



WATER RESOURCES REPORT — WYOMING ESTATES FILING TWO



PREPARED BY

John McGinn, PE 19534

RESPEC

5540 Tech Center Drive, Suite 100
Colorado Springs, Colorado 80919

PREPARED FOR

Shawn Schaffer

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Project Number W0562.23001





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-	3541-BD NON-TRIBUTARY DETERMINATION
-	3542-BD NOT NON-TRIBUTARY REPLACEMENT PLAN
-	WELL PERMITS



1.1 NEW DEVELOPMENT DESCRIPTION

The purpose of this study is to provide a water resources report for Wyoming Estates Filing #2. The land was originally platted as Wyoming Estates into 4 lots. Filing 2 will further split the original lots 1 and 4 into four lots for a total of 6 lots in Wyoming Estates. This report addresses the entire Wyoming Estates.

Appendix A contains proposed plat

2.0 PROJECTION OF WATER NEEDS

2.1 ANALYSIS OF WATER NEEDS

The original 4 lots were projected to require a total of 0.455 AF/year per lot for a total water need of 1.82 annual Acre-feet. Filing 2 would maintain the original Lot 2 and Lot 3 as are, and split original lots 1 and 4 into four lots being lots 1, 2, 3, and 4 in Filing #2. These lots would also require 0.455 AF/Year.

Each lot has adequate water for indoor use (0.25 AF/Lot); Irrigation at (0.143 AF/lot) and possible allocation for limited livestock watering (0.061 AF/lot)

Consequently the total required water for all six lots in the overall Wyoming Estates is 2.73 annual acre-feet.

3.0 WATER RIGHTS AND ADEQUACY

3.1 WATER RIGHTS

Water rights determinations on the property include Determinations 3542-BD and BD-3541. Determination 3542-BD allocates 816 total acre-feet in the Not non-tributary Denver formation. 3542-BD also has a Replacement Plan which makes the 816 Acre-feet available for obtaining well permits.

Under Replacement Plan 3542-BD, four well permits have been issued;

85600-F	serves Lot 2 Wyoming Estates
85882-F	serves Lot 1 Wyoming Estates Filing 2
85881-F	serves Lot 3 Wyoming Estates
87630-F	serves Lot 3 Wyoming Estates Filing 2

The 816 total acre feet covered under the Replacement plan in the Denver formation would be more than adequate to serve the 4 lots on Denver water which would require 546 total acre-feet.



3541-BD is a determination that allocates 1290 acre-feet of Non-tributary water in the Arapahoe formation. It is the intent to drill Arapahoe wells for Lots 2 and 4 of Wyoming Estates Filing 2. Since the water is non-tributary well permits can be issued without a replacement plan. Well permit 88706-F has already been issued for Lot 4 Filing 2.

Lots 2 and 4 will require 0.91 annual acre based on the same 0.455 annual acre, which would requires 273 Acre-feet and the 1290 Acre-feet will more than supply the two additional wells.

3.2 ADEQUACY OF WATER RIGHTS CURRENT SUPPLY

Between the 816 Acre-feet of Not non-tributary water in the Denver which supports four wells and the 1290 Acre-feet of Non-tributary water in the Arapahoe formation supporting two additional wells, there is adequate water supply to support Wyoming Estates and Wyoming Estates Filing No 2 on the 300-year basis.

3.3 WATER QUALITY AND TREATMENT

Appendix B contains the water quality report for one of the completed wells demonstrating adequate water quality for these wells.

3.4 MASTER PLANNING AND LONG-TERM AND FUTURE SOURCES OF SUPPLY

Wyoming Estates Filing 2 is not near a central water system at this time. It is possible that if in future years central water is in the vicinity that central water might be available but at the writing of this report it is not a viable resource.



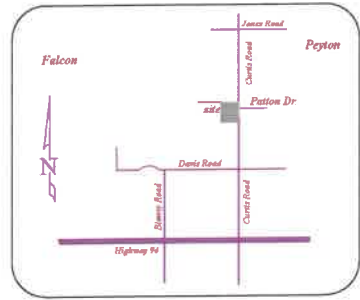
APPENDIX A

WYOMING ESTATES FILING #2

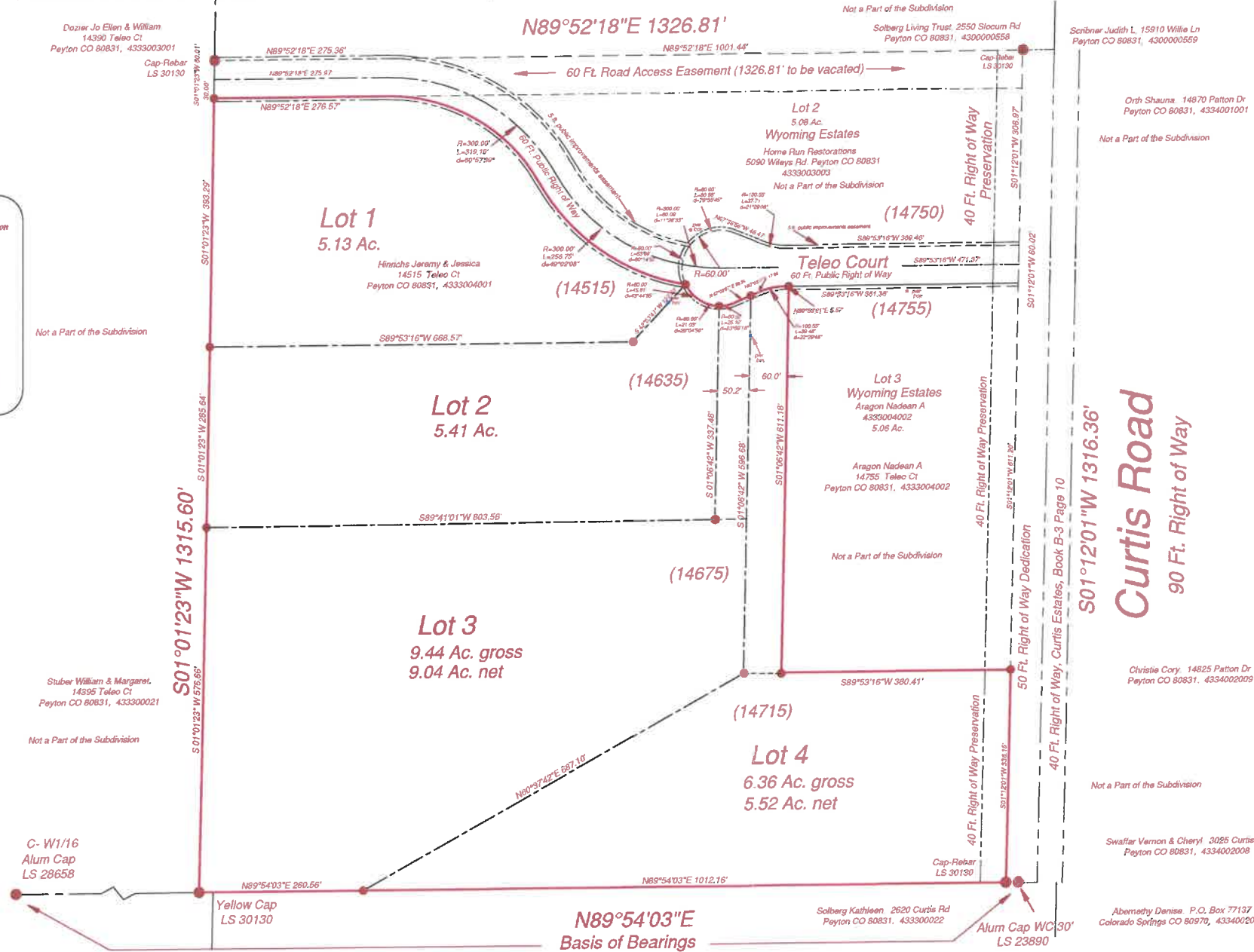
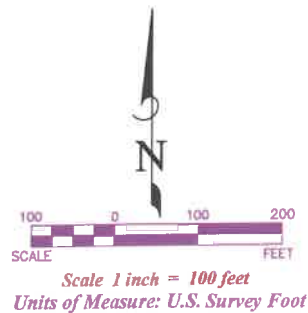


Wyoming Estates Filing No. 2

A Replat of Lots 1 and 4 Wyoming Estates as recorded under reception no. 221714871, dated December, 14, 2021
The Southeast Quarter of the Northeast Quarter of Section 33, Township 13 South, Range 64 West of the 6th P.M., El Paso County, Colorado



VICINITY MAP
Not to Scale



Know All Men By These Presents:
That the undersigned, Shawn Shaffer President, Home Run Restorations, Inc., being the owner of the following described parcel of land:

Legal Description:
Lots 1 and 4 Wyoming Estates as recorded under Reception No. 221714871, dated December 14, 2021. County of El Paso, State of Colorado

Owners Certificate / Dedication Statement:
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 and easements as shown hereon under the name and subdivision of "WYOMING ESTATES FILING No. 2". 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 the 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.

Notarial:
PFG Fund II, LLC, a Colorado limited liability company has executed this instrument this ___ day of ___, 2023, A.D.
by: Kevin Amotach, Manager
State of Colorado)
County of Jefferson) ss
The foregoing instrument was acknowledged before me this ___ day of ___, 2023, A.D. by Kevin Amotach, Manager
Witness my hand and official seal.
Address: _____
My commission expires: _____ Notary Public

Notarial:
The aforementioned Shawn Shaffer President, Home Run Restorations, Inc. has executed this instrument this ___ day of ___, 2023 A.D.
Shawn Shaffer, President
State of Colorado)
County of El Paso) ss
The foregoing instrument was acknowledged before me this ___ day of ___, 2023 A.D., by Shawn Shaffer, President
Witness my hand and seal
Address: _____
My Commission expires: _____

Surveyor's Certification:
I, Joseph Alessi, a duly registered Professional Land Surveyor in the State of Colorado do hereby certify that this plat truly and correctly represents the results of a survey made on August 01, 2023, by me or under my direct supervision and that all monuments exist as shown hereon; that mathematical closure errors are less than 1/10,000; and that said plat has been prepared in full compliance with all applicable laws of the State of Colorado dealing with monuments, subdivision, or surveying of land and all applicable provisions of the El Paso County Land Development Code.
I attest the above on this ___ day of ___, 2023.
Joseph Alessi Colorado Professional Land Surveyor No. 30150 Date
Swaffler Vernon & Cheryl 3085 Curtis Rd Peyton CO 80831, 4334002008
Christie Cory 14825 Patton Dr Peyton CO 80831, 4334002009
Abemathy Denise P.O. Box 77137 Colorado Springs CO 80976, 4334002007

Board of County Commissioners Certificate:
This Plat "WYOMING ESTATES FILING NO. 2" was approved for filing by the El Paso County, Colorado Board of Commissioners on the ___ day of ___, 2023, subject to any notes specified hereon and any conditions included in the resolution of approval. The dedications of easements are accepted.
Chair, Board of County Commissioners Date
Executive Director, Planning and Community Development Date

Recordings:
State of Colorado)
County of El Paso) ss
I hereby certify that this instrument was filed for record in my office at _____ o'clock _____ M. this ___ day of ___, 2023 A.D., and is duly recorded under Reception Number _____ of the records of El Paso County, State of Colorado.
By: Steve Schaefer, Recorder Date

ALESSI and ASSOCIATES, Inc.
APPRAISERS • ENGINEERS • SURVEYORS
2989 Broadmoor Valley Road, Suite C Colorado Springs, CO 80906
Tele. 719/540-8832 Fax 719/540-2781
The SE 1/4 of the NE 1/4 of Section 33, Township 13 South, Range 64 West 6th Principle Meridian, El Paso County, Colorado
Job No. 231137 Wyoming Estates Filing No. 2 DATE Nov. 01, 2023

Notes:

- This survey does not constitute a title search by Alessi and Associates, Inc., to determine ownership or easements of record. For information regarding easements, rights of way, Alessi and Associates, Inc. relied upon the Title Policy prepared by Guardian Title Agency, L.L.C., File Number 3117223-03706, dated August 23, 2023.
- The property owner, its successors and assigns, and all future lot owners in this development are hereby on notice that they may be required to comply with applicable rules, if any, of the Colorado Ground Water Commission and/or the Upper Black Squirrel Creek Ground Water Management District, which compliance may result in a reduction of well withdrawal limits, and thus a reduction in water availability.
- Access Limitation: There shall be no direct lot access to Curtis Road.
- Sewage treatment is the responsibility of each individual property owner. The El Paso County Health Department and Environment must approve each system and, in some cases the Department may require an engineer designed system prior to permit approval.
- 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.
- 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 allocated based on a 300-year aquifer life. Applicants to the Home Owners Association, 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.
- Existing Domestic Well Permit and existing well.
- No driveway shall be established unless an access permit has been granted by El Paso County.
- All Property owners are responsible for maintaining proper storm drainage in and through their property. Public drainage easements as specifically noted on the plat shall be maintained by the individual lot owners unless otherwise indicated. Structures, fences, materials or landscaping that could impede the flow of runoff shall not be placed in drainage easements.
- Mailboxes shall be installed in accordance with all El Paso County Department of Transportation and United States Postal Service regulations.

