

February 21, 2018

Avalar Real Estate
7495 McLaughlin Road, Suite 101
Falcon, CO 80831



ENTECH
ENGINEERING, INC.

505 ELKTON DRIVE
COLORADO SPRINGS, CO 80907
PHONE (719) 531-5599
FAX (719) 531-5236

Attn: Amanda Ausmus

Re: **Cost Estimate – P18-103**
Geology/ Soils and Wastewater Study
Mountains to View Estates
Tax Schedule No. 32000-00-143
11150 North Ellicott Highway
El Paso County, Colorado

Dear Ms. Ausmus:

This proposal is in response to your request to perform a Geology/ Soils and Wastewater Study for the above-referenced project.

PROJECT DESCRIPTION

The project is to consist of the subdividing of an existing parcel into a three-lot minor subdivision. There is an existing house located on Lot 1 that will remain. *Visual Tactile Test Pits* will be required. The scope of work proposed includes a Geology/Soils and Wastewater Study. The project and associated cost is presented below.

GEOLOGY, SOILS AND WASTEWATER REPORT

Geologic mapping of the site will be performed by Entech Engineering, Inc. to prepare the geology, soils and wastewater report in accordance with also El Paso Land Development Code. Items to be included in the report will be general information with respect to major geographic and geologic features. Geological hazards and their effects on the development of the property will also be discussed.

Due to changes in the Onsite Wastewater Treatment System (OWTS) regulations, tactile test pits are required. Two (2) visual tactile test pits in accordance with El Paso County Regulations will be completed. Access to the test pit areas must be provided by the Client. Soils data obtained from the test pits will also be utilized to evaluate the site for residential construction.

Estimated Total \$3,750.00

Additional time required for planning meetings and for responses to county or state reviews will be billed at our hourly rates. Any additional services for the project will be billed at our hourly rates and subject to the limitation of liability of this agreement.

Avalar Real Estate
Cost Estimate – P18-103
Geology/ Soils and Wastewater Study
Mountains to View Estates
Tax Schedule No. 32000-00-143
11150 North Ellicott Highway
El Paso County, Colorado
Page Two

INVOICING

You will be invoiced at the completion of the report. The invoice is past due after 30 days from the invoice date and our client agrees to pay a finance charge of 1.5% per month on any past due amount. If the invoice is not paid within 60 days and Entech Engineering, Inc. commences a collection action, then our client agrees to pay all court costs and attorney fees incurred therein.

LIMITATION OF LIABILITY

To the fullest extent permitted by law, and notwithstanding any other provision of this Agreement, the total liability, in the aggregate, of ENTECH ENGINEERING, INC. and its officers, directors, partners, employees, agents and any of them, to our CLIENT and anyone claiming by, through or under our CLIENT, for any and all claims, losses, costs or damages whatsoever arising out of, resulting from, or in any way related to the Project of the Agreement from any cause or causes, including but not limited to the negligence, professional errors or omissions, strict liability or breach of contract, or warranty express or implied of ENTECH ENGINEERING, INC. or its officers, directors, partners, employees, agents or consultants or any of them, shall not exceed \$15,000.

We trust this provides you with the information you require. We look forward to working with you on this project. Signing and returning one copy of this proposal gives us formal written authorization to proceed as outlined above. If you have any questions or need additional information, please do not hesitate to contact us.


Respectfully Submitted,
ENTECH ENGINEERING, INC.


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

JCG/rm

2MSWpro/2018/P18-103

ACCEPTED:

Signature: 
Print Name: Craig McLonnie II
Title: Manager / VP
Date: 2-21-2018

COLORADO GROUND WATER COMMISSION
 DIVISION OF WATER RESOURCES
 DEPARTMENT OF NATURAL RESOURCES
 1313 Sherman St, Room 821, Denver, CO 80203
 (303) 866-3581, www.water.state.co.us, dwrpermitsonline@state.co.us

**APPLICATION FOR DETERMINATION OF WATER RIGHT
 WITHIN A DESIGNATED GROUND WATER BASIN
 PURSUANT TO SECTION 37-90-107(7), C.R.S.**

This application may only be used to apply for a determination of right to ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land area located within a Designated Ground Water Basin. A separate form must be used for each aquifer. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. Type or print in black ink.

1. APPLICANT INFORMATION	
Name of Applicant Meadow Homes, LLC	
Mailing Address 16985 Fletcherville Lane, Peyton, Colorado 80831	
Telephone Number (include area code) 719-330-0695	Email craig@craig-mcconnell.com
2. AQUIFER: Arapahoe	3. AMOUNT OF OVERLYING LAND: 40 acres
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.	
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.	
6. AMOUNT OF GROUND WATER – Indicate one of the following, being the amount of ground water requested to be allocated for subsequent well permitting and withdrawal pursuant to the determination, on the basis of an aquifer life of 100 years. If less than the maximum available allocation is requested, an attachment must be provided identifying how the excluded water will be allocated (i.e. distributed) beneath the overlying land. <input checked="" type="checkbox"/> Maximum allocation <input type="checkbox"/> Maximum allocation excluding _____ acre-feet annually <input type="checkbox"/> Specific allocation of _____ acre-feet annually	
7. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, indoor and outdoor irrigation, commercial, stock watering, and equipment and landscape washing.	
8. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use.	
9. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <i>Noreen McConnell</i> Date: <i>3/19/18</i> Print name and title: Noreen McConnell, Manager, Meadow Homes, LLC	
FOR OFFICE USE ONLY	
DIV _____ CO _____ WD _____ BASIN _____ MD _____	
Form GWS-53 (3/2018)	

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

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Arapahoe

I (we) (Please Print) Meadow Homes, LLC ,
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
 40 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)

SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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.

 Noreen McConnell 3/19/18
Manager, Meadow Homes, LLC Date

 Noreen McConnell
Print Name

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

**ATTACHMENT TO DETERMINATION OF WATER RIGHTS APPLICATION OF
CRAIG AND NOREEN MCCONNELL**

EXISTING WELL ON PROPERTY:

Domestic well located in the SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M. 1470 feet from the north section line and 210 feet from the east section line. UTM NAD83 Zone 13 Easting: 553074, Northing: 4316198. This well is currently permitted under Division of Water Resources Permit No. 126743 for the maximum annual volume of 1 acre-foot at 15 gallons per minute from the Denver Aquifer. As this property is being subdivided, this well will no longer operate under the existing exempt well permit. The subdivision is to be provided water by means of wells constructed to the Arapahoe and/or Laramie-Fox Hills aquifers. Therefore, upon completion of the subdivision process and the construction of other wells, this well will be capped and abandoned.

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1. APPLICANT INFORMATION	
Name of Applicant Meadow Homes, LLC	
Mailing Address 16985 Fletcherville Lane, Peyton, Colorado 80831	
Telephone Number (include area code) 719-330-0695	Email craig@craig-mcconnell.com
2. AQUIFER: Denver	3. AMOUNT OF OVERLYING LAND: 40 acres
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.	
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.	
6. AMOUNT OF GROUND WATER – Indicate one of the following, being the amount of ground water requested to be allocated for subsequent well permitting and withdrawal pursuant to the determination, on the basis of an aquifer life of 100 years. If less than the maximum available allocation is requested, an attachment must be provided identifying how the excluded water will be allocated (i.e. distributed) beneath the overlying land. <input checked="" type="checkbox"/> Maximum allocation <input type="checkbox"/> Maximum allocation excluding _____ acre-feet annually <input type="checkbox"/> Specific allocation of _____ acre-feet annually	
7. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, indoor and outdoor irrigation, commercial, stock watering, and equipment and landscape washing.	
8. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use.	
9. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <i>Noreen McConnell</i> Date: <i>3/19/18</i> Print name and title: Noreen McConnell, Manager, Meadow Homes, LLC	
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STATE OF COLORADO
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1313 Sherman St, Room 821, Denver, CO 80203
Phone (303) 866-3581, www.water.state.co.us

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Denver

I (we) (Please Print) Meadow Homes, LLC,
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
40 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)

SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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
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contents thereof; and that the same are true to my (our) knowledge. Pursuant to Section 24-4-
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Noreen McConnell
Manager, Meadow Homes, LLC

3/19/18
Date

Noreen McConnell
Print Name

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Mailing Address 16985 Fletcherville Lane, Peyton, Colorado 80831	
Telephone Number (include area code) 719-330-0695	Email craig@craig-mcconnell.com
2. AQUIFER: Laramie-Fox Hills	3. AMOUNT OF OVERLYING LAND: 40 acres
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.	
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Phone (303) 866-3581, www.water.state.co.us

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Laramie-Fox Hills

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claim and say that I (we) am (are) the owner(s) of the following described property consisting of
40 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
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SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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Noreen McConnell 3/19/18
Manager, Meadow Homes, LLC Date

Noreen McConnell
Print Name

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John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 18, 2018

Meadow Homes, LLC
16985 Fletcherville Lane
Peyton, CO 80831

Invoice No. 18-PUB-81

INVOICE

Pursuant to Section 37-90-116, C.R.S., applicants are required to pay for the actual expense of publication for determinations of water right, well permit, and change of water right applications.

Your applications for determination of water rights to appropriate ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers were published in Ranchland News on May 10, 2018 and May 17, 2018.

The following cost was incurred:

- 1. Actual cost of publication: \$ 73.83
- 2. Additional fees: none

PAYABLE TO: DIVISION OF WATER RESOURCES \$ 73.83

Your application cannot be considered for approval until the charges are paid.
Please return the enclosed copy of this invoice with remittance within thirty (30) days.

(A copy of the publication affidavit is enclosed for your records.)

Sincerely,

Joanna Williams
Water Resource Engineer

Enclosures: a/s



PUBLISHER'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)

Determinations of Water Right

BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT - EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Meadow Homes, LLC (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: domestic, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above aquifers based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the application by the Commission Staff finds the annual amount of water available for allocation from the aquifers underlying the above-described property to be 15.6 acre-feet for the Laramie-Fox Hills aquifer, 13.3 acre-feet for the Arapahoe aquifer and 15.0 acre-feet for the Denver aquifer, subject to final staff evaluation. The amount for the Denver aquifer represents a reduction in the initial annual amount determined to be available to allow for the annual withdrawal of a small-capacity well located on the described property area, permit no. 126743. The estimated available annual acre-feet allocation for each aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the application finds the replacement water requirement status for the aquifers underlying the above-described property to be noncontributory for the Laramie-Fox Hills aquifer, noncontributory for the Arapahoe aquifer and not-noncontributory (actual impact replacement) for the Denver aquifer.

Upon Commission approval of the determination of water right, well permits for wells to withdraw the allowed allocation shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the aquifer and must be located on the above-described 40 acre property. Well permits for wells to withdraw ground water from the Denver aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

Any person wishing to object to the approval of these determinations of water right must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 fee per aquifer and must be received by the Commission Staff, Colorado Ground Water Commission, 1313 Sherman Street, Room 821, Denver, Colorado 80203, by June 16, 2018.

First Publication May 10, 2018
Final Publication May 17, 2018
In Ranchland News
Legal No. 154

I, Jenna Lister, do solemnly affirm that I am the Publisher of RANGLAND NEWS; that the same is a weekly newspaper published at Simla, County of Elbert, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Elbert for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Calhan, Colorado as second class mail matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for TWO successive weeks; that the first publication of said notice was in the Issue of said newspaper dated:

May 10, 2018

and the last publication of said notice was in the issue of said newspaper dated:

May 17, 2018

and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Ranchland News, according to the accustomed mode of business in this office.

Jenna Lister

Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

17 day of May, 2018

Susan Lister

Notary Public

09/20/2020

My Notary Public Commission Expiration Date)

SUSAN LISTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19964014317
MY COMMISSION EXPIRES 09/20/2020

RECEIVED

MAR 21 2018

WATER RESOURCES
STATE ENGINEER COLO

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

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

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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.

Noreen McConnell
Manager, Meadow Homes, LLC

3/19/18
Date

Noreen McConnell
Print Name

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.: 3533-BD

AQUIFER: Denver

APPLICANT: Meadow Homes, LLC

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Homes, LLC (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 March 21, 2018.
2. The Applicant requests a determination of right to designated ground water in the Denver Aquifer (hereinafter "Aquifer") underlying 40 acres, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M., in El Paso County. According to a signed Ownership Statement dated March 19, 2018, attached hereto as Exhibit A, the Applicant owns the 40 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 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 40 acres of Overlying Land claimed by the applicant is 1,600 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 235 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 16.0 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. 126743, is located on the Overlying Land and is permitted to withdraw 1 acre-foot 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 15.0 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 1,500 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 closer than one mile from the Aquifer contact with the alluvium. 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 May 7, 2018, 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. Written recommendations from the district were received on June 15, 2018.

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 May 10, 2018 and May 17, 2018. 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 40 acres of land, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th 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 15.0 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 1,500 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 withdraw 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The place of use shall be limited to the above described 40 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 40 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 40 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 18th day of June, 2018.

By: *Kevin G. Rein*

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

Keith Vander Horst

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

Prepared by: jmw
F&O3533-BD.doc

RECEIVED

MAR 21 2018

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

WATER RESOURCES
STATE ENGINEER COLO.

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Arapahoe

I (we) (Please Print) Meadow Homes, LLC
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
40 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)

SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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.

Noreen McConnell
Manager, Meadow Homes, LLC

3/19/18
Date

Noreen McConnell
Print Name

. 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.: 3532-BD

AQUIFER: Arapahoe

APPLICANT: Meadow Homes, LLC

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Homes, LLC (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 March 21, 2018.
2. The Applicant requests a determination of right to designated ground water in the Arapahoe Aquifer (hereinafter "Aquifer") underlying 40 acres, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M., in El Paso County. According to a signed Ownership Statement dated March 19, 2018, attached hereto as Exhibit A, the Applicant owns the 40 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 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 40 acres of Overlying Land claimed by the applicant is 1,330 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 195 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 13.3 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 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 May 7, 2018, 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. Written recommendations from the district were received on June 15, 2018.
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 May 10, 2018 and May 17, 2018. 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 40 acres of land, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th 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 13.3 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 1,330 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The place of use shall be limited to the above described 40 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 40 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 40 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 18th day of June, 2018.

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


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

Prepared by: jmw
F&O3532-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

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MAR 21 2018
WATER RESOURCES
STATE ENGINEER COLO

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Laramie-Fox Hills

I (we) (Please Print) Meadow Homes, LLC
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
40 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)

SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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.

Noreen McConnell
Manager, Meadow Homes, LLC

3/19/18
Date

Noreen McConnell
Print Name

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.: 3531-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Meadow Homes, LLC

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Homes, LLC (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 March 21, 2018.
2. The Applicant requests a determination of right to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "Aquifer") underlying 40 acres, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M., in El Paso County. According to a signed Ownership Statement dated March 19, 2018, attached hereto as Exhibit A, the Applicant owns the 40 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 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 40 acres of Overlying Land claimed by the applicant is 1,560 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 260 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 15.6 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 May 7, 2018, 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. Written recommendations from the district were received on June 15, 2018.
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 May 10, 2018 and May 17, 2018. 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 40 acres of land, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th 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 15.6 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 1,560 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The place of use shall be limited to the above described 40 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 40 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 40 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 18th day of June, 2018.

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


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

Prepared by: jmw
F&O3531-BD.doc

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.: 3531-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Meadow Homes, LLC

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Homes, LLC (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 March 21, 2018.
2. The Applicant requests a determination of right to designated ground water in the Laramie-Fox Hills Aquifer (hereinafter "Aquifer") underlying 40 acres, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M., in El Paso County. According to a signed Ownership Statement dated March 19, 2018, attached hereto as Exhibit A, the Applicant owns the 40 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 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 40 acres of Overlying Land claimed by the applicant is 1,560 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 260 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 15.6 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 May 7, 2018, 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. Written recommendations from the district were received on June 15, 2018.
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 May 10, 2018 and May 17, 2018. 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 40 acres of land, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th 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 15.6 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 1,560 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The place of use shall be limited to the above described 40 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 40 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 40 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 18th day of June, 2018.

