

NEEDLES DRIVE SUBDIVISION

PRELIMINARY WATER RESOURCES REPORT

**for
Needles Drive
Subdivision**

August 28, 2026

Prepared By:



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

Executive Summary:

Preliminary Water Resources Report – Needles Drive Subdivision

Ryan W. Farr and Sedona E. Chavez of Monson, Cummins, Shohet & Farr, LLC, on behalf of the Applicant, North Ranch, LLC, a Colorado limited liability company (“North Ranch”), c/o Robert L. Myers, provide the following Water Resources/Wastewater Disposal Report in support of the Needles Drive Subdivision. The attorneys at Monson, Cummins, Shohet & Farr, LLC (“MCSF”) have extensive experience in water related matters, with Mr. Farr having practiced water law almost exclusively for over 12 years. MCSF has substantial experience with Denver Basin groundwater resources, augmentation plans, designated basin replacement plans, subdivision proceedings, and rural water usage. Given his experience, Mr. Farr should be considered a “qualified professional” as concerns water resources, as discussed at Section 8.4.7(B)(1)(c) of the El Paso County Land Development Code. This Report, prepared in conjunction with other professionals, is intended to demonstrate to the El Paso County Planning Commission and the Board of County Commissioners the sufficiency in terms of quantity and dependability, of the water rights and resources to be utilized in the proposed Needles Drive Subdivision (the “Subdivision”), in El Paso County, Colorado.

The property where the Subdivision will be located consists of approximately 47.55 acres located in the SE1/4 SW1/4 of Section 15 and the E1/2 NW1/4 of Section 22, Township 11 South, Range 66 West of the 6th P.M., County of El Paso County, State of Colorado, with a street address of 17675 State Highway 83, Colorado Springs, CO 80908, designated as Parcel No. 6100000369 (the “Property”). The proposed Subdivision includes fifteen (15) residential lots. The fifteen residential lots in the Subdivision are to be provided water and sewer/septic services through on-site individual wells and Individual Septic Disposal Systems (“ISDS”). There are two existing wells on the Property—well permit no. 65108-F and well permit no. 49840-A. Well permit no. 65108-F will be re-permitted according to the plan for augmentation subject of the application filed in Water Division 1 Case No. 26CW3088 (“Plan for Augmentation”) for provision of water to one lot within the Subdivision. Well permit no. 49840-A is an exempt well and will continue to be used as such for provision of water to another lot within the Subdivision. As such, it is planned to have fourteen wells serving fourteen lots that will be augmented by the Plan for Augmentation and one lot being served by the exempt well, which will not be subject of the Plan for Augmentation.

For the fourteen augmented wells, it is planned that each will utilize up to the maximum amount of 0.765 acre-feet annually and the exempt well will utilize up to its permitted maximum amount of 1.0 acre-foot annually. It is expected that each of the homes on each of the fifteen residential lots in the Subdivision will require an average of 0.26 annual acre-feet of water supply, for a total of 3.90 annual acre-feet, for in-house uses. Well permit no. 49840-A is an exempt well, for which one acre-foot of water per year for 300 years has been reserved for its use. As such, this well will have an additional 0.74 acre-feet available for other uses on the lot that will be served by well permit no. 49840-A. The remaining fourteen wells within the Subdivision will be

completed to the Dawson aquifer and augmented pursuant to the Plan for Augmentation. In addition to the 0.26 annual acre-feet for in-house uses for each of the remaining fourteen lots, these fourteen augmented wells will have an additional 0.505 annual acre-feet available for other uses on each lot. As such, the fourteen augmented wells will see a combined total maximum pumping of 10.71 acre-feet annually. Including withdrawals from the exempt well, all fifteen lots within the Subdivision may withdraw up to 11.71 acre-feet annually. It is planned that the Plan for Augmentation will include findings of a 300-year water supply for the fifteen residential lots within the Subdivision, with each residential lot utilizing a non-evaporative ISDS.

The water resources to be utilized on the residential lots in the Subdivision are typical of rural residential development in El Paso County, Colorado. Current requested estimates subject of the pending Water Court application demonstrate a sufficient quantity and reliability of water to support compliance with El Paso County's 300-year water supply rules for subdivisions of this nature.

I. INTRODUCTION. The purpose of this report is to provide a preliminary outline of the water resources and associated wastewater requirements necessary for approval of the Needles Drive Subdivision, as proposed.

1.1 New Development Description: The Subdivision consists of approximately 47.55 acres located in the SE1/4 SW1/4 of Section 15 and the E1/2 NW1/4 of Section 22, Township 11 South, Range 66 West of the 6th P.M., County of El Paso County, State of Colorado. The Property will be subdivided into fifteen lots. **Exhibit A**, attached hereto, depicts a proposed lot layout for the Subdivision, including an area/vicinity map.

II. PROJECTION OF WATER NEEDS

2.1 Analysis of Water Demands: It is expected that the fifteen residential lots in the Subdivision will utilize fifteen individual wells drilled to the Dawson aquifer. One of the wells will be an existing exempt well and will be used according to well permit number 49840-A, a copy of which is attached to this Preliminary Report as **Exhibit B**. The remaining fourteen wells will be used for municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, by immediate application or for storage and subsequent application, and for replacement of depletions resulting from use of water from other sources, and for augmentation purposes, in accordance with the Plan for Augmentation and the decree entered in Case No. 94CW198, District Court, Water Division 1 ("1994 Decree"), in which the Denver Basin groundwater underlying the Property was adjudicated. Furthermore, in addition to the exempt well that will remain as an exempt water source for one lot within the Subdivision, there is another existing exempt well on the Property, well permit no. 65108-F, which will be re-permitted according to the Plan for Augmentation.

It is anticipated that each of the fourteen augmented wells will utilize a maximum total of 0.765 acre-feet of water per year, with 0.26 acre-feet to be used in-house, consistent with Section 8.4.7(B)(7)(d) of El Paso County, Colorado Land Development Code, with each lot's remaining amount of groundwater being used for other permitted uses under the Plan for Augmentation and 1994 Decree. The Water Supply Information

Summary provided with this application provides estimates of 3.9 annual acre-feet for in-house uses, 0.66 acre-feet for stock watering uses, 6.915 acre-feet for irrigation uses, and 0.235 acre-feet for all other decreed uses under the Plan for Augmentation and 1994 Decree, for a total annual demand of 11.71 acre-feet (10.71 acre-feet of which will be diverted through the fourteen augmented wells and the remaining 1 acre-feet will be diverted through the existing exempt well) and total demand over the course of 300 years of 3,513 acre-feet.

All wells will produce from the not-nontributary Dawson aquifer at a flow rate of 10 to 15 gallons per minute, based upon past production of nearby wells. Based on past experience with the numerous Dawson aquifer wells serving rural residential properties throughout El Paso County, this rate of production should be more than sufficient to meet demand for in-house use.

III. PROPOSED WATER RIGHTS AND FACILITIES

3.1 Water Rights: The 1994 Decree adjudicated the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers beneath the Subdivision, along with two other neighboring parcels. The Property is identified in the 1994 Decree as the “Herbertson Parcel.” As stated in the 1994 Decree, the Dawson and Denver aquifers at this location are not-nontributary. As such, any non-exempt uses of the Dawson and Denver aquifers must be made in accordance with a decreed plan for augmentation, pursuant to C.R.S. § 37-90-137(9)(c.5). The 1994 Decree approved a plan for augmentation for use of the Dawson aquifer groundwater, which North Ranch is currently seeking to amend as concerns the Property (or Herbertson Parcel). The 1994 Decree is recorded at Reception No. 096054382 of the El Paso County, Colorado, Clerk and Recorder’s Office. The Arapahoe and Laramie-Fox Hills aquifers beneath the Subdivision are nontributary in nature, so no plan for augmentation is necessary for their use. A copy of the recorded 1994 Decree and pending application to amend the plan for augmentation set forth in the 1994 Decree are attached hereto as **Exhibits C** and **D**. The 1994 Decree vested the following specific quantities of water underlying the Property:

AQUIFER	Saturated Thickness (ft)	Total Water Adjudicated (Acre Feet)	Annual Average Withdrawal – 100 Years¹ (Acre Feet)
Dawson (NNT)	442	3,960	39.6 ²
Denver (NNT)	560	4,590	45.9
Arapahoe (NT)	248	2,030	20.3
Laramie-Fox Hills (NT)	202	1,460	14.6

¹ These aquifer annual withdrawal figures represent the 100-year aquifer life discussed at C.R.S. § 37-90-137(4)

² This amount includes an annual 3 acre-foot reduction for water to be withdrawn by an exempt well, now identified by well permit no. 49840-A.

The Plan for Augmentation will establish the following 300-year³ annual average water supply from each of the not-nontributary aquifers:

Aquifer	Annual Avg. Withdrawal 300 Years (Acre-feet)
Dawson (NNT)	13.01 ⁴
Denver (NNT)	15.3

All depletions caused by use of the not-nontributary Dawson aquifer will be augmented in time, place, and amount through septic return flows during pumping, and post-pumping depletions will be augmented with nontributary Arapahoe and Laramie-Fox Hills aquifer groundwater water underlying the Subdivision, a sufficient amount of which was reserved for such purpose in the Plan for Augmentation, specifically the entirety of the groundwater within the Laramie-Fox Hills aquifer (1,460 acre-feet) and 1,810 acre-feet of the Arapahoe aquifer. The available supplies will meet both legal and physical needs on a 300-year basis.

3.2 Source of Supply: Rural residential water supply demand will be met using one existing exempt well constructed to the Dawson aquifer (permit no. 49840-A), one existing augmented well constructed to the Dawson aquifer that will be re-permitted according to the Plan for Augmentation, and thirteen to-be-constructed not-nontributary Dawson aquifer formation wells to be permitted pursuant to the Plan for Augmentation. Consistent with El Paso County Land Development Code Section 8.4.7(B)(3)(c)(v), a subdivision utilizing individual wells need not make a further showing as to source of supply.

3.3 Pumping Rates for Service: The Dawson aquifer in the location of the Subdivision is generally known to produce approximately 10-15 gallons per minute, more than sufficient for single family residential and accessory uses. Such flow rates are typical of individual wells within subdivisions in El Paso County, including for firefighting purposes.

3.4 Water Quality: All wells to be drilled on these fifteen lots will be to the not-nontributary Dawson aquifer. North Ranch will subsequently conduct water quality testing on groundwater sampled from the Dawson aquifer underlying the Subdivision. Such water quality testing results will be submitted to the County at a later date. It is anticipated that the water quality of Dawson wells in this location will meet or exceed the standards set out in El Paso County Land Development Code Section 8.4.7.B.10.

³ These annual withdrawal figures represent a 300-year aquifer life consistent with provision of a 300-year water supply in compliance with El Paso County, Colorado Land Development Code, as applicable to the subdivision of Applicant's Property.

⁴ This annual amount includes a reduction of 57 acre-feet from the total quantity adjudicated in the 1994 Decree, to account for the approximate amount of Dawson aquifer groundwater used by well permit no. 65108-F since its construction in 2007.

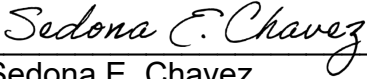
IV. WASTEWATER AND WASTEWATER TREATMENT. While a soils, geology, and geotechnical analysis may be provided by Applicant's other consultants, Applicant provides a summary of ISDS to be utilized herein, as relates to water usage and resulting return flows.

4.1 Septic/Wastewater Loads: Septic projections are based on similar Denver Basin residential uses on rural residential lots. Average daily wastewater loads are expected to be approximately 160 gallons per day per single-family residence assuming residential in-house use at the conservative 0.20 acre-feet per year. Maximum daily wastewater loads are expected to be roughly 209 gallons per day per single-family residence, assuming residential in-house use at the 0.26 acre-feet per year rate described in the El Paso County Land Development Code.

4.2 On-Site Wastewater Treatment Systems: The fifteen residential lots within the Subdivision will each be served by a non-evaporative ISDS. All non-evaporative ISDS will be evaluated and installed according to El Paso County Guidelines and properly maintained to prevent contamination of surface and subsurface water resources.

Respectfully submitted this 28th day of August, 2026.

MONSON, CUMMINS, SHOHET & FARR, LLC



Sedona E. Chavez
Ryan W. Farr

Exhibits:

A – Location Map/Plat of Property

B – Well Permit No. 49840-A

C – Application – Case No. 26CW3088, District Court, Water Division 1

D – Decree – Case No. 94CW198, District Court, Water Division 1

A SUBDIVISION OF A PORTION OF SW 1/4 SECTION 15 AND THE SW 14 SECTION 22, T 11 S, R 66 W OF THE 6th P.M.

