PEERLESS FARMS

EL PASO COUNTY, COLORADO

WATER RESOURCE REPORT

NOVEMBER 13, 2026

Prepared by:

Kimley»Horn



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SUMMARY OF THE PROPOSED SUBDIVISION

SITE LOCATION

This Water Resources Report has been prepared for Peerless Farms (the "Project/Site") located at the southeast corner of Falcon Highway and Sage Creek Road at 16975 Falcon Hwy in Peyton, CO. More specifically, the Site is located in a portion of the northwest quarter of Section 13, Township 13 South, Range 64 West of the 6th P.M., County of El Paso, State of Colorado. The Property is bounded by Falcon Hwy to the north, privately owned pastures to the west and south, and Sagecreek South Filing No. 1 to the east. A vicinity map is provided below for reference:



DESCRIPTION OF PROPERTY

The Project Site is approximately 40 acres of mostly undeveloped land. The Site is mostly vacant but contains a single-family house, one guest house, one large barn and multiple small chicken coops and sheds. Development for Peerless Farms involves the construction of a public road with two private driveways, roadside ditches, and culverts. The public road will be an extension of Sage Creek Road on the east side of the Site, providing access to the two proposed private gravel driveways within the Site. The existing access road west of Sage Creek Road will be demolished. The Site will be subdivided into seven (7) large residential lots (Lots 1-7) for future single-family residences. Refer to **Appendix A** for the Final Plat for the Project.

An existing private water line runs along the North side of the Site from Sage Creek Road to the existing access road, and then runs south through the Site. This line is assumed to be abandoned and does not provide water service currently. There is also a public water line on the east side within an existing utility easement. It is not anticipated that the Project will utilize these existing lines for water service.

The water system information presented herein will focus on the water supply needs anticipated with proposed development of the Project.

INFORMATION REGARDING SUFFICIENT QUANTITY OF WATER

WATER SYSTEM LAYOUT AND DEMANDS

The Project Site currently consists of one single family home and one guest house that are provided potable water service via an existing well (Permit No. 8141). The existing well withdraws from the alluvial aquifer and the not-nontributary portion of the Denver Aquifer. The existing well will be plugged and abandoned upon subdivision approval with all required documentation submitted to the State. Two new potable wells will be installed for Lots 1-7.

Previous submittals for this Project had water service being provided by Sage Creek Water Association via a service agreement with Mid Colorado Investment Company dated December 2021. However, it is understood that Sage Creek Water Association no longer has the ability to provide potable water service the Project; therefore, the developer has decided to move forward with providing water service with new water wells. Additionally, the most recent submittal of this report outlined individual wells for each lot. This is no longer the pathway forward regarding water service. The Water Information Summary sheet required by El Paso County is included in **Appendix B**.

Estimated water demands for Lots 1-7 were calculated per the El Paso County Land Development Code. As discussed further in the Dependability of Water Supply section of this report, Lots 1-7 will be served entirely by the Arapahoe aquifer through two wells, with one well serving four lots and the other serving three lots. A conservative estimate for indoor, irrigation, and stock watering uses have been calculated per the table below:

Table 1: Estimation of Water Demand (Lots 1-7)

Aquifer	Use Type	Unit Count	Unit Demand	Total Demand	
		(sqft & horse)	*(AC-FT/Yr/Lot)*	*(AC-FT/Yr)*	*(GPD)*
Arapahoe	Household	1	0.26	0.260	232.148
	Irrigation	6000	0.0566	0.340	303.221
	Stock Watering	4	0.011	0.044	39.287
			Arapahoe Aquifer Subtotal per Lot:	*0.644*	*574.655*
			Arapahoe Aquifer Subtotal (All 7 lots):	**4.505**	**4,022.588**

The Falcon Fire Protection District (FFPD) will provide fire protection services for the Project. Information on fire protection for Peerless Farms has been included in **Appendix C.** The proposed and existing wells for the Project are not anticipated to provide fire protection capacity.

AVAILABLE QUANTITY AND DEPENDABILITY OF WATER SUPPLY

As previously discussed in the **Description of Property** section of this report, the Project Site will be subdivided into 7 large residential lots and each, including existing homes, will be provided with water services by two new wells. Lots 1-4 will be serviced by a single well within Lot 2 pulling, while lots 5-7 will be supplied by a single well within Lot 7. Both wells will pull from the Arapahoe Aquifer. Refer to **Appendix D** for a map outlining the anticipated well locations. Determination of Water Rights no. 4475-BD, 4476-BD and 4477-BD were approved for domestic, irrigation, animal watering, commercial, replacement, and firefighting purposes in January of 2023 with available groundwater allocations from three aquifers: Laramie-Fox, Arapahoe, and Denver. Detailed water rights information for the proposed wells can be found in **Appendix E**. As outlined in previous sections, only the Arapahoe aquifer will be utilized. These water rights are associated with determination number 4476-BD.

Groundwater allocations for the Project Site from the Laramie-Fox and Arapahoe aquifers are nontributary (NT) with an available water volume of 1,290 and 1,360 acre-feet, respectively. Allocations from the Denver aquifer consist of both NT and not-nontributary (NNT) water availability. The NT water availability from the Denver aquifer consists of 44.6 acre-feet whereas the NNT water availability is 987 acre-feet, excluding the existing well (Permit No. 8141). However, use of the NNT water right from the Denver aquifer requires an actual impact replacement plan with commission approval. **Table 2**, shown below, details the available water rights for the Project Site.

Table 2: Water Rights

Aquifer	Classification	Volume of Available Water *(AC-FT)*	100-Yr Life *(AC-FT/Yr)*	300-Yr Life *(AC-FT/Yr)*
Laramie-Fox	NT	1,290	12.90	4.30
Arapahoe	**NT**	**1,360**	**13.60**	**4.53**
Denver*	NT	44.6	0.446	0.148
	NNT	987	9.87	3.29

(*) Available water in the Denver aquifer includes a reduction for the existing well (No. 8141)

El Paso County requires sufficient quantity of water to be based on the 300-year life of the available water supply. Per Tables 1-2, the Project's estimated water use of 4.51 AC-FT/Yr can be solely supplied by the Arapahoe Aquifer decreed water right. Establishment of the proposed wells will be the responsibility of the future lot owner(s). A Breakdown of uses per well can be found in **Table 1**.

INFORMATION REGARDING SUFFICIENT WATER QUALITY

Water quality tests were performed at the existing well at 16975 Falcon Highway that pulls from the Denver aquifer. Water samples were tested by the El Paso County Public Health Laboratory. The Standard Bacteriological and Inorganic Anions tests were both within acceptable limits recommended by the Environmental Protection Agency. Water Quality results are included in **Appendix F**.

Sage Water Users Association serves the surrounding lots of the proposed development and receives their water supply from both the Arapahoe and Laramie-Fox aquifers. They post annual water quality reports in June for the preceding year. Currently, the most recent year available is 2022. Inorganic contaminants sampled at the entry point to the distribution system include arsenic, barium, chromium, fluoride, and sodium. None of these were found to be in violation of the maximum contaminant level allowed in drinking water. Similarly, there were no formal enforcement actions necessary. This proves that the Arapahoe and Laramie-Fox aquifers serving the immediate area have sufficient water quality. **Appendix F** contains the full water quality report for Sage Water Users Association in 2022.

