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COLORADO

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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT
CRAIG DOSSEY, EXECUTIVE DIRECTOR

November 19, 2020

Subject: (ADM-20-037) Determination of Applicability of the El Paso County Guidelines and Regulations for Areas and Activities of State Interest (a.k.a. "1041 Regulations) as to the "Well Sites #5, #7 & #8 – Laramie Fox Hills (154-BD), Arapahoe (155-BD), Denver (156-BD) and Dawson (157-BD) Wells"

Dear Mr. Kerby,

This letter is in response to your "Well Sites #5, #7 & #8 – Laramie Fox Hills (154-BD), Arapahoe (155-BD), Denver (156-BD) and Dawson (157-BD) Wells" letter dated November 1st, 2020, which includes a request for an exemption of the proposed new well sites. As stated in your letter, "...the well sites will not as an aggregate produce more than 500 AF per year. The four similarly outfitted well sites withdrawing appropriations from the Arapahoe and Laramie Fox Hills aquifers have on average produced 80 AF per year each. It is estimated that the average production of each well site will continue to be 80 AF per year for an annual total production rate of less than 250 AF per year for this project..."

After reviewing your letter against the applicable sections of the El Paso County Guidelines and Regulations for Areas and Activities of State Interest ("1041 Regulations"), it is my opinion that the proposed project is not subject to the County's 1041 Regulations, and therefore, will not require a "1041" permit.

Please be advised that this determination is limited to the project as proposed. Additional review(s) for applicability of the 1041 Regulations will be required by the County for any future change(s) to the facility.

This determination shall only be interpreted as an exemption of the proposed project from permitting requirements under the County's 1041 Regulations. Approval of a Site Development Plan is required prior to construction.

If you have any questions or concerns regarding this determination, please contact myself or John Green, Planner II, at (719) 520-6442 or johngreen@elpasoco.com.

Sincerely,



Craig Dossey
Executive Director
El Paso County Planning and Community Development Department

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