THAT THE NORTH RANCH, LLC, A COLORADO LIMITED LIABILITY COMPANY, ROBERT L. MYERS, MANAGER, BEING THE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND::

A TRACT OF LAND BEING PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15 AND THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH P.M., ALL LYING EASTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 83, SITUATE IN EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

THE SOUTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 22, SAID PLAT ALSO BEING THE SOUTHWEST CORNER OF WALDEN III AS PLATTED AND BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 22, SAID PLAT ALSO BEING THE SOUTHWEST CORNER OF WALDEN III AS PLATTED AND RECORDED IN PLAY BOOK H-2 AT PAGE 19 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, THENCE S 0 DEGREES 02 MINUTES W ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 22 A DISTANCE OF 74.44 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF HIGHWAY STATE ROUTE 82, THENCE FOLLOWING THE COURSE OF SAID HIGHWAY STATE ROUTE 82 TO THE INTERSECTION OF SAID HIGHWAY STATE ROUTE 82 WITH HIGHWAY STATE ROUTE 60, THENCE FOLLOWING THE COURSE OF SAID HIGHWAY STATE ROUTE 60 TO THE INTERSECTION OF SAID HIGHWAY STATE ROUTE 60 WITH THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 22, SAID PLAT ALSO BEING THE SOUTHWEST CORNER OF WALDEN III AS PLATTED AND RECORDED IN PLAY BOOK H-2 AT PAGE 19 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, THENCE S 0 DEGREES 02 MINUTES W ON THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 22 A DISTANCE OF 74.44 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF

1. (1) THENCE ON A CURVE TO THE RIGHT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 2232.00 FEET THROUGH A CENTRAL ANGLE OF 9 DEGREES 15 MINUTES 44 SECONDS AN ARC DISTANCE OF 360.81 FEET, THE LONG CHORD OF WHICH BEARS N 23 DEGREES 25 MINUTES 04 SECONDS W 360.42 FEET;

(2) THENCE N 10 DEGREES 02 MINUTES 21 SECONDS W A DISTANCE OF 781.50 FEET;

(3) THENCE N 02 DEGREES 59 MINUTES 51 SECONDS W A DISTANCE OF 348.75 FEET;

(4) THENCE N 04 DEGREES 01 MINUTES 09 SECONDS E A DISTANCE OF 212.83 FEET;

(5) THENCE N 02 DEGREES 25 MINUTES 51 SECONDS W A DISTANCE OF 263.03 FEET;

(6) THENCE N 25 DEGREES 01 MINUTES 51 SECONDS W A DISTANCE OF 200.33 FEET;

(7) THENCE ON A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 1970.26 FEET THROUGH A CENTRAL ANGLE OF 11 DEGREES 23 MINUTES 37 SECONDS AN ARC DISTANCE OF 391.80 FEET, THE LONG CHORD OF WHICH BEARS N 22 DEGREES 20 MINUTES 51 SECONDS W 391.15 FEET;

(8) THENCE N 32 DEGREES 51 MINUTES 51 SECONDS W A DISTANCE OF 203.23 FEET;

(9) THENCE N 31 DEGREES 02 MINUTES 51 SECONDS W A DISTANCE OF 57.21 FEET;

(10) THENCE N 30 DEGREES 08 MINUTES 21 SECONDS W A DISTANCE OF 364.83 FEET;

(11) THENCE N 34 DEGREES 47 MINUTES 08 SECONDS W A DISTANCE OF 219.16 FEET;

(12) THENCE N 21 DEGREES 50 MINUTES 08 SECONDS W A DISTANCE OF 71.96 FEET;

(13) THENCE N 16 DEGREES 59 MINUTES 08 SECONDS W A DISTANCE OF 91.92 FEET;

(14) THENCE N 11 DEGREES 14 MINUTES 08 SECONDS W A DISTANCE OF 691.72 FEET;

(15) THENCE N 04 DEGREES 07 MINUTES 38 SECONDS W A DISTANCE OF 29.29 FEET TO THE SOUTHWEST CORNER OF LOT 18 OF SAID WALDEN III SUBDIVISION; THENCE S 88 DEGREES 47 MINUTES 14 SECONDS E ON THE SOUTH LINE OF LOTS 18, 19 AND 20 OF SAID SUBDIVISION A DISTANCE OF 1163.66 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 15 AS ESTABLISHED BY SAID SUBDIVISION PLAT; THENCE S 0 DEGREES 16 MINUTES 47 SECONDS E ON THE WESTERN LINE OF LOTS 21, 22, 23 AND 24 OF SAID SUBDIVISION A DISTANCE OF 1321.21 FEET TO THE NORTHEAST CORNER OF THE EAST-NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF SECTION 15 AS ESTABLISHED BY SAID SUBDIVISION; THENCE S 0 DEGREES 02 MINUTES 01 SECONDS W ON THE WESTERN LINE OF THE NORTHWEST QUARTER OF SECTION 15 AS ESTABLISHED BY SAID SUBDIVISION; THENCE S 0 DEGREES 01 MINUTES 38 SECONDS W ON THE WESTERN LINE OF LOT 26 OF SAID SUBDIVISION A DISTANCE OF 599.18 FEET TO A FOUND 1/2" REBAR; THENCE S 0 DEGREES 16 MINUTES 31 SECONDS E ON THE WESTERN LINE OF LOT 27 OF SAID SUBDIVISION A DISTANCE OF 350.86 FEET TO A FOUND 1/2" REBAR; THENCE S 0 DEGREES 06 MINUTES 42 SECONDS W ON THE WESTERN LINE OF LOT 37 AND THE WESTERN LINE OF LOT 38 OF SAID SUBDIVISION A DISTANCE OF 128.44 FEET TO THE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO (THE BASIS OF THE COURSE OF LOT 38 OF SAID SUBDIVISION); THENCE S 88 DEGREES 49 MINUTES 11 SECONDS E AS SHOWN ON THE RECORDED PLAT THEREOF, PLAT BOOK 2, PAGE 19.)

THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, HAVE LAID OUT, SUBDIVIDED, AND PLATTED SAID LANDS INTO LOTS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF "THE NORTH RANCH". ALL PUBLIC IMPROVEMENTS SO PLATTED ARE HEREBY DEDICATED TO PUBLIC USE AND SAID OWNER DOES HEREBY COVENANT AND AGREE THAT THE PUBLIC IMPROVEMENTS WILL BE CONSTRUCTED TO MEET PLASO COUNTY STANDARDS AND THAT PROPER DRAINAGE AND EROSION CONTROL FOR SAID LOT WILL BE PROVIDED AT SAID OWNER'S EXPENSE. ALL TO THE EXTENT OF THE ABOVE-REFERENCED MATTER, THE BOARD OF COMMISSIONERS OF THE COLORADO DEPARTMENT OF REVENUE HAS REASONABLY AND FAIRLY IMPROVED SAID LOT AND THE CONSTRUCTION OF SAID LOT COMPLETES THE COLORADO DEPARTMENT OF REVENUE'S OBLIGATION TO SAID CLIENTS SO DEDICATED TO THE PUBLIC. THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN THE LAND DESCRIBED HEREIN, ARE HEREBY GRANTING THE PERPETUAL RIGHT OF INGRESS, EGRESS, FLOW, AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITY LINES AND RELATED FACILITIES.

STATE OF COLORADO)
COUNTY OF EL PASO) ss:

SIGNED BEFORE ME ON THIS _____ DAY OF _____, 2026 A.D., BY ROBERT L. MYERS, MANAGER, THE NORTH RANCH, LLC.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

THE PUBLIC ARE ACCEPTED, BUT PUBLIC IMPROVEMENTS THEREON WILL NOT BECOME THE MAINTENANCE RESPONSIBILITY OF EL PASO COUNTY UNTIL PRELIMINARY ACCEPTANCE OF THE PUBLIC IMPROVEMENTS IS IN ACCORDANCE WITH THE REQUIREMENTS OF THE LAND DEVELOPMENT CODE AND ENGINEERING CRITERIA MANUAL, AND THE SUBDIVISION IMPROVEMENTS AGREEMENT.

CHAIRMAN, EL PASO COUNTY, COLORADO BOARD OF COUNTY COMMISSIONERS

PLANNING AND COMMUNITY DEVELOPMENT DIRECTOR

DATE _____

THE NORTH RANCH, LLC
944 WEST CHEYENNE BOULEVARD
COLORADO SPRINGS, CO 80906-2428

FEES:

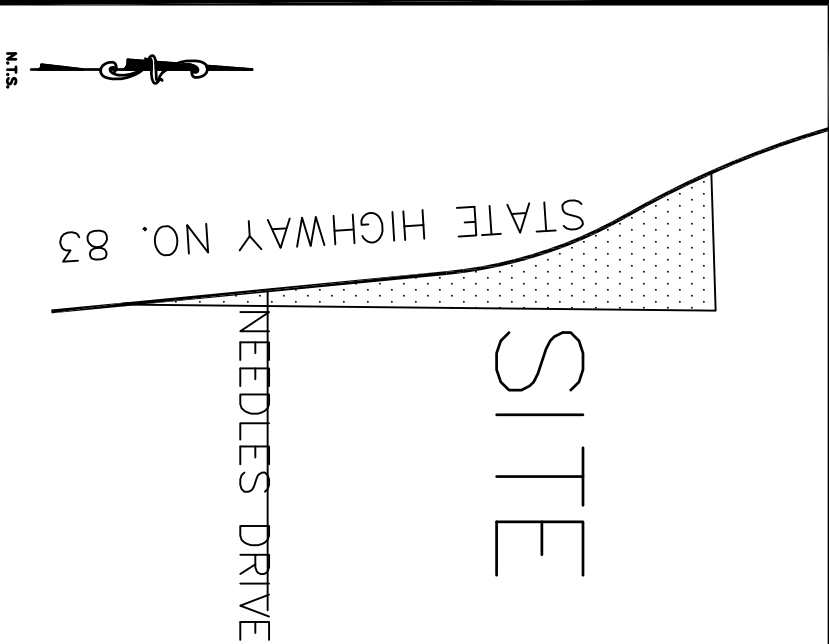
SCHOOL FEE: _____

PARK FEE: _____

BRIDGE FEE: _____

DRAINAGE FEE: _____

UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A TEN (10) FOOT PUBLIC UTILITY EASEMENT UNLESS OTHERWISE INDICATED. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH A 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THE SOLE RESPONSIBILITY FOR MAINTENANCE OF THESE EASEMENTS IS HEREBY VESTED WITH THE INDIVIDUAL PROPERTY OWNERS.



CHRISTOPHER THOMPSON, DULY REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE IN JULY, 2024, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREIN; THAT THE MEASUREMENTS AND CALCULATIONS WERE MADE WITH CARE AND ACCURACY AND THAT THE PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISION OR SURVEYING OF LAND.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT, MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

I ATTEST THE ABOVE ON THIS _____ DAY OF _____, 2026.

CHRISTOPHER THOMPSON P.L.S. NO. 19625
FOR AND ON BEHALF OF:
ROCKY MOUNTAIN LAND SERVICES
44465 NORTH PARK DRIVE SUITE 303
COLORADO SPRINGS, COLORADO 80907
(779) 630-0559

1. THE FINAL TOTAL GROSS ACREAGE OF THE SUBDIVISION IS 48.23 ACRES

- [illegible]

THIS PROPERTY IS NOT LOCATED WITHIN A DESIGNATED FEMA FLOODPLAIN AS DETERMINED BY THE FLOOD INSURANCE RATE MAP, COMMUNITY MAP NUMBER XXX, EFFECTIVE DATE XXX.

9. THIS PROPERTY IS SUBJECT TO A DECLARATION OF COVENANTS AS RECORDED AT RECEPTION NO. _____, OF THE RECORDS OF THE EL PASO COUNTY CLERK, AND RECORD NO. _____.

10. ALL FOLLOWING REPORTS HAVE BEEN SUBMITTED IN ASSOCIATION WITH THE FINAL PLAN FOR THIS SUBDIVISION AND ARE ON FILE AT THE COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT (PPC) OFFICE:

(a) ENVIRONMENTAL IMPACT STUDY; DAMAGE REPORT; WATER RESOURCES REPORT; WASTEWATER DISPOSAL REPORT; GEOLOGY AND SOILS REPORT; FIRE PROTECTION REPORT; MULTIPLE HAZARD ANALYSIS REPORT;

(b) NATURAL FEATURES REPORT

11. ALL PROPERTY OWNERS ARE RESPONSIBLE FOR MAINTAINING PROPER STORM WATER DRAINAGE IN AND THROUGH THEIR PROPERTIES AS SPECIFICALLY NOTED ON THE PLAT SHALL BE MAINTAINED BY THE INDIVIDUAL LOT OWNERS UNLESS OTHERWISE INDICATED. STRUCTURES, EDGES, MATERIALS OR LANDSCAPING THAT COULD IMPEDE THE FLOW OF RUNOFF SHALL NOT BE PLACED IN DRAINAGE SECTIONS.

