



Request for Comments

Case Name: Golden Fields Rezoning

Case Number: RCU2024-00002

January 23, 2024

The Adams County Community and Economic Development Department is requesting comments on the following application: **Zoning map amendment (rezone) to change the zone district designation of 38 acres to Agricultural-1 from Agricultural-3.** This request is located one quarter mile east of the Petterson Road and E 144th Ave intersection. The Assessor's Parcel Number is 0156513300003.

Applicant Information: DAVID ANDERSEN
P.O. BOX 111745
ANCHORAGE, AK 99511

Please forward any written comments on this application to the Community and Economic Development Department at 4430 South Adams County Parkway, Suite W2000A Brighton, CO 80601-8216 or call (720) 523-6800 by 02/14/2024 in order that your comments may be taken into consideration in the review of this case. If you would like your comments included verbatim please send your response by way of e-mail to LCampbell@adcogov.org.

Once comments have been received and the staff report written, the staff report and notice of public hearing dates may be forwarded to you upon request. The full text of the proposed request and additional colored maps can be obtained by contacting this office or by accessing the Adams County web site at www.adcogov.org/current-land-use-cases.

Thank you for your review of this case.

Lia Campbell
Planner II

BOARD OF COUNTY COMMISSIONERS

Eva J. Henry
DISTRICT 1

Charles "Chaz" Tedesco
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5



REZONING (Zoning Map Amendment)

Application submittals must include all documents on this checklist as well as this page. Please use the reference guide (pg. 2) included in this packet for more information on each submittal item.

All applications shall be submitted electronically to epermitcenter@adcogov.org. If the submittal is too large to email as an attachment, the application may be sent as an unlocked OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF. Once a complete application has been received, fees will be invoiced and payable online at <https://permits.adcogov.org/CitizenAccess/>.

1. Development Application Form (pg. 4)
2. Application Fees (see table)
3. Written Explanation of the Project
4. Site Plan Showing Proposed Development, including:
 - a. Proposed Building Envelope
 - b. Parking Areas
 - c. Site Access
 - d. Landscape Areas
5. Trip Generation Letter
6. Preliminary Drainage Analysis
7. Neighborhood Meeting Summary
8. Proof of Ownership (warranty deed or title policy)
9. Proof of Water and Sewer Services
10. Legal Description
11. Certificate of Taxes Paid
12. Certificate of Notice to Mineral Estate Owners/and Lessees (pg. 6)
13. Certificate of Surface Development (pg. 7) Submit 30-days after public hearing.

Applications Fees	Amount	Due
Application	\$1,600	After complete application received

Rezoning Guide to Development Application Submittal

All development application submittals shall comprise of one (1) electronic copy (emailed or delivered on a USB). **Application submittals that do not conform to these guidelines shall not be accepted.**

3. Written Explanation of the Project:

- A clear and concise, yet thorough, description of the proposal. Please include, if applicable, timeframe, purpose of project, and improvements that will be made to the site

4. Site Plan Showing Proposed Development:

- A detailed drawing of existing and proposed improvements
- Including:
 - Streets, roads, and intersections
 - Driveways, access points, and parking areas
 - Existing and proposed structures, wells, and septic systems,
 - Easements, utility lines, and no build or hazardous areas
 - Scale, north arrow, and date of preparation
- An Improvement Location Certificate or Survey may be required during the official review

5. Trip Generation Letter:

- Shall be determined based upon the methodologies of the most current, Institute of Transportation Engineers (ITE) Trip Generation Manual for the weekday AM peak hour and weekday PM peak hour

6. Preliminary Drainage Analysis:

- A general narrative discussing the pertinent drainage characteristics and problems, and proposed drainage characteristics if the subdivision is approved

7. Neighborhood Meeting Summary:

- Please refer to Section 2-01-02 of the Adams County Development Standards and Regulations for the specific requirements regarding time, location, and notice
- A written summary shall be prepared including the materials submittal presented at the meeting, any issues identified at the meeting, and how those issues have been addressed

8. Proof of Ownership:

- A deed may be found in the Office of the Clerk and Recorder
- A title commitment is prepared by a professional title company

9. Proof of Water:

- Public utilities-A written statement from the appropriate water district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Private utilities- Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587

Proof of Sewer:

- Public utilities-A written statement from the appropriate sanitation district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider
- Private utilities-A written statement from Adams County Health indicating the viability of obtaining Onsite Wastewater Treatment Systems

10. Legal Description:

- Geographical description used to locate and identify a property
- Visit <http://gisapp.adcogov.org/quicksearch/> to find the legal description for your property

11. Certificate of Taxes Paid:

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office
- Or <http://adcogov.org/index.aspx?NID=812>

12. and 13. Certificate of Notice to Mineral Estate Owners/ Certificate of Surface Development:

- The State of Colorado requires notification to mineral rights owners of applications for surface development (i.e. zoning, plats, etc.)
- Mineral or Surface right owners may be found in the title commitment for the subject property
- You may also search the Office of the Clerk and Recorder for any recorded deeds, easements, or other documents.



