

# **Goshawk Road Minor Subdivision**

## **WATER RESOURCES REPORT**

**For  
Goshawk Road  
Minor Subdivision**

**March 28, 2024**

**Prepared By:**



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

## **Executive Summary:**

### **Water Resources Report – Goshawk Road Minor Subdivision**

Chris D. Cummins and Paul Raymond of Monson, Cummins, Shoheit & Farr, LLC, on behalf of the Applicants, Chris and Amy Berisford, (“Owners”), provides the following Water Resources/Wastewater Disposal Report in support of the Goshawk Road Minor Subdivision. The undersigned has been practicing water law almost exclusively, for nearly 21 years, and has substantial experience with Denver Basin groundwater resources, augmentation plans, designated basin replacement plans, subdivision proceedings, and rural water usage, and therefore should be considered a “qualified professional” as concerns water resources, as discussed at Section 8.4.7(B)(1)(c) of the El Paso County Land Development Code. This Report, prepared in conjunction with other professionals, is intended to demonstrate to the El Paso County Planning Commission and the BoCC, the sufficiency in terms of quantity and dependability, of the water rights and resources to be utilized in the proposed Goshawk Road Minor Subdivision (the “Subdivision”), in El Paso County, Colorado.

The Property consists of approximately 20 acres located at the current street addresses of 0 E Goshawk Road, Colorado Springs, CO 80908, in the W $\frac{1}{2}$  NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 23, Township 11 South, Range 65 West of the 6<sup>th</sup> P.M. Each of the four lots in the Subdivision is to be provided water and sewer/septic services through an on-site individual well and Individual Septic Disposal Systems (“ISDS”). The four lots of the proposed minor subdivision are currently unimproved land, and are each approximately 5 acres in size.

It is expected that all four of the residential lots in the Subdivision will require an average of 1.561 annual acre-feet of water supply, for a total of 6.244 annual acre-feet being withdrawn from the Dawson aquifer annually, to be provided through four individual wells to the not-nontributary Dawson aquifer, consistent with the Findings and Order issued by the Colorado Ground Water Commission, Determination No. 4653-BD, on February 27, 2024 for the Dawson aquifer, and the related Replacement Plan Determination No. 4653-RP, dated February 27, 2024 (“Replacement Plan”). Such water supply demand is similar to other rural residential homes’ historical demand. The Determination No. 4653-BD and Replacement Plan provide for a 300-year water supply for all four lots within the Subdivision, with each lot utilizing an ISDS of a non-evaporative nature.

The water resources to be utilized on the residential lots in the Subdivision are typical of rural residential development in this area of El Paso County, Colorado. The Findings and Order for Determination No. 4653-BD and Replacement Plan 4653-RP issued by the Colorado Ground Water Commission, demonstrates a sufficient quantity and reliability of water to support compliance with El Paso County’s 300-year water supply rules for subdivisions of this nature.

## I. INTRODUCTION

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

1.1 New Development Description: The Subdivision consists of approximately 20 acres located at the current addresses of 0 E Goshawk Road, Colorado Springs, CO 80908. The Property will be subdivided into four total lots. **Exhibit A**, attached hereto, is the plan for the Subdivision as proposed, prepared by Danny Rodic, Professional Land Surveyor, Apex Land Surveying and Mapping, LLC.

## II. PROJECTION OF WATER NEEDS

2.1 Analysis of Water Demands: It is expected that the four residential lots in the Subdivision will utilize four individual wells (one well per lot) drilled to the Dawson aquifer for domestic-type uses, including in-house, landscape/irrigation of lawn and gardens, watering of domestic animals and stock, and fire protection. The well permits for the four lots have not yet been issued. It is anticipated that the residences on the lots will each utilize 0.26 acre-feet annually for in-house residential purposes in accordance with the El Paso County Land Development Code Section 8.4.7. All four lots may pump up to 1.561 annual acre-feet subject to the Replacement Plan. The proposed wells, to be permitted pursuant to the replacement plan, will be constructed to and will produce from the not-nontributary Dawson aquifer at a flow rate of 10 to 15 gallons per minute, based upon typical well production in the region.

There are no wells currently constructed on the property. Based on past experience with the numerous Dawson aquifer wells serving rural residential properties throughout El Paso County, this rate of production should be more than sufficient to meet demand for in-house use.

## III. PROPOSED WATER RIGHTS AND FACILITIES

3.1 Water Rights: The Colorado Ground Water Commission issued the Findings and Order for Determination No. 4653-BD for the Dawson aquifer underlying the Subdivision on February 27, 2024. A Replacement Plan utilizing water from the actual depletion area of the not-nontributary Dawson aquifer which underlies the Subdivision, was approved by the Colorado Ground Water Commission in its Findings and Order for Determination No. 4653-RP on February 27, 2024. A copy of the Replacement Plan is attached hereto as **Exhibit B**. A copy of the associated Determinations of Water Rights for the underlying Denver Basin groundwater in Determination Nos. 4652-BD (Denver), 4651-BD (Arapahoe), and 4650-BD (Laramie-Fox Hills), are collectively attached as **Exhibit C**, including the following specific quantities of water that will meet both legal and physical needs on a 300-year basis:

<b>AQUIFER</b>	<b>Saturated Thickness (ft)</b>	<b>Total Water Adjudicated (Acre Feet)</b>	<b>Annual Average Withdrawal – 100 Years (Acre Feet)</b>	<b>Annual Average Withdrawal – 300 Years (Acre Feet)</b>
Dawson (NNT– Actual)	475	1900	19	6.33
Denver (NT)	365	1240	12.4	4.13
Arapahoe (NT)	260	884	8.84	2.94
Laramie Fox Hills (NT)	185	555	5.55	1.85

All depletions are augmented in time, place and amount through septic return flows during pumping.

3.2 Source of Supply: Rural residential water supply demand will be met using four not-nontributary wells to be constructed to the Dawson aquifer. All four of the future wells will be constructed in the NNT actual depletion area, pursuant to the Replacement Plan. Consistent with El Paso County Land Development Code Section 8.4.7(B)(3)(c)(v), a minor subdivision utilizing individual wells need not make a further showing as to source of supply.

3.3 Pumping Rates for Service: The Dawson aquifer in the location of the Subdivision is generally known to produce approximately 10-15 gallons per minute, more than sufficient for single family residential and accessory uses.

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

4.1 Septic/Wastewater Loads: Septic projections are based on similar Denver Basin residential uses on rural residential lots. Average daily wastewater loads are expected to be approximately 160 gallons per day per single-family residence assuming Replacement Plan. Maximum daily wastewater loads are expected to be roughly 210 gallons per day per single-family residence based on the El Paso County Land Development Code residential demand standard of 0.26 acre-feet per year.

4.2 On-Site Wastewater Treatment Systems: The four residential lots within the Subdivision will be served by individual on-site wastewater treatment systems. The on-site wastewater treatment systems have and will be installed according to El Paso County Guidelines and properly maintained to prevent contamination of surface and subsurface water resources.

Respectfully submitted this 28<sup>th</sup> day of March, 2024.

MONSON, CUMMINS, SHOHET & FARR, LLC

*/s/ Chris D. Cummins*

Chris D. Cummins

Paul J. Raymond

Exhibits:

A – Plat of the Property

B – Replacement Plan

C – Determinations



April 26, 2024

Ryan Howser  
El Paso County – Planning and Community Development Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910

Dear Mr. Howser:

**RE: 4-Lot Development for Goshawk Subdivision located at 0 East Goshawk Road  
El Paso County Parcel #5123000026  
Finding of Sufficient Water Quality According to Section 8.4.7.B.10(a) of the Amended El  
Paso County Land Development Code (LDC-19-007)**



### **FINDING OF SUFFICIENT WATER QUALITY**

Chris and Amy Berisford own approximately 20 acres on the above-described property, located at 0 East Goshawk Road, Colorado Springs, CO, 80908 (EPC Receipt No.: 5123000026). The Berisford's intend to subdivide the 20 acres into four (4) lots through the El Paso County Land Development and Planning process. As part of the subdivision process the Berisford's (through the Berisford Group) have prepared a Water Resources report to support sufficient water quantity over a 300-year evaluation period. The water resources report supports sufficient quantity but no sufficient quality according to Section 8.4.7.B.10(a) of the Amended El Paso County Land Development Code. The Berisford Group subsequently reached out to RESPEC Company, LLC to complete water quality sufficiency sampling and analysis according to the aforementioned section of the Code and provide an engineering opinion of the analysis.

Section 8.4.7.B.10(a) in the Amended El Paso County Land Development Code (EPC-LDC) requires that the applicant obtain analyses results for twenty-one (21) Volatile Organic Chemical (VOC) Contaminants, twenty-nine (29) Synthetic Organic Chemical Contaminants (SOC), fourteen (14) Inorganic Chemicals, ten (10) Secondary Maximum Contaminants, indicators of bacteriological pathogens (i.e. E. coli), inorganic anions, and two (2) radionuclides. According to the proposed augmentation and replacement plan application, which is included in the Water Resources Report, the proposed four (4) lot subdivision will be supplied with water from the underlying not-nontributary Dawson formation, which is considered a confined Denver Basin Aquifer. Therefore, according to paragraph two (2) from Section 8.4.7.B.10(a) VOCs and SOCs are not required as part of the stipulated chemical analysis.

On April 3, 2024, representatives with RESPEC Company, LLC sampled the existing Dawson aquifer well located at 17420 Goshawk Road. The representative Dawson aquifer well is permitted under Permit # 317435-F and is located within 0.5 miles of the proposed subdivision. Well samples were taken on the 3<sup>rd</sup> and overnighted to Colorado Analytical Laboratories to meet specified holding times for certain constituents. Results from all chemical analyses were received by RESPEC Company, LLC via email on April 10 and April 25, 2024. Results were tabulated and compared vs. primary and secondary Maximum Contaminant Limits as established by the Colorado Department of Public Health and Environment's (CDPHE) latest drinking water standards. From the evaluation, none of the

5540 TECH CENTER DRIVE  
SUITE 100  
COLORADO SPRINGS, CO 80919  
719.227.0072

[respec.com](http://respec.com)

RS(COS)-W0265.23020.002  
MURR SUBDIVISION – WATER QUALITY SUFFICIENCY



constituents were found to exceed any established primary or secondary drinking water standards. (Please see tabulated results and associated analytical results from Colorado Analytical Laboratories in the enclosure.)

After reviewing the analytical results, RESPEC Company, LLC does not find cause for concern in utilizing the underlying Dawson Aquifer for public consumption or irrigation uses within the proposed subdivision and finds that the Dawson Aquifer raw water source is in compliance with established Colorado Drinking Water Standards.

Should the El Paso County Planning and Development Department have any additional comments, questions, or concerns please do not hesitate to contact Douglas E. Schwenke, P.E. with RESPEC Company, LLC at 719-402-0009 Ext. 1447 or at Douglas.Schwenke@respec.com.

