

WATER RESOURCES REPORT

for

***William Guman and Associates, Ltd.
Jane Davis Ranch Subdivision***

***EPC Parcels #: 4200000354, 4200000359, 4200000377,
4200000406, 4200000469, 4200000470***

**June 2023
(Revised September 2023)**

Prepared By:



William Guman and Associates, Ltd.
JANE DAVIS RANCH SUBDIVISION
Northwest Corner Judge Orr Road & Elbert Road

EPC PARCELS # 4200000354, 4200000359, 4200000377,
4200000406, 4200000469, 4200000470, 4233000031

WATER RESOURCES REPORT

JUNE 2023
(Revised September 2023)

Prepared for:

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1.0 INTRODUCTION AND EXECUTIVE SUMMARY

The purpose of this report is to address the specific water needs of a proposed subdivision of Parcel # 4200000354, 4200000359, 4200000377, 4200000406, 4200000469, 4200000470, 4233000031 in El Paso County, CO.

EXECUTIVE SUMMARY: The proposed water rights and augmentation plan would be sufficient to meet the needs of ninety-two (92) residential lots and two (2) commercial lots proposed for the subdivision on a 300-year basis.

2.0 PROJECTED LAND USES

2.1 *Projected Land Uses*

This report pertains to the existing seven parcels totaling 398.91 acres, that are proposed to be divided into ninety-two (92) residential lots and two (2) commercial lots featuring up to 37,767 ft² total of commercial building space. Please refer to the *Land Use Exhibit* in **Appendix A**.

3.0 WATER NEEDS AND PROJECTED DEMANDS

3.1 *Water Demand Summary*

It is anticipated that the proposed ninety-two (92) residential lots and up to 37,767 square feet of commercial space will have a combined water demand of 45.185 AF/year. The proposed ninety-two (92) residences will use approximately 40.78 AF/year for domestic, irrigation, and stock water applications while the two commercial lots are anticipated to use 4.40 AF/year to satisfy indoor and irrigation demands. All water demands are anticipated to be met using residential and commercial wells drilled into the not-nontributary Denver aquifer. These demand estimates are based upon information provided by the *Replacement Plan Application GWS-69* for the Jane Davis Ranch Subdivision located in **Appendix C**. Also note that the property lies within the boundary of the Upper Black Squirrel Creek Designated Basin. Estimated water demands and wastewater loads are shown Table 3-1 below:

Table 3-1: Summary of Expected Water Demands & Wastewater Loads

Water						Wastewater
# of SFEs	Annual Indoor Use 0.26 (AF/YR/SFE)	Average Daily Indoor Use (GPD)	Irrigation 0.0566 (AF/1,000 SF)	Domestic Watering 0.011 (AF/Horse/Year)	Total Indoor, Watering, & Irrigation (AF)	ADF (@ 90% Indoor Use) (GPD)
92	Note 1 23.920	21354	Note 2 14.841	Note 3 2.024	40.78	19219
# of Commercial Buildings	Total Sq Ft	Annual Indoor Use 0.1 (GPD/FT 2)	Average Daily Indoor Use (GPD)	Total Irrigation 0.0566 (AF/1,000 SF)	Total Commercial & Irrigation (AF)	ADF (@ 90% Indoor Use) (GPD)
2	37,767	Note 4 4.230	3777	Note 5 0.170	4.400	3399
Total					45.185	19219

Note 1: **Per 8.4.7(B)(7)(d) of the EPC Land Development Code**

Note 2: **Assuming 2850 ft² of lawn/garden/trees per lot**

Note 3: **Assume 2 large animals per lot**

Note 4: **Per 8.4.7(B)(7)(d) of the EPC Land Development Code**

Note 5: **Assuming 3000 ft² of lawn/trees total**

3.2 Unit Water User Characteristics

Unit water user characteristics are counted on a *single-family equivalent* (SFE) basis. All single-family homes are counted as one SFE, and user characteristics were based on information provided in the *El Paso County Land Development Code*, Chapter 8.

3.3 Demand versus Supply

An overall demand of 45.185 acre-feet for the proposed subdivision is less than the amount of supply proposed out of the not-nontributary Denver Aquifer. The applicant has applied for a determination of water right within a designated basin using form GWS-53 out of the Denver aquifer, along with supporting forms BWS-01 and GWS-43 (provided in **Appendix C**) and is further discussed in Section 4.0 of this report. Estimated volume of 300-year water supply available out of the Denver Aquifer using the SB-5 model is assumed to be 45.19 AF/year as

shown in Exhibit D of the Replacement Plan application. Note that once the decrees are issued for the determinations and replacement plan they will be added to the water resources report.

4.0 WATER RIGHTS AND SUPPLY

4.1 Water Rights

Water rights, determinations, and replacement plan have been applied for as shown in **Appendix C**. Table 4-1 below summarizes the information from said water rights applications and pending determinations (as Shown in Exhibit D of the replacement plan application).

Table 4-1: Water Rights Summary

Jane Davis Ranch Subdivision

Estimated Overall Water Supply Inventory

Land Formation/ Aquifer	Determination	Tributary Status	Area	Total Decree d Water	Annual Allocation 100-Year	Annual Allocation 300-Year
			(Acres)	(AF)	(AF/Year)	(AF/Year)
Dawson	TBD	NNT	398.91	N/A	N/A	N/A
Denver	TBD	NNT	398.91	13,556	135.56	45.19
Arapahoe	TBD	NT	398.91	14,750	147.50	49.17
Laramie-Fox Hills	TBD	NT	398.91	12,488	124.88	41.63
Total Legal Supply					407.94	135.98
					<i>100-Year</i>	<i>300-Year</i>

Beneficial Uses: *Domestic Indoor, Commercial, Augmentation
Indoor & Outdoor Irrigation, Livestock*

Appendix C, the following conditions are allowed for the subject property:

- Water may be withdrawn through the three (3) existing wells (Permit # 143638, 32877, 163012), as well as allowing up to eighty-nine new additional wells (all new and existing wells will be allotted 0.443 AF/year per well). All existing and new wells will be drilled into the Denver Aquifer and will be developed on the subject property. The original permit numbers to operate this well are contained in **Appendix C**.
- Existing wells (Permit # 143638, 32877, 163012) must be re-permitted.
- Each residential well can use 0.26 AF/year for in-house use and 0.183 AF/year for other uses, which include the irrigation of up to 2850 square feet

per lot as well as 0.022 AF/year for up to two large domestic animals. Total water allotted per well is 0.443 AF/year and a total of 40.78 AF/year for the residential portion of the subdivision.

- The two proposed commercial wells can use up to 4.23 AF/year for indoor uses and another 0.17 AF/year to irrigate up to 3,000 ft² combined.
- All wells are to be drilled to the Denver aquifer. All wells to be metered.
- The type of use to which the Denver water pumped must be used for domestic indoor use, indoor and outdoor irrigation, commercial, livestock, augmentation, pursuant to the augmentation plan.

4.2 *Adequacy of Water Rights*

Current water rights are adequate for buildout demands of ninety-two (92) residential lots and two commercial lots to meet 2040 and 2060 buildout projections on a 300-year basis.

The applicant has submitted forms GWS-01, GWS-43, and GWS-53 to adjudicate Denver Basin water supplies that exist under the entire 398.91-acre property and within the Upper Black Squirrel Creek Designated Basins. The intent of the submit is to determine water supply appropriations water located in the Denver, Arapahoe, and Laramie Fox-Hills confined aquifers. Of these formations, only the Denver is considered not-nontributary while the Arapahoe, and Laramie Fox-Hills aquifers are considered non-tributary. The applicant intends to acquire the rights to draw water from the three listed formations, though use from the Denver requires an augmentation and replacement plan for all uses. The application has also submitted Form GWS-69 with associated support documentation to obtain a replacement plan defining required return flows to augment depletions from the alluvium through pumping of the not-nontributary Denver Aquifer. All associated applications, forms, and documentation are included in **Appendix C**:

- There is estimated to be 45.19 AF/year available on a 300-year supply basis out of the Denver Formation, which is greater than the estimated annual demand of 45.185 AF/year for all ninety-two (92) residential lots and two commercial lots, to be served by Denver Aquifer wells as needed.
- Assuming a 0.26 AF/yr domestic use per resident for indoor uses (*per 8.4.7(B)(7)(d) of the EPC Land Development Code*) with 90% return flows through the non-evaporative septic system per resident, this results in a 0.234 AF/yr return flow back through the septic system per resident, or 21.528 AF/year total for the ninety-two residences. In addition, assuming 90% of all indoor flows through the commercial properties will return to the aquifer through the non-evaporative septic system, approximately 3.81 AF/year of the 4.23 AF/year demanded by the commercial properties will also return to the aquifer. This results in a total return flow of 25.335 AF/year available to replace maximum depletions to the alluvium.

- The property is located within a 4% depletion are of the not-nontributary Denver aquifer. Assuming annual pumping of 45.185 AF/year out of the Denver formation at full build-out, annual depletions to the alluvium are expected to reach 1.8074 AF/year. As estimated above, return flows to the alluvium from the development are estimated to reach 25.335 AF/year, which is well in excess of the estimated depletions at maximum pumping by year 300. These estimates are included in the proposed replacement plan as submitted in Form GWS-69, with the associated documentation. The documents are included in **Appendix C**.

Conclusion:

The proposed water rights, once acquired following submittal of all water rights application, will be adequate to meet the estimated overall demand and resulting alluvial depletions of 1.8074 acre-feet/year for ninety-two (92) residential lots and two (2) commercial lots.

4.3 *Description of Proposed Water Rights*

The subject area's proposed water rights involve non-renewable supplies in the Denver Basin, further discussed below.

Non-Renewable Denver Basin Supply

The Denver Basin is a vast, deep-rock aquifer that stretches from southeast of Colorado Springs to Greeley, and from the base of the front range to the eastern end of Elbert County. Rights granted in the Denver basin are based on the ownership of the surface property – the larger the parcel, the larger the allocation. This Denver aquifer is fairly shallow in this area as the Denver Basin outcropping in this area does not include the Dawson aquifer.

Denver Basin water is considered finite and therefore non-renewable. In the subject area, there are three main formations that make up the Denver Basin: Denver, Arapahoe, and Laramie-Fox Hills (LFH), described from shallowest to deepest.

The subject property was granted water rights in the three Denver Basin formations as shown in **Table 4-1** above.

5.0 **WATER SYSTEM FACILITIES AND PHYSICAL SUPPLY**

5.1 *Source of Supply*

Supply for the ninety-two (92) residential lots and two (2) commercial lots will be met with future or existing wells completed in the Denver aquifer. There are existing wells (Permit # 143638, 32877, 163012) that are currently drilled into the Denver formation. Any new wells will be drilled, screened, test-pumped, and completed in accordance with the Colorado Division of Water Resources rules and regulations.

5.2 *Water Treatment*

Water from the well located at 9350 Elbert Road was tested on 04/03/23 for constituents required by El Paso County regulations for a confined aquifer. Any desired treatment of existing and future wells will rely on the individual homeowners as this is not considered a *Community System* by the Colorado Department of Public Health and Environment.

5.3 *Water Storage*

Water storage (other than potential individual cisterns or pressure tanks) will not be constructed. Therefore, a central water system with treatment and fire-flow capabilities will not be provided. The residents of each subdivided lot will be made aware of this since it will be included on the subdivision plat.

5.4 *Distribution, Pumping, and Transmission Lines*

Since there is no central water system proposed for this subdivision, no distribution, pumping, or transmission lines will be constructed.

5.5 *Water Quality*

The water quality in the Denver aquifer formation in this area has typically been suitable for residential potable use. Water samples were obtained from the existing well at 9350 Elbert County Road, Peyton, Colorado (well permit #163012) obtained via an exterior water tap serving the residence at this address. Water samples were obtained from this tap on 04/03/2023, with water quality testing performed by Colorado Analytical Laboratories and Hazen Research, Inc., per the El Paso County Land Development Code section 8.4.7(B). The final results from this water quality testing can be found in **Appendix D**. All results were found to be below primary and secondary Maximum Contaminant Limits (MCLs).

The only constituent of possible concern was the Langlier Index, which featured a result of – 1.83. Langlier Index can be used as an indicator of water corrosivity. A result below -1 can indicate that the water would be corrosive to metals. Consideration should be taken as to whether the homeowner would want to install PEX piping throughout the house instead of the typical copper piping.

Because of the absence of any and all evidence of fecal contamination in the form of E. Coli or Total Coliform, or that all sampled and analyzed constituents were below all primary and secondary standards the proposed water source emanating from the Dawson Aquifer is deemed safe for public consumption.

6.0 **EL PASO COUNTY MASTER PLANNING ELEMENTS**

6.1 *County Water Master Plan 2040 and 2060 Projections*

The subject property lies within the El Paso County Water Master Planning area, Region #3.

6.2 Buildout (Including 2040 and 2060 Buildout):

Expected buildout of the subject property are ninety-two (92) total lots and two commercial lots. Demands for the entire subdivision are listed in Section 3.0 of this report, which include a total demand of 45.185 AF/year as described in Form GWS-69 and the proposed documentation.

6.3 Description of Long-Term Planning and Future Sources of Supply

Per El Paso County criteria, the 300-year supply of water for the subject property appears to be more than adequate for full buildout, which would include both the 2040 and 2060 scenarios. However, the proposed supply in the Denver aquifer is based on non-renewable sources.

If needed beyond the 300-year supply, the subdivision has nontributary water rights in the Arapahoe and Laramie-Fox Hills formations. Please refer to the *Applications for Determinations (Form GWS-53) and Application for a Replacement Plan within a designated ground water basin (GWS-69) with supporting documentation in **Appendix C***.