PUBLIC AND PRIVATE COMMERCIAL WATER PROVIDERS

Each home within the Site will be supplied water from two on-site wells. Lots 1-4 will be serviced by a single well within Lot 2 pulling, while lots 5-7 will be supplied by a single well within Lot 7. Both wells will pull from the Arapahoe Aquifer. Commercial water providers are not involved or responsible for the water system discussed in this report.

APPENDIX A – PEERLESS FARMS FINAL PLAT

PEERLESS FARMS

PRELIMINARY PLAN
16975 FALCON HIGHWAY, PEYTON, CO

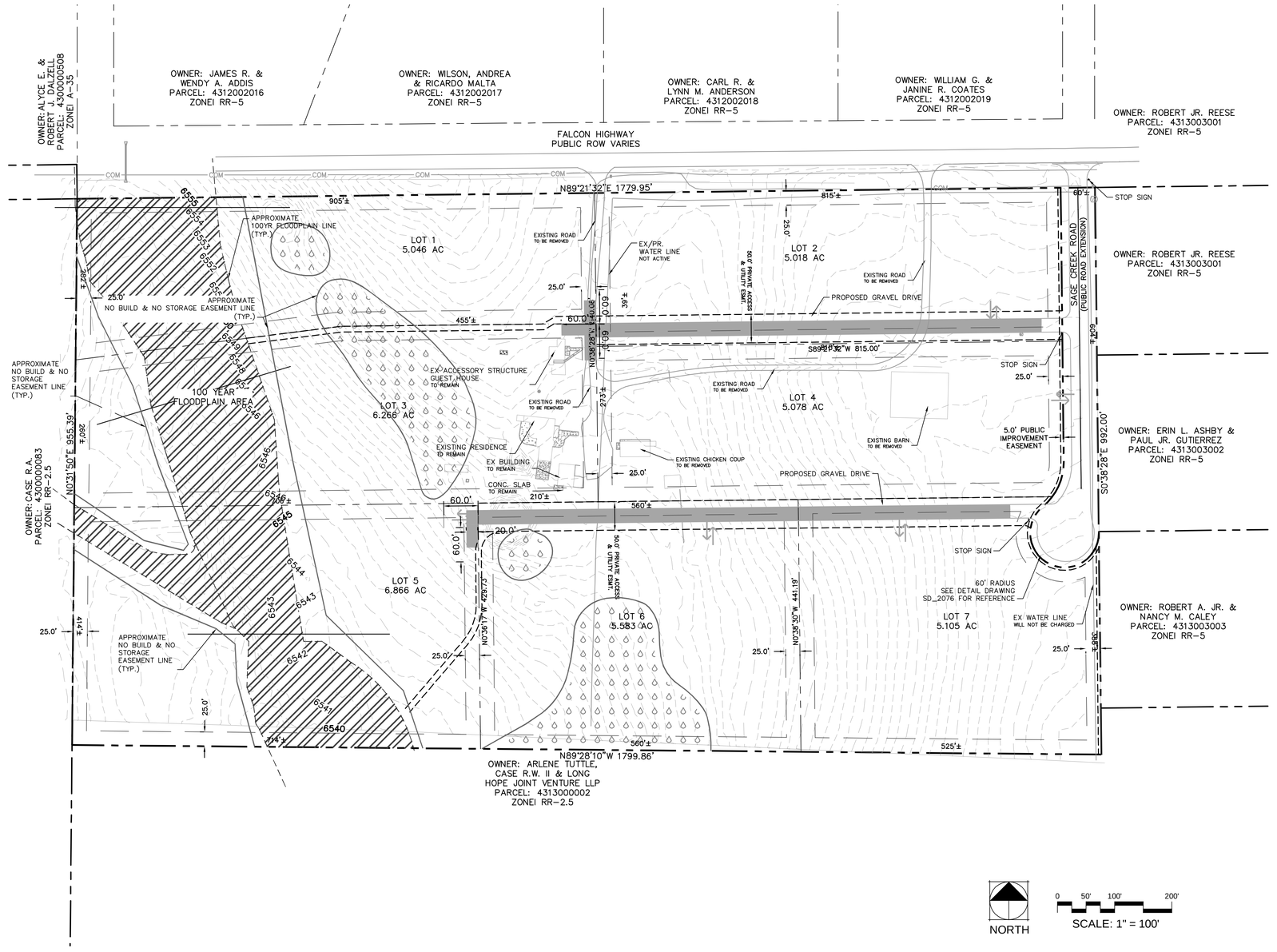
SITUATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., CITY OF PEYTON, COUNTY OF EL PASO, STATE OF COLORADO

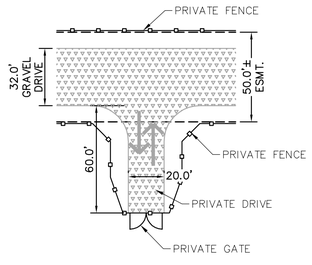
LOT TABLE		
LOT NO.	SF/AC±	USE
1	219,785SF± / 5.046AC±	RESIDENTIAL
2	218,572SF± / 5.018AC±	RESIDENTIAL
3	272,926SF± / 6.266AC±	RESIDENTIAL
4	222,638SF± / 5.112AC±	RESIDENTIAL
5	299,089SF± / 6.866AC±	RESIDENTIAL
6	243,136SF± / 5.582AC±	RESIDENTIAL
7	221,582SF± / 5.087AC±	RESIDENTIAL

LEGEND

- GRAVEL ROAD
- ASPHALT ROAD
- FLOODPLAIN
- SEASONALLY WET AREAS* (NO BUILD AREAS)
- PROPERTY BOUNDARY
- LOT LINE
- PROPERTY SETBACK
- FEMA 100YR FLOODPLAIN
- NO BUILD AND NO STORAGE EASEMENT LINE
- ACCESS AND UTILITY EASEMENTS
- EXISTING GRAVEL ROAD TO BE REMOVED

*NOTE: SEE FIG. 11 FROM RMG ARCHITECTS AND ENGINEERS SOILS AND GEOLOGY REPORT. JOB NO.:180213 FOR FURTHER INFORMATION.





1 ALTERNATIVE HAMMERHEAD/PRIVATE FENCE LAYOUT DETAIL
TYPICAL TURN ROUND

NORTH

0 50' 100' 200'
SCALE: 1" = 100'

Kimley»Horn

© 2023 KIMLEY-HORN AND ASSOCIATES, INC.
2 NORTH NEVADA AVENUE, SUITE 900
COLORADO SPRINGS, COLORADO 80903 (719) 453-0180

K:\COS_LA\196114000 - Peerless Farms\CADD\PlanSheets\196114000-PP.dwg Sep 18, 2023 8:06am

APPENDIX B – PEERLESS WATER INFORMATION SUMMARY SHEET

WATER SUPPLY INFORMATION SUMMARY

Section 30-28-133,(d), C.R.S. requires that the applicant submit to the County, "Adequate evidence that a Water supply that is sufficient in terms of quantity, quality, and dependability will be available to ensure an adeuate supply of water"

1. NAME OF DEVELOPMENT AS PROPOSED: PEERLESS FARMS FINAL PLAT

2. LAND USE ACTION: FINAL PLAT

3. NAME OF EXISTING PARCEL AS RECORDED: 4313000001

SUBDIVISION | FILING | BLOCK | Lot

4. TOTAL ACERAGE: 40+/- | 5. NUMBER OF LOTS PROPOSED: 7 | PLAT MAPS ENCLOSED: YES ☐

6. PARCEL HISTORY - Please attach copies of deeds, plats, or other evidence or documentation. (In submittal package)

A. Was parcel recorded with county prior to June 1, 1972? ☐ YES ☐ NO

B. Has the parcel ever been part of a division of land action since June 1, 1972? ☐ YES ☐ NO

If yes, describe the previous action

7. LOCATION OF PARCEL - Include a map deliniating the project area and tie to a section corner.

NW 1/4 SECTION 13 and TOWNSHIP 13 ☐ N ☒ S RANGE 64 ☐ E ☒ W

PRINCIPAL MERIDIAN: ☒ 6TH ☐ N.M. ☐ UTE ☐ COSTILLA

8. PLAT - Location of all wells on property must be plotted and permit numbers provided. - no wells have been drilled at this time, and no existing wells are located on the property.

