

# **HARDY ROAD PROPERTIES SUBDIVISION**

## **PRELIMINARY WATER RESOURCES REPORT**

**For  
Hardy Road Properties,  
LLC**

**May 26, 2026**

**Prepared By:**



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

## **Executive Summary:**

### **Preliminary Water Resources Report – Hardy Road Properties Subdivision**

W. James Tilton and Ryan W. Farr of Monson, Cummins, Shoheit & Farr, LLC, on behalf of the Applicant, Hardy Road Properties, LLC (“Owner”), provide the following Water Resources/Wastewater Disposal Report in support of the Hardy Road Properties Subdivision. The attorneys at Monson, Cummins, Shoheit & Farr, LLC (“MCSF”) have extensive experience in water related matters, with Mr. Farr having practiced water law almost exclusively for nearly 11 years. MCSF has substantial experience with Denver Basin groundwater resources, augmentation plans, designated basin replacement plans, subdivision proceedings, and rural water usage. Given his experience, Mr. Farr should be considered a “qualified professional” as concerns water resources, as discussed at Section 8.4.7(B)(1)(c) of the El Paso County Land Development Code. This Report, overseen by Mr. Farr and prepared in conjunction with other professionals, is intended to demonstrate to the El Paso County Planning Commission and the Board of County Commissioners the sufficiency in terms of quantity and dependability, of the water rights and resources to be utilized in the proposed Hardy Road Properties Subdivision (the “Subdivision”), in El Paso County, Colorado.

The Property consists of approximately 19.39 acres located in the E½ SE¼ SW¼ of Section 14, Township 11 South, Range 65 West of the 6<sup>th</sup> P.M; El Paso County, Colorado, designated as Parcel No. 5114000046, located at 10545 Hardy Road, Colorado Springs, Colorado 80908. **Exhibit A.** Two (2) lots in the Subdivision are to be provided water and sewer/septic services by means of on-site individual wells and Individual Septic Disposal Systems (“ISDS”). One well will be drilled on Lot 1, another on Lot 2, each supplying water to individual residences. Lots 1 and 2 will each be approximately 5 acres in size. There are no existing wells on the property currently. The remaining approximately 9.4 acres of land, labeled Tract A and depicted on **Exhibit A**, is and will remain unimproved. Both developed lots will have their own ISDS.

Lot 1 and Lot 2 will each have one well to the Dawson aquifer. Each well will be permitted to pump up to one (1) acre-foot of water annually, providing water to Lot 1 and Lot 2, respectively, equating to a total of two (2) acre feet being pumped from the non-tributary Dawson aquifer annually. Both wells will be constructed to the non-tributary Dawson aquifer, consistent with Replacement Plan 4868-RP, approved by the Colorado Ground Water Commission and recorded at El Paso County Clerk and Recorder’s instrument no. 226048464. **Exhibit B.** Such water supply demand is similar to other rural residential homes’ historical demand. The Replacement Plan will provide for a 300-year water supply for each lot within the Subdivision, with each lot utilizing a non-evaporative ISDS. This 300-year water supply is sustainable based on initial estimates of Dawson aquifer supplies.

The water resources to be utilized on the residential lots in the Subdivision are typical of rural residential development in this area of El Paso County, Colorado. Estimates of availability of water supplies demonstrate a sufficient quantity and reliability of water to support compliance with El Paso County's 300-year water supply rules for subdivisions of this nature.

## **I. INTRODUCTION**

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

1.1 New Development Description: The Subdivision consists of 19.4 acres located in the E $\frac{1}{2}$  SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, Township 11 South, Range 65 West of the 6<sup>th</sup> P.M; El Paso County, Colorado. The Property will be subdivided into up to three lots. Two of the three lots are anticipated to have one single-family residence on it. **Exhibit A**, attached hereto, is the lot layout for the Subdivision as proposed, prepared by Gould Land Surveying. This analysis accounts for water utilized as approved for 300-years at the existing well, and the 300-year supply necessary for one additional augmented well.

## **II. PROJECTION OF WATER NEEDS**

2.1 Analysis of Water Demands: It is expected that the two residential lots in the Subdivision will utilize two individual wells drilled to the Dawson aquifer for domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. It is anticipated that the residences on Lots 1 and 2 will each utilize a minimum of 0.20 acre-feet and up to 1.0 acre-feet annually for in-house residential purposes, irrigation of lawn and garden, watering of livestock, and other approved uses. There are no wells currently constructed on the property. Based on past experience with the numerous Dawson aquifer wells serving rural residential properties throughout El Paso County, and State data of wells within a mile of this property, the Dawson aquifer wells drilled on Lots 1 and 2 will produce water at a flow rate of 9 to 15 gallons per minute. This rate of production should be more than sufficient to meet demand for in-house use.

## **III. PROPOSED WATER RIGHTS AND FACILITIES**

3.1 Water Rights: A Replacement Plan utilizing the underlying Dawson aquifer has been approved by the Colorado Ground Water Commission. The Replacement Plan, and the Basin Determinations issued by the Colorado Ground Water Commission, include the following estimated quantities of water supplies that will meet both legal and physical needs on a 300-year basis:

<b>AQUIFER</b>	<b>Saturated Thickness (ft)</b>	<b>Total Water Adjudicated (Acre Feet)</b>	<b>Annual Average Withdrawal – 100 Years (Acre Feet)</b>	<b>Annual Average Withdrawal – 300 Years (Acre Feet)</b>
Dawson (NNT)	465	1,800	18	6
Denver (NT)	365	1,200	12	N/A
Arapahoe (NT)	265	874	8.74	N/A
Laramie Fox Hills (NT)	185	538	5.38	N/A

All depletions will be augmented in time, place and amount through septic return flows during pumping. Being within a designated basin, there is no need to reserve water resources to provide for post-pumping replacement. All amounts provided in this paragraph 3.1 reflect the Colorado Ground Water Commission’s Findings and Order, Basin Determinations no. 4868-BD (Dawson aquifer), 4867-BD (Denver aquifer), 4866-BD (Arapahoe aquifer), and 4865-BD (Laramie-Fox Hills aquifer). These Basin Determinations have been recorded with El Paso County Clerk and Recorder’s Office at instrument nos. 226048461, 226048462, 226048460 and 226048463, respectively. See **Exhibit C**.

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

3.3 Pumping Rates for Service: The Dawson aquifer in the location of the Subdivision is generally known to produce approximately 10-15 gallons per minute, more than sufficient for single family residential and accessory uses. It is anticipated that the Dawson aquifer wells on Lots 1 and 2 will likely produce water at approximately this rate. Both wells will be installed by a certified, licensed well driller. Applicant does not anticipate applying for either well until after the subdivision process with El Paso County is completed. Applicant expects the first well will be drilled within five (5) years of the County approving the requested subdivision. A location for this anticipated well has not been selected.

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

4.1 Septic/Wastewater Loads: Septic projections are based on similar Denver Basin residential uses on rural residential lots. Average daily wastewater loads are expected to be approximately 232 gallons per day per single-family residence assuming residential in-house use at the conservative 0.26 acre-feet per year rate for augmentation supplies based on the El Paso County Land Development Code residential demand standard of 0.26 acre-feet per year.

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

**V. Water Quality** – The water quality tests performed on the groundwater sampled for this property subdivision pursuant to the Amended El Paso County Land Development Code Section 8.4.7.B.10(a). RESPEC took a sampling of Dawson aquifer water from a nearby property. RESPEC’s test results of the groundwater did, “not find cause for concern in utilizing the underlying Dawson Aquifer public consumption or irrigation uses within the proposed subdivision.” **Exhibit D**. RESPEC did recommend the water systems in any households constructed include acid neutralizing water filter units “to reduce corrosion potential.” *Id.* For further details RESPEC’s entire report is attached as **Exhibit D**.

Respectfully submitted this 26th day of May, 2026.

MONSON, CUMMINS, SHOHET & FARR, LLC

*/s/ W. James Tilton*

W. James Tilton

Ryan W. Farr

Exhibits:

- A. Plat of the Property
- B. Replacement Plan: 4868-RP
- C. Basin Determinations: 4868-BD, 4867-BD, 4866-BD, 4765-BD
- D. RESPEC Water Quality Report

**KNOW ALL MEN BY THESE PRESENTS:**

That Hardy Road Properties LLC, being the owner of the described tract of land, to wit:

**LEGAL DESCRIPTION:**

The east half of the Southeast Quarter of the Southwest Quarter of Section 14, Township 11 South, Range 65 West of the 6TH P.M., County of El Paso, State of Colorado, being more particularly described as follows:

Beginning at the south quarter corner of said Section 14; thence South 89 degrees 24 minutes 40 seconds West along the south line of the Southeast Quarter of the Southwest Quarter of said Section 14, 660.30 feet to the southwest corner of said east half;

thence North 00 degrees 23 minutes 53 seconds East along the west line of said east half, 1,276.75 feet to a point on the south Right-of-Way line of Hardy Road;

thence North 89 degrees 25 minutes 09 seconds East along the south Right-of-Way line of said Hardy Road, 659.90 feet;

thence South 00 degrees 22 minutes 48 seconds West, 1,276.65 feet to the Point of Beginning.

**OWNER'S CERTIFICATE:**

The undersigned, being all the owners, mortgagees, beneficiaries of deeds of trust and holders of other interests in the land described herein, have laid out, subdivided, and platted said lands into lots, streets, and easements as shown hereon under the name and subdivision of HARDY ROAD PROPERTIES. All public improvements so platted are hereby dedicated to public use and said owner does hereby covenant and agree that the public improvements will be constructed to El Paso County standards and that proper drainage and erosion control for same will be provided at said owner's expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado. Upon acceptance by resolution, all public improvements so dedicated will become matters of maintenance by El Paso County, Colorado. The utility easements shown hereon are hereby dedicated for public utilities and communication systems and other purposes as shown hereon. The entities responsible for providing the services for which the easements are established are hereby granted the perpetual right of ingress and egress from and to adjacent properties for installation, maintenance, and replacement of utility lines and related facilities.

[NAME] as [TITLE] of Hardy Road Properties LLC (Owner)

**NOTARIAL:**

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

The foregoing instrument was acknowledged before me this \_\_\_ day of \_\_\_\_\_, 20\_\_\_ A.D., by [NAME] as [TITLE] of Hardy Road Properties LLC.

Witness my Hand and Seal: \_\_\_\_\_ Notary Public  
My Commission Expires: \_\_\_\_\_ Address: \_\_\_\_\_

**DEDICATION:**

The above party in interest has caused said tract to be platted into Lots, Blocks, Tracts, Streets and Easements as shown on the plat, which is drawn to a fixed scale as indicated thereon, and accurately sets forth the boundaries and dimensions of said Lots, Blocks, Streets and Easements which shall be known as "HARDY ROAD PROPERTIES" EL Paso County, Colorado. All streets as platted are hereby dedicated to public use and said owner does hereby personally covenant and agree that all platted streets will be graded, paved and that proper drainage for same will be provided at his own expense, all to the satisfaction of the Board of County Commissioners of El Paso County, Colorado, and upon acceptance by resolution, all streets so dedicated will become matters of maintenance by El Paso County, Colorado.

**GENERAL NOTES:**

- 1) ● - Recovered monument, marked as noted.  
■ - Recovered Aliquot monument, marked as noted.  
(R) - Record bearing & distance (LSP by John Keiler, 6-15-2004, Rec. No. 204900075)  
(M) - Measured bearing & distance  
A.G. - Above Grade  
B.G. - Below Grade
- 2) The Basis of Bearings is the south line of of the Southeast Quarter of the Southwest Quarter, monumented as shown and assumed to bear South 89 degrees 24 minutes 40 seconds West.
- 3) FEDERAL EMERGENCY MANAGEMENT AGENCY, Flood Insurance Rate Map, Map Number 08041C0310 G effective date December 7, 2018, indicates that this parcel of land is located in Zone X (areas determined to be outside 0.2% annual chance floodplain).
- 4) This survey does not constitute a title search by Gould Land Surveying, LLC to determine ownership or easements of record. For all information regarding easements, rights of way and title of record, Gould Land Surveying, LLC relied upon a Commitment for Title Insurance prepared by Old Land Title Insurance Corporation, Order No. SR55123455 with a policy date of August 13, 2025 at 5:00 P.M.
- 5) The purpose of this survey is to plat the parcel shown hereon and establish the proposed lot lines, Right-of-Way and easements as shown hereon. The field work was completed on January 19, 2026.
- 6) This property contains a calculated area of 842,631 square feet (19.3442 acres), more or less. Area shown hereon was not measured but instead is a result of a computer software calculation and is not warranted or guaranteed.
- 7) Unless noted otherwise, all monuments were found or set flush with ground and accepted as representing the boundary corner.
- 8) The lineal units used in this survey are International Feet. An international foot is defined exactly as 1200/3937.007874 meters.
- 9) Easements and other public documents shown or noted on this survey were examined as to location and purpose and were not examined as to restrictions, exclusions, conditions, obligations, terms, or as to the right to grant the same.
- 10) Notice: According to Colorado law you must commence any legal action based upon any defect in this survey within three years after you first discover such defect. In no event may any action be commenced more than ten years from the date of the certification shown hereon.
- 11) Any person who knowingly removes, alters or defaces any public land survey monument or land boundary monument or accessory commits a class 2 misdemeanor pursuant to the Colorado Revised Statute 18-4-508.

**EASEMENTS:**

All side, front, and rear lot lines are hereby platted on either side with a 10 foot public utility and drainage easement unless otherwise indicated. All exterior subdivision boundaries are hereby platted with a 20 foot public utility and drainage easement. The sole responsibility for maintenance of these easements is hereby vested with the individual property owners.

**SURVEYOR'S CERTIFICATION:**

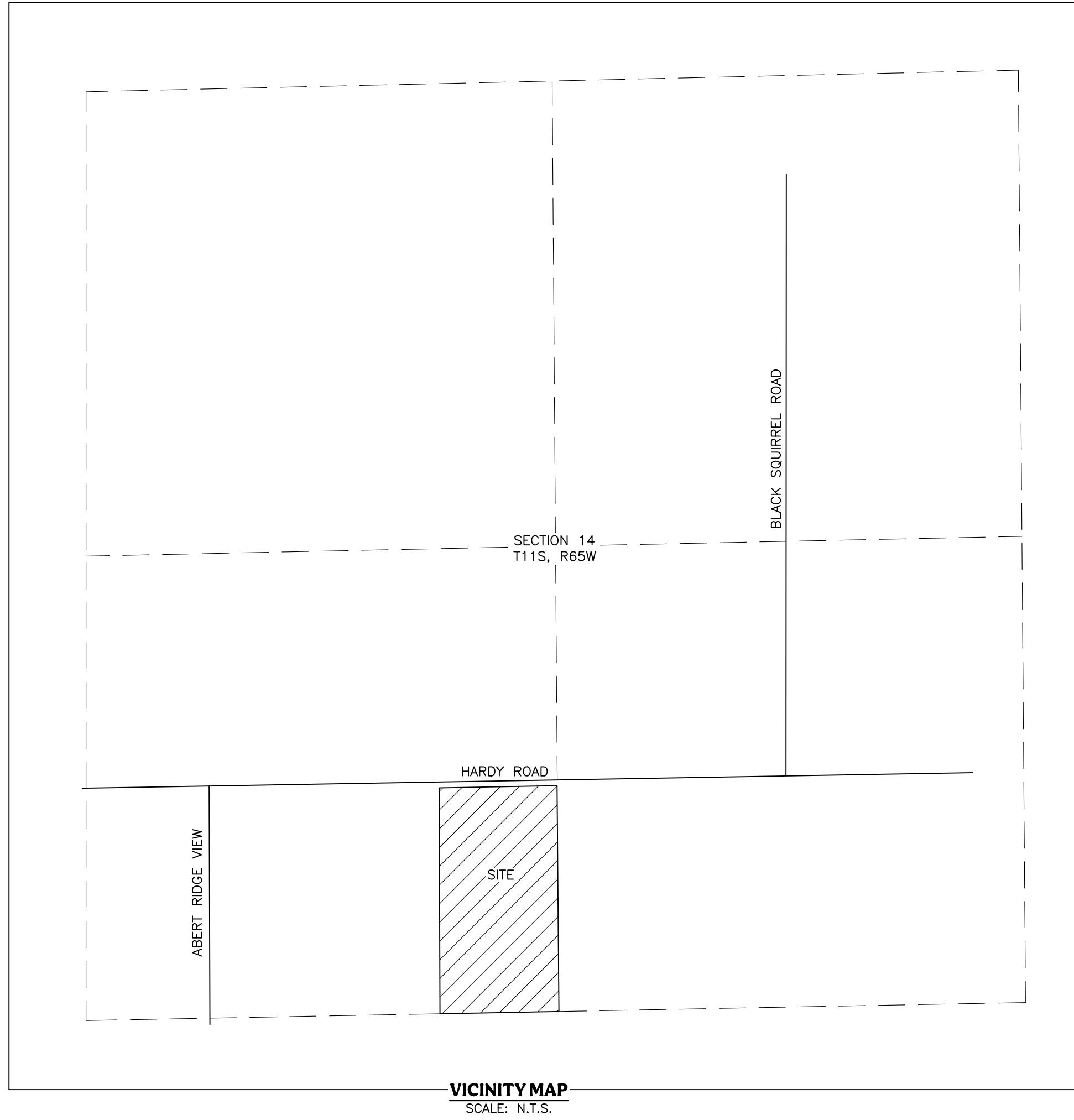
I, Kenneth Gould Jr., a duly registered Professional Land Surveyor in the State of Colorado, do hereby certify that this Plat of JJ RANCH truly and correctly represents the results of a survey made on date of survey, by me or under my direct supervision and that all monuments exist as shown hereon; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments and subdivision of land and have been met to the best of my professional knowledge, information and belief. This statement is neither a guaranty or warranty, either expressed or implied.