Total Acreage:
Lot 1 = 5.13 Acres
Lot 2 = 5.41 Acres
Lot 3 = 9.44 Acres
Lot 4 = 6.36 Acres
Total = 26.34 Acres

Service Providers:
Falcon Fire Protection District
Mountain View Electric Assoc.
El Paso Co. Telephone
Individual Sewage Disposal Systems
Domestic Wells

Fees:
Park Fee: _____
School Fee: _____
Drainage Fee: _____
Bridge Fee: _____

18. 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 Department of Wildlife, Colorado Department of Transportation, U.S. Army Corps of Engineers, the U.S. Fish & Wildlife Service regarding the Endangered Species Act, particularly as it relates to the Probie's Meadow Jumping Mouse as a listed threatened species.
19. The following reports have been submitted and are on file at the Department of Development: Soils and Geological Report, Water Resources Report, Drainage Report, Wildlife Hazard Report, and DWTS Report.
20. All structural foundations shall be located and designed by a Professional Engineer, currently registered in the State of Colorado. Natural drainage locations shall be avoided by construction and site-specific foundation/soil investigations shall be required.
21. Environmental: 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 & Wildlife Service regarding the Endangered Species Act, particularly as it relates to the listed species (e.g., Probie's Meadow Jumping Mouse).
22. The addresses exhibited on this plat are for informational purposes only. They are not the legal description and are subject to change.
23. Property within this subdivision is subject to the terms and provisions of the El Paso County Road Impact Fee Program (Resolution 19-471) and any subsequent amendments. Fees for each lot within this subdivision shall be paid in full at the time of building permit issuance. The road impact fee is based on the established rate at the time of building permit application.
24. Individual lot purchasers are responsible for constructing driveways, including necessary drainage culverts from Telem Court Road per Land Development Code Section 6.3.3.C.2 and 6.3.3.C.3. Due to the length, some of the driveways will need to be specifically approved by the Falcon Fire Protection District.
25. This site, WYOMING ESTATES FILING No. 2, is NOT within a designated F.E.M.A. Floodplain as determined by the Flood Insurance Rate Map, Community Panel Numbers 06041C0568G, and 785G, effective Dec. 7, 2018.
26. All property within this subdivision is subject to a Declaration of Covenants as recorded at Reception No. _____ of the records of the El Paso County Clerk and Recorder.

18. Basis of Bearings being a portion of the East-west centerline of said Section 33, T14S, R67W of the 6th P.M. County of El Paso, State of Colorado, beginning at the Southwest corner of the SE 1/4 NW 1/4 of said Section 33, being a 2.5 inch alum., cap LS 28658 marked w-116, thence coincident with said East-west centerline on a bearing of N89°54'03", 3938.66 feet to the point of terminus being a 30 foot offset witness corner of the Southeast corner of the SE 1/4 NE 1/4 of said Section 33, being a 2.5 inch alum., cap LS 23890 marked w-30.
19. Drainage: The individual lot purchaser(s) shall be responsible for final design, construction, and maintenance of private detention pond/water quality BMP(s) as described in the approved Preliminary/Final Drainage Report for this subdivision. Final design, construction drawings and drainage report updates for the detention pond/water quality BMP(s) serving each lot shall be provided with Site Development Plan submissions. The detention pond/water quality BMP(s) shall be constructed and completed prior to the issuance of any building permits for the subject lots. The subdivision developer is responsible for providing financial assurances as indicated in the Subdivision Improvements Agreement and Estimate of Guaranteed Funds for all detention pond/water quality BMPs. All detention pond/water quality BMPs shall be constructed prior to the release of said financial assurances. Individual lot purchasers shall enter into a Private Detention Basin / Stormwater Quality BMP Maintenance Agreement and Easement ("Agreement") prior to the issuance of any building permits for the subject lots. In the case that the developer constructs the detention pond(s), the developer shall enter into an Agreement for each pond constructed.
20. Unless otherwise indicated, all side, front, and rear lot lines are hereby platted on either side with a 10 foot public utility and drainage easement. 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.
21. Soil and Geology Conditions: Geologic Hazard Note-Final Plat: (to be customized based upon the individual circumstances) The following info has been found to be impacted by geologic hazards. Mitigation measures and a map of the hazard area can be found in the report (Title of Report, generally from the Preliminary Plan file) by (author of the report) (date of report) in file (name of file and file number) available at the El Paso County Planning and Community Development Department.
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 based upon any defect in this survey be commenced more than ten years from the date of certification shown hereon.

PCD File SF2322



APPENDIX B

WATER QUALITY REPORT



STANDARD BACTERIOLOGICAL WATER TEST METHOD:SM-9223B

El Paso County Public Health Laboratory EPA ID# CO00025

1675 West Garden of the Gods Road, Suite 2044, Colorado Springs, CO 80907 - (719) 578-3120

PWSID

- Raw
- Finished
- LT2
- Quantitative

Sample Point ID: RTOR

Sample Taken Date: 02/01/2024 Time: 0700

Address where sample was taken: 14715 Teleo Ct Peyton CO 80831

Sample site location: Other -Well head Collector Name: Shawn Chlorine: mg/L

- Well City Recreational
- Surface/Spring Cistern Wastewater

Results to: Home Run Restorations

Phone: (719) 649-7241

Mailing address: 710 S Blaney Rd

City/State/Zip: Colorado Springs, CO 80929

Fax/Email: hrrestorations@gmail.com

Comments:

Date 02/01/2024 Time 0909 Rc'd 850

Date 02/01/2024 Time 1211 Tested 860

Date 02/02/2024 Time 0747 Comp 728

Lab Sample # 15706

Colilert Results Per 100ml

- Absence: Absence of coliform bacteria
- Presence: Presence of coliform bacteria & non-compliance with drinking water standards.

MPN/100 ml:

- Absence: E. Coli: Escherichia coli bacteria
- Presence: E. Coli: Escherichia coli bacteria

MPN/100 ml:



APPENDIX C

WATER SUPPLY SUMMARY FORM



WATER SUPPLY INFORMATION SUMMARY

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

1. NAME OF DEVELOPMENT AS PROPOSED		<i>Wyoming Estates Filing 2 (Water includes Wyoming Estates)</i>	
2. LAND USE ACTION		<i>Preliminary Plan</i>	
3. NAME OF EXISTING PARCEL AS RECORDED		<i>N/A</i>	
SUBDIVISION	<i>See Above</i>	FILING	<i>Final</i>
BLOCK	<i>All</i>	Lot	<i>All</i>
4. TOTAL ACERAGE	<i>25.34</i>	5. NUMBER OF LOTS PROPOSED	<i>6</i>
PLAT MAPS ENCLOSED		<input checked="" type="checkbox"/> YES <i>Preliminary Plan Separate Cover</i>	
6. PARCEL HISTORY - Please attach copies of deeds, plats, or other evidence or documentation. (In submittal package)			
A. Was parcel recorded with county prior to June 1, 1972?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
B. Has the parcel ever been part of a division of land action since June 1, 1972?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	
If yes, describe the previous action <i>Wyoming Estates</i>			
7. LOCATION OF PARCEL - Include a map delineating the project area and tie to a section corner. (In submittal)			
<i>Portions</i> OF <i>SE/4 of NE/4</i> SECTION <i>33</i> TOWNSHIP <i>13</i>		<input type="checkbox"/> N <input checked="" type="checkbox"/> S RANGE <i>64</i> <input type="checkbox"/> E <input checked="" type="checkbox"/> W	
OF	1SECTION	TOWNSHIP	
PRINCIPAL MERIDIAN: <input checked="" type="checkbox"/> 6TH <input checked="" type="checkbox"/> N.M. <input checked="" type="checkbox"/> UTE <input type="checkbox"/> COSTILLA			
8. PLAT - Location of all wells on property must be plotted and permit numbers provided.			
Surveyors plat <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		If not, scaled hand-drawn sketch <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <i>N/A</i>	
9. ESTIMATED WATER REQUIREMENTS - Gallons per Day or Acre Foot per Year		10. WATER SUPPLY SOURCE <i>DENVER BASIN</i>	
HOUSEHOLD USE # *	<i>6</i> of units <i>1,339</i> GPD <i>1.50</i> AF	<input checked="" type="checkbox"/> EXISTING <input type="checkbox"/> DEVELOPED	<input type="checkbox"/> NEW WELLS
COMMERCIAL USE # ***	<i>0</i> Acres <i>-</i> GPD <i>-</i> AF	WELLS SPRING WELL PERMIT NUMBERS	Proposed Aquifers - (Check One)
IRRIGATION # **	<i>0.344</i> acres <i>768</i> GPD <i>0.86</i> AF	<i>85600-F</i>	<input type="checkbox"/> Alluvial <input checked="" type="checkbox"/> Upper Arapahoe
STOCK WATERING #	<i>12</i> of head <i>330</i> GPD <i>0.37</i> AF	<i>85882-F</i>	<input type="checkbox"/> Upper Dawson <input checked="" type="checkbox"/> Lower Arapahoe
OTHER	GPD AF	<i>85881-F</i>	<input type="checkbox"/> Lower Dawson <input type="checkbox"/> Laramie Fox Hills
TOTAL	<i>2,437</i> GPD <i>2.73</i> AF	<i>87630-F</i>	<input type="checkbox"/> Denver <input type="checkbox"/> Dakota
<i>Includes all 6 wells in Wyoming Estates and Wyoming Estates Filing 2</i>		<i>88706-F Arap</i>	<input type="checkbox"/> Other
		<input checked="" type="checkbox"/> MUNICIPAL	WATER COURT DECREE CASE NUMBERS
		<input type="checkbox"/> ASSOCIATION	<i>Replacement Plan 3542-BD Denver</i>
		<input checked="" type="checkbox"/> COMPANY	<i>3541-BD Arapahoe</i>
		<input type="checkbox"/> DISTRICT	
		NAME	
		LETTER OF COMMITMENT FOR SERVICE	
		<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
11. ENGINEER'S WATER SUPPLY REPORT <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO If yes, please forward with this form. (This may be required before our review is completed)			
12. TYPE OF SEWAGE DISPOSAL SYSTEM <i>Individual Septic Sewer</i>			
<input type="checkbox"/> SEPTIC TANK/LEACH FIELD		<input type="checkbox"/> CENTRAL SYSTEM - DISTRICT NAME:	
<input type="checkbox"/> LAGOON		<input checked="" type="checkbox"/> VAULT - LOCATION SEWAGE HAULED TO:	
<input type="checkbox"/> ENGINEERED SYSTEM (Attach a copy of engineering design)		<input type="checkbox"/> OTHER:	
		<i>JDS-RESPEC 02/23/2024</i>	



APPENDIX D

WATER RIGHTS



**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO GROUND WATER IN
THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

DETERMINATION NO.: 3541-BD

AQUIFER: Arapahoe

APPLICANT: Home Run Restorations Inc.

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Home Run Restorations Inc. (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Arapahoe Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on January 4, 2018.
2. The Applicant requests a determination of right to designated ground water in the Arapahoe Aquifer (hereinafter "Aquifer") underlying 40 acres, generally described as the SE 1/4 of the NE 1/4, Section 33, Township 13 South, Range 64 West, Sixth P.M., in El Paso County. According to a signed Ownership Statement dated December 1, 2017, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals and replacement. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.
7. The quantity of water in the Aquifer underlying the 40 acres of Overlying Land claimed by the applicant is 1,290 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 17 percent.

- b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 190 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 12.9 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that none of the Underlying Ground Water in the Aquifer beneath the Overlying Land has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable 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.
12. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant 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 and, therefore, the Underlying Ground Water is considered to be not-nontributary ground water. Also, the location of the land claimed by the Applicant is farther than one mile from the Aquifer contact with the alluvium. Pursuant to the Rules, at least four percent (4%) of the amount of the underlying water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission.
13. On January 12, 2018, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
14. In accordance with Sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on May 24, 2018 and May 31, 2018. 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 Colorado Ground Water Commission orders that the application for determination of right to designated ground water in the Arapahoe Aquifer underlying 40 acres of land, generally described as


the SE 1/4 of the NE 1/4, Section 33, Township 13 South, Range 64 West, Sixth P.M., further described in Exhibit A, is approved subject to the following conditions:

15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 12.9 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 1,290 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. 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.
20. At least four percent (4%) of the allowed amount of Underlying Ground Water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals and replacement. The place of use shall be limited to the above described 40 acres of Overlying Land. The ground water that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The ground water right determined herein is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated ground water.
22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).
23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
 - a. The wells must be located on the above described 40 acres of Overlying Land.
 - b. 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.
- c. The wells must be constructed to withdraw water from only the Arapahoe Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
 - f. 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.
24. A copy of this Findings and Order shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground 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 of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Dated this 2nd day of July, 2018.

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


Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Prepared by: aat
F&O3541-BD.doc

JAN 04 2018

Form GWS-3B (12/2013)

STATE OF COLORADO
COLORADO GROUND WATER COMMISSION
1313 Sherman Street, Room 821, Denver, CO 80203
Phone 303-866-3581, www.water.state.co.us

WATER RESOURCES
STATE ENGINEER COLO.

NONTRIBUTARY GROUND WATER CONSENT LANDOWNERSHIP STATEMENT

AQUIFER: Arapahoe

I (we) (Please Print) Home Run Restorations Inc / Shawn Shaffer

whose mailing address is: 5090 Wileys Rd
(street)

Peyton CO 80831 719-649-7241
(city) (state) (zip) (phone)

claim and say that I (we) am (are) the owner(s) of the following described property consisting of 40 acres in the County of EL PASO, State of Colorado.
(insert the property's legal description)

SE 1/4 NE 1/4, Section 33, T13S, R64W of the 6th P.M.

I (we) further claim and say that the right to withdraw the ground water in the aquifer underlying the above described land has been conveyed to others as evidenced by the attached copy of a deed recorded in the county (or counties) in which the land is located, and that the right to withdraw the ground water has not been reserved nor has consent been given to any another except as indicated in the attached deed.

Further, I (we) claim and say that I (we) have read the statement made herein; know the contents thereof; and that the same 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.

Shawn Shaffer President
Signature

12-1-17
Date

Signature

Date

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

RECEIVED

JAN 04 2018

WATER RESOURCES
 STATE ENGINEER COLO.

**APPLICATION FOR DETERMINATION OF WATER RIGHT
 WITHIN A DESIGNATED GROUND WATER BASIN
 PURSUANT TO SECTION 37-90-107(7), C.R.S.**

Please note: This application may only be used to apply for a determination of rights to ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer underlying land areas located within a Designated Ground Water Basin. Review the instructions on the reverse of this form. This form must be completed, signed, dated and submitted to the Ground Water Commission with a non-refundable \$60 filing fee. A separate form must be used for each aquifer determination. Type or print in black ink.