12. UNLESS OTHERWISE INDICATED, ALL SIDE, FRONT, AND REAR LOT LINES ARE HEREBY PLATTED ON EITHER SIDE WITH A 10 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT UNLESS OTHERWISE INDICATED. ALL EXTERIOR SUBDIVISION BOUNDARIES ARE HEREBY PLATTED WITH 20 FOOT PUBLIC UTILITY AND DRAINAGE EASEMENT. THESE EASEMENTS IS HEREBY VESTED WITH INDIVIDUAL PROPERTY OWNERS.
13. THE SUBDIVIDER/DEVELOPER IS RESPONSIBLE FOR EXTENDING UTILITIES TO EACH LOT. TRACT OR BUILDING SITE, GAS SERVICES FOR THIS SUBDIVISION IS PROVIDED BY BLACK HILLS ENERGY SUBJECT TO THE DISTRICTS BLACK HILLS ENERGY RULES, REGULATIONS AND SPECIFICATIONS. ELECTRIC SERVICES FOR THIS SUBDIVISION IS PROVIDED BY MOUNTAIN VIEW ELECTRIC ASSOCIATION SUBJECT TO THE DISTRICTS MOUNTAIN VIEW ELECTRIC ASSOCIATION RULES, REGULATIONS AND SPECIFICATIONS.
14. TRACTS XX AND XI SHALL BE UTILIZED FOR HIGHWAY GRASS SPACE, DRAINAGE AND UTILITIES. TRACTS XX AND XI SHALL BE OWNED AND MAINTAINED BY THE NORTH RANCH HOA.
15. THERE SHALL BE NO DIRECT LOT ACCESS TO HIGHWAY 83.
16. NO DRIVEWAY SHALL BE ESTABLISHED UNLESS AN ACCESS PERMIT HAS BEEN GRANTED BY EL PASO COUNTY.
17. INDIVIDUAL LOT PURCHASERS ARE RESPONSIBLE FOR CONSTRUCTING DRIVEWAYS, INCLUDING NECESSARY DRAINAGE CULVERTS FROM NEEDLES DRIVE PER LAND DEVELOPMENT CODE SECTION 6.3.3.C.2 AND 6.3.3.C.3. DUE TO THEIR LENGTH, SOME OF THE DRIVEWAYS WILL NEED TO BE SPECIFICALLY APPROVED BY THE MOUNTAIN VIEW PROTECTION DISTRICT.
18. LOTS WITHIN THE SUBDIVISION MAY POTENTIALLY BE IMPACTED BY A GEOLOGIC HAZARD OF COLLAPSIBLE SOIL, EXPANSIVE SOIL, RAOON, AND POTENTIALLY SEASONAL SHALLOW GROUNDWATER. AREAS OF POTENTIALLY SEASONAL SHALLOW GROUNDWATER HAVE BEEN MAPPED ON LOTS 2, 3, 5, 6, 9, 10, AND 15. DETAILS CAN BE FOUND IN THE SOILS AND GEOLOGY STUDY BY ENTECH ENGINEERING (JOB NO. 260949) AVAILABLE AT THE EL PASO COUNTY PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT. DUE TO POTENTIAL SEASONAL GROUNDWATER IN THE AREA, EACH INDIVIDUAL LOT IS TO BE INVESTIGATED BY THE LOT OWNERS GEOLOGICAL ENGINEER OF RECORD FOR FINAL DEVELOPMENT PARAMETERS AND RECOMMENDATIONS.
19. INDIVIDUAL WELLS ARE THE RESPONSIBILITY OF EACH PROPERTY OWNER. PERMITS FOR INDIVIDUAL WELLS MUST BE OBTAINED FROM THE STATE ENGINEER WHO BY LAW HAS THE AUTHORITY TO SET CONDITIONS OF THE ISSUANCE OF THESE PERMITS.

20. WATER IN THE DENVER BASIN AQUIFERS IS ALLOCATED BASED ON A 100-YEAR AQUIFER LIFE. HOWEVER, FOR THE PASO CONGO DEPARTMENT OF HEALTH AND ENVIRONMENT MUST APPROVE EACH SYSTEM, AND, IN SOME CASES, MAY BE LESS THAN EITHER THE 10 TO 20 YEARS OR 300 YEARS NOTICED ABOVE TO ANTICIPATED WATER LEVEL DECLINES. FURTHERMORE, THE WATER SUPPLY PLAN SHOULD NOT RELY SOLELY UPON NON-RENEWABLE WATER RESOURCES. ALTERNATIVE RENEWABLE WATER RESOURCES SHOULD BE ACCURED AND INCORPORATED IN A PERMANENT WATER SUPPLY PLAN THAT PROVIDES FUTURE GENERATIONS WITH A PERMANENT WATER SUPPLY.

22.2. AT THE TIME OF APPROVAL OF THIS PROJECT, THE COLORADO FIRE PROTECTION DISTRICT, WHICH HAS ADOPTED A FIRE CODE REQUIRING RESIDENTIAL FIRE SPRINKLER REQUIREMENTS FOR COVERED STRUCTURES OVER 600 SQUARE FEET IN SIZE, AND OTHER FIRE MITIGATION REQUIREMENTS DEPENDING UPON THE LEVEL OF FIRE RISK ASSOCIATED WITH THE PROPERTY AND STRUCTURES, THE OWNER OF ANY LOT SHOULD CONTACT THE FIRE DISTRICT TO DETERMINE THE EXACT DEVELOPMENT REQUIREMENTS RELATIVE TO THE ADOPTED FIRE CODE. DUE TO WILDFIRE CONCERNS, HOMEOWNERS ARE ENCOURAGED TO INCORPORATE WILDFIRE FUEL BREAK PROVISIONS AS RECOMMENDED BY THE COLORADO STATE FOREST SERVICE AND ILLUSTRATED THROUGH PUBLICATIONS AVAILABLE THROUGH THE STATE SERVICE.

22.3. THIS PROJECT IS IN A LOW/MODERATE HAZARD FIRE INTENSITY AREA PER THE COLORADO STATE FOREST SERVICE WILDFIRE RISK ASSESSMENT PROGRAM REQUIRING HARDENED STRUCTURE AND DEFENSIBLE SPACE. THIS PROJECT IS IN A LOW/MODERATE HAZARD FIRE INTENSITY AREA PER THE COLORADO STATE FOREST SERVICE WILDFIRE RISK ASSESSMENT PROGRAM REQUIRING HARDENED STRUCTURE AND DEFENSIBLE SPACE OF 30 FT CLEARANCE AND NO PORTION OF TREES OR OTHER VEGETATION WITHIN 10 FT OF CHIMNEYS, TERRAZZOS, PATIOS, OR OTHER OPEN SPACES. THE PROJECT WILL BE DESIGNED TO MINIMIZE WILDFIRE FUEL AND DEFENSIBLE SPACE SHALL BE PROVIDED TO MINIMIZE WILDFIRE FUEL.

22. WATER SUPPLIES FOR FIRE PROTECTION SHALL BE SUPPLIED PER THE LAND DEVELOPMENT CODE OR IF THERE IS AN ADOPTED FIRE CODE FOR THE FIRE DISTRICT THE PROJECT IS IN, AND
23. MAINTENANCE OF DEFENSIBLE SPACE SHALL BE CONTINUED IN CONTINUUM FOR THE EXISTENCE OF THE STRUCTURE.
23. DEFENSIBLE SPACE AND MITIGATION SHALL BE IN ACCORDANCE WITH THE APPROVED WILDLAND FIRE AND HAZARD MITIGATION PLAN.
23. MODERATE HAZARD AREAS SHALL MEET THE REQUIREMENTS OF LOW HAZARD AREAS IF SITE PLANS ARE SUBMITTED PRIOR TO THE ADOPTION OF THE COLORADO WILDLAND RESILIENCY CODE. AFTER THE ADOPTION OF THE COLORADO WILDLAND RESILIENCY CODE, MODERATE HAZARD AREAS SHALL MEET THE REQUIREMENTS OF HIGH HAZARD AREAS.
23. HIGH HAZARD HOMOGENEOUS STRUCTURE TO CONSIST OF A MINIMUM CLASS A ROOFING, NONCOMBUSTIBLE SIDING/DECKING, EAVES AND OVERHANGS. A DEFENSIBLE SPACE OF 30 FT MINIMUM, 100 FT TIE-OUT, TREATMENT, SELECTED FIRE-RESISTANT TREES WITHIN 30 FT OF STRUCTURES, SELECTED THINNING OF TREES AND SHRUBS, TREES WITHIN DEFENSIBLE SPACE SHALL BE PRUNED TO MINIMIZE LADDER FUEL, ALL SHRUBS PRUNED OF DEAD MATERIAL, NO PORTION OF TREES OR OTHER VEGETATION WITHIN 10 FT OF CHIMNEY OUTLETS.

STATE OF COLORADO)
COUNTY OF EL PASO) ss

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ M. ON THIS _____ DAY OF _____ 20____ AND WAS RECORDED AT RECEPTION NUMBER _____ OF THE RECORDS OF EL PASO COUNTY, COLORADO.

BY: _____
DEPUTY _____

SURCHARGE:-----

ROCKY MOUNTAIN

LAND SERVICES

4465 NORTHPARK DRIVE, SUITE 303
COLORADO SPRINGS, COLORADO 80907
719-630-0559

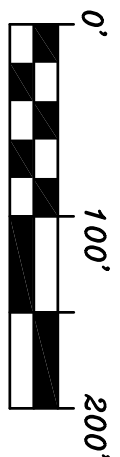
A SUBDIVISION OF A PORTION OF SW 1/4 SECTION 15 AND THE SW 14 SECTION 22, T 11 S, R 66 W OF THE 6th P.M.,

S1/4 CORNER SECTION 15, T 11 S, R 66 W
N1/4 CORNER SECTION 22, T 11 S, R 66 W
FOUND A 2.5" ALUMINUM CAP ON REBAR
STAMPED "LWA 25955"

WALDEN III
PLAT BOOK -2, PG. 19

WALDEN III
PLAT BOOK -2, PG. 19

44 FOUND A 2.5" ALUMINUM CAP ON REBAR
STAMPED "LWA 25955"



SCALE: 1" = 100
JOB NO.: 47002
february 5, 2026

THE NORTH RANCH

A SUBDIVISION OF A PORTION OF SW 1/4 SECTION 15 AND
THE SW 14 SECTION 22, T 11 S, R 66 W OF THE 6th P.M.,

EL PASO COUNTY, COLORADO

LOT 21
WALDEN III
PLAT BOOK H-2, PAGE 19

WALDEN III
PLAT BOOK -2, PG. 19

LOT 22
WALDEN III
PLAT BOOK H-2, PAGE 19

ASSUMED BASIS OF BEARINGS

LOT 23
WALDEN III
PLAT BOOK H-2, PAGE 19

LOT 24
WALDEN III
PLAT BOOK H-2, PAGE 19

LOT 25
WALDEN III
PLAT BOOK H-2, PAGE 19

WALDEN III
PLAT BOOK -2, PG. 19

WALDEN III
PLAT BOOK -2, PG. 19

LOT 27

WALDEN III
PLAT BOOK -2, PG. 19

FOUND A 2.5" ALUMINUM CAP ON REBAR
STAMPED "LWA 25955"

S1/4 CORNER SECTION 15, T 11 S, R 66 W
N1/4 CORNER SECTION 22, T 11 S, R 66 W
FOUND A 2.5" ALUMINUM CAP ON REBAR
STAMPED "LWA 25955"

FOUND NO. 4 REBAR

FOUND NO. 4 REBAR

FOUND NO. 4 REBAR

FOUND REBAR WITH ALUMINUM CAP
STAMPED LWA PLS NO. 25955

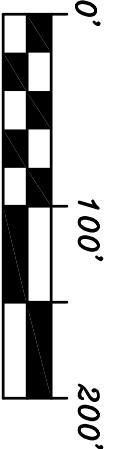
FOUND REBAR WITH ALUMINUM CAP
STAMPED LWA PLS NO. 28655

FOUND REBAR WITH ALUMINUM CAP
STAMPED LWA PLS NO. 28655

10' EASEMENT TO MOUNTAIN VIEW
ELECTRIC ASSOC.
BOOK 6636, PG 889

FOUND REBAR WITH
ALUMINUM CAP STAMPED "CDOT"

(-----) INDICATES PROPERTY ADDRESS



SCALE: 1" = 100'
JOB NO.: 47002
AUGUST 19, 2026

ROCKY MOUNTAIN LAND SERVICES

4465 NORTHPARK DRIVE SUITE 303
COLORADO SPRINGS, COLORADO 80907
719-630-0589

FORM NO.
GWS-32
11/90

PUMP INSTALLATION AND TEST REPORT
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

Exhibit B
Preliminary Water Resources Report
Needles Drive Subdivision

1. WELL PERMIT NUMBER 49840-A

2. OWNER NAME(S) Elmer Herbertson

Mailing Address 17675 Hwy 83

City, St. Zip Colo. Spgs, CO. 80921

Phone (719) 636-2074

SEP 01
WATER RES
STATE ENG
CDD

5-30-95

3. WELL LOCATION AS DRILLED: SE 1/4 SW 1/4, Sec. 15 Twp. 11 S, Range 66 W
DISTANCES FROM SEC. LINES:

750 ft. from South Sec. line. and 2080 ft. from West Sec. line.
(north or south) (east or west)

SUBDIVISION: _____ LOT _____ BLOCK _____ FILING(UNIT) _____

STREET ADDRESS AT WELL LOCATION: 17675 Hwy 83

4. PUMP DATA: Type SUBMERSIBLE Installation Completed 7-21-95
Pump Manufacturer Red Jacket Pump Model No. 100CNS1
Design GPM 7 at RPM 3450, HP 1, Volts 230, Full Load Amps 10.2
Pump Intake Depth 180 Feet, Drop/Column Pipe Size 1" Inches, Kind PVC

ADDITIONAL INFORMATION FOR PUMPS GREATER THAN 50 GPM:

TURBINE DRIVER TYPE: ☐ Electric ☐ Engine ☐ Other _____

Design Head _____ feet, Number of Stages _____, Shaft size _____ inches.

5. OTHER EQUIPMENT:

Airline Installed ☐ Yes ☒ No, Orifice Depth ft. _____ Monitor Tube Installed ☐ Yes ☒ No, Depth ft. _____

Flow Meter Mfg. _____ Meter Serial No. _____

Meter Readout ☐ Gallons, ☐ Thousand Gallons, ☐ Acre feet, ☐ Beginning Reading _____

6. TEST DATA: ☐ Check box if Test data is submitted on Supplemental Form.

Total Well Depth	<u>200</u>	Date	<u>7-21-95</u>
Static Level	<u>100</u>	Time	<u>A.M.</u>
Date Measured	<u>7-21-95</u>	Rate (GPM)	<u>10</u>
		Pumping Lvl.	<u>140</u>

7. DISINFECTION: Type HTH POWDER Amt. Used 1 cup

8. Water Quality analysis available. ☐ Yes ☒ No

9. Remarks Flow rate is based on a four hour test.

10. I have read the statements made herein and know the contents thereof, and that they are true to my 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.]

CONTRACTOR PAUL FLETCHER & SONS, INC. Phone (719) 481-3589 Lic. No. 797

Mailing Address 797 Hwy 105 Palmer Lake, CO. 80133

Name/Title (Please type or print)

Signature

Date

Thomas Fletcher/V.P.