I attest the above on this \_\_\_th day of \_\_\_\_\_, 2026.



Kenneth Gould Jr.  
State of Colorado Professional Land Surveyor No. 38556  
For and on behalf of Gould Land Surveying, LLC.

**FINAL PLAT  
HARDY ROAD PROPERTIES  
A PORTION OF THE SOUTHWEST QUARTER  
SEC. 14, T11S, R65W OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO**



**PRELIMINARY  
FOR REVIEW**

**PLAT NOTES:**

- 1) Sanitary Sewer: Sanitary Sewer will be provided by individual private septic systems at the expense of the individual property owners. Sewage treatment is the responsibility of each individual property owner. The El Paso County Department of Health and Environment must approve each system and, in some cases the Department may require an engineer designed system prior to permit approval. These systems may cost more to design, install, and maintain.
- 2) Gas service is provided by Black Hills Energy, Electric Service is provided by Mountain View Electric Association, subject to the Providers rules, regulations and specifications. The subdivider/developer is responsible for extending utilities to each lot, tract or building site.
- 3) All lot access shall be via Hardy Road a gravel road and maintained by the El Paso County Department of Transportation.
- 4) The thirty (30) foot Access Easement across Lots 1, 2 as shown hereon is for the benefit Tract A only. Ownership and maintenance is vested in the property owner of Tract A.
- 5) All property owners are responsible for maintaining proper storm water drainage in and through their property.
- 6) No driveway shall be established unless an access permit has been granted by El Paso County.
- 7) All structural foundations and septic systems shall be located and designed by a Professional Engineer, currently registered in the State of Colorado.
- 8) The following reports have been submitted and are on file at the County Development Services Department: Soils and Geological Study, Water Resource Report; Drainage Report; Wildfire Hazard Report; Natural Features Report; Onsite Wastewater Treatment System Report.
- 9) Developer shall comply with federal and state laws, regulations, ordinances, review and permit requirements, and other agency requirements, if any, of applicable agencies including, but not limited to, the Colorado Division of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species.
- 10) The Subdivider(s) agrees on behalf of him/herself and any developer or builder successors and assignees that Subdivider and/or said successors and assigns shall be required to pay traffic impact fees in accordance with the El Paso County Road Impact Fee Program Resolution (Resolution No. 25-377), or any amendments thereto, at or prior to the time of building permit submittal. The fee obligation, if not paid at final plat recording, shall be documented on all sales documents and on plat notes to ensure that a title search would find the fee obligation before sale of the property.
- 11) Individual wells are the responsibility of each property owner. Permits for individual wells must be obtained from the State Engineer who by law has the authority to set conditions for the issuance of these permits.
- 12) Water in the Denver Basin Aquifers is allocated based on a 100-year aquifer life; however, for El Paso County planning purposes, water in the Denver Basin Aquifers is evaluated based on a 300-year aquifer life. Applicants and all future owners in the subdivision should be aware that the economic life of a water supply based on wells in a given Denver Basin Aquifer may be less than either the 100 years or 300 years indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.
- 13) Due to wildfire concerns, homeowners are encouraged to incorporate wildfire fuel break provisions as recommended by the Colorado State Forest Service and illustrated through publications available through the State Forest Service.
- 14) This project is in a Low/Moderate/High Hazard Fire Intensity Area per the Colorado State Forest Service Wildfire Risk Assessment Program requiring hardened structure and defensible space.

Low Hazard hardened structure to consist of a minimum Class A roofing and a defensible space of 30 ft clearance and no portion of trees or other vegetation within 10 ft of chimney outlets. Trees within defensible space shall be pruned to minimize ladder fuels.

Moderate Hazard areas shall meet the requirements of Low Hazard areas if site plans are submitted prior to the adoption of the Colorado Wildfire Resiliency Code. After the adoption of the Colorado Wildfire Resiliency Code Moderate Hazard areas shall meet the requirements of High Hazard areas.

High Hazard hardened structure to consist of a minimum Class A roofing, noncombustible siding/decking, eaves and overhangs. A defensible space of 30 ft irrigated, 100 ft fuel treatment, selected fire-resistant trees within 30 ft of structures, selected thinning of trees and shrubs, trees within defensible space shall be pruned to minimize ladder fuels, all trees and shrubs pruned of dead material, no portion of trees or other vegetation within 10 ft of chimney outlets.

Water supplies for fire protection shall be supplied per the requirements of the Land Development Code or if there is an adopted fire code for the fire district the project is in.

Maintenance of defensible space shall be continued in continuum for the existence of the structure

Right to Farm and Ranch: Colorado is a "right-to-farm" state, meaning that certain protections are afforded agricultural operations by limiting the circumstances by which agriculture operations may be deemed to be a nuisance pursuant to C.R.S. §35-3.5-1-1 et seq.

The addresses [000] exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.

Mailboxes shall be installed in accordance with all El Paso County Department of Transportation and United States Postal Service regulations.

There are 0.16 D.U. per acre.

There are 2 lots and 1 Tract in this subdivision.

Exception 12 in the Title Commitment contains Grant of Right-of-Way for an easement being ten feet (10) either side of the power line and guy wires in a portion of Section 14, Township 11 South, Range 65 West and appears to be only for main transmission lines. This Grant of Right-of-Way is very ambiguous.

**BOARD OF COUNTY COMMISSIONERS CERTIFICATE:**

This plat for HARDY ROAD PROPERTIES was approved for filing by the El Paso County, Colorado Board of County Commissioners on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to any notes specified hereon and any conditions included in the resolution of approval.

Chair, Board of County Commissioners \_\_\_\_\_ Date \_\_\_\_\_

**PLANNING AND COMMUNITY DEVELOPMENT CERTIFICATE:**

This plat for HARDY ROAD PROPERTIES was approved for filing by the El Paso County, Colorado Planning and Community Development Department Director on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, subject to any notes or conditions specified hereon.

Planning and Community Development Director \_\_\_\_\_

**CLERK & RECORDER'S CERTIFICATE:**

STATE OF COLORADO }  
COUNTY OF EL PASO } SS

I hereby certify that this instrument was filed in my office on this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and was recorded at Reception Number \_\_\_\_\_ of the records of El Paso County, Colorado.

El Paso County Clerk and Recorder \_\_\_\_\_

SCHOOL FEE - DISTRICT# \_\_\_\_\_ : \_\_\_\_\_

PARK FEES: REGIONAL: \_\_\_\_\_  
NEIGHBORHOOD: \_\_\_\_\_

DRAINAGE BASIN: \_\_\_\_\_  
DRAINAGE AND SURETY FEES: \_\_\_\_\_  
BRIDGE FEE: \_\_\_\_\_

**Exhibit A**

Project No.: 26009  
February 23, 2026  
Sheet 1 of 2

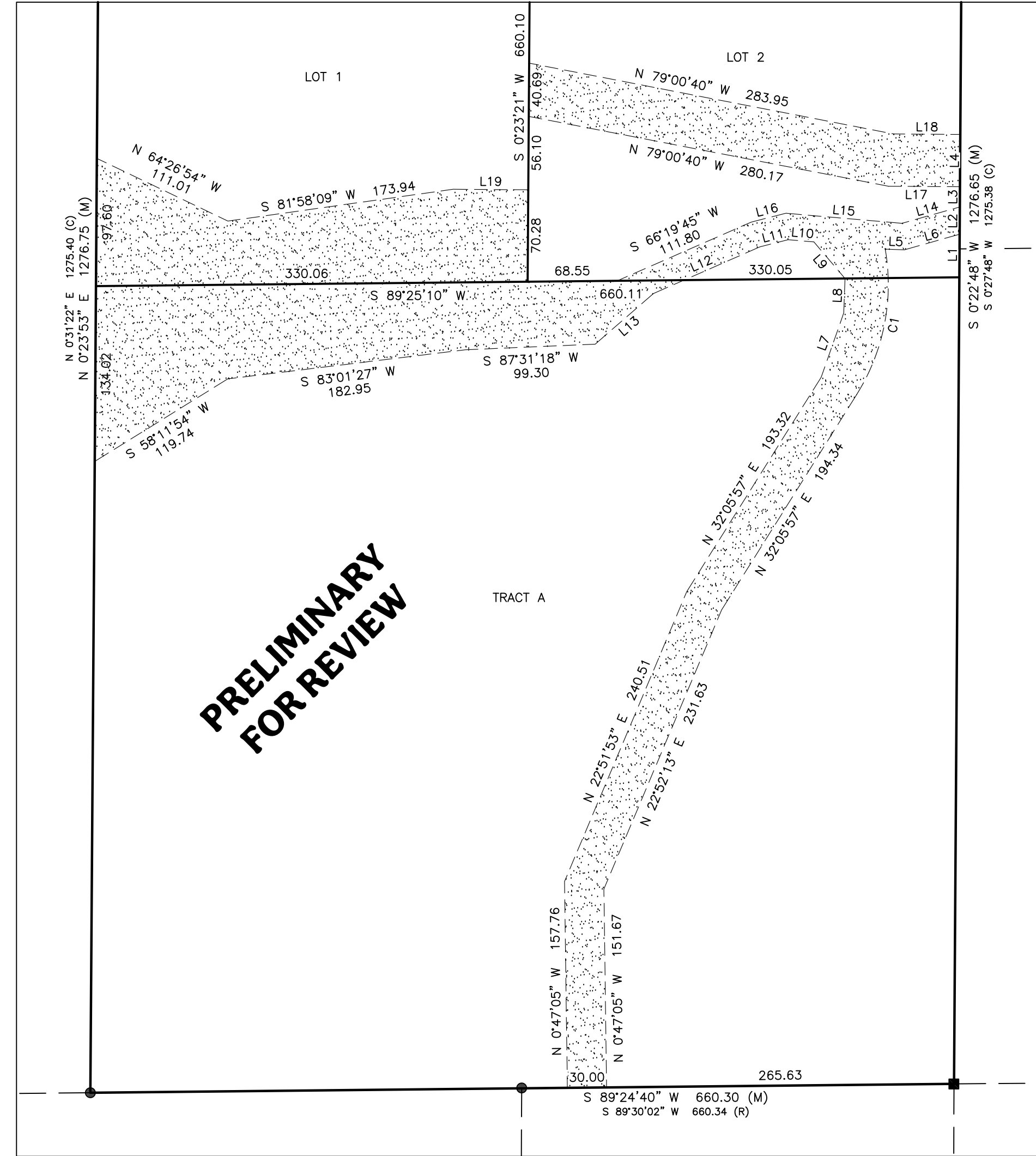
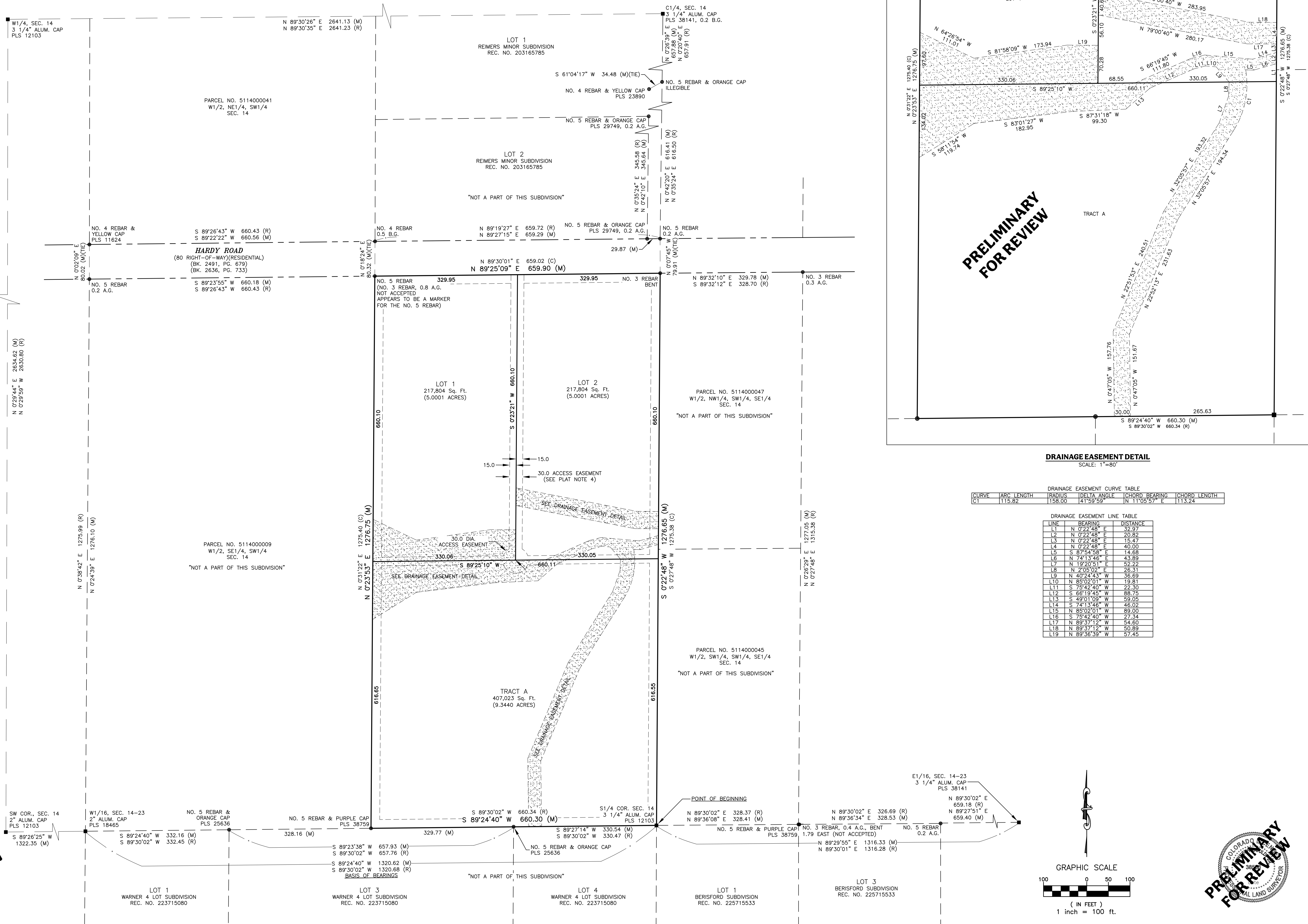
A PORTION OF THE SOUTHWEST QUARTER SECTION 14  
TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF EL PASO, STATE OF COLORADO