1. APPLICANT INFORMATION	
Name of Applicant <i>X Home Run Restorations Inc / Shawn Shaffer</i>	
Applicant Mailing Address <i>5090 Wileys Rd Peyton CO 80831 X 719-649-7241</i>	
Applicant Telephone Number (include area code)	
2. AMOUNT OF OVERLYING LAND – the total land area claimed and described by the applicant in Item #8 below, consisting of <i>40</i> acres.	3. AQUIFER <i>Arapahoe</i>
4. EXISTING WELLS – Are there any wells located on the claimed and described overlying land? Yes ___ No ___ If yes, provide a complete list of all wells located on the overlying land area as an attachment to this application.	
5. ANNUAL AMOUNT OF GROUND WATER – to be withdrawn, for intended beneficial uses, from the aquifer underlying the described land area claimed by the applicant in Item #8 below. Please specify one of the following: <input checked="" type="checkbox"/> Maximum allowable annual acre-feet <input type="checkbox"/> _____ acre-feet annually <input type="checkbox"/> Maximum allowable annual acre-feet, excluding _____ acre-feet from that amount	
6. USE OF GROUND WATER – description of intended beneficial uses of the ground water to be withdrawn from the aquifer <i>single family Residential</i>	
7. PLACE OF USE – of the ground water shall be considered to be that overlying land area claimed and described by the applicant in Item #8 below, unless a legal description or accurate scale map is provided which describes an alternate/additional place of use.	
8. REQUIRED LANDOWNERSHIP DOCUMENTATION - The Ground Water Commission shall allocate ground water from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifer on the basis of ownership of overlying land. For this reason, a Nontributary Ground Water Landownership Statement (form GWS-1) or Nontributary Ground Water Consent Claim (form GWS-48), including a description of the overlying land area subject to this determination, must be submitted as an attachment to the application.	
9. SIGNATURE OF APPLICANT - must be original signature – The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.	
Signature <i>X</i> <i>Shawn Shaffer</i>	Date <i>X</i> <i>12-1-17</i>
- print name and title <i>X</i> <i>Shawn Shaffer President</i>	

<i>Residential lawn & garden irrigation and domestic animal waterings add replacement per 1-12-18 email</i>	FOR OFFICE USE ONLY		Transaction #	3684140 A
	<i>130158 - expired 65673</i>	<i>STE = 190 ft.</i>	Date: 1/4/2018	11:41:49 AM
DIV <i>2</i> CO <i>WD 10</i> BASIN <i>4</i> MD <i>12</i>		<i>3541-BD</i>	Transaction Total:	\$180.00
			CHECK #189	\$180.00
Form GWS-53 (6/2006)				

WARRANTY DEED

RECORDER'S STAMP

THIS DEED, made this 7 day of September, 2017, between

John V. Hsieh & Grace Y. Hsieh
JOHN V. HSIEH AND GRACE Y. HSIEH, MORGAN MAU-CHIEN KUO AND CHIH-CHIN TUNG KUO

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JAN 04 2018

WATER RESOURCES
STATE ENGINEER COLO.

of the County of EL PASO, State of ~~California~~

HOME RUN RESTORATIONS INC., A NEVADA CORPORATION

whose legal address is 5090 Wileys Rd Peyton CO 80831
of the County of EL PASO, State of Colorado.

DOC FEE \$17.00

grantee:
WITNESS, that the grantor(s), for and in consideration of the sum of One Hundred Seventy Thousand and 00/100, (\$170,000.00), the receipt and sufficiency of which is hereby acknowledged, have/has granted, bargained, sold and conveyed, and by these presents do(es) grant, bargain, sell, convey and confirm unto the grantee, their heirs and assigns forever, all the real property together with improvements, if any, situate, lying and being in County of EL PASO and State of Colorado, described as follows:

THE SE 1/4 OF THE NE 1/4 OF SECTION 30, TOWNSHIP 10 SOUTH, RANGE 04 WEST OF THE 6TH P.M., COUNTY OF EL PASO, STATE OF COLORADO.

also known by street and number as 3050 NORTH CURTIS ROAD, PEYTON, CO 80821;

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, their heirs and assigns forever. And the grantor(s), for him/herself, for their heirs and personal representatives do(es) covenant, grant, bargain and agree to and with the grantee, their heirs and assigns, that at the time of the executing and delivery of these presents are well seized of the premises above conveyed, have/had good, sure, perfect absolute and indefeasible estate of inheritance, in law, in the single, and have/had good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, leases, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, EXCEPT FOR TAXES FOR THE CURRENT YEAR AND SUBSEQUENT YEARS, EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS AND RIGHTS-OF-WAY OF RECORD IF ANY, AND DISTRIBUTION UTILITY EASEMENTS, AND MATTERS NOT SHOWN BY THE PUBLIC RECORDS BUT OF WHICH GRANTEE HAS ACTUAL KNOWLEDGE, AND INCLUSION OF THE PROPERTY WITHIN ANY SPECIAL TAXING DISTRICT; AND BENEFITS AND BURDENS OF ANY DECLARATION AND PARTY WALL AGREEMENTS, IF ANY AND SUBJECT TO THOSE EXCEPTIONS REFERRED TO IN TITLE INSURANCE COMMITMENT NO. 7417-40388 ISSUED BY GUARDIAN TITLE AGENCY, LLC.

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

IN WITNESS WHEREOF the grantor(s) have/had executed this deed on the date set forth above.

John T. Hsieh
Grace Y. Hsieh
GRACE Y. HSIEH
LHWZU

217110117 9/13/2017 8:28 AM
PGS 2 \$18.00 DF \$17.00
Electronically Recorded Official Records El Paso County CO
Chuck Brozman, Clerk and Recorder
TD1000 Y

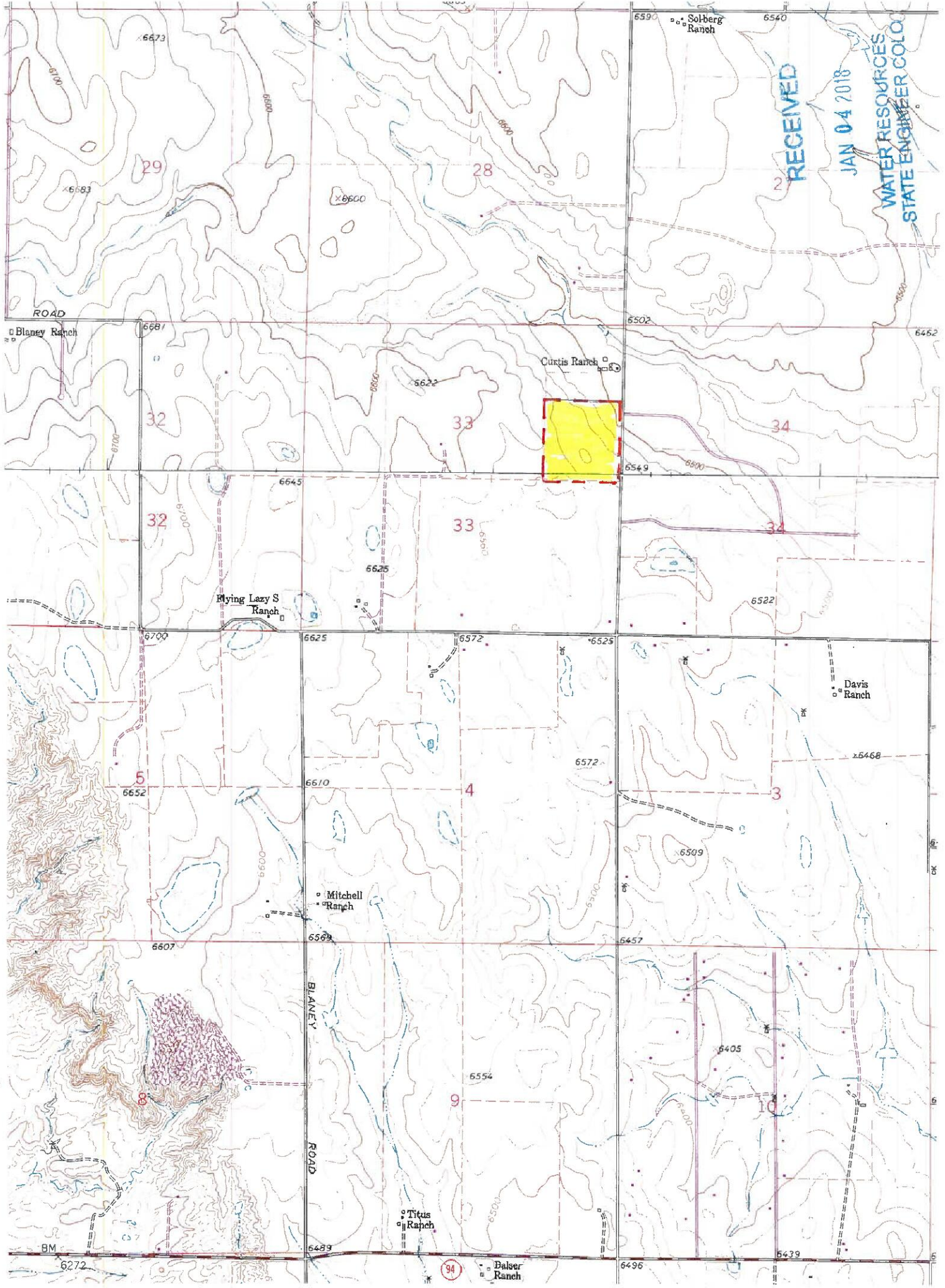
STATE OF California
COUNTY OF Ventura

The foregoing instrument was acknowledged before me this 7 day of Sept, 2017, by JOHN V. HSIEH and GRACE Y. HSIEH

Witness my hand and official seal.
[Signature]
Notary Public

My commission expires July 16, 2019





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JAN 04 2018
WATER RESOURCES
STATE ENGINEER COLO



94

Public Record Property Information

Tuesday, November 28, 2017 Time: 11:28:04 AM

Personal Information

Schedule No: 4333000003
Owner Name: HOME RUN RESTORATIONS INC
Location: 3050 N CURTIS RD
Mailing Address: 5090 WILEYS RD
 PEYTON CO 80831

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WATER RESOURCES
STATE ENGINEER COLO.

Previous Parcel

Replaced Parcel

Legal Description

SE4NE4 SUBJ TO PERPETUAL NON-EXCLUSIVE EASEMENT BY BK
3956-1540 SEC 33-13-64

Market Information (2017 Values)

Levy Year: 2016 **Mill Levy:** 65.968 **Exempt Status:** Not Exempt
 Mill Levy not available until January 1, 2018

Table	Use Code	2017 Market Value	2017 Assessed Value	Exempt
Land	VACANT LAND = 35 AND < 100 ACR	\$126,000	\$36,540	
	Total Value	\$126,000	\$36,540	

Estimated Taxes Payable in 2018: \$2,410.47

Tax Entity and Levy Information

(District: SCF)

Taxing Entity	Contact Name	Contact Phone
EL PASO COUNTY	FINANCIAL SERVICES	(719) 520-6498
EPC ROAD & BRIDGE (UNSHARED)		(719) 520-6498
FALCON SCHOOL NO 49	BRETT RIDGWAY	(719) 495-1130
PIKES PEAK LIBRARY	MIKE VARNET	(719) 531-6333
FALCON FIRE PROTECTION	TRENT HARWIG	(719) 495-4050
UPPER BLK SQUIRREL CRK GROUND WATER	TRACY DORAN	(719) 347-0704
EL PASO COUNTY CONSERVATION	PAMELA DAVISON	(719) 632-9598

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JAN 04 2018

WATER RESOURCES
STATE ENGINEER COLO.

Sale Information

Sale Date	Sale Price	Sale Type
09/18/1995	\$0 -	
09/13/2017	\$170,000	Good sale; verified Vacant land

Land Information

Seq #	Use	Exempt	Area
1	VACANT LAND = 35 AND < 100 ACR		40 acres

Residential Information

Commercial Information



DISCLAIMER: (Nov. 2000)

Please be advised that this information is for reference purposes and is deemed unofficial. The zoning information contained herein is subject to constant change and therefore, accuracy and completeness of the information cannot be guaranteed. El Paso County assumes no liability whatsoever for the use of its zoning information by any entity, individual or business. Persons relying on this information do so at their own risk. The County retains all defenses available to it through the Colorado Governmental Immunity Act or as otherwise provided by law. If questions, call El Paso County Development Services Dept. (719) 520-6300.

County Zoning for parcel 433300003 is RR-5

COUNTY ZONING CODES

A-5 -	Agricultural	RT -	Residential Topographic
A-35 -	Agricultural	MHP -	Mobile Home Park
F-5 -	Forestry and Recreation	MHP-R -	Mobile Home Park Rural
RR-0.5 -	Residential Rural	MHS -	Mobile Home Subdivision
RR-2.5 -	Residential Rural	RVP -	Recreational Vehicle Park
RR-5 -	Residential Rural	PUD -	Planned Unit Development
RS-20000 -	Residential Suburban	CAD-O -	Commercial Airport District
RS-6000 -	Residential Suburban	GA-O -	General Aviation Overlay District
RS-5000 -	Residential Suburban	HR-O -	High Rise Overlay District
RM-12 -	Residential Multi-Dwelling	RLUP-O -	Rural Land Use Plan Overlay District
RM-30 -	Residential Multi-Dwelling	C-1 -	Commercial (obsolete)
CC -	Commercial Community	C-2 -	Commercial (obsolete)
CR -	Commercial Regional	M -	Industrial (obsolete)
CS -	Commercial Service	R-4 -	Planned Development (obsolete)
I-2 -	Limited Industrial		
I-3 -	Heavy Industrial		

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.

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 JAN 04 2018
 WATER RESOURCES
 STATE ENGINEER COLO.



Thyne - DNR, Ailis <ailis.thyne@state.co.us>

RE: Home Run Restorations Inc. Application for Determination of Water Right Within A Designated Ground Water Basin

1 message

Joseph Alessi <jalessi@alessi3a.com>
To: "Thyne - DNR, Ailis" <ailis.thyne@state.co.us>

Fri, Jan 12, 2018 at 12:20 PM

Ailis Thyne

Water Resource Engineer

RE: Home Run Restorations

Yes all three aquifers; Denver, Arapahoe and Laramie-Fox Hills

Thanks

Joseph Alessi, PLS, CRA, GRI, BSME

Alessi and Associates, Inc.