Thomas Fletcher 8-4-95

FORM NO.
GWS-31
11/90

WELL CONSTRUCTION AND TEST REPORT
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only



5-30-95

1. WELL PERMIT NUMBER 49840-A

2. OWNER NAME(S) Elmer Herbertson
Mailing Address 17675 Hwy. 83
City, St. Zip Colo. Spgs, CO. 80921
Phone (719) 636-2074

3. WELL LOCATION AS DRILLED: SE 1/4 SW 1/4, Sec. 15 Twp. 11 S, Range 66 W
DISTANCES FROM SEC. LINES:
750 ft. from South Sec. line. and 2080 ft. from West Sec. line. OR
(north or south) (east or west)
SUBDIVISION: _____ LOT _____ BLOCK _____ FILING(UNIT) _____
STREET ADDRESS AT WELL LOCATION: 17675 Hwy 83

4. GROUND SURFACE ELEVATION unknown ft. DRILLING METHOD Rotary
DATE COMPLETED July 8, 1995 TOTAL DEPTH 200 ft. DEPTH COMPLETED 200 ft.

5. GEOLOGIC LOG:

Depth	Description of Material (Type, Size, Color, Water Location)
0-1	Topsoil
1-11	Sand & gravel
11-100	Sand & grav. w/s tan & brown clays
100-122	Sand & grav. (semi-loose) w/s tan clay stringers X
122-187	Sand & gravel (loose) X
187-200	Tight sandstone

REMARKS: _____

HOLE DIAM. (in.)	From (ft)	To (ft)
8"	0	20
6"	20	200

7. PLAIN CASING

OD (in)	Kind	Wall Size	From(ft)	To(ft)
6"	Steel	1.88	+1	20
4"	PVC	.200	6	120

PERF. CASING: Screen Slot Size:

4"	PVC	.030	120	200
----	-----	------	-----	-----

8. FILTER PACK:	9. PACKER PLACEMENT:
Material <u>Quartz</u>	Type _____
Size <u>8-12</u>	Depth _____
Interval <u>120-200</u>	

10. GROUTING RECORD:

Material	Amount	Density	Interval	Placement
Cement	230	14	5-20	Poured
Enviroplug	50	10.2	100-120	tremie

11. DISINFECTION: Type HTH Powder Amt. Used 1 cup

12. WELL TEST DATA: ☐ Check box if Test Data is submitted on Supplemental Form.

TESTING METHOD Blown by air

Static Level 100' ft. Date/Time measured 7-8-95 P.M., Production Rate 15 gpm.
Pumping level 140' ft. Date/Time measured 7-8-95 P.M., Test length (hrs.) 4
Remarks _____

13. I have read the statements made herein and know the contents thereof, and that they are true to my 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.]

CONTRACTOR FLETCHER DRILLING, INC. Phone (719) 481-3589 Lic. No. 797
Mailing Address 797 Hwy 105 Palmer Lake, CO. 80133

Name/Title (Please type or print)	Signature	Date
Thomas Fletcher/President	<i>Thomas Fletcher</i>	8-4-95

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

797

APPLICANT

WELL PERMIT NUMBER

49840

A

DIV. 1

CNTY. 21

WD 8

DES. BASIN

MD

Lot: Block: Filing: Subdiv:

APPROVED WELL LOCATION

EL PASO COUNTY

SE 1/4

SW 1/4

Section 15

Twp 11 S

RANGE 66 W

6th P.M.

ELMER J HERBERTSON
6584 BULL HILL CT
COLO SPRINGS CO 80919-

(719)636-2074

DISTANCES FROM SECTION LINES

750 Ft. from South Section Line

2080 Ft. from West Section Line

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of 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.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(c) for the relocation of an existing well, permit no. 49840. The old well must be plugged according to the Water Well Construction Rules within ninety (90) days of completion of the new well. **The enclosed well plugging report form must be completed affirming that the old well was plugged.**
- 4) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling, fire protection, the watering of poultry, domestic animals and livestock on a farm or ranch, and the irrigation of not more than one (1) acre of home gardens and lawns.
- 5) The depth of this well shall not exceed 900 feet which corresponds to the base of the Dawson aquifer.
- 6) The maximum pumping rate shall not exceed 15 GPM.
- 7) The average annual amount of ground water to be withdrawn shall not exceed 3 acre-feet.
- 8) This well shall be constructed not more than 200 feet from the location specified on this permit. *R 5/30/95*

APPROVED
GLR

State Engineer

Receipt No. 0382082

DATE ISSUED MAY 30 1995

By

EXPIRATION DATE MAY 30 1997

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

PERMIT APPLICATION FORM**RECEIVED**

MAR 14 '95

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 WELL

(☒) REPLACEMENT FOR NO. 198-440
() OTHER _____
WATER COURT CASE NO. _____

MAR 06 '95

WATER RESOURCES

MAY 12 '95

WATER RESOURCES
STATE ENGINEER
COLO

(1) APPLICANT - mailing address

NAME Elmer J. Herbertson
STREET 6584 Bull Hill Ct.
CITY Colorado Springs Co. 80919
(State) (Zip)
TELEPHONE NO. 719-636-2074

(2) LOCATION OF PROPOSED WELL

County EL PASO
SE 1/4 of the SW 1/4, Section 15
Twp. 11 S, Rng. 66 W, 6th P.M.
(N, S) (E, W)

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15
Average annual amount of ground water to be appropriated (acre-feet): 13 ac
Number of acres to be irrigated: 1
Proposed total depth (feet): 300'
Aquifer ground water is to be obtained from:
DAWSON
Owner's well designation _____

GROUND WATER TO BE USED FOR:

() HOUSEHOLD USE ONLY - no irrigation (0)
(☒) DOMESTIC (1) () INDUSTRIAL (5)
(☒) LIVESTOCK (2) 8c 5/1/95 (☒) IRRIGATION (6)
() COMMERCIAL (4) () MUNICIPAL (8)

() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name PAUL FLETCHER & SONS, INC.
Street 797 Hwy 105
City Palmer Lake, CO. 80133
(State) (Zip)
Telephone No. 481-3589 Lic. No. 797

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 382082 / GLR
Basin _____ Dist. _____

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.

51N
750 S
2080 W
48-232
7417
SBS
H
Myler (94 CW 198)

APPLICATION APPROVED

PERMIT NUMBER _____

DATE ISSUED _____

EXPIRATION DATE _____

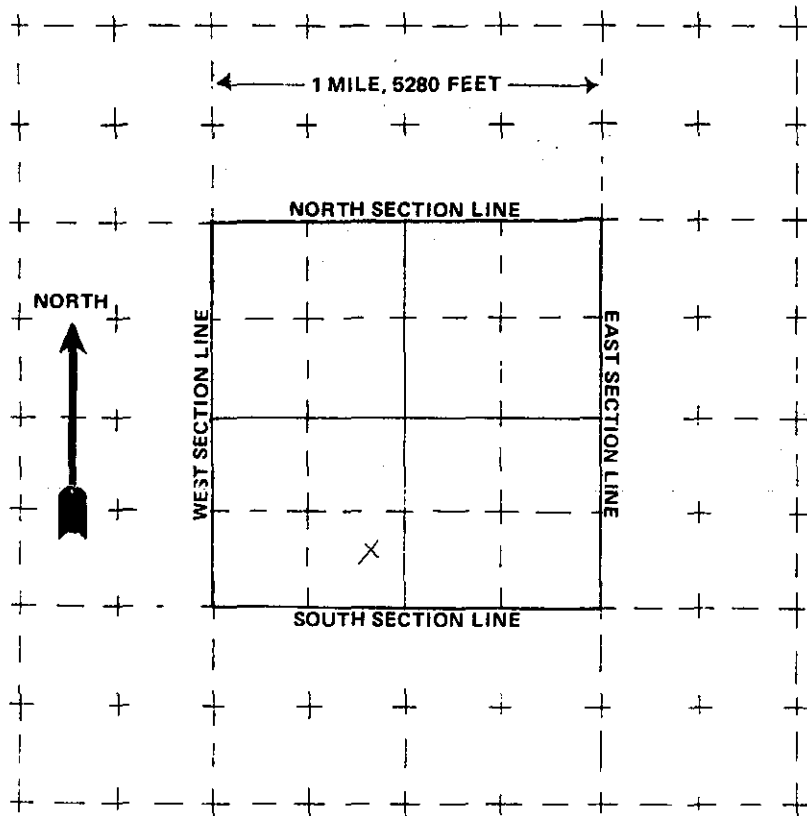
CHECKS TR#382082 030695 60.00
DIV OF WATER RESOURCES

(STATE ENGINEER)

BY _____

I.D. 1 COUNTY 21 08

(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.

750 ft. from SOUTH sec. line
(north or south)
2080 ft. from WEST sec. line
(east or west)

LOT _____ BLOCK _____ FILING # _____

SUBDIVISION _____

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: Herbertson

No. of acres X 48.2230 BC 5/11/95 Will this be

the only well on this tract? yes

(8) PROPOSED CASING PROGRAM

Plain Casing

4 in. from 0 ft. to 200 ft.

4 in. from 280 ft. to 300 ft.

Perforated casing

4 in. from 200 ft. to 280 ft.

_____ in. from _____ ft. to _____ ft.

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

X H/P 429/11/95
350' east and
200' north from
actual location
in Sec. 15 BC 5/27/95

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

Owner(s): Elmer Herbertson

No. of acres: X 48.2230 BC 5/11/95

Legal description: SE 1/4, SW 1/4, Sec. 15, Twn. 11S, Rng. 66W, 6th P.M. (Attach)

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

Family use, watering lawn, garden, livestock
will have county approved septic system with
leachfield. non evaporative BC 5/11/95

(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

Requested in 94CW198 BC 5/11/95

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

[Signature]
SIGNATURE OF APPLICANT(S)

Exhibit C
Preliminary Water Resources Report
Needles Drive Subdivision

DISTRICT COURT, WATER DIVISION 1, STATE OF COLORADO Court Address: 901 Ninth Ave. P.O. Box 2038 Greeley, CO 80632 Phone Number: (970) 475-2540	DATE FILED June 15, 2026 8:26 AM FILING ID: 6E4EF760142DA CASE NUMBER: 2026CW3088
CONCERNING THE APPLICATION FOR WATER RIGHTS OF: NORTH RANCH, LLC IN EL PASO COUNTY	
<u>Attorneys for Applicant:</u> Ryan W. Farr, #39394 Sedona E. Chavez, #55450 MONSON, CUMMINS, SHOHET & FARR, LLC 13511 Northgate Estates Drive, Suite 250 Colorado Springs, Colorado 80921 Phone Number: (719) 471-1212 Fax (719) 471-1234 E-mail: rwf@cowaterlaw.com ; sec@cowaterlaw.com	▲ COURT USE ONLY ▲
	Case No.: 26CW_____ (Ref. 94CW198, Div 1)
APPLICATION FOR AMENDMENT OF PLAN FOR AUGMENTATION	

I. Name, Address, and Phone of Applicant:

North Ranch, LLC ("Applicant")
c/o Robert L. Myers
944 Cheyenne Blvd.
Colorado Springs, CO 80905
719-930-4795

Name, Address, and Phone of Attorneys for Applicant:

Ryan W. Farr, #39394
Sedona E. Chavez, #55450
MONSON, CUMMINS, SHOHET & FARR, LLC
13511 Northgate Estates Drive, Suite 250
Colorado Springs, Colorado 80921
(719) 471-1212

II. Summary of Application. Applicant seeks to amend the plan for augmentation decreed in Case No. 94CW198, District Court, Water Division 1 (“Original Augmentation Plan”), only as it concerns what was defined therein as the “Herbertson Parcel”, which is now owned by Applicant, as further described below (“Applicant’s Property” or “Herbertson Parcel”). The Original Augmentation Plan for the Herbertson Parcel allowed for the use of up to five individual Dawson aquifer wells on five individual lots, to provide up to 3 acre-feet of water per year, per lot for 100 years (up to 15 acre-feet of water per year) on the Herbertson Parcel. The Original Augmentation Plan found during-pumping replacement from the septic system return flows sufficient to meet during-pumping replacement obligations and reserved water in the nontributary Arapahoe and Laramie-Fox Hills aquifers to meet post-pumping replacement obligations. In 2007 one well was constructed pursuant to the Original Augmentation Plan, well permit no. 65108-F (“North Ranch Well No. 1”). This is the only well that has been constructed pursuant to the Original Augmentation Plan.

Applicant seeks to amend the Original Augmentation Plan for the Herbertson Parcel to subdivide said property into 15 lots. Such amendment would allow for the construction of up to 13 new Dawson aquifer wells to serve 13 of the 15 lots within the subdivision. The North Ranch Well No. 1 would continue to serve one of the remaining lots and would be re-permitted according to the amended augmentation plan requested herein. The remaining lot would continue to be served by an existing exempt well, permit no. 49840-A. The amended augmentation plan would utilize return flows from the Dawson aquifer wells to meet during-pumping replacement obligations and would re-reserve the entirety of the Laramie-Fox Hills aquifer groundwater and a portion of the Arapahoe aquifer groundwater to provide for post-pumping replacement for when the augmented Dawson aquifer wells cease pumping.

III. Plan for Augmentation.

A. Property Description. Applicant owns an approximately 47.55-acre property that is depicted on the attached **Exhibit A** map, located in the SE1/4 SW1/4 of Section 15 and the E1/2 NW1/4 of Section 22, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado, specifically described in attached **Exhibit B**. Also known as 17675 State Highway 83, Colorado Springs, CO 80908, to which the El Paso County assessor has assigned Parcel ID No. 6100000369 (“Applicant’s Property”).

