

<p>DISTRICT COURT, WATER DIVISION 1, COLORADO Weld County Courthouse P.O. Box 2038 Greeley, CO 80632</p>	<p>DATE FILED: February 28, 2023 2:15 PM FILING ID: 6121377B62374 CASE NUMBER: 2023CW3019</p>
<p>APPLICATION FOR UNDERGROUND WATER RIGHTS AND PLAN FOR AUGMENTATION OF CHRISTOPHER and WENDY JEUB, Applicants,</p> <p>IN EL PASO COUNTY</p>	<p>▲ COURT USE ONLY ▲</p>
<p><i>Attorneys for Applicants:</i> James J. Petrock, #2881 Eric K. Trout, #48640 Hayes Poznanovic Korver LLC 700 17th Street, Suite 1800 Denver, CO 80202 P: 303-825-1980 jjp@hpkwaterlaw.com eric@hpkwaterlaw.com</p>	<p>Case Number: 2023CW_____</p>
<p>APPLICATION FOR UNDERGROUND WATER RIGHTS FROM NONTRIBUTARY AND NOT NONTRIBUTARY SOURCES AND APPROVAL OF PLAN FOR AUGMENTATION, IN THE NONTRIBUTARY ARAPAHOE AND LARAMIE-FOX HILLS AQUIFERS AND THE NOT-NONTRIBUTARY DAWSON AND DENVER AQUIFERS</p>	

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

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

2. Subject Property: 5.95 acres generally located in the NE1/4 of the NW1/4 of Section 15, Township 11 South, Range 66 West of the 6th P.M., also known as 18045 Highway 83, Colorado Springs, El Paso County, State of Colorado, as shown on **Exhibit A** (“Subject Property”). Applicants have express written permission from the owners of the Subject Property to file this case. The owners are the sole owners of the Subject Property and therefore no notice is required under C.R.S. § 37-92-302(2)(b).

3. Well Permits: There is one existing Dawson Aquifer household-use only well on the Subject Property under well permit number 226919. This well will be re-permitted under the plan for augmentation requested in this application. Additional well permits will be applied for prior to construction of additional wells.

4. Source of Water Rights: The Dawson and Denver aquifers are not-nontributary as defined in C.R.S. § 37-90-103(10.7), and the Arapahoe and Laramie-Fox Hills aquifers are nontributary as defined in C.R.S. § 37-90-103(10.5).
5. Estimated Amounts: Applicants estimate the following annual amounts may be available for withdrawal based on a 100-year aquifer life:

Aquifer	Annual Amount (acre-feet)
Dawson (NNT)	5.27
Denver (NNT)	5.66
Arapahoe (NT)	2.58
Laramie-Fox Hills (NT)	1.84

6. Proposed Uses: Use, reuse, and subsequent use for domestic, including in-house use, commercial, irrigation, livestock watering, fire protection, and augmentation and replacement purposes, including storage, both on and off the Subject Property.
7. Jurisdiction: The Court has jurisdiction over the subject matter of this application pursuant to C.R.S. §§ 37-90-137(6), 37-92-203(1), 37-92-302(2).
8. Summary of Plan for Augmentation:
 - 8.1 Groundwater to be Augmented: 2.1 acre-feet per year for 100 years of Dawson Aquifer groundwater.
 - 8.2 Water Rights to be Used for Augmentation: Return flows from the use of not nontributary and nontributary groundwater and direct discharge of nontributary groundwater.
 - 8.3 Statement of Plan for Augmentation: The Dawson Aquifer groundwater will be used in one (1) well, which will serve up to six (6) single-family homes, or their equivalent (0.3 acre-feet per year each, 1.8 acre-feet per year total), and commercial sanitary use (0.3 acre-feet per year), and fire protection, on the Subject Property. Applicants reserve the right to amend the amount and uses without amending the application or republishing the same. Sewage treatment for in-house use will be provided by non-evaporative septic systems. Return flow from in-house use will be approximately 90% of that use, and return flow from irrigation use will be approximately 15% of that use. During pumping Applicants will replace actual depletions pursuant to C.R.S. § 37-90-137(9)(c.5). Depletions occur to the Monument, East Cherry, and West Cherry creek stream systems and return flows accrue to those creek systems and are sufficient to replace actual depletions while the subject groundwater is being pumped. Applicants will reserve an equal amount of nontributary groundwater underlying the Subject Property to meet post pumping augmentation requirements.

9. Notice to Landowners:

The land is owned by the following party, and notice of this application was sent to them via certified mail, return receipt requested:

Randy Amann and Linda Amann
PO Box 281
Pleasant Grove, UT 84062-0281

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

Respectfully submitted this 28th day of February, 2023.

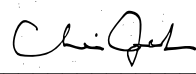
HAYES POZNANOVIC KORVER LLC

//s// Eric K Trout
James J. Petrock, #2881
Eric K. Trout, #48640
Attorney for Applicants


VERIFICATION

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

Executed on the 27 day of February, 2023, at Monument, Colorado.



Christopher Jeub



Wendy Jeub