Appraisers – Engineers – Surveyors

Alessi Investment Properties – Brokers

2989 Broadmoor Valley Road, Suite C

Colorado Springs, CO 80906

Tel 719-540-8832

Fax 719-540-2781

Cell 719-338-7719

Web: www.alessi3a.com

From: Thyne - DNR, Ailis [<mailto:ailis.thyne@state.co.us>]

Sent: Friday, January 12, 2018 10:38 AM

To: Joseph Alessi

Subject: Re: Home Run Restorations Inc. Application for Determination of Water Right Within A Designated Ground Water Basin

Dear Joseph,

I realized that some replacement plans claim the return flows from septic systems as replacement of the pumping depletion's, so if you will have a replacement plan that claims the return flows from septic systems as replacement of the

depletions, replacement would need to be a use on all the aquifers you may construct wells in. Would you like to add replacement as a use for the Denver, Arapahoe and Laramie-Fox Hills aquifers? Sorry for the confusion, it is best to have the Determination of Water Right be as complete as possible in term of the uses before pursuing a replacement plan, otherwise you may have to go back and change the Determination of Water Right in order have a replacement plan if replacement is not included as a use.

If you have questions please call my at [303-866-3581](tel:303-866-3581) ext. 8216.

Sincerely,

Ailis Thyne

Water Resource Engineer



[303.866.3581](tel:303.866.3581) x8216

[1313 Sherman Street, Room 818, Denver, CO 80203](https://www.water.state.co.us)

ailis.thyne@state.co.us | www.water.state.co.us

On Fri, Jan 12, 2018 at 9:55 AM, Joseph Alessi <jalessi@alessi3a.com> wrote:

Ailis Thyne

Water Resource Engineer

Yes please add replacement as a use of the groundwater from the Laramie-Fox Hills aquifer.

Thanks

Joseph Alessi, PLS, CRA, GRI, BSME

Alessi and Associates, Inc.

Appraisers – Engineers – Surveyors

Alessi Investment Properties – Brokers

[2989 Broadmoor Valley Road, Suite C](https://www.alessiandassociates.com)

[Colorado Springs, CO 80906](https://www.alessiandassociates.com)

Tel [719-540-8832](tel:719-540-8832)

Fax 719-540-2781

Cell 719-338-7719

Web: www.alessi3a.com

From: Thyne - DNR, Ailis [<mailto:ailis.thyne@state.co.us>]

Sent: Thursday, January 11, 2018 3:11 PM

To: Joseph Alessi

Subject: Re: Home Run Restorations Inc. Application for Determination of Water Right Within A Designated Ground Water Basin

Dear Joseph,

Just to clarify, you wish to add replacement as a use of the groundwater from the Laramie-Fox Hills aquifer?

Thank you,

Ailis Thyne

Water Resource Engineer



303.866.3581 x8216

1313 Sherman Street, Room 818, Denver, CO 80203

ailis.thyne@state.co.us | www.water.state.co.us

On Thu, Jan 11, 2018 at 3:08 PM, Joseph Alessi <jalessi@alessi3a.com> wrote:

Ailis Thyne

Water Resource Engineer

Yes please include the Laramie-Fox Hills aquifer.

Thanks

Joseph Alessi, PLS, CRA, GRI, BSME

Alessi and Associates, Inc.

Appraisers – Engineers – Surveyors

Alessi Investment Properties – Brokers

2989 Broadmoor Valley Road, Suite C

Colorado Springs, CO 80906

Tel 719-540-8832

Fax 719-540-2781

Cell 719-338-7719

Web: www.alessi3a.com

From: Thyne - DNR, Ailis [<mailto:ailis.thyne@state.co.us>]

Sent: Thursday, January 11, 2018 11:00 AM

To: Joseph Alessi

Subject: Re: Home Run Restorations Inc. Application for Determination of Water Right Within A Designated Ground Water Basin

Dear Mr. Alessi,

Would you like to include replacement as a use for the Laramie-Fox Hills aquifer? Please note that the use can be included on the determination of water right, but never used. However, if a use is not included on the original determination and a use is wanted to be added to the determination, the determination of water right has to be changed and go through a similar process as the original determination. Since the replacement plan will need a replacement source that is non-tributary groundwater, do you wish to include replacement as a use for the Laramie-Fox Hills aquifer?

If you have questions, please contact me at [303-866-3581](tel:303-866-3581) ext. 8216.

Sincerely,

Ailis Thyne

Water Resource Engineer



COLORADO
Division of Water Resources
Department of Natural Resources

303.866.3581 x8216

1313 Sherman Street, Room 818, Denver, CO 80203

ailis.thyne@state.co.us | www.water.state.co.us

On Thu, Jan 11, 2018 at 10:39 AM, Joseph Alessi <jalessi@alessi3a.com> wrote:

Ailis Thyne

Water Resource Engineer

RE: Home Run Restorations

SE1/4 NE1/4 Section 33, T13S, R64W, 6th P.M.

Thank you for your response.

The proposal is to subdivide the 40 acre site into three 5 acre sites and one 25 acre site. The property will be used for single family dwellings with a small lawn and garden along with domestic pet animals. The individual sites will have the use of wells and septic systems.

We will review a replacement plan for the Denver aquifer at the same time you are continuing the water determination process.

If I can be of further assistance please contact me.

Thank you.

Joseph Alessi, PLS, CRA, GRI, BSME

Alessi and Associates, Inc.

Appraisers – Engineers – Surveyors

Alessi Investment Properties – Brokers

2989 Broadmoor Valley Road, Suite C

Colorado Springs, CO 80906

Tel 719-540-8832

Fax 719-540-2781

Cell 719-338-7719

Web: www.alessi3a.com

From: Thyne - DNR, Ailis [<mailto:ailis.thyne@state.co.us>]

Sent: Wednesday, January 10, 2018 5:54 PM

To: jalessi@alessi3a.com

Subject: Home Run Restorations Inc. Application for Determination of Water Right Within A Designated Ground Water Basin

Dear Mr. Joseph Alessi III,

The application for determination of water right within a Designated Ground Water Basin for Home Run Restoration Inc. requires some clarification. The application states the use of water in the Denver, Arapahoe and Laramie-Fox Hills aquifer is to be single family residential. Please clarify the uses of single family residential; will there be watering of a lawn and garden and the watering of domestic animals, etc.?

In addition, please note that the Denver aquifer underneath the 40 acres of the SE 1/4 of the NE 1/4 of Sec. 33, Twp. 13 S, Rng. 64 W, Sixth P.M. is considered not non-tributary and is within one mile of contact with the alluvium, therefore a well permit issued pursuant to a determination of water right in the Denver aquifer would require a replacement plan and have non-tributary ground water, with the allowed use of replacement water, available as replacement water to replace the depletions accrued to the stream system.

If you have question please contact me at [303-866-3581](tel:303-866-3581) ext. 8216 or email ailis.thyne@state.co.us.

Sincerely,

Ailis Thyne

Water Resource Engineer



[303.866.3581](tel:303.866.3581) x8216

[1313 Sherman Street, Room 818, Denver, CO 80203](https://www.water.state.co.us)

ailis.thyne@state.co.us | www.water.state.co.us

Determination of Water Right Evaluation Sheet
Section 37-90-107(7), C.R.S.

Applicant:	Home Run Restorations Inc.	Receipt No.:	3684140A
Aquifer:	Arapahoe	Basin:	Upper Black Squirrel Creek
Acres Claimed:	40	GWMD:	Upper Black Squirrel Creek
		County:	El Paso

General Description: SE 1/4 of the NE 1/4, Section 33, Township 13 S, Range 64 W, Sixth P.M.

I. Water Underlying Claimed Acreage: $AF = (\text{acres})(\text{ft SS})(SY)$, $AF/YR = AF/100 \text{ years}$

Acreage (ac)	Saturated Sandstone ¹ (ft)	Specific Yield	Quantity of Underlying Water (af)	Average Annual Withdrawal ² (af/yr)
40	190	17%	1,290	12.9

II. Reductions to Claimed Acreage:

Overlapping Pre-November 19, 1973 Well Cylinders: None

Permit No.	Overlapping Acreage, (ac)
None	0
Total	0

III. Water Underlying Reduced Acreage: $AF = (\text{acres})(\text{ft SS})(SY)$, $AF/YR = AF/100 \text{ years}$

Reduced Acreage (ac)	Saturated Sandstone ¹ (ft)	Specific Yield	Quantity of Underlying Water (af)	Average Annual Withdrawal ² (af/yr)
40	190	17%	1,290	12.9

IV. Small-Capacity Wells Located on Claimed Tract : None

Permit No.	Permitted Annual Appropriation (af/yr)	Quantity of Reduction ² (af)
None	0	0
Total	0	0

V. Water Available From Beneath the Claimed Acreage:

Quantity (af)	Allowed Average Annual Amount of Withdrawal ² (af/yr)	Annual Amount Requested by Applicant (af/yr)	Exclusion Requested by Applicant (af/yr)	Approved Average Annual Amount (af/yr)
1,290	12.9	0	0	12.9

VI. Replacement Water Status of Claimed Area: not-nontributary (4% replacement)
Replacement Plan Required: No

VII. Aquifer Depth (Approximate, Center of Parcel):

Top, ft	Base, ft
515	1000

VIII. Comments:

1. The average saturated sandstone/siltstone (SS) value was obtained from the Sandstone/Siltstone map of the aquifer of the Designated Basins Rules Maps.
2. Based on a 100 year aquifer life.

Evaluated by:	aat 5/18/2018
Reviewed by:	

AQUAMAP

Colorado Division of Water Resources

Home Run Arapahoe Mylar

Map created by aat 1/11/2018



7,118 ft

Based on work developed at <http://www.carto.net>

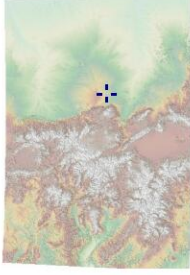
Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2009

MAP NAVIGATION

Home Refresh Full Screen Print Home Refresh Full Screen Print

Click to create PDF

UTM X, Zone 13: 720519
UTM Y, Zone 13: 4208430
Long: -102° 29' 19.0"
Lat: 37° 59' 48.3"
UTM and Geographic(LL) coordinates in NAD 83



DATA DISPLAY

Background Mylar KA Counties PLSS Roads Hydrography County Parcels (No Public Access) Towns

Water Well Applications DWR Parcels EPA Well Notifications Oil/Gas Well Locations County Parcels (No Public Access) Towns

Low High Transparency

LOCATION

Section: 33 | Township: 13 | Range: S | Meridian: W | Spacing: 64 | Sixth: 64

PRINTING

Output Scale: 12,000 | Page Size: 8.5x11 | User: aat

Title: Home Run Arapahoe Mylar

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.

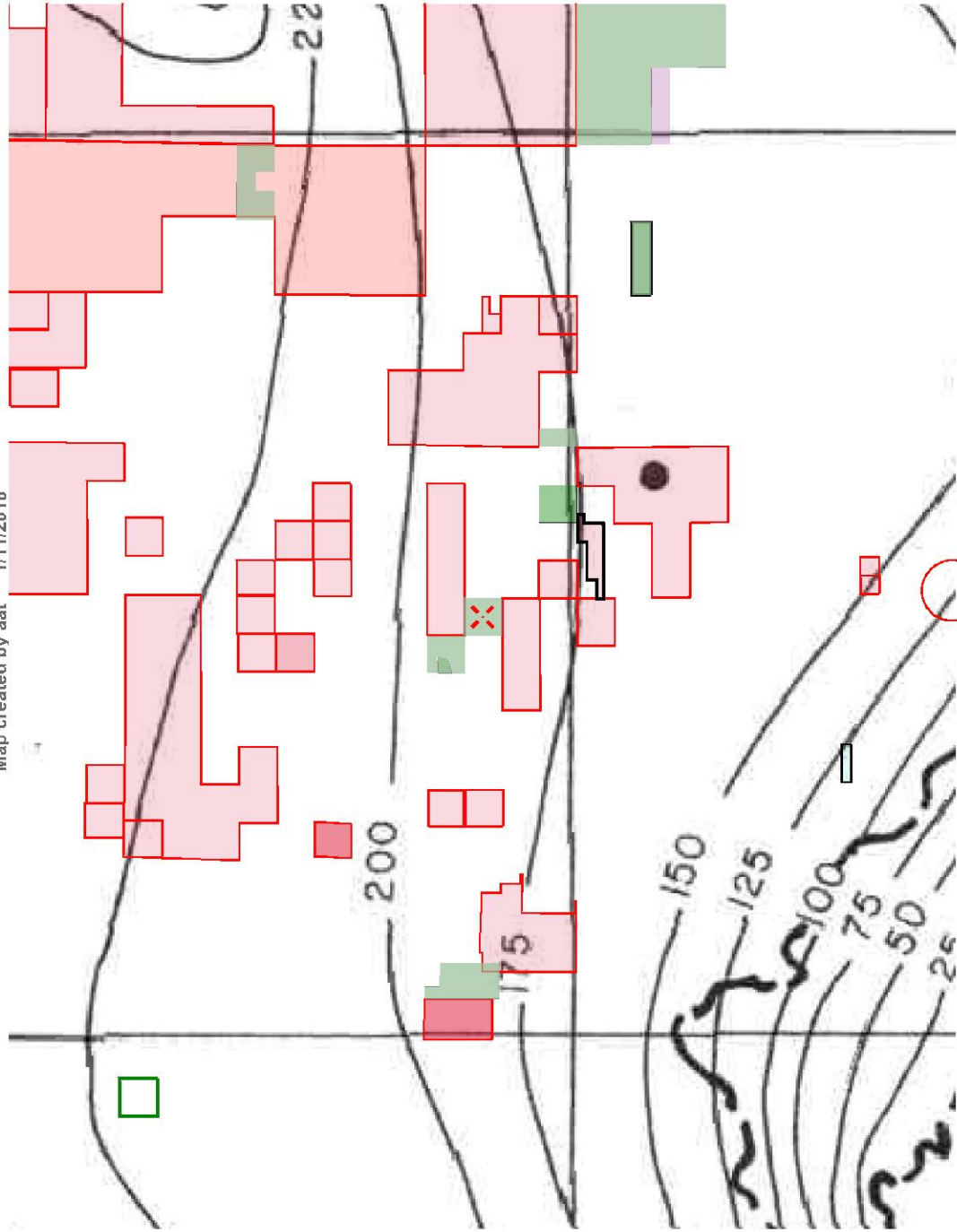


AQUAMAP

Colorado Division of Water Resources

Home Run Arapahoe Sands

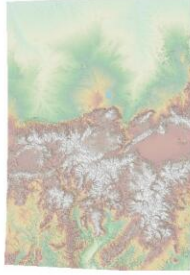
Map created by aat 1/11/2018



MAP NAVIGATION

Home Refresh Full Screen Print Home Refresh Full Screen Print

Click to create PDF
 UTM X, Zone 13: 611462
 UTM Y, Zone 13: 4126084
 Long: -103° 44' 34.0"
 Lat: 37° 16' 28.8"
 UTM and Geographic(LL) coordinates in NAD 83