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


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

Prepared by: jmw
F&O3531-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

MAR 21 2018

WATER RESOURCES
STATE ENGINEER COLO

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Laramie-Fox Hills

I (we) (Please Print) Meadow Homes, LLC
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
40 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)

SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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.

Noreen McConnell
Manager, Meadow Homes, LLC

3/19/18
Date

Noreen McConnell
Print Name

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
 DIVISION OF WATER RESOURCES
 DEPARTMENT OF NATURAL RESOURCES
 1313 Sherman St, Room 821, Denver, CO 80203
 (303) 866-3581, www.water.state.co.us, dwrpermitsonline@state.co.us

RECEIVED

MAR 21 2018

**APPLICATION FOR DETERMINATION OF WATER RIGHT
 WITHIN A DESIGNATED GROUND WATER BASIN
 PURSUANT TO SECTION 37-90-107(7), C.R.S.**

WATER RESOURCES
 STATE ENGINEER COLO

This application may only be used to apply for a determination of right to ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land area located within a Designated Ground Water Basin. A separate form must be used for each aquifer. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. Type or print in black ink.

1. APPLICANT INFORMATION	
Name of Applicant Meadow Homes, LLC	
Mailing Address 16985 Fletcherville Lane, Peyton, Colorado 80831	
Telephone Number (include area code) 719-330-0695	Email craig@craig-mcconnell.com
2. AQUIFER: Laramie-Fox Hills	3. AMOUNT OF OVERLYING LAND: 40 acres
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.	
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.	
6. AMOUNT OF GROUND WATER – Indicate one of the following, being the amount of ground water requested to be allocated for subsequent well permitting and withdrawal pursuant to the determination, on the basis of an aquifer life of 100 years. If less than the maximum available allocation is requested, an attachment must be provided identifying how the excluded water will be allocated (i.e. distributed) beneath the overlying land. <input checked="" type="checkbox"/> Maximum allocation <input type="checkbox"/> Maximum allocation excluding _____ acre-feet annually <input type="checkbox"/> Specific allocation of _____ acre-feet annually	
7. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, indoor and outdoor irrigation, commercial, stock watering, and equipment and landscape washing.	
8. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use.	
9. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <u>Noreen McConnell</u> Date: <u>3/19/18</u> Print name and title: Noreen McConnell, Manager, Meadow Homes, LLC	
FOR OFFICE USE ONLY	
DIV <u>2</u> CO <u> </u> WD <u>10</u> BASIN <u>4</u> MD <u>12</u>	
Form GWS-53 (3/2018)	

ATTACHMENT TO DETERMINATION OF WATER RIGHTS APPLICATION OF
CRAIG AND NOREEN MCCONNELL

EXISTING WELL ON PROPERTY:

Domestic well located in the SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M. 1470 feet from the north section line and 210 feet from the east section line. UTM NAD83 Zone 13 Easting: 553074, Northing: 4316198. This well is currently permitted under Division of Water Resources Permit No. 126743 for the maximum annual volume of 1 acre-foot at 15 gallons per minute from the Denver Aquifer. As this property is being subdivided, this well will no longer operate under the existing exempt well permit. The subdivision is to be provided water by means of wells constructed to the Arapahoe and/or Laramie-Fox Hills aquifers. Therefore, upon completion of the subdivision process and the construction of other wells, this well will be capped and abandoned.

RECEIVED

MAR 21 2018

WATER RESOURCES
STATE ENGINEER COLO

After Recording Return to:
Meadow Homes LLC
Noreen K. McConnell
7495 McLaughlin Road #101
Falcon, CO 80831

RECEIVED

MAR 21 2018

Doc Fee: \$17.40

WARRANTY DEED

WATER RESOURCES
STATE ENGINEER COLO.

This Deed, made January 13, 2017

Between John Giegerich of the County El Paso, State of COLORADO, grantor(s) and Meadow Homes LLC, a Colorado Limited Liability Company whose legal address is 1695 FLETCHER VILLE LANE, PEYTON, CO 80831 County of El Paso, and State of COLORADO, grantee.

WITNESS, That the grantor, for and in the consideration of the sum of ONE HUNDRED SEVENTY-FOUR THOUSAND DOLLARS AND NO/100'S (\$174,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of El Paso, State of COLORADO described as follows:

The Southeast Quarter of the Northeast Quarter of Section 24, in Township 12 South, Range 68 West of the 6th P.M., County of El Paso, State of Colorado

also known by street and number as 11150 North Ellicott Highway, Calhan, CO 80808

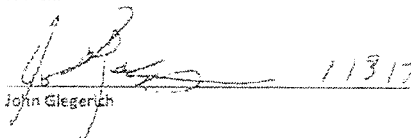
TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either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

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the sealing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section B.1 (Title Review) of the contract dated December 4, 2016, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

SELLER:

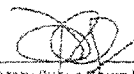

John Giegerich 11317

STATE OF COLORADO
COUNTY OF EL PASO

§§

The foregoing instrument was acknowledged, subscribed and sworn to before me January 13, 2017 by John Giegerich.

Witness my hand and official seal.


Notary Public Dawn Reagan
My Commission expires 08-19-2019

Witness

DAWN REAGAN
Notary Public
State of Colorado
My Commission Expires August 19, 2019
LIC# 18854011321

ENCROW NO. 394-H0490910-070-0R8

HTC

Determination of Water Right Evaluation Sheet
Section 37-90-107(7), C.R.S.

Applicant:	Meadow Homes, LLC	Receipt No.:	3685378A
Aquifer:	Laramie-Fox Hills	Basin:	Upper Black Squirrel Creek
Acres Claimed:	40	GWMD:	Upper Black Squirrel Creek
		County:	El Paso
General Description:	SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.		

I. Water Underlying Claimed Acreage: $AF = (\text{acres})(\text{ft SS})(SY)$, $AF/YR = AF/100$ years

Acreage (ac)	Saturated Sandstone ¹ (ft)	Specific Yield	Quantity of Underlying Water (af)	Average Annual Withdrawal ² (af/yr)
40	260	15%	1,560	15.6

II. Reductions to Claimed Acreage:

Overlapping Pre-November 19, 1973 Well Cylinders: None

Permit No.	Overlapping Acreage, (ac)
None	0
Total	0

III. Water Underlying Reduced Acreage: $AF = (\text{acres})(\text{ft SS})(SY)$, $AF/YR = AF/100$ years

Reduced Acreage (ac)	Saturated Sandstone ¹ (ft)	Specific Yield	Quantity of Underlying Water (af)	Average Annual Withdrawal ² (af/yr)
40	260	15%	1,560	15.6

IV. Small-Capacity Wells Located on Claimed Tract : None

Permit No.	Permitted Annual Appropriation (af/yr)	Quantity of Reduction ² (af)
None	0	0
Total	0	0

V. Water Available From Beneath the Claimed Acreage:

Quantity (af)	Allowed Average Annual Amount of Withdrawal ² (af/yr)	Annual Amount Requested by Applicant (af/yr)	Exclusion Requested by Applicant (af/yr)	Approved Average Annual Amount (af/yr)
1,560	15.6	0	0	15.6

VI. Replacement Water Status of Claimed Area: nontributary

Replacement Plan Required: No

VII. Aquifer Depth (Approximate, Center of Parcel):

Top, ft	Base, ft
1330	1720

VIII. Comments:

1. The average saturated sandstone/siltstone (SS) value was obtained from the Sandstone/Siltstone map of the aquifer of the Designated Basins Rules Maps.
2. Based on a 100 year aquifer life.

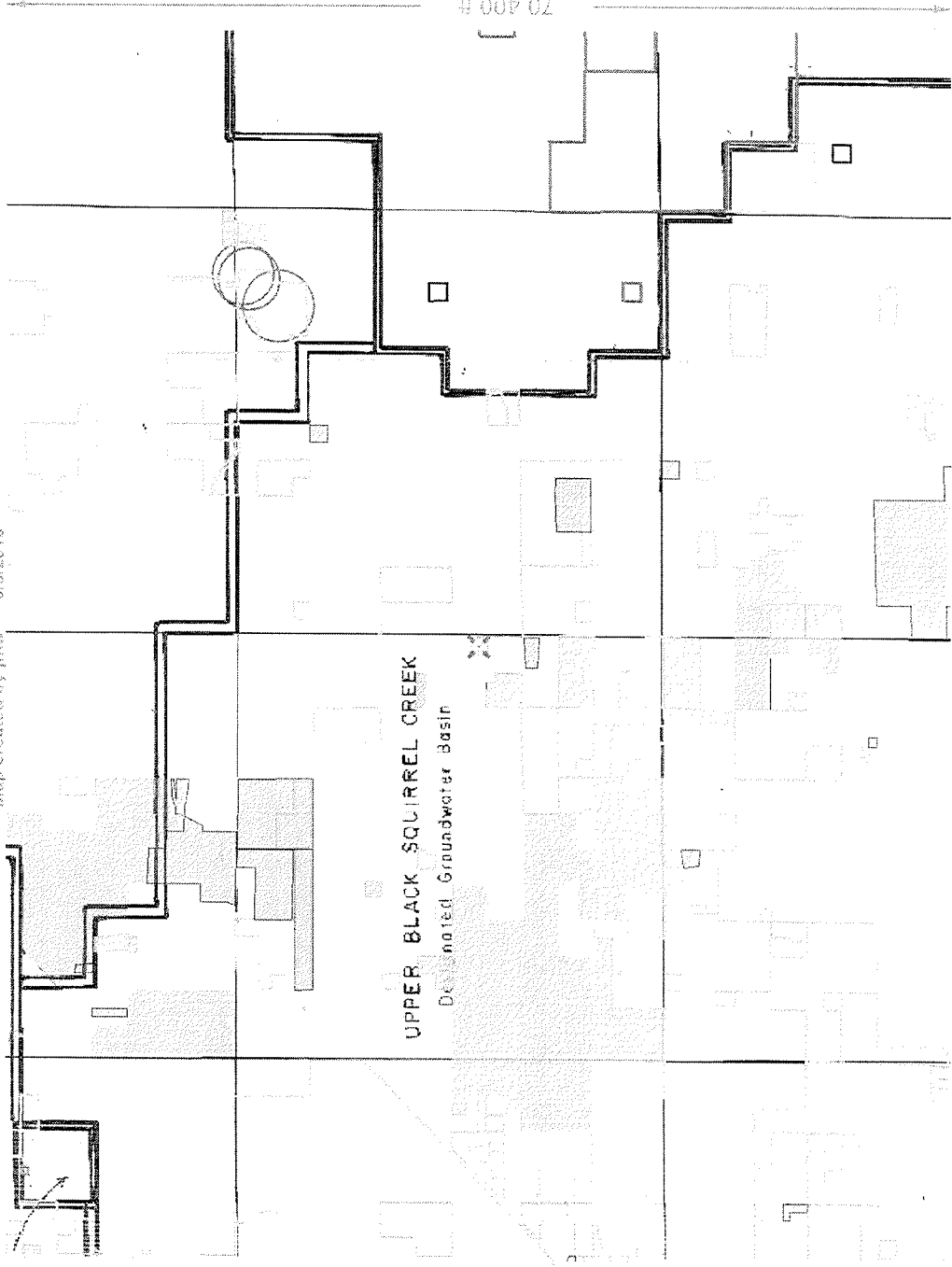
Evaluated by:	jmw 5/3/2018
Reviewed by:	

AQUAMAP

Colorado Division of Water Resources

Department of Natural Resources

Map created by jmw 5/3/2018



91,105 ft

Based on work developed at <http://www.carto.net>

Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2016

MAP NAVIGATION



Click to create PDF

UTM X, Zone 13: 594334

UTM Y, Zone 13: 4554383

Long: -103° 52' 33.7"

Lat: 41° 8' 7.0"

UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- Water Well Applications
- PLSS
- DWR Parcels
- Roads
- EPA Well Notifications
- Low
- High
- Hydrography
- Oil/Gas Well Locations
- Transparency
- County Parcels (No Public Access)
- Towns
- Note Data

LOCATION

Section: 24 | Township: 12 | Range: 5 | Meridian: 63 | W | 56th

PLSS Locator | Quick Zoom | Spacing

PRINTING

Output Scale: 150,000 | Page Size: 8.5x11 | User: jmw

Title: _____

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file available on the Division of Water Resources website, for well location details.



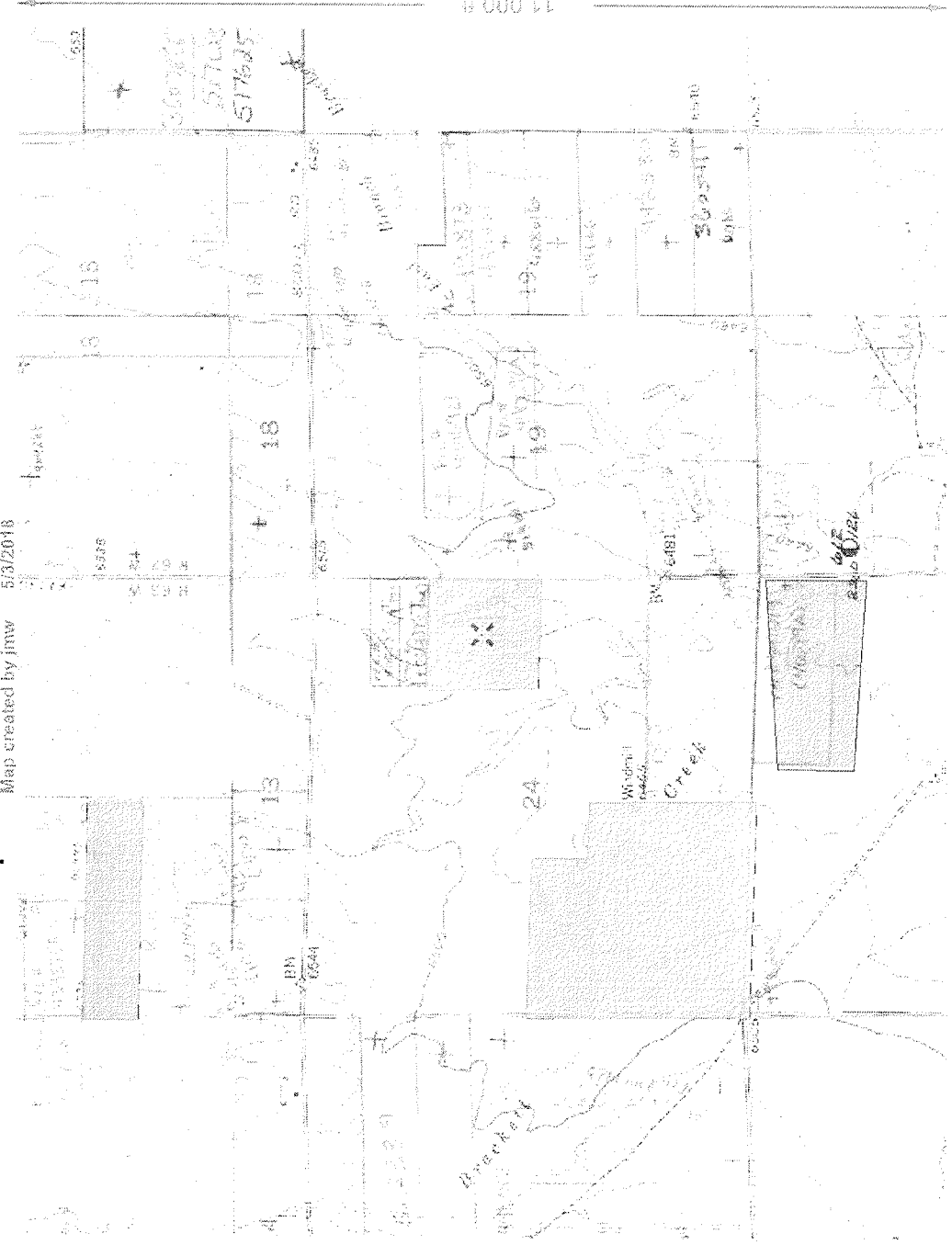
COLORADO DIVISION OF
WATER RESOURCES

DEPARTMENT OF NATURAL RESOURCES

ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



MAP NAVIGATION



Click to create PDF
 UTM X, Zone 13: 554915
 UTM Y, Zone 13: 4316933
 Long: -104° 21' 57.0"
 Lat: 38° 59' 58.9"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- PLSS
- Roads
- Hydrography
- County Parcels (No Public Access)
- Towns
- Water Well Applicat
- DWR Parcels
- EPA Well Notificati
- Oil/Gas Well Local
- More Data