**FINAL PLAT  
HARDY ROAD PROPERTIES**

P.O. Box 7123  
Woodland Park, CO 80863  
(719) 687-8385  
info@goulds.com  
GouldLandSurveying.com



**FINAL PLAT  
HARDY ROAD PROPERTIES**  
A PORTION OF THE SOUTHWEST QUARTER  
SEC. 14, T11S, R65W OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO



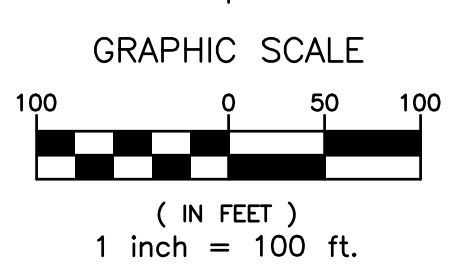
**DRAINAGE EASEMENT DETAIL**  
SCALE: 1"=80'

**DRAINAGE EASEMENT CURVE TABLE**

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
CT	115.82	158.00	41°59'59"	N 11°05'57" E	113.24

**DRAINAGE EASEMENT LINE TABLE**

LINE	BEARING	DISTANCE
L1	N 0°22'48" E	32.97
L2	N 0°22'48" E	20.82
L3	N 0°22'48" E	15.47
L4	N 0°22'48" E	40.00
L5	S 87°54'58" E	14.68
L6	N 74°13'46" E	43.89
L7	N 19°20'51" E	52.22
L8	N 2°05'02" E	26.31
L9	N 40°24'43" W	36.89
L10	N 85°02'01" W	19.81
L11	S 75°42'40" W	22.30
L12	S 66°19'45" W	88.75
L13	S 49°01'09" W	59.05
L14	S 74°13'46" W	46.02
L15	N 85°02'01" W	89.00
L16	S 75°42'40" W	27.34
L17	N 89°37'12" W	54.60
L18	N 89°37'12" W	50.89
L19	N 89°36'39" W	57.45



**PRELIMINARY FOR REVIEW**

Project No.: 26009  
February 23, 2026  
Sheet 2 of 2

A PORTION OF THE SOUTHWEST QUARTER SECTION 14  
TOWNSHIP 11 SOUTH, RANGE 65 WEST OF THE 6TH P.M.  
COUNTY OF EL PASO, STATE OF COLORADO

**FINAL PLAT**  
**HARDY ROAD PROPERTIES**

P.O. Box 7123  
Woodland Park, CO 80863  
(719) 687-8385  
info@goulds.com  
Gouldt.andSurveying.com



El Paso County - Colorado

5114000046  
10545 HARDY RD

Total Market Value  
\$412,832

OVERVIEW

Owner:	<b>HARDY ROAD PROPERTIES LLC</b>
Mailing Address:	<b>10155 HARDY RD COLORADO SPRINGS CO 80908-1544</b>
Location:	<b>10545 HARDY RD</b>
Tax Status:	<b>Taxable</b>
Zoning:	-
Plat No:	-
Legal Description:	<b>E2SE4SW4 SEC 14-11-65 TOG W 80 FT ROW EASEMENT FOR ROADWAY, UTILITIES, INGRESS AND EGRESS PURPOSES AS SET FORTH IN DEED RECORDED 1/9/1970 IN BK 2326 AT PG 276</b>

MARKET & ASSESSMENT DETAILS

	Market Value	Assessed Value (School)	Assessed Value (Non-School)
Land	<b>\$412,832</b>	<b>\$107,340</b>	<b>\$107,340</b>
Improvement	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Total	<b>\$412,832</b>	<b>\$107,340</b>	<b>\$107,340</b>

LAND DETAILS

SEQUENCE NUMBER	LAND USE	SCHOOL ASMT RATE	NON-SCHOOL ASMT RATE	AREA	MARKET VALUE
1	VACANT LAND, 10.0 TO 34.99	26.00	26.00	19.4 Acres	\$412,832



5114000046

**Colorado Ground Water Commission**  
**Findings and Order**

In the matter of an application for a determination of a right to an allocation of groundwater in the Kiowa-Bijou Designated Groundwater Basin

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Determination No.: 4868-BD

Aquifer: Dawson

Applicant: Hardy Road Properties, LLC

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In compliance with section 37-90-107(7) of the Colorado Revised Statutes (“C.R.S.”), and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), Hardy Road Properties, LLC (“Applicant”) submitted an application to the Colorado Ground Water Commission (“Commission”) for a determination of a right to an allocation of designated groundwater from the Dawson Aquifer.

**Findings**

1. The application was received by the Commission on November 12, 2025.
2. The Applicant requests a determination of right to an allocation of designated groundwater (“Determination”) in the Dawson aquifer (“Aquifer”) underlying 19.39 acres, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., in El Paso County (“Overlying Land”). According to a Nontributary Groundwater Landownership Statement dated February 11, 2026, attached hereto as Exhibit A, the Applicant owns the 19.39 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.

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

Page 2

3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 19.39 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), C.R.S., 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 19.39 acres of Overlying Land claimed by the Applicant is 1,800 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 20 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 465 feet.

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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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), C.R.S., 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 1,800 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), C.R.S., 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), C.R.S., 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), C.R.S. 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 Designated Basin Rules.
11. Large capacity well permits issued pursuant to section 37-90-107(7), C.R.S. are subject to the following provisions of statute and the Designated Basin Rules.

Determination No. 4868-BD  
Aquifer: Dawson  
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- a. Pursuant to section 37-90-107(7)(a), C.R.S. well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,800 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 18 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, C.R.S., 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.R.S.
- c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural stream or an alluvial aquifer at an annual rate greater than one-tenth of one percent (0.1%) of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Withdrawal of water from the Aquifer underlying the Overlying Land would impact the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, which has been determined to be over-appropriated. Commission approval of a replacement plan pursuant to section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators, is required prior to approval of well permits for wells to be located on this land area to withdraw the groundwater in

Determination No. 4868-BD  
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the Aquifer underlying the Overlying Land. Pursuant to the Rules the replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.

12. Pursuant to section 37-90-105(1), C.R.S., the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II), C.R.S. and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on April 2, 2026 and April 9, 2026. No objections to the application were received within the time limit set by statute.

### Order

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Dawson Aquifer underlying 19.39 acres of land, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South,

Determination No. 4868-BD  
Aquifer: Dawson  
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Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 19.39 acres of Overlying Land allocated herein is 1,800 acre-feet (“Underlying Groundwater”).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), C.R.S., 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), C.R.S.
18. Well permits issued pursuant to section 37-90-107(7), C.R.S., (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 1,800 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, C.R.S. 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.

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Aquifer: Dawson

Applicant: Hardy Road Properties, LLC

- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. Commission approval of a replacement plan, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators in the alluvial aquifer, is required prior to approval of well permits that allow the withdrawal of the Underlying Groundwater. The replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and

Determination No. 4868-BD  
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replacement in support of such uses, either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 19.39 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.

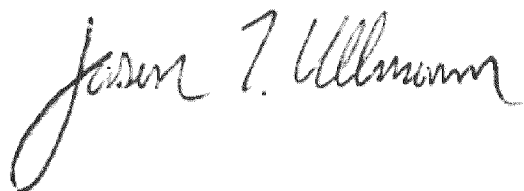
- g. The wells must be located on the above described 19.39 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Dawson Aquifer.
- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
- k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.

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- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 19.39 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

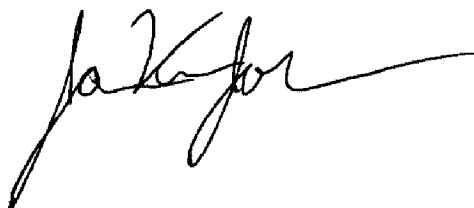
Dated this 20th day of May, 2026.



Jason T. Ullmann, P.E.

Executive Director

Colorado Ground Water Commission



Determination No. 4868-BD  
Aquifer: Dawson  
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Javier Vargas-Johnson  
Chief of Water Supply, Designated Basins

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Prepared by: mbm

**Colorado Ground Water Commission**  
**Findings and Order**

In the matter of an application for replacement plan to allow the withdrawal of groundwater from the Dawson aquifer in the Kiowa-Bijou Designated Groundwater Basin

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Replacement Plan No. 4868-RP

For Determination of Water Right No. 4868-BD

Aquifer: Dawson

Applicant: Hardy Road Properties, LLC

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In compliance with section 37-90-107.5 of the Colorado Revised Statutes (“C.R.S.”) and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), Hardy Road Properties, LLC (“Applicant”) submitted an application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer that has been allocated by Determination of Water Right No. 4868-BD.

**Findings**

1. Pursuant to section 37-90-107(7), C.R.S., in a Findings and Order dated May 20, 2026, the Ground Water Commission (“Commission”) approved a Determination of a Right to an Allocation of Groundwater, No. 4868-BD, from the Dawson Aquifer (“Aquifer”), summarized as follows.
  - a. The determination quantified an amount of water from beneath 19.39 acres of overlying land generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., in El Paso County (“Overlying Land”).

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
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- b. The amount of water in the aquifer that was allocated was 1,800 acre-feet, and the allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 18 acre-feet per year (subject to adjustment by the Commission to conform to actual local aquifer characteristics).
        - c. The use of groundwater is limited to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage.
        - d. Withdrawal of the subject groundwater will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal, the groundwater is considered to be not-nontributary, and Commission approval of a replacement plan providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to withdraw the subject groundwater.
2. The subject water is Designated Groundwater located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7), C.R.S.
3. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, all of which, according to Rules 5.2.4.2, 5.2.7.2 and 5.2.6.2, respectively, have been determined to be over appropriated. Such depletion would unreasonably

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
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impair existing large capacity alluvial rights withdrawing water from those alluvial aquifers.

4. Pursuant to Rule 5.6.1.A this plan must be adequate to prevent any material injury to water rights of other appropriators, which for purposes of this plan means large capacity wells withdrawing water from the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin.
5. Pursuant to Rule 5.3.6.2(C) the amount of replacement water shall provide for the depletion of alluvial water for the first 100 years due to all previous pumping and if pumping continues beyond 100 years, shall replace actual impact until pumping ceases.
6. The application for the replacement plan was received by the Commission on November 12, 2025.
7. The Applicant proposes to divert 2 acre-feet annually from the Dawson Aquifer for a period of 300 years. The Dawson aquifer water will be withdrawn through 2 wells to supply 2 residential lots (a third lot will remain undeveloped after subdivision, with no residence on it). Both wells are anticipated to pump a maximum 1.0 acre-foot, for inside uses inside two single-family dwellings with the remaining water pumped used for accessory uses on each lot, including landscape, lawn and garden irrigation and for domestic animal watering and livestock. The land on which the wells will be located is the Overlying Land described above.
8. At a continuous withdrawal of 2 acre-feet annually for 300 years, depletions to the alluvial aquifer systems of the Kiowa-Bijou Designated Groundwater Basin, Upper Big Sandy Designated Groundwater Basin and Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.069

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
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acre-feet per year in the 300th year, which is equal to 3.46% of pumping, as shown in Exhibit A.

9. The Applicant proposes to provide 0.18 acre-feet per year of replacement water to the alluvial aquifer system of the Kiowa-Bijou Designated Groundwater Basin. The proposed source of replacement water is septic and leaching field return flows from the in-house use of the groundwater to be pumped under the plan. The Applicant estimates that return flows from each lot will consist of 90% of the water used for in-house purposes. Assuming a total minimum annual amount for in-house use of 0.20 acre-feet, the return flow would be 0.18 acre-feet annually, and the return flows under the plan will total 0.36 acre-feet per year for the 2 lots at full build out.
10. The subject property is located within the drainage of Kiowa Creek, and the return flows will flow to the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.
11. Pursuant to Rule 5.6.1.B this plan must be adequate to prevent unreasonable impairment of water quality. Pursuant to Rule 5.6.1.B.1.b, if the replacement source water is from an onsite wastewater treatment system permitted by a local health agency and the applicant demonstrates the source is in compliance with that permit there shall be a rebuttable presumption of no unreasonable impairment of water quality.
12. Pursuant to Rule 5.6.1.C this plan, including the proposed uses of the water withdrawn pursuant to the plan, must not be speculative, and must be technically and financially feasible and within the Applicant's ability to complete. The plan, including the proposed uses of the water withdrawn pursuant to the plan, is not speculative. The plan appears technically and financially feasible and within the Applicant's ability to complete.

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
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13. Pursuant to Rule 5.6.1.D this plan must be able to be operated and administered on an ongoing and reliable basis. The plan appears to be able to be operated and administered on an ongoing and reliable basis.
14. Pursuant to Rule 5.6.1.F replacement source water must be physically and legally available in time, place and amount to prevent material injury. As determined in Determination of Water Right No. 4868-BD water is currently available in the amounts and for the number of years proposed to be diverted.
15. Pursuant to Rule 5.6.1.G the replacement source water must be legally available for use. Records in this office indicate that the Applicant controls the water right to be used as the source of replacement water, consisting of Determination of Water Right No. 4868-BD, and such water is legally available for use pursuant to this plan.
16. In accordance with sections 37-90-107.5, C.R.S. and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on April 2, 2026 and April 9, 2026. No objections to the application were received within the time limit set by statute.
17. According to Rule 5.6.1:
  - a. The Applicant has the burden of proving the adequacy of the plan in all respects.
  - b. If the applicant meets its burden of proof, the Commission shall grant approval of the plan which shall include any terms and conditions established by the Commission.
18. The Commission Staff, having evaluated the application pursuant to section 37-90-107.5, C.R.S. and the requirements of Rule 5.3.6.2(C) and Rule 5.6, finds that the requirements have been met, and the plan may be approved to

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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allow diversions from the Dawson Aquifer if operated subject to the conditions given below.

### Order

In accordance with section 37-90-107.5, C.R.S., and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer underlying 19.39 acres that are the subject of Determination of Water Right no. 4868-BD is approved subject to the following conditions:

19. The Dawson aquifer water will be withdrawn through 2 wells to supply 2 residential lots (a third lot will remain undeveloped after subdivision, with no residence on it). Both wells are anticipated to pump a maximum 1.0 acre-foot, for inside uses inside two single-family dwellings with the remaining water pumped used for accessory uses on each lot, including landscape, lawn and garden irrigation and for domestic animal watering and livestock. The land on which the wells will be located is the Overlying Land described above.
20. The allowed annual amount of groundwater to be withdrawn from the Aquifer by all wells operating under this plan shall not exceed 2 acre-feet.
21. A totalizing flow meter shall be installed on each well. The well owner shall maintain the meter in good working order.
22. Permanent records of all withdrawals of groundwater from each well shall be recorded at least annually by the well owners, permanently maintained, and provided to the Commission on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15<sup>th</sup> of the following year, or more often upon request.
23. Pumping under this plan is limited to a period of 300 years. The year of first use of this replacement plan shall be the calendar year of construction of a

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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well permitted pursuant to this plan or permitting of an existing well pursuant to the plan.

24. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 19.39 acres of Overlying Land that are the subject of Determination of Water Right No. 4868-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.
25. Replacement of depletions must be provided annually in the acre-feet amounts shown in Exhibit A. Annual replacement requirements may be computed by pro-rating between the values given on Exhibit A, or for simplicity may be taken as the amount shown in the next succeeding 5 year increment.
26. The Applicant or their successor(s) are responsible for ensuring that replacement water is provided to the alluvial aquifer as required by this plan. The annual replacement requirement and the annual amount of replacement water provided shall be calculated and reported on a form acceptable to the Commission. The annual amount of replacement water provided must be no less than the annual replacement requirement on a yearly basis. No credit shall be claimed by the Applicant for an oversupply of replacement water provided to the alluvium during previous years.
27. The Applicant must provide the required annual amount of replacement water for the first 100 years, or for as long as a well is operated pursuant to this plan, whichever is longer.
28. To assure adequate return flows, at least one well must be serving an occupied single-family dwelling that is generating return flows via a non-evaporative septic system before any irrigation or animal watering is allowed to be served by any of the wells.