6.4 Water System Interconnects

The closest source for a potential interconnect is the Saddlehorn Ranch Water District— approximately 0.5 miles to the east. Saddlehorn Ranch Water District does include central water service which is sized to serve the existing demands within its service area.

It is not anticipated that an interconnect is needed or warranted to supply water to the Jane Davis Ranch Subdivision. However, if Denver supplies are not sufficient to provide adequate water supply to the Jane Davis Ranch Subdivision, an interconnect with the Saddlehorn Ranch Water District may be considered.

7.0 CONCLUSION

The subject property has adequate water supply to meet the needs of the proposed subdivision on a 300-year basis.

Appendix A

TWO PARCELS OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33 AND A PORTION OF SECTION 34, BOTH IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO



Category	Area (ac)	Percentage
LOW DENSITY RR-2.5 ZONING	127.44 ac	32%
LOW DENSITY RR-5 ZONING	226.30 ac	57%
COMMERCIAL CS ZONING	5.76 ac	1.5%
OPEN SPACE PARK ZONING	6.44 ac	1.7%
FLOODPLAIN NO-BUILD / OS	31.89 ac	n.a.
DETENTION NO-BUILD	11.35 ac	2.9%
TRAIL AND TRAIL HEAD	2.69 ac	1.0%
15-20' BUFFER	n.a.	n.a.
PROPOSED R.O.W.	20.68 ac	4.4%

PARCEL	ACREAGE	PROPOSED ZONE	MAXIMUM UNITS
A	3.53	COMMERCIAL	n.a.
B	13.57	RR-5.0	2 DU
C	7.44	RR-2.5	3 DU
D	31.31	RR-2.5	12 DU
E	15.51	RR-2.5	5 DU
F	15.51	RR-2.5	5 DU
G	2.25	COMMERCIAL	n.a.
H	14.74	RR-2.5	5 DU
I	38.59	RR-2.5	16 DU
J	21.85	RR-2.5	8 DU
K	28.40	RR-5.0	3 DU
L	14.74	RR-2.5	5 DU
M	57.97	RR-5.0	11 DU
N	30.35	RR-5.0	6 DU
O	12.65	RR-5.0	2 DU
P	6.44	PARK	n.a.
Q	2.14	DETENTION	n.a.
R	4.88	DETENTION	n.a.
S	4.33	DETENTION	n.a.

(05)	Mabel L. Brown 9555 Curtis Road TSM 420000047	(19)	Brent Houser Ent. LLC 11890 Garrett Road TSM 430000559
(06)	Jennings Family Trust 2030 Tabor Court TSM 423300207	(20)	Gorilla Capital Co. 1342 High Street Eugene, OR 97401 TSM 430000599
(07)	FFR7, LLC 1220 Valley Street TSM 423302086	(21)	J.D. Englehaus 14775 Judge Orr Road TSM 430003821
(08)	Jennings Family Trust 2030 Tabor Court TSM 423302086	(22)	Rodolfo Escobedo 10075 Burgess Road Colorado Springs, CO TSM 430400302
(09)	Omni Lopez 7120 E. Foothill Colorado Springs, CO 80927 TSM 423300203	(23)	Daniel Duane Combs 1410 N. Curtis Road Peyton, CO 80831-7927 TSM 430400303
(10)	Roberto S. Torres 9464 Winged Foot Road Peyton, CO 80831 TSM 423300202	(24)	Jennifer Remondina 14980 Stapleton Road Peyton, CO 80831-6200 TSM 423300034
(11)	Julia B. Morgan Living Trust 4825 Old Farm Drive #314 Colorado Springs, CO 80917-1089 TSM 422000015	(25)	Georgios Tsoulis 227 W. Sylvester Place Littleton, CO 80129-6232 TSM 423300019
(12)	M.O. O. Skaggs P.O. Box 219 Lake Hopatcong, NJ 07849 - 0219 TSM 420000103	(26)	Peter J. Hagen 704 Silver Oak Grove Colorado Springs, CO TSM 423300037
(13)	Coronado Ranch Partners, LLC 1083 Pritchard Place Colorado Springs, CO 80921 TSM 420000021	(27)	Pete Lien & Sons, Inc. P.O. Box 440 Rapid City, SD 57709 - 0 TSM 420000045
(14)	Julia B. Morgan Living Trust 4825 Old Farm Drive #314 Colorado Springs, CO 80917-1089 TSM 422000015	(28)	William R. Bunn 29521 Saratoga Ave. Big Pine Key, FL 33043 TSM 4304005019

(05)	Mabel L. Brown 9555 Curtis Road TSM 420000047	(19)	Brent Houser Ent. LLC 11890 Garrett Road TSM 430000559
(06)	Jennings Family Trust 2030 Tabor Court TSM 423300207	(20)	Gorilla Capital Co. 1342 High Street Eugene, OR 97401 TSM 430000599
(07)	FFR7, LLC 1220 Valley Street TSM 423302086	(21)	J.D. Englehaus 14775 Judge Orr Road TSM 430003842
(08)	Jennings Family Trust 2030 Tabor Court TSM 423302086	(22)	Rodolfo Escobedo 10075 Burgess Road Colorado Springs, CO TSM 430400302
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(12)	Mario O. Skaggs P.O. Box 219 Lake Hopatcong, NJ 07849 - 0219 TSM 420000103	(26)	Peter J. Hagen 704 Silver Oak Grove Colorado Springs, CO TSM 4233000377
(13)	Coronado Ranch Partners, LLC 1083 Pritchard Place Colorado Springs, CO 80921 TSM 420000021	(27)	Pete Lien & Sons, Inc. P.O. Box 440 Rapid City, SD 57709 - 0 TSM 4200000405
(14)	Julia B. Morgan Living Trust 4825 Old Farm Drive #314 Colorado Springs, CO 80917-1089 TSM 422000015	(28)	William R. Bunn 29521 Saratoga Ave. Big Pine Key, FL 33043 TSM 4304003019



DAVIS RANCH SKETCH PLAN

TWO PARCELS OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33 AND A PORTION OF SECTION 34, BOTH IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO

LAND USE CATEGORY ACREAGE % OF SITE MAXIMUM UNITS



OPEN SPACE 6.44 ac 1.7% n.a.

PARK ZONING

Park site is intended as Public Open space
Park site will be maintained by the Davis Ranch Metropolitan District of an HOA.



DETECTION 11.35 ac 2.9% n.a.

NO-BUILD

Detention parcels are intended as Public Open Space
Detention areas will be maintained by the Davis Ranch Metropolitan District of an HOA.

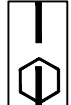


15-20' BUFFER n.a. n.a. n.a.

A 15' Buffer is located along all adjacent public streets. A 20' Buffer is located along all adjacent A-35 properties.

Buffers are intended as Public Open Space

Buffer areas will be maintained by the Davis Ranch Metropolitan District of an HOA.



8' TRAIL ESMT. AND TRAIL HEAD 1.77 ac 1.0% n.a.

8' Trail is located within the 15-20' Buffer areas.

Trail Easements are intended as Public Open Space

Trail Easements will be maintained by the Davis Ranch Metropolitan District of HOA.



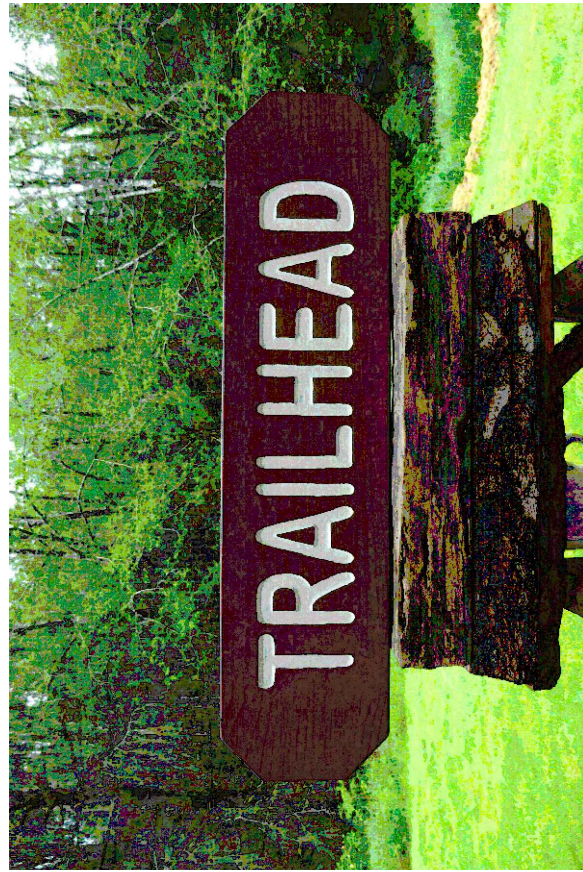
FLOODPLAIN 31.89 ac n.a. n.a.

'Floodplain - No Build OS' tracts are intended as Private Open Space areas. Lots that encroach into the Floodplain - No Build / OS tracts will be platted at a future zoning and development plan submittal indicating that these areas are to remain Private Open Space with no construction of primary and ancillary structures, sheds, barns, fences, etc., permitted within all no-build areas.

Total acreage of Floodplain - No Build / OS tracts is included in the total acreage of the 2.5 and 5 acre parcels in which future lots will be developed.

Floodplain - No Build / OS tracts are Private Open Space and are not intended as public open space, with the exception of the Trail Easements that cross through these tracts.

TYPICAL TREALHEAD MARKER

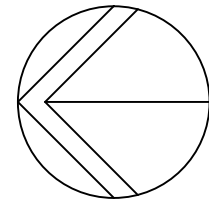


OPEN SPACE TRACT SCHEDULE

PARCEL	TRACT	ACREAGE	DESIGNATION	% OF SITE
B	1	1.39 AC	PRIVATE	1.0%
D	2	7.98 AC	PRIVATE	2.0%
I	3	1.16 AC	PRIVATE	1.0%
E	4	10.37 AC	PRIVATE	2.6%
N	5	10.99 AC	PRIVATE	2.6%
P	n.a.	6.44 AC	PUBLIC	2.8%
Q	n.a.	2.14 AC	PUBLIC	1.0%
R	n.a.	4.88 AC	PUBLIC	1.0%
S	n.a.	4.33 AC	PUBLIC	1.0%
TRAIL	n.a.	1.77 AC	PUBLIC	1.0%
TOTAL PRIVATE		31.89 AC		8.0%
TOTAL PUBLIC		19.56 AC		4.9%
TOTAL:		51.45 AC		12.9%

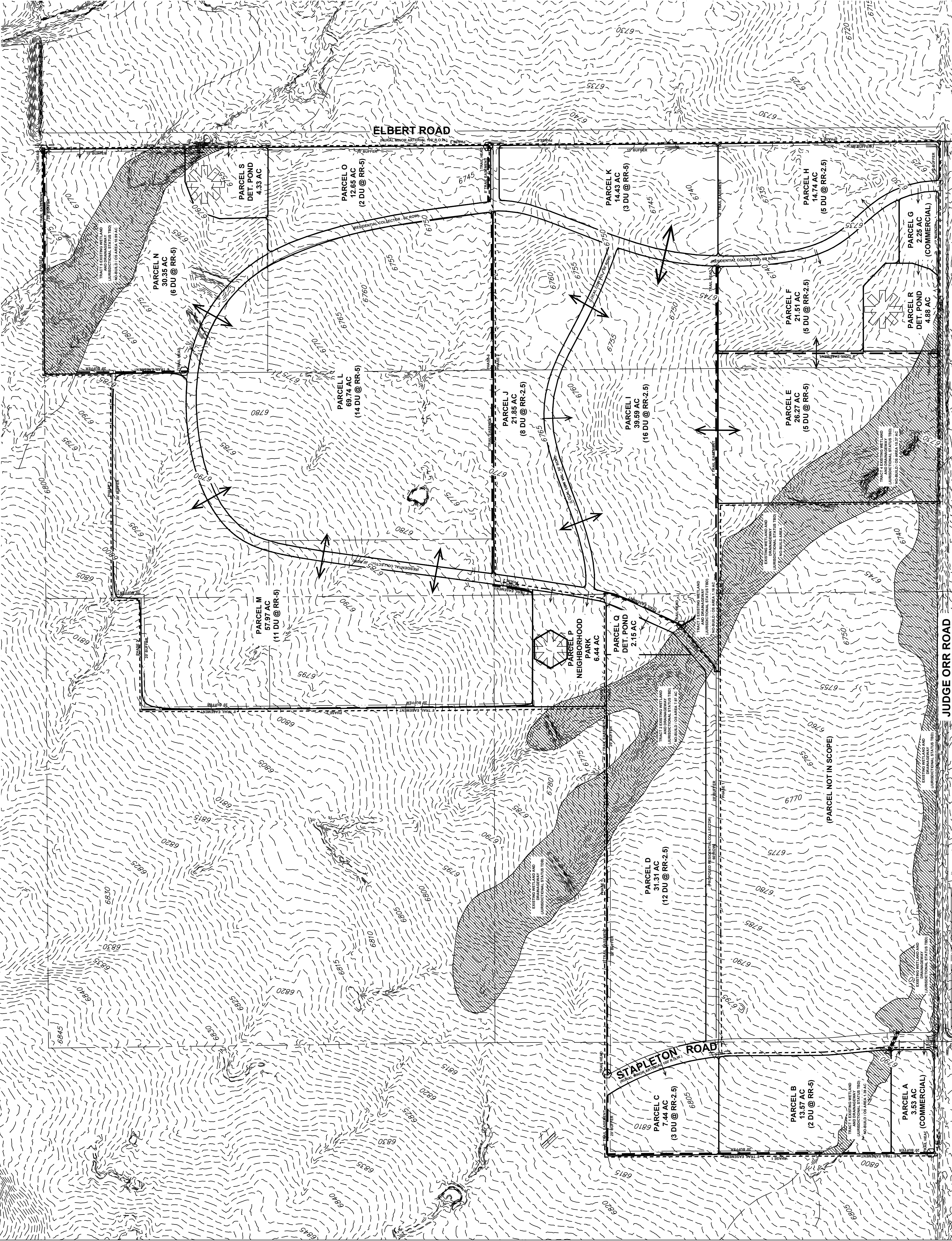
PHASING SCHEDULE

PHASE PARCEL TOTAL UNITS ACREAGE				PHASE PARCEL TOTAL UNITS ACREAGE			
1	A	Commercial	3.53 AC	3	L	14	69.74 AC
1	B	2	13.57 AC	3	M	11	57.97 AC
1	C	3	7.44 AC	3	N	6	30.35 AC
1	D	12	31.31 AC	3	S	Detention	4.33 AC
1	Q	Detention	2.15 AC	3	O	2	12.65 AC
2	E	5	26.27 AC				
2	F	5	21.51 AC				
2	G	Commercial	2.25 AC				
2	G	Commercial	2.25 AC				
2	H	5	14.74 AC				
2	R	Detention	4.88 AC				
2	I	16	39.59 AC				
2	J	8	21.85 AC				
2	K	3	14.43 AC				