DATA DISPLAY

Background
 Arapahoe Sands

Counties
 PLSS
 Roads
 Hydrography
 County Parcels (No Public Access)
 Towns

Water Well Applications
 DWR Parcels
 EPA Well Notifications
 Oil/Gas Well Locations
 County Parcels (No Public Access)
 More Data

LOCATION

Section: 33 | Township: 13 S | Range: 64 W | Meridian: Sixth

PRINTING

Output Scale: 72,000 | Page Size: 8.5x11 | User: aat

Title: Home Run Arapahoe Sands

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



42,706 ft

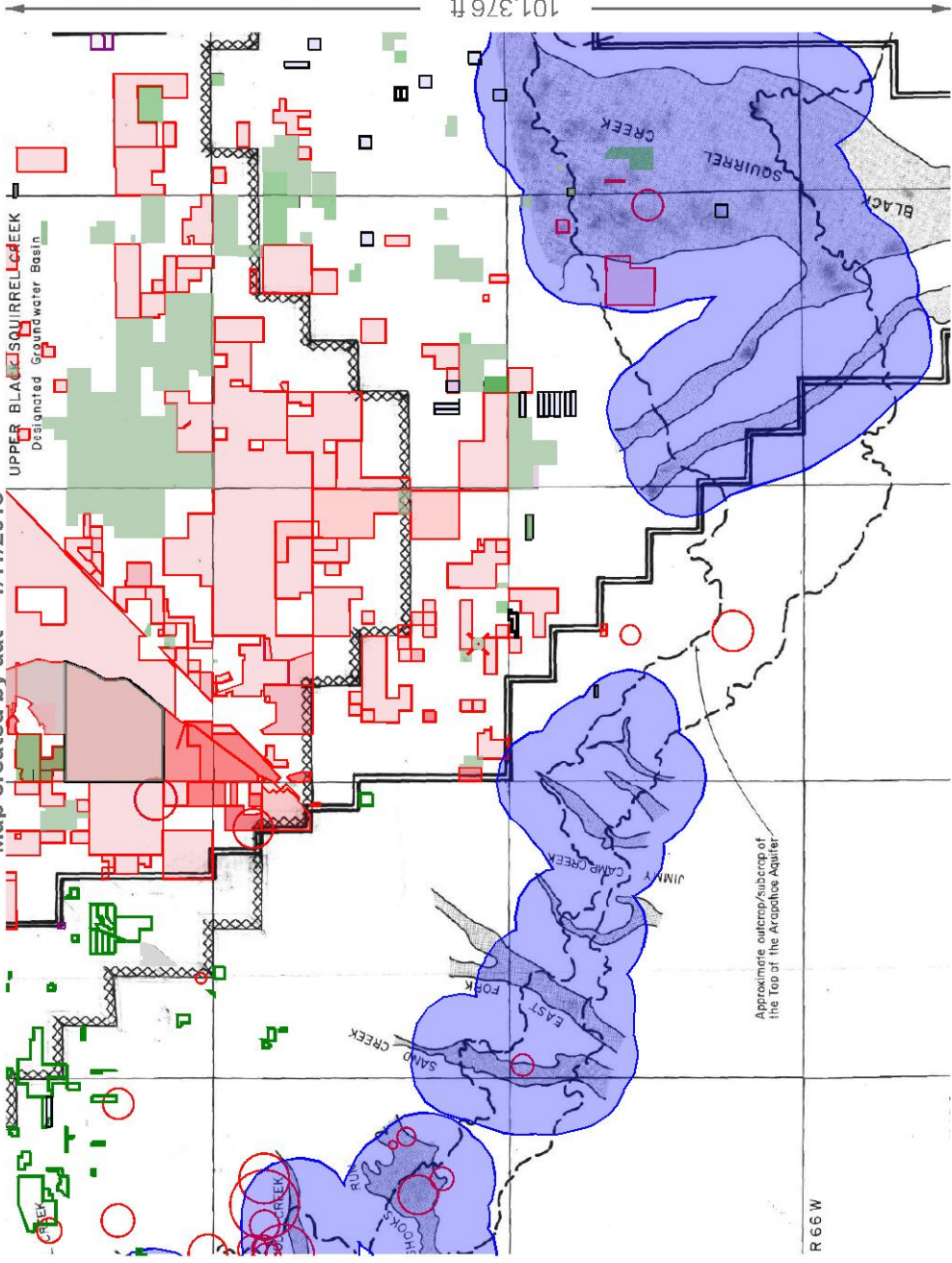
33,000 ft

Address location by Bing Maps
 AquaMap Version 3.0.1 July 5, 2009

Based on work developed at <http://www.carto.net>



AQUAMAP
Colorado Division of Water Resources
Home Run Arapahoe Atlas
 Map created by aat 1/11/2018



MAP NAVIGATION

Home
 Back
 Forward
 Refresh
 Full Screen
 Print
 Map app ready
 UTM X, Zone 13: 742445
 UTM Y, Zone 13: 4426575
 Long: -102° 9' 42.5"
 Lat: 39° 57' 16.5"
 UTM and Geographic(LL)
 coordinates in NAD 83

DATA DISPLAY

- Background
- Counties
- PLSS
- Roads
- Hydrography
- County Parcels (No Public Access)
- Towns
- S Arapahoe Atlas
- Water Well Applica
- DWR Parcels
- EPA Well Notificati.
- Oil/Gas Well Locati
- County Parcels (No Public Access)
- More Data

LOCATION

Section Township Range Meridian Sixth
 PLSS Locator Quick Zoom Spacing

PRINTING

Output Scale Page Size Open PDF file
 Create PDF
 Title

DATA ENTRY

Authorized Users Only

DETAILS

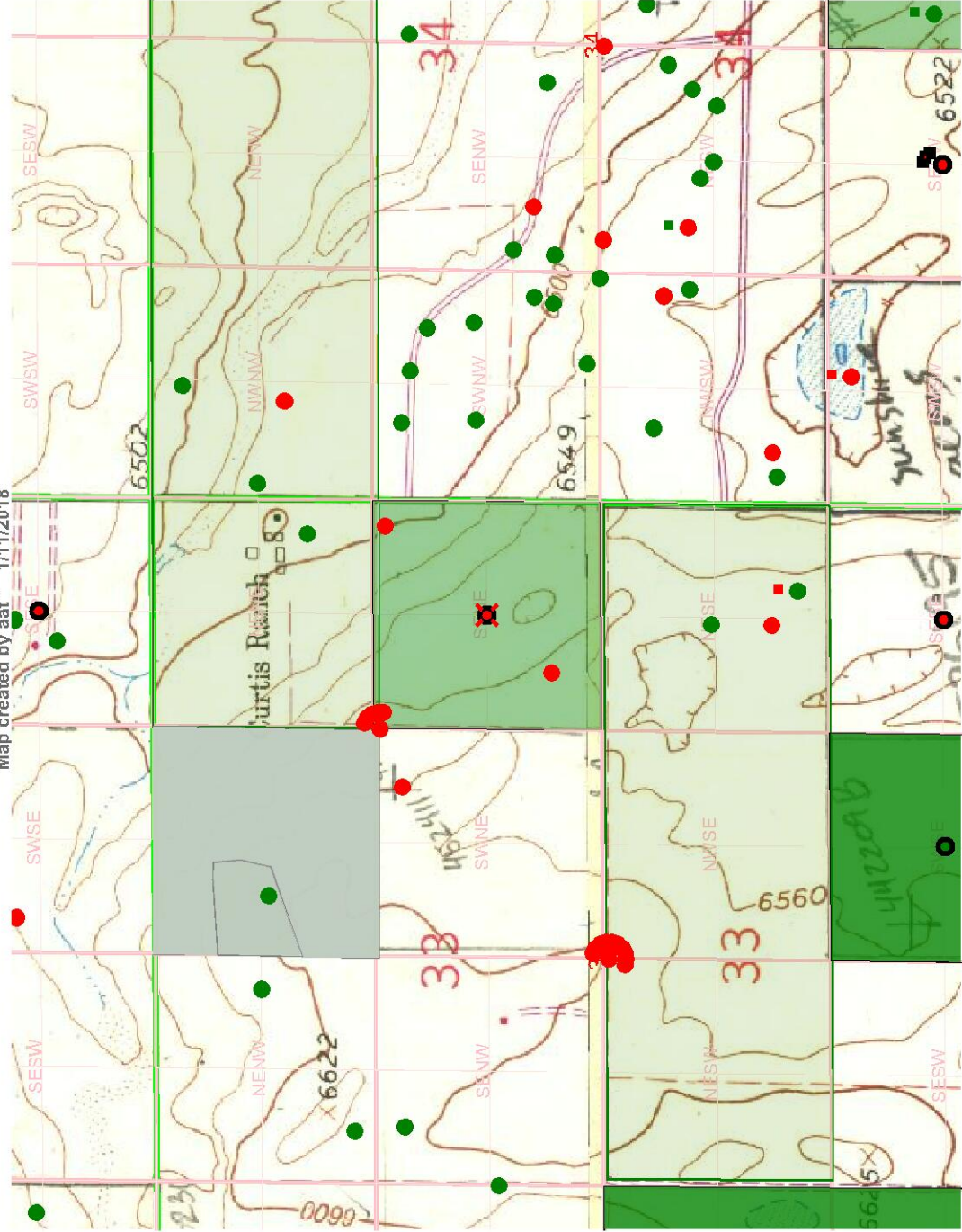


Based on work developed at <http://www.carto.net>

Address location by Bing Maps
 AquaMap Version 3.0.1 July 5, 2009

AQUAMAP Colorado Division of Water Resources Home Run Map Cabinet

Map created by aat 1/11/2018

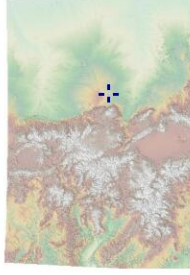


MAP NAVIGATION

Home Refresh Full Screen Print Home Run Map Cabinet Home Run Map Cabinet

Click to create PDF

UTM X, Zone 13: 539574
UTM Y, Zone 13: 4302725
Long: -104° 32' 37.7"
Lat: 38° 52' 20.9"
UTM and Geographic(LL) coordinates in NAD 83



DATA DISPLAY

Background Counties Water Well Applications
 Map Cab(Main) PLSS DWR Parcels
 Low High Roads EPA Well Notifications
 Transparency Hydrography Oil/Gas Well Locations
 County Parcels (No Public Access) Towns

LOCATION

Section: 33 | Township: 13 | Range: S | Meridian: W | Sixth: 64

PRINTING

Output Scale: 12,000 | Page Size: 8.5x11 | User: aat
 Title: Home Run Map Cabinet

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.



7,118 ft

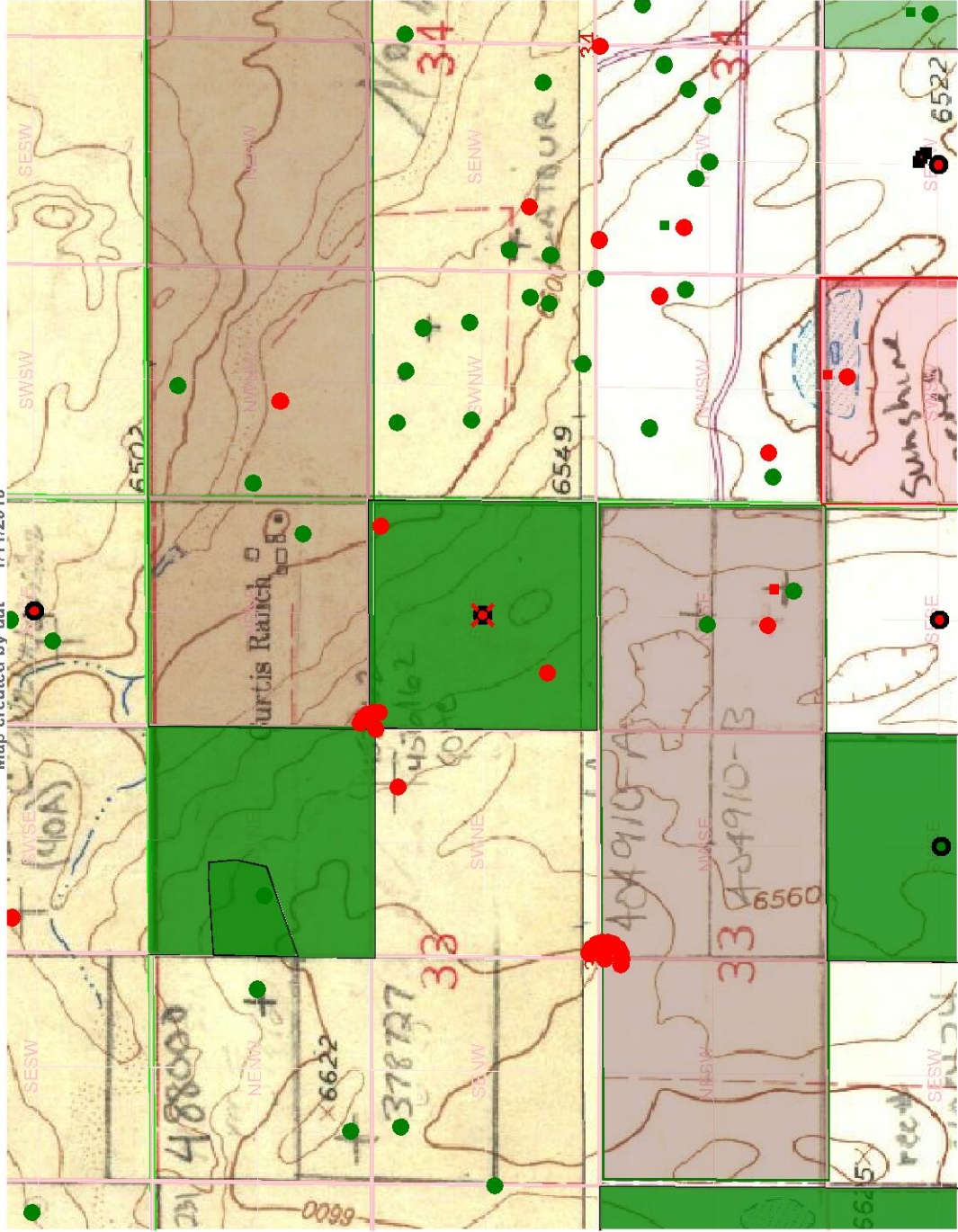
Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2009