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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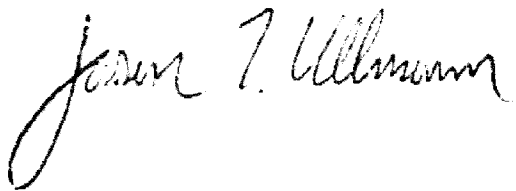
29. The Applicant or their successor(s) must gather and maintain permanent records of all information pertaining to operation of this plan, which shall include, but is not limited to, those items identified below. The Applicant must submit records to the Commission on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15<sup>th</sup> of the following year, or more often upon request. The Applicant or their successor(s) must provide combined accounting for all wells operated under this replacement plan on a single accounting form, unless otherwise approved by the Commission.
  - a. Identification of all well permits issued and wells constructed under this plan.
  - b. The amount of water diverted by each well and all wells in total, both annually and cumulatively since operation of the plan began.
  - c. The number of occupied dwellings served by each well.
  - d. The return flows occurring from use of all wells operating under the plan, assuming 0.18 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.
30. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.
31. The Applicant or their successor(s) are fully responsible for the operation, monitoring, and accounting of the replacement plan. In the event a lot with a well permitted or operating pursuant to this plan is sold, identification of the well that was sold and evidence that the new owner has been notified of their responsibilities under the replacement plan shall accompany that year's accounting.

Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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32. Should the property be subdivided, any covenants adopted for the subdivision should contain a description of the replacement plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be reported and the plan is to be administered.
33. In the event the permitted well or wells are not operated in accordance with the conditions of this replacement plan, they shall be subject to administration, including orders to cease diverting groundwater.
34. All terms and conditions of Determination of Water Right No. 4868-BD must be met.
35. Pursuant to Rule 5.6.1.E, a copy of this Findings and Order shall be recorded by the Applicant in the clerk and recorder's records of El Paso County, so that a title examination of the land on which the structures involved in this plan are located reveals the existence of this plan.

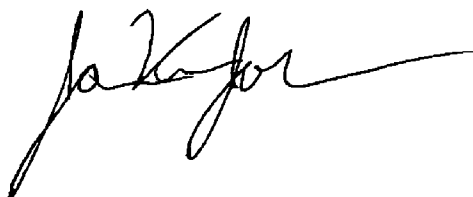
Dated this 20th day of May, 2026.



Jason T. Ullmann, P.E.

Executive Director

Colorado Ground Water Commission



Replacement Plan No. 4868-RP, Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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Javier Vargas-Johnson  
Chief of Water Supply, Designated Basins

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Prepared by: mbm

Exhibit A  
Replacement Plan - Determination No.: 10046069-BD  
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Designated Basin Summary Table for Hardy Road Properties, LLC Pumping Rate of 2 acre-feet per year for 300 Years from the Dawson aquifer Section(s): Section 14, T11S, R65W, 6th P.M.							
Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)
5	2.0	0.0000	0.00	155	2.0	0.0310	1.55
10	2.0	0.0001	0.01	160	2.0	0.0323	1.62
15	2.0	0.0003	0.02	165	2.0	0.0337	1.68
20	2.0	0.0006	0.03	170	2.0	0.0351	1.75
25	2.0	0.0011	0.05	175	2.0	0.0364	1.82
30	2.0	0.0016	0.08	180	2.0	0.0378	1.89
35	2.0	0.0022	0.11	185	2.0	0.0391	1.96
40	2.0	0.0030	0.15	190	2.0	0.0405	2.02
45	2.0	0.0038	0.19	195	2.0	0.0418	2.09
50	2.0	0.0047	0.23	200	2.0	0.0432	2.16
55	2.0	0.0057	0.28	205	2.0	0.0445	2.23
60	2.0	0.0067	0.33	210	2.0	0.0459	2.29
65	2.0	0.0078	0.39	215	2.0	0.0472	2.36
70	2.0	0.0089	0.44	220	2.0	0.0485	2.43
75	2.0	0.0101	0.50	225	2.0	0.0499	2.49
80	2.0	0.0112	0.56	230	2.0	0.0512	2.56
85	2.0	0.0125	0.62	235	2.0	0.0525	2.62
90	2.0	0.0137	0.69	240	2.0	0.0538	2.69
95	2.0	0.0150	0.75	245	2.0	0.0551	2.76
100	2.0	0.0163	0.81	250	2.0	0.0564	2.82
105	2.0	0.0176	0.88	255	2.0	0.0577	2.89
110	2.0	0.0189	0.94	260	2.0	0.0591	2.95
115	2.0	0.0202	1.01	265	2.0	0.0604	3.02
120	2.0	0.0215	1.08	270	2.0	0.0616	3.08
125	2.0	0.0229	1.14	275	2.0	0.0629	3.15
130	2.0	0.0242	1.21	280	2.0	0.0642	3.21
135	2.0	0.0256	1.28	285	2.0	0.0655	3.27
140	2.0	0.0269	1.35	290	2.0	0.0668	3.34
145	2.0	0.0283	1.41	295	2.0	0.0680	3.40
150	2.0	0.0296	1.48	300	2.0	0.0693	3.46

Created by Mike Matz on January 26, 2026

Values for 'Depletion as a % of Pumping' (q/Q) are not calculated when the pumping rate (Q) is changed to anything but zero

**Colorado Ground Water Commission**  
**Findings and Order**

In the matter of an application for a determination of a right to an allocation of groundwater in the Kiowa-Bijou Designated Groundwater Basin

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Determination No.: 4868-BD

Aquifer: Dawson

Applicant: Hardy Road Properties, LLC

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In compliance with section 37-90-107(7) of the Colorado Revised Statutes (“C.R.S.”), and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), Hardy Road Properties, LLC (“Applicant”) submitted an application to the Colorado Ground Water Commission (“Commission”) for a determination of a right to an allocation of designated groundwater from the Dawson Aquifer.

**Findings**

1. The application was received by the Commission on November 12, 2025.
2. The Applicant requests a determination of right to an allocation of designated groundwater (“Determination”) in the Dawson aquifer (“Aquifer”) underlying 19.39 acres, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., in El Paso County (“Overlying Land”). According to a Nontributary Groundwater Landownership Statement dated February 11, 2026, attached hereto as Exhibit A, the Applicant owns the 19.39 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.

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

Page 2

3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 19.39 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), C.R.S., 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 19.39 acres of Overlying Land claimed by the Applicant is 1,800 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 20 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 465 feet.

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

Page 3

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), C.R.S., 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 1,800 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), C.R.S., 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), C.R.S., 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), C.R.S. 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 Designated Basin Rules.
11. Large capacity well permits issued pursuant to section 37-90-107(7), C.R.S. are subject to the following provisions of statute and the Designated Basin Rules.

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

Page 4

- a. Pursuant to section 37-90-107(7)(a), C.R.S. well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,800 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 18 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, C.R.S., 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.R.S.
- c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural stream or an alluvial aquifer at an annual rate greater than one-tenth of one percent (0.1%) of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Withdrawal of water from the Aquifer underlying the Overlying Land would impact the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, which has been determined to be over-appropriated. Commission approval of a replacement plan pursuant to section 37-90-107.5, C.R.S., and Rule 5.6 of the Designated Basin Rules, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators, is required prior to approval of well permits for wells to be located on this land area to withdraw the groundwater in

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

Page 5

the Aquifer underlying the Overlying Land. Pursuant to the Rules the replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.

12. Pursuant to section 37-90-105(1), C.R.S., the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II), C.R.S. and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on April 2, 2026 and April 9, 2026. No objections to the application were received within the time limit set by statute.

### Order

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Dawson Aquifer underlying 19.39 acres of land, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South,

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 19.39 acres of Overlying Land allocated herein is 1,800 acre-feet (“Underlying Groundwater”).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), C.R.S., 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), C.R.S.
18. Well permits issued pursuant to section 37-90-107(7), C.R.S., (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 1,800 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, C.R.S. 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.

Determination No. 4868-BD

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Aquifer: Dawson

Applicant: Hardy Road Properties, LLC

- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. Commission approval of a replacement plan, that provides for the replacement of the actual depletion to the alluvial aquifer and is adequate to prevent any material injury to existing water rights of other appropriators in the alluvial aquifer, is required prior to approval of well permits that allow the withdrawal of the Underlying Groundwater. The replacement plan shall provide for the depletion of the alluvial water for the first 100 years due to all previous pumping, and if pumping continues beyond 100 years shall replace actual impact until pumping ceases, assuming water table conditions in the Aquifer.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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replacement in support of such uses, either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 19.39 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.

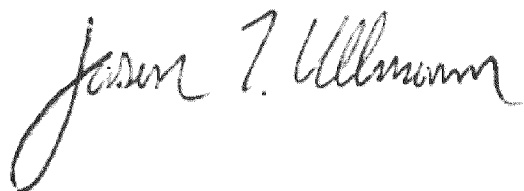
- g. The wells must be located on the above described 19.39 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Dawson Aquifer.
- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
- k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.

Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 19.39 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

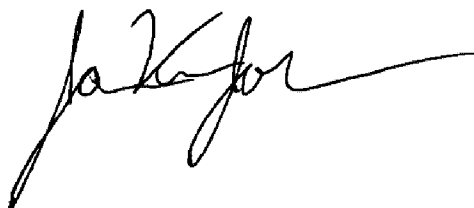
Dated this 20th day of May, 2026.



Jason T. Ullmann, P.E.

Executive Director

Colorado Ground Water Commission



Determination No. 4868-BD  
Aquifer: Dawson  
Applicant: Hardy Road Properties, LLC

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Javier Vargas-Johnson  
Chief of Water Supply, Designated Basins

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Prepared by: mbm

**Colorado Ground Water Commission**  
**Findings and Order**

In the matter of an application for a determination of a right to an allocation of groundwater in the Kiowa-Bijou Designated Groundwater Basin

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Determination No.: 4867-BD

Aquifer: Denver

Applicant: Hardy Road Properties, LLC

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In compliance with section 37-90-107(7) of the Colorado Revised Statutes (“C.R.S.”), and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), Hardy Road Properties, LLC (“Applicant”) submitted an application to the Colorado Ground Water Commission (“Commission”) for a determination of a right to an allocation of designated groundwater from the Denver Aquifer.

**Findings**

1. The application was received by the Commission on November 12, 2025.
2. The Applicant requests a determination of right to an allocation of designated groundwater (“Determination”) in the Denver aquifer (“Aquifer”) underlying 19.39 acres, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., in El Paso County (“Overlying Land”). According to a Nontributary Groundwater Landownership Statement dated February 11, 2026, attached hereto as Exhibit A, the Applicant owns the 19.39 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.

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

Page 2

3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 19.39 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), C.R.S., 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 19.39 acres of Overlying Land claimed by the Applicant is 1,200 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 365 feet.

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

Page 3

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), C.R.S., 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 1,200 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), C.R.S., 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), C.R.S., 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), C.R.S. 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 Designated Basin Rules.
11. Large capacity well permits issued pursuant to section 37-90-107(7), C.R.S. are subject to the following provisions of statute and the Designated Basin Rules.

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

Page 4

- a. Pursuant to section 37-90-107(7)(a), C.R.S. well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 1,200 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 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, C.R.S., 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.R.S.
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent (0.1%) 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), C.R.S., 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

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

Page 5

and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II), C.R.S. and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on April 2, 2026 and April 9, 2026. No objections to the application were received within the time limit set by statute.

### Order

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 19.39 acres of land, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 19.39 acres of Overlying Land allocated herein is 1,200 acre-feet (“Underlying Groundwater”).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

Page 6

17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), C.R.S., 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), C.R.S.
18. Well permits issued pursuant to section 37-90-107(7), C.R.S., (i.e. large capacity wells) and this Determination are subject to the following conditions.
  - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume 1,200 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, C.R.S. 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).

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

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- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 19.39 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 19.39 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.

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

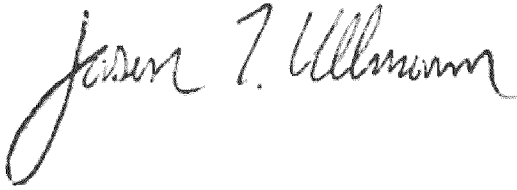
Page 8

- i. The wells must be constructed to withdraw water from only the Denver Aquifer.
  - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 19.39 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

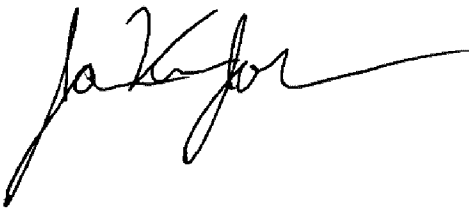
Dated this 20th day of May, 2026.

Determination No. 4867-BD  
Aquifer: Denver  
Applicant: Hardy Road Properties, LLC

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A handwritten signature in black ink, appearing to read "Jason T. Ullmann". The signature is written in a cursive style with a large, looping initial 'J'.

Jason T. Ullmann, P.E.  
Executive Director  
Colorado Ground Water Commission

A handwritten signature in black ink, appearing to read "Javier Vargas-Johnson". The signature is written in a cursive style with a large, looping initial 'J'.

Javier Vargas-Johnson  
Chief of Water Supply, Designated Basins

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Prepared by: mbm

**Colorado Ground Water Commission**  
**Findings and Order**

In the matter of an application for a determination of a right to an allocation of groundwater in the Kiowa-Bijou Designated Groundwater Basin

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Determination No.: 4866-BD

Aquifer: Arapahoe

Applicant: Hardy Road Properties, LLC

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In compliance with section 37-90-107(7) of the Colorado Revised Statutes (“C.R.S.”), and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), Hardy Road Properties, LLC (“Applicant”) submitted an application to the Colorado Ground Water Commission (“Commission”) for a determination of a right to an allocation of designated groundwater from the Arapahoe Aquifer.

**Findings**

1. The application was received by the Commission on November 12, 2025.
2. The Applicant requests a determination of right to an allocation of designated groundwater (“Determination”) in the Arapahoe aquifer (“Aquifer”) underlying 19.39 acres, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., in El Paso County (“Overlying Land”). According to a Nontributary Groundwater Landownership Statement dated February 11, 2026, attached hereto as Exhibit A, the Applicant owns the 19.39 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.

Determination No. 4866-BD  
Aquifer: Arapahoe  
Applicant: Hardy Road Properties, LLC

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3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 19.39 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), C.R.S., 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 19.39 acres of Overlying Land claimed by the Applicant is 874 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 265 feet.

Determination No. 4866-BD  
Aquifer: Arapahoe  
Applicant: Hardy Road Properties, LLC

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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), C.R.S., 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 874 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), C.R.S., 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), C.R.S., 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), C.R.S. 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 Designated Basin Rules.
11. Large capacity well permits issued pursuant to section 37-90-107(7), C.R.S. are subject to the following provisions of statute and the Designated Basin Rules.

Determination No. 4866-BD  
Aquifer: Arapahoe  
Applicant: Hardy Road Properties, LLC

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- a. Pursuant to section 37-90-107(7)(a), C.R.S. well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 874 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 8.74 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, C.R.S., 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.R.S.
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent (0.1%) 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), C.R.S., 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

Determination No. 4866-BD  
Aquifer: Arapahoe  
Applicant: Hardy Road Properties, LLC

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and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II), C.R.S. and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on April 2, 2026 and April 9, 2026. No objections to the application were received within the time limit set by statute.

### Order

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Arapahoe Aquifer underlying 19.39 acres of land, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 19.39 acres of Overlying Land allocated herein is 874 acre-feet (“Underlying Groundwater”).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

Determination No. 4866-BD  
Aquifer: Arapahoe  
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17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), C.R.S., 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), C.R.S.
18. Well permits issued pursuant to section 37-90-107(7), C.R.S., (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 874 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, C.R.S. 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).

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Aquifer: Arapahoe  
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- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 19.39 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 19.39 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.

