

# COLORADO

## Division of Water Resources

Department of Natural Resources

WELL PERMIT NUMBER 85011-F

RECEIPT NUMBER 10006572

### ORIGINAL PERMIT APPLICANT(S)

ANDREA RAPSON

WILLIAM RAPSON

### APPROVED WELL LOCATION

Water Division: 1 Water District: 1

Designated Basin: KIOWA-BIJOU

Management District: N/A

County: EL PASO

Parcel Name: N/A

Physical Address: 10675 HARDY ROAD COLORADO  
SPRINGS, CO 80908

### AUTHORIZED AGENT

MONSON CUMMINS & SHOHET LLC (POLLEY, EMILIE)

SE 1/4 SE 1/4 Section 14 Township 11.0 S Range 65.0 W Sixth P.M.

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

Easting: 531992.0 Northing: 4326608.0

### PERMIT TO USE AN EXISTING 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 January 31, 2019 for Determination of Water Right No. 3637-BD and the Findings and Order of the Colorado Ground Water Commission dated December 29, 2020 for Replacement Plan No. 2: 3637-RP.
- 4) Approved for the change in use of an existing well constructed under permit no. 84274-F. Permit no. 84274-F was cancelled by Order of the State Engineer upon approval of this well permit.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The allowed average annual amount of groundwater that may be withdrawn by this well under this permit may not exceed 1.5 acre-feet, subject to the conditions of Determination of Water Right no. 3637-BD including but not limited to the allowed maximum annual amount of withdrawal and subject to the conditions of Replacement Plan No. 2: 3637-RP.
- 7) The total amount of groundwater that may be withdrawn by this well under this permit may not exceed a volume of 450 acre-feet, subject to the conditions of Determination of Water Right no. 3637-BD and Replacement Plan No. 2: 3637-RP.
- 8) The use of groundwater from this well is limited to one single family dwelling, irrigation of landscape/lawn and garden, replacement, and watering of domestic animals and livestock. The place of use shall be limited to the 19.6-acre land area claimed in the above described Order of the Commission for Determination of Water Right No. 3637-BD.
- 9) Production from this well is restricted to the Dawson aquifer.
- 10) 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.
- 11) This well shall be located within 200 feet of the location specified on this permit. This well shall not be located within 600 feet of another large-capacity well completed in the Dawson aquifer.
- 12) The return flows from the in-house use of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated December 29, 2020 for Replacement Plan No. 2: 3637-RP. 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) 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 Ground Water Commission upon request.

**WELL PERMIT NUMBER 85011-F**

**RECEIPT NUMBER 10006572**

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.

Date Issued: 12/30/2020

Expiration Date: N/A

*Wenli Dickinson*

Issued By WENLI DICKINSON

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

**1. Applicant Information**

Name(s)  
William and Andrea Rapson

Mailing address  
10675 Hardy Rd

City State Zip code  
Colorado Springs CO 80908

Telephone (w/area code) E-mail  
907-227-7290 rapson21@hotmail.com ebp@cowaterla  
w.com

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

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

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

Well permit # Water Court case #  
84274-F 12CW104

Designated Basin Determination # Well name or #  
3637-BD

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

County  
El Paso

Section Township N or S Range E or W Principal Meridian  
14 11 ☐ N ☒ S 65 ☐ E ☒ W 6th

Distance of well from section lines (section lines are typically not property lines)  
841 Ft. from ☐ N ☒ S 1213 Ft. from ☒ E ☐ W

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

Well location address (Include City, State, Zip) ☒ Check if well address is same as in Item 1.

**Optional:** GPS well location information in UTM format. GPS unit settings are as follows:

Format must be UTM  
☐ Zone 12 or ☒ Zone 13  
Units must be Meters  
Datum must be NAD83  
Unit must be set to true north  
Was GPS unit checked for above? ☐ YES

Easting: 531992  
Northing: 4326608  
Remember to set Datum to NAD83

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

A. You must check and complete *one* of the following:

☐ Subdivision: Name  
Lot Block Filing/Unit

☐ County exemption (attach copy of county approval & survey)  
Name/# Lot #

☐ Parcel less than 35 acres, not in a subdivision attach a deed with metes & bounds description recorded prior to June 1, 1972, and current deed

☐ Mining claim (attach copy of deed or survey) Name/#:

☐ Square 40 acre parcel as described in Item 4

☐ Parcel of 35 or more acres (attach metes & bounds description or survey)