Surveyors plat ☒ YES ☐ NO If not, scaled hand -drawn sketch Y ☐ NO

9. ESTIMATED WATER REQUIREMENTS - Gallons per Day or Acre Foot per Year

HOUSEHOLD USE # *	7	of units	0.26	AF/SFE/YR	1.82 AF
COMMERCIAL USE #		SF		GPD	AF
IRRIGATION # **	0.0566 AF/1000sqft/lot/year	AF/lot/year		GPD	2.38 AF
ANIMAL WATERING # ***	4 horses/lot	244	0.011	AF/Horse/Year	0.31 AF
				GPD	AF
TOTAL			4,022.59	GPD	4.51 AF *

** Per Part 10 of the Findings from Rep. Plan No. 2 and Part 11 of Rep. Plan No. 3*

*** Assuming 0.25 AF/year/res. lot and 2.46 AF/acre/year for commercial irrigation*

**** Per Part 2.c. Rep. Plan No. 2, Appendix C of Report (assuming 4 horses/SFE)*

10. WATER SUPPLY SOURCE

☐ EXISTING ☐ DEVELOPED ☒ NEW WELLS

WELLS SPRING

WELL PERMIT NUMBERS

Proposed Aquifers - (Check One)

☐ Alluvial ☒ Upper Arapahoe

☐ Upper Dawson ☐ Lower Arapahoe

☐ Lower Dawson ☐ Laramie Fox Hills

☐ Denver ☐ Dakota

☐ Other

☐ MUNICIPAL

☐ ASSOCIATION

☐ COMPANY

☐ DISTRICT

NAME:

LETTER OF COMMITMENT FOR SERVICE ☐ YES ☒ NO

WATER COURT DECREE CASE NUMBERS

NO. 223007800 (3)
NO. 223007799 (2)
NO. 223007798 (1)

11. ENGINEER'S WATER SUPPLY REPORT ☒ YES ☐ NO If yes, please forward with this form. (This may be required before our review is completed)

12. TYPE OF SEWAGE DISPOSAL SYSTEM

☒ SEPTIC TANK/LEACH FIELD ☐ CENTRAL SYSTEM - DISTRICT NAME:

☐ LAGOON ☐ VAULT - LOCATION SEWAGE HAULED TO:

☐ ENGINEERED SYSTEM (Attach a copy of engineering design) ☐ OTHER:

APPENDIX C – PEERLESS FIRE PROTECTION REPORT

Fire Protection Report
Fire District: Falcon Fire Protection District
Parcel ID Nos.: 4313000001
Area/Acreage: ±40.01 AC
Existing Zoning: RR-5

Site Location: The development limits are generally defined by Falcon Highway on the northern boundary and Sage Creek Road located at the northeast corner of said property.

Project Summary: This application includes the requested approval for a proposed site development plan of the 40.01-acre site of seven (7) lots RR-5 zone development. The site plan includes platted boundary descriptions, ROW dedications and improvements, private parking and drives, stormwater and water quality facilities, utilities, pedestrian amenities and landscape buffers and setbacks).

FIRE PROTECTION REPORT

Note: The information provided in this report was provided by the Falcon Fire Protection District.

About the Department

The Falcon Fire Protection District (FFPD) is composed entirely of unincorporated areas of El Paso County, Colorado's most populous county. The District has no organized towns or cities.

The District is governed by a five-member, publicly-elected Board of Directors who may serve up to two consecutive four-year terms. The Falcon Fire Department is managed by a career Fire Chief and a Deputy Chief of Operations. It is staffed primarily with career (paid) firefighter/emergency medical technicians (EMTs) and uses reserve (volunteer) firefighter/EMTs to augment staffing.

The District covers 113 square miles of unincorporated El Paso County. It serves more than 66,300 people (per El Paso County Assessor, Oct. 2018) and protects more than 16,100 structures with a 2018 estimated market value of $4.2 billion.

Falcon F.D. operates from five stations:

- Station 1, the newest station, is at Meridian Ranch Boulevard and Stapleton Road. It is staffed 24/7.
- Station 2, on North Meridian Road in the north end of the District, is not staffed.
- Station 3 (also Headquarters), at Old Meridian Road and Highway 24, is staffed 24/7.

- Station 4, located on Capital Drive north of Constitution Avenue in the southwest section of the District, is staffed 24/7.
- Station 6, on Jones Road in the east end of the District, is not staffed.

The project is located within five (5) miles of Station 6 and has a project response time of five (5) to ten (10) minutes. The site has been designed to not include fire hydrants and internal circulation.

As of February 1, 2017, FFPD has an Insurance Services Office (ISO) rating of Class 3 for all residential properties located within five road miles of any FFPD or Automatic Aid partner fire stations, regardless of proximity to a fire hydrant. ISO Class 10 applies to residential properties located more than five road miles from an FFPD or Automatic Aid fire station.

The FFPD is supported primarily by a property tax rate of 8.612 mills. The District does not receive funding from El Paso County or the State of Colorado. The District board of directors and administrators work hard to utilize taxpayer funds as efficiently as possible while still providing effective emergency services to the Falcon community.

Historical Background

The Falcon Volunteer Fire Department was organized in 1975 and incorporated on March 3, 1977 by a group of volunteers who saw a need in the community. The Department owned and operated the assets of the department until the formation of the Falcon Fire Protection District, a special district under the statutes of the state of Colorado, in 1981.

Builders/Developers Information

The Falcon Fire Department works closely with local builders and developers to help ensure they have all the information they need to plan, design, construct and complete residential and commercial projects within the Department's jurisdiction.

The links on the Falcon Fire PD site include information, regulations and forms builders and developers are most likely to need during the planning, design and construction process.

For more information regarding development and construction contact Chief Harwig at (719) 495-4050.

Fire Stations & Apparatus

Visit the FFPD contact page for a complete listing of hours, addresses, and locations, as well as information about Community Rooms.

STATION 1

Located in the Woodmen Hills neighborhood, this is the primary response station for areas north of Woodmen Road. Groundbreaking for the 15,500-square foot station took place July 31, 2009, and the station became operational in May 2010. The station has a Community Room and a First Aid room. It also serves as the District's primary fitness center for its personnel.