Determination No. 4866-BD  
Aquifer: Arapahoe  
Applicant: Hardy Road Properties, LLC

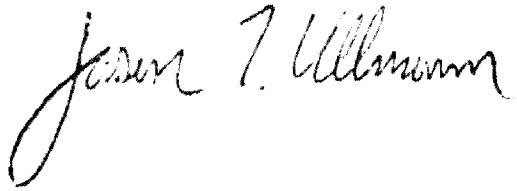
Page 8

- i. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.
  - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 19.39 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

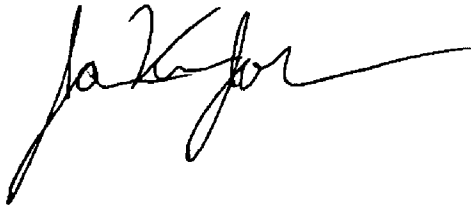
Dated this 20th day of May, 2026.

Determination No. 4866-BD  
Aquifer: Arapahoe  
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A handwritten signature in black ink, reading "Jason T. Ullmann". The signature is written in a cursive style with a large, sweeping initial 'J'.

Jason T. Ullmann, P.E.  
Executive Director  
Colorado Ground Water Commission

A handwritten signature in black ink, reading "Javier Vargas-Johnson". The signature is written in a cursive style with a large, sweeping initial 'J'.

Javier Vargas-Johnson  
Chief of Water Supply, Designated Basins

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Prepared by: mbm

**Colorado Ground Water Commission**  
**Findings and Order**

In the matter of an application for a determination of a right to an allocation of groundwater in the Kiowa-Bijou Designated Groundwater Basin

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Determination No.: 4865-BD

Aquifer: Laramie-Fox Hills

Applicant: Hardy Road Properties, LLC

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In compliance with section 37-90-107(7) of the Colorado Revised Statutes (“C.R.S.”), and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), Hardy Road Properties, LLC (“Applicant”) submitted an application to the Colorado Ground Water Commission (“Commission”) for a determination of a right to an allocation of designated groundwater from the Laramie-Fox Hills Aquifer.

**Findings**

1. The application was received by the Commission on November 12, 2025.
2. The Applicant requests a determination of right to an allocation of designated groundwater (“Determination”) in the Laramie-Fox Hills aquifer (“Aquifer”) underlying 19.39 acres, generally described as the E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., in El Paso County (“Overlying Land”). According to a Nontributary Groundwater Landownership Statement dated February 11, 2026, attached hereto as Exhibit A, the Applicant owns the 19.39 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.

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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3. The Overlying Land is located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 19.39 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), C.R.S., 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 19.39 acres of Overlying Land claimed by the Applicant is 538 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
  - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 percent.
  - b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 185 feet.

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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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), C.R.S., 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 538 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), C.R.S., 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), C.R.S., 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), C.R.S. 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 Designated Basin Rules.
11. Large capacity well permits issued pursuant to section 37-90-107(7), C.R.S. are subject to the following provisions of statute and the Designated Basin Rules.

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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- a. Pursuant to section 37-90-107(7)(a), C.R.S. well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 538 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 5.38 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, C.R.S., 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.R.S.
  - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent (0.1%) 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), C.R.S., 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

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.

13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. In accordance with sections 37-90-107(7)(c)(II), C.R.S. and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on April 2, 2026 and April 9, 2026. No objections to the application were received within the time limit set by statute.

### Order

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Laramie-Fox Hills Aquifer underlying 19.39 acres of land, generally described as E 1/2 of the SE 1/4 of the SW 1/4, Section 14, Township 11 South, Range 65 West, 6th P.M., further described in Exhibit A, subject to the following conditions.

15. The amount (i.e. volume) of water in the Aquifer underlying the 19.39 acres of Overlying Land allocated herein is 538 acre-feet (“Underlying Groundwater”).
16. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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17. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), C.R.S., 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), C.R.S.
18. Well permits issued pursuant to section 37-90-107(7), C.R.S., (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 538 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, C.R.S. 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).

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: domestic, livestock, irrigation (indoor and outdoor), recreation, fire suppression, wildlife, commercial, industrial, and replacement in support of such uses, either directly or after storage. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 19.39 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission.
- g. The wells must be located on the above described 19.39 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.

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

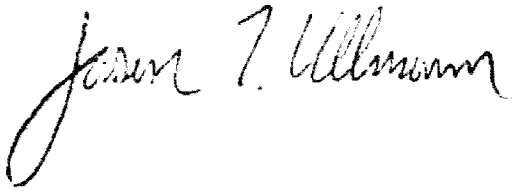
Page 8

- i. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.
  - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
19. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 19.39 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
20. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

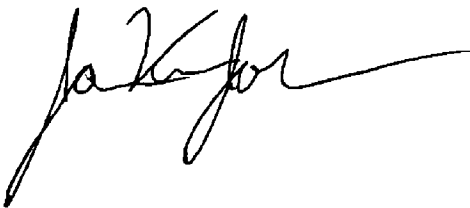
Dated this 20th day of May, 2026.

Determination No. 4865-BD  
Aquifer: Laramie-Fox Hills  
Applicant: Hardy Road Properties, LLC

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A handwritten signature in black ink, appearing to read "Jason T. Ullmann". The signature is written in a cursive style with a large, looping initial 'J'.

Jason T. Ullmann, P.E.  
Executive Director  
Colorado Ground Water Commission

A handwritten signature in black ink, appearing to read "Javier Vargas-Johnson". The signature is written in a cursive style with a large, looping initial 'J'.

Javier Vargas-Johnson  
Chief of Water Supply, Designated Basins

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Prepared by: mbm



February 4, 2025

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

Dear Mr. Howser:

**RE: 3-Lot Development for property at 10155 Hardy Road  
El Paso County Parcel #5114000009  
Finding of Sufficient Water Quality According to Section 8.4.7.B.10(a) of the Amended El  
Paso County Land Development Code (LDC-19-007)**

## **FINDING OF SUFFICIENT WATER QUALITY**

Jay and Janes Ohmes own approximately 19.40 acres on the above-described property, located at 10155 Hardy Road, Colorado Springs, CO, 80908 (EPC Receipt No.: 5114000009). Mr. and Mrs. Ohmes would like to subdivide the 19.40 acres into three (3) residential lots through the El Paso County Land Development and Planning process. As part of the subdivision process, the Ohmes' water resources attorney has prepared a Water Resources report to support sufficient water quantity over a 300-year evaluation period. The water resources report supports sufficient quantity but not sufficient quality according to Section 8.4.7.B.10(a) of the Amended El Paso County Land Development Code. Jay Ohmes subsequently reached out to RESPEC Company, LLC to complete water quality sufficiency sampling and analysis according to the aforementioned section of the Code and provide an engineering opinion of the analysis.

Section 8.4.7.B.10(a) in the Amended El Paso County Land Development Code (EPC-LDC) requires that the applicant obtain analyses results for twenty-one (21) Volatile Organic Chemical (VOC) Contaminants, twenty-nine (29) Synthetic Organic Chemical Contaminants (SOC), fourteen (14) Inorganic Chemicals, ten (10) Secondary Maximum Contaminants, indicators of bacteriological pathogens (i.e. E. coli), inorganic anions, and two (2) radionuclides. According to Case No. 01CW21, which is included in the Water Resources Report, the proposed three (3) lot subdivision will be supplied with water from the underlying not-non tributary Dawson formations, both of which are considered confined Denver Basin Aquifers. Therefore, according to paragraph two (2) from Section 8.4.7.B.10(a) VOCs and SOCs are not required as part of the stipulated chemical analysis.

On December 18, 2024, representatives with RESPEC Company, LLC sampled an existing Dawson aquifer well located adjacent to the existing property (10155 Hardy Road). The representative Dawson well is located directly north of the existing property at address 18550 Black Squirrel Rd and is permitted under Permit No. 171159 (see attached). Representative aquifer water samples for the well was taken on the 18<sup>th</sup> of December and hand delivered to Colorado Analytical Laboratories to meet specified holding times for certain constituents. Results from all chemical analyses were received by RESPEC via email on February 3, 2025. Results were tabulated and compared vs. primary and secondary Maximum Contaminant Limits as established by the Colorado Department of Public Health and Environment's (CDPHE) latest drinking water standards. From the evaluation, the well was

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



found to have a low Langelier Index (LI) of -1.71 (please see tabulated results and associated analytical results from Colorado Analytical Laboratories in the enclosure). All other constituents were found to be below respective primary and secondary drinking standards.

As mentioned above, the raw water sampled in the representative Dawson Well was found to have a low LI in the range between -1.5 and -2.0, which can indicate serious corrosion. The LI is calculated using pH, temperature, total dissolved solids, alkalinity, and total hardness. The LI is a measure of the balance between pH and calcium carbonate ( $\text{CaCO}_3$ ). As the LI value becomes more negative, the water is increasingly under-saturated with  $\text{CaCO}_3$  and therefore has increased corrosion potential. Given the LI level, RESPEC Company, LLC recommends that the homeowner(s) install a whole house water acid neutralizing (pH booster) filter and PEX piping for the water plumbing to reduce corrosion potential in each residence. Chemical injection of soda ash can also be used to raise the pH and reduce corrosiveness. Additionally, a lead and copper test may be warranted in the existing home to determine that corrosion has not already occurred in the existing home.

After reviewing the analytical results, RESPEC Company, LLC does not find cause for concern in utilizing the underlying Dawson Aquifer for public consumption or irrigation uses within the proposed subdivision. However, RESPEC would also recommend that the developer and home builder provide a whole-house acid neutralizing water filter unit for each household to reduce corrosion potential because of the observed LI index in the source water. The above opinions are RESPEC's recommendations for additional treatment within the proposed residences to bring the source water into compliance with established Colorado Drinking Water Standards.

Should the El Paso County Planning and Development Department have any additional comments, questions, or concerns please do not hesitate to contact Brian "BJ" Elkins, P.E. with RESPEC Company, LLC at 719-283-7674 or at [brian.elkins@respec.com](mailto:brian.elkins@respec.com).

Sincerely,

Brian L. Elkins Jr., P.E.  
Project Engineer

BLE

Enclosure: El Paso County Parcel #5114000009 with vicinity map.  
DWR Permit No. 171159  
Tabulated Water Quality Sufficiency Results from December 18, 2024 Sample Trip to 10155 Hardy Road  
Analytical Results from Colorado Analytical, Task No.: 241218172– Coliform  
Analytical Results from Colorado Analytical, Task No.: 241218172– Langoliers  
Analytical Results from Colorado Analytical, Task No.: 241218172– Chemical Constituents  
Analytical Report from Haxen, Task No.: 241218172– Radiological

cc: Project Central File: W0265.24037 — Category: External Letter

**EL PASO COUNTY - COLORADO**

5114000009  
10155 HARDY RD

Total Market Value  
\$1,000,276

**OVERVIEW**

Owner:	JAY & JANE OHMES TRUST
Mailing Address:	10155 HARDY RD COLORADO SPRINGS CO, 80908-1544
Location:	10155 HARDY RD
Tax Status:	Taxable
Zoning:	RR-5
Plat No:	-
Legal Description:	W2SE4SW4 EX PART TO CO FOR RD AS DES IN BK 2636-733 SEC 14-11-65

**MARKET & ASSESSMENT DETAILS**

	Market Value	Assessed Value
Land	\$453,600	\$30,400
Improvement	\$546,676	\$36,630
Total	\$1,000,276	\$67,030

**RANCH 1 STORY (1)**

Market Value **\$539,227**

Assessment Rate	6.700	Above Grade Area	1,422
Bldg #	1	First Floor Area	1,422
Style Description	RANCH 1 STORY	Above First Floor Area	0
Property Description	SINGLE FAMILY RESIDENTIAL	Lower Level Living Area	0
Year Built	1995	Total Basement Area	1,408
Dwelling Units	1	Finished Basement Area	1,248
Number of Rooms	8	Garage Description	Attached
Number of Bedrooms	4	Garage Area	624
Number of Baths	3.00	Carport Area	-

**BARN (2)**

Market Value **\$7,449**

Assessment Rate	6.700	Sprinkler	N
Bldg #	2	Elevator	
Use	BARN	Occup 1	397
Year Built	1995	Occup 2	
Area	2160	HVA 1	None
Class	D	HVA 2	
Quality	Low	Wall Height	12
Stories	1	Land Size	
Perimeter	192	Neigh #	94
# Units			

**LAND DETAILS**

Sequence Number	Land Use	Assessment Rate	Area	Market Value
1	SINGLE FAMILY RESIDENTIAL	6.700	19.4 Acres	\$448,600
2	WELL AND SEPTIC CONVERSION VALUE	6.700	0 SQFT	\$5,000

## SALES HISTORY

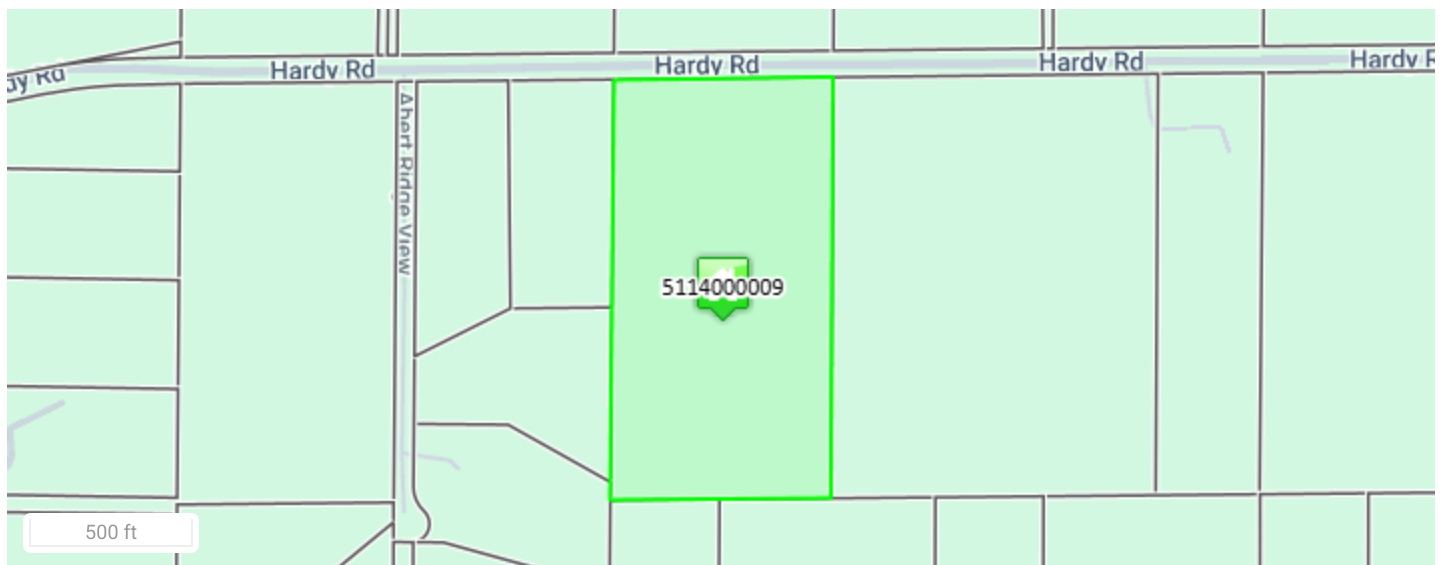
	Sale Date	Sale Price	Sale Type	Reception
+	12/27/2024	\$0	-	224102667
+	02/05/2024	\$0	-	224008125
+	02/03/2023	\$1,050,000	Arms-Length Sale	223010391
+	12/07/2020	\$857,000	Arms-Length Sale	220198750
	07/21/1994	\$70,000	Arms-Length Sale	-
	06/01/1976	\$0	-	-

## TAX ENTITY AND LEVY INFORMATION

County Treasurer Tax Information

Tax Area Code: **SCW** Levy Year: **2024** Mill Levy: **70.906**

Taxing Entity	Levy	Contact Name/Organization	Contact Phone
EL PASO COUNTY	6.985	FINANCIAL SERVICES	(719)520-6400
EPC ROAD & BRIDGE (UNSHARED)	0.330	-	(719)520-6498
EL PASO COUNTY SCHOOL DISTRICT #49	45.565	HEATHER DIAZ	(719)495-1127
PIKES PEAK LIBRARY DISTRICT	3.140	RANDALL A GREEN	(719)531-6333
FALCON FIRE PROTECTION DISTRICT	14.886	TRENT HARWIG	(719)495-4050
KIOWA CONSERVATION DISTRICT	0.000	PAM BREWSTER	(303)621-2070



No Photo Available



### Disclaimer

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

FORM NO. GWS-32 10/94

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

For Office Use only

RECEIVED

NOV 13 1995

WATER RESOURCES  
STATE ENGINEER  
COLO

1. WELL PERMIT NUMBER 121159  
2. OWNER NAME(S) Thomas Ballard  
Mailing Address Box 88062  
City, St. Zip Co Springs Co 80908  
Phone ( 719 ) 495-3686

3. WELL LOCATION AS DRILLED: SE 1/4 SE 1/4, Sec. 14 Twp. 11 S, Range 65 W  
DISTANCES FROM SEC. LINES:  
800 ft. from South Sec. line. and 1600 ft. from West Sec. line.  
(north of south) (east of west)  
SUBDIVISION: \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING(UNIT) \_\_\_\_\_  
STREET ADDRESS AT WELL LOCATION: \_\_\_\_\_

4. PUMP DATA: Type Sub Installation Completed Nov 8 1995  
Pump Manufacturer RED JACKET Pump Model No. 100CNS14 BC  
Design GPM 10 at RPM 3450, HP 1, Volts 230, Full Load Amps 10  
Pump Intake Depth 267 Feet, Drop/Column Pipe Size 1 Inches, Kind PVC  
ADDITIONAL INFORMATION FOR PUMPS GREATER THAT 50 GPM:  
TURBINE DRIVER TYPE:  Electric  Engine  Other \_\_\_\_\_  
Design Head \_\_\_\_\_ feet, Number of Stages \_\_\_\_\_, Shaft size \_\_\_\_\_ inches.