Based on work developed at <http://www.carto.net>



AQUAMAP Colorado Division of Water Resources Home Run Map Cabinet 2

Map created by aat 1/11/2018



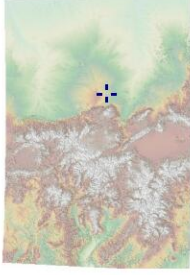
7,118 ft

Based on work developed at <http://www.carto.net>

Address location by Bing Maps
AquaMap Version 3.0.1 July 5, 2009

MAP NAVIGATION

Home Refresh Full Screen Print Home Run Map Cabinet 2
 Click to create PDF
 UTM X, Zone 13: 521426
 UTM Y, Zone 13: 4521291
 Long: -104° 44' 45.0"
 Lat: 40° 50' 32.5"
 UTM and Geographic(LL) coordinates in NAD 83



DATA DISPLAY

Background Counties Water Well Applications
 Map Cab(#2) PLS Roads DWR Parcels
 Low High Hydrography EPA Well Notifications
 Transparency County Parcels (No Public Access) Oil/Gas Well Locations
 Towns More Data

LOCATION

Section: 33 | Township: 13 | Range: S | Meridian: W | Sixth: 64
 PLSS Locator | Quick Zoom | Spacing

PRINTING

Output Scale: 12,000 | Page Size: 8.5x11 | User: aat
 Title: Home Run Map Cabinet 2

Note: The well locations displayed on AquaMap are based on location information provided by well permit application forms and are only as accurate as the information provided. The actual physical locations of all wells have not been field verified and may vary from the location displayed. Refer to a copy of the original well permit file, available on the Division of Water Resources website, for well location details.





COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

January 12, 2018

Home Run Restorations Inc.
5090 Wileys Rd
Peyton , CO 80831

RE: Applications for Determinations of Water Right to Appropriate Ground Water from the Laramie-Fox Hills, Arapahoe and Denver aquifers Underlying a 40-Acre Tract, Receipt Nos. 3684140C, 3684140A and 3684140B

Dear Applicant:

Enclosed is a copy of the legal notice to be published in the Tri-County Tribune newspaper as required for the above described applications. If you find any errors or omissions in the notice, please contact this office by phone as soon as possible so that corrections may be made prior to publication. This office will bill you at a later time for the actual cost of this publication.

If you have any questions concerning these applications, please contact me at this office at (303) 866-3581.

Sincerely,

Ailis Thyne
Water Resource Engineer

Enclosures: a/s





COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

January 12, 2018

Tracy Doran
Upper Black Squirrel Creek Ground Water Management District
ubscgwmd03@aol.com

RE: Applications for Determination of Water Right, Section 37-90-107(7) C.R.S, Laramie-Fox Hills, Arapahoe and Denver aquifers, Applicant: Home Run Restorations Inc. , Receipt No(s). 3684140C, 3684140A and 3684140B

Dear Ms. Doran:

If the Board of Directors of your district wishes to provide written comments or recommendations concerning the above applications, please provide such recommendations within 35 days of the date of this letter.

Pursuant to Section 37-90-107(7), C.R.S. , the Ground Water Commission shall have the authority to approve determinations of rights to designated ground water in the Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers. This application is being processed and evaluated in accordance with this section and the Designated Basin Rules.

If you have any questions regarding these applications, please contact me at Ailis.Thyne@state.co.us or (303)866-3581 ext. 8216.

Sincerely,

Ailis Thyne
Water Resource Engineer

Attachment: a/s





COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 18, 2018

Ranchland News
ranchland@bigsandytelco.com

Applicant: Home Run Restorations Inc.

-EMAIL- DOCUMENT TRANSFER-

Please publish the enclosed legal notice in your editions of May 24, 2018 and May 31, 2018, or as close to these dates as possible. Please single-space all the enclosed material in your standard single column legal notice format. Font size shall not be less than six-point type and not more than nine-point in size.

Prior to publishing the legal notice, a proof copy must be submitted to this office for approval. The Ground Water Commission staff will inspect the proof copy and a reply as to its correctness will be made immediately by phone or email to your office. The proof copy must be directed to the attention of Ailis Thyne, Colorado Division of Water Resources at 1313 Sherman St. Room 818, Denver CO 80203, or by email Ailis.Thyne@state.co.us.

The state Controller and the State Purchasing Agent require that a copy of the billing and a copy of the proof of publication affidavit must be received in order to process billing invoices for legal notice publications. The proof of publication must be notarized.

Since we must re-bill the applicant prior to the official action concerning their application request, please transmit the billing copies together with the proofs of publication as soon as possible.

Should you have any questions concerning publication of this notice, please contact this office.

Sincerely,

Ailis Thyne
Water Resource Engineer

Enclosure (a/s)



BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT - EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Home Run Restorations Inc. (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE 1/4 of the NE 1/4, Section 33, Township 13 S, Range 64 W, Sixth P.M.. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals and replacement. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

In accordance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, the Colorado Ground Water Commission shall allocate ground water from the above aquifers based on ownership of the overlying land and an aquifer life of one hundred years. A preliminary evaluation of the application by the Commission Staff finds the annual amount of water available for allocation from the aquifers underlying the above-described property to be 12.6 acre-feet for the Laramie-Fox Hills aquifer, 12.9 acre-feet for the Arapahoe aquifer and 8.16 acre-feet for the Denver aquifer, subject to final staff evaluation. The estimated available annual acre-feet allocation for each aquifer may be increased or decreased by the Commission to conform to the actual aquifer characteristics, based upon site specific data.

In accordance with Rule 5.3.6 of the Designated Basin Rules, the Commission Staff's preliminary evaluation of the application finds the replacement water requirement status for the aquifers underlying the above-described property to be nontributary for the Laramie-Fox Hills aquifer, not-nontributary (4% replacement) for the Arapahoe aquifer and not-nontributary (actual impact replacement) for the Denver aquifer.

Upon Commission approval of the determination of water right, well permits for wells to withdraw the allowed allocation shall be available upon application, subject to the conditions of the determination and the Designated Basin Rules and subject to approval by the Commission. Such wells must be completed in the aquifer and must be located on the above-described 40 acre property. Well permits for wells to withdraw ground water from the Denver aquifer would also be subject to the conditions of a replacement plan to be approved by the Commission.

Any person wishing to object to the approval of these determinations of water right must do so in writing, briefly stating the nature of the objection and indicating the above applicant, property description and specific aquifers that are the subject of the objection. The objection must be accompanied by a \$10 fee per aquifer and must be received by the Commission Staff, Colorado Ground Water Commission, 1313 Sherman Street, Room 821, Denver, Colorado 80203, by June 30, 2018.

PUBLISHER'S AFFIDAVIT

STATE OF COLORADO)
) ss.
COUNTY OF ELBERT)

I, Jenna Lister, do solemnly affirm that I am the Publisher of RANGLAND NEWS; that the same is a weekly newspaper published at Simla, County of Elbert, State of Colorado, and has a general circulation therein; that said newspaper has been continuously and uninterruptedly published in said County of Elbert for a period of at least 52 consecutive weeks next prior to the first publication of the annexed notice, that said newspaper is entered in the post office at Calhan, Colorado as second class mail matter and that said newspaper is a newspaper within the meaning of the Act of the General Assembly of the State of Colorado, approved March 30, 1923, and entitled "Legal Notices and Advertisements," with other Acts relating to the printing and publishing of legal notices and advertisements. That the annexed notice was published in the regular and entire issue of said newspaper, once each week for TWO successive weeks; that the first publication of said notice was in the Issue of said newspaper dated;

May 24, 2018

and the last publication of said notice was in the issue of said newspaper dated;
May 31, 2018

and that copies of each number of said paper in which said notice and/or list was published were delivered by carriers or transmitted by mail to each of the subscribers of said newspaper, Ranchland News, according to the accustomed mode of business in this office.

Jenna Lister

Publisher

The above certificate of publication was subscribed and affirmed to before me, a Notary Public, to be the identical person described in the above certificate, on the

31 day of May, 2018

Susan Lister

Notary Public

09/20/2020

(My Notary Public Commission Expiration Date)

SUSAN LISTER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19964014317
MY COMMISSION EXPIRES 09/20/2020

Determinations of Water Right

BEFORE THE COLORADO GROUND WATER COMMISSION

UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN AND UPPER BLACK SQUIRREL CREEK GROUND WATER MANAGEMENT DISTRICT - EL PASO COUNTY

TAKE NOTICE that pursuant to Section 37-90-107(7), C.R.S., Home Run Restorations Inc. (hereinafter "applicant") has applied for determinations of water right to allow the withdrawal of designated ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers underlying 40 acres generally described as SE 1/4 of the NE 1/4, Section 33, Township 13 S, Range 64 W, Sixth P.M.. The applicant claims ownership of this land and control of the ground water in the above described aquifers under this property. The ground water from these allocations will be used on the described property for the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals and replacement. The maximum allowable annual amount of ground water in the aquifer underlying the described property will be allocated.

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First Publication May 24, 2018
Final Publication May 31, 2018
In Ranchland News
Legal No. 171

RECEIVED

MAY 31 2018

WATER RESOURCES
STATE ENGINEER
COLO

Ranchland News

PO Box 307
Simla, CO 80835
719-541-2288
ranchland@bigsandytelco.com

Invoice

Date	Invoice #
5/24/2018	37857

Bill To
Colorado Ground Water Commission 1313 Sherman Street, Room 818 Denver, CO 80203

RECEIVED

MAY 31 2018

**WATER RESOURCES
STATE ENGINEER
COLO**

P.O. No.	Terms	Project
	Net 30	

Quantity	Description	Rate	Amount
83	Legal- 11.5 picas	0.494	41.00
83	Legal- 11.5 picas- rerun	0.345	28.64
	Legal 171		
		Total	\$69.64



COLORADO
Division of Water Resources
Department of Natural Resources

John W. Hickenlooper
Governor

Robert Randall
Executive Director

Kevin G. Rein, P.E.
Director/State Engineer

May 31, 2018

Home Run Restorations Inc.
5090 Wileys Rd
Peyton, CO 80831

Invoice No. 18-PUB-87

INVOICE

Pursuant to Section 37-90-116, C.R.S., applicants are required to pay for the actual expense of publication for determinations of water right, well permit, and change of water right applications.

Your applications for determination of water rights to appropriate ground water from the Laramie-Fox Hills, Arapahoe and Denver aquifers were published in Ranchland News on May 24, 2018 and May 31, 2018.

The following cost was incurred:

- 1. Actual cost of publication: \$ 69.64
- 2. Additional fees: none

RECEIVED

JUN 14 2018

WATER RESOURCES
STATE ENGINEER COLO.

PAYABLE TO: DIVISION OF WATER RESOURCES \$ 69.64

Your application cannot be considered for approval until the charges are paid.
Please return the enclosed copy of this invoice with remittance within thirty (30) days.

(A copy of the publication affidavit is enclosed for your records.)

Sincerely,

Ailis Thyne
Water Resource Engineer

Enclosures: a/s

Transaction #:	3686822
Date:	6/14/2018 10:06:34 AM
Transaction Total:	\$69.64
CHECK #1125	\$69.64

Office of the State Engineer
1313 Sherman Street, Room 821, Denver, CO 80203 P 303.866.3581
www.water.state.co.us



Bedrock Aquifer Evaluation Determination Tool

Denver Basin Aquifer - Specific Location Determination Tool

Applicant: Home Run

Receipt No: 3684140

Evaluated By: aat

Location: SE 1/4 of NE 1/4 of Sec. 33, T.13S, R.64W. (1980 NSL, 660 ESL)

Basin Designation: Location is within the UPPER BLACK SQUIRREL CREEK Designated Ground Water Basin.

Ground Surface Elevation: 6550 Feet **Number of Acres:** 40

Aquifer	Elevation (ft)		Net Sand	DEPTH (ft)		ANNUAL APPROP. (A-F)	STATUS
	<i>Bot</i>	<i>Top</i>		<i>Bot</i>	<i>Top</i>		
Upper Dawson	--	--	--	--	--	--	--
Lower Dawson	--	--	--	--	--	--	--
Denver	6060	6436	128.1	490	114	8.71	NNT
Upper Arapahoe	5548	6034	188.1	1002	516	12.79	NNT
Lower Arapahoe	--	--	--	--	--	--	--
Laramie-Fox Hills	4906	5189	218.4	1644	1361	13.10	NT

NOTE: 'E' indicates a location is at an aquifer boundary and the values may be more approximate.

**COLORADO GROUNDWATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR REPLACEMENT PLAN TO ALLOW THE WITHDRAWAL OF GROUNDWATER FROM THE DENVER AQUIFER IN THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUNDWATER BASIN.

REPLACEMENT PLAN - DETERMINATION OF WATER RIGHT NO. 3542-BD

AQUIFER: DENVER

APPLICANT: HOME RUN RESTORATIONS, INC.

In compliance with section 37-90-107.5, C.R.S. and the Designated Basin Rules, 2 CCR 410-1 ("Rules" or "Rule"), Home Run Restorations, Inc. ("Applicant") submitted an application for a replacement plan to allow the withdrawal of groundwater from the Denver Aquifer that has been allocated by Determination of Water Right No. 3542-BD.