Falcon F.D. apparatus at Station 1 include:

- An engine
- A water tender (water truck)
- A brush truck
- A utility truck
- A command vehicle
- An ambulance

STATION 2

Falcon F.D. apparatus at Station 2 include:

- A 4-wheel drive engine
- A water tender
- A brush truck

STATION 3 / HEADQUARTERS / TRAINING

With the opening of Station 1, the Falcon Fire Department's building on Old Meridian Road became a true headquarters facility that houses administration offices as well as a fire crew 24/7. It hosts the monthly Falcon Fire Protection District Board meetings and serves as the Department's primary classroom and training facility for emergency medical services, fire, hazardous materials, and technical rescue disciplines. A new fire station is in the process of being built in order to house all of the firefighters and ambulance crew and to accommodate the apparatus and supplies. It will also have a First Aid room. The building has the same floorplan as Station 4. The old building will be renovated into administrative offices and will have a larger training/community room.

Falcon F.D. apparatus at Station 3 include:

- An engine
- A tender
- A utility truck
- A brush truck
- An ambulance

STATION 4

Falcon Fire Department's newest station is located on Capital Drive north of Constitution Avenue. It is the primary response station for areas along the Marksheffel corridor that are in the jurisdiction of the Falcon Fire Protection District. Groundbreaking for the station took place June 15, 2016 and the station became operational on May 13, 2017. The station has a Community Room and a First Aid room. Falcon F.D. apparatus at Station 4 include:

- An engine
- A water tender
- A brush truck
- An ambulance

STATION 6

Falcon F.D. apparatus at Station 6 include:

- A water tender
- A brush truck

APPENDIX D – PEERLESS PROPOSED WELL LOCATIONS

PEERLESS SUBDIVISION

FINAL PLAT

A PORTION OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M. COUNTY OF EL PASO, STATE OF COLORADO



LEGAL DESCRIPTION

LEGAL

BENCH MARK

DESCRIPTION AND LOCATION

GENERAL NOTES

1. NOTES

REVISIONS	DRAWN: MJM
	CHECKED: SLM
	DATE: 06/10/23
	JOB No.: 201029

CENTENNIAL LAND SURVEYING
16115 NORTHCLIFF SQ.
ELBERT, CO 80106 (719) 492-6540

APPENDIX E – WATER RESOURCES MEMORANDUM (WATER RIGHTS INFORMATION)

Kimley»Horn

MEMORANDUM

To:	El Paso County C/O Ryan Howser
From:	Larry Salazar
	Kimley-Horn and Associates, Inc.
Date:	06/19/2023
Subject:	Water Resources

This is an electronic memo of determination.

Upon application for determination of an allocation right for groundwater in the upper black Squirrel Creek Designated Groundwater Basin, three (3) aquifers were found.

Findings of Determination Numbers are as follows:

- 4475-BD
  - Rec. No. 223007800
  - Aquifer: Laramie-Fox Hills
- 4476-BD
  - Rec. No. 223007799
  - Aquifer: Arapahoe
- 4477-BD
  - Red. No. 223007798
  - Aquifer: Denver

DN-4475-BD
REC. NO. 223007800

223007800 1/26/2023 12:55 PM
PGS 6 $38.00 DF $0.00
Electronically Recorded Official Records El Paso County CO
Steve Schleiker, Clerk and Recorder
TD1000 N

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 UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4475-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: Robert S. Williams and Wendy K. Williams

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Robert S. Williams and Wendy K. Williams (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 August 2, 2022.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Laramie-Fox Hills aquifer (Aquifer) underlying 40.01 acres, generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated July 31, 2022, attached hereto as Exhibit A, the Applicant owns the 40.01 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 Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. 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 in-house; irrigation of lawn, garden, and greenhouse; domestic animal and stock watering; commercial; firefighting; and replacement; either directly or after temporary storage in a cistern. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40.01 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 40.01 acres of Overlying Land claimed by the Applicant is 1,290 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 215 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 1,290 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 1,290 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 12.9 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 steam 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. On September 1, 2022, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on September 21, 2022.

15. 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 September 15, 2022 and September 22, 2022.

    a. Objections to the application were submitted by Upper Black Squirrel Creek Ground Water Management District on September 22, 2022.

    b. The application and objections were forwarded to the Hearing Officer and assigned case no. 22-GW-23.

    c. The Hearing Officer entered an order dated January 23, 2023 dismissing the case and remanding the application to Staff for administrative processing.

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 40.01 acres of land, generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40.01 acres of Overlying Land allocated herein is 1,290 acre-feet (Underlying Groundwater).

17. 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.

18. 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).

19. 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 of 1,290 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 in-house; irrigation of lawn, garden, and greenhouse; domestic animal and stock watering; commercial; firefighting; and replacement; either directly or after temporary storage in a cistern. The place of use of the Underlying Groundwater shall be limited to the above described 40.01 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. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

    g. The wells must be located on the above described 40.01 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 and the Upper Black Squirrel Creek Ground Water Management District 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.

20. 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 40.01 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. 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 25th day of January, 2023.

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

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

Prepared by: wad
F&O4475-BD.doc

Exhibit A
Determination no. 4475-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

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

RCVD DWR
08/02/2022

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant
Robert S Williams and Wendy K Williams

Mailing Address	City	State	Zip Code
16975 Falcon Hwy	Peyton	CO	80831

Telephone Number (include area code)	Email
406-438-1874	stuing@protonmail.com; stm@cowaterlaw.com

2. AQUIFER
Laramie-Fox Hills

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40.01 in the county of: El Paso
described as follows (insert legal description).

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13 IN TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 00°31'50" WEST ALONG THE WEST SECTION LINE, A DISTANCE OF 60.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°21'32" EAST ON A LINE PARALLEL TO THE NORTH SECTION LINE A DISTANCE OF 1,779.95 FEET; THENCE SOUTH 00°38'28" EAST, A DISTANCE OF 992.00 FEET; THENCE NORTH 89°28'10" WEST A DISTANCE OF 1,799.86 FEET; THENCE NORTH 00°31'50" EAST 955.39 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Please see attached.

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Robert S Williams Wendy K Williams Date: 31 July, 2022

Robert K. Williams, Owner Wendy S. Williams, Owner

Print name and title:

DN-4476-BD
REC. NO. 223007799

223007799 1/26/2023 12:54 PM
PGS 6 $38.00 DF $0.00
Electronically Recorded Official Records El Paso County CO
Steve Schleiker, Clerk and Recorder
TD1000 N

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 UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4476-BD

AQUIFER: Arapahoe

APPLICANT: Robert S. Williams and Wendy K. Williams

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Robert S. Williams and Wendy K. Williams (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 August 2, 2022.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Arapahoe aquifer (Aquifer) underlying 40.01 acres, generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated July 31, 2022, attached hereto as Exhibit A, the Applicant owns the 40.01 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 Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. 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 in-house; irrigation of lawn, garden, and greenhouse; domestic animal and stock watering; commercial; firefighting; and replacement; either directly or after temporary storage in a cistern. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40.01 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 40.01 acres of Overlying Land claimed by the Applicant is 1,360 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 200 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 1,360 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 1,360 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 13.6 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 steam 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. On September 1, 2022, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on September 21, 2022.