LOCATION

Section Township Range Meridian

PRINTING

Output Scale Page Size User

Title

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



**COLORADO DIVISION OF
WATER RESOURCES**

DEPARTMENT OF NATURAL RESOURCES

Address location by Bing Maps
 AquaMap Version 3.0 1 July 5, 2008

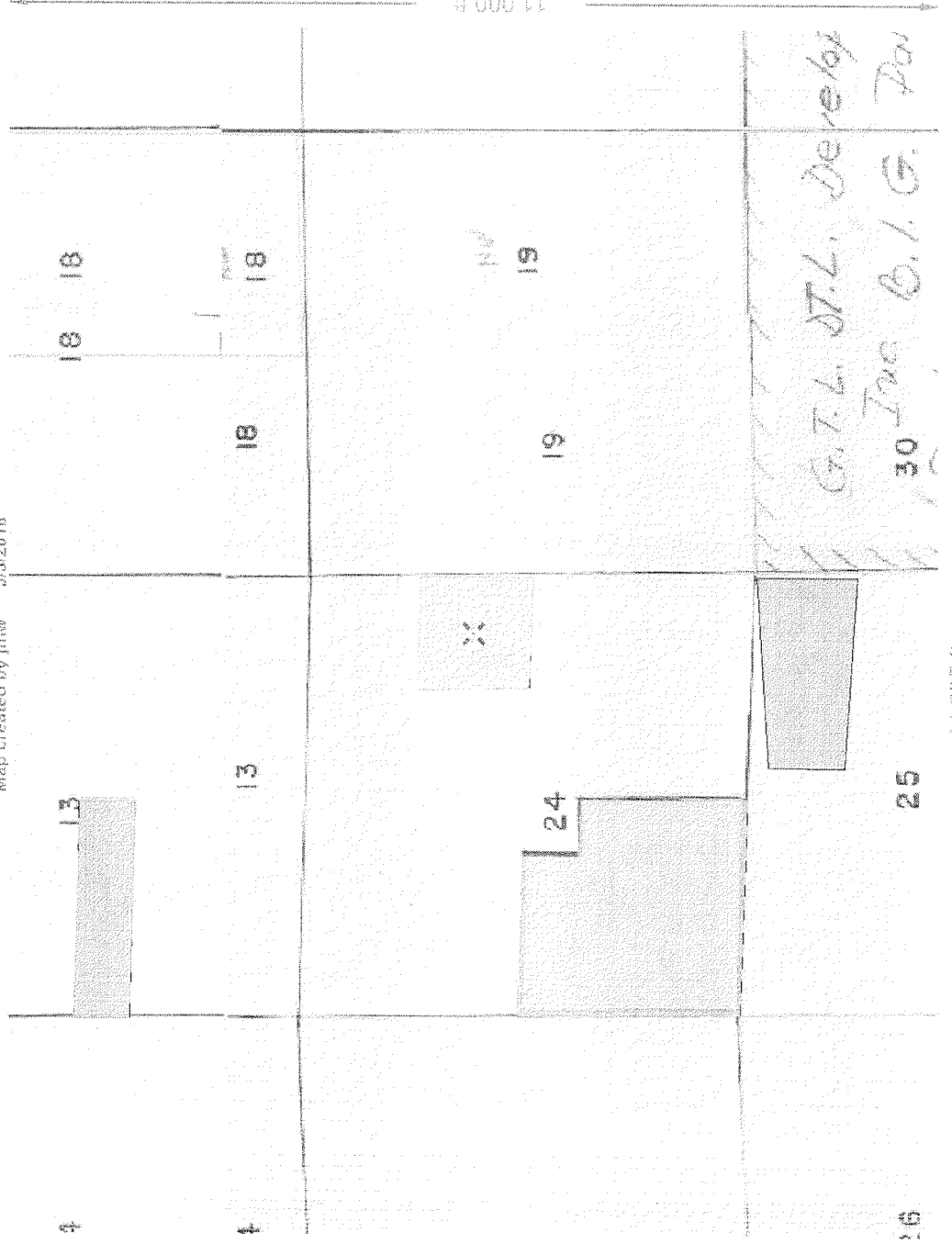
Based on work developed at <http://www.cario.net>



ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



MAP NAVIGATION

Home Refresh Print Full Screen Close

Click to create PDF
 UTM X, Zone 13: 455506
 UTM Y, Zone 13: 4223089
 Long: -105° 30' 28.3"
 Lat: 38° 9' 16.5"
 UTM and Geographic(LL)
 coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- Water Well Applicati
- PLSS
- DWR Parcels
- Roads
- EPA Well Notificati
- Hydrography
- Oil/Gas Well Locat
- County Parcels (No Public Access)
- Towns
- More Data

LOCATION

Section: 24 | Township: 12 | Range: 53 | Meridian: 51N
 PLSS Locator | Quick Zoom | Spacing

PRINTING

Output Scale: 24,000 | Page Size: 8.5x11 | User: jmw
 Title:

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



**COLORADO DIVISION OF
WATER RESOURCES**

DEPARTMENT OF NATURAL RESOURCES

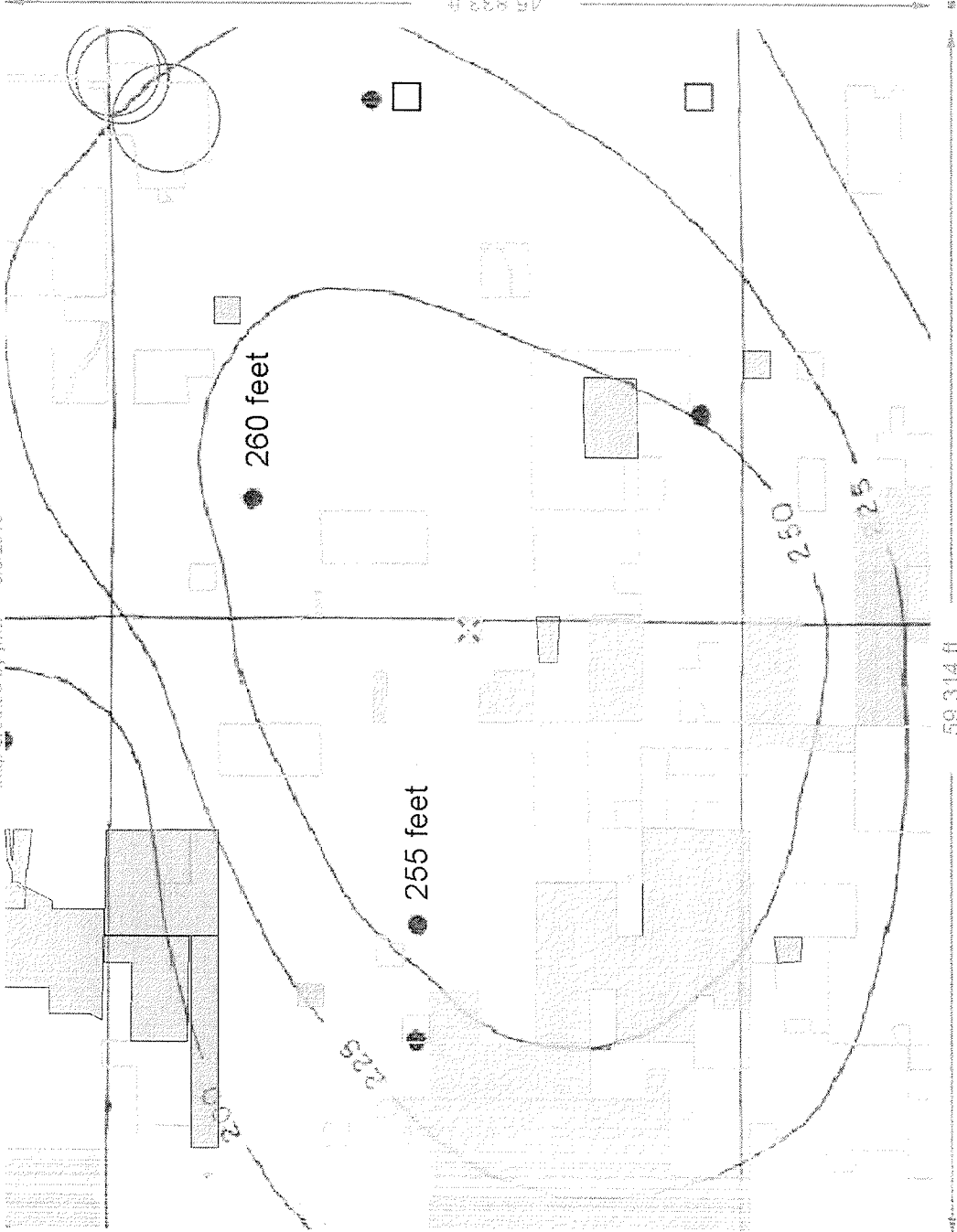
Address location by Bing Maps
AquaMap Version 3.0 1 July 5, 2018

Based on work developed at <http://www.colorado.net>



AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



MAP NAVIGATION

Click to create PDF

UTM X, Zone 13: 720542
UTM Y, Zone 13: 4229399
Long: -102° 28' 54.8"
Lat: 38° 11' 8.0"
UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- Water Well Applicat
- DWR Parcels
- PLSS
- Roads
- EPA Well Notificati
- Officrs Well Locat
- Hydrography
- County Parcels (No Public Access)
- Transparency
- Towns
- More Data

LOCATION

Section: 24 | Township: 12 | Range: 5 | Meridian: 63 | Well ID: 12345678 | Spacing: 1000

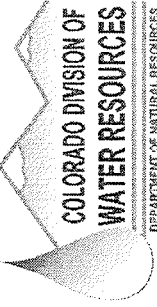
PLSS Locator | Quick Zoom

PRINTING

Output Scale: 100,000 | Page Size: 8.5x11 | User: jmw

Title: _____

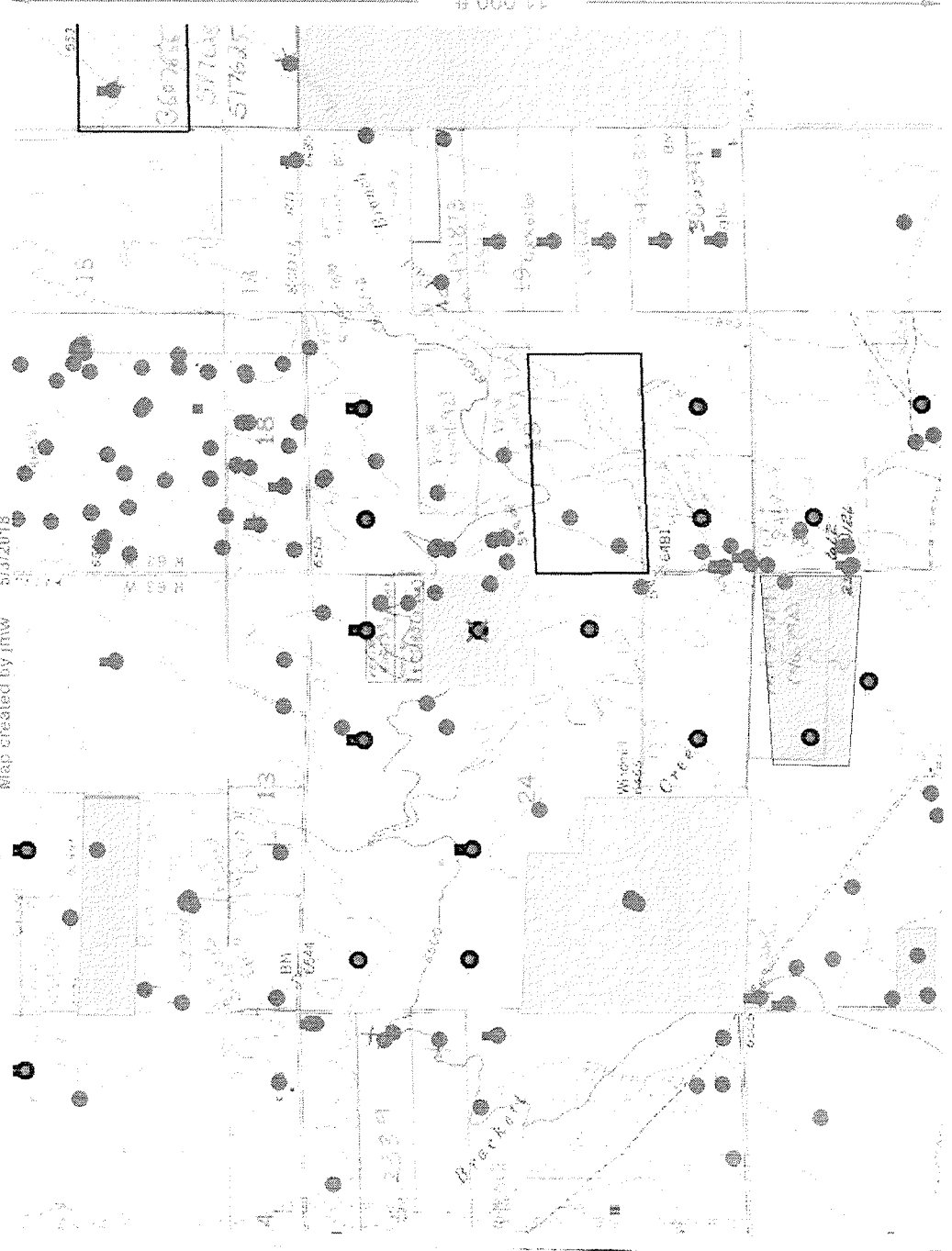
Note: The well locations displayed on Aquamap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



14,235 ft



Based on work developed at <http://www.carto.net>

Address location by Bing Maps
AquaMap Version 3.0 1 July 5, 2009

MAP NAVIGATION

Home Refresh Full Screen Print Measure Info Help

Click to create PDF

UTM X, Zone 13: 521765
 UTM Y, Zone 13: 4172606
 Long: -104° 45' 11.2"
 Lat: 37° 42' 15"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

Background Counties Water Well Applicat
 Map CabinMap: PLS DWR Parcels
 Low High Roads EPA Well Notificat
 Transparency Hydrograph Oil/Gas Well Locat
 County Parcels (No Public Access) Towns More Data

LOCATION

Section: Township: Range: Meridian:

PRINTING

Output Scale: Page Size: User:

Title

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



**COLORADO DIVISION OF
WATER RESOURCES**

DEPARTMENT OF NATURAL RESOURCES



COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randell
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 7, 2018

Meadow Homes, LLC
16985 Fletcherville Lane
Peyton, CO 80831

RE: Applications for Determinations of Water Right to Appropriate Ground Water from the Laramie-Fox Hills, Arapahoe and Denver aquifers Underlying a 40-Acre Tract, Receipt Nos. 3685378A, 3685378B and 3685378C

Dear Applicant:

Enclosed is a copy of the legal notice to be published in the Ranchland News newspaper as required for the above described applications. If you find any errors or omissions in the notice, please contact this office by phone as soon as possible so that corrections may be made prior to publication. This office will bill you at a later time for the actual cost of this publication.