☒ Other: (attach metes & bounds description or survey)

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

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

E. State Parcel ID# (optional):

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

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

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

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

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

☒ Domestic animal watering – (non-commercial)

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

**7. Well Data (proposed)**

Maximum pumping rate Annual amount to be withdrawn  
15 gpm 1.5 acre-feet

Total depth Aquifer  
1030 feet Dawson

**8. Water Supplier**

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

**9. Type Of Sewage System**

☒ Septic tank / absorption leach field

☐ Central system: District name:

☐ Vault: Location sewage to be hauled to:

☐ Other (explain):

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

**11. Sign or Enter Name of Applicant(s) or Authorized Agent**

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

Sign or enter name(s) of person(s) submitting application Date (mm/dd/yyyy)  
9/25/20

If signing print name and title

**Office Use Only**

USGS map name DWR map no. Surface elev.

Receipt area only

10006572

600' spacing ok  
Applied for location = constructed location of 84274-F  
Permit no. 84274-F constructed and pump installed 10/06/20; log waived 6/26/20

AQUAMAP  
WE  
WR  
CWCB  
TOPO  
MYLAR  
SB5

DIV 1 WD 1 BA 2 MD

**BARGAIN AND SALE DEED**

In connection with the purchase and sale of the West half of the Southeast quarter of the Southeast quarter of Section 14, Township 11 South, Range 65 West of the 6th P.M.; excepting a perpetual easement for roadway, utilities, ingress and egress purposes over and across the North 40 feet, El Paso County, Colorado, also known as 10675 Hardy Road, Colorado Springs, CO 80920,, Colorado Springs, CO 80908, El Paso County, Colorado ("Property"), Carefree Properties, LLC, a Colorado Limited Liability Company ("Grantor") of the County of El Paso and State of Colorado, for ten dollars and other good and valuable consideration in hand paid, hereby sells and conveys to Andrea Rapson and William Rapson, as joint tenants ("Grantee"), whose address is 10870 Elizabeth Way, Colorado Springs, CO 80908 of the County of El Paso, and State of Colorado, the following water rights, to wit:

Those rights set forth in the Colorado Ground Water Commission Findings and Determination in Case Nos. 3637-BD (Dawson Aquifer and Replacement Plan), 3636-BD (Denver Aquifer), 3635-BD (Arapahoe Aquifer) and 3634-BD (Laramie-Fox Hills Aquifer).

TO HAVE AND TO HOLD together with any and all appurtenances and privileges, and all the estate, right, title, interest and claim whatsoever, of the Grantor, either in law or equity, to the proper use and benefit of the Grantee, his heirs, successors and assigns.

IN WITNESS WHEREOF, the Grantor has executed this deed on this 30<sup>th</sup> day of December, 2019.

GRANTOR

Carefree Properties, LLC, a Colorado Limited Liability Company

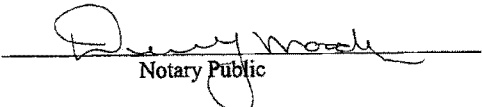
  
By John G. Cockson-Manager

STATE OF COLORADO


COUNTY OF EL PASO

ss: The foregoing document was acknowledged before me this 30<sup>th</sup> day of December, 2020 by John G. Cockson as Manager of Carefree Properties, LLC.

My commission expires 12-11-2020

  
Notary Public

Deborah J Moody  
NOTARY PUBLIC  
Haywood County, NC  
My Commission Expires 12/11/2020

 694447C

**RCVD DWR**  
**08/27/2020**

## VERIFICATION OF NOTICE OF APPLICATION

This form is to be submitted with applications for the following.

1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR

2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin

NOTE: Form submittal instructions can be found on our website [Colorado.gov/water](http://Colorado.gov/water). See instructions on the reverse of this form for exceptions to the above list. Type or print in black or blue ink.