Sincerely,

*Douglas E Schwenke*

Douglas E. Schwenke, P.E.  
Principal Engineer

DES

Enclosure: DWR Permit No. 317435-F  
Tabulated Water Quality Sufficiency Results from April 3, 2024 Sample Trip to 17420 Goshawk Road  
Analytical Results from Colorado Analytical, Task No.: 240403004 – Total Coliform and E.coli  
Analytical Results from Colorado Analytical, Task No.: 240403004 – Langoliers Index  
Analytical Results from Colorado Analytical, Task No.: 240403004 – MCL Results  
Analytical Report from Haxen, Task No.: 240403024-01 – Radiologicals

cc: Project Central File: W0265.23020.002 — Category: External Letter



**ORIGINAL PERMIT APPLICANT(S)**

CHRIS BERISFORD

**APPROVED WELL LOCATION**

Water Division: 1      Water District: 1  
 Designated Basin:      KIOWA-BIJOU  
 Management District: N/A  
 County:                      EL PASO  
 Parcel Name:                N/A  
 Physical Address:        17240 W GOSHAWK RD COLORADO  
                                          SPRINGS, CO 80908

NW 1/4 NW 1/4 Section 23 Township 11.0 S Range 65.0 W Sixth P.M.

**UTM COORDINATES (Meters, Zone:13, NAD83)**

Easting:      531074.0      Northing:      4326061.0

**PERMIT TO CONSTRUCT A NEW WELL**

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT  
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-105 for a well on a tract of land of 20 acres described as the S1/2 of the NW1/4 of the NW1/4 of Section 23, Township 11 South, Range 65 West of the Sixth P.M., El Paso County.
- 4) Water from this well may be used for domestic purposes inside 1 single family dwelling, and the watering of the owner's own large non-commercial domestic animals.
- 5) The irrigated area shall not exceed 1 acre of lawn and garden.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 1 acre-foot.
- 8) The total depth of the well shall not exceed 1105 feet, which corresponds to the base of the Dawson aquifer. At a minimum, plain casing shall be installed and grouted through all unconsolidated materials and shall extend a minimum of ten feet into the bedrock formation to prevent production from other zones.
- 9) This well shall be constructed within 200 feet of the location specified on this permit.

NOTE: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

NOTE: At the proposed well location, the Dawson aquifer is located at or near the ground surface and extends to a depth of approximately 1105 feet. Wells completed in the Dawson aquifer must be constructed in accordance with Well Construction Rule 10.4.6 (2 CCR 402-2) for a Type II aquifer.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. An extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: <http://www.water.state.co.us>

Issued By      SHANNON PORTER

Date Issued:      5/26/2020

Expiration Date: 5/26/2022



**RCVD DWR**  
**04/02/2020**

**RESIDENTIAL** Note: Also use this form to apply for livestock watering  
**Water Well Permit Application**  
 Review form instructions prior to completing form.  
 Hand completed forms must be completed in black or blue ink or typed.

**1. Applicant Information**

Name(s)  
Chris Berisford

Mailing address  
10792 Torreys Peak Way

City State Zip code  
Peyton CO 80831

Telephone (w/area code) E-mail  
719-331-3414 chris@berisfordgroup.com

**2. Type Of Application (check applicable boxes)**

Construct new well  Change source (aquifer)  
 Replace existing well  Reapplication (expired permit)  
 Use existing well  Rooftop precip. collection  
 Change or increase use  Other:

**3. Refer To (if applicable)**

Well permit # \_\_\_\_\_ Water Court case # \_\_\_\_\_

Designated Basin Determination # \_\_\_\_\_ Well name or # \_\_\_\_\_

**4. Location Of Proposed Well (Important! See Instructions)**

County El Paso NW 1/4 of the NW 1/4

Section Township N or S Range E or W Principal Meridian  
23 11  N  S 15  E  W Sixth

Distance of well from section lines (section lines are typically not property lines)  
 Ft. from  N  S Ft. from  E  W

For replacement wells only – distance and direction from old well to new well  
 feet Direction

Well location address (Include City, State, Zip)  Check if well address is same as in Item 1.  
17240 W Goshawk Rd Colo Spgs 80908

Optional: GPS well location information in UTM format. GPS unit settings are as follows:  
 Format must be UTM  
 Zone 12 or  Zone 13  
 Units must be Meters  
 Datum must be NAD83  
 Unit must be set to true north  
 Was GPS unit checked for above?  YES

Easting: 531074  
 Northing: 4326061  
 Remember to set Datum to NAD83

**5. Parcel On Which Well Will Be Located**  
 (You must attach a current deed for the subject parcel)

A. You must check and complete *one* of the following:  
 Subdivision: Name \_\_\_\_\_  
 Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing/Unit \_\_\_\_\_  
 County exemption (attach copy of county approval & survey)  
 Name/# \_\_\_\_\_ Lot # \_\_\_\_\_  
 Parcel less than 35 acres, not in a subdivision attach a deed with metes & bounds description recorded prior to June 1, 1972, and current deed  
 Mining claim (attach copy of deed or survey) Name/#: \_\_\_\_\_  
 Square 40 acre parcel as described in Item 4  
 Parcel of 35 or more acres (attach metes & bounds description or survey)  
 Other: (attach metes & bounds description or survey)

B. # of acres in parcel 20 C. Are you the owner of this parcel?  
 YES  NO

D. Will this be the only well on this parcel?  YES  NO (if no – list other wells)

E. State Parcel ID# (optional): 5123000029

**6. Use Of Well (check applicable boxes)**

See instructions to determine use(s) for which you may qualify

A. Ordinary household use in one single-family dwelling (no outside use)

B. Ordinary household use in 1 to 3 single-family dwellings:  
 Number of dwellings: 1

Home garden/lawn irrigation, not to exceed one acre:  
 area irrigated 1 sq. ft.  acre

Domestic animal watering – (non-commercial)

C. Livestock watering (on farm/ranch/range/pasture)

**7. Well Data (proposed)**

Maximum pumping rate 15 gpm Annual amount to be withdrawn 1 acre-feet

Total depth 360 feet Aquifer Dawson

**8. Water Supplier**

Is this parcel within boundaries of a water service area?  YES  NO  
 If yes, provide name of supplier:

**9. Type Of Sewage System**

Septic tank / absorption leach field  
 Central system: District name: \_\_\_\_\_  
 Vault: Location sewage to be hauled to: \_\_\_\_\_  
 Other (explain) \_\_\_\_\_

**10. Proposed Well Driller License #(optional): 1148**

**11. Sign or Enter Name of Applicant(s) or Authorized Agent**  
 The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign or enter name(s) of person(s) submitting application Date (mm/dd/yyyy)  
Chris Berisford 04/01/2020

If signing print name and title  
 Chris Berisford

**Office Use Only**

USGS map name \_\_\_\_\_ DWR map no. \_\_\_\_\_ Surface elev. \_\_\_\_\_

Receipt area only

**10002771**

AQUAMAP  
 WE  
 WR  
 CWCB  
 TOPO  
 MYLAR  
 SB5

DIV 1 WD 1 BA 2 MD \_\_\_\_\_

WARRANTY DEED

THIS DEED, made this 29th day of June, 2018, between Jerry M. Barucky and Lily A. Barucky of the County of El Paso and State of Colorado, grantor(s), and Christopher R. Berisford and Amy M. Berisford

whose legal address is 10792 Torreys Peak Way, Peyton, CO 80831 of the County of El Paso and State of Colorado, grantees:

WITNESS, that the grantor(s), for and in consideration of the sum of THREE HUNDRED FORTY FIVE THOUSAND AND 00/100 DOLLARS (\$345,000.00), the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantees, their heirs and assigns forever, JOINT TENANTS, all the real property, together with improvements, if any, situate, lying and being in the County of El Paso and State of Colorado, described as follows:

The South half of the Northwest quarter of the Northwest quarter of Section 23, Township 11 South, Range 65 West of the 6th P.M., County of El Paso, State of Colorado, together with a non exclusive easement for ingress and egress as set forth in instrument recorded in Book 2356 at Page 170 and instrument recorded in Book 2385 at Page 20.

also known by street and number as: 0 Goshawk Road, Colorado Springs, CO 80908

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. The grantor(s), for himself, his heirs, and personal representatives, does covenant, grant, bargain and agree to and with the grantees, their heirs and assigns, that at the time of the ensembling and delivery of these presents, he is well seized of the premises above conveyed, has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except general taxes for the current year and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any.

The grantor(s) shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons lawfully claiming the whole or any part thereof.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

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

Jerry M. Barucky
Jerry M. Barucky

Lily A. Barucky
Lily A. Barucky

State of TEXAS

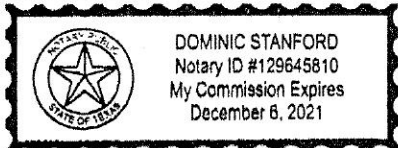
County Of GUADALUPE

}
} ss.

The foregoing instrument was acknowledged before me this June 26, 2018, by Jerry M. Barucky and Lily A. Barucky

My Commission expires: 12/06/2021

Witness my hand and official seal.



[Signature]
Notary Public

Doc Fee: \$34.50
Buyers Forwarding Address for Recorded documents is:
Borrower Address



EL PASO COUNTY, COLORADO  
**Office of the County Assessor**  
**Steve Schleiker**



May 21, 2020

To: Whom it may concern

Re: 17240 W Goshawk Road

The original 80-acre parcel (N2NW4) was owned by Verne P Collier

- A 20-acre parcel was conveyed to Clifford, Mary, Marilyn, & Eugene Semmens March 2, 1971 Book 2471 Page 281. This parcel would be just north of your property (N2NW4NW4)
- A 40-acre parcel was conveyed to Francis & Marjorie Meade December 21, 1971 Book 2456 Page 641. This parcel would be just east of your property (NE4NW4)
- A 20-acre parcel was then conveyed to Jerry & Lily Barucky August 10, 1972 Book 2513 Page 526. This is the 20-acre parcel (S2NW4NW4) currently known as 17240 W Goshawk Road.

So, an "actual" deed for the property at 17240 W Goshawk Road was not recorded until 1972. However, that property was created by the adjoining conveyances prior to that date. The 17240 W Goshawk Road 20-acre parcel was merely the last parcel conveyed from the original 80-acre parcel.

A handwritten signature in blue ink that reads "Rick Van Dyke".

**Rick Van Dyke**

**GIS Manager**

**El Paso County Assessor's office**

**(719) 520-6523**

**[rickvandyke@elpasoco.com](mailto:rickvandyke@elpasoco.com)**

1675 West Garden of the Gods Road, Suite 2300

Colorado Springs, CO 80907

Phone: (719) 520-6600 Fax: (719) 520-6635

Internet: [assessor.elpasoco.com](http://assessor.elpasoco.com) E-mail: [ASRWEB@elpasoco.com](mailto:ASRWEB@elpasoco.com)

Twitter: @EPC\_Assessor



STATE OF  
COLORADO

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

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## Well Permit Application, rcpt. 10002771

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Chris Berisford <chris@berisfordgroup.com>  
To: "Porter - DNR, Shannon" <shannon.porter@state.co.us>

Fri, May 15, 2020 at 10:58 AM

Hi Shannon,

Hope you're safe and healthy. I've been tracking down the requested info, a bit trickier with our current situation. Here is the response I received from the assessors office:

---

"Chris

*The original 80 acre parcel (N2NW4) was owned by Verne P Collier*

- *A 20 acre parcel was conveyed to Clifford, Mary, Marilyn , & Eugene Semmens March 2, 1971 Book 2471 Page 281. This parcel would be just north of your property (N2NW4NW4)*
- *A 40 acre parcel was conveyed to Francis & Marjorie Meade December 21, 1971 Book 2456 Page 641. This parcel would be just east of your property (NE4NW4)*
- *A 20 acre parcel was then conveyed to Jerry & Lily Barucky August 10, 1972 Book 2513 Page 526. This is your 20 acre parcel (S2NW4NW4)*

*Your property was created by the adjoining conveyances prior to that date. Your 20 acre parcel was merely the last parcel conveyed from the original 80 acre parcel.*

***Rick Van Dyke***

***GIS Manager***

***El Paso County Assessor's office***

***(719) 520-6523***

***rickvandyke@elpasoco.com***

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I've asked them to provide a letter stating it was a 'leftover' lot from the sale of the other parcels. Is this the correct path to pursue? If so, is there a specific format or info you need in the letter. If this isn't the best path forward can you make any other recommendations based on the info provided above?