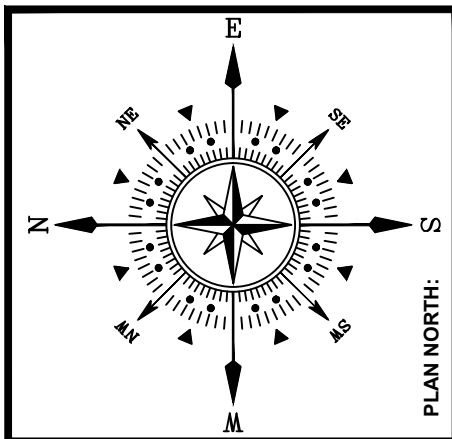
Actual North SCALE: 1" = 300' - 0"

0' 300' 600' 900'



William Guman
& Associates, Ltd.
LAND PLANNING | LANDSCAPE ARCHITECTURE
731 North Weber Street
Colorado Springs, CO 80903
(719) 518-9700
www.gumanltd.com
bill@gumanltd.net

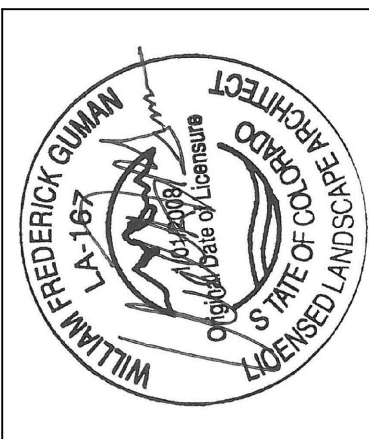
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DAVIS RANCH
9350 ELBERT ROAD
PEYTON, CO 80831

PROJECT NAME:
PROJECT ADDRESS:
PROJECT DESCRIPTION:
SKETCH PLAN

DATE: 05/20/2023
DESIGNED: WGS
CHECKED: GEM



REVISIONS:	BY:	DESCRIPTION:

PLAN SCALE: 1" = 300' (FOR AS NOTED ON PLAN)

SHEET TITLE:
SKETCH
PLAN

SHEET NO.

SKP1.3

3 of 3 SHEETS
FILE NO.
FILE #

Appendix B

WATER SUPPLY INFORMATION SUMMARY

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>Jane Davis Ranch Subdivision</u>			
2. LAND USE ACTION <u>Subdivision</u>			
3. NAME OF EXISTING PARCEL AS RECORDED <u>Portion of SE 1/4 of Section 33 and portion of Section 34, Township 12, Range 64 West of 6th Principal Meridian</u>			
SUBDIVISION <u>See Above</u>		FILING <u>N/A</u>	BLOCK <u>N/A</u> Lot <u>N/A</u>
4. TOTAL ACERAGE <u>398.91</u>	5. NUMBER OF RESIDENTIAL LOTS PROPOSED <u>92</u>	PLAT MAPS ENCLOSED <u>Yes</u>	
6. PARCEL HISTORY - Please attach copies of deeds, plats, or other evidence or documentation. (In submittal package)			
A. Was parcel recorded with county prior to June 1, 1972? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
B. Has the parcel ever been part of a division of land action since June 1, 1972? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
If yes, describe the previous action			
7. LOCATION OF PARCEL - Include a map delineating the project area and tie to a section corner. (In submittal)			
OF <u>SE 1/4</u> SECTION <u>33&34</u> TOWNSHIP <u>12</u> S <input type="checkbox"/> N <input checked="" type="checkbox"/> S RANGE <u>64</u> <input type="checkbox"/> E <input checked="" type="checkbox"/> W			
PRINCIPAL MERIDIAN: <input checked="" type="checkbox"/> 6TH <input type="checkbox"/> N.M. <input type="checkbox"/> UTE <input type="checkbox"/> COSTILLA			
8. PLAT - Location of all wells on property must be plotted and permit numbers provided.			
Surveyors plat <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If not, scaled hand -drawn sketch <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
9. ESTIMATED WATER REQUIREMENTS - Gallons per Day or Acre Foot per Year		10. WATER SUPPLY SOURCE	
HOUSEHOLD USE ¹ <u>92</u> of units <u>0.260</u> AF/SFE/YR <u>23.920</u> AF		<input checked="" type="checkbox"/> EXISTING <input checked="" type="checkbox"/> DEVELOPED WELLS SPRING	
COMMERCIAL USE ¹ <u>37,767</u> SF <u>3,777</u> GPD <u>4.230</u> AF		WELL PERMIT NUMBERS <u>143638</u> <u>328577</u> <u>163012</u>	
IRRIGATION ² <u>0.0566</u> AF/1000SF <u>13,249</u> GPD <u>14.841</u> AF		<input checked="" type="checkbox"/> NEW WELLS Proposed Aquifers - (Check One) <input type="checkbox"/> Alluvial <input type="checkbox"/> Upper Arapahoe <input type="checkbox"/> Upper Dawson <input type="checkbox"/> Lower Arapahoe <input type="checkbox"/> Lower Dawson <input type="checkbox"/> Laramie <input checked="" type="checkbox"/> Denver <input type="checkbox"/> Dakota <input type="checkbox"/> Other	
IRRIGATION ³ <u>0.0566</u> AF/1000SF <u>152</u> GPD <u>0.170</u> AF			
ANIMAL WATERING ⁴ <u>2</u> Horses <u>0.011</u> AF/Horse/Year <u>2.024</u> AF			
TOTAL <u>40,338</u> GPD <u>45.185</u> AF*		<input type="checkbox"/> MUNICIPAL <input type="checkbox"/> ASSOCIATION <input type="checkbox"/> COMPANY <input type="checkbox"/> DISTRICT NAME: <u>N/A</u>	
		LETTER OF COMMITMENT FOR SERVICE - N/A <input type="checkbox"/> YES <input type="checkbox"/> NO	
		WATER COURT DECREE CASE NUMBERS <u>Existing Well Permits # 143638, 320577, 163012</u> <u>Replacement Plan GWS - 69 - Davis</u>	
11. ENGINEER'S WATER SUPPLY REPORT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, please forward with this form. (This may be required before our review is completed)			
12. TYPE OF SEWAGE DISPOSAL SYSTEM			
<input checked="" type="checkbox"/> SEPTIC TANK/LEACH FIELD		<input type="checkbox"/> CENTRAL SYSTEM - DISTRICT	
<input type="checkbox"/> LAGOON		<input type="checkbox"/> VAULT - LOCATION SEWAGE	
<input type="checkbox"/> ENGINEERED SYSTEM (Attach a copy of engineering design)		<input type="checkbox"/> OTHER:	

Appendix C

AUTHORIZATION

Application of Davis Ranch

We, Jane Davis Living Trust, Mickey Davis, Jr., Tammy Davis, Ricky Davis, and Debbie Davis, have engaged the services of Ryan W. Farr, Esq. of the firm Monson, Cummins, Shohet & Farr, LLC, to assist in the application for Water Right Determinations and a Replacement Plan. As such, Mr. Farr is authorized to act on the our behalf in this matter.

Mickey Davis, Jr. Trustee for Jane
Davis Living Trust

Date

Mickey Davis, Jr. Individually

Date

Tammy Davis

Date

Ricky Davis

Date

Debbie Davis

Date

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

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

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

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

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

1. APPLICANT INFORMATION			
Name of Applicant			
Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address	City	State	Zip Code
9060 Elbert Road	Peyton	Colorado	80831
Telephone Number (include area code)		Email	
719-471-1212		rwf@cowaterlaw.com	
2. AQUIFER			
Arapahoe			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.			
Number of acres: <u>398.92</u> in the county of: <u>El Paso</u>			
described as follows (insert legal description).			
<u>See attached deeds</u>			
<u> </u>			
<u> </u>			
<u> </u>			
<u> </u>			
<u> </u>			
- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions).			
5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature:		Date:	
Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis			

INSTRUCTIONS – NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

ITEM 2 – AQUIFER - Indicate the aquifer that is the subject of the application for a well permit or Determination of Water Right. A separate statement must be submitted for each aquifer.

ITEM 3 - THE APPLICANT MUST PROVIDE – Pursuant to C.R.S. 37-90-137(4)(b.5)(I) and Designated Basin Rules 5.3.2.2 and 5.4.2.2 the applicant shall provide evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of, and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located, unless the applicant is a political subdivision of the state of Colorado, special district, municipality, or quasi-municipal district that obtained the right to the underlying water by deed, assignment, or other written evidence of express or implied consent where, at the time of application, the overlying land is within the water service area of such entity. Evidence that the notice has been given is to be provided by submitting a Verification of Notice of Application (form no. GWS-043), which is available for downloading on the Division of Water Resources website at www.colorado.gov/water

ITEM 4 – CLAIM OF OWNERSHIP –

- This statement must be accompanied by a deed recorded with the county showing that the claimant is the owner of the described property. The name of the claimant must be the same as the name of the owner of the described property as shown on the deed.
- Indicate the number of acres being claimed as owned.
- Identify the county in which the property is located.
- Provide a legal description of the property.
 - For descriptions of irregularly shaped parcels (where the boundaries do not follow or parallel section lines), or where there are exclusions of land within the total parcel, the applicant must submit a map having a scale of 1:24,000 or larger (e.g. 1:10,000) which accurately depicts the described land.
 - If the legal description is too lengthy for the space provided, you may refer to an attached legal description and attach the complete legal description.
 - If the copy of the deed being provided contains an adequate legal description, that deed may be referenced.
 - The legal description and map must be complete and legible. Descriptions that are illegible or incomplete (e.g. that reference exclusions without legal descriptions) may be returned.
- Affirm the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

ITEM 5 - SIGNATURE – The form must be signed. If the applicant is a company, corporation, organization, etc., the statement must be signed by responsible person in the company who must indicate his/her title. The application may be signed by the attorney who is acting on behalf of the applicant. An applicant's authorized agent may sign the form if a letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the application.

ADDITIONAL INFORMATION:

- The Designated Basin Rules are available for viewing and downloading on the Division of Water Resources website at www.colorado.gov/water
- A map of the Designated Basins can be accessed on the Designated Basins page of the Division of Water Resources website at www.colorado.gov/water
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Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant			
Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address	City	State	Zip Code
9060 Elbert Road	Peyton	Colorado	80831
Telephone Number (include area code)		Email	
719-471-1212		rwf@cowaterlaw.com	
2. AQUIFER			
Denver			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.			
Number of acres: <u>398.92</u> in the county of: <u>El Paso</u>			
described as follows (insert legal description).			
<u>See attached deeds</u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
<u></u>			
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Signature:		Date:	
Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis			

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Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212		Email rwf@cowaterlaw.com	
2. AQUIFER Laramie-Fox Hills			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located. Number of acres: <u>398.92</u> in the county of: <u>El Paso</u> described as follows (insert legal description). <u>See attached deeds</u> - I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
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ADDITIONAL INFORMATION:

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VERIFICATION OF NOTICE OF APPLICATION

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NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form for exceptions to the above list. Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212		Email rwf@cowaterlaw.com	
2. AQUIFER Arapahoe			
3. NOTICE OF APPLICATION – I hereby claim that I have given notice pursuant to section 37-90-137(4)(b.5), C.R.S., or Designated Basin Rule 5.3.2.2, or Designated Basin Rule 5.4.2.2, as applicable, of application for a well permit or determination of water right by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of the overlying land and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located.			
The names of the persons that were given notice are listed below: N/A - No other owners or lienholders for any of the parcels _____ _____ _____ _____ _____ _____			
4. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature:		Date:	
Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis			

INSTRUCTIONS – VERIFICATION OF NOTICE APPLICATION

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

ITEM 2 – AQUIFER - Indicate the aquifer that is the subject of the application for a well permit or Determination of Water Right. A separate form must be submitted for each aquifer.

ITEM 3 – NOTICE OF APPLICATION – Section 37-90-137(4)(b.5), C.R.S., Designated Basin Rule 5.3.2.2, and Designated Basin Rule 5.4.2.2 require that an applicant for a well permit or determination of water right furnish evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of the overlying land and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located, except for the following applicants.