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant William Rapson			
Mailing Address 10870 Elizabeth Way		City Colorado Springs	State CO
Zip Code 80908			
Telephone Number (include area code) 907-227-7290		Email rapson21@hotmail.com; cdc@cowaterlaw.com	
<b>2. AQUIFER</b> Dawson			
<b>3. NOTICE OF APPLICATION</b> – I hereby claim that I have given notice pursuant to section 37-90-137(4)(b.5), C.R.S., or Designated Basin Rule 5.3.2.2, or Designated Basin Rule 5.4.2.2, as applicable, of application for a well permit or determination of water right by registered or certified mail, return receipt requested, no less than ten days prior to the making of the application, to every record owner of the overlying land and to every person who has a lien or mortgage upon, or deed of trust to, the overlying land recorded in the county in which the overlying land is located.  The names of the persons that were given notice are listed below: Northpointe Bank, Loan Servicing, Suite 320, 3333 Deposit Drive NE, Grand Rapids, MI 49546-1467 _____ _____ _____ _____ _____			
<b>4. SIGNATURE</b> – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.  Signature:  Date: 08/27/2020  Print name and title: William Rapson			



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## Rapson Replacement Plan

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Emilie Polley <ebp@cowaterlaw.com>

Fri, Sep 25, 2020 at 11:26 AM

To: "Dickinson - DNR, Wenli" <wenli.dickinson@state.co.us>

Hi Wenli,

I just spoke with my client, and due to County restrictions, we are going to change the approach for the amendment. Rather than removing all lot lines, the amendment will simply request two lots and two wells. All other information contained in the summary is the same. I've also attached the well permit application to re-permit the existing well.

[Quoted text hidden]

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### 2 attachments



**2020-9-25 Summary for Publication.docx**

19K



**Well Permit App.pdf**

277K



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

Applicant: RAPSON, ANDREA RAPSON, WILLIAM      Receipt Number: 10000223  
Location: SE 1/4 of SE 1/4 of Sec. 14, T.11S, R.65W. (841 SSL, 1213 ESL)      Evaluated By: PORTER, SHANNON  
Basin Designation: Location is within the KIOWA-BIJOU Designated Groundwater Basin  
Ground Surface Elevation: 7425.77      Number of Acres: 19.60

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Aquifer	Elevation (ft)		Net Sand	Depth (ft)		Annual Approp. (AF)	Status
	Bottom	Top		Bottom	Top		
Upper Dawson	6393	7314	460.6	1033	112	18.06	NNT
Lower Dawson	--	--	--	--	--	--	--
Denver	5537	6355	357.5	1889	1071	11.91	NT
Upper Arapahoe	4997	5501	262.8	2429	1925	8.76	NT
Lower Arapahoe	--	--	--	--	--	--	--
Laramie-Fox Hills	4365	4692	187.3	3061	2734	5.51	NT

COLORADO GROUND WATER COMMISSION  
FINDINGS AND ORDER

COPY FROM 3637-RP  
FILE

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

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REPLACEMENT PLAN NO. 2: 3637-RP

FOR DETERMINATION OF WATER RIGHT NO. 3637-BD

AQUIFER: DAWSON

APPLICANT: WILLIAM RAPSON

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In compliance with section 37-90-107.5, C.R.S. and the Designated Basin Rules, 2 CCR 410-1 (Rules or Rule), William Rapson (Applicant) submitted an application to replace the previously approved Carefree Properties, LLC replacement plan that allowed the withdrawal of groundwater from the Dawson Aquifer that has been allocated by Determination of Water Right No. 3637-BD.

**FINDINGS**

1. Pursuant to section 37-90-107.5, in a Findings and Order dated January 31, 2019, the Ground Water Commission (Commission) approved a Replacement Plan that allowed the withdrawal of 3.0 acre-feet per year of Dawson aquifer (Aquifer) groundwater allocated by Determination of Water Right No. 3637-BD. This replacement plan application submitted by the Applicant seeks to replace in its entirety the previously approved replacement plan.
2. Pursuant to section 37-90-107(7), C.R.S., in a Findings and Order dated January 31, 2019, the Commission approved a Determination of a Right to an Allocation of Groundwater, No. 3637-BD, from the Dawson Aquifer, summarized as follows.
  - a. The determination quantified an amount of water from beneath 19.6 acres of overlying land generally described as a portion of the W 1/2 of the SE 1/4 of the SE 1/4 of Section 14, Township 11 South, Range 65 West of the 6th P.M., in El Paso County (Overlying Land).
  - b. The amount of water in the aquifer that was allocated was 1,670 acre-feet, and the allowed average annual amount of groundwater to be withdrawn from the aquifer was limited to 16.7 acre-feet per year (subject to adjustment by the Commission to conform to actual local aquifer characteristics).
  - c. The use of groundwater is limited to the following beneficial uses: domestic, including in-house, landscape/irrigation of lawn and gardens, watering of domestic animals and stock, and replacement.
  - d. Withdrawal of the subject groundwater will, within one hundred years, deplete the flow of a natural stream or its alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal, the groundwater is considered to be not-nontributary, and Commission approval of a replacement plan providing for actual depletion of affected alluvial aquifers and adequate to prevent any material injury to existing water rights in such alluvial aquifers is required prior to approval of well permits for wells to withdraw the subject groundwater.