If you have any questions concerning these applications, please contact me at this office at (303) 866-3581.

Sincerely,

Joanna Williams
Water Resource Engineer

Enclosures: a/s





COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randell
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 7, 2018

Tracy Doran
Upper Black Squirrel Creek Ground Water Management District
ubscgwm03@aol.com

RE: Applications for Determination of Water Right, Section 37-90-107(7) C.R.S., Laramie-Fox Hills, Arapahoe and Denver aquifers, Applicant: Meadow Homes, LLC, Receipt No(s). 3685378A, 3685378B and 3685378C

Dear Ms. Doran:

If the Board of Directors of your district wishes to provide written comments or recommendations concerning the above applications, please provide such recommendations within 35 days of the date of this letter.

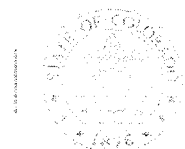
Pursuant to Section 37-90-107(7), C.R.S., the Ground Water Commission shall have the authority to approve determinations of rights to designated ground water in the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. This application is being processed and evaluated in accordance with this section and the Designated Basin Rules.

If you have any questions regarding these applications, please contact me at joanna.williams@state.co.us or (303)866-3581 ext. 8265.

Sincerely,

Joanna Williams
Water Resource Engineer

Attachment: a/s





STATE OF
COLORADO

Williams - DNR, Joanna <joanna.williams@state.co.us>

Meadow Homes, LLC - Comments of Upper Black Squirrel Creek Ground Water Management District

1 message

April Hendricks <ahendricks@troutlaw.com>
To: Joanna Williams <joanna.williams@state.co.us>
Cc: Lisa Thompson <lthompson@troutlaw.com>

Fri, Jun 15, 2018 at 4:38 PM

Joanna,

Attached please find the UBS District's comments regarding the applications submitted by Meadow Homes, LLC for Determinations of Water Rights.

Thanks,

April

April D. Hendricks

Associate Attorney

Trout Raley

Mantano • Freeman • Sinar • Thompson P.C.

1120 Lincoln Street, Suite 1600


Denver, CO 80203

tel: (303) 861-1963

direct: (303) 339-5825

fax: (303) 832-4465

email: ahendricks@troutlaw.com

 **Comment Letter - Meadow Homes.pdf**
84K

Trout Raley

Montaño • Freeman • Sinor • Thompson P.C.

April D. Hendricks, Esq.
ahendricks@troutlaw.com
303.339.5825

1120 Lincoln Street • Suite 1600
Denver, Colorado 80203-2141
303.861.1963
www.troutlaw.com

June 15, 2018

VIA E-MAIL

Joanna Williams
Colorado Division of Water Resources
1313 Sherman, Room 818
Denver, Colorado 80203

Re: Applications for Determination of Water Rights, Section 37-90-107(7), C.R.S.,
Laramie-Fox Hills, Arapahoe, and Denver Aquifers
Applicant: Meadow Homes, LLC
Receipt Nos. 3685378A, 3685378B, and 3685378C

Dear Ms. Williams:

Pursuant to C.R.S. § 37-90-113(3) and your letter to the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District (“the UBS District”), the UBS District provides the following written comments concerning the above-referenced applications.

These applications request determinations of water rights to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe, and Denver aquifers underlying a 40 acre parcel owned by Meadow Homes, LLC. As stated in the published notice for these applications, Meadow Homes, LLC seeks to use the designated groundwater underlying this property for domestic purposes, indoor and outdoor irrigation, commercial use, stock watering, and equipment and landscape washing. The Commission’s preliminary evaluation of Meadow Homes’ application resulted in a finding that 15.6 acre-feet of designated groundwater is available for allocation from the underlying Laramie-Fox Hills aquifer; 13.3 acre-feet is available from the Arapahoe aquifer; and 15 acre-feet is available from the Denver aquifer. However, the amount allocated to the Denver aquifer represents a reduction in the total amount of underlying designated groundwater in that aquifer, in order to allow for the annual withdrawals of an existing permitted small-capacity well (Permit No. 126743) that is located on the property.

As applicable here, Rules 17, 18, and 19 of the Rules and Regulations of the Upper Black Squirrel Creek Ground Water Management District provide limitations for large capacity wells

proposed to be permitted following a determination of water right, depending upon whether the subject wells are located within or outside of a subdivision or cluster development, as follows:

- a. Within a Subdivision. The large capacity well withdrawals shall not exceed .5 acre feet per year per single family residence, or its equivalent. In the event a Subdivision or cluster development is supplied by multiple wells, production from all wells supplying the Subdivision or cluster development shall not exceed the product of (the number of single family residences, single condominium units, apartment units, single units within a multiple-dwelling unit or equivalent within the Subdivision) X (.5) acre feet per year. Rule 17 (emphasis added).
- b. Outside a Subdivision. The large capacity well production shall be limited to 15 gallons per minute and withdrawals shall not exceed 1 acre foot per year. A well may serve up to two residences on a single parcel. Applicants are required to submit evidence to the Management District that their total withdrawals from the proposed wells will be within these limitations. Rule 18 (emphasis added).

Meadow Homes, LLC has also indicated in its application that it intends to use the designated groundwater at issue for commercial purposes and, therefore, must also comply with the UBS District's Rule 19, which applies to wells supplying water to a commercial business.¹ Under Rule 19, withdrawals of groundwater for commercial purposes must be limited to the amount reasonably necessary to supply the present and future needs of the proposed business, as established by the UBS District's Board, in consultation with the Commission.

Meadow Homes, LLC additionally seeks to use the groundwater at issue for indoor and outdoor irrigation. Pursuant to guidance issued by the Colorado Division of Water Resources, "[w]ater wells may only be constructed and operated according to a well permit issued by the Colorado Division of Water Resources and any use of water from the well is limited to uses specifically described by the well permit. Water rights for crop irrigation have an implied season of use limitation and cannot typically be used year-round in a greenhouse or other grow facility." *See Well and Water Use in Regards to Amendment 64 and Cultivation of Cannabis* (February 2018). Accordingly, though large capacity wells that are permitted for agricultural irrigation may be used to supply water for any plants or crops that are legally grown, these wells cannot be used for indoor irrigation if such use would extend the normal irrigation season.

Finally, Rules 18, 19, and 21 of the UBS District's Rules and Regulations require that all large capacity wells be equipped with a totalizing flow meter, and Meadow Homes, LLC must maintain accurate records of all withdrawals from each well and must also provide copies of these records to the UBS District upon request.

Any well proposed to be permitted as a result of the above-referenced Determinations of Water Rights is subject to the limitations set out above, and notice of or terms and conditions

¹ Rule 19 defines a commercial business is defined as "a business that will a) be operated by the well owner and that will have its own books, bank accounts, checking accounts and separate tax returns; b) use water solely on the land indicated on the proposed permit for the purposes stated in the proposed permit; and c) will maintain its individual assets and will own or lease the property upon which the well is to be located."

imposing such limitations should be included in any final determination of water rights. Such limitations should also be included in any final well permit as a condition of approval. The UBS District reserves the right to raise appropriate comments at the time a permit application is submitted pursuant to the above-referenced determinations.

Sincerely,

A handwritten signature in cursive script that reads "April D. Hendricks". The ink is dark and the signature is centered on the page.

April D. Hendricks
for
TROUT RALEY



COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 7, 2018

Ranchland News
ranchland@bigsandytelco.com

Applicant: Meadow Homes, LLC

-EMAIL- DOCUMENT TRANSFER-

Please publish the enclosed legal notice in your editions of May 10, 2018 and May 17, 2018, or as close to these dates as possible. Please single-space all the enclosed material in your standard single column legal notice format. Font size shall not be less than six-point type and not more than nine-point in size.

Prior to publishing the legal notice, a proof copy must be submitted to this office for approval. The Ground Water Commission staff will inspect the proof copy and a reply as to its correctness will be made immediately by phone to your office. The proof copy must be directed to the attention of Joanna Williams, Colorado Division of Water Resources at 1313 Sherman St. Room 818, Denver CO 80203, or by email joanna.williams@state.co.us.

The state Controller and the State Purchasing Agent require that two copies of the billing and two copies of the proof of publication affidavit must be received in order to process billing invoices for legal notice publications. The proof of publication must be notarized.

Since we must re-bill the applicant prior to the official action concerning their application request, please transmit the billing copies together with the proofs of publication as soon as possible.

Should you have any questions concerning publication of this notice, please contact this office.

Sincerely,

Joanna Williams
Water Resource Engineer

Enclosure (a/s)



BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK
GROUND WATER MANAGEMENT DISTRICT - EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Meadow Homes, LLC (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: domestic, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above aquifers based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the application by the Commission Staff finds the annual amount of water available for allocation from the aquifers underlying the above-described property to be 15.6 acre-feet for the Laramie-Fox Hills aquifer, 13.3 acre-feet for the Arapahoe aquifer and 15.0 acre-feet for the Denver aquifer, subject to final staff evaluation. The amount for the Denver aquifer represents a reduction in the initial annual amount determined to be available to allow for the annual withdrawal of a small-capacity well located on the described property area, permit no. 126743. The estimated available annual acre-feet allocation for each aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the application finds the replacement water requirement status for the aquifers underlying the above-described property to be nontributary for the Laramie-Fox Hills aquifer, nontributary for the Arapahoe aquifer and not-nontributary (actual impact replacement) for the Denver aquifer.

Upon Commission approval of the determination of water right, well permits for wells to withdraw the allowed allocation shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the aquifer and must be located on the above-described 40 acre property. Well permits for wells to withdraw ground water from the Denver aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

Any person wishing to object to the approval of these determinations of water right must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 fee per aquifer and must be received by the Commission Staff, Colorado Ground Water Commission, 1313 Sherman Street, Room 821, Denver, Colorado 80203, by June 16, 2018.

PUBLISHER'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)

Determinations of Water Right

BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT, EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Meadow Homes, LLC (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 65 West of the 6th P.M. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: domestic, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

I, Jenna Lister, do solemnly affirm that I am the Publisher of RANGLAND NEWS, that the same is a weekly newspaper published at Simla, County of Elbert, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Elbert for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Calhan, Colorado as second class matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for TWO successive weeks; that the first publication of said notice was in the issue of said newspaper dated:

May 10, 2018

and the last publication of said notice was in the issue of said newspaper dated, May 17, 2018

and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Ranchland News, according to the accustomed mode of business in this office.

Jenna Lister

Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

17 day of May, 2018

Susan Lister

Notary Public

09/20/2020

(My Notary Public Commission Expiration Date)

SUSAN LISTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19964014317
MY COMMISSION EXPIRES 09/20/2020

In accordance with Section 37-90-107(7), C.R.S. and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above aquifers based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the application by the Commission Staff finds the annual amount of water available for allocation from the aquifers underlying the above-described property to be 15.6 acre-feet for the Laramie-Fox Hills aquifer, 13.3 acre-feet for the Arapahoe aquifer and 15.0 acre-feet for the Denver aquifer, subject to final staff evaluation. The amount for the Denver aquifer represents a reduction in the initial annual amount determined to be available to allow for the annual withdrawal of a small-capacity well located on the described property area, permit no. 126743. The estimated available annual acre-feet allocation for each aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the application finds the replacement water requirement status for the aquifers underlying the above-described property to be noncontributory for the Laramie-Fox Hills aquifer, noncontributory for the Arapahoe aquifer and non-contributory (actual impact replacement) for the Denver aquifer.

Upon Commission approval of the determination of water right, well permits for wells to withdraw the allowed allocation shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the aquifer and must be located on the above-described 40 acre property. Well permits for wells to withdraw ground water from the Denver aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

Any person wishing to object to the approval of these determinations of water right must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 fee per aquifer and must be received by the Commission Staff, Colorado Ground Water Commission, 1313 Sherman Street, Room 821, Denver, Colorado 80203, by June 16, 2018.

First Publication May 10, 2018

Final Publication May 17, 2018

In Ranchland News

Legal No. 154

Ranchland News

PO Box 307
Simla, CO 80835
719-541-2288
ranchland@bigsandytelco.com

Invoice

Date	Invoice #
5/10/2018	37740

Bill To
Colorado Ground Water Commission 1313 Sherman Street, Room 818 Denver, CO 80203

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
88	Legal- 11.5 picas	0.494	43.47
88	Legal- 11.5 picas- rerun Legal 154	0.345	30.36
		Total	\$73.83



COLORADO
 Division of Water Resources
 Department of Natural Resources

John W. Hickenlooper
 Governor

Robert Randall
 Executive Director

Kevin G. Rein, P.E.
 Director/State Engineer

May 18, 2018

Meadow Homes, LLC
 16985 Fletcherville Lane
 Peyton, CO 80831

Invoice No. 18-PUB-81

INVOICE

Pursuant to Section 37-90-116, C.R.S., applicants are required to pay for the actual expense of publication for determinations of water right, well permit, and change of water right applications.

Your applications for determination of water rights to appropriate ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers were published in Ranchland News on May 10, 2018 and May 17, 2018.

The following cost was incurred:

1. Actual cost of publication: \$ 73.83
2. Additional fees: none

PAYABLE TO: DIVISION OF WATER RESOURCES \$ 73.83

Your application cannot be considered for approval until the charges are paid.
 Please return the enclosed copy of this invoice with remittance within thirty (30) days.

(A copy of the publication affidavit is enclosed for your records.)

Sincerely,

Joanna Williams
 Water Resource Engineer

Enclosures: a/s

Transaction #: 3886653
 Date: 6/5/2018 10:50:23 AM
 Transaction Total: \$73.83
 CHECK #1442 \$73.83

Office of the State Engineer
 1313 Sherman Street, Room 821, Denver, CO 80203 P 303.866.3581
 www.water.state.co.us



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.: 3532-BD

AQUIFER: Arapahoe

APPLICANT: Meadow Homes, LLC

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Homes, LLC (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 March 21, 2018.
2. The Applicant requests a determination of right to designated ground water in the Arapahoe Aquifer (hereinafter "Aquifer") underlying 40 acres, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M., in El Paso County. According to a signed Ownership Statement dated March 19, 2018, attached hereto as Exhibit A, the Applicant owns the 40 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 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 40 acres of Overlying Land claimed by the applicant is 1,330 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 195 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 13.3 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 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 May 7, 2018, 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. Written recommendations from the district were received on June 15, 2018.
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 May 10, 2018 and May 17, 2018. 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 40 acres of land, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th 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 13.3 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 1,330 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The place of use shall be limited to the above described 40 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 40 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 40 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 18th day of June, 2018.

By: Kevin G. Rein

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

Keith Vander Horst

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

Prepared by: jmw
F&O3532-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
MAR 21 2018
WATER RESOURCES
STATE ENGINEER COLO

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

AQUIFER: Arapaohoe

I (we) (Please Print) Meadow Homes, LLC
claim and say that I (we) am (are) the owner(s) of the following described property consisting of
40 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)

SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.,
County of El Paso, State of Colorado

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.