1. Applicants for applications for well permits to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., whose right to withdraw the groundwater has been determined by a valid decree; OR
2. Applicants that are a political subdivision of the state of Colorado, special districts, municipalities, or quasi-municipal districts that have obtained consent to withdraw the groundwater by deed, assignment, or other written evidence of consent where, at the time of application, the overlying land is within the water service area of such entity.

ITEM 4 - SIGNATURE OF APPLICANT – The form must be signed. If the applicant is a company, corporation, organization, etc., the statement must be signed by responsible person in the company who must indicate his/her title. The application may be signed by the attorney who is acting on behalf of the applicant. An applicant's authorized agent may sign the form if a letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the application.

ADDITIONAL INFORMATION:

- Pursuant to section 37-90-137(4)(b.5)(II), C.R.S., for the purposes of paragraph (b.5), “person” means any individual, partnership, association, or corporation authorized to do business in the state of Colorado, or any political subdivision or public agency thereof, or any agency of the United States.
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1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212	Email rwf@cowaterlaw.com		
2. AQUIFER Denver			
3. NOTICE OF APPLICATION – I hereby claim that I have given notice pursuant to section 37-90-137(4)(b.5), C.R.S., or Designated Basin Rule 5.3.2.2, or Designated Basin Rule 5.4.2.2, as applicable, of application for a well permit or determination of water right by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of the overlying land and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located.			
The names of the persons that were given notice are listed below: N/A - No other owners or lienholders for any of the parcels _____ _____ _____ _____ _____			
4. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature:		Date:	
Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis			

INSTRUCTIONS – VERIFICATION OF NOTICE APPLICATION

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

ITEM 2 – AQUIFER - Indicate the aquifer that is the subject of the application for a well permit or Determination of Water Right. A separate form must be submitted for each aquifer.

ITEM 3 – NOTICE OF APPLICATION – Section 37-90-137(4)(b.5), C.R.S., Designated Basin Rule 5.3.2.2, and Designated Basin Rule 5.4.2.2 require that an applicant for a well permit or determination of water right furnish evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of the overlying land and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located, except for the following applicants.

1. Applicants for applications for well permits to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., whose right to withdraw the groundwater has been determined by a valid decree; OR
2. Applicants that are a political subdivision of the state of Colorado, special districts, municipalities, or quasi-municipal districts that have obtained consent to withdraw the groundwater by deed, assignment, or other written evidence of consent where, at the time of application, the overlying land is within the water service area of such entity.

ITEM 4 - SIGNATURE OF APPLICANT – The form must be signed. If the applicant is a company, corporation, organization, etc., the statement must be signed by responsible person in the company who must indicate his/her title. The application may be signed by the attorney who is acting on behalf of the applicant. An applicant's authorized agent may sign the form if a letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the application.

ADDITIONAL INFORMATION:

- Pursuant to section 37-90-137(4)(b.5)(II), C.R.S., for the purposes of paragraph (b.5), “person” means any individual, partnership, association, or corporation authorized to do business in the state of Colorado, or any political subdivision or public agency thereof, or any agency of the United States.
- The Designated Basin Rules are available for viewing and downloading on the Division of Water Resources website at www.colorado.gov/water
- A map of the Designated Basins can be accessed on the Designated Basins page of the Division of Water Resources website at www.colorado.gov/water
- This form may be reproduced by photocopying or computer means.

IF YOU HAVE ANY QUESTIONS - call the Division of Water Resources - Groundwater Information Desk - at 303-866-3587

VERIFICATION OF NOTICE OF APPLICATION

This form is to be submitted with applications for the following.

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

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

NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form for exceptions to the above list. Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212	Email rwf@cowaterlaw.com		
2. AQUIFER Laramie-Fox Hills			
3. NOTICE OF APPLICATION – I hereby claim that I have given notice pursuant to section 37-90-137(4)(b.5), C.R.S., or Designated Basin Rule 5.3.2.2, or Designated Basin Rule 5.4.2.2, as applicable, of application for a well permit or determination of water right by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of the overlying land and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located. The names of the persons that were given notice are listed below: N/A - No other owners or lienholders for any of the parcels _____ _____ _____ _____ _____			
4. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: _____ Date: _____ Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis			

INSTRUCTIONS – VERIFICATION OF NOTICE APPLICATION

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

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1. Applicants for applications for well permits to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., whose right to withdraw the groundwater has been determined by a valid decree; OR
2. Applicants that are a political subdivision of the state of Colorado, special districts, municipalities, or quasi-municipal districts that have obtained consent to withdraw the groundwater by deed, assignment, or other written evidence of consent where, at the time of application, the overlying land is within the water service area of such entity.

ITEM 4 - SIGNATURE OF APPLICANT – The form must be signed. If the applicant is a company, corporation, organization, etc., the statement must be signed by responsible person in the company who must indicate his/her title. The application may be signed by the attorney who is acting on behalf of the applicant. An applicant's authorized agent may sign the form if a letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the application.

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IF YOU HAVE ANY QUESTIONS - call the Division of Water Resources - Groundwater Information Desk - at 303-866-3587

APPLICATION FOR A DETERMINATION OF WATER RIGHT WITHIN A DESIGNATED GROUNDWATER BASIN

This application is to be used to apply for a determination of right to groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land area located within a Designated Groundwater Basin pursuant to Section 37-90-107(7), C.R.S. A separate form must be used for each aquifer. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. Accepted payment options and form submittal instructions can be found on our website Colorado.gov/water. Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212	Email rwf@cowaterlaw.com		
2. AQUIFER: Arapahoe	3. AMOUNT OF OVERLYING LAND: Acres 398.92		
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Groundwater Landownership Statement (form GWS-1) or Nontributary Groundwater Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.			
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.			
6. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, commercial, irrigation (indoor and outdoor), structure and equipment washing, fire suppression, and storage and replacement for such uses.			
7. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use. Place of use is overlying land along with surrounding property as set forth in the place of use attachment			
8. THE APPLICANT MUST PROVIDE evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of, and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located (see instructions for exceptions). Evidence that the notice has been given is to be provided by submitting a Verification of Notice of Application (form no. GWS-43). See instructions on the reverse of this form, and form no. GWS-043, for exceptions to this requirement.			
9. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: _____ Date: _____ Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis			
FOR OFFICE USE ONLY			
DIV _____ WD _____ BASIN _____ MD _____ CO _____			

INSTRUCTIONS - APPLICATION FOR DETERMINATION OF WATER RIGHT

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, mailing address, telephone number and email where all correspondence will be sent.

ITEM 2 - AQUIFER - Indicate the aquifer that is the subject of this application. A separate application must be submitted for each aquifer.

ITEM 3 – AMOUNT OF OVERLYING LAND – Indicate the total number of acres of the overlying land area being claimed and described in the documents provided in Item #4.

ITEM 4 - OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – Because ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers is allocated on the basis of ownership of overlying land, documentation must be provided of either ownership of the overlying land, or if the applicant does not own the overlying land that the applicant has the right to the underlying ground water. Submit form GWS-1 if the overlying land is owned. Submit form GWS-3A if the overlying land is not owned and the applicant owns the right to the underlying ground water.

ITEM 5 - EXISTING WELLS – Provide a complete list, with well permit numbers, of all existing wells located on the overlying land, including large capacity and small capacity wells. The amount of water determined to be allocated may be reduced to account for the amounts of water that have been withdrawn by existing wells, and the amounts of water that may be withdrawn in the future by existing wells that will continue to operate under their existing well permits or water rights.

ITEM 6 - TYPE OF USE - Provide a description of all intended beneficial uses of the subject ground water. Uses must be beneficial, non-speculative, and may not create unreasonable waste. Non-specific descriptions or terms such as “all beneficial uses” are not acceptable. Municipal type use is limited to municipalities or water service districts, or private parties who have a contract with a municipality or water service district. If there is insufficient space, refer to an attachment.

ITEM 7 - PLACE OF USE - If there are places of use in addition to and/or alternate to the overlying land claimed and described in items 3 and 4, provide an attachment stating that fact along with a complete description of such additional and/or alternate place of use and evidence of ability and right to use the water on such additional and/or alternate place of use.

ITEM 8 - THE APPLICANT MUST PROVIDE – Pursuant to Designated Basin Rule 5.3.2.2 the applicant shall provide evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of, and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located, unless the applicant is a political subdivision of the state of Colorado, special district, municipality, or quasi-municipal district that obtained the right to the underlying water by deed, assignment, or other written evidence of express or implied consent where, at the time of application, the overlying land is within the water service area of such entity. Evidence that the notice has been given is to be provided by submitting a Verification of Notice of Application form (form no. GWS-43), which is available for downloading on the Division of Water Resources website at dwr.colorado.gov

ITEM 9 - SIGNATURE OF APPLICANT – The application must be signed. If the applicant is a company, corporation, organization, etc., the statement must be signed by responsible person in the company who must indicate his/her title. The application may be signed by the attorney who is acting on behalf of the applicant. An applicant's authorized agent may sign the application if a letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the determination of water right.

Additional information:

- **Applications for determinations of rights** within Designated Ground Water Basins are submitted to the Colorado Ground Water Commission and evaluated pursuant to Section 37-90-107(7), CRS, and Rule 5.3 of the Designated Basin Rules, 2 CCR 410-1.
- **An application for a land area that consists of noncontiguous areas** shall only be considered under a single application if it is possible that withdrawal of ground water from beneath the noncontiguous areas could occur in accordance with Rule 5.3.7.2 of the Designated Basin Rules.
- **If the application can be given favorable consideration** by the Commission, the application will be published in a newspaper in the county where the overlying land is located once each week for two successive weeks, followed by a 30-day objection period. The applicant is responsible for, and will be billed for, the actual cost of such publication.
- **If Commission approval of a replacement plan** is required to obtain well permits to withdraw ground water from the aquifer, a replacement plan must be obtained in accordance with Section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules. An application for replacement plan (form GWS-69) may be submitted concurrent with an application for determination of water right or any time after approval of a determination.
- **The Designated Basin Rules** are available for viewing and downloading on the Division of Water Resources website at dwr.colorado.gov
- This form may be reproduced by photocopying or computer means.

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APPLICATION FOR A DETERMINATION OF WATER RIGHT WITHIN A DESIGNATED GROUNDWATER BASIN

This application is to be used to apply for a determination of right to groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land area located within a Designated Groundwater Basin pursuant to Section 37-90-107(7), C.R.S. A separate form must be used for each aquifer. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. Accepted payment options and form submittal instructions can be found on our website Colorado.gov/water. Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212	Email rwf@cowaterlaw.com		
2. AQUIFER: Denver		3. AMOUNT OF OVERLYING LAND: Acres 398.92	
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Groundwater Landownership Statement (form GWS-1) or Nontributary Groundwater Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.			
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.			
6. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, commercial, irrigation (indoor and outdoor), structure and equipment washing, fire suppression, and storage and replacement for such uses.			
7. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use. Place of use is overlying land along with surrounding property as set forth in the place of use attachment			
8. THE APPLICANT MUST PROVIDE evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of, and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located (see instructions for exceptions). Evidence that the notice has been given is to be provided by submitting a Verification of Notice of Application (form no. GWS-43). See instructions on the reverse of this form, and form no. GWS-043, for exceptions to this requirement.			
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FOR OFFICE USE ONLY			
DIV _____ WD _____ BASIN _____ MD _____ CO _____			

INSTRUCTIONS - APPLICATION FOR DETERMINATION OF WATER RIGHT

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ITEM 6 - TYPE OF USE - Provide a description of all intended beneficial uses of the subject ground water. Uses must be beneficial, non-speculative, and may not create unreasonable waste. Non-specific descriptions or terms such as “all beneficial uses” are not acceptable. Municipal type use is limited to municipalities or water service districts, or private parties who have a contract with a municipality or water service district. If there is insufficient space, refer to an attachment.

ITEM 7 - PLACE OF USE - If there are places of use in addition to and/or alternate to the overlying land claimed and described in items 3 and 4, provide an attachment stating that fact along with a complete description of such additional and/or alternate place of use and evidence of ability and right to use the water on such additional and/or alternate place of use.

ITEM 8 - THE APPLICANT MUST PROVIDE – Pursuant to Designated Basin Rule 5.3.2.2 the applicant shall provide evidence that the applicant has given notice of the application by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of, and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located, unless the applicant is a political subdivision of the state of Colorado, special district, municipality, or quasi-municipal district that obtained the right to the underlying water by deed, assignment, or other written evidence of express or implied consent where, at the time of application, the overlying land is within the water service area of such entity. Evidence that the notice has been given is to be provided by submitting a Verification of Notice of Application form (form no. GWS-43), which is available for downloading on the Division of Water Resources website at dwr.colorado.gov

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1. APPLICANT INFORMATION			
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis			
Mailing Address 9060 Elbert Road	City Peyton	State Colorado	Zip Code 80831
Telephone Number (include area code) 719-471-1212	Email rwf@cowaterlaw.com		
2. AQUIFER: Larmie-Fox Hills		3. AMOUNT OF OVERLYING LAND: Acres 398.92	
4. OVERLYING LAND OWNERSHIP OR UNDERLYING WATER RIGHT OWNERSHIP DOCUMENTATION – A Nontributary Groundwater Landownership Statement (form GWS-1) or Nontributary Groundwater Consent Claim (form GWS-3A) that includes a description of the overlying land must be submitted as an attachment to the application.			
5. EXISTING WELLS – Are there any wells located on the overlying land? YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> If yes: 1) Provide a complete list of all wells located on the overlying land as an attachment to this application; and 2) For all wells producing from the subject aquifer indicate whether the well will continue to operate under its existing well permit or water right, or whether the well is to be re-permitted to withdraw the ground water being allocated by the Determination of Water Right.			
6. TYPE OF USE – Description of intended beneficial uses of the ground water Domestic, commercial, irrigation (indoor and outdoor), structure and equipment washing, fire suppression, and storage and replacement for such uses.			
7. PLACE OF USE – The intended place of use of the ground water shall be considered to be the overlying land area claimed and described in Items 3 and 4 above, unless an attachment provides a legal description of an additional and/or alternate place of use. Place of use is overlying land along with surrounding property as set forth in the place of use attachment			
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INSTRUCTIONS - APPLICATION FOR DETERMINATION OF WATER RIGHT

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ITEM 9 - SIGNATURE OF APPLICANT – The application must be signed. If the applicant is a company, corporation, organization, etc., the statement must be signed by responsible person in the company who must indicate his/her title. The application may be signed by the attorney who is acting on behalf of the applicant. An applicant's authorized agent may sign the application if a letter signed by the applicant is submitted with the application authorizing the person to act as agent for the specific purpose of applying for the determination of water right.