B. Structures to be Augmented. The structures to be augmented are 14 Dawson aquifer wells, North Ranch Well Nos. 1-14, along with any replacement or additional wells as needed that are constructed to the Dawson aquifer underlying the Applicant’s Property. North Ranch Well No. 1 was constructed in 2007 and is currently operating under the Original Augmentation Plan. Upon approval of an amended plan for augmentation requested herein, Applicant will re-permit North Ranch Well No. 1 according to the amended plan. North Ranch Well Nos. 2-14 will be constructed to the Dawson aquifer to serve 13 lots within a proposed subdivision on the Applicant’s Property.

C. Water Source. A prior Denver Basin groundwater adjudication was prosecuted along with the Original Augmentation Plan and a decree was issued that included a quantification of all Denver Basin groundwater underlying the Applicant's Property in Case No. 94CW198, District Court, Water Division 1 ("94CW198 Decree"). The 94CW198 Decree adjudicated the following underlying Denver Basin groundwater amounts underlying the Applicant's Property (as identified in the 94CW198 Decree as the "Herbertson Parcel"):

Aquifer	Saturated Thickness (ft)	Total Appropriation (Acre-feet)	Annual Avg. Withdrawal 100 Years (Acre-feet)
Dawson (NNT)	442	3,960	39.6 ¹
Denver (NNT)	560	4,590	45.9
Arapahoe (NT)	248	2,030	20.3
Laramie-Fox Hills (NT)	202	1,460	14.6

North Ranch Well No. 1 has presumably been operating under the Original Plan for Augmentation since 2007 when it was constructed, or approximately 19 years. Since that time, North Ranch Well No. 1 has diverted approximately 57 acre-feet of Dawson aquifer groundwater. As such, the approximate remaining amount of Dawson aquifer groundwater available is 3,903 acre-feet total.

The approximate 300-year annual average water supply from each of the nontributary aquifers is as follows:

Aquifer	Annual Avg. Withdrawal 300 Years (Acre-feet)
Dawson (NNT)	13.01
Denver (NNT)	15.3

D. Water Rights to be Used for Augmentation. The water rights to be used for augmentation during-pumping are the return flows resulting from the pumping of the nontributary Dawson wells, together with water rights from the nontributary Arapahoe and Laramie-Fox Hills aquifers for any injurious post pumping depletions.

E. Statement of Plan for Augmentation. Applicant wishes to provide for the augmentation of stream depletions caused by pumping of the not-nontributary Dawson aquifer.

¹ The total amount available was reduced by 3 acre-feet annually for protection of an existing exempt well, identified by well permit number 49840-A.

1. Uses. Pumping from the Dawson aquifer will be a maximum of 10.71 acre-feet of water per year combined for North Ranch Well Nos. 1-14, with each lot pumping a maximum of 0.765 acre-feet per year. Such uses shall be for municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Applicant's Property, by immediate application or for storage and subsequent application, and for replacement of depletions resulting from use of water from other sources, and for augmentation purposes, as established in the 94CW198 Decree.

2. Depletions. Pursuant to C.R.S. § 37-90-137(9)(c.5), withdrawals from the Dawson aquifer require replacement of actual stream depletions. As such, pumping from the Dawson aquifer will require the replacement of 23.29% of the water withdrawn annually, or 2.49 acre-feet. Should annual pumping be less than the 10.71 acre-feet total described herein, resulting depletions and required replacements will be correspondingly reduced.

3. Augmentation of Depletions During Pumping. Depletions during pumping will be effectively replaced by residential return flows from non-evaporative septic systems. The annual consumptive use for non-evaporative septic systems is 10% per year per residence. At a conservative household use rate of 0.20 acre-feet per residence per year from 14 residences, 2.52 acre-feet is replaced to the stream system per year with the use of a non-evaporative septic systems. Thus, during pumping, stream depletions (2.49 acre-feet) will be adequately augmented.

F. Augmentation for Post-Pumping Depletions. For the replacement of post-pumping depletions which may be associated with the use of the North Ranch Well Nos. 1-14 and to account for post-pumping depletions associated with use of the North Ranch Well No. 1 since 2007 as may be required, Applicant will reserve the entirety of the Laramie-Fox Hills aquifer (1,460 acre-feet) and 1,810 acre-feet of the Arapahoe aquifer underlying the Applicant's Property.

The amount of nontributary Arapahoe and Laramie-Fox Hills aquifer groundwater reserved may be reduced as may be determined through this Court's retained jurisdiction as described in any decree. If the Court, by order, reduces the Applicant's obligation to account for and replace such post-pumping depletions for any reason, it may also reduce the amount of Arapahoe and Laramie-Fox Hills aquifer groundwater reserved for such purposes, as described herein. Applicant also reserves the right to substitute other legally available augmentation sources for such post-pumping depletions upon further approval of the Court under its retained jurisdiction. Even though this reservation is made, under the Court's retained jurisdiction, Applicant reserves the right in the future to prove that post-pumping depletions will be noninjurious. Pursuant to C.R.S. § 37-90-137(9)(b), no more than 98% of water withdrawn annually from a nontributary aquifer shall be consumed.

V. Remarks.

A. This Application was filed in both Water Divisions 1 and 2 because depletions from the pumping of the Dawson aquifer may occur in both the South Platte and Arkansas River systems. The return flows set forth herein will accrue to tributaries of the South Platte River system, where the majority of such depletions will occur, and it is Applicant's intent to consolidate the instant matter in Water Division 1 upon completion of publication. Applicant requests that the total amount of depletions to both the South Platte River and the Arkansas River systems be replaced to the South Platte River as set forth herein, and for a finding that those replacements are sufficient.

B. Applicant requests a finding that it has complied with C.R.S. § 37-90-137(4), and that the groundwater requested herein is legally available for withdrawal by the requested not-nontributary wells upon the entry of a decree approving an amended plan for augmentation pursuant to C.R.S. § 37-90-137(9)(c.5).

C. The term of this augmentation plan is for 300 years, however the length of the plan for a particular well may be extended beyond such time provided the total plan pumping allocated thereto is not exceeded. Post pumping stream depletions accrue to a particular well or wells only to the extent related to that well's actual pumping.

D. The Court will retain jurisdiction over this matter to provide for the adjustment of the annual amount of groundwater withdrawals to be allowed in order to conform to actual local aquifer characteristics from adequate information obtained from well drilling or test holes.

E. Applicant requests a finding that vested water rights of others will not be materially injured by the withdrawals of groundwater and the proposed amended plan for augmentation.

F. All wells shall be installed and metered as reasonably required by the State and Division Engineer. The wells will be equipped with totalizing flow meters and Applicant, or its successors and assigns, shall submit diversion records to the Division Engineer on an annual basis or as otherwise requested by the Division Engineer. Applicant, or its successors and assigns, shall also provide accountings to the Division Engineer and Water Commissioner as required by them to demonstrate compliance under this amended plan for augmentation.

G. Applicant will comply with any landowner and lienholder notice provisions set forth in C.R.S. §§ 37-92-302(2)(b) and 37-90-137(4)(b.5)(I), and such notice will be sent within 14 days of the filing of this application.

RESPECTFULLY SUBMITTED this 15th day of June 2026.

MONSON, CUMMINS & SHOHET & FARR, LLC

Sedona E. Chavez

Ryan W. Farr, #39394

Sedona E. Chavez, #55450

13511 Northgate Estates Drive, Suite 250

Colorado Springs, CO 80921

(719) 471-1212

VERIFICATION

STATE OF COLORADO)
) ss
COUNTY OF EL PASO)

I, Robert L. Myers, state that I have read the foregoing and that all of the statements contained therein are true and accurate to the best of my knowledge and information.

Robert L. Myers

Robert L. Myers

FILED IN
DISTRICT COURT

FEB 16 '96

WELD COUNTY, COLO.

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 94CW198

FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE,
JUDGMENT AND DECREE

CONCERNING THE APPLICATIONS FOR WATER RIGHTS OF KRISTI AND
DEAN COUTURE, JAMES SHANKS, AND ELMER AND ANNA HERBERTSON,
IN EL PASO COUNTY.

This claim for nontributary and not nontributary
groundwater and approval of plan for augmentation, having been
filed on October 31, 1994, and all matters contained in the
application having been reviewed, and such corrections made as
are indicated by the evidence presented herein, the following
is hereby the Ruling of the Referee:

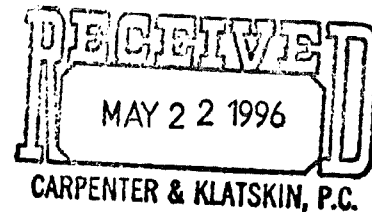
FINDINGS OF FACT

1. Names, addresses and telephone numbers of Applicants:

Kristi and Dean Couture
3365 Needles Drive
Colorado Springs, Colorado 80908
(719) 481-8189

James Shanks
Box 275
Alma, Colorado 80420
(719) 836-2498

Elmer and Anna Herbertson
17675 Highway 83
Colorado Springs, Colorado 80908-1352
(719) 481-4304



2. Objections: A timely statement of opposition was filed
by the State Engineer and Division Engineer for Water Division
1 and the City of Colorado Springs. No other statements of

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opposition have been filed and the time for filing of such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

APPROVAL OF GROUNDWATER RIGHTS

4. Aquifers and location of ground water: Applicants seek a decree for rights to all groundwater recoverable from the not nontributary Dawson and Denver and nontributary Arapahoe and Laramie-Fox Hills aquifers underlying a total of approximately 114.69 acres of land. Of this total acreage of 114.69 acres, Applicants Dean and Kristi Couture are the owners of approximately 26.2 acres located in part of the NW1/4SE1/4 of Section 22, T11S, R66W of the 6th P.M., lying east of Colorado Highway 83 ("Couture Parcel"). Applicants Elmer and Anna Herbertson are successors in interest to James Shanks and are the owners of approximately 48.22 acres located in parts of the SE1/4SW1/4 of Section 15 and the E1/2NW1/4 of Section 22, T11S, R66W of the 6th P.M., lying east of Colorado Highway 83 ("Herbertson Parcel"). Applicant James Shanks is the owner of approximately 40.27 acres located in parts of the S1/2SE1/4 of Section 22, T11S, R66W of the 6th P.M., lying east of Colorado Highway 83 ("Shanks Parcel"). Said parcels are more particularly described and shown on Attachment A hereto ("Subject Property"). The Subject Property is not located within the boundaries of a designated ground water basin.

5. Well locations, pumping rates and annual amounts: The ground water may be withdrawn at rates of flow necessary to efficiently withdraw the amounts decreed herein. The ground water will be withdrawn through any number of wells necessary, to be located at any location on the Subject Property, in the following annual amounts associated with the Couture, Herbertson, and Shanks Parcels:

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Couture Parcel (26.2 acres)

<u>Aquifer</u>	<u>Amount</u>	<u>Saturated Thickness</u>
Dawson	23.4 acre-feet (NNT)	442 feet
Denver	25.1 acre-feet (NNT)	558 feet
Arapahoe	10.7 acre-feet (NT)	238 feet
Laramie-Fox Hills	7.9 acre-feet (NT)	198 feet

Herbertson Parcel (48.22 acres)

<u>Aquifer</u>	<u>Amount</u>	<u>Saturated Thickness</u>
Dawson	39.6 acre-feet (NNT) *	442 feet
Denver	45.9 acre-feet (NNT)	560 feet
Arapahoe	20.3 acre-feet (NT)	248 feet
Laramie-Fox Hills	14.6 acre-feet (NT)	202 feet

*The total amount available has been reduced by 3 acre-feet annually for protection of an existing exempt well.

Shanks Parcel (40.27 acres)

<u>Aquifer</u>	<u>Amount</u>	<u>Saturated Thickness</u>
Dawson	35.1 acre-feet (NNT)	436 feet
Denver	37.9 acre-feet (NNT)	554 feet
Arapahoe	16.0 acre-feet (NT)	233 feet
Laramie-Fox Hills	11.8 acre-feet (NT)	196 feet

6. Proposed Use: The water withdrawn from the subject aquifers will be used, reused, successively used, and after use leased, sold, or otherwise disposed of for the following beneficial purposes: municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, fish and wildlife, and any other beneficial purpose, both on and off the Subject Property. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.

7. Final average annual amounts of withdrawal:

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A. Final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicant will be made pursuant to the retained jurisdiction of this Court, as described in paragraph 25 below. The court shall use the acre-foot amounts in paragraph 5 herein in the interim period, until a final determination of water rights is made.

B. The allowed annual amount of ground water which may be withdrawn through the wells specified above and any additional wells, pursuant to 37-90-137(10), C.R.S., may exceed the average annual amount of withdrawal, as long as the total volume of water withdrawn through such wells and any additional wells therefor subsequent to the date of this decree does not exceed the product of the number of years since the date of the issuance of any well permits or the date of this decree, whichever is earliest in time, multiplied by the average annual amount of withdrawal, as specified above or as determined pursuant to the retained jurisdiction of the Court.

8. Source of ground water and limitations on consumption:

A. The ground water to be withdrawn from the Arapahoe and Laramie-Fox Hills aquifers is "nontributary groundwater" as defined in 37-90-103(10.5), C.R.S., and in the Denver Basin Rules, the withdrawal of which will not, within 100 years, deplete the flow of a natural stream, including a natural stream as defined in 37-82-101(2) and 37-92-102(1)(b), C.R.S., at an annual rate greater than 1/10 of 1% of the annual rate of withdrawal. The ground water to be withdrawn from the Dawson and Denver aquifers is "not nontributary" as defined in 37-90-137(9)(c), C.R.S. and only the portions of the water in the Dawson aquifer which are part of this augmentation plan may be withdrawn under this decree.