FINDINGS

1. Pursuant to section 37-90-107(7), in a Findings and Order dated July 2, 2018, the Groundwater Commission ("Commission") approved a Determination of a Right to an Allocation of Groundwater, No. 3542-BD, from the Denver Aquifer ("Aquifer"), summarized as follows.
 - a. The determination quantified an amount of water from beneath 40 acres of overlying land generally described as the SE 1/4 of the NE 1/4, section 33, Township 13 South, Range 64 West, Sixth P.M., in El Paso County.
 - b. The amount of water in the aquifer that was allocated was 816 acre-feet.
 - c. The allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 8.16 acre-feet per year.
 - d. The use of groundwater is limited to the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals, and replacement. The place of use is limited to the above described 40 acres of overlying land.
 - e. In accordance with Rule 5.3.6 the 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 Upper Black Squirrel Creek Designated Groundwater Basin and the Upper Black Squirrel Creek Groundwater Management District. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7).
3. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, which, according to Rule 5.2.6.2, has been determined to be over appropriated. Such depletion would unreasonably impair existing

large capacity alluvial rights withdrawing water from that alluvial aquifer.

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 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 August 20, 2019.
7. The Applicant proposes to divert 1.82 acre-feet annually from the Denver Aquifer for a period of 300 years. The Denver aquifer water will be withdrawn through on lot wells to be located on four residential lots. Each Denver Aquifer well is proposed to divert 0.455 acre-feet of water annually for use in one single family residence, irrigation of lawn, garden, and trees, and watering of domestic animals.
8. At a continuous withdrawal of 1.82 acre-feet annually for 300 years, depletions to the alluvial aquifer system of the Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.866 acre-feet per year in the 300th year, which is equal to 47.6% of pumping, as shown in Exhibit A.
9. The Applicant proposes to provide 0.9 acre-feet per year of replacement water to the alluvial aquifer system of the Upper Black Squirrel Creek Designated Groundwater Basin. The proposed source of replacement water is septic and leaching field return flows from the in-house use of the groundwater to be pumped under the plan. The Applicant estimates that return flows from each lot will consist of 90% of the water used for in-house purposes. Assuming each lot uses a total annual amount for in-house use of 0.25 acre-feet (the estimated amount acceptable to the Commission), the return flow per lot would be 0.225 acre-feet annually, and the return flows under the plan will total 0.9 acre-feet per year for all four lots at full build out.
10. The subject property is located within the drainage of Black Squirrel Creek, and the return flows will flow to the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.
11. Pursuant to Rule 5.6.1.B this plan must be adequate to prevent unreasonable impairment of water quality. Pursuant to Rule 5.6.1.B.1.b, if the replacement source water is from an onsite wastewater treatment system permitted by a local health agency and the applicant demonstrates the source is in compliance with that permit there shall be a rebuttable presumption of no unreasonable impairment of water quality.
12. Pursuant to Rule 5.6.1.C this plan, including the proposed uses of the water withdrawn pursuant to the plan, must not be speculative, and must be technically and financially feasible and within the Applicant's ability to complete. The plan, including the proposed uses of the water withdrawn pursuant to the plan, is not speculative. The plan appears technically and financially feasible and within the Applicant's ability to complete.
13. Pursuant to Rule 5.6.1.D this plan must be able to be operated and administered on an ongoing and reliable basis. The plan appears to be able to be operated and administered on an ongoing and reliable basis.

14. Pursuant to Rule 5.6.1.F replacement source water must be physically and legally available in time, place and amount to prevent material injury. As determined in Determination of Water Right No. 3542-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. 3542-BD, and such water is legally available for use pursuant to this plan.
16. In accordance with Rule 5.6.4 the application was referred to the Upper Black Squirrel Creek Groundwater Management District on May 14, 2020. Written recommendations from the District were received on June 19, 2020.
17. In accordance with sections 37-90-107.5 and 37-90-112, the application was published in the Ranchland News newspaper on May 21, 2020 and May 28, 2020. No objections to the application were received within the time limit set by statute.
18. 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 the Commission.
19. The Commission Staff has evaluated the application pursuant to section 37-90-107.5, and the requirements of Rule 5.3.6.2(C) and Rule 5.6, finds that the requirements have been meet, and the plan may be approved to allow diversions from the Denver Aquifer if operated subject to the conditions given below.

ORDER

In accordance with section 37-90-107.5, and the Designated Basin Rules, the Colorado Groundwater Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Denver Aquifer underlying 40 acres that are the subject of Determination of Water Right no. 3542-BD is approved subject to the following conditions:

20. The Denver Aquifer water will be withdrawn through four on lot wells to be located on four residential lots. The allowed use of groundwater for each well under this plan is use in one single family residence; irrigation of lawn, garden, and trees; and watering of large domestic animals.
21. The allowed annual amount of groundwater to be withdrawn from the aquifer by all wells operating under this plan shall not exceed 1.82 acre-feet. The allowed annual amount of water to be withdrawn from each on-lot well shall not exceed 0.455 acre-feet.
22. A totalizing flow meter shall be installed on each well. The well owners shall maintain the meters in good working order.
23. 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 and the Upper Black Squirrel Creek Groundwater Management District upon request.
24. Pumping under this plan is limited to a period of 300 years. The year of first use of this replacement plan shall be the calendar year of construction of a well permitted pursuant to

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

25. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 40 acres of overlying land that are the subject of Determination of Water Right No. 3542-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.
26. 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.
27. 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.
28. 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.
29. To assure adequate return flows, the number of wells serving an occupied single-family dwelling that is generating return flows via a non-evaporative septic system must be equal to or greater than the number of wells shown in Table 1 below, or an amended or alternate replacement plan must be obtained that will replace actual depletions to the alluvial aquifer so as to prevent any material injury to water rights of other appropriators.

Table 1

Year	No. of Wells	Return Flow (af/yr)
1 - 54	1	0.225
55- 103	2	0.450
104- 180	3	0.675
181 - 300	4	0.900

30. The Applicant (and their successors) must gather and maintain permanent records of all information pertaining to operation of this plan, which shall include, but is not be limited to, those items identified below. The Applicant must submit records to the Commission and the Upper Black Squirrel Creek Groundwater Management District on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15th of the following year.
 - 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 0.225 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.

- e. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.
31. The Applicant (and their successors) 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.
32. Any covenants adopted for this subdivision should contain a description of the replacement plan, including the limitations on diversions and use of water for each well and lot, the requirement to meter and record all well pumping, and information on how records are to be reported and the plan is to be administered.
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. 3542-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 2nd day of July, 2020.



Kevin G. Rein, P.E.
Executive Director
Colorado Groundwater Commission

By: 

Keith Vander Horst, P.E.
Chief of Water Supply, Basins

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT TO GROUND WATER IN
THE UPPER BLACK SQUIRREL CREEK DESIGNATED GROUND WATER BASIN

DETERMINATION NO.: 3542-BD

AQUIFER: Denver

APPLICANT: Home Run Restorations Inc.

In compliance with Section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, Home Run Restorations Inc. (hereinafter "Applicant") submitted an application for determination of water right to designated ground water from the Denver Aquifer.

FINDINGS

1. The application was received by the Colorado Ground Water Commission on January 4, 2018.
2. The Applicant requests a determination of right to designated ground water in the Denver Aquifer (hereinafter "Aquifer") underlying 40 acres, generally described as the SE 1/4 of the NE 1/4, Section 33, Township 13 South, Range 64 West, Sixth P.M., in El Paso County. According to a signed Ownership Statement dated December 1, 2017, attached hereto as Exhibit A, the Applicant owns the 40 acres of land, which are further described in said Ownership Statement (hereinafter "Overlying Land"), and claims control of the right to the ground water in the Aquifer underlying this land (hereinafter "Underlying Ground Water").
3. The Overlying Land is located within the boundaries of the Upper Black Squirrel Creek Designated Ground Water Basin and within the Upper Black Squirrel Creek Ground Water Management District. The Colorado Ground Water Commission (hereinafter "Commission") has jurisdiction over the ground water that is the subject of this Determination.
4. The Commission Staff has evaluated the application relying on the claims to control of the Underlying Ground Water in the Aquifer made by the Applicant.
5. The Applicant intends to apply the Underlying Ground Water to the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals and replacement. The Applicant's proposed place of use of the Underlying Ground Water is the above described 40 acres of overlying land.
6. The application requests the maximum allowable annual amount of Underlying Ground Water from beneath the Overlying Land.
7. The quantity of water in the Aquifer underlying the 40 acres of Overlying Land claimed by the applicant is 816 acre-feet. This determination was based on the following as specified in the Designated Basin Rules:
 - a. The average specific yield of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 17 percent.

Aquifer: Denver

Applicant: Home Run Restorations Inc.

- b. The average thickness of the saturated permeable material of the Aquifer beneath the Overlying Land that could yield a sufficient quantity of water that may be extracted and applied to beneficial use is 120 feet.
8. Pursuant to Section 37-90-107(7)(a), C.R.S., and in accordance with the Designated Basin Rules, the Commission shall allocate the underlying ground water based on ownership of the overlying land and an aquifer life of one hundred years. Should the entire quantity of underlying ground water identified above be available for allocation, the allowed average annual amount of withdrawal from the Aquifer that could be allocated from beneath the Overlying Land would be 8.16 acre-feet per year.
9. A review of the records in the Office of the State Engineer has disclosed that none of the Underlying Ground Water in the Aquifer beneath the Overlying Land has been previously allocated or permitted for withdrawal.
10. Pursuant to Section 37-90-107(7)(c)(III), C.R.S., an approved determination of water right shall be considered a final determination of the amount of ground water so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
11. The ability of wells permitted to withdraw the authorized amount of water from this non-renewable 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.
12. In accordance with site specific information, as allowed by Rule 5.3.6.1 of the Designated Basin Rules, it has been determined that withdrawal of ground water from the Aquifer underlying the land claimed by the Applicant 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 and, therefore, the Underlying Ground Water is considered to be not-nontributary ground water. Also, the location of the land claimed by the Applicant is closer than one mile from the Aquifer contact with the alluvium. Withdrawal of water from the Aquifer underlying the claimed land area would impact the alluvial aquifer(s) of Black Squirrel Creek Creek or its tributaries, 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, providing for the actual depletion of the alluvial aquifer and adequate to prevent any material injury to existing water rights, is required prior to approval of well permits for wells to be located on this land area to withdraw the Underlying Ground Water from the Aquifer.
13. On January 12, 2018, in accordance with Rule 9.1 of the Designated Basin Rules, a letter was sent to the Upper Black Squirrel Creek Ground Water Management District requesting written recommendations concerning this application. No written recommendations from the district were received.
14. In accordance with Sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on May 24, 2018 and May 31, 2018. 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 Colorado Ground Water Commission orders that the application for determination of right to designated ground water in the Denver Aquifer underlying 40 acres of land, generally described as the SE 1/4 of the NE 1/4, Section 33, Township 13 South, Range 64 West, Sixth P.M., further described in Exhibit A, is approved subject to the following conditions:

15. The allowed average annual amount of withdrawal of Underlying Ground Water from the Aquifer shall not exceed 8.16 acre-feet.
16. The total volume of Underlying Ground Water that may be withdrawn from the Aquifer pursuant to this Determination of Water Right shall not exceed 816 acre-feet.
17. The Commission may adjust the total volume and the allowed average annual amount of withdrawal of Underlying Ground Water that may be withdrawn from the Aquifer to conform to actual Aquifer characteristics based on analysis of geophysical logs or other site-specific data if such analysis indicates that the initial estimate of the amount of Underlying Ground Water in the Aquifer was incorrect.
18. The allowed maximum annual amount of withdrawal may exceed the allowed average annual amount of withdrawal as long as the total volume of Underlying Ground Water withdrawn does not exceed the product of the number of years since the date of approval of this determination times the allowed average annual amount of withdrawal.
19. 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.
20. 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 that allow the withdraw of the Underlying Ground Water.
21. The use of the allowed amount of Underlying Ground Water from this allocation shall be limited to the following beneficial uses: residential, lawn and garden irrigation, the watering of domestic animals and replacement. The place of use shall be limited to the above described 40 acres of Overlying Land. The ground water that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The ground water right determined herein is located within the Upper Black Squirrel Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated ground water.
22. Approval of this determination meets the requirements of Section 37-90-107(7)(d)(II) that requires a determination of ground water be made prior to the granting of a well permit pursuant to Section 37-90-107(7).

23. Wells withdrawing the allowed amount of Underlying Ground Water allocated herein are subject to the following conditions:
- a. The wells must be located on the above described 40 acres of Overlying Land.
 - b. 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.
 - c. The wells must be constructed to withdraw water from only the Denver Aquifer.
 - d. The entire depth of each well must be geophysically logged prior to installing the casing as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - e. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Upper Black Squirrel Creek Ground Water Management District upon request.
 - f. 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.
24. A copy of this Findings and Order shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 40 acres of Overlying Land area, or any part thereof, shall reveal the existence of this determination.
25. The ground water right determined herein is a vested property right with specific ownership. The ground 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 of Water Right number, the specific aquifer, and the annual volume (based on a 100-year aquifer life) or total volume of ground water that is being conveyed.

Determination No.: 3542-BD
Aquifer: Denver
Applicant: Home Run Restorations Inc.

Page 5

Dated this 2nd day of July, 2018.