Additional information:

- **Applications for determinations of rights** within Designated Ground Water Basins are submitted to the Colorado Ground Water Commission and evaluated pursuant to Section 37-90-107(7), CRS, and Rule 5.3 of the Designated Basin Rules, 2 CCR 410-1.
- **An application for a land area that consists of noncontiguous areas** shall only be considered under a single application if it is possible that withdrawal of ground water from beneath the noncontiguous areas could occur in accordance with Rule 5.3.7.2 of the Designated Basin Rules.
- **If the application can be given favorable consideration** by the Commission, the application will be published in a newspaper in the county where the overlying land is located once each week for two successive weeks, followed by a 30-day objection period. The applicant is responsible for, and will be billed for, the actual cost of such publication.
- **If Commission approval of a replacement plan** is required to obtain well permits to withdraw ground water from the aquifer, a replacement plan must be obtained in accordance with Section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules. An application for replacement plan (form GWS-69) may be submitted concurrent with an application for determination of water right or any time after approval of a determination.
- **The Designated Basin Rules** are available for viewing and downloading on the Division of Water Resources website at dwr.colorado.gov
- This form may be reproduced by photocopying or computer means.

IF YOU HAVE ANY QUESTIONS - call the Division of Water Resources - Groundwater Information Desk - at 303-866-3587

Form no. **COLORADO GROUND WATER COMMISSION**
GWS-69 **DIVISION OF WATER RESOURCES**
(5-2019) **DEPARTMENT OF NATURAL RESOURCES**
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, dwr.colorado.gov, dwrpermitsonline@state.co.us

APPLICATION FOR A REPLACEMENT PLAN WITHIN A DESIGNATED GROUND WATER BASIN

NOTE: This application may only be used to request Ground Water Commission approval of a replacement plan within a Designated Ground Water Basin pursuant to Section 37-90-107.5, C.R.S. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Commission with a non-refundable \$100 filing fee. Type or print in black ink.

1. APPLICANT INFORMATION	
Name of Applicant Jane Davis Living Trust, Mickey Davis Jr., Tammy Ann Davis, Ricky Davis, Debbie Davis	
Mailing Address 9060 Elbert Road, Peyton, Colorado 80831	
Telephone Number (include area code) 719-471-1212	Email rwf@cowaterlaw.com
2. AQUIFER AND GENERAL DESCRIPTION OF THE LOCATION OF THE PLAN	
Aquifer in which the plan will operate: <u>Denver</u>	
County: <u>El Paso</u> Section <u>34 and 35</u> , Township <u>12</u> N <input checked="" type="checkbox"/> S Range <u>64</u> W	
3 THE FOLLOWING MUST BE PROVIDED AS ATTACHEMENTS TO THIS APPLICATION	
A. A report containing all information required to be submitted for a replacement plan as required by Designated Basin Rule 5.6.2 (Rule 5.6.2 is provided as an attachment to this form).	
B. If the replacement plan is for the purpose of allowing withdrawals of ground water from the Dawson, Denver, Arapahoe, or Laramie-Fox Hills aquifer pursuant to Section 37-90-107(7), C.R.S. and in accordance with Designated Basin Rule 5.3.6.2.C, indicate the subject aquifer, the approved determination of water right or pending application for such determination, and provide a table showing the first 100 years of annual depletions to affected alluvial aquifer(s) caused by proposed pumping during the first 100 years, and if pumping continues beyond 100 years the annual depletions to affected alluvial aquifer(s) until pumping ceases.	
4. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.	
Signature	Date:
Print name and title: Mickey Davis Jr. (individually and on behalf of Jane Davis Living Trust) , Tammy Davis, Ricky Davis, and Debbie Davis	
FOR OFFICE USE ONLY	
DIV _____ CO _____ WD _____ BASIN _____ MD _____	

INSTRUCTIONS - APPLICATION FOR A REPLACEMENT PLAN

ITEM 1 - APPLICANT INFORMATION - Provide the applicant's name, telephone number, mailing address and email where all correspondence will be sent.

ITEM 2 – AQUIFER AND GENERAL DESCRIPTION OF THE LOCATION OF THE PLAN – Identify the aquifer in which the plan will operate and the general location where water will be withdrawn and replacement water provided.

ITEM 3 – REQUIRED ATTACHEMENTS TO THIS APPLICATION

- A. - The report is typically prepared by an engineer and/or attorney.
 - Designated Basin Rule 5.6.1 states the applicant shall have the burden of proving the adequacy of the plan in all respects. Therefore, the applicant and/or the applicant's consultant should review all of Rule 5.6 to ensure the plan considers and addresses all requirements for approval and operation of a replacement plan, and that the plan is adequate to prevent any material injury to water rights of other appropriators and will not cause unreasonable impairment of water quality.
 - The Designated Basin Rules are available on the Ground Water Commission's webpage at: <http://dwr.colorado.gov/services/well-permitting#well-permitting-rules>
- B. Designated Basin Rule 5.3.6.2.C requires that the amount of replacement water shall provide for the depletion of alluvial water for the first 100 years due to all previous pumping and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.

Be advised:

- Section 37-90-107.5, C.R.S, requires the applicant to submit a summary of the application to the Commission for publication. Pursuant to Designated Basin Rule 5.6.2.N, the written summary of the application may be required to be provided in electronic form to facilitating publication of the application. The applicant will be contacted via email to provide the electronic form of the summary. If the Commission determines the application for replacement plan to be complete, the summary will be published in a newspaper in each county of concern (e.g. each county involving withdrawals, replacement water deliveries, etc.) once each week for two successive weeks, followed by a 30-day objection period. The applicant is responsible for, and will be billed for, the actual cost of such publication.
- Pursuant to Rule 5.6.2.I, if required by Commission Staff the applicant must submit a ground water model evidencing no material injury to vested rights or unreasonable impairment of water quality will result from operation of the plan.

ITEM 4 - SIGNATURE OF APPLICANT – The application must be signed. If the applicant is a company, corporation, organization, etc, the statement must be signed by an official of the company who must indicate his/her position or capacity that grants authorization to sign. An applicant's authorized agent or attorney may sign the application if a letter signed by the applicant is submitted with the application authorizing them to act as agent for the specific purpose of applying for a determination of water right.

IF YOU HAVE ANY QUESTIONS - call the Division of Water Resources - Ground Water Information Desk - at 303-866-3587

**APPLICATION FOR A REPLACEMENT PLAN -
DESIGNATED BASIN RULE 5.6.2 (page 1)**

5.6.2 Applications for Replacement Plans must contain the following.

- A. Name, mailing address, email address and telephone number of Applicant(s).
- B. Name of designated basin in which plan will be located, and management district, if any, and aquifer in which the plan will operate.
- C. Information regarding other water rights diverted from the structures involved in the plan.
- D. Maps (either USGS topographic base map or other base map as appropriate) showing the locations of all structures involved in the Replacement Plan, including all recharge wells, recharge ponds, and other structures involved in recharging Replacement Source Water, all structures involved in delivering the Replacement Source Water to the project location, and all structures involved in delivering the new diversions to the end use.
- E. A detailed description of the plan and its operation, including the following.
 - 1. A general description of the Replacement Plan project location.
 - 2. The purpose of the Replacement Plan.
 - 3. The detailed description of the physical and legal sources of all proposed Replacement Source Water. Identify the amount of water available for replacement use from each source and provide copies of all decrees, permits, findings and orders and determinations issued by the Ground Water Commission and Courts.
 - 4. The description of how the Replacement Source Water is delivered to the Replacement Plan project for recharge.
 - 5. The method, location, timing, and amount of Replacement Source Water being recharged into the aquifer including without limitation identification of the structures that will recharge the Replacement Source Water, such as by recharge through a well or through a pond.
 - 6. Based on Applicant's proposed Replacement Plan operations, the maximum volume of water proposed to be introduced into the aquifer in any day, month and year, as applicable.
 - 7. The detailed description of the method, location, timing and amount of proposed new diversions and depletions caused by the new appropriations of designated basin water, including without limitation identification of the structures that will divert, legal descriptions of their locations, and identification and copies of all decrees, permits, findings and orders and determinations issued by the Commission and Courts involving the structures.
 - 8. The proposed use of the new diversions.
 - 9. The proposed quantity and quality monitoring plan.
 - 10. The approximate cost of the Replacement Plan project and the approximate date construction will begin and end.

**APPLICATION FOR A REPLACEMENT PLAN -
DESIGNATED BASIN RULE 5.6.2 (page 2)**

- F. Evidence that the plan will not injure other water rights.
- G. Evidence that the plan does not cause unreasonable impairment of water quality. Such evidence shall include water quality for the Replacement Source Water and the water quality of the receiving aquifer unless 5.6.1.B.1.a applies.
- H. Proposed terms and conditions required to prevent injury to other water rights, and prevent unreasonable impairment of water quality.
- I. If required by Commission Staff, the Applicant shall submit a ground water model evidencing no material injury to vested rights or unreasonable impairment of water quality will result from operation of the plan.
- J. A detailed description of the proposed use of the new appropriation of designated ground water which would result under the plan, including where the use will occur.
- K. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which structures that withdraw water and recharge replacement water involved in the plan are located. The Applicant must notify these owners that the Applicant is applying for this Replacement Plan, and provide proof to the Commission that the Applicant has done so, no later than 14 days after filing the application. Applicant may rely on the records maintained by the applicable County, including records available online, to determine the owner(s) or reputed owner(s), unless Applicant has actual knowledge or information of others not identified in said records.
- L. If proposed Replacement Source Water is not legally available for use in the Replacement Plan at the time the application is submitted, the Applicant must identify any applications it has or is submitting or actions it has or is taking to make the source legally available.
- M. Applicant must provide information demonstrating the Applicant's right to use all proposed Replacement Source Water and that the Replacement Source Water will not be used by any other person.
- N. A summary of the application for publication. If required by the Commission, the summary must be submitted in an electronic form that can be provided to the newspaper in which publication occurs.

EXHIBIT A

Davis Ranch
Replacement Plan



PROPERTY DESCRIPTION

TWO PARCELS OF LAND BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 33 AND A PORTION OF SECTION 34, BOTH IN TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF EL PASO, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BASIS OF BEARINGS: THE SOUTH LINE OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN, BEING MONUMENTED AT THE WEST END BY A 3.25" ALUMINUM CAP STAMPED "LS 17496 1992" IN A RANGE BOX AND AT THE EAST END BY A 3.25" ALUMINUM CAP STAMPED "LS 17496 1992" IN A RANGE BOX, ASSUMED TO BEAR S89°59'23"E.

PARCEL 1:

BEGINNING AT THE SOUTHEAST CORNER OF SECTION 34, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE ON THE SOUTH LINE OF SAID SECTION 34, N89°59'23"W A DISTANCE OF 2,110.20 FEET;

THENCE DEPARTING SAID SOUTH LINE, N00°26'09"W A DISTANCE OF 1,316.09 FEET;

THENCE S89°57'13"W A DISTANCE OF 528.02 FEET;

THENCE S89°56'16"W A DISTANCE OF 2,615.89 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF STAPLETON DRIVE AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 215041135 AND 215041136 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER;

THENCE ON SAID EASTERLY RIGHT-OF-WAY LINE, ON THE ARC OF A CURVE TO THE LEFT WHOSE CENTER BEARS S84°58'34"W, HAVING A RADIUS OF 1,555.00 FEET, A CENTRAL ANGLE OF 25°36'01" AND AN ARC LENGTH OF 694.79 FEET, TO A POINT OF NON-TANGENT;

THENCE DEPARTING SAID EASTERLY RIGHT-OF-WAY LINE, S89°58'45"E A DISTANCE OF 194.82 FEET;

THENCE N89°51'55"E A DISTANCE OF 1,969.50 FEET;

THENCE N00°23'27"W A DISTANCE OF 658.47 FEET;

THENCE N00°28'50"W A DISTANCE OF 1,312.87 FEET;

THENCE N00°30'33"W A DISTANCE OF 755.55 FEET;

THENCE N89°37'43"E A DISTANCE OF 657.85 FEET;

THENCE N00°25'03"W A DISTANCE OF 165.39 FEET;

THENCE N89°37'42"E A DISTANCE OF 1,316.67 FEET;

THENCE N00°29'40"W A DISTANCE OF 386.90 FEET, TO THE NORTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 34;

THENCE ON SAID NORTH LINE, N89°39'41"E A DISTANCE OF 1,318.81 FEET, TO THE NORTHEAST CORNER OF SAID SECTION 34

THENCE ON THE EAST LINE OF SAID NORTHEAST QUARTER, S00°29'00"E A DISTANCE OF 2,636.78 FEET, TO THE EAST QUARTER CORNER OF SAID SECTION 34;

THENCE ON THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 34, S00°28'37"E A DISTANCE OF 2,636.75 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 16,240,833 SQUARE FEET OR 372.8382 ACRES.