B. Applicants may not consume more than 98% of the annual quantity of water withdrawn from the nontributary Arapahoe and Laramie-Fox Hills aquifers. The relinquishment of 2% of the annual amount of water withdrawn to the stream system, as required by the Denver Basin Rules effective January 1, 1986, may be satisfied by any method selected by the Applicants and satisfactory to the State Engineer, so long as Applicants can demonstrate that an amount equal to

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2% of such withdrawals (by volume) have been relinquished to the stream system.

C. There is unappropriated groundwater available for withdrawal from the subject aquifers beneath the Subject Property, and the vested water rights of others will not be materially injured by such withdrawals as described herein. Withdrawals hereunder are allowed on the basis of an aquifer life of 100 years, assuming no substantial artificial recharge within 100 years. No material injury to vested water rights of others will result from the issuance of permits for wells which will withdraw nontributary groundwater or the exercise of the rights and limitations specified in this decree.

9. Additional wells and well fields:

A. Applicants may construct additional and replacement wells in order to maintain levels of production, to meet water supply demands or to recover the entire amount of groundwater in the subject aquifers underlying the Subject Property. As additional wells are planned, applications shall be filed in accordance with 37-90-137(10), C.R.S.

B. Two or more wells constructed into a given aquifer shall be considered a well field. In effecting production of water from such well field, Applicants may produce the entire amount which may be produced from any given aquifer through any combination of wells within the well field.

C. In considering applications for permits for wells or additional wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with provisions of 37-90-137(10), C.R.S.

D. In the event that the allowed average annual amounts decreed herein are adjusted pursuant to the retained jurisdiction of the Court, the State Engineer shall issue, following the receipt of a proper application, an amended well permit to reflect such adjusted average annual amounts. New permits for any wells herein shall likewise reflect any such adjustment of the average annual amounts decreed herein.

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E. The water in the Dawson aquifer is not nontributary and only up to 44 acre-feet per year may be withdrawn pursuant to the augmentation plan decreed herein. The remainder of the not nontributary Dawson aquifer water and all of the Denver aquifer water decreed herein, may not be withdrawn until after the Applicants complete adjudication of an additional augmentation plan.

APPROVAL OF PLAN FOR AUGMENTATION

10. Approval of plan for augmentation:

A. Groundwater to be augmented: The maximum total annual withdrawal of not nontributary Dawson aquifer groundwater shall be limited to 44 acre-feet per year not to exceed 4400 acre-feet total under this plan for augmentation. The amounts of not nontributary Dawson water which may be withdrawn underlying each parcel is as follows:

(1) Couture Parcel: 17 acre-feet per year not to exceed 1700 acre-feet total.

(2) Herbertson Parcel: 15 acre-feet per year not to exceed 1500 acre-feet total.

(3) Shanks Parcel: 12 acre-feet per year not to exceed 1200 acre-feet total.

B. Water to be used for augmentation: Return flows associated with use of the not nontributary Dawson ground water to replace depletions during pumping and return flows or direct discharge of Arapahoe and Laramie-Fox Hills nontributary ground water to be used only to replace post-pumping depletions, all as decreed herein. Return flows are estimated to be 90% of water used for in-house use and 30% of water used for irrigation purposes.

C. Consumptive Use: The Dawson aquifer groundwater which is the subject of this plan for augmentation may be used for residential development or irrigation purposes. If the water is used for residential purposes, sewage treatment will be provided by non-evaporative septic systems and consumptive use from in-house use will be approximately 10% of diversions. If the water is used only for irrigation, consumptive use is estimated to be 70% of diversions. Water used for

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stockwatering purposes will be 100% consumed. Water use for the residential lots to be located on each parcel are as follows:

- (1) Couture Parcel: The 17 acre-feet of water may be withdrawn through up to 17 individual wells to serve 17 individual lots. Each well will withdraw at a rate of flow not to exceed 15 gpm and 1 acre-foot per year. Each lot will require approximately 0.4 acre-feet per year for in-house use and will be limited to 10,000 square-feet of irrigation for a total irrigation use of approximately 0.55 acre-feet per year. Each lot will also be limited to watering of up to 4 horses for a use of 0.05 acre-feet per year.
- (2) Herbertson Parcel: The 15 acre-feet of water may be withdrawn through up to 5 individual wells to serve 5 individual lots. Each well will withdraw at a rate of flow not to exceed 15 gpm and 3 acre-feet per year. Each lot will require approximately 0.4 acre-feet per year for in-house use and will be limited to approximately 1 acre of irrigation for a total irrigation use of approximately 2.55 acre-feet per year. Each lot will also be limited to watering of up to 4 horses for a use of 0.05 acre-feet per year.
- (3) Shanks Parcel: The 12 acre-feet of water may be withdrawn through up to 4 individual wells to serve 4 individual lots. Each well will withdraw at a rate of flow not to exceed 15 gpm and 3 acre-feet per year. Each lot will require approximately 0.4 acre-feet per year for in-house use and will be limited to approximately 1 acre of irrigation for a total irrigation use of 2.55 acre-feet per year. Each lot will also be limited to watering of up to 4 horses for a use of 0.05 acre-feet per year. Alternatively, the property may be developed into seven lots, utilizing the inhouse use and stockwatering amounts described above, limiting irrigation use to 21,000 square feet, and not to ~~exceed 1.7 acre-feet per lot~~. Exceed a total of 1.7 acre feet per lot.

D. Replacement during pumping: During pumping of the Dawson ground water, Applicants will replace depletions to the affected stream system in an amount of water equal to the actual depletions pursuant to §37-90-137(9)(c). Return flows from the use of the water described above will accrue to the affected stream systems and those return flows are sufficient to replace actual depletions caused by pumping of up to 44 acre-feet per year not to exceed 4400 acre-feet total from the

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Dawson aquifer while the wells are being pumped. Said supply is sufficient to provide a water supply to the parcels for a period of 100 years or more if the total 4400 acre-feet is not diverted in that time period. At 100 years of pumping, the depletion to the affected stream systems will be approximately 7.863% of the total amount pumped from the Dawson aquifer or approximately 3.45 acre-feet annually if the entire 4400 acre-feet has been withdrawn. Applicants agree that return flows from use of this water shall be used only to replace depletions under this plan for augmentation, and will not be sold, traded or assigned in whole or in part for any other purpose.

E. Postpumping Depletion Augmentation: After 100 years of pumping, the peak depletion to the affected stream systems will be approximately 8.533% of the total amount pumped from the Dawson aquifer in the 130th year or approximately 3.75 acre-feet annually if the entire 4400 acre-feet has been withdrawn. Applicants believe that depletions which occur after pumping ceases are not injurious as a matter of fact, pursuant to Danielson v. Castle Meadows, 791 P.2d 1106 (Colo. 1990); State Engineer v. Castle Meadows II, 856 P.2d 496 (1993) and Simpson v. Castle Pines Metropolitan District, 886 P.2d 689 (Colo. 1994). The State Engineer disagrees with this position. Nevertheless, in order to reach settlement with the State Engineer, Applicants will reserve all or parts of the underlying nontributary Arapahoe and Laramie-Fox Hills aquifer water underlying their respective properties for augmentation purposes. Coutures shall reserve an annual amount of 9.1 acre-feet (910 acre-feet total) in the Arapahoe aquifer and 7.9 acre-feet (790 acre-feet total) in the Laramie-Fox Hills aquifer. Herbertsons shall reserve an annual amount of 0.4 acre-feet (40 acre-feet total) in the Arapahoe aquifer and 14.6 acre-feet (1460 acre-feet total) in the Laramie-Fox Hills aquifer. Shanks shall reserve an annual amount of 0.2 acre-feet (20 acre-feet total) in the Arapahoe aquifer and 11.8 acre-feet (1180 acre-feet total) in the Laramie-Fox Hills aquifer. Applicants shall replace postpumping depletions if necessary, by pumping of the reserved nontributary ground water or any other legally available augmentation supply that is in sufficient quantity, quality, time and place to meet the requirements of this decree. Applicants shall reserve in any deeds of the property, all of the nontributary ground water decreed herein for possible use in this augmentation plan in the amounts associated with the three parcels as set forth

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above; and such water shall not be sold or used for other purposes until another permanent source of replacement water has been approved by the Court. Applicants understand that under the terms and conditions of this decree that they may be required to drill wells sufficient to directly discharge to the stream, after pumping has ceased, water from the reserved Arapahoe and Laramie-Fox Hills aquifers decreed herein.

F. This decree shall be recorded in the real property records of El Paso County, Colorado, and shall be a covenant running with the three parcels which make up the Subject Property. Applicants shall provide future purchasers of the Subject Property, notification of their responsibilities pursuant to the terms of this decree.

G. Applicants shall replace post-pumping depletions for the shortest of the following periods: the period provided by C.R.S. 37-90-137(9)(c); the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicants obtain water court approval for such modification; the period determined by the State Engineer, should he choose to set such a period and have jurisdiction to do so; the period established through rulings of the Colorado Supreme Court on relevant cases, or until Applicants petition the water court and after notice to parties in the case and proves that they have complied with any statutory requirement.

11. Applicants shall pay any costs associated with the operation of this augmentation plan unless Applicants use the Dawson aquifer water for residential use. At that time, Applicants shall create a Property Owners Association which all purchasers of the subject lots shall be required to join. Applicants shall assign to the Property Owners Association, Applicants pro-rata interest and rights and responsibilities in and under this plan for augmentation; Applicants shall also assign to the Property Owners Association their pro-rata interest in the Arapahoe and Laramie-Fox Hills aquifer water in the amounts described in paragraph 10.E. above as decreed herein. If the water is used for residential purposes, Applicants shall also create restrictive covenants upon and running with the property, which shall obligate the individual purchasers and the Property Owners Association to carry out the requirements of this decree. Said covenants shall indicate clearly that failure of either the property owners or the Property Owners Association to comply with the terms of

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the decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the owners' wells. This decree and the covenants shall be recorded in the real property records of El Paso County so that a title examination of the property, or any part thereof, shall reveal to all future purchasers the existence of this decree and the restrictive covenants.

12. Administration of plan for augmentation:

A. Applicants or the Property Owners Association shall report annually to the Division Engineer for Water Division 1 and the appropriate Water Commissioner the number of wells constructed, the area irrigated by each well and the monthly metered withdrawals of each well on an accounting form acceptable to the Division Engineer.

B. All withdrawals from wells which are the subject of this decree will be metered.

C. Pursuant to 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. Applicants at the direction of the Division engineer, shall make post pumping replacements to Cherry Creek pursuant to the percentage of withdrawals as referenced on the table attached hereto on Attachment B.

13. Retained jurisdiction for plan for augmentation:

A. Pursuant to 37-92-304(6), C.R.S. the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with

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particularity the factual basis upon which the requested decretial language to effect the petition. The party lodging the petition shall have the burden of going forward to establish prima facie facts alleged in the petition. If the court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objectors is not required to avoid injury to other appropriators or (3) that any term or condition proposed by Applicants in response to the Objectors' petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the property is required. If Applicant can demonstrate to the Court or by agreement with Objector that post-pumping depletions need no longer be replaced, the court may remove the requirement that the nontributary water must be reserved.

CONCLUSIONS OF LAW

14. The Water Court has jurisdiction over this proceeding pursuant to 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law. Section 37-90-137(4), C.R.S. The application for a decree confirming Applicants' right to withdraw and use all unappropriated ground water from the nontributary aquifers beneath the property as described herein pursuant to 37-90-137(4), C.R.S., should be granted, subject to the provisions of this decree. The application for a decree confirming Applicants' right to withdraw and use all ground water from the Dawson aquifer should be granted pursuant to 37-90-137(4) and (9)(c), C.R.S., subject to the provisions of this decree. The withdrawal of up to 44 acre-feet per year not to exceed 4400 acre-feet total of the Dawson aquifer water in accordance with the terms of this decree will not result in material injury to vested water rights of others.

15. This plan for augmentation satisfies the requirements of 37-90-137(9)(c), C.R.S. for replacement of actual depletions to the affected stream systems for withdrawals of up to 44

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acre-feet per year not to exceed 4400 acre-feet total from the Dawson aquifer.

16. The rights to ground water determined herein shall not be administered in accordance with priority of appropriation. Such rights are not "conditional water rights" as defined by 37-92-103(6), C.R.S., requiring findings of reasonable diligence are not applicable to the ground water rights determined herein. The determination of ground water rights herein need not include a date of initiation of the withdrawal project. See 37-92-305(11), C.R.S.

JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

17. Full and adequate notice of the application was given and the Court has jurisdiction over the subject matter, and over the parties whether they have appeared or not.

18. For purposes of jurisdiction in this case, § 37-92-302(2), C.R.S., does not require that the application be supplemented with a well permit or evidence of its denial.

19. The Applicants may withdraw the subject ground water herein through wells to be located anywhere on the property, as long as said wells are located within 200 feet of their permitted locations, in the average annual amounts and at the estimated average rates of flow specified herein, so long as the estimated average rates of flow are authorized by a valid well permit, subject to the limitations herein and the retained jurisdiction by this Court.

20. Applicants may withdraw up to 44 acre-feet per year up to 4400 acre-feet total of not nontributary ground water from the Dawson aquifer under the plan for augmentation decreed herein pursuant to § 37-90-137(9)(c), C.R.S. Applicants shall not withdraw the remaining not nontributary Dawson aquifer or Denver aquifer ground water decreed herein until after the Court has adjudicated a plan for augmentation to use that water in a subsequent proceeding brought for that purpose.