Aquifer: Dawson

Applicant: William Rapson

3. The subject water is Designated Groundwater located within the boundaries of the Kiowa-Bijou Designated Groundwater Basin. The Commission has jurisdiction over the withdrawal of the water by large capacity wells that are permitted pursuant to section 37-90-107(7).
4. Withdrawal of the subject groundwater would deplete the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin, all of which, according to Rules 5.2.4.2, 5.2.7.2 and 5.2.6.2, respectively, have been determined to be over appropriated. Such depletion would unreasonably impair existing large capacity alluvial rights withdrawing water from those alluvial aquifers.
5. Pursuant to Rule 5.6.1.A this plan must be adequate to prevent any material injury to water rights of other appropriators, which for purposes of this plan means large capacity wells withdrawing water from the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin, the alluvial aquifer of the Upper Big Sandy Designated Groundwater Basin and the alluvial aquifer of the Upper Black Squirrel Creek Designated Groundwater Basin.
6. 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.
7. The application for the replacement plan was received by the Commission on July 16, 2020.
8. The Applicant proposes to divert 3.0 acre-feet annually from the Dawson Aquifer for a period of 300 years. The Dawson aquifer water will be withdrawn through two wells to be located on two residential lots. The Dawson aquifer water will be used to serve at least one single-family dwelling, irrigation of landscape/lawn and garden, replacement, and watering of domestic animals and livestock. The land on which the wells will be located is the 19.6 acres of Overlying Land described above.
9. At a continuous withdrawal of 3.0 acre-feet annually for 300 years, depletions to the alluvial aquifer systems of the Kiowa-Bijou Designated Groundwater Basin, Upper Big Sandy Designated Groundwater Basin and Upper Black Squirrel Creek Designated Groundwater Basin would steadily increase to 0.104 acre-feet per year in the 300th year, which is equal to 3.46% of pumping, as shown in Exhibit A.
10. The Applicant proposes to provide 0.18 acre-feet per year of replacement water to the alluvial aquifer system of the Kiowa-Bijou Designated Groundwater Basin. The proposed source of replacement water is septic return flows from the in-house use in one single-family dwelling of the groundwater to be pumped under the plan. The Applicant estimates that return flows will consist of 90% of the water used for in-house purposes. Assuming in-house use in one single-family dwelling requires of 0.20 acre-feet annually, the return flow would be 0.18 acre-feet annually.
11. The subject property is located within the drainage of Kiowa Creek, and the return flows will flow to the alluvial aquifer of the Kiowa-Bijou Designated Groundwater Basin. The Applicant proposes to aggregate all replacements to the drainage in which the well or wells will operate, in accordance with Guideline 2007-1.
12. 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.

13. 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.
14. 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.
15. 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. 3637-BD water is currently available in the amounts and for the number of years proposed to be diverted.
16. 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. 3637-BD, and such water is legally available for use pursuant to this plan.
17. In accordance with sections 37-90-107.5 and 37-90-112, C.R.S., the application was published in the Ranchland News newspaper on November 19, 2020 and November 26, 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 Dawson Aquifer if operated subject to the conditions given below.

### ORDER

In accordance with section 37-90-107.5, and the Designated Basin Rules, the Colorado Ground Water Commission orders that the application for a replacement plan to allow the withdrawal of groundwater from the Dawson Aquifer underlying 19.6 acres that are the subject of Determination of Water Right no. 3637-BD is approved subject to the following conditions:

20. Approval of this replacement plan hereby cancels the Carefree Properties, LLC replacement plan approved by the Commission in a Findings and Order dated January 31, 2019.
21. Well permit no. 84274-F, which was approved pursuant to Determination of Water Right no. 3637-BD and the Carefree Properties, LLC replacement plan approved by the Commission in a Findings and Order dated January 31, 2019, must be re-permitted to operate in accordance

with Determination of Water Right no. 3637-BD and this replacement plan.