5. OTHER EQUIPMENT:  
Airline Installed  Yes  No, Orifice Depth ft. \_\_\_\_\_ Monitor Tube Installed  Yes  No, Depth ft. \_\_\_\_\_  
Flow Meter Mfg. \_\_\_\_\_ Meter Serial No. \_\_\_\_\_  
Meter Readout  Gallons,  Thousand Gallons,  Acre feet,  Beginning Reading \_\_\_\_\_

6. TEST DATA:  Check box if Test data is submitted on Supplemental Form.  
Date Nov 8 1995  
Total Well Depth 337 Time \_\_\_\_\_  
Static Level 125 Rate (GPM) 12  
Date Measured July 5 1995 Pumping Lvl 220 220

7. DISINFECTION: Type HTH Amt. Used 1/2 CUP

8. Water Quality analysis available.  Yes  No

9. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

10. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge.  
[Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

CONTRACTOR Hamacher Well Works Inc Phone ( 719 ) 541-2460 Lic. No. 71  
Mailing Address Box 86 Simla Co 80835

Name/Title (Please type or print)  
T.R. Hamacher

Signature  
T.R. Hamacher

Date  
Nov 9 1995

RECEIVED

MAY 15 1995

WATER RESOURCES  
STATE ENGINEER  
COLORADO

CHECKS  
TABULAR  
DIV. OF WATER RESOURCES

PRIOR TO COMPLETING FORM, SEE INSTRUCTIONS ON REVERSE SIDE

### CHANGE IN OWNERSHIP / ADDRESS

WELL PERMIT, LIVESTOCK TANK OR EROSION CONTROL DAM

1. NEW OWNER

NAME(S) THOMAS BALLARD  
Mailing Address R.D. BOX 88062 COLORADO SPRINGS  
City, St. Zip COLORADO, 80908-8062  
Phone (719) 495-3686

2. THIS CHANGE IS FOR ONE OF THE FOLLOWING:

- WELL PERMIT NUMBER 171159
- LIVESTOCK WATER TANK NUMBER \_\_\_\_\_
- EROSION CONTROL DAM NUMBER \_\_\_\_\_

3. WELL LOCATION: COUNTY EL PASO OWNER'S WELL DESIGNATION DOMESTIC  
10155 HARDY RD COLORADO SPRINGS CO 80908  
(Address) (City) (State) (Zip)  
SE 1/4 of the SW 1/4, Sec. 14 Twp. 11S  N. or  S., Range 65  E. or  W. 6TH P.M.  
 Distances from Section Lines 800 Ft. from  N. or  S. Line, 1600 Ft. from  E. or  W. Line.  
 Subdivision \_\_\_\_\_ Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing (Unit) \_\_\_\_\_

4. LIVESTOCK TANK OR EROSION CONTROL DAM LOCATION: COUNTY \_\_\_\_\_  
 \_\_\_\_\_ 1/4, Sec. \_\_\_\_\_ Twp. \_\_\_\_\_  N. or  S., Range \_\_\_\_\_  E. or  W. \_\_\_\_\_ P.M.

5. The above listed owner(s) say(s) that he (they) own the structure described herein.  
 The existing record is being amended for the following reason(s):  
 Change in name of owner.  Change in mailing address.

6. I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge.  
 [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print) <u>THOMAS M BALLARD</u>	Signature <u>Thomas M Ballard</u>	Date <u>5/11/95</u>
--	--------------------------------------	------------------------

FOR OFFICE USE ONLY

ACCEPTED AS A CHANGE IN OWNERSHIP AND/OR MAILING ADDRESS.

Hel D. Simpson State Engineer By [Signature] Date JUL 11 1995

Court Case No. \_\_\_\_\_ Div. 2 Co. 21 WD 10 Basin 2 MD \_\_\_\_\_ Use \_\_\_\_\_

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

For Office Use only

RECEIVED

JUL 17 1995

WATER RESOURCES  
STATE ENGINEER  
COLORADO

1. WELL PERMIT NUMBER 171159

2. OWNER NAME(S) Pamela Durbin Tom Ballard  
Mailing Address 12585 Forest Green Dr  
City, St. Zip Elbert Co 80106  
Phone (719) 495-3686

3. WELL LOCATION AS DRILLED: SE 1/4 SW 1/4, Sec. 14 Twp. 11 S, Range 65 W  
DISTANCES FROM SEC. LINES:  
800 ft. from South Sec. line. and 1600 ft. from West Sec. line. OR  
(north or south) (east or west)  
SUBDIVISION: LOT BLOCK FILING(UNIT)  
STREET ADDRESS AT WELL LOCATION:

4. GROUND SURFACE ELEVATION \_\_\_\_\_ ft. DRILLING METHOD Rotary  
DATE COMPLETED July 5 1995 TOTAL DEPTH 337 ft. DEPTH COMPLETED 337 ft.

5. GEOLOGIC LOG:  
Depth Description of Material (Type, Size, Color, Water Location)

0-2 Brown Sand  
2-35 Sand & Clay  
35-81 Sand & Gravel  
81-139 Sand & Yellow Clay  
139-165 Yellow Clay  
165-330 Sand & Gravel  
330-337 Clay

6. HOLE DIAM. (in.)	From (ft)	To (ft)
8 5/8	0	20
6 1/2	20	337

7. PLAIN CASING				
OD (in)	Kind	Wall Size	From(ft)	To(ft)
6 5/8	Steel	188	+1	20
4 1/2	PVC	1/2	17-197	217-237
4 1/2	PVC	1/2	257	277
4 1/2	PVC	1/2	297	317
PERF. CASING: Screen Slot Size: <u>20th</u>				
4 1/2	PVC	1/2	197	217
4 1/2	PVC	1/2	237	257
4 1/2	PVC	1/2	277	297
4 1/2	PVC	1/2	317	337

8. FILTER PACK: Material Silica Sand Size 8-12 Interval 125-337  
9. PACKER PLACEMENT: Type \_\_\_\_\_ Depth \_\_\_\_\_

REMARKS:

10. GROUTING RECORD:				
Material	Amount	Density	Interval	Placement
Cemented	20 Gal	1.73	0-20	Poured
Cemented	20 Gal	1.73	100-125	Pumped

Global Vibrator Tremmie Pipe

11. DISINFECTION: Type HTH Amt. Used 1/2 Cup

12. WELL TEST DATA:  Check box if Test Data is submitted on Form No. GWS 39 Supplemental Well Test.  
TESTING METHOD Aired and Bailed  
Static Level 125 ft. Date/Time measured July 5 1995, Production Rate 15 gpm.  
Pumping level 270 ft. Date/Time measured July 5 1995, Test length (hrs.) 4  
Remarks

13. I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. [Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]  
CONTRACTOR Hamacher Well Works Inc Phone (719) 541-2460 Lic. No. 71  
Mailing Address Box 86 Simla Co 80835

Name/Title (Please type or print) T.R. Hamacher Signature T.R. Hamacher Date July 1995

OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES

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

LIC

WELL PERMIT NUMBER	<b>171159</b>
DIV. 8	CNTY. 21
WD 10	DES. BASIN 2
	MD

APPLICANT

PAMELA DURBIN  
#1 CERRADO LOOP  
SANTA FE NM 87505

( 505)983-8483

Lot: Block: Filing: Subdiv:

APPROVED WELL LOCATION

EL PASO COUNTY

SE 1/4 SW 1/4 Section 14  
Twp 11 S RANGE 65 W 6th P.M.

DISTANCES FROM SECTION LINES


800 Ft. from South Section Line  
1600 Ft. from West Section Line


**PERMIT TO CONSTRUCT A WELL**

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction and Pump Installation Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 17.
- 3) Approved pursuant to CRS 37-90-105.
- 4) Water from this well may be used for domestic purposes inside one (1) single family dwelling.
- 5) The maximum pumping rate shall not exceed 15 GPM.
- 6) The annual appropriation shall not exceed 1 acre-feet.
- 7) The irrigated area shall not exceed 1 acre of lawn and garden.
- 8) Production is limited to the Dawson aquifer. Plain casing must be installed and sealed from ground surface to minimum depth of 125 feet to prevent diversion of water from other zones. The depth of the well shall not exceed 1060 feet, which is the estimated base of the Dawson aquifer.
- 9) This well must be constructed within 300 feet of the location specified on this permit. 7.15.93 124C

APPROVED  
RAC

  
State Engineer

  
By

Receipt No. 0352675

DATE ISSUED JUL 16 1993

EXPIRATION DATE JUL 16 1995

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

RECEIVED

MAY 07 '93

PERMIT APPLICATION FORM

RECEIVED

JUN 28 '93

WATER RESOURCES  
STATE ENGINEER  
COLO.

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

- FOR:  A PERMIT TO USE GROUND WATER  
 A PERMIT TO CONSTRUCT A WELL  
 A PERMIT TO INSTALL A PUMP
- ( ) REPLACEMENT FOR NO. \_\_\_\_\_  
 ( ) OTHER \_\_\_\_\_  
 WATER COURT CASE NO. \_\_\_\_\_

WATER RESOURCES  
STATE ENGINEER  
COLO.

171159

(1) APPLICANT - mailing address

NAME PAMELA DURBIN  
 STREET NO 1 CERRADO LOOP  
 CITY SANTA FE NM 87505  
(State) (Zip)  
 TELEPHONE NO. 505-983-8483

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 352675  
 Basin 2 Dist. \_\_\_\_\_

CONDITIONS OF APPROVAL

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

(2) LOCATION OF PROPOSED WELL

County EL PASO  
SE 1/4 of the SW 1/4, Section 14  
 Twp. 11 S Rng. 05 W 06 P.M.  
(T.S.) (R.W.)

(3) WATER USE AND WELL DATA

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

GROUND WATER TO BE USED FOR:

- ( ) HOUSEHOLD USE ONLY - no irrigation (0)  
 DOMESTIC (1) ( ) INDUSTRIAL (5)  
 LIVESTOCK (2) ( ) IRRIGATION (6)  
 COMMERCIAL (4) ( ) MUNICIPAL (8)  
 ( ) OTHER (9) LAWN + GARDEN + STOCK  
 DETAIL THE USE ON BACK IN (11) ANIMALS

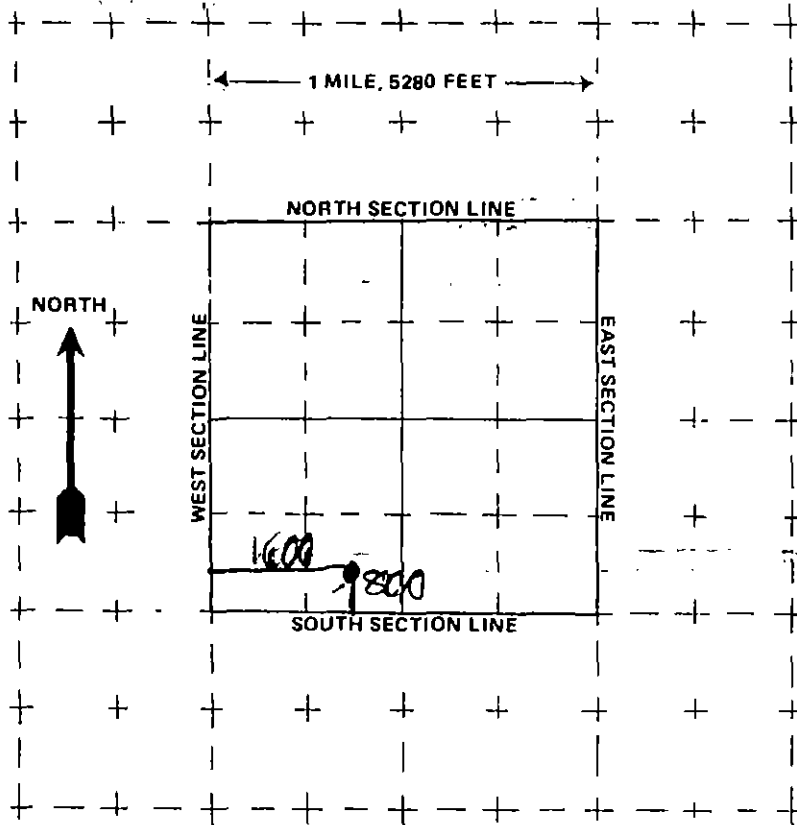
510 6527450  
APPLICATION APPROVED

(4) DRILLER

Name LICENSED BUT TO BE  
 Street DETERMINED  
 City \_\_\_\_\_  
(State) (Zip)  
 Telephone No. \_\_\_\_\_ Lic. No. \_\_\_\_\_

PERMIT NUMBER \_\_\_\_\_  
 DATE ISSUED \_\_\_\_\_  
 EXPIRATION DATE \_\_\_\_\_  
 \_\_\_\_\_  
 (STATE ENGINEER)  
 BY \_\_\_\_\_  
 I.D. 8--1 COUNTY 21-10

(5) THE LOCATION OF THE PROPOSED WELL and the area on which the water will be used must be indicated on the diagram below. Use the CENTER SECTION (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile  
Each small square represents 40 acres.

**WATER EQUIVALENTS TABLE (Rounded Figures)**

An acre-foot covers 1 acre of land 1 foot deep  
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)  
A family of 5 will require approximately 1 acre-foot of water per year.  
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.  
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) THE WELL MUST BE LOCATED BELOW by distances from section lines.

300 ft. from SOUTH sec. line  
(north or south)  
1600 ft. from WEST sec. line  
(east or west)

LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING # \_\_\_\_\_  
SUBDIVISION W2 SE4 SW4 SEC 14 T11S R6G5W6PM

(7) TRACT ON WHICH WELL WILL BE LOCATED Owner: DURBIN  
No. of acres: 20 Will this be the only well on this tract? YES

(8) PROPOSED CASING PROGRAM  
Plain Casing  
5 in. from 0 ft. to 200 ft.  
5 in. from 290 ft. to 300 ft.  
Perforated casing  
5 in. from 200 ft. to 290 ft.  
\_\_\_\_\_ in. from \_\_\_\_\_ ft. to \_\_\_\_\_ ft.

