B. # of acres in parcel _____ C. Are you the owner of this parcel? 9.9 <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO D. Will this be the only well on this parcel? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO (if no – list other wells) E. State Parcel ID# (optional): _____</p>	<p>Office Use Only USGS map name _____ DWR map no. _____ Surface elev. _____ Receipt area only <div style="text-align: center; font-size: 2em; font-weight: bold; margin-top: 20px;">10003716</div> AQUAMAP WE WR CWCB TOPO MYLAR SB5 DIV <u>2</u> WD <u>10</u> BA <u>4</u> MD <u>12</u></p>																

212079149 07/12/2012 04:35:32
PGS 1 \$11.00 DF \$ 31.00

Electronically Recorded Official Records El Paso County CO
Wayne W. Williams Clerk and Recorder
TD1000 Y



Warranty Deed
(Pursuant to 38-30-113 C.R.S.)

State Documentary Fee
Date: July 12, 2012
\$ 31.00

THIS DEED, made on July 12, 2012 by MARTHA K. LOVE Grantor(s), of the County of EL PASO and State of COLORADO for the consideration of (\$310,000.00) *** Three Hundred Ten Thousand and 00/100 *** dollars in hand paid, hereby sells and conveys to KEVIN COLVIN AND MICHELLE COLVIN Grantee(s), as Joint Tenants, whose street address is 54885 WALNUT DR. NEW HUDSON, MI 48165, County of EL PASO, and State of MICHIGAN, the following real property in the County of El Paso, and State of Colorado, to wit:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 12 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO.

also known by street and number as: 11660 GREEN ACRES LANE COLORADO SPRINGS CO 80908

with all its appurtenances and warrants the title to the same, subject to covenants, easements, reservations, restrictions, and rights of way, of record, if any, and taxes and assessments for the current and subsequent years.

Martha K. Love
MARTHA K. LOVE

State of COLORADO)
County of EL PASO) ss.

The foregoing instrument was acknowledged before me on this 12th day of July, 2012, by MARTHA K. LOVE

[Signature]
Notary Public
My commission expires _____

LISA S. FENN
Notary Public
State of Colorado

My Commission Expires Aug 3, 2014

When Recorded Return to: KEVIN COLVIN AND MICHELLE COLVIN
54885 WALNUT DR. NEW HUDSON, MI 48165



EL PASO COUNTY - COLORADO

5215000054
11545 GREEN ACRES LN, 11660 GREEN ACRES LN

Total Market Value
\$409,405

OVERVIEW

Owner:	COLVIN KEVIN, COLVIN MICHELLE
Mailing Address:	4336 NORMANDY CT ROYAL OAK MI, 48073-2265
Location:	11545 GREEN ACRES LN, 11660 GREEN ACRES LN
Tax Status:	Taxable
Zoning:	RR-5
Plat No:	-
Legal Description:	NE4SE4SE4 & SE4SE4SE4 EX RD SEC 15-12-65

MARKET & ASSESSMENT DETAILS

	Market Value	Assessed Value
Land	\$163,400	\$11,690
Improvement	\$246,005	\$17,590
Total	\$409,405	\$29,280

RESIDENTIAL - RANCH (1)

Market Value \$236,645

Assessment Rate	7.15	Above Grade Area	1,786
Bldg #	1	First Floor Area	1,786
Style Description	RANCH	Above First Floor Area	0
Property Description	MASONRY AVERAGE QUALITY	Lower Level Living Area	0
Year Built	1964	Total Basement Area	1,022
Dwelling Units	1	Finished Basement Area	854
Number of Rooms	7	Garage Description	Basement
Number of Bedrooms	3	Garage Area	764
Number of Baths	2.50	Carport Area	-

COMMERCIAL - SHEDS/MISCL (1)

Market Value \$8,461

Assessment Rate	7.15	Sprinkler	N
Bldg #	1	Elevator	N
Use	Sheds/Miscl	Occup 1	378
Year Built	1982	Occup 2	
Area	1818	HVA 1	
Class	S	HVA 2	
Quality	1.6	Wall Height	8
Stories	1	Land Size	431244
Perimeter	173	Neigh #	94
# Units			

COMMERCIAL - SHEDS/MISCL (2)

Market Value \$389

Assessment Rate	7.15	Sprinkler	N
Bldg #	2	Elevator	N
Use	Sheds/Miscl	Occup 1	477
Year Built	1982	Occup 2	
Area	223	HVA 1	
Class	D	HVA 2	
Quality	1.0	Wall Height	7
Stories	1	Land Size	431244
Perimeter	19	Neigh #	94
# Units			

COMMERCIAL - SHEDS/MISCL (3)

Assessment Rate	7.15	Sprinkler	N	Market Value	\$510
Bldg #	3	Elevator	N		
Use	Sheds/Misc	Occup 1	477		
Year Built	1982	Occup 2			
Area	222	HVA 1			
Class	D	HVA 2			
Quality	1.0	Wall Height	8		
Stories	1	Land Size	431244		
Perimeter	43	Neigh #	94		
# Units					

LAND DETAILS

Sequence Number	Land Use	Assessment Rate	Area	Market Value
1	SINGLE FAMILY RES.	7.150	19.8 Acres	\$158,400
2	WELL AND SEPTIC	7.150	0	\$5,000