15. 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 September 15, 2022 and September 22, 2022.

    a. Objections to the application were submitted by Upper Black Squirrel Creek Ground Water Management District on September 22, 2022.

    b. The application and objections were forwarded to the Hearing Officer and assigned case no. 22-GW-23.

    c. The Hearing Officer entered an order dated January 23, 2023 dismissing the case and remanding the application to Staff for administrative processing.

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 40.01 acres of land, generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 40.01 acres of Overlying Land allocated herein is 1,360 acre-feet (Underlying Groundwater).

17. 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.

18. 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).

19. 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 of 1,360 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 in-house; irrigation of lawn, garden, and greenhouse; domestic animal and stock watering; commercial; firefighting; and replacement; either directly or after temporary storage in a cistern. The place of use of the Underlying Groundwater shall be limited to the above described 40.01 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. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

    g. The wells must be located on the above described 40.01 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 and the Upper Black Squirrel Creek Ground Water Management District 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.

20. 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 40.01 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

21. 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 25th day of January, 2023.

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

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

Prepared by: wad
F&O4476-BD.doc

Exhibit A
Determination no. 4476-BD
Page 1 of 1

Form no. GWS-1 (1/2020)

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

RCVD DWR
08/02/2022

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form.
Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant
Robert S Williams and Wendy K Williams

Mailing Address	City	State	Zip Code
16975 Falcon Hwy	Peyton	CO	80831

Telephone Number (include area code)	Email
406-438-1874	stuing@protonmail.com; stm@cowaterlaw.com

2. AQUIFER
Arapahoe

3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40.01 in the county of: El Paso
described as follows (insert legal description).

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13 IN TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 00°31'50" WEST ALONG THE WEST SECTION LINE, A DISTANCE OF 60.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°21'32" EAST ON A LINE PARALLEL TO THE NORTH SECTION LINE A DISTANCE OF 1,779.95 FEET; THENCE SOUTH 00°38'28" EAST, A DISTANCE OF 992.00 FEET; THENCE NORTH 89°28'10" WEST A DISTANCE OF 1,799.86 FEET; THENCE NORTH 00°31'50" EAST 955.39 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Please see attached.

5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

Signature: Robert S. Williams, Owner Wendy K. Williams, Owner Date: 31 July, 2022

Print name and title:

DN-4477-BD
REC. NO. 223007798

223007798 1/26/2023 12:54 PM
PGS 9 $53.00 DF $0.00
Electronically Recorded Official Records El Paso County CO
Steve Schleiker, Clerk and Recorder
TD1000 N

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 UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4477-BD

AQUIFER: Denver

APPLICANT: Robert S. Williams and Wendy K. Williams

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Robert S. Williams and Wendy K. Williams (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 August 2, 2022.

2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Denver aquifer (Aquifer) underlying 40.01 acres generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., in El Paso County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated July 31, 2022 attached hereto as Exhibit A, the Applicant owns the 40.01 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 Upper Black Squirrel Creek Designated Groundwater Basin and within the Upper Black Squirrel Creek Ground Water Management District. 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 in-house; irrigation of lawn, garden, and greenhouse; domestic animal and stock watering; commercial; firefighting; and replacement; either directly or after temporary storage in a cistern. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 40.01 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 replacement water requirement for withdrawal of groundwater from the Aquifer consists of two different requirements, which effectively divides the Overlying Land into two areas. The amount of groundwater in the Aquifer and a maximum annual amount available for allocation will be determined specifically for the Aquifer underlying each of the two areas. These areas are designated and described as follows:

a. Area A containing 38.51 acres generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., which overlies not-nontributary groundwater located closer than one mile from the Aquifer contact with the alluvium; and

b. Area B containing 1.50 acres generally described as a portion of the N 1/2 of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., all in El Paso County, which overlies not-nontributary groundwater located farther than one mile from the Aquifer contact with the alluvium.

These two areas are further depicted on a map attached hereto as Exhibit B.

8. The amount of water in storage in the Aquifer underlying the 40.01 acres of Overlying Land claimed by the Applicant is as follows: 1,150 acre-feet for Area A and 44.6 acre-feet for Area B. 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 175 feet for both Area A and Area B.

9. A review of the records in the Office of the State Engineer has disclosed that a well operating pursuant to section 37-90-105, C.R.S., (i.e. a small-capacity well), permit no. 8141, is located on Area A of the Overlying Land and is permitted to withdraw 3 acre-feet per year of groundwater from the alluvial aquifer and Denver aquifer from beneath Area A. The amount of water considered to be withdrawn from the Denver aquifer by this well over a period equal to an aquifer life of one hundred years is 163 acre-feet. In applying Rule 5.3.2.5 of the Designated Basin Rules to computing the amount of water available for allocation in this Determination, the amount of groundwater in the Aquifer underlying Area A available for allocation in this Determination is reduced by 163 acre-feet to 987 acre-feet. Except for this well, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the Aquifer underlying the Overlying Land.

10. 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.

11. 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").

12. 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 987 acre-feet of water in the Aquifer underlying Area A and 44.6 acre-feet of water in the Aquifer underlying Area B 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 9.87 acre-feet per year for Area A and 0.446 acre-feet per year for Area B.

    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 the replacement water requirements for withdrawal of groundwater from the Aquifer undelrying the Overlying Land is as follows:

        i. Area A - Withdrawal of groundwater from the Aquifer underlying Area A will, within one hundred years, deplete the flow of a natural steam 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 Area A is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Also, the location of Area A is closer than one mile from the Aquifer contact with the alluvium. Withdrawal of water from the Aquifer underlying Area A would impact the alluvial aquifer of the Upper Black Squirrel Creek 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 Area A.

        ii. Area B - Withdrawal of groundwater from the Aquifer underlying Area B will, within one hundred years, deplete the flow of a natural steam 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 Area B is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Also, the location of Area B is farther than one mile from the Aquifer contact with the alluvium. Pursuant to the Rules, at least four percent (4%) of the amount of the underlying water withdrawn annually must be returned to the alluvial aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission. Pursuant to the Rules the Applicant may at any time be required to identify the proposed, or actual, location of the delivery of the replacement water and how the required four percent (4%) of water diverted will be, or is being, delivered into the alluvial aquifer.

13. 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.

14. 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.

15. On September 1, 2022, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Upper Black Squirrel Creek Ground Water Management District. Written recommendations from the District were received on September 21, 2022.

16. 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 September 15, 2022 and September 22, 2022.

    a. Objections to the application were submitted by Upper Black Squirrel Creek Ground Water Management District on September 22, 2022.

    b. The application and objections were forwarded to the Hearing Officer and assigned case no. 22-GW-23.

    c. The Hearing Officer entered an order dated January 23, 2023 dismissing the case and remanding the application to Staff for administrative processing.

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 40.01 acres generally described as a portion of the N 1/2 of the NW 1/4 of Section 13, Township 13 South, Range 64 West of the 6th P.M., in El Paso County, further described in Exhibit A, subject to the following conditions.

17. The amount (i.e. volume) of water in the Aquifer underlying the 40.01 acres of Overlying Land allocated herein is 987 acre-feet for Area A and 44.6 acre-feet for Area B (Underlying Groundwater).

18. 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.

19. 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).