Thank you!

Chris

Chris Berisford

*The Berisford Group*

*Keller Williams Premier Realty*

Direct: **719.331.3414**

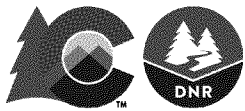
5/15/2020

State.co.us Executive Branch Mail - Well Permit Application, rcpt. 10002771

[chris@berisfordgroup.com](mailto:chris@berisfordgroup.com)

[www.ExploreSpringsHomes.com](http://www.ExploreSpringsHomes.com)

[Quoted text hidden]



**Bedrock Aquifer Evaluation Determination Tool**  
**Denver Basin Aquifer - Specific Location Determination Tool**

Applicant: BERISFORD, CHRIS      Receipt Number: 10002771  
 Location: NW 1/4 of NW 1/4 of Sec. 23, T.11S, R.65W. (935 NSL, 1014 WSL)      Evaluated By: PORTER, SHANNON  
 Basin Designation: Location is within the KIOWA-BIJOU Designated Groundwater Basin  
 Ground Surface Elevation: 7505.80      Number of Acres: 20.00

Aquifer	Elevation (ft)		Net Sand	Depth (ft)		Annual Approp. (AF)	Status
	Bottom	Top		Bottom	Top		
Upper Dawson	6403	7356	477.0	1103	150	19.08	NNT
Lower Dawson	--	--	--	--	--	--	--
Denver	5540	6367	376.0	1966	1139	12.78	NT
Upper Arapahoe	5001	5505	261.6	2505	2001	8.89	NT
Lower Arapahoe	--	--	--	--	--	--	--
Laramie-Fox Hills	4372	4694	186.1	3134	2812	5.58	NT



**ORIGINAL PERMIT APPLICANT(S)**

CHRIS BERISFORD

**APPROVED WELL LOCATION**

Water Division: 1      Water District: 1  
 Designated Basin:      KIOWA-BIJOU  
 Management District:      N/A  
 County:      EL PASO  
 Parcel Name:      N/A  
 Physical Address:      17240 W GOSHAWK RD COLORADO  
                                                  SPRINGS, CO 80908  
 NW 1/4 NW 1/4 Section 23 Township 11.0 S Range 65.0 W Sixth P.M.

**UTM COORDINATES (Meters, Zone: 13, NAD83)**

Easting:      531074.0      Northing:      4326061.0

**PERMIT TO CONSTRUCT A NEW WELL**

**ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT**  
**CONDITIONS OF APPROVAL**

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-105 for a well on a tract of land of 20 acres described as the S1/2 of the NW1/4 of the NW1/4 of Section 23, Township 11 South, Range 65 West of the Sixth P.M., El Paso County.
- 4) Water from this well may be used for domestic purposes inside 1 single family dwelling, and the watering of the owner's own large non-commercial domestic animals.
- 5) The irrigated area shall not exceed 1 acre of lawn and garden.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 1 acre-foot.
- 8) The total depth of the well shall not exceed 1105 feet, which corresponds to the base of the Dawson aquifer. At a minimum, plain casing shall be installed and grouted through all unconsolidated materials and shall extend a minimum of ten feet into the bedrock formation to prevent production from other zones.
- 9) This well shall be constructed within 200 feet of the location specified on this permit.

NOTE: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

NOTE: At the proposed well location, the Dawson aquifer is located at or near the ground surface and extends to a depth of approximately 1105 feet. Wells completed in the Dawson aquifer must be constructed in accordance with Well Construction Rule 10.4.6 (2 CCR 402-2) for a Type II aquifer.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. An extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: <http://www.water.state.co.us>

Date Issued: 5/26/2020

Expiration Date: 5/26/2022

Issued By SHANNON PORTER

<b>Form No.</b> <b>GWS-31</b> <b>9/2016</b>	<b>WELL CONSTRUCTION AND YIELD ESTIMATE REPORT</b> State of Colorado, Office of the State Engineer 1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581 <a href="http://www.water.state.co.us">www.water.state.co.us</a> and <a href="mailto:dwrpermitsonline@state.co.us">dwrpermitsonline@state.co.us</a>	For Office Use Only																																																																										
<b>1. Well Permit Number:</b> 317435 <b>Receipt Number:</b> 10002771																																																																												
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<b>6. Legal Well Location:</b> NW 1/4, NW 1/4, Sec., 23 Twp. 11 <input type="checkbox"/> N or S <input checked="" type="checkbox"/> , Range 65 <input type="checkbox"/> E or W <input checked="" type="checkbox"/> , 6th P.M. Distances from Section Lines: _____ ft. from <input type="checkbox"/> N or S <input type="checkbox"/> section line, and _____ ft. from <input type="checkbox"/> E or W <input type="checkbox"/> section line Subdivision: _____, Lot _____, Block _____, Filing (Unit) _____																																																																												
<b>7. Ground Surface Elevation:</b> _____ feet <b>Date Completed:</b> 06/02/2020 <b>Drilling Method:</b> Air Rotary																																																																												
<b>8. Completed Aquifer Name :</b> Dawson <b>Total Depth:</b> 360 feet <b>Depth Completed:</b> 360 feet																																																																												
<b>9. Advance Notification:</b> Was Notification Required Prior to Construction? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No,    Date Notification Given: _____																																																																												
<b>10. Aquifer Type:</b> <input type="checkbox"/> Type I (One Confining Layer) <input type="checkbox"/> Type I (Multiple Confining Layers) <input type="checkbox"/> Laramie-Fox Hills (Check one) <input checked="" type="checkbox"/> Type II (Not overlain by Type III) <input type="checkbox"/> Type II (Overlain by Type III) <input type="checkbox"/> Type III (alluvial/colluvial)																																																																												
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<b>18. Well Yield Estimate Data:</b> <input type="checkbox"/> Check box if Test Data is submitted on Form Number GWS-39, Well Yield Test Report Well Yield Estimate Method: <u>Bailed</u>																																																																												
Static Level: <u>125</u> Date/Time measured: <u>06/02/2020</u>		Estimated Production Rate <u>15</u> gpm. Estimate Length (hrs) <u>4</u>																																																																										
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<b>19. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402 2. The filing of a document that contains false statements is a violation of section 37 91 108(1)(e), C.R.S., and is punishable by fines up to \$1,000 and/or revocation of the contracting license. If filing online the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.</b>																																																																												
<b>Company Name:</b> Kunau Drilling LLC	<b>Email:</b> kunaudrilling@aol.com	<b>Phone w/area code:</b> (719) 683-3720																																																																										
<b>Mailing Address:</b> 23945 Lucky Lane Calhan, CO 80808		<b>License Number:</b> 1148																																																																										
<b>Sign (or enter name if filing online)</b> Tim Kunau	<b>Print Name and Title</b> Tim Kunau/ Manager	<b>Date:</b> 06/08/2020																																																																										



Form No. GWS-32 09/2016	<b>PUMP INSTALLATION AND PRODUCTION EQUIPMENT TEST REPORT</b> State of Colorado, Office of the State Engineer 1313 Sherman St., Room 821, Denver, CO 80203 303.866.3581 <a href="http://www.water.state.co.us">www.water.state.co.us</a> and <a href="mailto:dwrpermitsonline@state.co.us">dwrpermitsonline@state.co.us</a>	For Office Use Only	
1. Well Permit Number: 317435		Receipt Number: 10002771	
2. Owner's Well Designation:			
3. Well Owner Name: Chris Berisford			
4. Well Location Street Address: 17240 W Goshawk			
5. GPS Well Location: <input type="checkbox"/> Zone 12 <input checked="" type="checkbox"/> Zone 13 Easting: 531076 Northing: 4326064 County: El Paso			
6. Legal Well Location: <u>nw 1/4</u> , <u>nw 1/4</u> , Sec. <u>23</u> Twp. <u>11</u> <input type="checkbox"/> N or S <input checked="" type="checkbox"/> , Range <u>65</u> <input type="checkbox"/> E or W <input checked="" type="checkbox"/> Distances from Section Lines: _____ ft. from <input type="checkbox"/> N or S <input type="checkbox"/> sec. line, and _____ ft. from <input type="checkbox"/> E or W <input type="checkbox"/> sec. line Subdivision: _____, Lot _____, Block _____, Filing (Unit) _____			
7. Check Installation Type: <input checked="" type="checkbox"/> Initial Pump Installation <input type="checkbox"/> Replacement Pump <input type="checkbox"/> Change in Depth Only <input type="checkbox"/> Repair			
8. Pump Data: Type: <u>Submersible</u> Date Installed(mm/dd/yyyy): <u>06/12/2020</u> Pump Manufacturer: <u>grundfos</u> Pump Model No. <u>15SQE15-290</u> Design GPM: <u>15</u> at RPM <u>3450</u> HP <u>1.5</u> Volts <u>230</u> Full Load Amps <u>11.7</u> Pump Intake Depth: <u>320</u> Feet, Drop/Column Pipe Size Inches, <u>1</u> Kind of Drop Pipe <u>PVC</u> Additional Information for Pumps Greater Than 50 GPM: Turbine Driver Type: <input type="checkbox"/> Electric <input type="checkbox"/> Engine <input type="checkbox"/> Other _____ Design Head: _____ feet Number of Stages: _____ Shaft size: _____ inches			
9. Other Equipment: Airline Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Orifice Depth ft. _____ Monitor Tube Installed: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Depth ft. _____ Flow Meter Mfg. _____ Meter Serial No. _____ Meter Readout: <input type="checkbox"/> Gallons, <input type="checkbox"/> Thousand Gallons, <input type="checkbox"/> Acre feet Beginning Reading: _____			
10. Cistern Information: Material: _____ Capacity: _____ gallons Date Installed: _____			
11. Production Equipment Test Data: <input type="checkbox"/> check box if data is submitted on Form Number GWS-39 Well Yield Test Report. Date: _____ Total Well Depth: <u>360</u> ft. Time: _____ Static Level: <u>125</u> ft. Rate (gpm): <u>15</u> Date Measured: <u>06/02/2020</u> Pumping Level (ft): <u>320</u>			
12. Disinfection: Type: <u>HTH</u> Amt. Used: <u>6 oz</u>			
13. Notification: Was Advanced Notification Required Prior to Installation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No, Date Notification Given: _____			
14. Water Quality analysis available: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please submit with this report.			
15. Remarks:  			
16. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$1,000 and/or revocation of the contracting license. If filing online, the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.			
Company Name: Kunau Drilling LLC	Email: kunaudrilling@aol.com	Phone w/area code: (719) 683-3720	License Number: 1148
Mailing Address: 23945 Lucky Lane Calhan, CO 80808			
Sign (or enter name if filing online) Tim Kunau	Print Name and Title Tim Kunau - Manager	Date: 06/19/2020	