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21. Applicants have complied with all requirements and met all standards and burdens of proof, including but not limited to §§37-90-137(9)(c), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8) and (9), C.R.S., to adjudicate their plan for augmentation, and is therefore entitled to a decree confirming and approving their plan for augmentation as described in the findings of fact.

22. Pursuant to section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality so as to meet the requirements for which the water of the senior appropriator has normally used.

23. The proposed plan for augmentation as described in the findings of fact, is hereby approved, confirmed and adjudicated, including and subject to the terms and conditions specified herein.

24. No owners of, or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

25. Retained Jurisdiction:

A. The Court retains jurisdiction as necessary to adjust the average annual amounts of groundwater available under the property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to § 37-92-305(11), C.R.S. Within 60 days after completion of any well decreed herein, or any test hole(s), Applicant or any successor in interest to these water rights shall serve copies of such log(s) upon the State Engineer.

B. At such time as adequate data is available, any person including the State Engineer may invoke the Court's retained jurisdiction to make a Final Determination of Water Right. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final determination of water rights findings. The State Engineer shall submit such finding to the Water Court and to the Applicant.

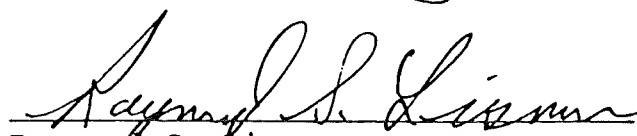
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C. If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

26. Continuing Jurisdiction.

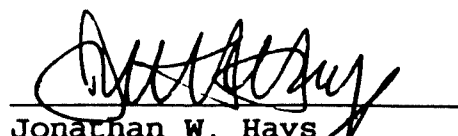
A. Pursuant to § 37-92-304(6), C.R.S. the court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The court also retains continuing jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

RULING ENTERED this 16 day of February, 1998.


Raymond S. Liesman
Water Referee
Water Division 1

THE COURT DOTH FIND THAT NO PROTEST TO THE RULING OF THE REFEREE HAS BEEN FILED. THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Date: MAR 18 1996


Jonathan W. Hays
Water Judge
Water Division 1

Ruling and Decree 94CW198

APPROVED AS TO CONTENT AND FORM:

HOLLY I. HOLDER, P.C.

Date: 2/1/96By Holly Holder
Holly I. Holder, #10216
Priscilla S. Fulmer, #14936
Carmen Sower Hall, #19985
518 17th Street, #1500
Denver, Colorado 80202

ATTORNEYS FOR APPLICANT

OFFICE OF THE ATTORNEY GENERAL

By _____
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Assistant Attorney General
Natural Resources Section
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(303) 866-5117ATTORNEYS FOR OBJECTORS STATE
ENGINEER AND DIVISION ENGINEER

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By William Kelly Dude
William Kelly Dude, #13208
104 S. Cascade Ave., Suite 204
P.O. Box 240
Colorado Springs, Colorado 80901
(719) 632-3545ATTORNEYS FOR OBJECTOR CITY OF
COLORADO SPRINGS

Ruling and Decree 94CW198

APPROVED AS TO CONTENT AND FORM:

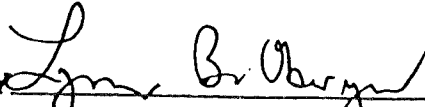
HOLLY I. HOLDER, P.C.

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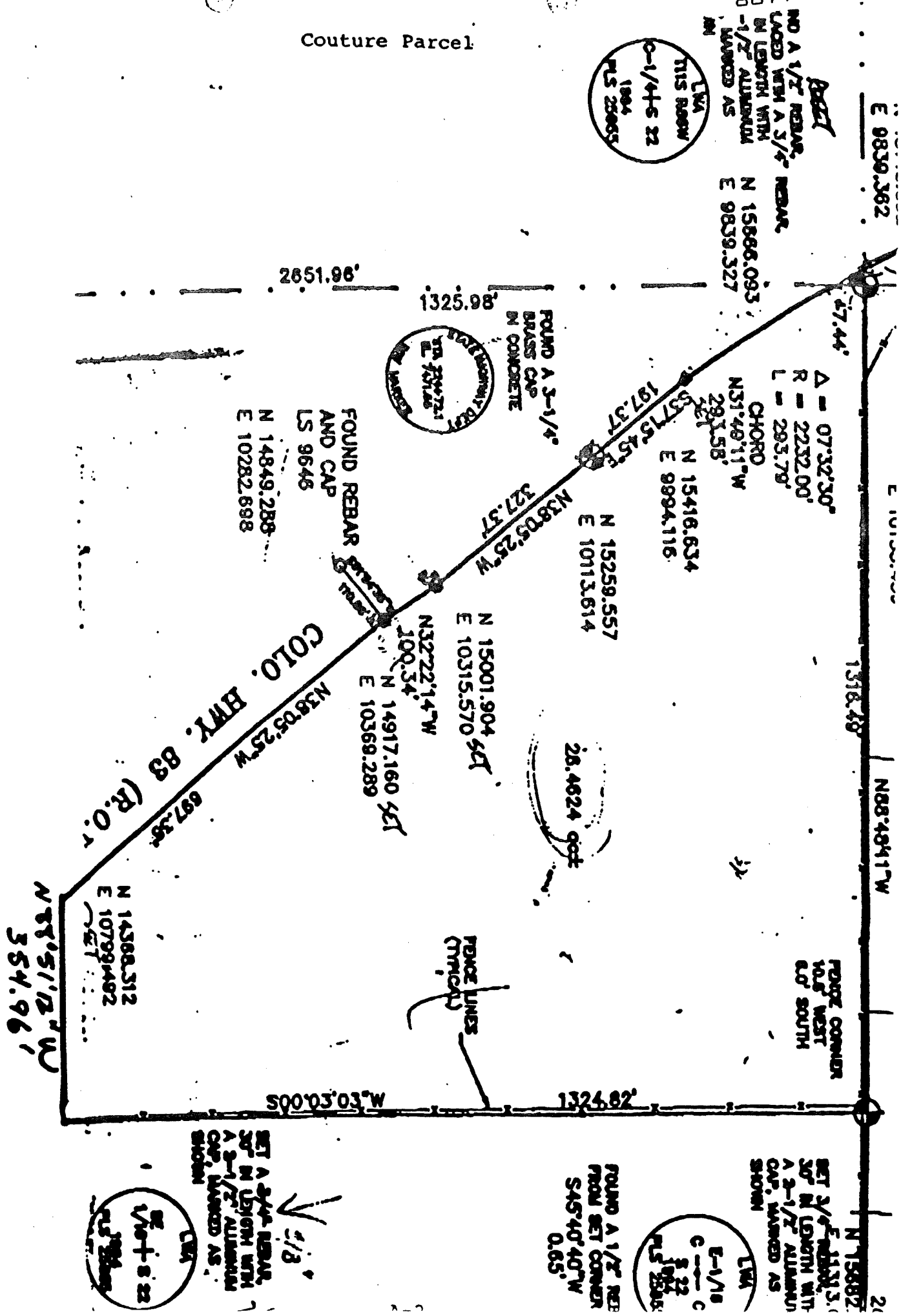
ATTORNEYS FOR OBJECTOR CITY OF
COLORADO SPRINGS

Couture Parcel

A TRACT OF LAND BEING THAT PORTION OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 66 WEST OF THE 6TH PRINCIPAL MERIDIAN, LYING NORTHEASTERLY OF COLORADO STATE HIGHWAY NO. 83, SITUATE IN EL PASO COUNTY, COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 22, SAID POINT ALSO BEING THE SOUTHWEST CORNER OF WALDEN III AS PLATTED AND RECORDED IN PLAT BOOK E-2 AT PAGE 19 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER; THENCE S88°48'11"E ON THE NORTH LINE OF SAID SOUTHEAST QUARTER, SAID LINE BEING COINCIDENT WITH THE SOUTH LINE OF SAID WALDEN III SUBDIVISION, A DISTANCE OF 1316.49 FEET TO THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SOUTHEAST QUARTER; THENCE S00°03'03"W ON THE EAST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 1324.82 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N88°51'12"W ON THE SOUTH LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 354.96 FEET TO A POINT ON THE NORTHEASTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 83; THE FOLLOWING FIVE (5) COURSES ARE ON SAID NORTHEASTERLY RIGHT-OF-WAY LINE; 1) THENCE N38°05'25"W A DISTANCE OF 697.36 FEET; 2) THENCE N32°22'14"W A DISTANCE OF 100.34 FEET; 3) THENCE N38°05'25"W A DISTANCE OF 327.37 FEET; 4) THENCE N37°15'45"W A DISTANCE OF 197.37 FEET; 5) THENCE ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 2232.00 FEET, THROUGH A CENTRAL ANGLE OF 7°32'30" AN ARC DISTANCE OF 293.79 FEET, THE LONG CHORD OF WHICH BEARS N31°49'11"W, 293.58 FEET, TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE N00°02'32"E ON SAID WEST LINE A DISTANCE OF 47.44 FEET TO THE POINT OF BEGINNING; THE DESCRIBED TRACT CONTAINING 26.462 ACRES, MORE OR LESS.

Couture Parcel



A TRACT OF LAND BEING PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15, THE EAST HALF OF THE NORTHWEST QUARTER AND THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 68 WEST OF THE 6TH P.M., ALL LYING EASTERLY OF THE EASTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 83, SITUATE IN EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 22; SAID POINT ALSO BEING THE SOUTHWEST CORNER OF WALDEN III AS PLATTED AND RECORDED IN PLAT BOOK H-2 AT PAGE 19 OF THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER; THENCE S0°02'32"W ON THE EAST LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 22 A DISTANCE OF 47.44 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF COLORADO STATE HIGHWAY NO. 83; THE FOLLOWING FIFTEEN (15) COURSES ARE ON SAID EASTERLY RIGHT-OF-WAY LINE; 1) THENCE ON A CURVE TO THE RIGHT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 2232.00 FEET THROUGH A CENTRAL ANGLE OF 9°15'44" AN ARC DISTANCE OF 380.81 FEET, THE LONG CHORD OF WHICH BEARS N23°25'04"W 380.42 FEET; 2) THENCE N10°02'21"W A DISTANCE OF 781.50 FEET; 3) THENCE N02°59'51"W A DISTANCE OF 348.75 FEET; 4) THENCE N04°01'09"E A DISTANCE OF 212.83 FEET; 5) THENCE N02°25'51"W A DISTANCE OF 263.03 FEET; 6) THENCE N25°01'31"W A DISTANCE OF 200.33 FEET; 7) THENCE ON A CURVE TO THE LEFT, NON-TANGENT TO THE PREVIOUS COURSE, HAVING A RADIUS OF 1970.28 FEET THROUGH A CENTRAL ANGLE OF 11°23'37" AN ARC DISTANCE OF 391.80 FEET, THE LONG CHORD OF WHICH BEARS N22°20'51"W 391.15 FEET; 8) THENCE N32°51'51"W A DISTANCE OF 203.23 FEET; 9) THENCE N31°02'51"W A DISTANCE OF 57.21 FEET; 10) THENCE N30°08'21"W A DISTANCE OF 384.83 FEET; 11) THENCE N34°47'08"W A DISTANCE OF 219.18 FEET; 12) THENCE N24°50'08"W A DISTANCE OF 71.88 FEET; 13) THENCE N16°59'08"W A DISTANCE OF 91.92 FEET; 14) THENCE N11°14'08"W A DISTANCE OF 891.72 FEET; 15) THENCE N04°07'38"W A DISTANCE OF 29.29 FEET TO THE SOUTHWEST CORNER OF LOT 18 OF SAID WALDEN III SUBDIVISION; THENCE S88°47'14"E ON THE SOUTH LINE OF LOTS 18, 19 AND 20 OF SAID SUBDIVISION A DISTANCE OF 1183.88 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 15 AS ESTABLISHED BY SAID SUBDIVISION PLAT; THENCE S0°16'42"E ON THE WESTERLY LINE OF LOTS 21, 22, 23 AND 24 OF SAID SUBDIVISION A DISTANCE OF 1321.21 FEET TO THE NORTHEAST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 15 AS ESTABLISHED BY SAID SUBDIVISION; THENCE S0°02'01"W ON THE WESTERLY LINE OF LOTS 24 AND 28 A DISTANCE OF 684.98 FEET TO A FOUND 1/2" REBAR; THENCE S0°01'38"W ON THE WESTERLY LINE OF LOT 28 OF SAID SUBDIVISION A DISTANCE OF 559.88 FEET TO A FOUND 1/2" REBAR; THENCE S0°12'31"E ON THE WESTERLY LINE OF LOT 27 OF SAID SUBDIVISION A DISTANCE OF 390.18 FEET TO A FOUND 1/2" REBAR; THENCE S0°06'42"W ON THE WESTERLY LINE OF LOT 37 AND THE RIGHT-OF-WAY OF NEEDLES DRIVE OF SAID SUBDIVISION A DISTANCE OF 908.31 TO A FOUND 1/2" REBAR; THENCE S0°16'16"E ON THE WESTERLY LINE OF LOT 38 OF SAID SUBDIVISION A DISTANCE OF 128.44 FEET TO THE POINT OF BEGINNING; THE DESCRIBED TRACT CONTAINING 48.2230 ACRES, MORE OR LESS.