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

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

Owner(s): PAMELA DURBIN No. of acres: 20  
Legal description: W2 SE4 SW4 EX RD SEC 14 T11S R6G5W6PM

(11) DETAILED DESCRIPTION of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.  
HOUSEHOLD PLUS LAWN & GARDEN & DOMESTIC STOCK ANIMALS INCLUDING HORSES. SEPTIC TANK & CEECH FIELD FOR INDIVIDUAL DISPOSAL SYSTEM.

(12) OTHER WATER RIGHTS used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
<u>NONE</u>		

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

Pamela Durbin  
SIGNATURE OF APPLICANT(S)

RECEIVED

RECEIVED

JUN 28 '93

MAY 07 '93

GWS-1 (Rev. April 1987)

WATER RESOURCES  
STATE ENGINEER  
COLO.

WATER RESOURCES  
STATE ENGINEER  
COLO.

STATE OF COLORADO  
OFFICE OF THE STATE ENGINEER  
DIVISION OF WATER RESOURCES

NONTRIBUTARY GROUND WATER LANDOWNERSHIP STATEMENT

I (~~we~~) PAMELA DURBIN  
(Name)

claim and say that I (~~we~~) am (~~are~~) the owner(~~s~~) of the following described property consisting of 20 acres in the County of EL PASO, State of Colorado:

(INSERT PROPERTY LEGAL DESCRIPTION)

W2 SE4SW4 Ex RD SEC 14 T11S R6G5W

and, that the ground water sought to be withdrawn from the DAWSON aquifer underlying the above-described land has not been conveyed or reserved to another, nor has consent been given to its withdrawal by another.

Further, I (~~we~~) claim and say that I (~~we~~) have read the statements made herein; know the contents hereof; and that the same are true to my (~~our~~) own knowledge.

Pamela Durbin 4/17/93  
(Signature) (Date)

\_\_\_\_\_  
(Signature) (Date)

INSTRUCTIONS

Please type or print neatly in black ink. This form may be reproduced by photocopy or work processing means. See additional instructions on back.

1313 Sherman Street 8th Floor Denver, Colorado 80203 (303)866-3581

### LANDOWNERSHIP STATEMENT INSTRUCTIONS

The landownership statement must be submitted with the well permit application in all cases where the well permit applicant believes or claims that water to be withdrawn is nontributary ground water or any ground water from the Dawson, Denver, Arapahoe, Laramie-Fox Hills or Dakota aquifers. The statement must be signed by the landowner(s).

The legal description and the number of acres of overlying land must be indicated. In areas of the state that are not surveyed, the State Engineer will accept an alternate description of the location of the overlying land sufficient to identify and locate the land. For legal descriptions of irregularly shaped parcels (where the boundaries do not follow or parallel section lines) or where there are exclusions of land within the total parcel, the applicant must submit a map having a scale of 1:20,000 or larger (e.g., 1:10,000) which accurately depicts the overlying land.

If the legal description is too lengthy for the space provided on the statement, please indicate with "See attached legal description" in the space provided on the statement and attach the complete legal description. The legal descriptions and maps provided must be complete and legible.

The aquifer from which ground water is to be withdrawn must be indicated on the space provided. Where applications for more than one aquifer are submitted at one time, the applicant shall provide a separate statement for each aquifer. Production from a well is limited to one aquifer only.

JUN 10 1976

214

BOOK 2835 PAGE 864

Filed for record the 238847

A. D. 19

HARRIET BEALS RECORDER

WATER RESOURCES STATE ENGINEER COLO.

# Warranty Deed

Know all Men by these Presents, That Mueller Investment Co., a Limited Partnership, and Vilma D. Roper

of the County of El Paso and State of Colorado, for the consideration of One Dollar and other good and valuable considerations, in hand paid, hereby sell and convey to Angela Fleming Durbin

of the County of \_\_\_\_\_ and State of Colorado, whose mailing address is \_\_\_\_\_

the following Real Property situate in the County of El Paso and State of Colorado, (Assessor's Schedule Number \_\_\_\_\_) to-wit:

The West 1/4 of the Southeast 1/4 of the Southwest 1/4 of Section 14 in Township 11 South, Range 65 West of the 6th P.M., together with an 80 foot right-of-way and easement for roadway, utilities, ingress and egress purposes as set forth in Deed recorded in Book 2326 at Page 276 of the Records of El Paso County, Colorado.

*Doc Fee 1.40*

STATE DOCUMENTARY

JUN 10 1976

FEE \$ 1.40

with all its appurtenances and warrant(s) the title to the same, subject to Real property taxes for 1972, payable in 1973; and subject to covenants, conditions, restrictions, reservations, easements, rights and rights-of-way of record.

Signed and delivered this 27th day of May, 1972.

Mueller Investment Co.

*A.V. Mueller*  
A.V. Mueller, General Partner

*Vilma D. Roper*  
Vilma D. Roper

STATE OF COLORADO )  
COUNTY OF EL PASO ) ss.

The foregoing instrument was acknowledged before me this 27th day of 1972 by A.V. Mueller, General Partner of Mueller Investment Co., a Limited Partnership, and Vilma D. Roper

Witness my hand and official seal. My commission expires July 19, 1975.

*Edward J. ...*



# STATE OF COLORADO

OFFICE OF THE STATE ENGINEER  
Division of Water Resources  
Department of Natural Resources

1313 Sherman Street, Room 818  
Denver, Colorado 80203  
Phone (303) 866-3581  
FAX (303) 866-3589

RECEIVED

JUN 28 '93

WATER RESOURCES  
STATE ENGINEER  
COLO.



Roy Romer  
Governor  
Ken Salazar  
Executive Director  
Hal D. Simpson  
State Engineer

June 16, 1993

PAMELA DURBIN  
NO 1 CERRADO LOOP  
SANTA FE NM 87505

Receipt No. 352675

Dear Ms. Durbin:

Your application for a permit to construct a well is being returned for the reasons indicated below. The information and/or documentation requested is required before we can proceed with the evaluation of your application. All items in the application form must be completed by the applicant. Information provided in the application, such as proposed well site location, property description, subdivision information, property owner, other wells on tract and aquifer designation, must be accurate. Corrections you make to the application must be in black ink. Please initial and date all changes and return the application form to this office. Contact your well driller or this office with any questions. The Ground Water Information number, in this office, is 303/866-3587.

1) Please indicate the lot number and name of the subdivision for the claimed tract of land in **Item #6** in the application. Also, note the filing number of the subdivision if there is more than one filing.

OR

If the tract is not a lot within a recorded subdivision, provide one of the following with the application:

- a) If the claimed tract was in existence **prior to June 1, 1972**, provide a copy of a dated deed, recorded plat or other document to verify that fact. — ~~copy~~ *see 10, 12*
- b) If the claimed tract was created **on or after June 1, 1972**, provide a copy of the County Commissioners' action allowing the creation of the tract such as a subdivision approval, exemption from subdivision review regulations or other action.
- c) If the claimed tract was created **on or after June 1, 1972**, by action other than resolution of the County Commissioners, provide copies of documents to show how it was created.

Sincerely,

Rich Cooper  
Engineering Technician  
Designated Basins Branch

# STATE OF COLORADO

OFFICE OF THE STATE ENGINEER  
Division of Water Resources  
Department of Natural Resources

1313 Sherman Street, Room 818  
Denver, Colorado 80203  
Phone (303) 866-3581  
FAX (303) 866-3589



Roy Romer  
Governor  
Ken Salazar  
Executive Director  
Hal D. Simpson  
State Engineer

June 16, 1993

PAMELA DURBIN  
NO 1 CERRADO LOOP  
SANTA FE NM 87505

Receipt No. 352675

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Sincerely,

Rich Cooper  
Engineering Technician  
Designated Basins Branch

EXEMPT WELL DATA SHEET - DENVER BASIN, COLORADO

APPLICANT: DURBIN RECEIPT NO. 352675  
 LOCATION: SE1/4 OF SW1/4 OF SEC. 14, T.11S., R.65W. (800 SSL, 1600 WSL)  
 LOCATION IS WITHIN THE KIOWA BIJOU DESIGNATED GROUND WATER BASIN  
 PROPOSED AQUIFER: Dawson  
 SURFACE ELEVATION: 7450 NUMBER OF ACRES IN TRACT: 20

IS PROPERTY WITHIN SERVICE BOUNDARIES OF MUNICIPALITY S.B.5 CONSENT MAPS? NO \_\_\_ YES \_\_\_  
 IF SUBDIVISION IS UNDER AUGMENTATION PLAN, CASE NO. IS \_\_\_\_\_, DIV. \_\_\_\_\_  
 IF SUBDIVISION WAS RECOMMENDED FOR APPROVAL BY THE WATER MANAGEMENT BRANCH, DATE OF LETTER IS \_\_\_\_\_  
 INFORMATION ON SUBDIVISION OR TRACT OF LAND/SPECIAL RESTRICTIONS:

20.a.

evaluated by RAC on JUNE 4, 1993

AQUIFER	ELEVATION		NET SAND	DEPTH TO		ANNUAL APPROP A-F	STATUS
	BOT.	TOP		BOT.	TOP		
UPPER DAWSON	6392	7325	467	1058	125	18.640	NNT
LOWER DAWSON	----	----	----	----	----	----	---
DENVER	5530	6354	369	1920	1096	12.546	NT
UPPER ARAPAHOE	4988	5493	263	2463	1957	8.942	NT
LOWER ARAPAHOE	----	----	----	----	----	----	---
LARAMIE-FOX HILLS	4358	4680	186	3092	2770	5.550	NT

125-1060

note: E indicates location is at aquifer boundary and values may be more approximate.  
 \* indicates the proposed aquifer.

All values are interpolated from the S.B.5 data base assembled in November of 1986.

- Dawson
- 15.644
- 1. AF
- 1. and



*El Paso County Land Development Code  
Water Quality Requirements and Results  
Dawson Confined Aquifer  
Jay Ohmes Subdivision  
Well Permit No. 171159-F  
10155 Hardy Road, Colorado Springs, CO 80908*

No.	Compound	Units	MCL/SMCL	Result	Comment
1	Antimony	mg/l	0.006	0	ND
2	Arsenic	mg/l	0.01	0	ND
3	Barium	mg/l	2	0.1162	
4	Beryllium	mg/l	0.004	0.0002	
5	Cadmium	mg/l	0.005	0	ND
6	Chromium	mg/l	0.1	0	ND
7	Cyanide (Total)	mg/l	0	0	ND
8	Fluoride	mg/l	4	0	ND
9	Mercury	mg/l	0.002	0	ND
10	Nitrate as N	mg/l	10	1.56	
11	Nitrite as N	mg/l	1	0	ND
12	Total Inorganic Nitrogen (TIN) as N	mg/l	10	1.56	Nitrate + Nitrite
13	Selenium	mg/l	0.05	0.0012	
14	Thallium	mg/l	0.002	0	ND
15	Aluminum	mg/l	0.05	0	ND
16	Chloride	mg/l	250	7.1	
17	Langelier Index			-1.71	Corrosion (<-0.5)
18	Iron	mg/l	0.3	0	ND
19	Manganese	mg/l	0.05	0	ND
20	pH		6.5 - 8.5	6.97	
21	Silver	mg/l	0.1	0	ND
22	Sulfate	mg/l	250	6.3	
23	TDS	mg/l	500	137	
24	Zinc	mg/l	5	0.009	
25	Gross Alpha/Beta	pCi/l	15	7.0	$\alpha=1.8, \beta=5.2$
26	Combined Radium 226+228	pCi/l	5	3.8	226=1.1, 228=2.7
27	Total Coliform	#/100 ml	Absent	Absent	

Green = Result below MCL - Acceptable Water Quality  
Red = Result above MCL - Not acceptable Water Quality  
ND = Not Detected

**Analytical Results**

**TASK NO: 241218172**

**Report To:** Brian Elkins Jr.

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

**Bill To:** Accounts Payable

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

<b>Task No.:</b> 241218172	<b>Date Received:</b> 12/18/24
<b>Client PO:</b>	<b>Date Reported:</b> 2/3/25
<b>Client Project:</b> Ohmes	<b>Matrix:</b> Water - Drinking

Lab Number	Customer Sample ID	Sample Date/Time	Test	Result	Method	Date Analyzed
241218172-01C	Ohmes	12/18/24 12:15 PM	Total Coliform	<b>Absent</b>	SM 9223	12/19/24
			E-Coli	<b>Absent</b>	SM 9223	12/19/24

**Abbreviations/References:**

Absent = Coliform Not Detected  
 Present = Coliform Detected - Chlorination Recommended  
 Date Analyzed = Date Test Completed  
 SM = "Standard Methods for the Examination of Water and Wastewater"; APHA; 19th Edition; 1995



**DATA APPROVED FOR RELEASE BY**



**Report To:** Brian Elkins Jr.  
**Company:** RESPEC Company, LLC

**Receive Date:** 12/18/24  
**Project Name:** Ohmes

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Total Alkalinity	QC78510	Blank	ND	SM 2320-B	12/23/24
Total Dissolved Solids	QC78392	Blank	ND	SM 2540-C	12/19/24

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Total Alkalinity	QC78510	Duplicate -241218008-02	0 - 20	-	19.9	SM 2320-B
		LCS	90 - 110	97.9	-	
		LCS-2	90 - 110	109.1	-	
Total Dissolved Solids	QC78392	Duplicate -241218110-01	0 - 10	-	9.2	SM 2540-C
		LCS	85 - 115	99.6	-	

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



DATA APPROVED FOR RELEASE BY

**Abbreviations/ References:**

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

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

**Report To:** Brian Elkins Jr.  
**Company:** RESPEC Company, LLC  
5540 Tech Center Drive  
Suite 100  
Colorado Springs CO 80919

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

**Task No.:** 241218172  
**Client PO:**  
**Client Project:** Ohmes

**Date Received:** 12/18/24  
**Date Reported:** 2/3/25  
**Matrix:** Water - Drinking

**Customer Sample ID** Ohmes  
**Sample Date/Time:** 12/18/24 12:15 PM  
**Lab Number:** 241218172-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
Chloride	7.1 mg/L	EPA 300.0	0.1 mg/L	250	12/19/24	QC78434	AMJ
Fluoride	ND mg/L	EPA 300.0	0.10 mg/L	4	12/19/24	QC78435	AMJ
Nitrate Nitrogen	1.56 mg/L	EPA 300.0	0.05 mg/L	10	12/19/24	QC78432	AMJ
Nitrite Nitrogen	ND mg/L	EPA 300.0	0.03 mg/L	1	12/19/24	QC78433	AMJ
Sulfate	6.3 mg/L	EPA 300.0	0.1 mg/L	250	12/19/24	QC78437	AMJ
Cyanide-Total	ND mg/L	EPA 335.4	0.005 mg/L		12/26/24	QC78502	KRB
<b>Total</b>							
Iron	ND mg/L	EPA 200.7	0.005 mg/L	0.3	12/20/24	QC78397	MBN
<b>Total</b>							
Aluminum	ND mg/L	EPA 200.8	0.001 mg/L	0.05	12/21/24	QC78393	MBN
Antimony	ND mg/L	EPA 200.8	0.0012 mg/L	0.006	12/21/24	QC78393	MBN
Arsenic	ND mg/L	EPA 200.8	0.0006 mg/L	0.01	12/21/24	QC78393	MBN
Barium	0.1162 mg/L	EPA 200.8	0.0007 mg/L	2	12/21/24	QC78393	MBN
Beryllium	0.0002 mg/L	EPA 200.8	0.0001 mg/L	0.004	12/21/24	QC78393	MBN
Cadmium	ND mg/L	EPA 200.8	0.0001 mg/L	0.005	12/21/24	QC78393	MBN
Chromium	ND mg/L	EPA 200.8	0.0015 mg/L	0.1	12/21/24	QC78393	MBN
Manganese	ND mg/L	EPA 200.8	0.0008 mg/L	0.05	12/21/24	QC78393	MBN
Mercury	ND mg/L	EPA 200.8	0.0001 mg/L	0.002	12/21/24	QC78393	MBN
Selenium	0.0012 mg/L	EPA 200.8	0.0008 mg/L	0.05	12/21/24	QC78393	MBN
Silver	ND mg/L	EPA 200.8	0.0005 mg/L	0.1	12/21/24	QC78393	MBN
Thallium	ND mg/L	EPA 200.8	0.0002 mg/L	0.002	12/21/24	QC78393	MBN
Zinc	0.009 mg/L	EPA 200.8	0.001 mg/L	5	12/21/24	QC78393	MBN