**El Paso County Land Development Code**  
**Water Quality Requirements and Results**  
**Dawson Confined Aquifer**  
**Goshawk Minor Subdivision**  
**17240 Goshawk Road**  
**Sampled - 04/03/2024**

Compound	Units	MCL/SMCL	Result
Antimony	mg/l	0.006	ND
Arsenic	mg/l	0.01	ND
Barium	mg/l	2	0.1547
Beryllium	mg/l	0.004	0.0001
Cadmium	mg/l	0.005	ND
Chromium	mg/l	0.1	ND
Cyanide (Total)	mg/l	0	ND
Fluoride	mg/l	4	ND
Mercury	mg/l	0.002	ND
Nitrate as N	mg/l	10	0.41
Nitrite as N	mg/l	1	ND
Total Nitrate/Nitrite as N	mg/l	10	0.41
Selenium	mg/l	0.05	0.0019
Thallium	mg/l	0.002	0.0005
Aluminum	mg/l	0.05	ND
Chloride	mg/l	250	1.7
Langlier Index			-1.99
Iron	mg/l	0.3	ND
Manganese	mg/l	0.05	ND
pH		6.5 - 8.5	6.67
Silver	mg/l	0.1	ND
Sulfate	mg/l	250	3.9
TDS	mg/l	500	99
Zinc	mg/l	5	0.02
Gross Alpha/Beta	pCi/l	15	7.0
Combined Radium 226+228	pCi/l	5	3.3
Total Coliform	#/100 ml	Absent	ND

Green = Result below MCL - Acceptable Water Quality



# Analytical Results

TASK NO: 240403004

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

**Bill To:** Accounts Payable  
**Company:** RESPEC Company, LLC  
5540 Tech Center Drive  
Suite 100  
Colorado Springs CO 80919

**Task No.:** 240403004  
**Client PO:**  
**Client Project:** Goshawk Property  
**Date Received:** 4/3/24  
**Date Reported:** 4/10/24  
**Matrix:** Water - Drinking

Lab Number	Customer Sample ID	Sample Date/Time	Test	Result	Method	Date Analyzed
240403004-01A #1		4/2/24 9:34 AM	Total Coliform	Absent	SM 9223	4/4/24
			E-Coli	Absent	SM 9223	4/4/24

**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



# Drinking Water Chain of Custody

<b>Report To Information</b>		<b>Bill To Information (if different from report to)</b>		<b>Project Information</b>	
Company Name: <u>R ESPEC</u>	Company Name:	PWSID:		Compliance Samples: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Contact Name: <u>Brian Elkins</u>	Contact Name:	Address:		Send Results to CDPHE: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Address: <u>554 Tech Center Dr. Suite 100</u>	Address:	City: <u>Colorado Springs</u>	State: <u>CO</u>	Task Number (Lab Use Only)	<b>CAL Task</b>
City: <u>Colorado Springs</u>	City:	Zip: <u>80919</u>	Zip:		<b>240403004</b>
Phone: <u>719-227-0072</u>	Phone:				<b>SLM</b>
Email: <u>brian.elkins@respec.com</u>	Email:				
Sample Collector: <u>Brian Elkins</u>	Sample Collector:				
Sample Collector Phone: <u>31427719-433-2652</u>	Sample Collector Phone:				

Date		Time	Client Sample ID / Sample Pt ID	No. of Containers	Residual Chlorine (mg/L)	P/A Samples Only	Total Coliform P/A	504.1 EDB/DBCP	505 Pests/PCBS	515.4 Herbicides	524.2 VOCs	525.2 SOCs-Pest	53.1 Carbamates	547 Glyphosate	548.1 Endothal	549.2 Diquat	524.2 TTHMs	552.2 HAA5s	Lead/Copper	Nitrate	Nitrite	Fluoride	Inorganics	Alk/Lang. Index (Circle)	TOC, DOC (Circle)	SUVA, UV 254 (Circle)	Gross Alpha/Beta	Radium 226/228	Radon	Uranium	Chlorite	
<u>4/2/24</u>	<u>9:30am</u>		<u>#1</u>	<u>10</u>																												

**Instructions:**  
Please analyze for constituents listed in attached document.

Delivered Via: FedEx    C/S Charge:     Date/Time: 4/2/24 11:00am

Relinquished By: Brian Elkins    Date/Time: 4/2/24 11:00am

Received By: [Signature]    Date/Time: 4/13/24

Relinquished By: [Signature]    Date/Time: 9/13

**EPC Confined Aquifer Sampling Requirements**

Field Measurements

- ★ pH
- △ Temp

Radionuclides

Radium 226 and Radium 228  
Gross alpha/Beta

Inorganics

- △ Antimony
- ★ Arsenic
- ★ Barium
- ★ Beryllium
- ★ Cadmium
- ★ Chromium
- ★ Cyanide (Total)
- ★ Fluoride
- ★ Mercury
- ★ Nitrate
- ★ Nitrite
- ★ Selenium
- ★ Thallium

Secondary MCLs

- ★ Aluminum
- ★ Chloride
- ★ Corrosivity
- ★ Iron
- ★ Manganese
- ★ Silver
- ★ Sulfate
- ★ Zinc
- ★ TDS

Bacteriological:

- ★ Total Coliform



**Analytical Results**

**TASK NO: 240403004**

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

**Bill To:** Accounts Payable  
**Company:** RESPEC Company, LLC  
5540 Tech Center Drive  
Suite 100  
Colorado Springs CO 80919

**Task No.:** 240403004  
**Client PO:**  
**Client Project:** Goshawk Property

**Date Received:** 4/3/24  
**Date Reported:** 4/10/24  
**Matrix:** Water - Drinking

**Customer Sample ID** #1  
**Sample Date/Time:** 4/2/24 9:34 AM  
**Lab Number:** 240403004-01

Test	Result	Method	RL	Date Analyzed	QC Batch ID	Analyzed By
Bicarbonate	51.0 mg/L as CaCO3	SM 2320-B	0.2 mg/L as CaCO3	4/5/24	-	DPL
Calcium as CaCO3	29.3 mg/L	EPA 200.7	0.1 mg/L	4/5/24	-	MBN
Carbonate	ND mg/L as CaCO3	SM 2320-B	0.2 mg/L as CaCO3	4/5/24	-	DPL
Hydroxide	ND mg/L as CaCO3	SM 2320-B	0.2 mg/L as CaCO3	4/5/24	-	DPL
Langelier Index	-1.99 units	SM 2330-B	units	4/9/24	-	DPL
pH	6.67 units	SM 4500-H-B	0.01 units	4/2/24	-	sampler
Temperature	12 °C	SM 4500-H-B	1 °C	4/2/24	-	sampler
Total Alkalinity	51.0 mg/L as CaCO3	SM 2320-B	4.0 mg/L as CaCO3	4/5/24	QC72484	DPL
Total Dissolved Solids	99 mg/L	SM 2540-C	5 mg/L	4/4/24	QC72454	ISG

**Abbreviations/ References:**

RL = Reporting Limit = Minimum Level  
mg/L = Milligrams Per Liter or PPM  
ug/L = Micrograms Per Liter or PPB  
mpr/100 mls = Most Probable Number Index/ 100 mls  
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: 240403004**

**Report To:** Doug Schwenke  
**Company:** RESPEC Company, LLC

**Receive Date:** 4/3/24  
**Project Name:** Goshawk Property

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Total Alkalinity	QC72484	Blank	ND	SM 2320-B	4/5/24
Total Dissolved Solids	QC72454	Blank	ND	SM 2540-C	4/4/24

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Total Alkalinity	QC72484	Duplicate	0 - 20	-	3.0	SM 2320-B
		LCS	90 - 110	99.6	-	
		LCS-2	90 - 110	96.2	-	
Total Dissolved Solids	QC72454	Duplicate	0 - 10	-	3.2	SM 2540-C
		LCS	85 - 115	106.3	-	

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  
 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) Spike amount low relative to the sample amount.  
 ND = Not Detected at Reporting Limit.



# Drinking Water Chain of Custody



**Commerce City Lab**  
 10411 Heinz Way  
 Commerce City CO 80640

**Lakewood Service Center**  
 610 Garrison Street, Unit E  
 Lakewood CO 80215

Phone: 303-659-2313

[www.coloradolab.com](http://www.coloradolab.com)

Report To Information		Bill To Information (If different from report to)		Project Information	
Company Name: <u>R ESPEC</u>	Company Name:	Contact Name:		PWSID:	Compliance Samples: Yes <input type="checkbox"/> No <input type="checkbox"/> Send Results to CDPHE: Yes <input type="checkbox"/> No <input type="checkbox"/> Task Number (Lab Use Only): <b>CAL Task 240403004</b> SLM
Contact Name: <u>Brian Elkins</u>	Contact Name:	Address:		System Name: <u>Goshawk Property</u>	
Address: <u>554 Tech Center Dr. Suite 100</u>	Address:	City: <u>Colorado Sping</u>	State: <u>CO</u>	City: <u>80919</u>	
Phone: <u>719-227-0072</u>	Phone:	Email: <u>brian.elkins@respec.com</u>		Task Number (Lab Use Only):	
Sample Collector: <u>Brian Elkins</u>	Sample Collector:	Sample Collector Phone: <u>303-719-433-2652</u>		PO Number:	

PHASE I, II, V Drinking Water Analyses (check requested analysis)		Subcontract Analyses																												
Date	Time	Client Sample ID / Sample Pt ID	No. of Containers	Residual Chlorine (mg/L) P/A Samples Only	Total Coliform P/A	505 Pests/PCBS	515.4 Herbicides	524.2 VOCs	525.2 SOCs-Pest	531.1 Carbamates	547 Glyphosate	548.1 Endothal	549.2 Diquat	524.2 TTHMs	552.2 HAAs	Lead/Copper	Nitrate	Nitrite	Fluoride	Inorganics	Alk/Lang. Index (Circle)	TOC, DOC (Circle)	SUVA, UV 254 (Circle)	Gross Alpha/Beta	Radium 226/228	Radon	Uranium	Chlorite		
<u>4/2/24</u>	<u>9:24am</u>	<u>#1</u>	<u>10</u>																											

**Instructions:**  
 Please analyze for constituents listed in attached document.

Relinquished By: Brian Elkins Date/Time: 4/2/24 11:00am

Received By: FedEx Date/Time: 4/3/24 9:13

Delivered Via: FedEx Date/Time: 4/3/24 9:13

Relinquished By: [Signature] Date/Time: 4/3/24 9:13

Received By: [Signature] Date/Time: 4/3/24 9:13

C/S Info:  Yes  No  Headspace Yes  No

Temp: 12.1 °C / Ice Y Sample Pres. Yes  No

**EPC Confined Aquifer Sampling Requirements**

Field Measurements

- ★ pH
- ★ Temp

Radionuclides

Radium 226 and Radium 228  
Gross alpha/Beta

Inorganics

- ★ Antimony
- ★ Arsenic
- ★ Barium
- ★ Beryllium
- ★ Cadmium
- ★ Chromium
- ★ Cyanide (Total)
- ★ Fluoride
- ★ Mercury
- ★ Nitrate
- ★ Nitrite
- ★ Selenium
- ★ Thallium