Noreen McConnell 3/19/18
Manager, Meadow Homes, LLC Date

Noreen McConnell
Print Name

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

DB

34(A,B)

x3

COLORADO GROUND WATER COMMISSION
 DIVISION OF WATER RESOURCES
 DEPARTMENT OF NATURAL RESOURCES
 1313 Sherman St, Room 821, Denver, CO 80203
 (303) 866-3581, www.water.state.co.us, dwrpermitsonline@state.co.us

RECEIVED

MAR 21 2018

WATER RESOURCES
STATE ENGINEER COLO

**APPLICATION FOR DETERMINATION OF WATER RIGHT
 WITHIN A DESIGNATED GROUND WATER BASIN
 PURSUANT TO SECTION 37-90-107(7), C.R.S.**

This application may only be used to apply for a determination of right to ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land area located within a Designated Ground Water Basin. A separate form must be used for each aquifer. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. Type or print in black ink.

1. APPLICANT INFORMATION	
Name of Applicant Meadow Homes, LLC	
Mailing Address 16985 Fletcherville Lane, Peyton, Colorado 80831	
Telephone Number (include area code) 719-330-0695	Email craig@craig-mcconnell.com
2. AQUIFER: Arapahoe	3. AMOUNT OF OVERLYING LAND: 40 acres
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.	
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.	
6. AMOUNT OF GROUND WATER – Indicate one of the following, being the amount of ground water requested to be allocated for subsequent well permitting and withdrawal pursuant to the determination, on the basis of an aquifer life of 100 years. If less than the maximum available allocation is requested, an attachment must be provided identifying how the excluded water will be allocated (i.e. distributed) beneath the overlying land. <input checked="" type="checkbox"/> Maximum allocation <input type="checkbox"/> Maximum allocation excluding _____ acre-feet annually <input type="checkbox"/> Specific allocation of _____ acre-feet annually	
7. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, indoor and outdoor irrigation, commercial, stock watering, and equipment and landscape washing.	
8. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use.	
9. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <i>Noreen McConnell</i> Date: <i>3/19/18</i> Print name and title: Noreen McConnell, Manager, Meadow Homes, LLC	
FOR OFFICE USE ONLY	
DIV <u>2</u> CO _____ WD <u>10</u> BASIN <u>4</u> MD <u>12</u>	
Form GWS-53 (3/2018)	

ATTACHMENT TO DETERMINATION OF WATER RIGHTS APPLICATION OF
CRAIG AND NOREEN MCCONNELL

EXISTING WELL ON PROPERTY:

Domestic well located in the SE 1/4 of the NE 1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M. 1470 feet from the north section line and 210 feet from the east section line. UTM NAD83 Zone 13 Easting: 553074, Northing: 4316198. This well is currently permitted under Division of Water Resources Permit No. 126743 for the maximum annual volume of 1 acre-foot at 15 gallons per minute from the Denver Aquifer. As this property is being subdivided, this well will no longer operate under the existing exempt well permit. The subdivision is to be provided water by means of wells constructed to the Arapahoe and/or Laramie-Fox Hills aquifers. Therefore, upon completion of the subdivision process and the construction of other wells, this well will be capped and abandoned.

RECEIVED

MAR 21 2018

WATER RESOURCES
STATE ENGINEER COLO.

After Recording Return to:
Meadow Homes LLC
Noreen K. McCannelli
7495 McLaughlin Road #101
Salmon, CO 80831

RECEIVED

MAR 21 2018

Doc Fee: \$17.40

WARRANTY DEED

This Deed, made January 13, 2017

Between John Giegerich of the County El Paso, State of COLORADO, grantor(s) and Meadow Homes LLC, a Colorado Limited Liability Company whose legal address is 1695 FLETCHERVILLE LANE, PEYTON, CO 80831 County of El Paso, and State of COLORADO, grantee.

WATER RESOURCES
STATE ENGINEER COLO.

WITNESS, That the grantor, for and in the consideration of the sum of ONE HUNDRED SEVENTY-FOUR THOUSAND DOLLARS AND NO/100'S (\$174,000.00) the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in the County of El Paso, State of COLORADO described as follows:

The Southeast Quarter of the Northeast Quarter of Section 24, in Township 12 South, Range 63 West of the 6th P.M., County of El Paso, State of Colorado

also known by street and number as 11150 North Ellicott Highway, Calhan, CO 80808

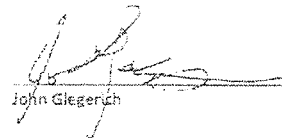
TOGETHER with all and singular hereditaments and appurtenances, thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either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

TO HAVE AND TO HOLD said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever. And the grantor, for himself, his heirs and personal representatives, does covenant, grant, bargain and agree to and with the grantee, his heirs and assigns, that at the time of the enclosing and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind of nature so ever, except for taxes for the current year, a lien but not yet due and payable, and those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Buyer in accordance with section B.1 (Title Review) of the contract dated December 4, 2016, between the parties.

The grantor shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

SELLER:


 1/13/17
John Giegerich

STATE OF COLORADO
COUNTY OF EL PASO

155

The foregoing instrument was acknowledged, subscribed and sworn to before me January 13, 2017 by John Giegerich.

Witness my hand and official seal.


Notary Public Dawn Reagan
My Commission expires: 08-19-2019

Wdcorp

DAWN REAGAN
Notary Public
State of Colorado
My Commission Expires: August 19, 2019
LIC# 19654011321

ESCROW NO. 593-H0490910-072-0R8

HTC

Determination of Water Right Evaluation Sheet
Section 37-90-107(7), C.R.S.

Applicant:	Meadow Homes, LLC	Receipt No.:	3685378B
Aquifer:	Arapahoe	Basin:	Upper Black Squirrel Creek
Acres Claimed:	40	GWMD:	Upper Black Squirrel Creek
		County:	El Paso
General Description:	SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M.		

I. Water Underlying Claimed Acreage: $AF = (\text{acres})(\text{ft SS})(SY)$, $AF/YR = AF/100 \text{ years}$

Acreage (ac)	Saturated Sandstone ¹ (ft)	Specific Yield	Quantity of Underlying Water (af)	Average Annual Withdrawal ² (af/yr)
40	195	17%	1,330	13.3

II. Reductions to Claimed Acreage:

Overlapping Pre-November 19, 1973 Well Cylinders: None

Permit No.	Overlapping Acreage, (ac)
None	0
Total	0

III. Water Underlying Reduced Acreage: $AF = (\text{acres})(\text{ft SS})(SY)$, $AF/YR = AF/100 \text{ years}$

Reduced Acreage (ac)	Saturated Sandstone ¹ (ft)	Specific Yield	Quantity of Underlying Water (af)	Average Annual Withdrawal ² (af/yr)
40	195	17%	1,330	13.3

IV. Small-Capacity Wells Located on Claimed Tract : None

Permit No.	Permitted Annual Appropriation (af/yr)	Quantity of Reduction ² (af)
None	0	0
Total	0	0

V. Water Available From Beneath the Claimed Acreage:

Quantity (af)	Allowed Average Annual Amount of Withdrawal ² (af/yr)	Annual Amount Requested by Applicant (af/yr)	Exclusion Requested by Applicant (af/yr)	Approved Average Annual Amount (af/yr)
1,330	13.3	0	0	13.3

VI. Replacement Water Status of Claimed Area: nontributary

Replacement Plan Required: No

VII. Aquifer Depth (Approximate, Center of Parcel):

Top, ft	Base, ft
620	1130

VIII. Comments:

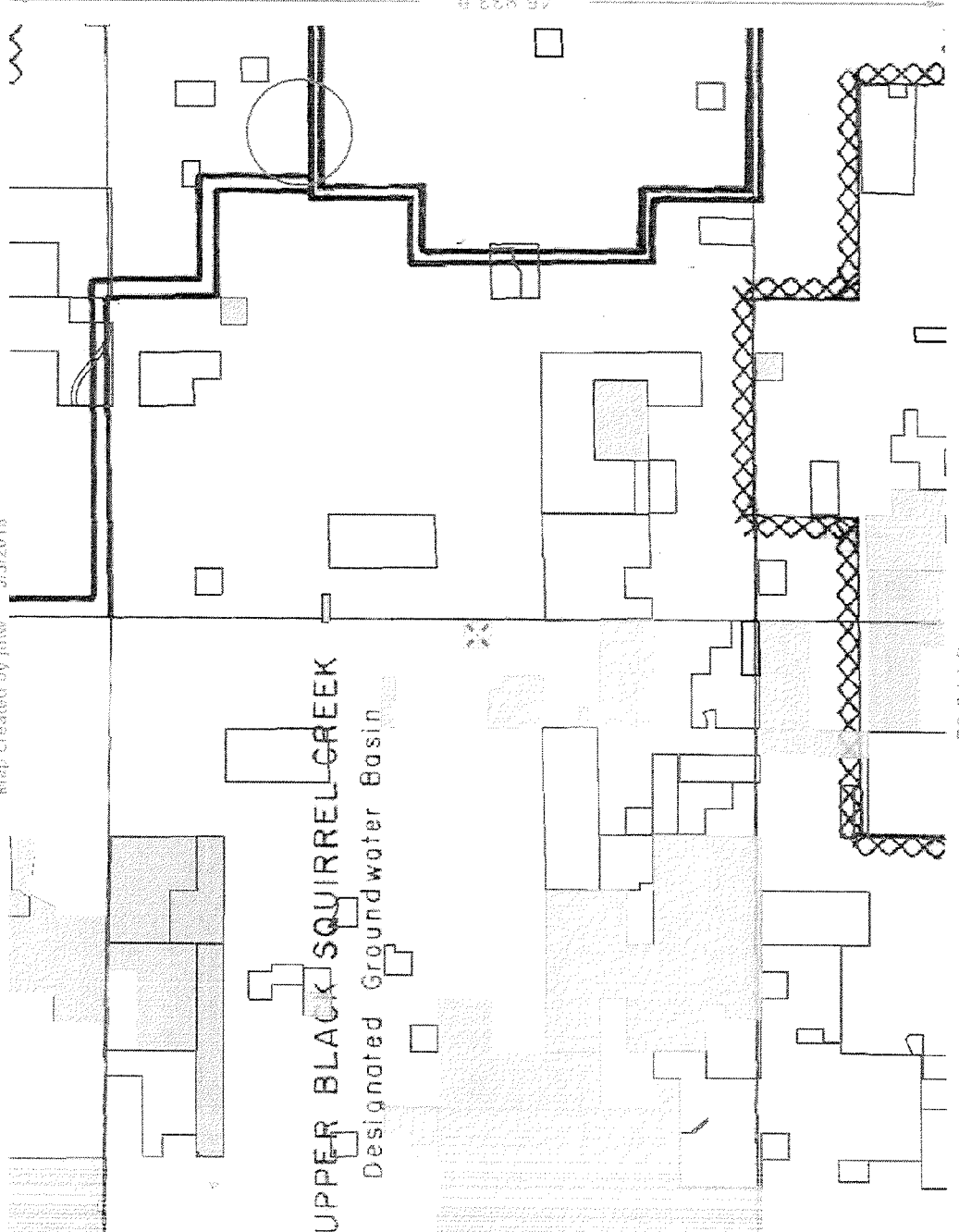
1. The average saturated sandstone/siltstone (SS) value was obtained from the Sandstone/Siltstone map of the aquifer of the Designated Basins Rules Maps.
2. Based on a 100 year aquifer life.

Evaluated by:	jmw 5/3/2018
Reviewed by:	

ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



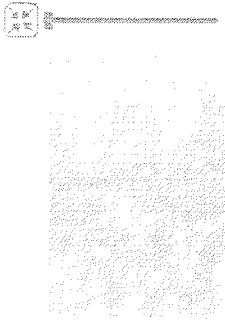
UPPER BLACK SQUIRREL CREEK Designated Groundwater Basin

59,314 ft

Based on work developed at <http://www.cwrto.net>

Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2009

MAP NAVIGATION



Click to create PDF
 UTM X, Zone 13: 561122
 UTM Y, Zone 13: 4319282
 Long: -104° 17' 38.2"
 Lat: 39° 1' 13.6"
 UTM and Geographic(LL)
 coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- Water Well Applicat
- PLSS
- DWR Parcels
- Roads
- EPA Well Notificati
- Low High
- Hydrography
- Oil/Gas Well Locat
- Transparency
- County Parcels (No Public Access)
- Towns
-

LOCATION

Section: 24 | Township: 12 | Range: 5 | Meridian: 63 | Well ID: W | Sub: V

PRINTING

Output Scale: 100,000 | Page Size: 8.5x11 | User: jmw

Title: _____

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



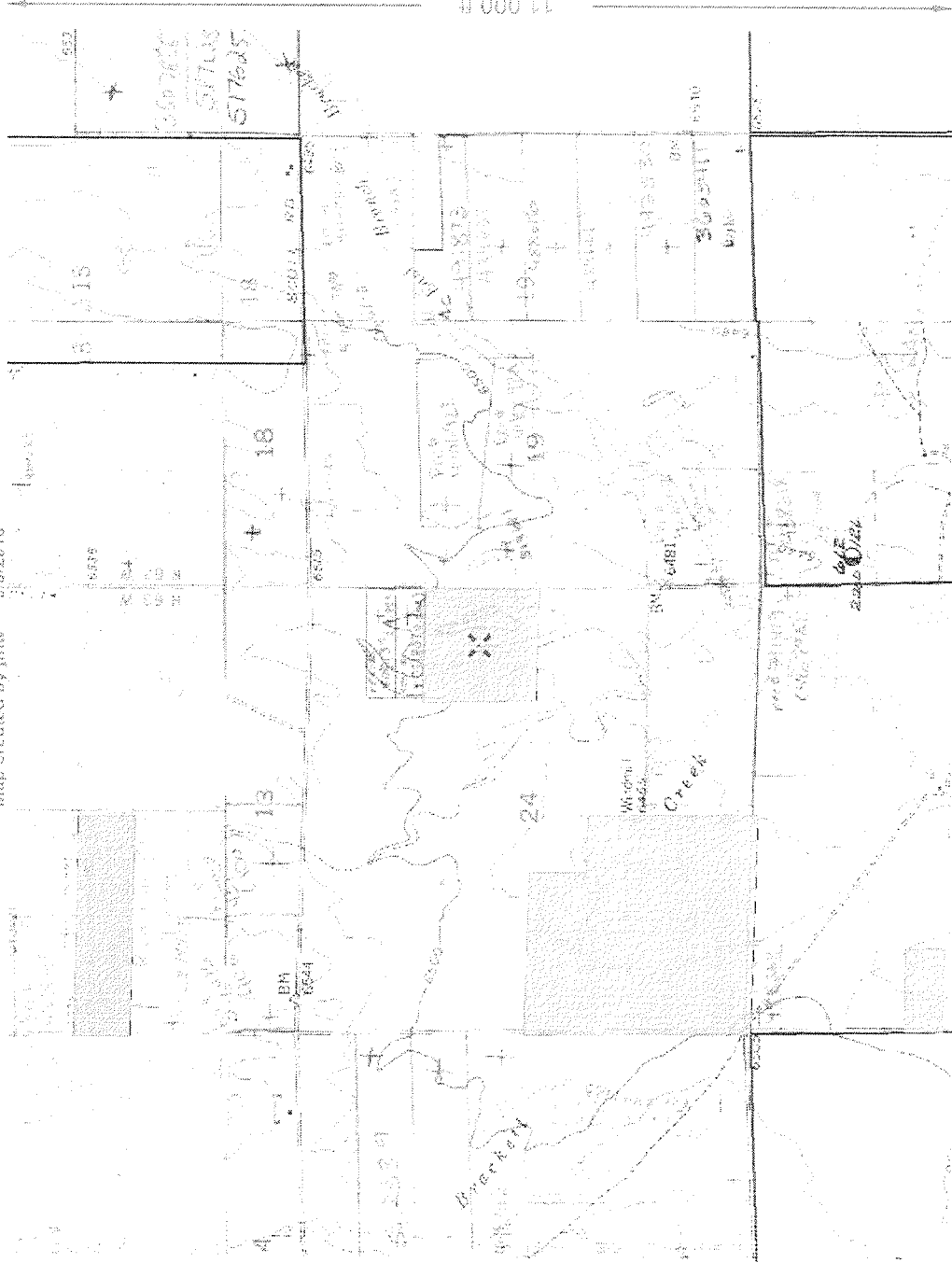
**COLORADO DIVISION OF
WATER RESOURCES**