PARCEL 2:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 12 SOUTH, RANGE 64 WEST OF THE 6TH PRINCIPAL MERIDIAN;

THENCE N56°29'00"W A DISTANCE OF 90.43 FEET, TO THE NORTHERLY RIGHT-OF-WAY LINE OF JUDGE ORR ROAD AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 215041136 IN THE RECORDS OF THE EL PASO COUNTY CLERK AND RECORDER, AND THE POINT OF BEGINNING;

THENCE ON SAID NORTHERLY RIGHT-OF-WAY LINE, S89°56'57"W A DISTANCE OF 582.45 FEET, TO A POINT ON THE WEST LINE OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33;

THENCE ON SAID WEST LINE, N00°12'57"W A DISTANCE OF 1,262.86 FEET;

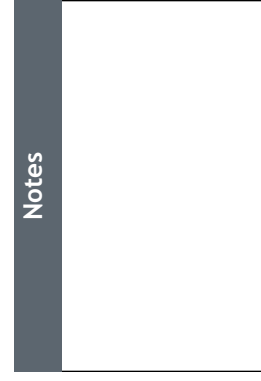
THENCE ON THE WEST LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, N00°12'57"W A DISTANCE OF 656.08 FEET, TO A POINT ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33;

THENCE ON SAID NORTH LINE, S89°58'45"E A DISTANCE OF 347.63 FEET, TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STAPLETON ROAD AS DESCRIBED IN THE DOCUMENT RECORDED UNDER RECEPTION NO. 215041136 AND A POINT OF NON-TANGENT CURVE;

THENCE ON SAID WESTERLY RIGHT-OF-WAY LINE, THE FOLLOWING SEVEN (7) COURSES:

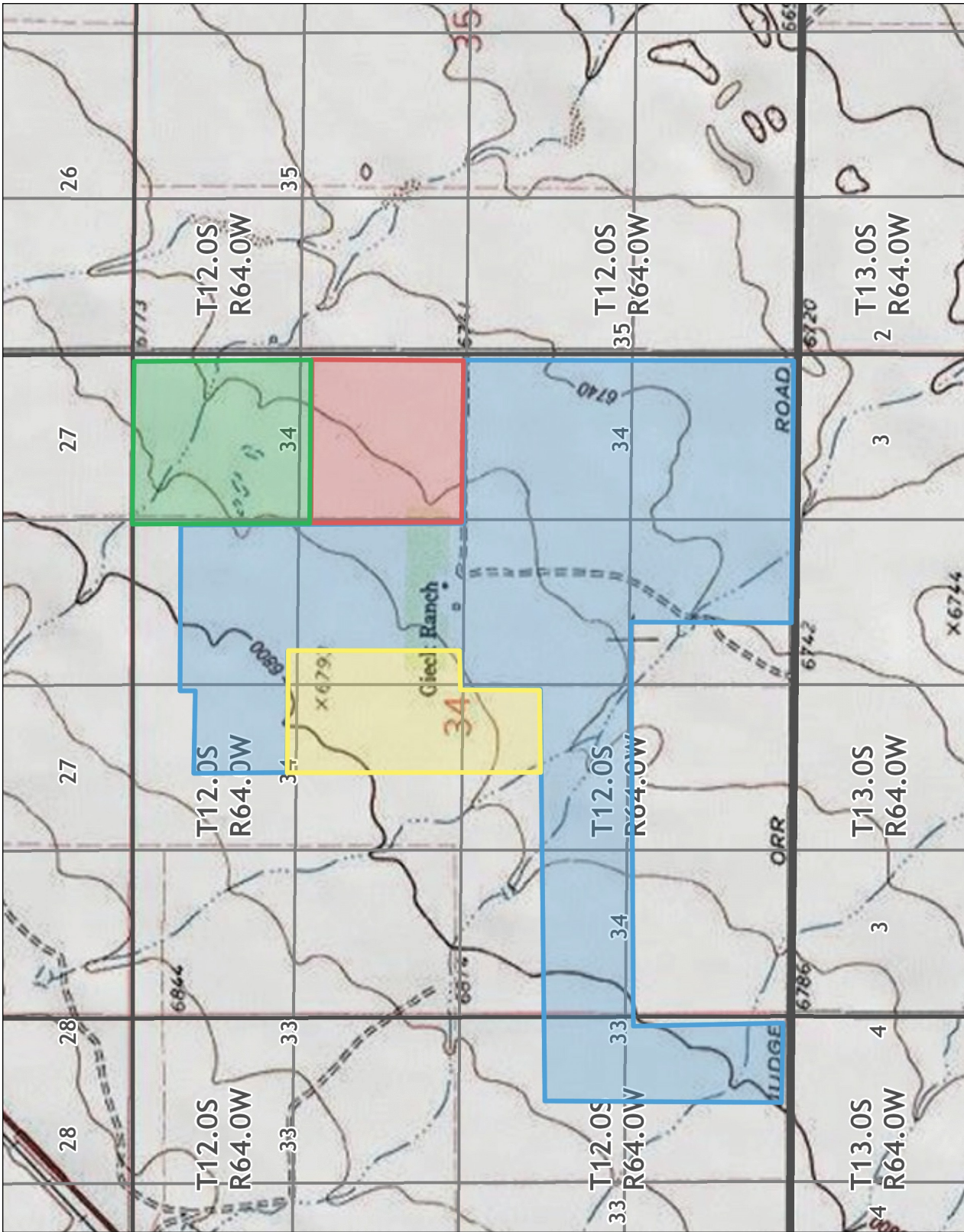
1. ON THE ARC OF A CURVE TO THE RIGHT WHOSE CENTER BEARS S57°00'47"W, HAVING A RADIUS OF 1,455.00 FEET, A CENTRAL ANGLE OF 32°50'36" AND AN ARC LENGTH OF 834.04 FEET, TO A POINT OF TANGENT;
2. S00°08'36"E A DISTANCE OF 421.95 FEET, TO A POINT OF CURVE;
3. ON THE ARC OF A CURVE TO THE LEFT, HAVING A RADIUS OF 1,555.00 FEET, A CENTRAL ANGLE OF 05°24'11" AND AN ARC LENGTH OF 146.64 FEET, TO A POINT OF TANGENT;
4. S05°32'47"E A DISTANCE OF 200.32 FEET, TO A POINT OF CURVE;
5. ON THE ARC OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 1,455.00 FEET, A CENTRAL ANGLE OF 05°12'20" AND AN ARC LENGTH OF 132.19 FEET, TO A POINT OF TANGENT;
6. S00°20'27"E A DISTANCE OF 201.65 FEET;
7. S44°45'51"W A DISTANCE OF 40.02 FEET, TO THE POINT OF BEGINNING.

CONTAINING A CALCULATED AREA OF 1,066,496 SQUARE FEET OR 24.4834 ACRES.



Date Prepared: 4/7/2023 10:06:05 AM

EXHIBIT B - Topo of Davis Ranch Ownership



Legend

Township

Section

Q40

County


Mickey and Tammy Davis

Jane Davis Living Trust

Rick and Debbie Davis

Ricky Davis

Location



Notes

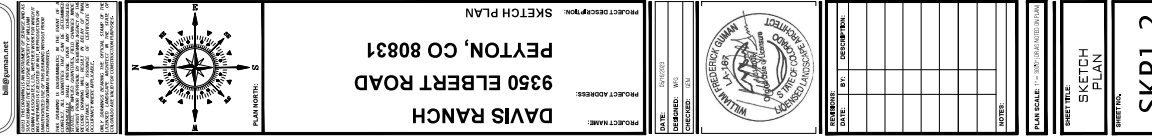
William Guman
 & Associates, Ltd.
LAWFIRM PLANNING | ESTATE PLANNING | RETIREMENT SERVICES

LAURENCE, ARIZONA

721 North Weber Street
Colorado Springs, CO 80905

(719) 633-8798

www.GumanLtd.com
bill@guman.net



1995

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8318	LLC	7685
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ad 8424

d CO 80908

SS 7927

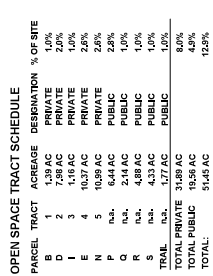
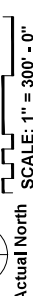
ad 6202

ace

CO 30906
S - 0440
043 - 3207

6

EL PASO COUNTY, COLORADO

[illegible]

Estimated Groundwater Volumes for Davis Ranch

Location: Section 34, Township 12 S, Range 64 W
Parcel Nos.: 4200000377, 4233000031, 4200000406, 4200000379, 4200000354, 4200000354
Address: 9050 Elbert Road, Peyton, CO, 80831
Well or Case Number: 328577-F Denver
Elevation: 6,786 Feet
Surface Area: 398.91 Acres
Number of residential lots: 92
Number of residential wells: 92
Number of commercial lots: 2
Number of commercial wells: 2
Designated Basin: Upper Black Squirrel
Management District: Upper Black Squirrel Management District

EXHIBIT D

Davis Ranch Replacement Plan

<i>Aquifer</i>	<i>Surface Area (Acres)</i>	<i>Net Sand (ft)</i>	<i>Avg. Specific Yield (%)</i>	<i>Total Approp. Volume (AF)</i>	<i>100-year Ann. Approp. (AF/yr)</i>	<i>300-year Ann. Approp. (AF/yr)</i>
Upper Dawson (NNT)	398.91	N/A	N/A	N/A	N/A	N/A
Denver (NNT)	398.91	199.90	17.00%	13556.16	135.56	45.19
Upper Arapahoe (NT)	398.91	217.50	17.00%	14749.70	147.50	49.17
Laramie-Fox Hills (NT)	398.91	208.70	15.00%	12487.88	124.88	41.63

Appendix B: Estimated Annual Water Use and Pumping Rates

Use	Constant	Unit
<u>RESIDENTIAL DEMAND</u>		
For residential 92 lots		
Domestic Indoor	0.260	AF/year
Irrigation ¹	0.161	AF/year
Stock Watering ²	0.022	AF/year
Total Well Demand	0.443	AF/year/lot

Note 1: Assume 2,850 ft² at 0.0566 AF/1,000 ft²

Note 2: Assume 2 horses at 0.011 AF/horse/year

Use	Constant	Unit
<u>COMMERCIAL DEMAND</u>		
For 2 Commercial Lots - Total		
Commercial Use ¹	4.230	AF/year
Irrigation ²	0.170	AF/year
Total Well Demand	4.400	AF/year/lot

Note 1: Assume 0.10 gpd/ft² (15% of 5.78 acres = 37,766.52 ft²)

Note 1: Assume 3,000 ft² at 0.0566 AF/1,000 ft²

Total Demand: 45.185 AF/year

Estimated Return Flows through Septic (domestic use only)

Percent of domestic: Indoor 90.00%
Volume return 25.335 AF/year - Denver

Table 3: NNT Formation in 4% area - Maximum Depletions - Section 34, Township 12 S, Range 64 W
Designated Basin_for use inside Upper Black Squirrel Basin

Not-Nontributary Aquifers - Upper Black Squirrel Basin - 9050 Elbert Road, Peyton, CO, 80831				
Pumping Interval	Designated Basin - MaximumTotal Depletions			Year of Max. Depletion
	Formation	Total Depl. (AF/yr)	Total Depl. (% of Pumping)	
300-year pumping period (All Designated Basins)	Denver (NNT)	1.8074	4.000%	300
300-year pumping period (Upper Black Squirrel Only)	Denver (NNT)	1.8074	4.000%	300

SUMMARY OF REPLACEMENT PLAN

Davis Ranch

Applicants seek a replacement plan for use of the not-nontributary Denver aquifer underlying a tract of land in El Paso County containing approximately 398.91 acres (“Applicants’ Property”), specifically described in the attached **Exhibit A**. Applicants’ Property is located within the Upper Black Squirrel Designated Ground Water Basin and the Upper Black Squirrel Creek Ground Water Management District. Applicants’ Property overlies Denver Basin groundwater in the Denver, Arapahoe, and Laramie-Fox Hills aquifers. Applicants property breakdown is shown on attached **Exhibit B**.

Applicants seek to construct up to ninety-two (92) residences on Applicants’ Property as part of a subdivision process, along with approximately 5.78 acres designated for commercial use, which is shown on the attached **Exhibit C** sketch plan. Applicant proposes for each individual residential lot to have its own Denver well with each pumping a maximum of 0.443 acre-feet of water annually per lot for a combined total of 40.756 acre-feet annually of pumping for residential uses, including, but not limited to domestic use within single family dwellings and irrigation for both landscape and limited crops (indoor and outdoor). 0.26 acre-feet per lot is presumed as the in-house usage amount with the remaining 0.183 acre-feet available for other uses, including irrigation and stock watering. All residential lots will have non-evaporative septic systems for waste disposal. 4.4 acre-feet of Denver water will be utilized for commercial purposes on 5.78 acres of the Applicants’ Property, with 4.23 acre-feet presumed to be used inside businesses with the remaining 0.17 for irrigation purposes. Such commercial use will be mixed use, including, but not limited to, retail, professional offices, and restaurants. All commercial facilities will discharge septic return flows to onsite non-evaporative septic systems in the same manner as the residential development.