Secondary MCLs

- ★ Aluminum
- ★ Chloride
- ★ Corrosivity
- ★ Iron
- ★ Manganese
- ★ Silver
- ★ Sulfate
- ★ Zinc
- ★ TDS

Bacteriological:

- ★ Total Coliform

## Analytical Results

TASK NO: 240403004

**Report To:** Doug Schwenke

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

**Bill To:** Accounts Payable

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

**Task No.:** 240403004  
**Client PO:**  
**Client Project:** Goshawk Property

**Date Received:** 4/3/24  
**Date Reported:** 4/10/24  
**Matrix:** Water - Drinking

**Customer Sample ID** #1

**Sample Date/Time:** 4/2/24 9:34 AM

**Lab Number:** 240403004-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
Chloride	1.7 mg/L	EPA 300.0	0.1 mg/L	250	4/3/24	QC72432	AMJ
Fluoride	ND mg/L	EPA 300.0	0.10 mg/L	4	4/3/24	QC72433	AMJ
Nitrate Nitrogen	0.41 mg/L	EPA 300.0	0.05 mg/L	10	4/3/24	QC72430	AMJ
Nitrite Nitrogen	ND mg/L	EPA 300.0	0.03 mg/L	1	4/3/24	QC72431	AMJ
Sulfate	3.9 mg/L	EPA 300.0	0.1 mg/L	250	4/3/24	QC72434	AMJ
Cyanide-Total	ND mg/L	EPA 335.4	0.005 mg/L		4/4/24	QC72418	KRB
<i>Total</i>							
Iron	ND mg/L	EPA 200.7	0.005 mg/L		4/5/24	QC72460	MBN
Aluminum	ND mg/L	EPA 200.8	0.001 mg/L	0.05	4/5/24	QC72464	MBN
Antimony	ND mg/L	EPA 200.8	0.0012 mg/L	0.006	4/5/24	QC72464	MBN
Arsenic	ND mg/L	EPA 200.8	0.0006 mg/L	0.01	4/5/24	QC72464	MBN
Barium	0.1547 mg/L	EPA 200.8	0.0007 mg/L	2	4/5/24	QC72464	MBN
Beryllium	0.0001 mg/L	EPA 200.8	0.0001 mg/L	0.004	4/5/24	QC72464	MBN
Cadmium	ND mg/L	EPA 200.8	0.0001 mg/L	0.005	4/5/24	QC72464	MBN
Chromium	ND mg/L	EPA 200.8	0.0015 mg/L	0.1	4/5/24	QC72464	MBN
Manganese	ND mg/L	EPA 200.8	0.0008 mg/L	0.05	4/5/24	QC72464	MBN
Mercury	ND mg/L	EPA 200.8	0.0001 mg/L	0.002	4/4/24	QC72450	JJA
Selenium	0.0019 mg/L	EPA 200.8	0.0008 mg/L		4/5/24	QC72464	MBN
Silver	ND mg/L	EPA 200.8	0.0005 mg/L	0.1	4/5/24	QC72464	MBN
Thallium	0.0005 mg/L	EPA 200.8	0.0002 mg/L	0.002	4/5/24	QC72464	MBN
Zinc	0.020 mg/L	EPA 200.8	0.001 mg/L	5	4/5/24	QC72464	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.

Report To: Doug Schwenke  
Company: RESPEC Company, LLC

Receive Date: 4/3/24  
Project Name: Goshawk Property

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Chloride	QC72432	Blank	ND	EPA 300.0	4/3/24
Cyanide-Total	QC72418	Blank	ND	EPA 335.4	4/3/24
Fluoride	QC72433	Blank	ND	EPA 300.0	4/3/24
Aluminum	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Antimony	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Arsenic	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Barium	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Beryllium	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Cadmium	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Chromium	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Manganese	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Selenium	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Silver	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Thallium	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Zinc	QC72464	Method Blank	ND	EPA 200.8	4/3/24
Iron	QC72460	Method Blank	ND	EPA 200.7	4/5/24
Nitrate Nitrogen	QC72430	Blank	ND	EPA 300.0	4/3/24
Nitrite Nitrogen	QC72431	Blank	ND	EPA 300.0	4/3/24
Sulfate	QC72434	Blank	ND	EPA 300.0	4/3/24

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Chloride	QC72432	Duplicate	0 - 20	-	0.2	EPA 300.0
		LCS	90 - 110	103.3	-	
		MS	75 - 125	104.7	-	
Cyanide-Total	QC72418	Duplicate	0 - 20	-	0.0	EPA 335.4
		LCS	90 - 110	99.0	-	
		MS	75 - 125	87.0	-	
Fluoride	QC72433	Duplicate	0 - 20	-	1.8	EPA 300.0
		LCS	90 - 110	99.5	-	
		MS	75 - 125	99.3	-	
Aluminum	QC72464	LCS	90 - 110	105.8	-	EPA 200.8
		MS	70 - 130	122.9	-	
		MSD	0 - 10	-	0.2	
Antimony	QC72464	LCS	90 - 110	93.6	-	EPA 200.8
		MS	70 - 130	117.1	-	
		MSD	0 - 10	-	7.0	
Arsenic	QC72464	LCS	90 - 110	94.9	-	EPA 200.8
		MS	70 - 130	121.7	-	
		MSD	0 - 10	-	1.6	
Barium	QC72464	LCS	90 - 110	94.3	-	EPA 200.8
		MS	70 - 130	104.8	-	

**Abbreviations/ References:**

RL = Reporting Limit = Minimum Level  
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 ug/L = Micrograms Per Liter or PPB  
 mpr/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.

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
		MSD	0 - 10	-	7.1	
Beryllium	QC72464	LCS	90 - 110	100.5	-	EPA 200.8
		MS	70 - 130	100.7	-	
		MSD	0 - 10	-	3.6	
Cadmium	QC72464	LCS	90 - 110	91.4	-	EPA 200.8
		MS	70 - 130	115.8	-	
		MSD	0 - 10	-	1.2	
Chromium	QC72464	LCS	90 - 110	96.3	-	EPA 200.8
		MS	70 - 130	96.6	-	
		MSD	0 - 10	-	1.0	
Manganese	QC72464	LCS	90 - 110	96.2	-	EPA 200.8
		MS	70 - 130	110.8	-	
		MSD	0 - 10	-	6.3	
Selenium	QC72464	LCS	90 - 110	93.1	-	EPA 200.8
		MS	70 - 130	117.9	-	
		MSD	0 - 10	-	4.7	
Silver	QC72464	LCS	90 - 110	106.9	-	EPA 200.8
		MS	70 - 130	89.5	-	
		MSD	0 - 10	-	0.7	
Thallium	QC72464	LCS	90 - 110	101.3	-	EPA 200.8
		MS	70 - 130	98.0	-	
		MSD	0 - 10	-	2.6	
Zinc	QC72464	LCS	90 - 110	93.9	-	EPA 200.8
		MS	70 - 130	115.4	-	
		MSD	0 - 10	-	6.6	
Iron	QC72460	Duplicate	0 - 20	-	14.0	EPA 200.7
		LCS	90 - 110	99.6	-	
		MS	75 - 125	98.4	-	
Nitrate Nitrogen	QC72430	Duplicate	0 - 20	-	1.5	EPA 300.0
		LCS	90 - 110	100.3	-	
		MS	75 - 125	94.3	-	
Nitrite Nitrogen	QC72431	Duplicate	0 - 20	-	0.0	EPA 300.0
		LCS	90 - 110	96.0	-	
		MS	75 - 125	95.9	-	
Sulfate	QC72434	Duplicate	0 - 20	-	0.4	EPA 300.0
		LCS	90 - 110	101.2	-	
		MS	75 - 125	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  
 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.

10411 Heinz Way / Commerce City, CO 80640 / 303-659-2313  
 Mailing Address: P.O. Box 507 / Brighton, CO 80601-0507

# Drinking Water Chain of Custody



<b>Report To Information</b>		<b>Project Information</b>	
Company Name: <u>R ESPEC</u>	Company Name:	PWSID:	
Contact Name: <u>Brian Elkins</u>	Contact Name:	System Name: <u>Goshawk Property</u>	
Address: <u>554 Tech Center Dr. Suite 100</u>	Address:	Compliance Samples: Yes <input type="checkbox"/> No <input type="checkbox"/>	
City: <u>Colorado Springs</u> State: <u>CO</u> Zip: <u>80919</u>	City: State: Zip:	Send Results to CDPHE: Yes <input type="checkbox"/> No <input type="checkbox"/>	
Phone: <u>719-227-0072</u>	Phone:	Task Number (Lab Use Only)	<b>CAL Task</b>
Email: <u>brian.elkins@respec.com</u>	Email:		<b>240403004</b>
Sample Collector: <u>Brian Elkins</u>			<b>SLM</b>
Sample Collector Phone: <u>3187 719-433-2652</u>	PO Number:		

Commerce City Lab  
10411 Heinz Way  
Commerce City CO 80640

Lakewood Service Center  
610 Garrison Street, Unit E  
Lakewood CO 80215

Phone: 303-659-2313

[www.coloradolab.com](http://www.coloradolab.com)

Report To Information		PHASE I, II, V Drinking Water Analyses (check requested analysis)										Subcontract Analyses																			
Date	Time	Client Sample ID / Sample Pt ID	No. of Containers	Residual Chlorine (mg/L) P/A Samples Only	Total Coliform P/A	504.1 EDB/DBCP	505 Pests/PCBS	515.4 Herbicides	524.2 VOCs	525.2 SOCs-Pest	531.1 Carbamates	547 Glyphosate	548.1 Endothal	549.2 Diquat	524.2 TTHMs	552.2 HAA5s	Lead/Copper	Nitrate	Nitrite	Fluoride	Inorganics	Alk/Lang. Index (Circle)	TOC, DOC (Circle)	SUA, UV 254 (Circle)	Gross Alpha/Beta	Radium 226/228	Radon	Uranium	Chlorite		
<u>4/2/24</u>	<u>9:24am</u>	<u>#1</u>	<u>10</u>	<u>10</u>																											
Date/Time: <u>4/2/24 11:08am</u>		Received By: <u>Brian Elkins</u>		Date/Time: <u>4/2/24 11:08am</u>		Relinquished By: <u>Brian Elkins</u>		Date/Time: <u>4/2/24 11:08am</u>		Delivered Via: <u>FedEx</u>		Temp: <u>12.1 C</u>		C/S Charge: <u>X</u>		Seals Present: Yes <input type="checkbox"/> No <input type="checkbox"/>		Headspace: Yes <input type="checkbox"/> No <input type="checkbox"/>		Sample Pres.: Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Date/Time: <u>4/13/24</u>		Received By: <u>[Signature]</u>		Date/Time: <u>9/13</u>					

Instructions: Please analyze for constituents listed in attached document.