**Abbreviations/References:**

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Date Analyzed = Date Test Completed

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

MCL = Maximum contaminant level per the EPA  
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<b>Task No.:</b> 241218172	<b>Date Received:</b> 12/18/24
<b>Client PO:</b>	<b>Date Reported:</b> 2/3/25
<b>Client Project:</b> Ohmes	<b>Matrix:</b> Water - Drinking

**Customer Sample ID** Ohmes  
**Sample Date/Time:** 12/18/24 12:15 PM  
**Lab Number:** 241218172-01

Test	Result	Method	RL	MCL	Date Analyzed	QC Batch ID	Analyzed By
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**Report To:** Brian Elkins Jr.  
**Company:** RESPEC Company, LLC

**Receive Date:** 12/18/24  
**Project Name:** Ohmes

Test	QC Batch ID	QC Type	Result	Method	Prep Date
Chloride	QC78434	Blank	ND	EPA 300.0	12/19/24
Cyanide-Total	QC78502	Blank	ND	EPA 335.4	12/26/24
Fluoride	QC78435	Blank	ND	EPA 300.0	12/19/24
Aluminum	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Antimony	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Arsenic	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Barium	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Beryllium	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Cadmium	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Chromium	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Manganese	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Mercury	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Selenium	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Silver	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Thallium	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Zinc	QC78393	Method Blank	ND	EPA 200.8	12/18/24
Iron	QC78397	Method Blank	ND	EPA 200.7	12/18/24
Nitrate Nitrogen	QC78432	Blank	ND	EPA 300.0	12/19/24
Nitrite Nitrogen	QC78433	Blank	ND	EPA 300.0	12/19/24
Sulfate	QC78437	Blank	ND	EPA 300.0	12/19/24

Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Chloride	QC78434	Duplicate -241218151-01	0 - 20	-	0.1	EPA 300.0
		LCS	90 - 110	101.1	-	
		MS -241218151-01	75 - 125	93.2	-	
Cyanide-Total	QC78502	Duplicate -241218040-01	0 - 20	-	0.0	EPA 335.4
		LCS	90 - 110	95.5	-	
		MS -241219060-01B	75 - 125	83.5	-	
Fluoride	QC78435	Duplicate -241218151-01	0 - 20	-	0.2	EPA 300.0
		LCS	90 - 110	95.8	-	
		MS -241218151-01	75 - 125	92.1	-	
Aluminum	QC78393	LCS	90 - 110	104.4	-	EPA 200.8
		MS -241218005-01B	70 - 130	76.4	-	
		MSD -241218005-01B	0 - 10	-	0.1	
Antimony	QC78393	LCS	90 - 110	99.0	-	EPA 200.8
		MS -241218005-01B	70 - 130	109.1	-	
		MSD -241218005-01B	0 - 10	-	4.3	
Arsenic	QC78393	LCS	90 - 110	97.2	-	EPA 200.8
		MS -241218005-01B	70 - 130	116.3	-	
		MSD -241218005-01B	0 - 10	-	0.3	
Barium	QC78393	LCS	90 - 110	97.3	-	EPA 200.8

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Test	QC Batch ID	QC Type	Limits	% Rec	RPD	Method
Beryllium	QC78393	MS -241218005-01B	70 - 130	103.6	-	EPA 200.8
		MSD -241218005-01B	0 - 10	-	3.8	
		LCS	90 - 110	99.4	-	
		MS -241218005-01B	70 - 130	98.1	-	
Cadmium	QC78393	MSD -241218005-01B	0 - 10	-	8.9	EPA 200.8
		LCS	90 - 110	96.0	-	
		MS -241218005-01B	70 - 130	98.2	-	
		MSD -241218005-01B	0 - 10	-	8.4	
Chromium	QC78393	LCS	90 - 110	100.7	-	EPA 200.8
		MS -241218005-01B	70 - 130	102.8	-	
		MSD -241218005-01B	0 - 10	-	9.8	
		LCS	90 - 110	100.7	-	
Manganese	QC78393	MS -241218005-01B	70 - 130	99.3	-	EPA 200.8
		MSD -241218005-01B	0 - 10	-	0.2	
		LCS	90 - 110	100.7	-	
		MS -241218005-01B	70 - 130	99.3	-	
Mercury	QC78393	MSD -241218005-01B	0 - 10	-	2.1	EPA 200.8
		LCS	90 - 110	101.9	-	
		MS -241218005-01B	70 - 130	105.3	-	
		MSD -241218005-01B	0 - 10	-	2.1	
Selenium	QC78393	LCS	90 - 110	98.1	-	EPA 200.8
		MS -241218005-01B	70 - 130	120.8	-	
		MSD -241218005-01B	0 - 10	-	4.2	
		LCS	90 - 110	102.0	-	
Silver	QC78393	MS -241218005-01B	70 - 130	91.2	-	EPA 200.8
		MSD -241218005-01B	0 - 10	-	8.4	
		LCS	90 - 110	102.0	-	
		MS -241218005-01B	70 - 130	91.2	-	
Thallium	QC78393	MSD -241218005-01B	0 - 10	-	4.7	EPA 200.8
		LCS	90 - 110	95.5	-	
		MS -241218005-01B	70 - 130	93.0	-	
		MSD -241218005-01B	0 - 10	-	4.7	
Zinc	QC78393	LCS	90 - 110	100.7	-	EPA 200.8
		MS -241218005-01B	70 - 130	103.2	-	
		MSD -241218005-01B	0 - 10	-	8.4	
		LCS	90 - 110	100.7	-	
Iron	QC78397	Duplicate -241218005-01	0 - 20	-	0.8	EPA 200.7
		LCS	90 - 110	105.6	-	
		MS -241218118-01A	75 - 125	101.1	-	
		Duplicate -241218027-01	0 - 20	-	2.0	
Nitrate Nitrogen	QC78432	LCS	90 - 110	98.5	-	EPA 300.0
		MS -241218027-01	75 - 125	92.7	-	
		Duplicate -241218027-01	0 - 20	-	0.0	
		LCS	90 - 110	90.9	-	
Nitrite Nitrogen	QC78433	MS -241218027-01	75 - 125	90.6	-	EPA 300.0
		Duplicate -241218027-01	0 - 20	-	0.0	
		LCS	90 - 110	90.9	-	
		MS -241218027-01	75 - 125	90.6	-	
Sulfate	QC78437	Duplicate -241218151-01	0 - 20	-	0.0	EPA 300.0
		LCS	90 - 110	98.3	-	
		MS -241218151-01	75 - 125	97.1	-	
		LCS	90 - 110	98.3	-	

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



DATA APPROVED FOR RELEASE BY

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 mpn/100 mls = Most Probable Number Index/ 100 mls  
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(d) RPD acceptable due to low duplicate and sample concentrations.  
 (s) The accuracy of the spike recovery value is reduced due to the analyte concentration in the sample being disproportionate to the spike level. The laboratory control sample recovery was acceptable

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 ND = Not Detected at Reporting Limit.



KESPEC

12110124

# "OHMES" PROJECT

RCU'D FROM  
PETER CLARKSON

VIA EMAIL - *mg*

## EPC Confined Aquifer Sampling Requirements

### Field Measurements

- pH
- Temp

### Radionuclides

- Radium 226 and Radium 228
- Gross alpha/Beta

### Inorganics

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

CAL Task  
241218172

KES

All metals are Total  
per Peter-*US*

### Secondary MCLs

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

### Bacteriological:

- Total Coliform *PIA - confirmed w/ Peter-*US**



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

Lab Control ID: 24H03604

Received: Dec 20, 2024

Reported: Jan 31, 2025

Purchase Order No.

None Received

Customer ID: 05377Z

Account ID: Z01034

Rebecca Manzanares  
Colorado Analytical Laboratories, Inc.  
10411 Heinz Way  
Commerce City, CO 80640

# ANALYTICAL REPORT

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

Reviewed and approved by:

Roxanne Sullivan  
Analytical Laboratories Director

Customer ID: 05377Z  
 Account ID: Z01034

**ANALYTICAL REPORT**

Rebecca Manzanaras  
 Colorado Analytical Laboratories, Inc.

<b>Lab Sample ID</b>		24H03604-001						
<b>Customer Sample ID</b>		241218172-01D - Ohmes sampled on 12/18/24 @ 1215						
<b>Parameter</b>	<b>Units</b>	<b>Code</b>	<b>Result</b>	<b>Precision* +/-</b>	<b>Detection Limit</b>	<b>Method</b>	<b>Analysis Date / Time</b>	<b>Analyst</b>
Gross Alpha	pCi/L	T	1.8	1.6	1.3	SM 7110 B	01/14/25 @ 1434	JR
Gross Beta	pCi/L	T	5.2	2.6	1.8	SM 7110 B	01/14/25 @ 1434	JR

<b>Lab Sample ID</b>		24H03604-002						
<b>Customer Sample ID</b>		241218172-01E - Ohmes sampled on 12/18/24 @ 1215						
<b>Parameter</b>	<b>Units</b>	<b>Code</b>	<b>Result</b>	<b>Precision* +/-</b>	<b>Detection Limit</b>	<b>Method</b>	<b>Analysis Date / Time</b>	<b>Analyst</b>
Radium-226	pCi/L	T	1.1	0.3	0.1	SM 7500-Ra B	01/14/25 @ 0840	KT
Radium-228	pCi/L	T	2.7	0.7	0.2	EPA pg.19	01/23/25 @ 1534	KR

Certification ID's: CO/EPA CO00008

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

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

**Batch QC Summary Form**

Analyte: Gross Alpha

Control Standard/LFB: ID: C11-006 pCi/mL: 57.4 (use 1 diluted)

Spike Solution: ID: C11-006 pCi/mL: 57.4 (use 1 mL)

Spike Recovery Calculation: Sample: Tap

$$\text{Calculation: } \frac{(274.5) - (0.200) - (0.65) - (0.200)}{57.4} \times 100 = 95.4\%$$

Batch QC Evaluation:

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

\* Required for batch size greater than 10 samples.

Conclusions:

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

Reruns Required: \_\_\_\_\_

Narrative:

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

Batch Listing by Lab Control Number:

<u>24H03548</u>	<u>24H03602</u>
<u>24H03555</u>	<u>24H03603</u>
<u>24H03565</u>	<u>24H03604</u>
<u>24H03575</u>	<u>24H03535</u>
<u>24H03576</u>	<u>25H01008</u>
<u>24H03582</u>	<u>25H01027</u>
<u>24H03583</u>	_____
<u>24H03584</u>	_____
<u>24H03598</u>	_____
<u>24H03599</u>	_____

Evaluator:



01/21/2025

Date

**Batch QC Summary Form**

Analyte: Gross Beta

Control Standard/LFB: ID: C11-006 pCi/mL: 44 (use 1 diluted)

Spike Solution: ID: C11-006 pCi/mL: 44 (use 1 mL)

Spike Recovery Calculation: Sample: Tap

$$\text{Calculation: } \frac{(188.7) - (0.200) - (0.9) - (0.200)}{44} \times 100 = 85.4\%$$

Batch QC Evaluation:

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

\* Required for batch size greater than 10 samples.

Conclusions:

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

Reruns Required: \_\_\_\_\_

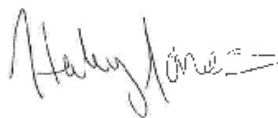
Narrative:

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

Batch Listing by Lab Control Number:

<u>24H03548</u>	<u>24H03602</u>
<u>24H03555</u>	<u>24H03603</u>
<u>24H03565</u>	<u>24H03604</u>
<u>24H03575</u>	<u>24H03535</u>
<u>24H03576</u>	<u>25H01008</u>
<u>24H03582</u>	<u>25H01027</u>
<u>24H03583</u>	_____
<u>24H03584</u>	_____
<u>24H03598</u>	_____
<u>24H03599</u>	_____

Evaluator:



01/21/2025

Date

**Batch QC Summary Form**

Analyte: Radium-226

Control Standard/LFB: ID: C73-008 pCi/mL: 10.55 (use 2 diluted)

Spike Solution: ID: C73-008 pCi/mL: 10.55 (use 2 mL)

Spike Recovery Calculation: Sample: 24H03604-02b

$$\text{Calculation: } \frac{(23.1) (1.000) - (1.1) (1.000)}{21.1} \times 100 = 104\%$$

Batch QC Evaluation:

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

\* Required for batch size greater than 10 samples.

Conclusions:

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

Reruns Required: \_\_\_\_\_

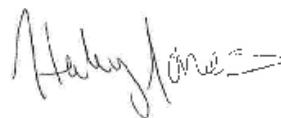
Narrative:

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

Batch Listing by Lab Control Number:

24H03601 \_\_\_\_\_  
24H03604 \_\_\_\_\_  
24H03619 \_\_\_\_\_  
24H03620 \_\_\_\_\_  
24H03622 \_\_\_\_\_  
24H03624 \_\_\_\_\_  
25H01008 \_\_\_\_\_  
25H01027 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Evaluator:

 \_\_\_\_\_

01/21/2025

Date

**Batch QC Summary Form**

Analyte: Radium-228

Control Standard/LFB: ID: C6-009 pCi/mL: 14.2 (use 5 diluted)

Spike Solution: ID: C6-009 pCi/mL: 14.2 (use 5 mL)

Spike Recovery Calculation: Sample: 24H03643-1b

$$\text{Calculation: } \frac{(69.9) (1.000) - (0.6) (1.000)}{71} \times 100 = 97.6\%$$

Batch QC Evaluation:

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

\* Required for batch size greater than 10 samples.

Conclusions:

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

Reruns Required: \_\_\_\_\_

Narrative:

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

Batch Listing by Lab Control Number:

25H01048 \_\_\_\_\_  
25H01050 \_\_\_\_\_  
24H03604 \_\_\_\_\_  
24H03619 \_\_\_\_\_  
24H03620 \_\_\_\_\_  
24H03622 \_\_\_\_\_  
24H03624 \_\_\_\_\_  
24H03643 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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

\_\_\_\_\_ Date 01/31/2025



LABORATORIES, INC.

24H 03604

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

<b>Report To Information</b> Company Name: <u>Colorado Analytical Laboratory</u> Report To: <u>Rebecca Manzanares</u> E-Mail: <u>rebeccamanzanares@coloradolab.com</u>	<b>Bill To Information: (If different from report to)</b> Project Name: <u>Ohmes</u>
Address: <u>10411 Heinz Way</u> <u>Commerce City, CO 80640</u> Phone: <u>303-659-2313</u>	Address: _____ CAL TASK: <u>241218172</u> KES
Compliance Samples: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Submit Data to CDPHE: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	

**Tests Requested**

Sample Date/Time	Sample ID	Matrix	Radium 226 (Sub)	Gross Alpha/Beta (Sub)	Radium 228 (Sub)	Container Type
12/18/24 12:15 PM	241218172-01D - Ohmes	Water - Drinking	X	X	X	1L - Unpreserved
12/18/24 12:15 PM	241218172-01E - Ohmes	Water - Drinking	X	X	X	4 - 1L - Unpreserved

Comment:

Radon Checked Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Air Bubbles? NO YES X 1 YES X 2  
 Headspace? NO YES X 1 YES X 2  
 Initial \_\_\_\_\_ Date: \_\_\_\_\_  
 pH Check and Preservation Acid Lot # A17  
 Initial pH check date: 12/18/24 Time: 1240  
 2nd pH check date: 12/23/24 Time: 0540  
 Final pH 2 Preserved by: TRC

105°C

Relinquished by: _____ (Signature)	Date: Time: _____ 12/19/24 10:30	Received by: _____ (Signature)	Date: Time: _____ 12/20/24 12:26	Relinquished by: _____ (Signature)	Date: Time: _____	Received by: _____ (Signature)	Date: Time: _____
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