20. 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 of 987 acre-feet for Area A and 44.6 acre-feet for Area B, 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. Replacement water requirements shall be as follows:

        i. For the aquifer underlying the above described 38.51 acres of Area A, 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 withdraw of the groundwater in the Aquifer underlying Area A.

            1. Upon withdrawal of the total allowed average amount of water underlying Area A, in any calendar year, the allowed average annual amount of water underlying the above described Area B may be withdrawn through wells located on Area A, subject to 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.

        ii. For the aquifer underlying the above described 1.50 acres of Area B, at least four percent (4%) of the amount of groundwater in the Aquifer underlying Area B withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission.

1. Upon withdrawal of the total allowed average amount of water underlying Area B, in any calendar year, the allowed average annual amount of water underlying the above described Area A may be withdrawn through wells located on Area B, subject to 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.

f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic in-house; irrigation of lawn, garden, and greenhouse; domestic animal and stock watering; commercial; firefighting; and replacement; either directly or after temporary storage in a cistern. The place of use of the Underlying Groundwater shall be limited to the above described 40.01 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. The Underlying Groundwater is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.

g. The wells must be located on the above described 40.01 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 and the Upper Black Squirrel Creek Ground Water Management District 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.

21. 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 40.01 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.

22. 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 25th day of January, 2023.

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

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

Prepared by: wad
F&O4477-BD.doc

Form no. GWS-1 (1/2020)
DIVISION OF WATER RESOURCES
DEPARTMENT OF NATURAL RESOURCES
1313 Sherman St, Room 821, Denver, CO 80203
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

RCVD DWR
08/02/2022

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.
1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.
NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form.
Type or print in black or blue ink.

1. APPLICANT INFORMATION

Name of Applicant
Robert S Williams and Wendy K Williams

Mailing Address	City	State	Zip Code
16975 Falcon Hwy	Peyton	CO	80831

Telephone Number (include area code)	Email
406-438-1874	stuing@protonmail.com; stm@cowaterlaw.com

2. AQUIFER

Denver

3. CLAIM OF OWNERSHIP

I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.

Number of acres: 40.01 in the county of: El Paso
described as follows (insert legal description).

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 13 IN TOWNSHIP 13 SOUTH, RANGE 64 WEST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 13; THENCE SOUTH 00°31'50" WEST ALONG THE WEST SECTION LINE, A DISTANCE OF 60.01 FEET TO THE TRUE POINT OF BEGINNING; THENCE NORTH 89°21'32" EAST ON A LINE PARALLEL TO THE NORTH SECTION LINE A DISTANCE OF 1,779.95 FEET; THENCE SOUTH 00°38'28" EAST, A DISTANCE OF 992.00 FEET; THENCE NORTH 89°28'10" WEST A DISTANCE OF 1,799.86 FEET; THENCE NORTH 00°31'50" EAST 955.39 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF EL PASO, STATE OF COLORADO.

- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.

4. THE APPLICANT MUST PROVIDE

– a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). Please see attached.

5. SIGNATURE

– Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.

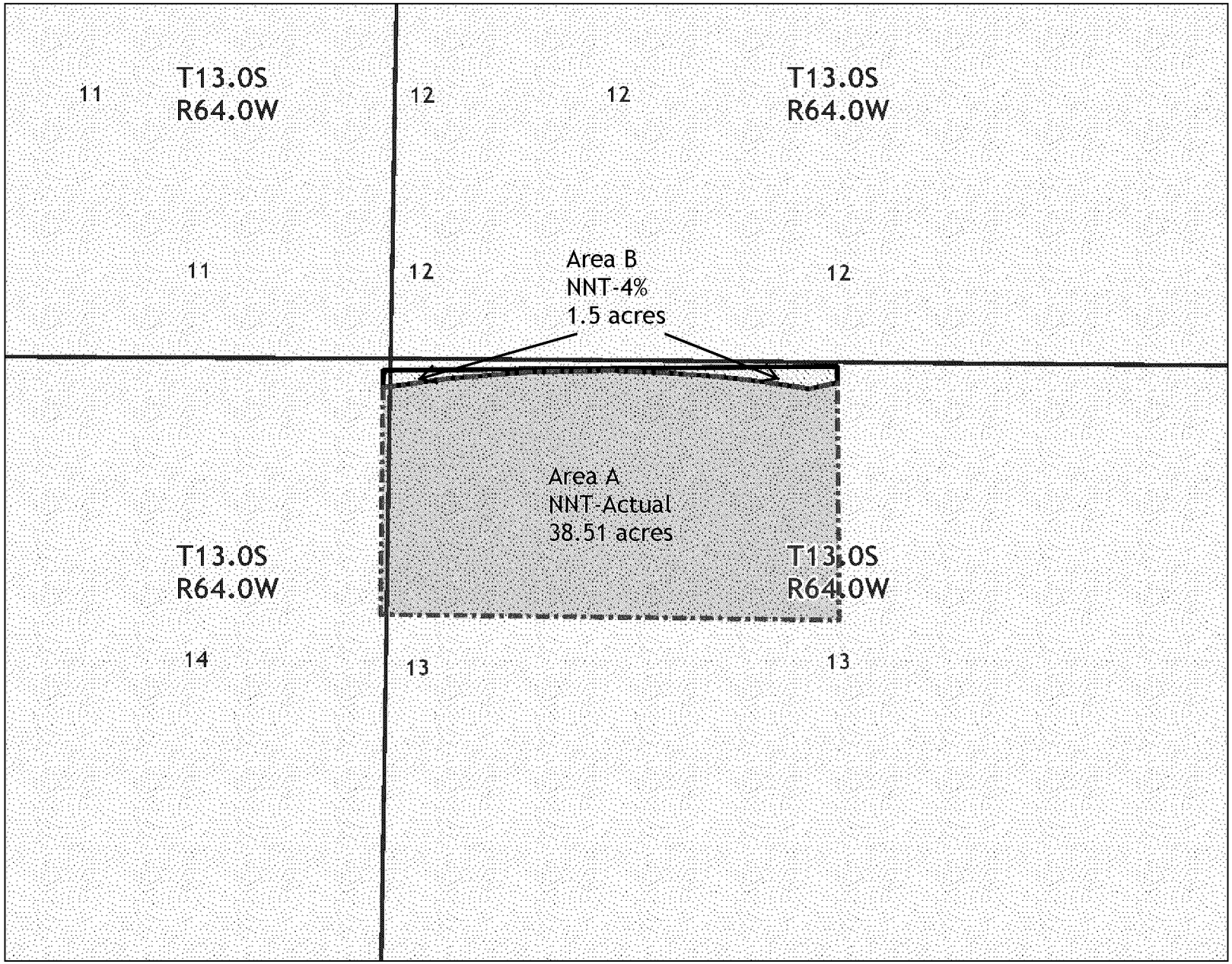
Signature: Robert D. Williams Wendy K. Williams Date: 31 July, 2022

Robert S. Williams, Owner Wendy K. Williams, Owner

Print name and title:

COLORADO
Division of Water Resources
Department of Natural Resources

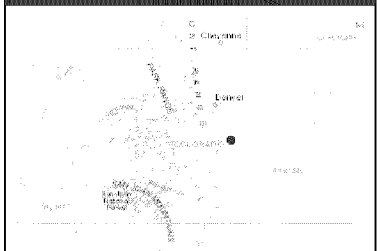
Exhibit B, Determination no. 4477-BD, Page 1 of 1



Legend

- Township
- Section
- Alluvium
- Subcrop
- Zone Type
  - NON TRIBUTARY
  - NNT 4%
  - NNT ACTUAL

Location



Notes

Applicant: Robert S. Williams and Wendy K. Williams
Receipt No.: 10023310

1,142 0 571 1,142 Feet

1: 6,850

This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.