DEPARTMENT OF NATURAL RESOURCES

ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jimw 5/3/2018



14,235 ft

Based on work developed at <http://www.colorado.net>

Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2009

MAP NAVIGATION

Home Refresh Print Full Screen Close

Click to Create PDF
 UTM X, Zone 13: 555082
 UTM Y, Zone 13: 4316012
 Long: -104° 21' 50.3"
 Lat: 38° 59' 28.9"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- Water Well Applicat
- PLSS
- DWR Parcels
- Low
- High
- Roads
- EPA Well Notificati
- Transparency
- Hydrography
- Oil/Gas Well Locat
- County Parcels (No Public Access)
- Towns
- More Data

LOCATION

Section: 24 | Township: 12 S | Range: 63 W | Meridian: Sixth

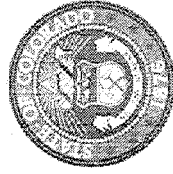
PLSS Locator | Quick Zoom | Spacing

PRINTING

Output Scale: 24,000 | Page Size: 8.5x11 | User: jimw

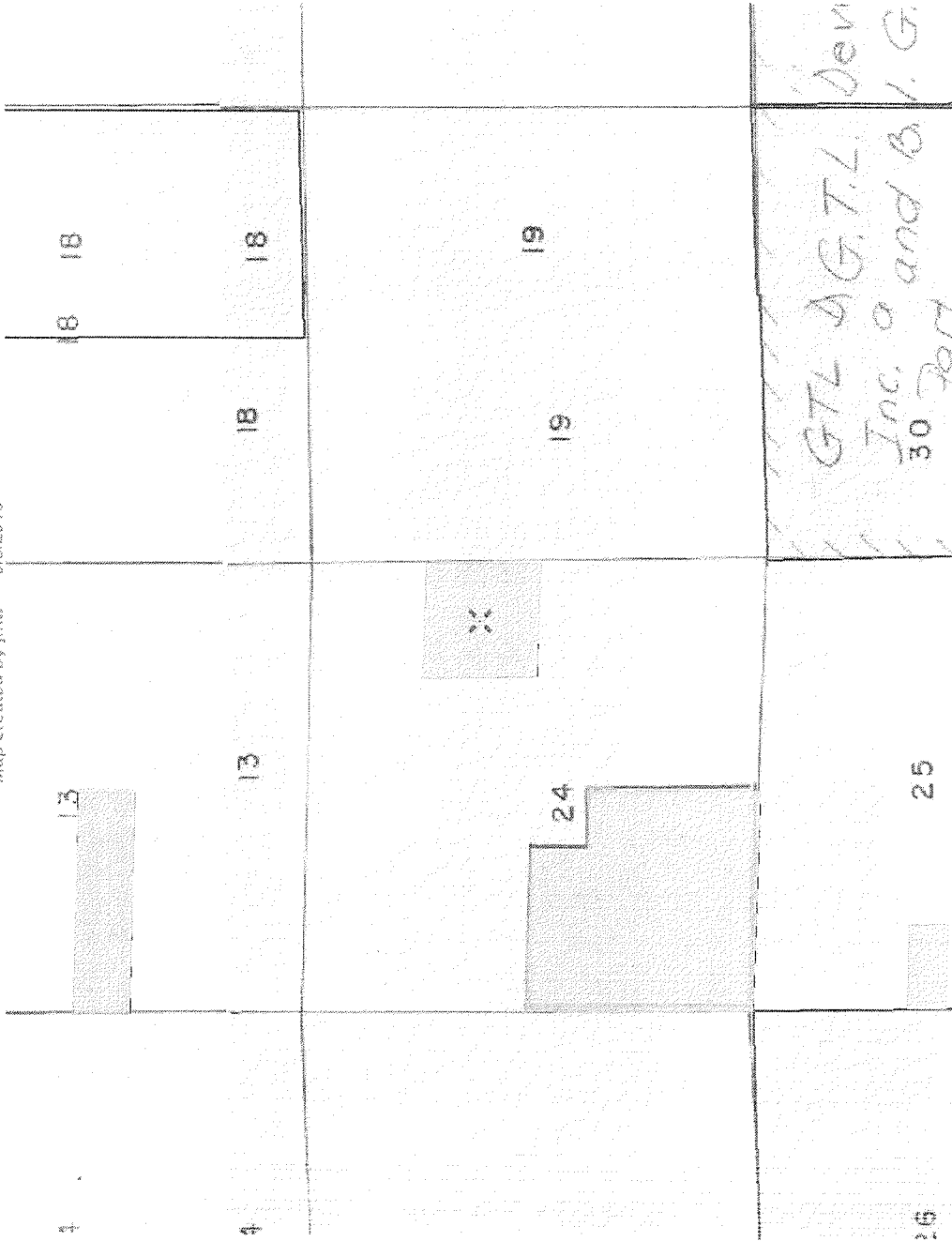
Title: _____

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



MAP NAVIGATION

Click to create PDF
 UTM X, Zone 13: 433420
 UTM Y, Zone 13: 166295
 Long: -105° 45' 16.8"
 Lat: 37° 38' 29.0"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- PLSS
- Water Well Applicat
- DWR Parcels
- EPA Well Notificati
- Low
- High
- Hydrography
- County Parcels (No Public Access)
- Towns
- Transparency
- More Data

LOCATION

Section: 24 Township: 12 Range: 03 Meridian: 6N
 PLSS Locator Quick Zoom Spacing

PRINTING

Output Scale: 24,000 Page Size: 8.5x11 User: jmw
 Title:

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



Address location by Bing Maps
 AquaMap Version 3.0.1 July 5, 2008

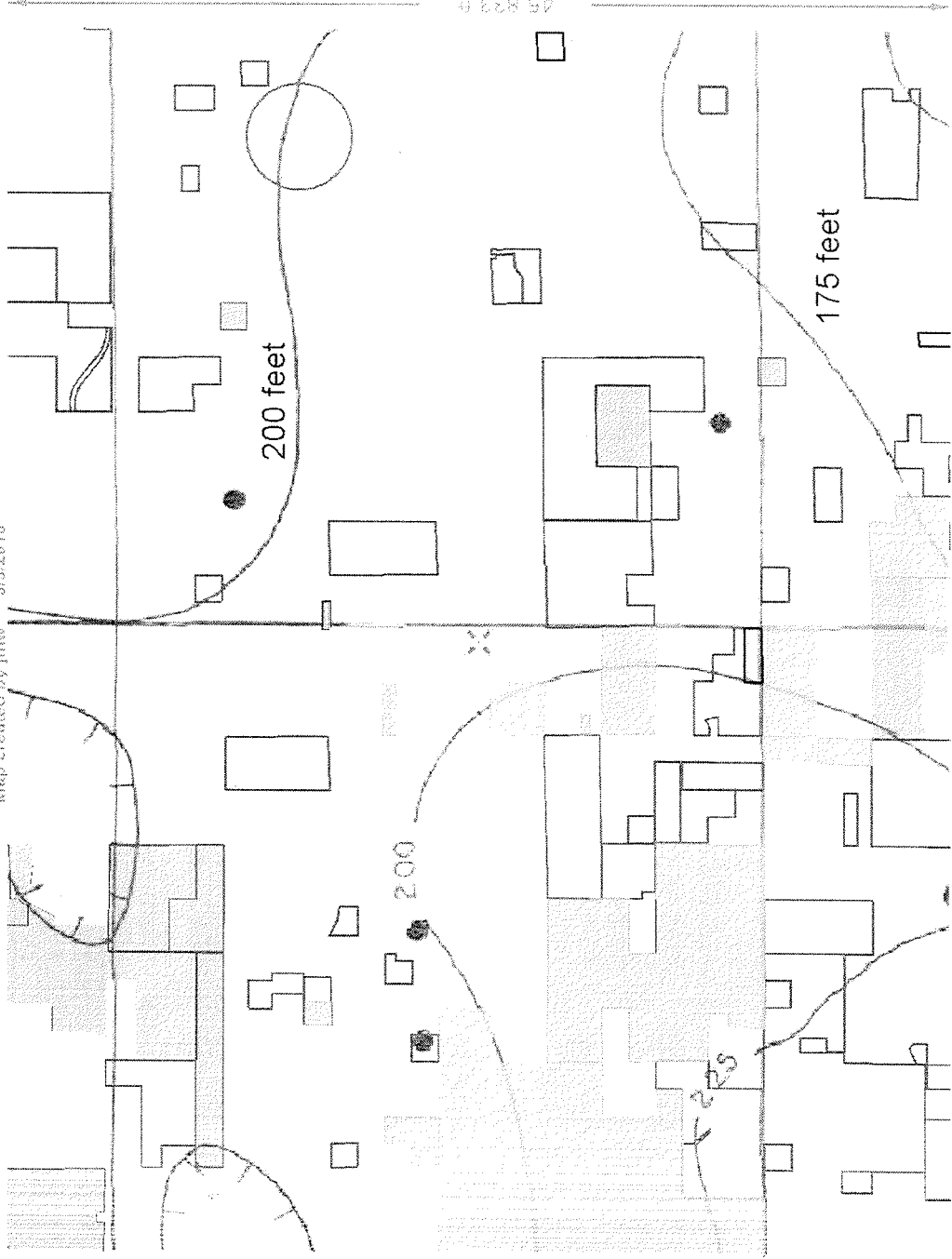
Based on work developed at <http://www.colorado.gov>



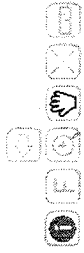
ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018



MAP NAVIGATION



Click to create PDF
 UTM X, Zone 13: 561525
 UTM Y, Zone 13: 4317509
 Long: -104° 17' 22.0"
 Lat: 39° 0' 16.0"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- PLSS
- Roads
- Hydrography
- County Parcels (No Public Access)
- Towns
- Water Well Applications
- DWR Parcels
- EPA Well Notification
- OIR/Gas Well Location
- Transparency
- More Data

LOCATION

Section: 24 Township: 12 Range: 63 Meridian: 57
 PLSS Locator: Quick Zoom: Spacing

PRINTING

Output Scale: 100.000 Page Size: 8.5x11 User: jmw
 Title:

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



**COLORADO DIVISION OF
WATER RESOURCES**

DEPARTMENT OF NATURAL RESOURCES

Address location by Bing Maps
 AquaMap Version 3.0 1 July 5, 2018

Based on work developed at <http://www.carto.net>



ADDITIONAL DATA

AQUAMAP Colorado Division of Water Resources Department of Natural Resources

Map created by jmw 5/3/2018

MAP NAVIGATION

UTM X, Zone 13: 555068
 UTM Y, Zone 13: 4315718
 Long: -104° 21' 50.9"
 Lat: 38° 59' 19.4"
 UTM and Geographic(LL) coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- PLS
- Roads
- Hydrography
- County Parcels (No Public Access)
- Tokens
- Water Well Applicat
- DWR Parcels
- EPA Well Notificat
- Oil/Gas Well Locat
- More Data

LOCATION

Section: Township: Range: Meridian:

PRINTING

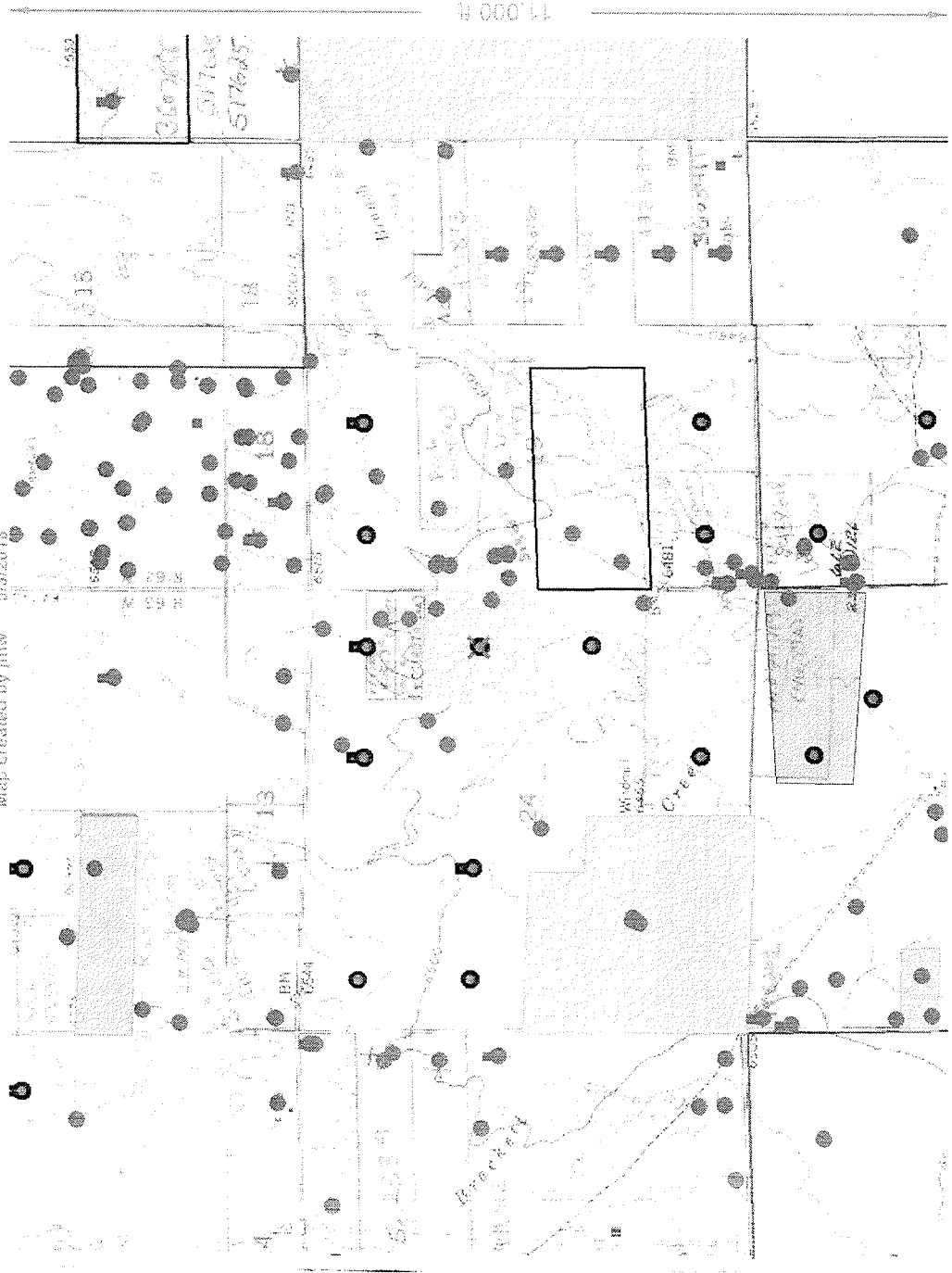
Output Scale: Page Size: User:

Title:

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



COLORADO DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES



Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2018

Based on work developed at <http://www.cdnr.co>





COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 7, 2018

Meadow Homes, LLC
16985 Fletcherville Lane
Peyton, CO 80831

RE: Applications for Determinations of Water Right to Appropriate Ground Water from the Laramie-Fox Hills, Arapahoe and Denver aquifers Underlying a 40-Acre Tract, Receipt Nos. 3685378A, 3685378B and 3685378C

Dear Applicant:

Enclosed is a copy of the legal notice to be published in the Ranchland News newspaper as required for the above described applications. If you find any errors or omissions in the notice, please contact this office by phone as soon as possible so that corrections may be made prior to publication. This office will bill you at a later time for the actual cost of this publication.