**EPC Confined Aquifer Sampling Requirements**

Field Measurements

- ★ pH
- ▲ Temp

Radionuclides

Radium 226 and Radium 228  
Gross alpha/Beta

Inorganics

- ▲ Antimony
- ★ Arsenic
- ★ Barium
- ★ Beryllium
- ★ Cadmium
- ★ Chromium
- ★ Cyanide (Total)
- ★ Fluoride
- ★ Mercury
- ★ Nitrate
- ★ Nitrite
- ★ Selenium
- ★ Thallium

Secondary MCLs

- ★ Aluminum
- ★ Chloride
- ★ Corrosivity
- ★ Iron
- ★ Manganese
- ★ Silver
- ★ Sulfate
- ★ Zinc
- ★ TDS

Bacteriological:

- ★ Total Coliform







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

Lab Control ID: 24H01612  
Received: Apr 04, 2024  
Reported: Apr 23, 2024  
Purchase Order No.  
None Received

Customer ID: 05377Z  
Account ID: Z01034

Rebecca Manzanares  
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: *Roxanne Sullivan*  
Roxanne Sullivan  
Analytical Laboratories Director

Customer ID: 05377Z  
 Account ID: Z01034  
**ANALYTICAL REPORT**

Rebecca Manzanaras  
 Colorado Analytical Laboratories, Inc.

<b>Lab Sample ID</b>		24H01612-001						
<b>Customer Sample ID</b>		240403024-01 - Goshawk Property - #1 sampled on 04/02/24 @ 0934						
<b>Parameter</b>	<b>Units</b>	<b>Code</b>	<b>Result</b>	<b>Precision* +/-</b>	<b>Detection Limit</b>	<b>Method</b>	<b>Analysis Date / Time</b>	<b>Analyst</b>
Radium-226	pCi/L	T	0.9	0.2	0.1	SM 7500-Ra B	04/10/24 @ 0844	KT
Radium-228	pCi/L	T	2.4	0.7	0.2	EPA pg.19	04/10/24 @ 1431	KR

<b>Lab Sample ID</b>		24H01612-002						
<b>Customer Sample ID</b>		240403024-01A - Goshawk Property - #1 sampled on 04/02/24 @ 0934						
<b>Parameter</b>	<b>Units</b>	<b>Code</b>	<b>Result</b>	<b>Precision* +/-</b>	<b>Detection Limit</b>	<b>Method</b>	<b>Analysis Date / Time</b>	<b>Analyst</b>
Gross Alpha	pCi/L	T	2.0	1.6	1.3	SM 7110 B	04/17/24 @ 0916	KT
Gross Beta	pCi/L	T	5.0	2.5	1.7	SM 7110 B	04/17/24 @ 0916	KT

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: 04/17/2024

**Batch QC Summary Form**

Analyte: Gross Alpha

Control Standard/LFB: ID: C11-005 pCi/mL: 57.4 (use 1 diluted)

Spike Solution: ID: C11-005 pCi/mL: 57.4 (use 1 mL)

Spike Recovery Calculation: Sample: Tap\*

$$\text{Calculation: } \frac{(315.6) - (0.200) - (1.1) - (0.200)}{57.4} \times 100 = 110\%$$

**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>24H01571</u>	<u>24H01612</u>
<u>24H01572</u>	<u>24H01614</u>
<u>24H01574</u>	<u>24H01617</u>
<u>24H01575</u>	<u>24H01618</u>
<u>24H01576</u>	<u>24H01623</u>
<u>24H01578</u>	_____
<u>24H01589</u>	_____
<u>24H01591</u>	_____
<u>24H01592</u>	_____
<u>24H01611</u>	_____

**Evaluator:**

*Handwritten Signature* \_\_\_\_\_

04/19/2024

Date

**HAZEN RESEARCH, INC.  
RADIOCHEMISTRY LABORATORY**

Date: 04/17/2024

**Batch QC Summary Form**

Analyte: Gross Beta

Control Standard/LFB: ID: C11-005 pCi/mL: 44 (use 1 diluted)

Spike Solution: ID: C11-005 pCi/mL: 44 (use 1 mL)

Spike Recovery Calculation: Sample: Tap\*

$$\text{Calculation: } \frac{(209.4) - (0.200)}{44} - \frac{(0.9) - (0.200)}{44} \times 100 = 95\%$$

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>24H01571</u>	<u>24H01612</u>
<u>24H01572</u>	<u>24H01614</u>
<u>24H01574</u>	<u>24H01617</u>
<u>24H01575</u>	<u>24H01618</u>
<u>24H01576</u>	<u>24H01623</u>
<u>24H01578</u>	_____
<u>24H01589</u>	_____
<u>24H01591</u>	_____
<u>24H01592</u>	_____
<u>24H01611</u>	_____

Evaluator:

*Haley Jones* \_\_\_\_\_

04/19/2024

Date

**HAZEN RESEARCH, INC.  
RADIOCHEMISTRY LABORATORY**

Date: 04/09/2024

**Batch QC Summary Form**

Analyte: Radium-226

Control Standard/LFB: ID: C73-004 pCi/mL: 21.1 (use 2 diluted)

Spike Solution: ID: C73-004 pCi/mL: 21.1 (use 2 mL)

Spike Recovery Calculation: Sample: 24H01614-02b

$$\text{Calculation: } \frac{(43.2) (1.000) - (4.2) (1.000)}{42.2} \times 100 = 92\%$$

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:

24H01560 \_\_\_\_\_  
24H01604 \_\_\_\_\_  
24H01611 \_\_\_\_\_  
24H01612 \_\_\_\_\_  
24H01613 \_\_\_\_\_  
24H01614 \_\_\_\_\_  
24H01453 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluator:

*Handwritten Signature* \_\_\_\_\_

04/19/2024

Date

**Batch QC Summary Form**

Analyte: Radium-228

Control Standard/LFB: ID: C6-007 pCi/mL: 14.1 (use 5 diluted)

Spike Solution: ID: C6-007 pCi/mL: 14.1 (use 5 mL)

Spike Recovery Calculation: Sample: 24H01623-001c

Calculation: 
$$\frac{(70.8) (1.000) - (3.4) (1.000)}{70.5} \times 100 = 95.6\%$$

**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:**

24H01604 \_\_\_\_\_  
24H01611 \_\_\_\_\_  
24H01612 \_\_\_\_\_  
24H01613 \_\_\_\_\_  
24H01614 \_\_\_\_\_  
24H01622 \_\_\_\_\_  
24H01623 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluator:  
 \_\_\_\_\_

04/17/2024  
 \_\_\_\_\_  
 Date

24H 01612



Ship To: Hazen Research  
Preserved: Y/N  
HNO3 Lot #: NA  
Date Preserved: NA

<b>Report To Information</b> Company Name <u>Colorado Analytical Laboratory</u> Report To: <u>Rebecca Manzanares</u> E-Mail: <u>rebeccamanzanares@coloradolab.com</u>	<b>Bill To Information: (if different from report to)</b> Project Name <u>Goshawk Property</u>
<b>Address:</b> <u>10411 Heinz Way</u> <u>Commerce City, CO 80640</u> Phone: <u>303-659-2313</u>	<b>Address:</b> CAL TASK <u>240403024</u> SLM
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	Tests Requested										Container Type		
4/2/24 9:34 AM	240403024-01 - #1	Water - Drinking	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	4 - 1L - Unpreserved
4/2/24 9:34 AM	240403024-01A - #1	Water - Drinking	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	1L - Unpreserved

Comment:

Hazen Preservation Checks  
 date / time  
 4/4/24 1435 Initial pH 7  
 A/S Lot Presv'd by DJ  
 4/5/24 1000 Secondary pH v  
 Less Huanz

Relinquished by: (Signature) <u>[Signature]</u>	Date: Time: 4/4/24 9/12	Relinquished by: (Signature)	Date: Time:	Received by: (Signature) <u>[Signature]</u>	Date: Time: APR 04 2024 1435
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**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR REPLACEMENT PLAN TO ALLOW THE WITHDRAWAL OF  
GROUNDWATER FROM THE DAWSON AQUIFER IN THE KIOWA-BIJOU DESIGNATED GROUNDWATER BASIN.

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REPLACEMENT PLAN NO. 4653-RP

FOR DETERMINATION OF WATER RIGHT NO. 4653-BD

AQUIFER: DAWSON

APPLICANT: CHRIS AND AMY BERISFORD

---

In compliance with section 37-90-107.5, C.R.S. and the Designated Basin Rules, 2 CCR 410-1 (Rules or Rule), Chris and Amy Berisford (Applicant) submitted an application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer that has been allocated by Determination of Water Right No. 4653-BD.

**FINDINGS**

1. Pursuant to section 37-90-107(7), C.R.S., in a Findings and Order dated February 27, 2024, the Ground Water Commission (Commission) approved a Determination of a Right to an Allocation of Groundwater, No. 4653-BD, from the Dawson Aquifer (Aquifer), summarized as follows.
  - a. The determination quantified an amount of water from beneath 20 acres of overlying land generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., in El Paso County (Overlying Land).
  - b. The amount of water in the aquifer that was allocated was 1,900 acre-feet, and the allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 19 acre-feet per year (subject to adjustment by the Commission to conform to actual local aquifer characteristics).
  - c. The use of groundwater is limited to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage.
  - d. Withdrawal of the subject groundwater will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal, the groundwater is considered to be not-nontributary, and Commission approval of a replacement plan providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to withdraw the subject groundwater.
2. The subject water is Designated Groundwater located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7).

3. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, all of which, according to Rules 5.2.4.2, 5.2.7.2 and 5.2.6.2, respectively, have been determined to be over appropriated. Such depletion would unreasonably impair existing large capacity alluvial rights withdrawing water from those alluvial aquifers.
4. Pursuant to Rule 5.6.1.A this plan must be adequate to prevent any material injury to water rights of other appropriators, which for purposes of this plan means large capacity wells withdrawing water from the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin.
5. Pursuant to Rule 5.3.6.2(C) the amount of replacement water shall provide for the depletion of alluvial water for the first 100 years due to all previous pumping and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.
6. The application for the replacement plan was received by the Commission on November 2, 2023.
7. The Applicant proposes to divert 6.244 acre-feet annually from the Dawson Aquifer for a period of 300 years. The Dawson aquifer water will be withdrawn through four wells to be located on four residential lots. Each Dawson Aquifer well is proposed to divert 1.561 acre-feet of water annually for use in 1 single family residence, irrigation of lawn garden and greenhouse, watering of domestic animals and stock. The land on which the wells will be located is the Overlying Land described above.
8. At a continuous withdrawal of 6.244 acre-feet annually for 300 years, depletions to the alluvial aquifer systems of the Kiowa-Bijou Designated Groundwater Basin, Upper Big Sandy Designated Groundwater Basin and Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.197 acre-feet per year in the 300th year, which is equal to 3.15% of pumping, as shown in Exhibit A.
9. The Applicant proposes to provide 0.72 acre-feet per year of replacement water to the alluvial aquifer system of the Kiowa-Bijou Designated Groundwater Basin. The proposed source of replacement water is septic and leaching field return flows from the in-house use of the groundwater to be pumped under the plan. The Applicant estimates that return flows from each lot will consist of 90% of the water used for in-house purposes. Assuming each lot uses a total minimum annual amount for in-house use of 0.20 acre-feet, the return flow per lot would be 0.18 acre-feet annually, and the return flows under the plan will total 0.72 acre-feet per year for all four lots at full build out.
10. The subject property is located within the drainage of Kiowa Creek, and the return flows will flow to the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.
11. Pursuant to Rule 5.6.1.B this plan must be adequate to prevent unreasonable impairment of water quality. Pursuant to Rule 5.6.1.B.1.b, if the replacement source water is from an onsite wastewater treatment system permitted by a local health agency and the applicant

demonstrates the source is in compliance with that permit there shall be a rebuttable presumption of no unreasonable impairment of water quality.