TAX ENTITY AND LEVY INFORMATION

County Treasurer Tax Information

Tax Area Code: **JBR** Levy Year: **2019** Mill Levy: **85.077**

Taxing Entity	Levy	Contact Name/Organization	Contact Phone
EL PASO COUNTY	7.222	FINANCIAL SERVICES	(719) 520-6400
EPC ROAD & BRIDGE (UNSHARED)	0.330	-	(719) 520-6498
ACADEMY SCHOOL NO 20	60.216	BECKY ALLAN	(719) 234-1200
PIKES PEAK LIBRARY	3.731	MIKE VARNET	(719) 531-6333
BLACK FOREST FIRE PROTECTION	12.549	FIRE CHIEF	(719) 495-4300
UPPER BLK SQUIRREL CRK GROUND WATER	1.029	TRACY DORAN	(719) 347-0704



No Photo Available

**Disclaimer**

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

STATE OF
COLORADO

Porter - DNR, Shannon <shannon.porter@state.co.us>

Colvin Application for Review, rcpts. 10003716 & 10003717

2 messages

Porter - DNR, Shannon <shannon.porter@state.co.us>
To: Tracy Doran <ubscgwmd@gmail.com>

Thu, May 28, 2020 at 5:25 PM

The applicants are applying for well permits on 2 lots of 9.9 acres each, under 3655-BD & Replacement Plan. The Replacement Plan allows for domestic use, 1 afyr for each well in the Dawson aquifer. Permit no. 310053-A will be cancelled and reissued pursuant to 3655-BD and Permit no. 83066-F will be cancelled and new permit issued pursuant to 3655-BD.

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Shannon Porter
Engineering/Physical Science Technician
Designated Basins



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581 x 8204
1313 Sherman St., Suite 821, Denver, CO 80203
Shannon.Porter@state.co.us | water.state.co.us

2 attachments **10003716.pdf**
1057K **10003717.pdf**
1058K

Tracy Doran <ubscgwmd@gmail.com>
To: "Porter - DNR, Shannon" <shannon.porter@state.co.us>

Wed, Jun 3, 2020 at 2:05 PM

Hi Shannon,

The Upper Black Squirrel Board reviewed the Colvin permit. The Board will approve the application as they are in alignment with our Rule 18. The District will allow 1 acre-ft for each well under their Replacement Plan and our Rule 18 in the Dawson aquifer. They will be required to submit monthly meter readings once the permits are issued under our Rule 21.

18. LARGE CAPACITY WELLS-RESIDENTIAL USE OUTSIDE SUBDIVISIONS. This rule shall be applicable to all wells proposed to be permitted pursuant to §37-90-107, C.R.S. after the effective date of this rule, including wells re-permitted following a change in use proceeding and wells proposed to be permitted following a determination of water right, for withdrawals from the Upper Black Squirrel Creek alluvial, Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers for the purpose of supplying one or more single family residences located or to be located outside a Subdivision or cluster development.

A. Production shall be limited to 15 gallons per minute and withdrawals shall not exceed 1 acre foot per year.

B. A well may serve up to two residences on a single parcel.

C. Totalizing flow meters shall be installed on all wells. Well owners shall keep accurate records of withdrawals, and shall provide copies of such records to the District upon request.

(Effective August 23, 2010).

21. WELL METERING. All operational large capacity wells (wells operating under permits issued pursuant to §37-90-107, C.R.S.) shall be equipped with totalizing flow meters on or before March 1, 2007. All new large capacity wells permitted after that date shall be equipped with a meter prior to operation. Non operational or inactive wells need not be metered by March 1, 2007, provided, however, that no such well shall operate after that date until a Board approved meter is installed and tested. Failure to install a meter as required by this rule shall result in a curtailment order. Installation and operation of well meters shall be pursuant to the following guidelines:

A. The owner of a well shall be responsible for the entire cost of purchasing a flow meter and installing the flow meter on the well.

B. The owner of the Constituent Well shall be responsible for all expenses, including, but not limited to, maintenance, testing, repair and replacement of the required meter. If a constituent fails to install, repair or replace a malfunctioning meter when requested to do so by the District, the District may contract for the installation, repair or replacement of the meter and charge the constituent for the full costs incurred.

C. The District is hereby authorized to assess each well owner an annual per meter fee to be used to offset the costs of inspection, meter reading and enforcement performed by the District. Said fee shall be fixed by the Board on an annual basis.

D. The owner of a well shall allow for and/or provide representatives or agents of the District access to each well as is necessary for said representative or agent to install, inspect, monitor, maintain, alter, repair, renew, substitute, replace, remove, operate, and read the totalizing flow meter installed on the well.

E. The owner of a metered well shall report the meter reading on his or her well monthly on a form or website provided by the District. If a constituent fails to report meter readings, the District may read the meter and charge the constituent a fee to offset the cost of sending district personnel or contractors to read the meter. District personnel shall read the meters at least once annually, but may make additional readings if so instructed by the Board.

F. Use of power coefficients in lieu of meters shall not be allowed.

G. Well meter installation must meet the following specifications:

1) Plans for installation must be submitted to and approved by the District prior to installation. A well owner is entitled to use an installer of his or her choice;

however, after installation, the flow meter shall be inspected by a representative or agent of the District. If the installation is faulty, defective or otherwise does not comply with the standards set forth herein, then the District is authorized to reinstall said flow meter. The owner of the well shall be responsible for all costs charged by the District for the reinstallation, including, if necessary, purchase of a new flow meter.

2) Installed meters must be verified to be accurate within +/- 5%, as reported by calibrated test equipment.

3) Meters must contain sufficient recording digits to assure totalized flow will not "roll over" in a three year period.

4) Meters will be serviced and tested for accuracy on a four year rolling basis. Changes to pumping configurations may require the meter to be re-verified for accuracy.

5) Meters may be mechanical or digital.

Have a wonderful day.

Tracy

[Quoted text hidden]

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Tracy Doran

Office Manager

Upper Black Squirrel Creek Ground Water Management District

P.O. Box 428

Calhan, Co 80808

719-510-0780 Office