If you have any questions concerning these applications, please contact me at this office at (303) 866-3581.

Sincerely,

Joanna Williams
Water Resource Engineer

Enclosures: a/s





COLORADO
Division of Water Resources
Department of Natural Resources

John W. Dickenteper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 7, 2018

Tracy Doran
Upper Black Squirrel Creek Ground Water Management District
ubsc@wmd03@aol.com

RE: Applications for Determination of Water Right, Section 37-90-107(7) C.R.S, Laramie-Fox Hills, Arapahoe and Denver aquifers, Applicant: Meadow Homes, LLC, Receipt No(s). 3685378A, 3685378B and 3685378C

Dear Ms. Doran:

If the Board of Directors of your district wishes to provide written comments or recommendations concerning the above applications, please provide such recommendations within 35 days of the date of this letter.

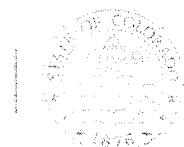
Pursuant to Section 37-90-107(7), C.R.S., the Ground Water Commission shall have the authority to approve determinations of rights to designated ground water in the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. This application is being processed and evaluated in accordance with this section and the Designated Basin Rules.

If you have any questions regarding these applications, please contact me at joanna.williams@state.co.us or (303)866-3581 ext. 8265.

Sincerely,

Joanna Williams
Water Resource Engineer

Attachment: a/s





STATE OF COLORADO

Williams - DNR, Joanna <joanna.williams@state.co.us>

Meadow Homes, LLC - Comments of Upper Black Squirrel Creek Ground Water Management District

1 message

April Hendricks <ahendricks@troutlaw.com>
To: Joanna Williams <joanna.williams@state.co.us>
Cc: Lisa Thompson <lthompson@troutlaw.com>

Fri, Jun 15, 2018 at 4:38 PM

Joanna,

Attached please find the UBS District's comments regarding the applications submitted by Meadow Homes, LLC for Determinations of Water Rights.

Thanks,

April

April D. Hendricks

Associate Attorney

Trout Raley

Mentado • Freeman • Sinar • Thompson P.C.

1120 Lincoln Street, Suite 1600

Denver, CO 80203

tel: (303) 861-1963

direct: (303) 339-5825

fax: (303) 832-4465

email: ahendricks@troutlaw.com



Comment Letter - Meadow Homes.pdf

84K

Trout Raley

Montaño • Freeman • Sinor • Thompson P.C.

April D. Hendricks, Esq.
ahendricks@troutlaw.com
303.339.5825

1120 Lincoln Street • Suite 1600
Denver, Colorado 80203-2141
303.861.1963
www.troutlaw.com

June 15, 2018

VIA E-MAIL

Joanna Williams
Colorado Division of Water Resources
1313 Sherman, Room 818
Denver, Colorado 80203

Re: Applications for Determination of Water Rights, Section 37-90-107(7), C.R.S.,
Laramie-Fox Hills, Arapahoe, and Denver Aquifers
Applicant: Meadow Homes, LLC
Receipt Nos. 3685378A, 3685378B, and 3685378C

Dear Ms. Williams:

Pursuant to C.R.S. § 37-90-113(3) and your letter to the Board of Directors of the Upper Black Squirrel Creek Ground Water Management District ("the UBS District"), the UBS District provides the following written comments concerning the above-referenced applications.

These applications request determinations of water rights to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe, and Denver aquifers underlying a 40 acre parcel owned by Meadow Homes, LLC. As stated in the published notice for these applications, Meadow Homes, LLC seeks to use the designated groundwater underlying this property for domestic purposes, indoor and outdoor irrigation, commercial use, stock watering, and equipment and landscape washing. The Commission's preliminary evaluation of Meadow Homes' application resulted in a finding that 15.6 acre-feet of designated groundwater is available for allocation from the underlying Laramie-Fox Hills aquifer; 13.3 acre-feet is available from the Arapahoe aquifer; and 15 acre-feet is available from the Denver aquifer. However, the amount allocated to the Denver aquifer represents a reduction in the total amount of underlying designated groundwater in that aquifer, in order to allow for the annual withdrawals of an existing permitted small-capacity well (Permit No. 126743) that is located on the property.

As applicable here, Rules 17, 18, and 19 of the Rules and Regulations of the Upper Black Squirrel Creek Ground Water Management District provide limitations for large capacity wells

proposed to be permitted following a determination of water right, depending upon whether the subject wells are located within or outside of a subdivision or cluster development, as follows:

- a. Within a Subdivision. The large capacity well withdrawals shall not exceed .5 acre feet per year per single family residence, or its equivalent. In the event a Subdivision or cluster development is supplied by multiple wells, production from all wells supplying the Subdivision or cluster development shall not exceed the product of (the number of single family residences, single condominium units, apartment units, single units within a multiple-dwelling unit or equivalent within the Subdivision) X (.5) acre feet per year. Rule 17 (emphasis added).
- b. Outside a Subdivision. The large capacity well production shall be limited to 15 gallons per minute and withdrawals shall not exceed 1 acre foot per year. A well may serve up to two residences on a single parcel. Applicants are required to submit evidence to the Management District that their total withdrawals from the proposed wells will be within these limitations. Rule 18 (emphasis added).

Meadow Homes, LLC has also indicated in its application that it intends to use the designated groundwater at issue for commercial purposes and, therefore, must also comply with the UBS District's Rule 19, which applies to wells supplying water to a commercial business.¹ Under Rule 19, withdrawals of groundwater for commercial purposes must be limited to the amount reasonably necessary to supply the present and future needs of the proposed business, as established by the UBS District's Board, in consultation with the Commission.

Meadow Homes, LLC additionally seeks to use the groundwater at issue for indoor and outdoor irrigation. Pursuant to guidance issued by the Colorado Division of Water Resources, "[w]ater wells may only be constructed and operated according to a well permit issued by the Colorado Division of Water Resources and any use of water from the well is limited to uses specifically described by the well permit. Water rights for crop irrigation have an implied season of use limitation and cannot typically be used year-round in a greenhouse or other grow facility." See *Well and Water Use in Regards to Amendment 64 and Cultivation of Cannabis* (February 2018). Accordingly, though large capacity wells that are permitted for agricultural irrigation may be used to supply water for any plants or crops that are legally grown, these wells cannot be used for indoor irrigation if such use would extend the normal irrigation season.

Finally, Rules 18, 19, and 21 of the UBS District's Rules and Regulations require that all large capacity wells be equipped with a totalizing flow meter, and Meadow Homes, LLC must maintain accurate records of all withdrawals from each well and must also provide copies of these records to the UBS District upon request.

Any well proposed to be permitted as a result of the above-referenced Determinations of Water Rights is subject to the limitations set out above, and notice of or terms and conditions

¹ Rule 19 defines a commercial business is defined as "a business that will a) be operated by the well owner and that will have its own books, bank accounts, checking accounts and separate tax returns; b) use water solely on the land indicated on the proposed permit for the purposes stated in the proposed permit; and c) will maintain its individual assets and will own or lease the property upon which the well is to be located."

imposing such limitations should be included in any final determination of water rights. Such limitations should also be included in any final well permit as a condition of approval. The UBS District reserves the right to raise appropriate comments at the time a permit application is submitted pursuant to the above-referenced determinations.

Sincerely,

A handwritten signature in cursive script, appearing to read "April D. Hendricks".

April D. Hendricks
for
TROUT RALEY



COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hentz
Governor

Robert Randell
Executive Director

Kevin G. Reiss, P.E.
Director/State Engineer

May 7, 2018

Ranchland News
ranchland@bigsandytelco.com

Applicant: Meadow Homes, LLC

-EMAIL- DOCUMENT TRANSFER-

Please publish the enclosed legal notice in your editions of May 10, 2018 and May 17, 2018, or as close to these dates as possible. Please single-space all the enclosed material in your standard single column legal notice format. Font size shall not be less than six-point type and not more than nine-point in size.

Prior to publishing the legal notice, a proof copy must be submitted to this office for approval. The Ground Water Commission staff will inspect the proof copy and a reply as to its correctness will be made immediately by phone to your office. The proof copy must be directed to the attention of Joanna Williams, Colorado Division of Water Resources at 1313 Sherman St. Room 818, Denver CO 80203, or by email joanna.williams@state.co.us.

The state Controller and the State Purchasing Agent require that two copies of the billing and two copies of the proof of publication affidavit must be received in order to process billing invoices for legal notice publications. The proof of publication must be notarized.

Since we must re-bill the applicant prior to the official action concerning their application request, please transmit the billing copies together with the proofs of publication as soon as possible.

Should you have any questions concerning publication of this notice, please contact this office.

Sincerely,

Joanna Williams
Water Resource Engineer

Enclosure (a/s)



BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK
GROUND WATER MANAGEMENT DISTRICT - EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Meadow Homes, LLC (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: domestic, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above aquifers based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the application by the Commission Staff finds the annual amount of water available for allocation from the aquifers underlying the above-described property to be 15.6 acre-feet for the Laramie-Fox Hills aquifer, 13.3 acre-feet for the Arapahoe aquifer and 15.0 acre-feet for the Denver aquifer, subject to final staff evaluation. The amount for the Denver aquifer represents a reduction in the initial annual amount determined to be available to allow for the annual withdrawal of a small-capacity well located on the described property area, permit no. 126743. The estimated available annual acre-feet allocation for each aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the application finds the replacement water requirement status for the aquifers underlying the above-described property to be nontributary for the Laramie-Fox Hills aquifer, nontributary for the Arapahoe aquifer and not-nontributary (actual impact replacement) for the Denver aquifer.

Upon Commission approval of the determination of water right, well permits for wells to withdraw the allowed allocation shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the aquifer and must be located on the above-described 40 acre property. Well permits for wells to withdraw ground water from the Denver aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

Any person wishing to object to the approval of these determinations of water right must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 fee per aquifer and must be received by the Commission Staff, Colorado Ground Water Commission, 1313 Sherman Street, Room 821, Denver, Colorado 80203, by June 16, 2018.

Ranchland News

PO Box 307
Simla, CO 80835
719-541-2288
ranchland@bigsandytelco.com

Invoice

Date	Invoice #
5/10/2018	37740

Bill To
Colorado Ground Water Commission 1313 Sherman Street, Room 818 Denver, CO 80203

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
88	Legal- 11.5 picas	0.494	43.47
88	Legal- 11.5 picas- rerun Legal 154	0.345	30.36
		Total	\$73.83

PUBLISHER'S AFFIDAVIT

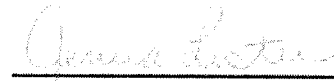
STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)

I, Jenna Lister, do solemnly affirm that I am the Publisher of RANCHLAND NEWS; that the same is a weekly newspaper published at Simla, County of Elbert, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Elbert for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Calhan, Colorado as second class mail matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for TWO successive weeks; that the first publication of said notice was in the issue of said newspaper dated,

May 10, 2018

and the last publication of said notice was in the issue of said newspaper dated,
May 17, 2018


and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Ranchland News, according to the accustomed mode of business in this office.



Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

17 day of May, 2018



Notary Public

09/20/2020

(My Notary Public Commission Expiration Date)

SUSAN LISTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19964014317
MY COMMISSION EXPIRES 09/20/2020

Determinations of Water Right

BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT, EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Meadow Homes, LLC (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th PM. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: domestic, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above aquifers based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the application by the Commission Staff finds the annual amount of water available for allocation from the aquifers underlying the above-described property to be 15.6 acre-feet for the Laramie-Fox Hills aquifer, 13.3 acre-feet for the Arapahoe aquifer and 15.0 acre-feet for the Denver aquifer, subject to final staff evaluation. The amount for the Denver aquifer represents a reduction in the initial annual amount determined to be available to allow for the annual withdrawal of a small capacity well located on the described property area, permit no. 126743. The estimated available annual acre-feet allocation for each aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the application finds the replacement water requirement status for the aquifers underlying the above-described property to be noncontributory for the Laramie-Fox Hills aquifer, noncontributory for the Arapahoe aquifer and not-noncontributory (actual impact replacement) for the Denver aquifer.

Upon Commission approval of the determination of water right, well permits for wells to withdraw the allowed allocation shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the aquifer and must be located on the above-described 40 acre property. Well permits for wells to withdraw ground water from the Denver aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

Any person wishing to object to the approval of these determinations of water right must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 fee per aquifer and must be received by the Commission Staff, Colorado Ground Water Commission, 1313 Sherman Street, Room 821, Denver, Colorado 80203, by June 16, 2018.

First Publication May 10, 2018

Final Publication May 17, 2018

In Ranchland News

Legal No. 154



COLORADO
 Division of Water Resources
 Department of Natural Resources

John W. Hickenlooper
 Governor

Robert Randall
 Executive Director

Kevin G. Rein, P.E.
 Director/State Engineer

May 18, 2018

Meadow Homes, LLC
 16985 Fletcherville Lane
 Peyton, CO 80831

Invoice No. 18-PUB-81

INVOICE

Pursuant to Section 37-90-116, C.R.S., applicants are required to pay for the actual expense of publication for determinations of water right, well permit, and change of water right applications.

Your applications for determination of water rights to appropriate ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers were published in Ranchland News on May 10, 2018 and May 17, 2018.

The following cost was incurred:

1. Actual cost of publication: \$ 73.83
2. Additional fees: none

PAYABLE TO: DIVISION OF WATER RESOURCES \$ 73.83

Your application cannot be considered for approval until the charges are paid.
Please return the enclosed copy of this invoice with remittance within thirty (30) days.

(A copy of the publication affidavit is enclosed for your records.)

Sincerely,

Joanna Williams
 Water Resource Engineer

Enclosures: a/s

Transaction #: 3030653
 Date: 6/5/2018 10:00:23 AM
 Transaction Total: \$73.83
 CHECK #1442 \$73.83

Office of the State Engineer
 1313 Sherman Street, Room 821, Denver, CO 80203 P 303.866.3581
www.water.state.co.us



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.: 3533-BD

AQUIFER: Denver

APPLICANT: Meadow Homes, LLC

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Meadow Homes, LLC (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 March 21, 2018.
2. The Applicant requests a determination of right to designated ground water in the Denver Aquifer (hereinafter "Aquifer") underlying 40 acres, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th P.M., in El Paso County. According to a signed Ownership Statement dated March 19, 2018, attached hereto as Exhibit A, the Applicant owns the 40 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 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 40 acres of Overlying Land claimed by the applicant is 1,600 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 235 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 16.0 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. 126743, is located on the Overlying Land and is permitted to withdraw 1 acre-foot 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 15.0 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 1,500 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 closer than one mile from the Aquifer contact with the alluvium. 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 May 7, 2018, 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. Written recommendations from the district were received on June 15, 2018.

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 May 10, 2018 and May 17, 2018. 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 40 acres of land, described as the SE1/4 of the NE1/4 of Section 24, Township 12 South, Range 63 West of the 6th 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 15.0 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 1,500 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 withdraw 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, indoor and outdoor irrigation, commercial, stock watering and equipment and landscape washing. The place of use shall be limited to the above described 40 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 40 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 40 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 18th day of June, 2018.

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


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

Prepared by: jmw
F&O3533-BD.doc

COLORADO DIVISION OF WATER RESOURCES

1313 Sherman Street - Room 818
Denver, Colorado 80203

THIS FORM MUST BE SUBMITTED
WITHIN 60 DAYS OF COMPLETION
OF THE WORK DESCRIBED HERE-
ON. TYPE OR PRINT IN BLACK
INK.