Date Prepared: 8/10/2022 1:23:35 PM

APPENDIX F – WATER QUALITY TEST RESULTS

SAGE WUA and MCI Drinking Water Quality Report
Covering Data For Calendar Year 2022

Public Water System ID: CO0121745

Esta es información importante. Si no la pueden leer, necesitan que alguien se la traduzca.

We are pleased to present to you this year's water quality report. Our constant goal is to provide you with a safe and dependable supply of drinking water. Please contact TAMMY KITTS at 719-659-6919 with any questions or for public participation opportunities that may affect water quality. **Please see the water quality data from our wholesale system(s) (either attached or included in this report) for additional information about your drinking water.**

General Information

All drinking water, including bottled water, may reasonably be expected to contain at least small amounts of some contaminants. The presence of contaminants does not necessarily indicate that the water poses a health risk. More information about contaminants and potential health effects can be obtained by calling the Environmental Protection Agency's Safe Drinking Water Hotline (1-800-426-4791) or by visiting epa.gov/ground-water-and-drinking-water.

Some people may be more vulnerable to contaminants in drinking water than the general population. Immunocompromised persons such as persons with cancer undergoing chemotherapy, persons who have undergone organ transplants, people with HIV-AIDS or other immune system disorders, some elderly, and infants can be particularly at risk of infections. These people should seek advice about drinking water from their health care providers. For more information about contaminants and potential health effects, or to receive a copy of the U.S. Environmental Protection Agency (EPA) and the U.S. Centers for Disease Control (CDC) guidelines on appropriate means to lessen the risk of infection by Cryptosporidium and microbiological contaminants call the EPA Safe Drinking Water Hotline at (1-800-426-4791).

The sources of drinking water (both tap water and bottled water) include rivers, lakes, streams, ponds, reservoirs, springs, and wells. As water travels over the surface of the land or through the ground, it dissolves naturally occurring minerals and, in some cases, radioactive material, and can pick up substances resulting from the presence of animals or from human activity. Contaminants that may be present in source water include:

- **Microbial contaminants:** viruses and bacteria that may come from sewage treatment plants, septic systems, agricultural livestock operations, and wildlife.
- **Inorganic contaminants:** salts and metals, which can be naturally-occurring or result from urban storm water runoff, industrial or domestic wastewater discharges, oil and gas production, mining, or farming.
- **Pesticides and herbicides:** may come from a variety of sources, such as agriculture, urban storm water runoff, and residential uses.
- **Radioactive contaminants:** can be naturally occurring or be the result of oil and gas production and mining activities.
- **Organic chemical contaminants:** including synthetic and volatile organic chemicals, which are byproducts of industrial processes and petroleum production, and also may come from gas stations, urban storm water runoff, and septic systems.

In order to ensure that tap water is safe to drink, the Colorado Department of Public Health and Environment prescribes regulations limiting the amount of certain contaminants in water provided by public water systems. The Food and Drug Administration regulations establish limits for contaminants in bottled water that must provide the same protection for public health.

Lead in Drinking Water

Lead can cause serious health problems, especially for pregnant women and young children. Lead in drinking water is primarily from materials and components associated with service lines and home plumbing. We are responsible for providing high quality drinking water and removing lead pipes, but cannot control the variety of materials used in plumbing components in your home. You share the responsibility for protecting yourself and your family from the lead in your home plumbing. You can take responsibility by identifying and removing lead materials within your home plumbing and taking steps to reduce your family's risk. Before drinking tap water, flush your pipes for several minutes by running your tap, taking a shower, doing laundry or a load of dishes. You can also use a filter certified by an American National Standards Institute accredited certifier to reduce lead in drinking water. If you are concerned about lead in your water and wish to have your water tested, contact TAMMY KITTS at 719-659-6919. Information on lead in drinking water, testing methods, and steps you can take to minimize exposure is available at epa.gov/safewater/lead.

Source Water Assessment and Protection (SWAP)

The Colorado Department of Public Health and Environment may have provided us with a Source Water Assessment Report for our water supply. For general information or to obtain a copy of the report please visit wqcdcompliance.com/ccr. The report is located under "Guidance: Source Water Assessment Reports". Search the table using system name or ID, or by contacting TAMMY KITTS at 719-659-6919. The Source Water Assessment Report provides a screening-level evaluation of potential contamination that ***could*** occur. It ***does not*** mean that the contamination ***has or will*** occur. We can use this information to evaluate the need to improve our current water treatment capabilities and prepare for future contamination threats. This can help us ensure that quality finished water is delivered to your homes. In addition, the source water assessment results provide a starting point for developing a source water protection plan. Potential sources of contamination in our source water area are listed on the next page.

Please contact us to learn more about what you can do to help protect your drinking water sources, any questions about the Drinking Water Quality Report, to learn more about our system, or to attend scheduled public meetings. We want you, our valued customers, to be informed about the services we provide and the quality water we deliver to you every day.

Our Water Sources

Sources (Water Type - Source Type)	Potential Source(s) of Contamination
PURCHSD MID COLOROADO INV 121465 GW (Groundwater-Consecutive Connection)	There is no SWAP report, please contact TAMMY KITTS at 719-659-6919 with questions regarding potential sources of contamination.

Terms and Abbreviations

- **Maximum Contaminant Level (MCL)** − The highest level of a contaminant allowed in drinking water.
- **Treatment Technique (TT)** − A required process intended to reduce the level of a contaminant in drinking water.
- **Health-Based** − A violation of either a MCL or TT.
- **Non-Health-Based** − A violation that is not a MCL or TT.
- **Action Level (AL)** − The concentration of a contaminant which, if exceeded, triggers treatment and other regulatory requirements.
- **Maximum Residual Disinfectant Level (MRDL)** − The highest level of a disinfectant allowed in drinking water. There is convincing evidence that addition of a disinfectant is necessary for control of microbial contaminants.