22. The Dawson Aquifer water will be withdrawn through two wells to be located on two residential lots. The allowed use of groundwater for each well under this plan is in-house use, irrigation of landscape/lawn and garden, replacement, and watering of domestic animals and livestock. The land on which the wells will be located is the 19.6 acres of Overlying Land described above.
23. The allowed annual amount of groundwater to be withdrawn from the Aquifer by all wells operating under this plan shall not exceed 3.0 acre-feet.
24. A totalizing flow meter shall be installed on each well. The well owner shall maintain the meter in good working order.
25. 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.
26. 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.
27. Return flows from in-house use of groundwater shall occur through individual on-lot non-evaporative septic systems located within the 19.6 acres of Overlying Land that are the subject of Determination of Water Right No. 3637-BD. The septic systems must be constructed and operated in compliance with a permit issued by a local health agency.
28. 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.
29. 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.
30. 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.
31. To assure adequate return flows, at least one well must be serving an occupied single-family dwelling that is generating return flows via a non-evaporative septic system before any irrigation or animal watering is allowed to be served by any of the wells.
32. So long as at least one well continues to pump and supply an occupied dwelling, the plan's required replacement obligations, shown in Exhibit A, will be met. Should all wells cease pumping for in-house use within the first 100 years 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.

Aquifer: Dawson

Applicant: William Rapson

33. 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 on forms acceptable to the Commission, on an annual basis for the previous calendar year, by February 15<sup>th</sup> of the following year.
  - 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 number of square feet irrigated by each well.
  - e. The number of large domestic animals served by each well.
  - f. The return flows occurring from use of all wells operating under the plan, assuming 0.18 acre-feet per year per occupied single family dwelling (90% of the water used for in-house purposes) enters the alluvial aquifer as replacement water.
  - g. Any other information the Commission deems relevant and necessary to operation, monitoring, accounting, or administration of the plan.
34. 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.
35. 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.
36. 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.
37. All terms and conditions of Determination of Water Right No. 3637-BD must be meet.
38. 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.

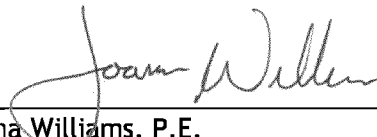
Dated this 29th day of December, 2020.

Aquifer: Dawson

Applicant: William Rapson



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

By:   
Joanna Williams, P.E.  
Water Resource Engineer

F&O3637-RP.docx  
Prepared by: wad

Exhibit A  
Replacement Plan No. 2 - Determination No.: 3637-BD  
Page 1 of 1

Designated Basin Summary Table for William Rapson Pumping Rate of 3 acre-feet per year for 300 Years from the Dawson aquifer Section(s): Section 14, T11S, R65W, 6th P.M.							
Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)	Year	Pumping (Q) (AF/YR)	Annual Depletion (q) (AF/YR)	Depletion as a % of Pumping (q/Q)
5	3.0	0.000	0.00	155	3.0	0.046	1.55
10	3.0	0.000	0.01	160	3.0	0.049	1.62
15	3.0	0.000	0.02	165	3.0	0.051	1.68
20	3.0	0.001	0.03	170	3.0	0.053	1.75
25	3.0	0.002	0.05	175	3.0	0.055	1.82
30	3.0	0.002	0.08	180	3.0	0.057	1.89
35	3.0	0.003	0.11	185	3.0	0.059	1.96
40	3.0	0.004	0.15	190	3.0	0.061	2.02
45	3.0	0.006	0.19	195	3.0	0.063	2.09
50	3.0	0.007	0.23	200	3.0	0.065	2.16
55	3.0	0.008	0.28	205	3.0	0.067	2.23
60	3.0	0.010	0.33	210	3.0	0.069	2.29
65	3.0	0.012	0.39	215	3.0	0.071	2.36
70	3.0	0.013	0.44	220	3.0	0.073	2.43
75	3.0	0.015	0.50	225	3.0	0.075	2.49
80	3.0	0.017	0.56	230	3.0	0.077	2.56
85	3.0	0.019	0.62	235	3.0	0.079	2.63
90	3.0	0.021	0.69	240	3.0	0.081	2.69
95	3.0	0.022	0.75	245	3.0	0.083	2.76
100	3.0	0.024	0.81	250	3.0	0.085	2.82
105	3.0	0.026	0.88	255	3.0	0.087	2.89
110	3.0	0.028	0.94	260	3.0	0.089	2.95
115	3.0	0.030	1.01	265	3.0	0.091	3.02
120	3.0	0.032	1.08	270	3.0	0.092	3.08
125	3.0	0.034	1.14	275	3.0	0.094	3.15
130	3.0	0.036	1.21	280	3.0	0.096	3.21
135	3.0	0.038	1.28	285	3.0	0.098	3.27
140	3.0	0.040	1.35	290	3.0	0.100	3.34
145	3.0	0.042	1.41	295	3.0	0.102	3.40
150	3.0	0.044	1.48	300	3.0	0.104	3.46