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 126743

WELL OWNER Delano Steen SE 1/4 of the NE 1/4 of Sec. 24

ADDRESS 3701 Manchester St. Colo. Spr. Co. 80907 T. 12 S., R. 63 W., 6th P.M.

DATE COMPLETED Aug 25, 19 82

HOLE DIAMETER

7 7/8 in. from 0 to 153 ft.

_____ in. from _____ to _____ ft.

_____ in. from _____ to _____ ft.

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	3	Top Soil	
3	31	Sand Gravel & Clay	
31	52	Sand & Gravel	
52	67	Sand & Clay	
67	105	Sand Gravel Some Clay	
105	127	Sand Gravel & Shale	
127	153	Shale & Sand Stone	
TOTAL DEPTH <u>153</u>			

Use additional pages necessary to complete log.

DRILLING METHOD Rotary

CASING RECORD: Plain Casing

Size 5" & kind PVC from 0 to 14 ~~83~~ ft.

Size 4" & kind PVC from 14 to 93 ft.

Size _____ & kind _____ from _____ to _____ ft.

Perforated Casing

Size 4" & kind PVC from 93 to 153 ft.

Size _____ & kind _____ from _____ to _____ ft.

Size _____ & kind _____ from _____ to _____ ft.

GROUTING RECORD

Material Sand & Cement

Intervals 0-10

Placement Method poured

GRAVEL PACK: Size 5/16 -

Interval _____

TEST DATA

Date Tested Aug 25, 19 82

Static Water Level Prior to Test 59.00 ~~59.00~~

Type of Test Pump Bailed

Length of Test 2 hr.

Sustained Yield (Metered) 15

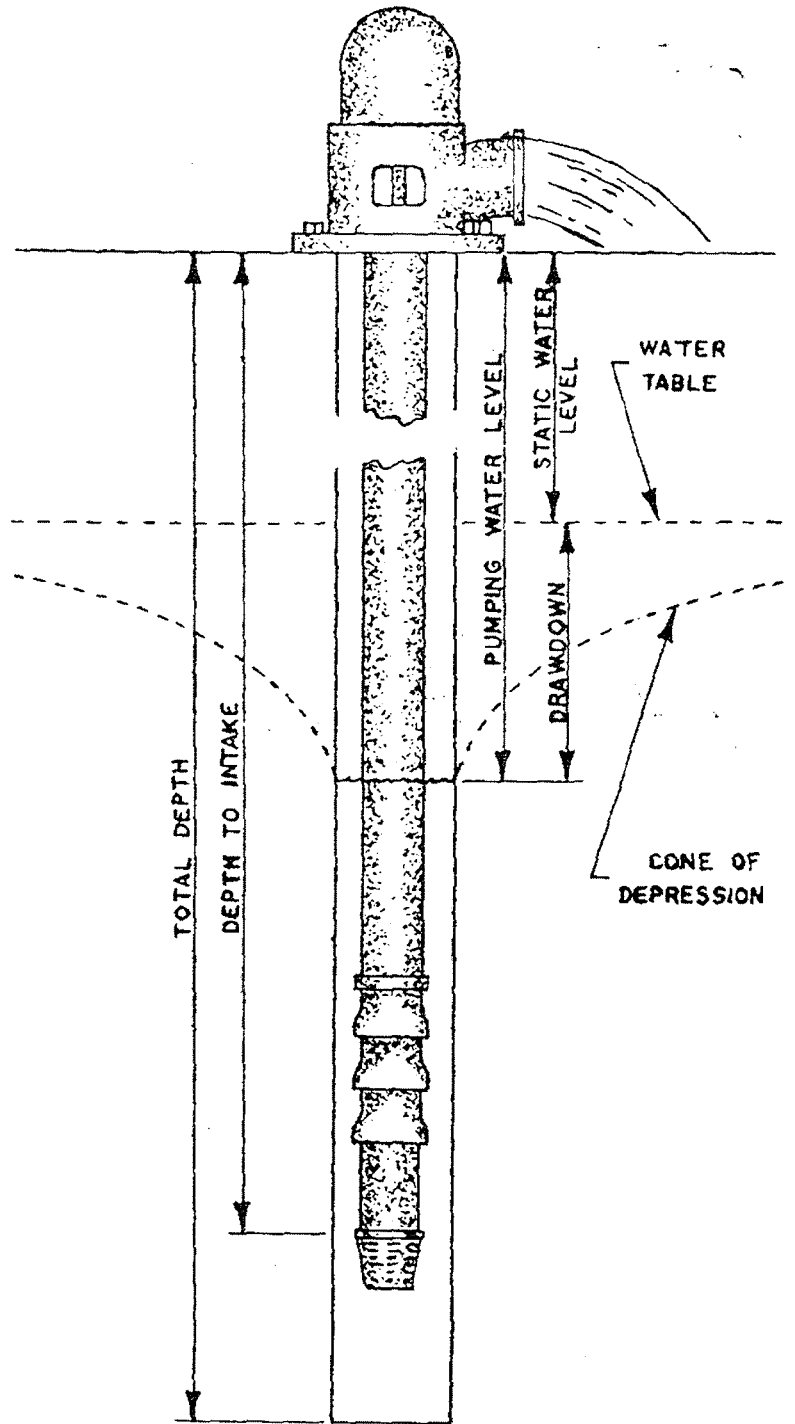
Final Pumping Water Level 75

PUMP INSTALLATION REPORT

Pump Make _____
 Type _____
 Powered by _____ HP
 Pump Serial No. _____
 Motor Serial No. _____
 Date Installed _____
 Pump Intake Depth _____
 Remarks _____

WELL TEST DATA WITH PERMANENT PUMP

Date Tested _____
 Static Water Level Prior to Test _____
 Length of Test _____ Hours
 Sustained yield (Metered) _____ GPM
 Pumping Water Level _____
 Remarks Pump Unknown



CONTRACTORS STATEMENT

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature J. P. Hamacher License No. 71

State of Colorado, County of Elbert SS

Subscribed and sworn to before me this 15 day of Sept, 19 82.

My Commission expires: Dec 7 19 82.

Notary Public Bonnie Nelson Hamacher

FORM TO BE MADE OUT IN QUADRUPPLICATE: WHITE FORM must be an original copy on both sides and signed. WHITE AND GREEN copies must be filed with the State Engineer. PINK COPY is for the Owner and YELLOW COPY is for the Driller.

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

WJP

PERMIT APPLICATION FORM

RECEIVED

JUL 28 1982

WATER RESOURCES
STATE ENGINEER
COLO.

Application must be complete where applicable. Type or print in BLACK INK. No overstrikes or erasures unless initialed.

- A PERMIT TO USE GROUND WATER
- A PERMIT TO CONSTRUCT A WELL
- FOR: A PERMIT TO INSTALL A PUMP

REPLACEMENT FOR NO. _____
 OTHER _____
 WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME DELANO STEEN
MARIA STEEN
 STREET 3701 MANCHESTER ST.
 CITY COLO. SPRINGS, COLO 80907
(State) (Zip)
 TELEPHONE NO. 598-6770

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 28172 ✓
 Basin 4 Dist. 12

(2) LOCATION OF PROPOSED WELL

County EL PASO
S-E ¼ of the N-E ¼, Section 24
 Twp. 12 S., Rng. 63 W., 6th P.M.
(N.S) (E.W)

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

NOTICE

CASING INSTALLED IN THIS WELL SHALL NOT EXCEED SIX (6) INCHES IN DIAMETER.

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15
 Average annual amount of ground water to be appropriated (acre-feet): 1
 Number of acres to be irrigated: 1
 Proposed total depth (feet): 150'
 Aquifer ground water is to be obtained from:
DENVER OUTCROP
 Owner's well designation _____

GROUND WATER TO BE USED FOR:

HOUSEHOLD USE ONLY - no irrigation (0)
 DOMESTIC (1) INDUSTRIAL (5)
 LIVESTOCK (2) IRRIGATION (6)
 COMMERCIAL (4) MUNICIPAL (8)
 OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

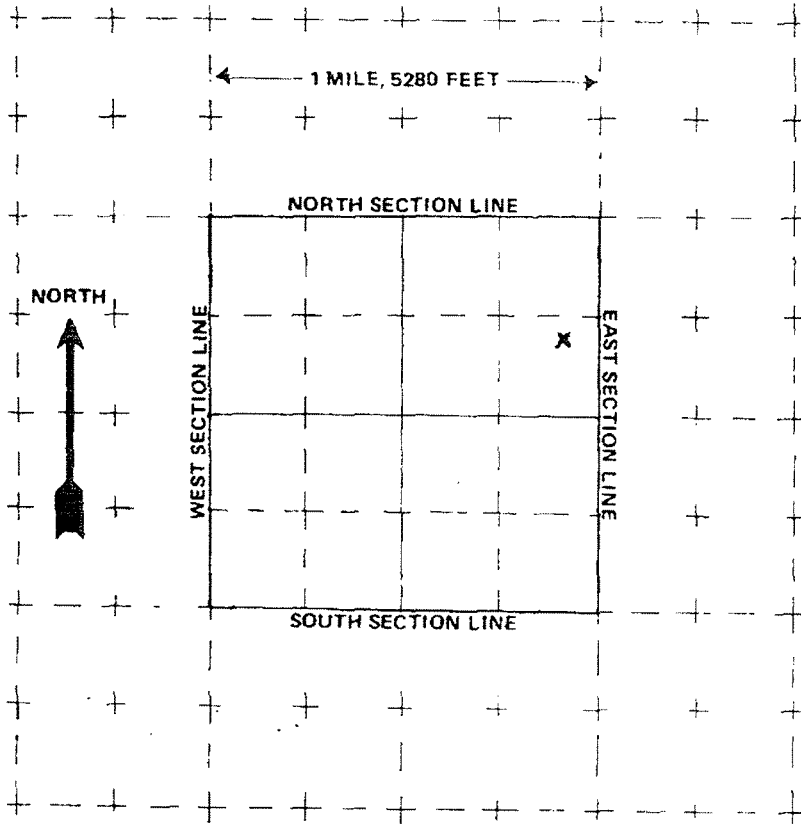
APPLICATION APPROVED

126743
 PERMIT NUMBER _____
 DATE ISSUED AUG 12 1982
 EXPIRATION DATE AUG 11 1983
Robert G. [Signature]
 ASSISTANT (STATE ENGINEER)
 BY Leonard [Signature]
 ID. 8-2-10 COUNTY 21

(4) DRILLER

Name HAMACHER WELL WORKS
 Street Box 86
 City SIMLA, COLORADO 80835
(State) (Zip)
 Telephone No. 541-2460 Lic. No. 71

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

1470 ft. from NORTH sec. line
(north or south)

210 ft. from EAST sec. line
(east or west)

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED

Owner: DELAND STEEN
40 MARIA STEEN Will this be

the only well on this tract? yes

(8) PROPOSED CASING PROGRAM

Plain Casing

5 in. from 0 ft. to 20 ft.

4 in. from 200 ft. to 150 ft.

Perforated casing

4 in. from 110 ft. to 150 ft.

_____ in. from _____ ft. to _____ ft.

(9) FOR REPLACEMENT WELLS give distance and direction from old well and plans for plugging it:

(10) LAND ON WHICH GROUND WATER WILL BE USED:

Owner(s): DELAND STEEN & MARIA STEEN No. of acres: 1

Legal description: S-E 1/4 N-E 1/4 Sect. 24 12-S 63-W 6th

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

Domestic
1250 TANK & LINES

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
<u>NONE</u>		

(13) THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.

Deland Steen Maria Steen
SIGNATURE OF APPLICANT(S)

RECEIVED

JUL 28 1982

WATER RESOURCES
STATE ENGINEER
COLORADO

STATE OF COLORADO
DIVISION OF WATER RESOURCES

STATE OF COLORADO
COUNTY OF EL PASO

} SS

AFFIDAVIT

The affiant(s) DELANO STEEN & MAYIA STEEN whose
mailing address is 3701 MANCHESTER ST, COLORADO SPRINGS,
COLO, 80907, being duly sworn upon oath
(State) (Zip Code)

deposes and says that he (she) (they) is (are) the owner(s) of the following
described property situate in the County of EL PASO State of
Colorado: (insert or attach one of the following types of legal description
for your specific acreage: metes and bounds; survey plat; or lot No., block
No., filing No., and subdivision name.)

Southeast quarter of the Northeast quarter of Section 24,
Township 12, Range 63, West of the 6th P. M. (approximately
40 acres) in El Paso County, Colorado.

- Recorded July 30, 1973 in Book 2608 at Page 686
under Reception Number 02592.

Further, the affiant(s) depose(s) and say(s) that he (she) (they) has (have)
read the statements made herein; knows the contents hereof; and that the same are
true of his (her) (their) own knowledge.

Delano Steen

X Mayia Steen

Subscribed and sworn to before me this 26 day of July, 1982.

My Commission expires: 7-13-83.

Paul Bevin
Notary Public

RICHARD D. LAMM
Governor



JERIS A. DANIELSON
State Engineer

OFFICE OF THE STATE ENGINEER
DIVISION OF WATER RESOURCES

1313 Sherman Street-Room 818
Denver, Colorado 80203
(303) 866-3581

RECEIVED

AUG 09 1982

WATER RESOURCES
STATE - ENGINEER
COLO.

July 29, 1982

Upper Black Squirrel
Creek G.W.M.D.
c/o Elvin Henderson, President
Rt. 2
Calhan, CO 80808

Dear Mr. Henderson:

Attached is a copy of an application from Delano Steen for a domestic well.

In order to implement C.R.S. 1973, 37-90-111(3), we will await your reply from your board of directors for 35 days from mailing date which is September 2, 1982.

Upon the receipt of your reply, or 35 days from mailing, the staff will process the application in accordance with existing statutes, rules, and regulations of the affected ground water management district, the Commission Guidelines, or the policies as directed by the State Engineer.

Emergency conditions will, of necessity, be expedited with your approval by telephone.

Very truly yours,

Leonard A. Mercer

Leonard A. Mercer
Supervising Engineer
Designated Basins

LAM:jmm

Enclosure

The board of directors of the Upper Black Squirrel Creek Ground Water Management District approves the application for Delano Steen.

President Elvin Henderson



COLORADO
 Division of Water Resources
 Department of Natural Resources

John W. Hickenlooper
 Governor

Robert Randall
 Executive Director

Kevin G. Rein, P.E.
 Director/State Engineer

May 18, 2018

Meadow Homes, LLC
 16985 Fletcherville Lane
 Peyton, CO 80831

Invoice No. 18-PUB-81

INVOICE

Pursuant to Section 37-90-116, C.R.S., applicants are required to pay for the actual expense of publication for determinations of water right, well permit, and change of water right applications.

Your applications for determination of water rights to appropriate ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers were published in Ranchland News on May 10, 2018 and May 17, 2018.

The following cost was incurred:

1. Actual cost of publication: \$ 73.83
2. Additional fees: none

PAYABLE TO: DIVISION OF WATER RESOURCES \$ 73.83

Your application cannot be considered for approval until the charges are paid.
Please return the enclosed copy of this invoice with remittance within thirty (30) days.

(A copy of the publication affidavit is enclosed for your records.)

Sincerely,

Joanna Williams
 Water Resource Engineer

Enclosures: a/s

Transaction #: 3006053
 Date: 6/5/2018 10:56:23 AM
 Transaction Total: \$73.83
 CHECK#1442 \$73.83

Office of the State Engineer
 1313 Sherman Street, Room 621, Denver, CO 80203 P 303.866.3581
www.water.state.co.us