12. Pursuant to Rule 5.6.1.C this plan, including the proposed uses of the water withdrawn pursuant to the plan, must not be speculative, and must be technically and financially feasible and within the Applicant's ability to complete. The plan, including the proposed uses of the water withdrawn pursuant to the plan, is not speculative. The plan appears technically and financially feasible and within the Applicant's ability to complete.
13. Pursuant to Rule 5.6.1.D this plan must be able to be operated and administered on an ongoing and reliable basis. The plan appears to be able to be operated and administered on an ongoing and reliable basis.
14. Pursuant to Rule 5.6.1.F replacement source water must be physically and legally available in time, place and amount to prevent material injury. As determined in Determination of Water Right No. 4653-BD water is currently available in the amounts and for the number of years proposed to be diverted.
15. Pursuant to Rule 5.6.1.G the replacement source water must be legally available for use. Records in this office indicate that the Applicant controls the water right to be used as the source of replacement water, consisting of Determination of Water Right No. 4653-BD, and such water is legally available for use pursuant to this plan.
16. In accordance with sections 37-90-107.5 and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on January 11, 2024 and January 18, 2024. No objections to the application were received within the time limit set by statute.
17. According to Rule 5.6.1:
  - a. The Applicant has the burden of proving the adequacy of the plan in all respects.
  - b. If the applicant meets its burden of proof, the Commission shall grant approval of the plan which shall include any terms and conditions established by the Commission.
18. The Commission Staff, having evaluated the application pursuant to section 37-90-107.5 and the requirements of Rule 5.3.6.2(C) and Rule 5.6, finds that the requirements have been met, and the plan may be approved to allow diversions from the Dawson Aquifer if operated subject to the conditions given below.

#### **ORDER**

In accordance with section 37-90-107.5, and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer underlying 20 acres that are the subject of Determination of Water Right no. 4653-BD is approved subject to the following conditions:

19. The Dawson aquifer water will be withdrawn through four wells to be located on four residential lots. Each Dawson Aquifer well is proposed to divert 1.561 acre-feet of water annually for use in 1 single family residence, irrigation of lawn garden and greenhouse, watering of domestic animals and stock. The land on which the wells will be located is the Overlying Land described above.

20. The allowed annual amount of groundwater to be withdrawn from the Aquifer by all wells operating under this plan shall not exceed 6.244 acre-feet. The allowed annual amount of water to be withdrawn from each on-lot well shall not exceed 1.561 acre-feet.
21. A totalizing flow meter shall be installed on each well. The well owner shall maintain the meter in good working order.
22. Permanent records of all withdrawals of groundwater from each well shall be recorded at least annually by the well owners, permanently maintained, and provided to the Commission on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15<sup>th</sup> of the following year, or more often upon request.
23. Pumping under this plan is limited to a period of 300 years. The year of first use of this replacement plan shall be the calendar year of construction of a well permitted pursuant to this plan or permitting of an existing well pursuant to the plan.
24. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 20 acres of Overlying Land that are the subject of Determination of Water Right No. 4653-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.
25. Replacement of depletions must be provided annually in the acre-feet amounts shown in Exhibit A. Annual replacement requirements may be computed by pro-rating between the values given on Exhibit A, or for simplicity may be taken as the amount shown in the next succeeding 5 year increment.
26. The Applicant or their successor(s) are responsible for ensuring that replacement water is provided to the alluvial aquifer as required by this plan. The annual replacement requirement and the annual amount of replacement water provided shall be calculated and reported on a form acceptable to the Commission. The annual amount of replacement water provided must be no less than the annual replacement requirement on a yearly basis. No credit shall be claimed by the Applicant for an oversupply of replacement water provided to the alluvium during previous years.
27. The Applicant must provide the required annual amount of replacement water for the first 100 years, or for as long as a well is operated pursuant to this plan, whichever is longer.
28. To assure adequate return flows, the number of wells serving an occupied single-family dwelling that is generating return flows via a non-evaporative septic system must be equal to or greater than the number of wells shown in Table 1 below, or an amended or alternate replacement plan must be obtained that will replace actual depletions to the alluvial aquifer so as to prevent any material injury to water rights of other appropriators.

Year	No. of Wells	Return Flow (af/yr)
0-275	1	0.18
276-300	2	0.36

29. The Applicant or their successor(s) must gather and maintain permanent records of all information pertaining to operation of this plan, which shall include, but is not limited to,

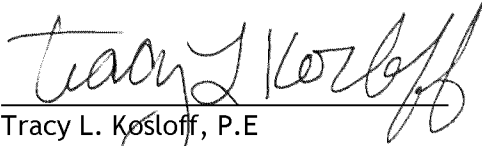
those items identified below. The Applicant must submit records to the Commission on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15<sup>th</sup> of the following year, or more often upon request. The Applicant or their successor(s) must provide combined accounting for all wells operated under this replacement plan on a single accounting form, unless otherwise approved by the Commission.”

- a. Identification of the well permits issued and wells constructed under this plan.
  - b. The amount of water diverted by each well and all wells in total, both annually and cumulatively since operation of the plan began.
  - c. The number of occupied dwellings served by each well.
  - d. The return flows occurring from use of all wells operating under the plan, assuming 0.18 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.
  - e. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.
30. The Applicant or their successor(s) are fully responsible for the operation, monitoring, and accounting of the replacement plan. In the event a lot with a well permitted or operating pursuant to this plan is sold, identification of the well that was sold and evidence that the new owner has been notified of their responsibilities under the replacement plan shall accompany that year’s accounting.
  31. Any covenants adopted for this subdivision should contain a description of the replacement plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be reported and the plan is to be administered.
  32. In the event the permitted well or wells are not operated in accordance with the conditions of this replacement plan, they shall be subject to administration, including orders to cease diverting groundwater.
  33. All terms and conditions of Determination of Water Right No. 4653-BD must be met.
  34. Pursuant to Rule 5.6.1.E, a copy of this Findings and Order shall be recorded by the Applicant in the clerk and recorder’s records of El Paso County, so that a title examination of the land on which the structures involved in this plan are located reveals the existence of this plan.

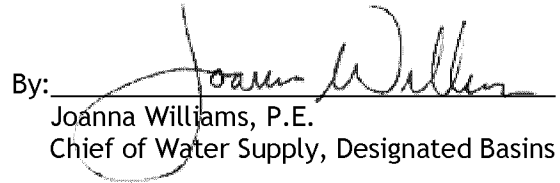
Dated this 27th day of February, 2024.

Replacement Plan No. 4653-RP, Determination No. 4653-BD  
Aquifer: Dawson  
Applicant: Chris and Amy Berisford

Page 6



Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

F&O4653-RP.docx  
Prepared by: idc

Exhibit A  
Replacement Plan - Determination No.: - BD  
Page 1 of 1

Designated Basin Summary Table for Chris and Amy Berrisford Pumping Rate of 6,244 acre-feet per year for 300 Years from the Dawson aquifer Section(s): Section 23, T11S, R65W, 6th P.M.									
Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)
5	6.2	0.000	0.00	155	6.2	0.082	1.31	300	6.2
10	6.2	0.000	0.00	160	6.2	0.086	1.38		
15	6.2	0.001	0.01	165	6.2	0.090	1.44		
20	6.2	0.001	0.02	170	6.2	0.094	1.50		
25	6.2	0.002	0.03	175	6.2	0.098	1.57		
30	6.2	0.003	0.05	180	6.2	0.102	1.63		
35	6.2	0.005	0.07	185	6.2	0.106	1.70		
40	6.2	0.006	0.10	190	6.2	0.110	1.76		
45	6.2	0.008	0.13	195	6.2	0.114	1.82		
50	6.2	0.010	0.17	200	6.2	0.118	1.89		
55	6.2	0.013	0.20	205	6.2	0.122	1.95		
60	6.2	0.015	0.24	210	6.2	0.126	2.02		
65	6.2	0.018	0.29	215	6.2	0.130	2.08		
70	6.2	0.021	0.33	220	6.2	0.134	2.14		
75	6.2	0.024	0.38	225	6.2	0.138	2.21		
80	6.2	0.027	0.43	230	6.2	0.142	2.27		
85	6.2	0.030	0.48	235	6.2	0.146	2.34		
90	6.2	0.033	0.54	240	6.2	0.150	2.40		
95	6.2	0.037	0.59	245	6.2	0.154	2.46		
100	6.2	0.040	0.65	250	6.2	0.158	2.53		
105	6.2	0.044	0.70	255	6.2	0.162	2.59		
110	6.2	0.048	0.76	260	6.2	0.166	2.65		
115	6.2	0.051	0.82	265	6.2	0.170	2.72		
120	6.2	0.055	0.88	270	6.2	0.174	2.78		
125	6.2	0.059	0.94	275	6.2	0.177	2.84		
130	6.2	0.063	1.00	280	6.2	0.181	2.90		
135	6.2	0.066	1.06	285	6.2	0.185	2.97		
140	6.2	0.070	1.13	290	6.2	0.189	3.03		
145	6.2	0.074	1.19	295	6.2	0.193	3.09		
150	6.2	0.078	1.25	300	6.2	0.197	3.15		

Created by idc on January 2, 2024  
Values for 'Depletion as a % of Pumping' (q/Q) are not calculated when the pumping rate (Q) is changed to anything but zero

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF  
GROUNDWATER IN THE KIOWA-BIJOU DESIGNATED GROUNDWATER BASIN

---

DETERMINATION NO.: 4653-BD

AQUIFER: Dawson

APPLICANT: Chris and Amy Berisford

---

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Chris and Amy Berisford (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Dawson Aquifer.

**FINDINGS**

1. The application was received by the Commission on November 2, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Dawson aquifer (Aquifer) underlying 20 acres, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 15, 2023, attached hereto as Exhibit A, the Applicant owns the 20 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 20 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 20 acres of Overlying Land claimed by the Applicant is 1,900 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 20 percent.



- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 475 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,900 acre-feet.
  9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
  10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
  11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
    - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,900 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 19 acre-feet per year.
    - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
    - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural stream or an alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Withdrawal of water from the Aquifer underlying the Overlying Land would impact the alluvial aquifer of the Kiowa-Bijou Designated Groundwater

Basin, which has been determined to be over-appropriated. Commission approval of a replacement plan pursuant to section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators, is required prior to approval of well permits for wells to be located on this land area to withdraw the groundwater in the Aquifer underlying the Overlying Land. Pursuant to the Rules the replacement plan shall provide for the depletion of the 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, assuming water table conditions in the Aquifer.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on January 11, 2024 and January 18, 2024. No objections to the application were received within the time limit set by statute.