Created by wad on August 27, 2020

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





**ORIGINAL PERMIT APPLICANT(S)**

ANDREA RAPSON  
WILLIAM RAPSON

**APPROVED WELL LOCATION**

Water Division: 1 Water District: 1  
Designated Basin: KIOWA-BIJOU  
Management District: N/A  
County: EL PASO  
Parcel Name: N/A  
Physical Address: 10675 HARDY ROAD COLORADO  
SPRINGS, CO 80908

**AUTHORIZED AGENT**

MONSON CUMMINS & SHOHET LLC (POLLEY, EMILIE)

SE 1/4 SE 1/4 Section 14 Township 11.0 S Range 65.0 W Sixth P.M.

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

Easting: 531992.0 Northing: 4326608.0

**PERMIT TO USE AN EXISTING 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 January 31, 2019 for Determination of Water Right No. 3637-BD and the Findings and Order of the Colorado Ground Water Commission dated December 29, 2020 for Replacement Plan No. 2: 3637-RP.
- 4) Approved for the change in use of an existing well constructed under permit no. 84274-F. Permit no. 84274-F was cancelled by Order of the State Engineer upon approval of this well permit.
- 5) The pumping rate of this well shall not exceed 15 GPM.
- 6) The allowed average annual amount of groundwater that may be withdrawn by this well under this permit may not exceed 1.5 acre-feet, subject to the conditions of Determination of Water Right no. 3637-BD including but not limited to the allowed maximum annual amount of withdrawal and subject to the conditions of Replacement Plan No. 2: 3637-RP.
- 7) The total amount of groundwater that may be withdrawn by this well under this permit may not exceed a volume of 450 acre-feet, subject to the conditions of Determination of Water Right no. 3637-BD and Replacement Plan No. 2: 3637-RP.
- 8) The use of groundwater from this well is limited to one single family dwelling, irrigation of landscape/lawn and garden, replacement, and watering of domestic animals and livestock. The place of use shall be limited to the 19.6-acre land area claimed in the above described Order of the Commission for Determination of Water Right No. 3637-BD.
- 9) Production from this well is restricted to the Dawson aquifer.
- 10) 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.
- 11) This well shall be located within 200 feet of the location specified on this permit. This well shall not be located within 600 feet of another large-capacity well completed in the Dawson aquifer.
- 12) The return flows from the in-house use of this well use have been claimed as a replacement source, pursuant to the Findings and Order of the Commission dated December 29, 2020 for Replacement Plan No. 2: 3637-RP. 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) 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 Ground Water Commission upon request.

WELL PERMIT NUMBER 85011-F

RECEIPT NUMBER 10006572

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.

*Wenli Dickinson*

Date Issued: 12/30/2020

Expiration Date: N/A

Issued By WENLI DICKINSON





**COLORADO**  
Division of Water Resources  
Department of Natural Resources

WELL PERMIT NUMBER 3637-RP  
RECEIPT NUMBER 10004706

**ORIGINAL PERMIT APPLICANT(S)**

WILLIAM RAPSON

**APPROVED WELL LOCATION**

Water Division: 1      Water District: 1  
Designated Basin:      KIOWA-BIJOU  
Management District: N/A  
County:      EL PASO  
Parcel Name:      N/A  
Physical Address:      N/A

NW 1/4 SE 1/4 Section 14 Township 11.0 S Range 64.0 W Sixth P.M.

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

Easting: 541122.6      Northing: 4327242.0

See the original well permit file for permit conditions of approval and additional details. The original permit file can be viewed using the Well Permit Search Tool at [www.water.state.co.us](http://www.water.state.co.us)

*Wenli Dickinson*

Issued By WENLI DICKINSON

Date Issued: 12/29/2020

Expiration Date: N/A