Applicant’s consultants have determined that maximum annual depletions to be replaced from the pumping of the Denver aquifer in this location amount to the statutorily determined 4% of annual withdrawals. As such, the pumping of 48.185 acre-feet annually from the Denver aquifer results in a maximum depletion to be replaced of 1.8074 acre-feet. Replacements shall be made by means of non-evaporative septic return flows in the amount of 90% of diversions to indoor domestic and commercial uses. The total of 28.15 acre-feet is projected to be used within houses or businesses based on the estimate of 0.26 acre-feet per residential lot will be used in-house and 4.23 acre-feet will be used within businesses. Based on these amounts, the resulting septic return flows, being 90% of inside water use, amounts to 25.335 acre-feet annually for residences and commercial uses combined. Annual replacement of 25.335 acre-feet is more than sufficient to meet

the obligation of replacing 4% of pumping annually, or 1.8074 acre-feet. See attached **Exhibit D** spreadsheet of use.

The use of non-evaporative septic system return flows complies with Rule 5.6.1.B.1.b as an onsite wastewater treatment system and will not cause any unreasonable impairment or cause injury to others' water rights. The water quality in the Denver aquifer in this area is well established as being suitable for potable use with only in-house filtration for mineral deposits. There is a general acceptance of suitable and sufficient water quality for residences utilizing Denver Basin groundwater supplies. The well(s) and septic system(s) to be built will meet or exceed all regulatory requirements, including El Paso County permitting requirements. All water pumped from the well will be metered to ensure no water beyond that permitted is pumped, and Applicants will provide accounting of the pumping and use of such water as required by the Commission.

Applicants' project is for the platting of 92 residential lots and the creation of 5.78 acres of commercial development. The proposed cost of the Replacement Plan project amounts to \$4,414,000.00 with construction estimated to begin in the fall of 2023 with completion planned for fall of 2024.

Total annual replacement for the pumping of 45.185 annual acre-feet amounts to 25.335 acre-feet, or 56% of pumping, exceeding the maximum total depletions to be replaced of 1.8074 acre-feet, or 4% of pumping, over the 300-year life of the replacement plan.

Appendix D

***El Paso County Land Development Code
Water Quality Requirements and Results
Dawson Confined Aquifer
For Jane Davis Ranch Subdivision
Sampled April 3, 2023***

Compound	Units	MCL/SMCL	Result
Antimony	mg/l	0.006	0
Arsenic	mg/l	0.01	0
Barium	mg/l	2	0.0054
Beryllium	mg/l	0.004	0
Cadmium	mg/l	0.005	0
Chromium	mg/l	0.1	0
Cyanide (Total)	mg/l	0	0
Fluoride	mg/l	4	0.82
Mercury	mg/l	0.002	0
Nitrate as N	mg/l	10	0
Nitrite as N	mg/l	1	0
Selenium	mg/l	0.05	0
Thallium	mg/l	0.002	0
Aluminum	mg/l	0.05 - 0.2	0.052
Chloride	mg/l	250	3.8
Langelier Index			-1.83
Iron	mg/l	0.3	0.018
Manganese	mg/l	0.05	0.0206
pH		6.5 - 8.5	7.48
Silver	mg/l	0.1	0
Sulfate	mg/l	250	22.7
TDS	mg/l	500	197
Zinc	mg/l	5	0.008
Gross Alpha/Beta	pCi/l	15	2.3
Combined Radium 226+228	pCi/l	5	1
E.Coli	#/100 ml	Absent	Absent
Total Coliform	#/100 ml	Absent	Absent

Green = Result below MCL - Acceptable Water Quality

Analytical Results

TASK NO: 230404091

Report To: Stephanie Schwenke

Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Bill To: Stephanie Schwenke

Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Task No.: 230404091

Client PO:

Client Project: Davis Subdivision

Date Received: 4/4/23

Date Reported: 5/22/23

Matrix: Water - Drinking

Lab Number	Customer Sample ID	Sample Date/Time		Test	Result	Method	Date Analyzed
230404091-01A	Davis Well #1	4/3/23	1:15 PM	Total Coliform	Absent	SM 9223	4/5/23
				E-Coli	Absent	SM 9223	4/5/23

Abbreviations/ References:

Absent = Coliform Not Detected

Present = Coliform Detected - Chlorination Recommended

Date Analyzed = Date Test Completed

SM = "Standard Methods for the Examination of Water and Wastewater"; APHA; 19th Edition; 1995



DATA APPROVED FOR RELEASE BY

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313

Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

Analytical Results

TASK NO: 230404091

Report To: Stephanie Schwenke
Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Bill To: Stephanie Schwenke
Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Task No.: 230404091
Client PO:
Client Project: Davis Subdivision

Date Received: 4/4/23
Date Reported: 5/22/23
Matrix: Water - Drinking

Customer Sample ID Davis Well #1
Sample Date/Time: 4/3/23 1:15 PM
Lab Number: 230404091-01

Test	Result	Method	RL	Date Analyzed	QC Batch ID	Analyzed By
Bicarbonate	106.4 mg/L as CaCO ₃	SM 2320-B	0.2 mg/L as CaCO ₃	4/10/23	-	TAB
Calcium as CaCO ₃	2.8 mg/L	EPA 200.7	0.1 mg/L	4/6/23	-	MBN
Carbonate	ND	SM 2320-B	0.2 mg/L as CaCO ₃	4/10/23	-	TAB
Hydroxide	ND	SM 2320-B	0.2 mg/L as CaCO ₃	4/10/23	-	TAB
Langelier Index	-1.83 units	SM 2330-B	units	4/11/23	-	SAN
pH	7.48 units	SM 4500-H-B	0.01 units	4/4/23	-	TAB
Temperature	20 °C	SM 4500-H-B	1 °C	4/4/23	-	TAB
Total Alkalinity	106.4 mg/L as CaCO ₃	SM 2320-B	4.0 mg/L as CaCO ₃	4/10/23	QC64143	TAB
Total Dissolved Solids	197 mg/L	SM 2540-C	5 mg/L	4/6/23	QC64035	ISG

Abbreviations/ References:

RL = Reporting Limit = Minimum Level
mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 ml = Most Probable Number Index/ 100 ml
Date Analyzed = Date Test Completed

(d) RPD acceptable due to low duplicate and sample concentrations.
(s) Spike amount low relative to the sample amount.
ND = Not Detected at Reporting Limit.

Analytical QC Summary

TASK NO: 230404091

Report To: Stephanie Schwenke
Company: RESPEC Company, LLC

Receive Date: 4/4/23
Project Name: Davis Subdivision

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Total Alkalinity	QC64143	Blank	ND	SM 2320-B	4/10/23
Total Dissolved Solids	QC64035	Blank	ND	SM 2540-C	4/5/23

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Total Alkalinity	QC64143	Duplicate	0 - 20	-	0.7	SM 2320-B
		LCS	90 - 110	101.9	-	
		LCS-2	90 - 110	108.0	-	
Total Dissolved Solids	QC64035	Duplicate	0 - 20	-	10.5	SM 2540-C
		LCS	85 - 115	100.7	-	

All analyses were performed in accordance with approved methods under the latest revision to 40 CFR Part 136 unless otherwise identified. Based on my inquiry of the person or persons directly responsible for analyzing the wastewater samples and generating the report (s), the analyses, report, and information submitted are, to the best of my knowledge and belief, true, accurate, and complete.



DATA APPROVED FOR RELEASE BY

Abbreviations/ References:

RL = Reporting Limit = Minimum Level
mg/L = Milligrams Per Liter or PPM
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Date Analyzed = Date Test Completed

(d) RPD acceptable due to low duplicate and sample concentrations.
(s) Spike amount low relative to the sample amount.
ND = Not Detected at Reporting Limit.



Hazen Research, Inc.
4601 Indiana Street
Golden, CO 80403 USA
Tel: (303) 279-4501
Fax: (303) 278-1528

Customer ID: 20040H
Account ID: Z01034

Lab Control ID: 23H01589
Received: Apr 07, 2023
Reported: May 18, 2023
Purchase Order No.
None Received

Stuart Nielson
Colorado Analytical Laboratories, Inc.
10411 Heinz Way
Commerce City, CO 80640

ANALYTICAL REPORT

*Report may only be copied in its entirety.
Results reported herein relate only to discrete samples
submitted by the client. Hazen Research, Inc. does not warrant
that the results are representative of anything other than the
samples that were received in the laboratory*

By: Michelle Stringer for
Roxanne Sullivan
Analytical Laboratories Director



Hazen Research, Inc.
4601 Indiana Street
Golden, CO 80403 USA
Tel: (303) 279-4501
Fax: (303) 278-1528

Lab Control ID: 23H01589

Received: Apr 07, 2023

Reported: May 18, 2023

Purchase Order No.

None Received

Customer ID: 20040H
Account ID: Z01034
ANALYTICAL REPORT

Stuart Nielson
Colorado Analytical Laboratories, Inc.

Lab Sample ID			23H01589-001					
Customer Sample ID			230404091-01D - Davis Subdivision - Davis Well #1 sampled on 04/03/23 @ 1315					
Parameter	Units	Code	Result	Precision* +/-	Detection Limit	Method	Analysis Date / Time	Analyst
Gross Alpha	pCi/L	T	2.3	2.0	0.1	SM 7110 B	4/27/23 @ 0839	KT
Gross Beta	pCi/L	T	<2.9	2.2	2.9	SM 7110 B	4/27/23 @ 0839	KT
Radium-226	pCi/L	T	NR	-	-	SM 7500-Ra B	-	-
Radium-228	pCi/L	T	NR	-	-	EPA pg.19	-	-

NR - Not Requested - Analysis not requested on this sample.

Certification ID's: CO/EPA CO00008

*Variability of the radioactive decay process (counting error) at the 95% confidence level, 1.96 sigma.

Codes: (T) = Total (D) = Dissolved (S) = Suspended (R) = Replicate Sample (AR) = As Received < = Less Than



Hazen Research, Inc.
4601 Indiana Street
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Lab Control ID: 23H01589

Received: Apr 07, 2023

Reported: May 18, 2023

Purchase Order No.

None Received

Customer ID: 20040H

Account ID: Z01034

ANALYTICAL REPORT

Stuart Nielson

Colorado Analytical Laboratories, Inc.

Lab Sample ID			23H01589-002					
Customer Sample ID			230404091-01E - Davis Subdivision - Davis Well #1 sampled on 04/03/23 @ 1315					
Parameter	Units	Code	Result	Precision* +/-	Detection Limit	Method	Analysis Date / Time	Analyst
Gross Alpha	pCi/L	T	NR	-	-	SM 7110 B	-	-
Gross Beta	pCi/L	T	NR	-	-	SM 7110 B	-	-
Radium-226	pCi/L	T	0.2	0.2	0.2	SM 7500-Ra B	5/15/23 @ 1000	JR
Radium-228	pCi/L	T	0.8	0.9	0.2	EPA pg.19	4/26/23 @ 1406	JR

NR - Not Requested - Analysis not requested on this sample.

Certification ID's: CO/EPA CO00008

*Variability of the radioactive decay process (counting error) at the 95% confidence level, 1.96 sigma.

Codes: (T) = Total (D) = Dissolved (S) = Suspended (R) = Replicate Sample (AR) = As Received < = Less Than

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY

Date: 04/26/2023

Batch QC Summary Form

Analyte: Gross Alpha

Control Standard/LFB: ID: C11a-003 pCi/mL: 57.4 (use 1 diluted)

Spike Solution: ID: C11a-003 pCi/mL: 57.4 (use 1 mL)

Spike Recovery Calculation: Sample: Tap*

$$\text{Calculation: } \frac{(48.3) - (1.000)}{57.4} - \frac{(0.0) - (0.200)}{57.4} \times 100 = 84\%$$

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 30 %	X		
Spike Recovery	70 - 130 %	x		
Blank	< or = 3 x Uncertainty	X		
Duplicate 1	95% confidence interval overlap	X		
Duplicate 2 *	95% confidence interval overlap	X		

* Required for batch size greater than 10 samples.

Conclusions:

 x Batch QC Passes**
 Batch QC Fails
 Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluated in this report.

Batch Listing by Lab Control Number:

<u>23H01568</u>	<u>23H01594</u>
<u>23H01569</u>	<u>23H01595</u>
<u>23H01570</u>	<u>23H01596</u>
<u>23H01572</u>	<u>23H01597</u>
<u>23H01576</u>	_____
<u>23H01579</u>	_____
<u>23H01589</u>	_____
<u>23H01590</u>	_____
<u>23H01591</u>	_____

Evaluator:

Michelle Stringer _____

05/01/2023

Date

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY

Date: 04/26/2023

Batch QC Summary Form

Analyte: Gross Beta

Control Standard/LFB: ID: C11a-003 pCi/mL: 44 (use 1 diluted)

Spike Solution: ID: C11a-003 pCi/mL: 44 (use 1 mL)

Spike Recovery Calculation: Sample: Tap*

$$\text{Calculation: } \frac{(38.4) (1.000) - (0.0) (0.200)}{44} \times 100 = 87\%$$

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 20 %	x		
Spike Recovery	80 - 120 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap	x		

* Required for batch size greater than 10 samples.

Conclusions:

 x Batch QC Passes**
 Batch QC Fails
 Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluated in this report.

Batch Listing by Lab Control Number:

23H01568	23H01594
23H01569	23H01595
23H01570	23H01596
23H01572	23H01597
23H01576	_____
23H01579	_____
23H01589	_____
23H01590	_____
23H01591	_____

Evaluator:

Michelle Stringer _____

05/01/2023

Date

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY

Date: 05/15/2023

Batch QC Summary Form

Analyte: Radium-226

Control Standard/LFB: ID: C1-002 pCi/mL: 23 (use 2 diluted)

Spike Solution: ID: C1-002 pCi/mL: 23 (use 2 mL)

Spike Recovery Calculation: Sample: 23H01608-2d

$$\text{Calculation: } \frac{(48.7) - (1.000)}{46} \times 100 = 102\%$$

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 20 %	x		
Spike Recovery	80 - 120 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap			x

* Required for batch size greater than 10 samples.

