

Have you received an updated well permit

<b>DISTRICT COURT, WATER DIVISION 2, COLORADO</b> Pueblo County Judicial Building 501 North Elizabeth Street, Suite 116 Pueblo, CO 81003	DATE FILED: February 28, 2022 12:50 PM FILING ID: 94488AC258E8A CASE NUMBER: 2022CW3007
<b>APPLICATION FOR UNDERGROUND WATER RIGHTS AND PLAN FOR AUGMENTATION OF CHRISTOPHER and WENDY JEUB, Applicants,</b>  IN EL PASO COUNTY	<b>▲ COURT USE ONLY ▲</b>
<i>Attorneys for Applicants:</i> James J. Petrock, #2881 Eric K. Trout, #48640 Hayes Poznanovic Korver LLC 700 17th Street, Suite 1800 Denver, CO 80202 P: 303-825-1980 <a href="mailto:jjp@hpkwatlaw.com">jjp@hpkwatlaw.com</a> <a href="mailto:eric@hpkwatlaw.com">eric@hpkwatlaw.com</a>	Case Number: 2022CW _____
<b>APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES AND APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY DAWSON AND DENVER AQUIFERS AQUIFER</b>	

1. Name, Address, and Telephone Number of Applicants:

Christopher and Wendy Jeub  
16315 Rickenbacker Ave  
Monument, CO 80132  
719-660-5781

2. Subject Property: 5 acres generally located in the NW1/4 of NE1/4, Section 27, Township 11 South, Range 67 West of the 6th P.M., also known as 16315 Rickenbacker Ave, Monument, El Paso County, State of Colorado, as shown on **Exhibit A** (“Subject Property”). Applicants are the sole owners of the Subject Property and have provided notice to all mortgage and lien holders as required under C.R.S. § 37-92-302(2)(b).

3. Well Permits: There is one existing Denver Aquifer household-use only well on the Subject Property under well permit number 161942. This well will be re-permitted under the plan for augmentation requested in this application. Additional well permits will be applied for prior to construction of additional wells.
4. Source of Water Rights: The Dawson and Denver aquifers are not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Arapahoe and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5).
5. Estimated Amounts: Applicants estimate the following annual amounts may be available for withdrawal:

Aquifer	Annual Amount (acre-feet)
Dawson (NNT)	1.05
Denver (NNT)	3.82
Arapahoe (NT)	4.24
Laramie-Fox Hills (NT)	1.77

6. Proposed Uses: Domestic, including in-house use, commercial, irrigation, livestock watering, fire protection, and augmentation purposes, including storage, both on and off the Subject Property.
7. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2).
8. Summary of Plan for Augmentation:
  - 8.1 Groundwater to be Augmented: 2.1 acre-feet per year for 100 years of Denver Aquifer groundwater.
  - 8.2 Water Rights to be Used for Augmentation: Return flows from the use of not nontributary and nontributary groundwater and direct discharge of nontributary groundwater.
  - 8.3 Statement of Plan for Augmentation: The Denver Aquifer groundwater will be used for domestic purposes, including in-house use, irrigation, commercial, livestock watering, and fire protection, through one or more wells, both on and off the Subject Property. Applicants reserve the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use, and return flow from irrigation use will be approximately 15% of that use. During pumping Applicants will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the Monument Creek stream system and return flows accrue to that creek

system and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicants will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post pumping augmentation requirements.

Applicants request the Court approve the above underground water rights and augmentation plan, find that Applicants have complied with C.R.S. § 37-90-137(4) and water is legally available for withdrawal, find there will be no material injury to the owners of or persons entitled to use water under any vested water right or decreed conditional water right, and grant such other and further relief as is appropriate.

Respectfully submitted this 28th day of February, 2022.

**HAYES POZNANOVIC KORVER LLC**

*//s// Eric K Trout*

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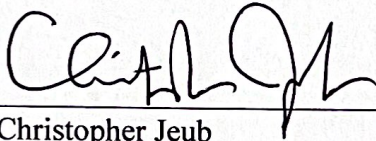
James J. Petrock

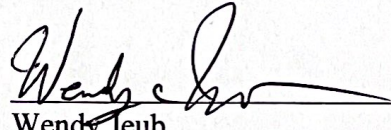
Eric K. Trout

**VERIFICATION**

We, Christopher and Wendy Jeub, Applicants, declare under penalty of perjury under the law of Colorado that the foregoing is true and correct to the best of our knowledge.

Executed on the 21 day of February, 2022, at Monument, Colorado.  
(city, town, etc.)

  
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Christopher Jeub

  
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Wendy Jeub