#### **ORDER**

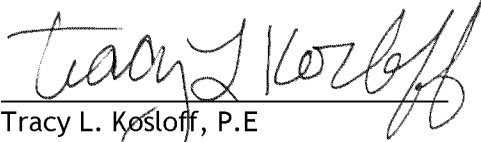
In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Dawson Aquifer underlying 20 acres of land, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

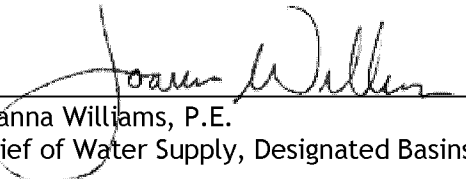
15. The amount (i.e. volume) of water in the Aquifer underlying the 20 acres of Overlying Land allocated herein is 1,900 acre-feet (Underlying Groundwater).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
18. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

- a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 1,900 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. Commission approval of a replacement plan, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators in the alluvial aquifer, is required prior to approval of well permits that allow the withdrawal of the Underlying Groundwater. The replacement plan shall provide for the depletion of the 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, assuming water table conditions in the Aquifer.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 20 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 20 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Dawson Aquifer.

- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 20 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 27th day of February, 2024.

  
Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Form no. **DIVISION OF WATER RESOURCES**  
 GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
 (7/2023) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

Exhibit A  
 4653-BD  
 Page 1 of 1

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**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](http://Colorado.gov/water). See instructions on the reverse of this form.  
 Type or print in black or blue ink.

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <b>Chris and Amy Berisford</b>			
Mailing Address <b>17240 Goshawk Rd W</b>	City <b>Colorado Springs</b>	State <b>CO</b>	Zip Code <b>80908</b>
Telephone Number (include area code) <b>719-331-3414</b>		Email <b>chris@berisfordgroup.com</b>	
<b>2. AQUIFER</b> <b>Dawson</b>			
<b>3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by</b>  the attached copy of a deed recorded in the county in which the property is located.  Number of acres: <u>20</u> in the county of: <u>El Paso</u>  described as follows (type the legal description below or type "see attached" and attach a legal description).  <u>the W 1/2 of the NW 1/4 of NE 1/4 of Sec. 23, T.11S, R.65W</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.			
<b>4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions).</b>			
<b>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.</b>			
Signature: <u>Paul J. Raymond</u>		Date: <u>12/15/13</u>	
Print name and title: <u>Paul J. Raymond; Attorney for Applicant</u>			

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF  
GROUNDWATER IN THE KIOWA-BIJOU DESIGNATED GROUNDWATER BASIN

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DETERMINATION NO.: 4652-BD

AQUIFER: Denver

APPLICANT: Chris and Amy Berisford

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In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Chris and Amy Berisford (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Denver Aquifer.

**FINDINGS**

1. The application was received by the Commission on November 2, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Denver aquifer (Aquifer) underlying 20 acres, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 15, 2023, attached hereto as Exhibit A, the Applicant owns the 20 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 20 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 20 acres of Overlying Land claimed by the Applicant is 1,240 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 365 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 1,240 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) (“Designated Basin Rules”, or “Rules”).
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,240 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 12.4 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on January 11, 2024 and January 18, 2024. No objections to the application were received within the time limit set by statute.

#### **ORDER**

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 20 acres of land, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

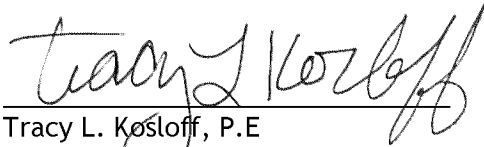
15. The amount (i.e. volume) of water in the Aquifer underlying the 20 acres of Overlying Land allocated herein is 1,240 acre-feet (Underlying Groundwater).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
18. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 1,240 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.



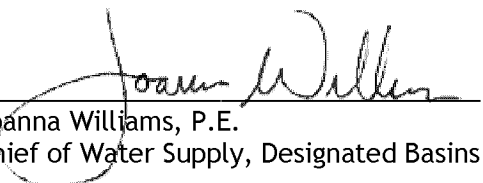
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 20 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 20 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Denver Aquifer.
- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
- k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.
- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 20 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 27th day of February, 2024.



Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Form no. **DIVISION OF WATER RESOURCES**  
 GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
 (7/2023) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

**Exhibit A**  
**4652-BD**  
**Page 1 of 1**

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**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](http://Colorado.gov/water). See instructions on the reverse of this form.  
 Type or print in black or blue ink.

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <b>Chris and Amy Berisford</b>			
Mailing Address <b>17240 Goshawk Rd W</b>	City <b>Colorado Springs</b>	State <b>CO</b>	Zip Code <b>80908</b>
Telephone Number (include area code) <b>719-331-3414</b>		Email <b>chris@berisfordgroup.com</b>	
<b>2. AQUIFER</b> <b>Denver</b>			
<b>3. CLAIM OF OWNERSHIP –</b> 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>20</u> in the county of: <u>El Paso</u>  described as follows (type the legal description below or type "see attached" and attach a legal description).  <u>the W 1/2 of the NW 1/4 of NE 1/4 of Sec. 23, T.11S, R.65W</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.			
<b>4. THE APPLICANT MUST PROVIDE –</b> a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions).			
<b>5. SIGNATURE –</b> Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.  Signature: <u>Paul J. Raymond</u> Date: <u>12/15/2023</u>   Print name and title: <u>Paul J. Raymond; Attorney for Applicant</u>			

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF  
GROUNDWATER IN THE KIOWA-BIJOU DESIGNATED GROUNDWATER BASIN

---

DETERMINATION NO.: 4651-BD

AQUIFER: Arapahoe

APPLICANT: Chris and Amy Berisford

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In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Chris and Amy Berisford (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Arapahoe Aquifer.

**FINDINGS**

1. The application was received by the Commission on November 2, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Arapahoe aquifer (Aquifer) underlying 20 acres, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 15, 2023, attached hereto as Exhibit A, the Applicant owns the 20 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 20 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 20 acres of Overlying Land claimed by the Applicant is 884 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 260 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 884 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 884 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 8.84 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on January 11, 2024 and January 18, 2024. No objections to the application were received within the time limit set by statute.

#### **ORDER**

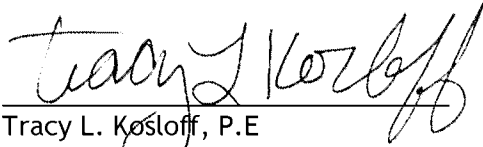
In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Arapahoe Aquifer underlying 20 acres of land, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 20 acres of Overlying Land allocated herein is 884 acre-feet (Underlying Groundwater).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
18. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 884 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

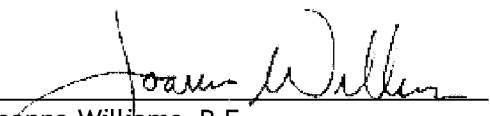
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 20 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 20 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.
- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
- k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.
- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.

19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 20 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 27<sup>th</sup> day of February, 2024.



Tracy L. Kosloff, P.E.  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins



Form no. **DIVISION OF WATER RESOURCES**  
GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
(7/2023) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

RECEIVED  
12/15/2023  
WATER RESOURCES  
STATE ENGINEER  
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## 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](http://Colorado.gov/water). See instructions on the reverse of this form. Type or print in black or blue ink.

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <b>Chris and Amy Berisford</b>			
Mailing Address <b>17240 Goshawk Rd W</b>	City <b>Colorado Springs</b>	State <b>CO</b>	Zip Code <b>80908</b>
Telephone Number (include area code) <b>719-331-3414</b>	Email <b>chris@berisfordgroup.com</b>		
<b>2. AQUIFER</b> <b>Arapahoe</b>			
<b>3. CLAIM OF OWNERSHIP</b> – 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>20</u> in the county of: <u>El Paso</u> described as follows (type the legal description below or type "see attached" and attach a legal description). <b>the W 1/2 of the NW 1/4 of NE 1/4 of Sec. 23, T.11S, R.65W</b>  - 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.			
<b>4. THE APPLICANT MUST PROVIDE</b> – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions).			
<b>5. SIGNATURE</b> – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <u>Paul J. Raymond</u> Date: <u>12/15/2023</u>  Print name and title: <u>Paul J. Raymond; Attorney for Applicant</u>			

**COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF  
GROUNDWATER IN THE KIOWA-BIJOU DESIGNATED GROUNDWATER BASIN

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DETERMINATION NO.: 4650-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Chris and Amy Berisford

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In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Chris and Amy Berisford (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Laramie-Fox Hills Aquifer.

**FINDINGS**

1. The application was received by the Commission on November 2, 2023.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Laramie-Fox Hills aquifer (Aquifer) underlying 20 acres, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 15, 2023, attached hereto as Exhibit A, the Applicant owns the 20 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 20 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 20 acres of Overlying Land claimed by the Applicant is 555 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 185 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 555 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) ("Designated Basin Rules", or "Rules").
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 555 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 5.55 acre-feet per year.
  - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on January 11, 2024 and January 18, 2024. No objections to the application were received within the time limit set by statute.

#### **ORDER**

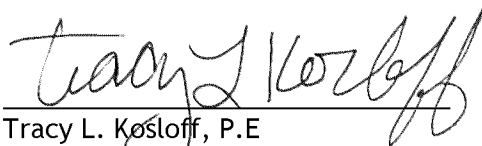
In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Laramie-Fox Hills Aquifer underlying 20 acres of land, generally described as the W1/2 of the NW1/4 of the NE1/4 of Section 23, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 20 acres of Overlying Land allocated herein is 555 acre-feet (Underlying Groundwater).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
18. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 555 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.

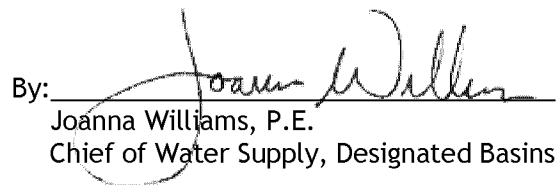
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, domestic animals, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, and replacement either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 20 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 20 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.
- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
- k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.

- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 20 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 27th day of February, 2024.



Tracy L. Kosloff, P.E  
Acting Executive Director  
Colorado Ground Water Commission

By:   
Joanna Williams, P.E.  
Chief of Water Supply, Designated Basins

Form no. **DIVISION OF WATER RESOURCES**  
 GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
 (7/2023) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto:dwrpermitsonline@state.co.us)**

Exhibit A  
 4650-BD  
 Page 1 of 1

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**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](http://Colorado.gov/water). See instructions on the reverse of this form.  
 Type or print in black or blue ink.

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant <b>Chris and Amy Berisford</b>			
Mailing Address <b>17240 Goshawk Rd W</b>	City <b>Colorado Springs</b>	State <b>CO</b>	Zip Code <b>80908</b>
Telephone Number (include area code) <b>719-331-3414</b>		Email <b>chris@berisfordgroup.com</b>	
<b>2. AQUIFER</b> Laramie-Fox Hills			
<b>3. CLAIM OF OWNERSHIP –</b> 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>20</u> in the county of: <u>El Paso</u>  described as follows (type the legal description below or type "see attached" and attach a legal description).  the W 1/2 of the NW 1/4 of NE 1/4 of Sec. 23, T.11S, R.65W    - 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.			
<b>4. THE APPLICANT MUST PROVIDE –</b> a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions).			
<b>5. SIGNATURE –</b> Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.  Signature: <u>Paul J. Raymond</u> Date: <u>12/15/2023</u>  Print name and title: <u>Paul J. Raymond: Attorney for Applicant</u>			