By: *Kevin G. Rein*

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

Keith Vander Horst

Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Prepared by: aat
F&O3542-BD.doc



ORIGINAL PERMIT APPLICANT(S)

HOME RUN RESTORATIONS INC (SHAWN SHAFFER)

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
 Designated Basin: UPPER BLACK SQUIRREL CREEK
 Management District: UPPER BLACK SQUIRREL
 County: EL PASO
 Parcel Name: WYOMING ESTATES
 Lot: 4 Block: Filing:
 Physical Address: 14635 TELEO COURT PEYTON, CO 80831
 SE 1/4 NE 1/4 Section 33 Township 13.0 S Range 64.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 538373.0 Northing: 4303090.0

PERMIT TO CONSTRUCT A NEW WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-107(7) and the Findings and Order of the Colorado Ground Water Commission dated July 2, 2018, for Determination of Water Right No. 3542-BD and its associated Replacement Plan dated July 2, 2020.
- 4) The use of groundwater from this well is limited to domestic use inside 1 single family dwelling, including the watering of domestic animals and the irrigation of 3,000 square feet of lawns and gardens. The place of use shall be limited to the 21.2 acre land area included in the claimed land area in the above described Order of the Commission.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The annual withdrawal of groundwater from this well shall not exceed 0.455 acre-feet, subject to the total annual withdrawal limitations and conditions as specified by the above referenced Order of the Commission.
- 7) The total amount of groundwater that may be withdrawn from the Aquifer by all wells operating under this plan may not exceed an annual volume of 1.82 acre-feet subject to the conditions of Determination of Water Right No. 3542-BD and associated Replacement Plan.
- 8) Production from this well is limited to the Denver aquifer. The total depth of the well shall not exceed 505 feet below ground surface, which corresponds to the base of the Denver aquifer. At this location the well must be constructed in accordance with Well Construction Rule 10.4.6 (2 CCR 402-2) for a Type 2 aquifer.
- 9) A totalizing flow meter or Commission approved measuring device must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Ground Water Commission upon request.
- 10) This well shall be constructed within 200 feet of the location specified on this permit.
- 11) The owner shall mark the well in a conspicuous location with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 12) The return flows from the inhouse supply component of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated July 2, 2020. As a result, the return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 13) **CONDITION REVOKED ON 11/11/2022 REPLACED BY CONDITION #14.**
 The entire length of the hole shall be geophysically logged as required by Rule 9 of the Statewide Nontributary Ground Water Rules prior to installing casing.

14) This well will not be drilled deeper than the base of the Denver aquifer, which is present at the surface, therefore a geophysical log would not provide DWR with data useful to the administration of groundwater in this area. The requirement of Rule 9 of the Statewide Nontributary Ground Water Rules to geophysically log the entire length of the hole, is therefore waived.

NOTE: This well is withdrawing water from a non-renewable aquifer. While the withdrawals from this aquifer are administered based on a 100 year aquifer life, water level declines may prevent this well from diverting the permitted amounts for that 100 years.

NOTE: This well is located within the Upper Black Squirrel Creek Ground Water Management District where local District Rules apply which may further limit the withdrawal and use of designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. A one-time extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: dwr.colorado.gov



Date Issued: 11/10/2022

Expiration Date: 11/10/2023

Issued By SHANNON PORTER

PERMIT HISTORY

11-11-2022 GEOPHYSICAL LOG WAIVED



ORIGINAL PERMIT APPLICANT(S)

HOME RUN RESTORATIONS INC

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
Designated Basin: UPPER BLACK SQUIRREL CREEK
Management District: UPPER BLACK SQUIRREL
County: EL PASO
Parcel Name: WYOMING ESTATES
Lot: 2 Block: Filing:
Physical Address: 14750 TELEO CT FALCON, CO 80831
SE 1/4 NE 1/4 Section 33 Township 13.0 S Range 64.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 538513.7 Northing: 4303331.8

PERMIT TO CONSTRUCT A NEW WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-107(7) and the Findings and Order of the Colorado Ground Water Commission dated July 2, 2018, for Determination of Water Right No. 3542-BD and its associated Replacement Plan dated July 2, 2020.
- 4) The use of groundwater from this well is limited to domestic use inside 1 single family dwelling, including the watering of domestic animals and the irrigation of 3,000 square feet of lawns and gardens. The place of use shall be limited to the 5.08 acre land area included in the claimed land area in the above described Order of the Commission.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The annual withdrawal of groundwater from this well shall not exceed 0.455 acre-feet, subject to the total annual withdrawal limitations and conditions as specified by the above referenced Order of the Commission.
- 7) The total amount of groundwater that may be withdrawn from the Aquifer by all wells operating under this plan may not exceed a volume of 1.82 acre-feet subject to the conditions of Determination of Water Right No. 3542-BD and associated Replacement Plan.
- 8) Production from this well is limited to the Denver aquifer. The total depth of the well shall not exceed 485 feet below ground surface, which corresponds to the base of the Denver aquifer. At this location the well must be constructed in accordance with Well Construction Rule 10.4.6 (2 CCR 402-2) for a Type 2 aquifer.
- 9) A totalizing flow meter or Commission approved measuring device must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Ground Water Commission upon request.
- 10) **CONDITION REVOKED ON 06/11/2021 REPLACED BY CONDITION #11.**
The entire length of the hole shall be geophysically logged as required by Rule 9 of the Statewide Nontributary Ground Water Rules prior to installing casing.
- 11) This well will not be drilled deeper than the base of the Denver aquifer, which is present at the surface, therefore a geophysical log would not provide DWR with data useful to the administration of groundwater in this area. The requirement of Rule 9 of the Statewide Nontributary Ground Water Rules to geophysically log the entire length of the hole, is therefore waived. AML 06/11/2021
- 12) The owner shall mark the well in a conspicuous location with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 13) This well shall be constructed within 200 feet of the location specified on this permit.

- 14) At least four percent (4%) of the amount of water withdrawn annually must be returned to the uppermost aquifer in the vicinity of the well.
- 15) The return flows from the inhouse supply component of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated July 2, 2020. As a result, the return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.

NOTE: This well is withdrawing water from a non-renewable aquifer. While the withdrawals from this aquifer are administered based on a 100 year aquifer life, water level declines may prevent this well from diverting the permitted amounts for that 100 years.

NOTE: This well is located within the Upper Black Squirrel Creek Ground Water Management District where local District Rules apply which may further limit the withdrawal and use of designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. A one-time extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: dwr.colorado.gov



Date Issued: 6/7/2021

Expiration Date: 6/7/2022

Issued By SHANNON PORTER

PERMIT HISTORY

- 09-18-2023 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO JAMES E. PATTERSON
- 06-11-2021 GEOPHYSICAL LOG WAIVED



ORIGINAL PERMIT APPLICANT(S)

HOME RUN RESTORATIONS INC

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
 Designated Basin: UPPER BLACK SQUIRREL CREEK
 Management District: UPPER BLACK SQUIRREL
 County: EL PASO
 Parcel Name: WYOMING ESTATES
 Lot: 3 Block: Filing:
 Physical Address: 14755 TELEO COURT PEYTON, CO 80831
 SE 1/4 NE 1/4 Section 33 Township 13.0 S Range 64.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 538612.2 Northing: 4303149.5

PERMIT TO CONSTRUCT A NEW WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-107(7) and the Findings and Order of the Colorado Ground Water Commission dated July 2, 2018, for Determination of Water Right No. 3542-BD and its associated Replacement Plan dated July 2, 2020.
- 4) The use of groundwater from this well is limited to domestic use inside 1 single family dwelling, including the watering of domestic animals and the irrigation of 3,000 square feet of lawns and gardens. The place of use shall be limited to the 5.06 acre land area included in the claimed land area in the above described Order of the Commission.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The annual withdrawal of groundwater from this well shall not exceed 0.455 acre-feet, subject to the total annual withdrawal limitations and conditions as specified by the above referenced Order of the Commission.
- 7) **CONDITION REVOKED ON 10/12/2023 REPLACED BY CONDITION #8.**
 The total amount of groundwater that may be withdrawn from the Aquifer by all wells operating under this plan may not exceed a volume of 8.16 acre-feet subject to the conditions of Determination of Water Right No. 3542-BD and associated Replacement Plan.
- 8) The total amount of groundwater that may be withdrawn from the Aquifer by all wells operating under this plan may not exceed a volume of 1.82 acre-feet subject to the conditions of Determination of Water Right No. 3542-BD and associated Replacement Plan.
- 9) Production from this well is limited to the Denver aquifer. The total depth of the well shall not exceed 485 feet below ground surface, which corresponds to the base of the Denver aquifer. At this location the well must be constructed in accordance with Well Construction Rule 10.4.6 (2 CCR 402-2) for a Type 2 aquifer.
- 10) A totalizing flow meter or Commission approved measuring device must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Ground Water Commission upon request.
- 11) This well shall be constructed within 200 feet of the location specified on this permit.
- 12) The owner shall mark the well in a conspicuous location with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 13) **CONDITION REVOKED ON 08/10/2021 REPLACED BY CONDITION #13.**
 The entire length of the hole shall be geophysically logged as required by Rule 9 of the Statewide Nontributary Ground Water Rules prior to installing casing.

14) This well will not be drilled deeper than the base of the Denver aquifer, which is present at the surface, therefore a geophysical log would not provide DWR with data useful to the administration of groundwater in this area. The requirement of Rule 9 of the Statewide Nontributary Ground Water Rules to geophysically log the entire length of the hole, is therefore waived. AML 08/10/2021

15) The return flows from the inhouse supply component of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated July 2, 2020. As a result, the return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.

NOTE: This well is withdrawing water from a non-renewable aquifer. While the withdrawals from this aquifer are administered based on a 100 year aquifer life, water level declines may prevent this well from diverting the permitted amounts for that 100 years.

NOTE: This well is located within the Upper Black Squirrel Creek Ground Water Management District where local District Rules apply which may further limit the withdrawal and use of designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. A one-time extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: dwr.colorado.gov



Date Issued: 8/9/2021

Expiration Date: 8/9/2022

Issued By SHANNON PORTER

PERMIT HISTORY

- 10-12-2023 PERMIT AMENDMENT (CONDITIONS)
- 02-27-2023 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO NADEAN A. ARAGON
- 08-10-2021 GEOPHYSICAL LOG WAIVED



ORIGINAL PERMIT APPLICANT(S)

HOME RUN RESTORATIONS INC (SHAWN SHAFFER)

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
 Designated Basin: UPPER BLACK SQUIRREL CREEK
 Management District: UPPER BLACK SQUIRREL
 County: EL PASO
 Parcel Name: WYOMING ESTATES
 Lot: 1 Block: Filing:
 Physical Address: 3050 CURTIS RD PEYTON, CO 80831
 SE 1/4 NE 1/4 Section 33 Township 13.0 S Range 64.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 538428.0 Northing: 4303281.0

PERMIT TO CONSTRUCT A NEW WELL

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

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-107(7) and the Findings and Order of the Colorado Ground Water Commission dated July 2, 2018, for Determination of Water Right No. 3542-BD and its associated Replacement Plan dated July 2, 2020.
- 4) The use of groundwater from this well is limited to domestic use inside 1 single family dwelling, including the watering of domestic animals and the irrigation of 3,000 square feet of lawns and gardens. The place of use shall be limited to the 5.15 acre land area included in the claimed land area in the above described Order of the Commission.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The annual withdrawal of groundwater from this well shall not exceed 0.455 acre-feet, subject to the total annual withdrawal limitations and conditions as specified by the above referenced Order of the Commission.
- 7) **CONDITION REVOKED ON 10/12/2023 REPLACED BY CONDITION #8.**
 The total amount of groundwater that may be withdrawn from the Aquifer by all wells operating under this plan may not exceed a volume of 8.16 acre-feet subject to the conditions of Determination of Water Right No. 3542-BD and associated Replacement Plan.
- 8) The total amount of groundwater that may be withdrawn from the Aquifer by all wells operating under this plan may not exceed a volume of 1.82 acre-feet subject to the conditions of Determination of Water Right No. 3542-BD and associated Replacement Plan.
- 9) Production from this well is limited to the Denver aquifer. The total depth of the well shall not exceed 495 feet below ground surface, which corresponds to the base of the Denver aquifer. At this location the well must be constructed in accordance with Well Construction Rule 10.4.6 (2 CCR 402-2) for a Type 2 aquifer.
- 10) A totalizing flow meter or Commission approved measuring device must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (collected at least annually) and submitted to the Upper Black Squirrel Creek Ground Water Management District and the Ground Water Commission upon request.
- 11) This well shall be constructed within 200 feet of the location specified on this permit.
- 12) The owner shall mark the well in a conspicuous location with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
- 13) **CONDITION REVOKED ON 08/11/2021 REPLACED BY CONDITION #13.**
 The entire length of the hole shall be geophysically logged as required by Rule 9 of the Statewide Nontributary Ground Water Rules prior to installing casing.

14) This well will not be drilled deeper than the base of the Denver aquifer, which is present at the surface, therefore a geophysical log would not provide DWR with data useful to the administration of groundwater in this area. The requirement of Rule 9 of the Statewide Nontributary Ground Water Rules to geophysically log the entire length of the hole, is therefore waived. AML 08/11/2021

15) The return flows from the inhouse supply component of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated July 2, 2020. As a result, the return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.

NOTE: This well is withdrawing water from a non-renewable aquifer. While the withdrawals from this aquifer are administered based on a 100 year aquifer life, water level declines may prevent this well from diverting the permitted amounts for that 100 years.

NOTE: This well is located within the Upper Black Squirrel Creek Ground Water Management District where local District Rules apply which may further limit the withdrawal and use of designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. A one-time extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: dwr.colorado.gov



Date Issued: 8/9/2021

Expiration Date: 8/9/2022

Issued By SHANNON PORTER

PERMIT HISTORY

10-12-2023 PERMIT AMENDMENT (CONDITIONS)

08-11-2021 GEOPHYSICAL LOG WAIVED

WELL PERMIT NUMBER 88706-F

RECEIPT NUMBER 10031696

NOTE: This well is withdrawing water from a non-renewable aquifer. While the withdrawals from this aquifer are administered based on a 100 year aquifer life, water level declines may prevent this well from diverting the permitted amounts for that 100 years.

NOTE: This well is located within the Upper Black Squirrel Creek Ground Water Management District where local District Rules apply which may further limit the withdrawal and use of designated ground water as authorized under this permit. The District requires records of all diversions be maintained and collected monthly.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Yield Estimate Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. A one-time extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64). Upon installation of the pump, a Pump Installation and Production Equipment Test Report (GWS-32) must be submitted to the Division of Water Resources. In addition, a Notice of Commencement of Beneficial Use (GWS-19) must be filed with the Division of Water Resources by the well owner within 30-days after first commencement of use. Forms are available at: dwr.colorado.gov



Date Issued: 11/7/2023

Expiration Date: 11/7/2024

Issued By SHANNON PORTER