- **Maximum Contaminant Level Goal (MCLG)** − The level of a contaminant in drinking water below which there is no known or expected risk to health. MCLGs allow for a margin of safety.
- **Maximum Residual Disinfectant Level Goal (MRDLG)** − The level of a drinking water disinfectant, below which there is no known or expected risk to health. MRDLGs do not reflect the benefits of the use of disinfectants to control microbial contaminants.
- **Violation (No Abbreviation)** − Failure to meet a Colorado Primary Drinking Water Regulation.
- **Formal Enforcement Action (No Abbreviation)** − Escalated action taken by the State (due to the risk to public health, or number or severity of violations) to bring a non-compliant water system back into compliance.
- **Variance and Exemptions (V/E)** − Department permission not to meet a MCL or treatment technique under certain conditions.
- **Gross Alpha (No Abbreviation)** − Gross alpha particle activity compliance value. It includes radium-226, but excludes radon 222, and uranium.
- **Picocuries per liter (pCi/L)** − Measure of the radioactivity in water.
- **Nephelometric Turbidity Unit (NTU)** − Measure of the clarity or cloudiness of water. Turbidity in excess of 5 NTU is just noticeable to the typical person.
- **Compliance Value (No Abbreviation)** – Single or calculated value used to determine if regulatory contaminant level (e.g. MCL) is met. Examples of calculated values are the 90th Percentile, Running Annual Average (RAA) and Locational Running Annual Average (LRAA).
- **Average (x-bar)** − Typical value.
- **Range (R)** − Lowest value to the highest value.
- **Sample Size (n)** − Number or count of values (i.e. number of water samples collected).
- **Parts per million = Milligrams per liter (ppm = mg/L)** − One part per million corresponds to one minute in two years or a single penny in $10,000.
- **Parts per billion = Micrograms per liter (ppb = ug/L)** − One part per billion corresponds to one minute in 2,000 years, or a single penny in $10,000,000.
- **Not Applicable (N/A)** – Does not apply or not available.
- **Level 1 Assessment** – A study of the water system to identify potential problems and determine (if possible) why total coliform bacteria have been found in our water system.
- **Level 2 Assessment** – A very detailed study of the water system to identify potential problems and determine (if possible) why an E. coli MCL violation has occurred and/or why total coliform bacteria have been found in our water system on multiple occasions.



Detected Contaminants

SAGE WUA routinely monitors for contaminants in your drinking water according to Federal and State laws. The following table(s) show all detections found in the period of January 1 to December 31, 2022 unless otherwise noted. The State of Colorado requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year, or the system is not considered vulnerable to this type of contamination. Therefore, some of our data, though representative, may be more than one-year-old. Violations and Formal Enforcement Actions, if any, are reported in the next section of this report.

Note: Only detected contaminants sampled within the last 5 years appear in this report. If no tables appear in this section, then no contaminants were detected in the last round of monitoring.

Disinfectants Sampled in the Distribution System **TT Requirement**: At least 95% of samples per period (month or quarter) must be at least 0.2 ppm ***OR*** If sample size is less than 40 no more than 1 sample is below 0.2 ppm **Typical Sources:** Water additive used to control microbes						
Disinfectant Name	**Time Period**	**Results**	**Number of Samples Below Level**	**Sample Size**	**TT Violation**	**MRDL**
Chlorine	December, 2022	Lowest period percentage of samples meeting TT requirement: 100%	0	1	No	4.0 ppm

Lead and Copper Sampled in the Distribution System								
Contaminant Name	**Time Period**	**90th Percentile**	**Sample Size**	**Unit of Measure**	**90th Percentile AL**	**Sample Sites Above AL**	**90th Percentile AL Exceedance**	**Typical Sources**
Copper	09/21/2021 to 09/23/2021	0.01	10	ppm	1.3	0	No	Corrosion of household plumbing systems; Erosion of natural deposits

Disinfection Byproducts Sampled in the Distribution System									
Name	**Year**	**Average**	**Range Low – High**	**Sample Size**	**Unit of Measure**	**MCL**	**MCLG**	**MCL Violation**	**Typical Sources**
Total Haloacetic Acids (HAA5)	2022	0.45	0 to 0.9	2	ppb	60	N/A	No	Byproduct of drinking water disinfection
Total Trihalomethanes (TTHM)	2022	4.93	0 to 8.7	3	ppb	80	N/A	No	Byproduct of drinking water disinfection

Violations, Significant Deficiencies, and Formal Enforcement Actions

No Violations or Formal Enforcement Actions

MID COLORADO INVESTMENT 2023 Drinking Water Quality Report
Covering Data For Calendar Year 2022

Public Water System ID: CO0121465

Esta es información importante. Si no la pueden leer, necesitan que alguien se la traduzca.

We are pleased to present to you this year's water quality report. Our constant goal is to provide you with a safe and dependable supply of drinking water. Please contact CHARLES HAGEDORN at 206-940-6931 with any questions or for public participation opportunities that may affect water quality.

Source Water Assessment and Protection (SWAP)

The Colorado Department of Public Health and Environment may have provided us with a Source Water Assessment Report for our water supply. For general information or to obtain a copy of the report please visit wqcdcompliance.com/ccr. The report is located under "Guidance: Source Water Assessment Reports". Search the table using system name or ID, or by contacting CHARLES HAGEDORN at 206-940-6931. The Source Water Assessment Report provides a screening-level evaluation of potential contamination that ***could*** occur. It ***does not*** mean that the contamination ***has or will*** occur. We can use this information to evaluate the need to improve our current water treatment capabilities and prepare for future contamination threats. This can help us ensure that quality finished water is delivered to your homes. In addition, the source water assessment results provide a starting point for developing a source water protection plan. Potential sources of contamination in our source water area are listed on the next page.

Please contact us to learn more about what you can do to help protect your drinking water sources, any questions about the Drinking Water Quality Report, to learn more about our system, or to attend scheduled public meetings. We want you, our valued customers, to be informed about the services we provide and the quality water we deliver to you every day.

Our Water Sources

Sources (Water Type - Source Type)	Potential Source(s) of Contamination
LARAMIE FOX HILLS WELL 1 (Groundwater-Well) ARAPAHOE WELL 2 (Groundwater-Well)	Road Miles

Detected Contaminants

MID COLORADO INVESTMENT routinely monitors for contaminants in your drinking water according to Federal and State laws. The following table(s) show all detections found in the period of January 1 to December 31, 2022 unless otherwise noted. The State of Colorado requires us to monitor for certain contaminants less than once per year because the concentrations of these contaminants are not expected to vary significantly from year to year, or the system is not considered vulnerable to this type of contamination. Therefore, some of our data, though representative, may be more than one-year-old. Violations and Formal Enforcement Actions, if any, are reported in the next section of this report.

Note: Only detected contaminants sampled within the last 5 years appear in this report. If no tables appear in this section, then no contaminants were detected in the last round of monitoring.

Inorganic Contaminants Sampled at the Entry Point to the Distribution System									
Contaminant Name	**Year**	**Average**	**Range Low – High**	**Sample Size**	**Unit of Measure**	**MCL**	**MCLG**	**MCL Violation**	**Typical Sources**
Arsenic	2021	1	1 to 1	1	ppb	10	0	No	Erosion of natural deposits; runoff from orchards; runoff from glass and electronics production wastes
Barium	2021	0.01	0.01 to 0.01	1	ppm	2	2	No	Discharge of drilling wastes; discharge from metal refineries; erosion of natural deposits
Chromium	2021	2	2 to 2	1	ppb	100	100	No	Discharge from steel and pulp mills; erosion of natural deposits
Fluoride	2021	1.01	1.01 to 1.01	1	ppm	4	4	No	Erosion of natural deposits; water additive which promotes strong teeth; discharge from fertilizer and aluminum factories

Secondary Contaminants** **Secondary standards are non-enforceable guidelines for contaminants that may cause cosmetic effects (such as skin, or tooth discoloration) or aesthetic effects (such as taste, odor, or color) in drinking water.						
Contaminant Name	**Year**	**Average**	**Range Low – High**	**Sample Size**	**Unit of Measure**	**Secondary Standard**
Sodium	2021	124.5	124.5 to 124.5	1	ppm	N/A

Violations, Significant Deficiencies, and Formal Enforcement Actions

No Violations or Formal Enforcement Actions