Conclusions:

 x Batch QC Passes**
 Batch QC Fails
 Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluated in this report.

Batch Listing by Lab Control Number:

23H01589	_____
23H01590	_____
23H01593	_____
23H01594	_____
23H01595	_____
23H01596	_____
23H01607	_____
23H01608	_____
_____	_____
_____	_____

Evaluator:

Michelle Stringer _____

05/17/2023

Date

HAZEN RESEARCH, INC.
RADIOCHEMISTRY LABORATORY

Date: 04/26/2023

Batch QC Summary Form

Analyte: Radium-228

Control Standard/LFB: ID: C6-005 pCi/mL: 14.5 (use 5 diluted)

Spike Solution: ID: C6-005 pCi/mL: 14.5 (use 5 mL)

Spike Recovery Calculation: Sample: 23H01538-4b

$$\text{Calculation: } \frac{(75.3) (1.000) - (1.0) (1.000)}{72.5} \times 100 = 102\%$$

Batch QC Evaluation:

Parameter	Criteria	Pass	Fail	N/A
Control Std./LFB	+/- 20 %	x		
Spike Recovery	80 - 120 %	x		
Blank	< or = 3 x Uncertainty	x		
Duplicate 1	95% confidence interval overlap	x		
Duplicate 2 *	95% confidence interval overlap			x

* Required for batch size greater than 10 samples.

Conclusions:

 x Batch QC Passes**
 Batch QC Fails
 Batch QC Passes, with exceptions**:

Reruns Required: _____

Narrative:

**All QC data provided in this section of the report met the acceptance criteria specified in the analytical methods and procedures. State Maximum Contamination Levels (MCLs) are not evaluated in this report.

Batch Listing by Lab Control Number:

23H01538	_____
23H01572	_____
23H01576	_____
23H01573	_____
23H01589	_____
23H01583	_____
_____	_____
_____	_____
_____	_____
_____	_____

Evaluator:

Michelle Stringer _____

05/04/2023

Date



23401589

Ship To: Hazen Research

Preserved: Y (N)

HNO3 Lot #: N/A

Date Preserved: N/A

Report To Information Company Name: Colorado Analytical Laboratory Report To: Stuart Nielson E-Mail: stuartnielson@coloradolab.com	Bill To Information (if different from report to)	Project Name Davis Subdivision
Address: 10411 Heinz Way Commerce City, CO 80640 Phone: 303-669-2313	Address:	CAL TASK 230404091 EMN
		Compliance Samples: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Submit Data to CDPHE: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

Tests Requested

Sample Date/Time	Sample ID	Matrix													Container Type
4/3/23 1:15 PM	230404091-01D - Davis Well #1	Water - Drinking													1L - Unpreserved
4/3/23 1:15 PM	230404091-01E - Davis Well #1	Water - Drinking													4 - 1L - Unpreserved

Comment:

Radium 228 (Sub)
Gross Alpha/Beta (Sub)
Radium 226 (Sub)

Preservation N/A 4/8/23
Preservation N/A @ 1515 4/7/23

Relinquished by: (Signature) <i>Adam</i>	Date: 4/5/23	Received by: (Signature) <i>Joe Pridelle</i>	Date: 4/7/23
		Received by: (Signature)	Date: 4/7/23

Analytical Results

TASK NO: 230404091

Report To: Stephanie Schwenke
Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Bill To: Stephanie Schwenke
Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Task No.: 230404091
Client PO:
Client Project: Davis Subdivision

Date Received: 4/4/23
Date Reported: 5/22/23
Matrix: Water - Drinking

Customer Sample ID Davis Well #1
Sample Date/Time: 4/3/23 1:15 PM
Lab Number: 230404091-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
Chloride	3.8 mg/L	EPA 300.0	0.1 mg/L		4/5/23	QC64028	AMJ
Fluoride	0.82 mg/L	EPA 300.0	0.10 mg/L	4	4/5/23	QC64029	AMJ
Nitrate Nitrogen	ND	EPA 300.0	0.05 mg/L	10	4/5/23	QC64030	AMJ
Nitrite Nitrogen	ND	EPA 300.0	0.03 mg/L	1	4/5/23	QC64031	AMJ
Sulfate	22.7 mg/L	EPA 300.0	0.1 mg/L		4/5/23	QC64033	AMJ
Cyanide-Total	ND	EPA 335.4	0.005 mg/L	0.02	4/5/23	QC64056	DPL
Total							
Iron	0.018 mg/L	EPA 200.7	0.005 mg/L	0.3	4/6/23	QC64085	MBN
Aluminum	0.052 mg/L	EPA 200.8	0.001 mg/L	0.05	4/6/23	QC64091	MBN
Antimony	ND	EPA 200.8	0.0012 mg/L	0.006	4/6/23	QC64091	MBN
Arsenic	ND	EPA 200.8	0.0006 mg/L	0.01	4/6/23	QC64091	MBN
Barium	0.0054 mg/L	EPA 200.8	0.0007 mg/L	2	4/6/23	QC64091	MBN
Beryllium	ND	EPA 200.8	0.0001 mg/L	0.004	4/6/23	QC64091	MBN
Cadmium	ND	EPA 200.8	0.0001 mg/L	0.005	4/6/23	QC64091	MBN
Chromium	ND	EPA 200.8	0.0015 mg/L	0.1	4/6/23	QC64091	MBN
Copper	0.0173 mg/L	EPA 200.8	0.0008 mg/L	1.3	4/6/23	QC64091	MBN
Lead	0.0004 mg/L	EPA 200.8	0.0001 mg/L	0.015	4/6/23	QC64091	MBN
Manganese	0.0206 mg/L	EPA 200.8	0.0008 mg/L	0.05	4/6/23	QC64091	MBN
Mercury	ND	EPA 200.8	0.0001 mg/L	0.002	4/6/23	QC64091	MBN
Selenium	ND	EPA 200.8	0.0008 mg/L	0.05	4/6/23	QC64091	MBN
Silver	ND	EPA 200.8	0.0005 mg/L	0.1	4/6/23	QC64091	MBN

Abbreviations/ References:

RL = Reporting Limit = Minimum Level
mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 mls = Most Probable Number Index/ 100 mls
Date Analyzed = Date Test Completed

(d) RPD acceptable due to low duplicate and sample concentrations.
(s) The accuracy of the spike recovery value is reduced due to the analyte concentration in the sample being disproportionate to the spike level. The laboratory control sample recovery was acceptable

MCL = Maximum contaminant level per the EPA
ND = Not Detected at Reporting Limit.

Analytical Results

TASK NO: 230404091

Report To: Stephanie Schwenke

Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Bill To: Stephanie Schwenke

Company: RESPEC Company, LLC
5540 Tech Center Drive
Suite 100
Colorado Springs CO 80919

Task No.: 230404091

Client PO:

Client Project: Davis Subdivision

Date Received: 4/4/23

Date Reported: 5/22/23

Matrix: Water - Drinking

Customer Sample ID Davis Well #1

Sample Date/Time: 4/3/23 1:15 PM

Lab Number: 230404091-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
<i>Total</i>							
Thallium	ND	EPA 200.8	0.0002 mg/L	0.002	4/6/23	QC64091	MBN
Zinc	0.008 mg/L	EPA 200.8	0.001 mg/L	5	4/6/23	QC64091	MBN

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Date Analyzed = Date Test Completed

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MCL = Maximum contaminant level per the EPA

ND = Not Detected at Reporting Limit.

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313

Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

Analytical QC Summary

TASK NO: 230404091

Report To: Stephanie Schwenke
Company: RESPEC Company, LLC

Receive Date: 4/4/23
Project Name: Davis Subdivision

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Chloride	QC64028	Blank	ND	EPA 300.0	4/4/23
Cyanide-Total	QC64056	Blank	ND	EPA 335.4	4/5/23
Fluoride	QC64029	Blank	ND	EPA 300.0	4/4/23
Aluminum	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Antimony	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Arsenic	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Barium	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Beryllium	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Cadmium	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Chromium	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Copper	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Lead	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Manganese	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Mercury	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Selenium	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Silver	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Thallium	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Zinc	QC64091	Method Blank	ND	EPA 200.8	4/4/23
Iron	QC64085	Method Blank	ND	EPA 200.7	4/4/23
Nitrate Nitrogen	QC64030	Blank	ND	EPA 300.0	4/4/23
Nitrite Nitrogen	QC64031	Blank	ND	EPA 300.0	4/4/23
Sulfate	QC64033	Blank	ND	EPA 300.0	4/4/23

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Chloride	QC64028	Duplicate	0 - 20	-	0.4	EPA 300.0
		LCS	90 - 110	100.4	-	
		MS	75 - 125	104.2	-	
Cyanide-Total	QC64056	Duplicate	0 - 20	-	0.0	EPA 335.4
		LCS	90 - 110	94.0	-	
		MS	75 - 125	94.5	-	
Fluoride	QC64029	Duplicate	0 - 20	-	2.3	EPA 300.0
		LCS	90 - 110	91.9	-	
		MS	75 - 125	98.2	-	
Aluminum	QC64091	LCS	90 - 110	106.5	-	EPA 200.8
		MS	70 - 130	100.4	-	
		MSD	0 - 10	-	1.5	
Antimony	QC64091	LCS	90 - 110	107.6	-	EPA 200.8
		MS	70 - 130	117.5	-	
		MSD	0 - 10	-	1.4	
Arsenic	QC64091	LCS	90 - 110	103.0	-	EPA 200.8
		MS	70 - 130	123.9	-	

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Date Analyzed = Date Test Completed

(d) RPD acceptable due to low duplicate and sample concentrations.
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MCL = Maximum contaminant level per the EPA
ND = Not Detected at Reporting Limit.

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
		MSD	0 - 10	-	1.7	
Barium	QC64091	LCS	90 - 110	104.0	-	EPA 200.8
		MS	70 - 130	108.5	-	
		MSD	0 - 10	-	2.9	
Beryllium	QC64091	LCS	90 - 110	105.0	-	EPA 200.8
		MS	70 - 130	112.2	-	
		MSD	0 - 10	-	0.7	
Cadmium	QC64091	LCS	90 - 110	99.1	-	EPA 200.8
		MS	70 - 130	114.4	-	
		MSD	0 - 10	-	0.8	
Chromium	QC64091	LCS	90 - 110	103.1	-	EPA 200.8
		MS	70 - 130	111.8	-	
		MSD	0 - 10	-	0.9	
Copper	QC64091	LCS	90 - 110	102.7	-	EPA 200.8
		MS	70 - 130	108.6	-	
		MSD	0 - 10	-	0.5	
Lead	QC64091	LCS	90 - 110	101.8	-	EPA 200.8
		MS	70 - 130	102.9	-	
		MSD	0 - 10	-	0.6	
Manganese	QC64091	LCS	90 - 110	105.4	-	EPA 200.8
		MS	70 - 130	112.5	-	
		MSD	0 - 10	-	1.1	
Mercury	QC64091	LCS	90 - 110	98.4	-	EPA 200.8
		MS	70 - 130	115.8	-	
		MSD	0 - 10	-	3.6	
Selenium	QC64091	LCS	90 - 110	104.0	-	EPA 200.8
		MS	70 - 130	122.5	-	
		MSD	0 - 10	-	3.9	
Silver	QC64091	LCS	90 - 110	92.1	-	EPA 200.8
		MS	70 - 130	91.8	-	
		MSD	0 - 10	-	2.7	
Thallium	QC64091	LCS	90 - 110	109.8	-	EPA 200.8
		MS	70 - 130	113.5	-	
		MSD	0 - 10	-	0.9	
Zinc	QC64091	LCS	90 - 110	101.2	-	EPA 200.8
		MS	70 - 130	115.5	-	
		MSD	0 - 10	-	3.1	
Iron	QC64085	Duplicate	0 - 20	-	16.2	EPA 200.7
		LCS	90 - 110	98.4	-	
		MS	75 - 125	104.9	-	
Nitrate Nitrogen	QC64030	Duplicate	0 - 20	-	0.8	EPA 300.0
		LCS	90 - 110	101.0	-	
		MS	75 - 125	95.5	-	
Nitrite Nitrogen	QC64031	Duplicate	0 - 20	-	0.0	EPA 300.0
		LCS	90 - 110	92.8	-	
		MS	75 - 125	94.0	-	
Sulfate	QC64033	Duplicate	0 - 20	-	0.0	EPA 300.0
		LCS	90 - 110	101.4	-	
		MS	75 - 125	86.5	-	

Abbreviations/ References:

RL = Reporting Limit = Minimum Level
mg/L = Milligrams Per Liter or PPM
ug/L = Micrograms Per Liter or PPB
mpn/100 mls = Most Probable Number Index/ 100 mls
Date Analyzed = Date Test Completed

(d) RPD acceptable due to low duplicate and sample concentrations.
(s) The accuracy of the spike recovery value is reduced due to the analyte concentration in the sample being disproportionate to the spike level. The laboratory control sample recovery was acceptable

MCL = Maximum contaminant level per the EPA
ND = Not Detected at Reporting Limit.

All analyses were performed in accordance with approved methods under the latest revision to 40 CFR Part 136 unless otherwise identified. Based on my inquiry of the person or persons directly responsible for analyzing the wastewater samples and generating the report (s), the analyses, report, and information submitted are, to the best of my knowledge and belief, true, accurate, and complete.



DATA APPROVED FOR RELEASE BY

Abbreviations/ References:

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