A TRACT OF LAND BEING PORTIONS OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER AND THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22, TOWNSHIP 11 SOUTH, RANGE 68 WEST OF THE 6TH P.M., LYING EASTERLY OF THE EASTERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 83, SITUATE IN EL PASO COUNTY, COLORADO, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 22; THENCE S88°51'12"E ON THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 1316.28 FEET TO THE NORTHEAST CORNER OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER; THENCE S00°03'35"W ON THE EAST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 1293.68 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HODGEN ROAD, A COUNTY ROAD; THENCE N88°54'13"W ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 1149.52 FEET TO A POINT ON THE EASTERLY RIGHT OF WAY LINE OF COLORADO STATE HIGHWAY NO. 83; THE FOLLOWING SIX (6) COURSES ARE ON SAID EASTERLY RIGHT OF WAY LINE; 1.) THENCE N43°58'30"W A DISTANCE OF 135.06 FEET; 2.) THENCE N2°08'30"W A DISTANCE OF 90.90 FEET; 3.) THENCE N3°49'30"W A DISTANCE OF 254.32 FEET; 4.) THENCE ON A CURVE TO THE LEFT HAVING A RADIUS OF 1482.50 FEET THROUGH A CENTRAL ANGLE OF 25°57'03" AN ARC DISTANCE OF 671.47 FEET, THE LONG CHORD OF WHICH BEARS N20°07'00"W-885.74 FEET; 5.) THENCE N38°24'30"W A DISTANCE OF 254.32 FEET; 6.) THENCE N38°05'25"W A DISTANCE OF 42.52 FEET TO A POINT ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER; THENCE S88°51'12"E ON SAID NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER A DISTANCE OF 354.98 FEET TO THE POINT OF BEGINNING: THE HEREIN DESCRIBED TRACT CONTAINING 40.2728 ACRES, MORE OR LESS.

SET A 3/4" R
LENGTH, WITH/
ALUMINUM CAP
MARKED AS S

S 22
PLS

Shanks Parcel

6879 747

FOUND A 2
ALUMINUM
MARKED A

M. 500.03.35 W

1293.66'

FENCE CORNER
6.2' WEST
7.7' NORTH

A-T&T RIGHT
OF WAY
BK. 2026, PG. 640

16.5'

BARBED-WIRE FENCE
(TYPICAL)

30.00'

NO POSTED ADDRESS
NO BUILDINGS

SE 1/4 SE 1/4

WASH AREA
(BRANCH FILL)

N88°51'12"W

1316.26'

FENCE CORNER
3.5' WEST
6.6' SOUTH

P.O.B.

AT&T MANHOLE

Δ = 25°37'03"
R = 1482.50'
L = 671.47'
CHORD
N20°07'00"W
665.74'

(R = 1482.5'
L = 671.4'
CHORD
N20°06'30"W
665.7')

FOUND A 3-1/4"
BRASS CAP
IN CONCRETE



N02°08'30"W
90.90'

N03°49'30"W 254.32'
(N03°49'W 254.3')

(N02°08'30"W 90.90')

N03°36'30"W
(N03°36'30"W 151.6')

1324.82'

COLO. HWY. 83 (R.O.W. VARIES)
(BOOK 2035, PAGE 523)

S88°51'12"E

N36°05'25"W
42.52'
(N36°05'W)

FOUND A 3-1/4"
BRASS CAP
IN CONCRETE



1/4

S88°54'13"E

GATE

N88°54'13"W
1316.04'

1149.52'

HOXSEN ROAD

2632.08'

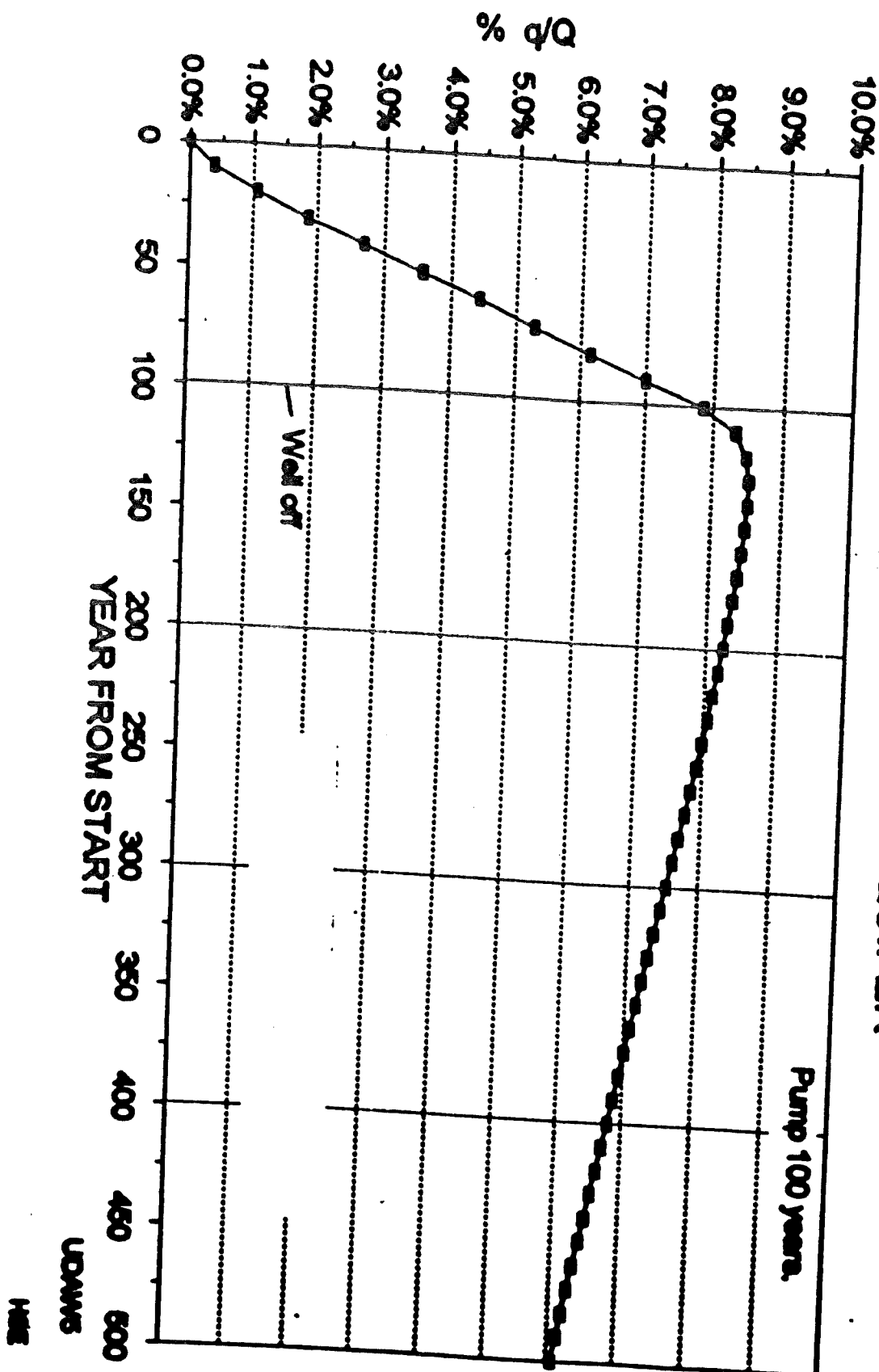
ASPHALT ROAD

STREAM DEPLETIONS

YEAR	UPPER DAWSON			YEAR	UPPER DAWSON		
	CF/DAY	AF/YR	% q/Q		CF/DAY	AF/YR	% q/Q
0	0.00	0.00	0.00%				
10	16.00	0.134	0.384%	310	311.21	2.610	7.477%
20	44.41	0.372	1.087%	320	308.02	2.583	7.401%
30	77.61	0.651	1.865%	330	304.83	2.556	7.324%
40	112.64	0.944	2.706%	340	301.63	2.529	7.247%
50	148.35	1.244	3.564%	350	298.43	2.502	7.170%
60	184.27	1.545	4.427%	360	295.23	2.476	7.093%
70	220.20	1.846	5.291%	370	292.05	2.449	7.017%
80	256.04	2.147	6.152%	380	288.88	2.422	6.941%
90	291.74	2.446	7.009%	390	285.73	2.396	6.865%
100	327.27	2.744	7.863%	400	282.60	2.370	6.790%
110	348.65	2.907	8.329%	410	279.50	2.344	6.715%
120	353.42	2.963	8.491%	420	276.42	2.318	6.641%
130	355.18	2.978	8.533%	430	273.37	2.292	6.568%
140	354.89	2.976	8.526%	440	270.36	2.267	6.496%
150	353.67	2.966	8.497%	450	267.36	2.242	6.424%
160	352.00	2.951	8.457%	460	264.40	2.217	6.352%
170	350.05	2.935	8.410%	470	261.47	2.192	6.282%
180	347.93	2.917	8.359%	480	258.57	2.168	6.212%
190	345.65	2.898	8.305%	490	255.70	2.144	6.143%
200	343.26	2.878	8.247%	500	252.86	2.120	6.075%
210	340.74	2.857	8.186%				
220	338.11	2.835	8.123%				
230	335.39	2.812	8.058%				
240	332.58	2.789	7.991%				
250	329.69	2.764	7.921%				
260	326.73	2.740	7.850%				
270	323.71	2.714	7.777%				
280	320.64	2.689	7.704%				
290	317.52	2.662	7.629%				
300	314.38	2.636	7.553%				

• Peak depletion at about 130 years.

STREAM DEPLETION COUTURE PROJECT UPPER DAWSON AQUIFER



FORM NO. GWS-76 05/2011	WATER SUPPLY INFORMATION SUMMARY STATE OF COLORADO, OFFICE OF THE STATE ENGINEER 1313 Sherman St., Room 821, Denver, CO 80203 Main (303) 866-3581 dwr.colorado.gov		
Section 30-28-133,(d), C.R.S. requires that the applicant submit to the County, "Adequate evidence that a water supply that is sufficient in terms of quantity, quality, and dependability will be available to ensure an adequate supply of water."			
1. NAME OF DEVELOPMENT AS PROPOSED: <u>Needles Drive</u>			
2. LAND USE ACTION: <u>Preliminary Plan</u>			
3. NAME OF EXISTING PARCEL AS RECORDED: <u>NA</u> SUBDIVISION: <u>NA</u> , FILING (UNIT) , BLOCK , LOT			
4. TOTAL ACREAGE: <u>47.55</u>		5. NUMBER OF LOTS PROPOSED <u>15</u> PLAT MAP ENCLOSED? ☒ YES or ☐ NO	
6. PARCEL HISTORY – Please attach copies of deeds, plats, or other evidence or documentation.			
A. Was parcel recorded with county prior to June 1, 1972? ☐ YES or ☒ NO B. Has the parcel ever been part of a division of land action since June 1, 1972? ☐ YES or ☐ NO If yes, describe the previous action:			
7. LOCATION OF PARCEL – Include a map delineating the project area and tie to a section corner. SEE ATTACHMENT			
<u> </u> 1/4 of the <u> </u> 1/4, Section <u> </u> , Township <u>11</u> ☐ N or ☒ S, Range <u>66</u> ☐ E or ☒ W Principal Meridian (choose only one): ☒ Sixth ☐ New Mexico ☐ Ute ☐ Costilla Optional GPS Location: GPS Unit must use the following settings: Format must be UTM , Units must be meters , Datum must be NAD83 , Unit must be set to true N , ☐ Zone 12 or ☐ Zone 13 Easting: _____ Northing: _____			
8. PLAT – Location of all wells on property must be plotted and permit numbers provided. Surveyor's Plat: ☒ YES or ☐ NO If not, scaled hand drawn sketch: ☐ YES or ☐ NO			
9. ESTIMATED WATER REQUIREMENTS		10. WATER SUPPLY SOURCE	
USE	WATER REQUIREMENTS		☒ NEW WELLS - PROPOSED AQUIFERS – (CHECK ONE) ☐ ALLUVIAL ☐ UPPER ARAPAHOE ☒ UPPER DAWSON ☐ LOWER ARAPAHOE ☐ LOWER DAWSON ☐ LARAMIE FOX HILLS ☐ DENVER ☐ DAKOTA ☐ OTHER: _____
	Gallons per Day	Acre-Feet per Year	
HOUSEHOLD USE # <u>15</u> of units	_____	<u>3.9</u>	
COMMERCIAL USE # _____ of S. F	_____	_____	
IRRIGATION # <u>2.80</u> of acres	_____	<u>6.915</u>	
STOCK WATERING # <u>60</u> of head other decreed uses under OTHER: <u>26CW3088 and 94CW198</u>	_____	<u>0.66</u>	
TOTAL	_____	<u>0.235</u>	☐ MUNICIPAL ☐ ASSOCIATION ☐ COMPANY ☐ DISTRICT NAME _____ LETTER OF COMMITMENT FOR SERVICE ☐ YES or ☐ NO
	_____	<u>11.71</u>	
	10.71 acre-feet will be augmented under the 26CW3088 decree 1 acre-feet will be used under exempt well permit 49840-A		
11. WAS AN ENGINEER'S WATER SUPPLY REPORT DEVELOPED? ☒ YES or ☐ NO IF YES, PLEASE FORWARD WITH THIS FORM. (This may be required before our review is completed.)			
12. TYPE OF SEWAGE DISPOSAL SYSTEM			
☒ SEPTIC TANK/LEACH FIELD ☐ LAGOON ☐ ENGINEERED SYSTEM (Attach a copy of engineering design.)		☐ CENTRAL SYSTEM DISTRICT NAME: _____ ☐ VAULT LOCATION SEWAGE HAULED TO: _____ ☐ OTHER: _____	

Water Supply Information Summary – Attachment

North Ranch, LLC

7. Location of Parcel

SE1/4 SW1/4 of Section 15 and the E1/2 NW1/4 of Section 22, Township 11 South, Range 66 West of the 6th P.M., County of El Paso, State of Colorado.