Application Type:

<input type="checkbox"/> Conceptual Review	<input type="checkbox"/> Preliminary PUD	<input type="checkbox"/> Temporary Use
<input type="checkbox"/> Subdivision, Preliminary	<input type="checkbox"/> Final PUD	<input type="checkbox"/> Variance
<input type="checkbox"/> Subdivision, Final	<input type="checkbox"/> Rezone	<input type="checkbox"/> Conditional Use
<input type="checkbox"/> Plat Correction/ Vacation	<input type="checkbox"/> Special Use	<input type="checkbox"/> Other: _____

PROJECT NAME:

APPLICANT

Name(s): Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

OWNER

Name(s): Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

TECHNICAL REPRESENTATIVE (Consultant, Engineer, Surveyor, Architect, etc.)

Name: Phone #:

Address:

City, State, Zip:

2nd Phone #: Email:

DESCRIPTION OF SITE

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES NO

If Yes, please list PRE#:

I hereby certify that I am making this application as owner of the above described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee is non-refundable. All statements made on this form and additional application materials are true to the best of my knowledge and belief.

Name:

Date:

Owner's Printed Name

Name:

Owner's Signature

Written Explanation of the Project

**Explanation of the Project of Parcel # 0156513300003
Lost Creek Subdivision Lot 3**

(Property Owners: David and Angela Andersen)
Prepared by David Andersen, P.E. #0061720 Colorado

1. The purpose of this application is to seek approval from Adam's County Planning Department for a zone change from A3 to A1.
2. The proposed name of the subdivision is Golden Fields. This proposal is a subdivision of Lot 3, Parcel 0156513300003 allowing the 38.35-acre lot to be subdivided into 6 lots varying between 5.7 and 7.4 acres with 5 lots being 5.7 acres and the 6th lot being 7.4 acres. Attached is a preliminary plat and topography map showing the proposed subdivision.
3. The development concept consists of constructing a residential rural, unpaved road on the west side of the property. A drainage swell would be on the east side of the road extending to lot 6. The road drainage swell would drain to the south entering the existing drainage ditch that parallels E. 144th Ave. A culvert would be placed under the access road entry within the East 144th right-of-way ditch line allowing the drainage to flow under the culvert.
4. Each lot will have a separate, small-capacity well. A full ground water availability analysis was completed, and an application for water right determination was granted by the Colorado Ground Water Commission on March 2, 2023. The water right determination approval was for all four aquifers below the referenced property including Denver, Upper Arapahoe, Lower Arapahoe, and Laramie-Fox. Determination Approvals are attached.

Each well would be drilled into the Laramie-Fox Hills aquifer approximately 1100 ft. The water right evaluation determined Lot 3 would have access to 7.19 acre feet (AF) per year based on 100 years of available water. The Adams County decreased the available water usage by requiring a 300-year usage limiting the available water to 2.396 AF per year. This would limit each lot to 0.4 AF per year.

Lot 3 is within the Lost Creek Ground Water Management District. The latest rule, Rule 17, was adopted March 27, 2008, item 18, Small Capacity Wells. This ruling indicates each residence is allowed 0.4 AF per year for total indoor and outdoor usage. With the development of this minor subdivision, each lot would be limited to 0.4 AF per year.

5. Each residence would have its own septic system and would be designed in accordance with the Tri-County Health Department regulations. According to Jeff McCarron, Environmental Health Specialist, he indicated in an email on March 1, 2022, "*TCHD will approve an Onsite Wastewater Treatment System at*

the property provided all requirements for OWTS permitting, design, and inspections are met.” A copy of the email is attached.

6. East 144th Avenue is a county road that services the businesses and residences in the area. The county road is a low to medium traffic road with cars, trucks, and commercial vehicles. A trip generation analysis (TGA) was completed by Brian Horan, P.E., with Galloway Engineering. The TGA is attached. There is more than 1,000 lineal feet sight distance in both the west and east directions from the entry point of Lot 3 for egress and ingress to and from E 144th Avenue.
7. On July 20, 2023, a conceptual review with Adams County was held. The review comments are attached.
8. On August 17, 2023, a neighborhood meeting was held at the property. A letter of notification was sent to all neighbors were listed on the contact sheet given to us by Lia Campbell of the Adams County planning department. There were 8 persons who signed their signatures on the sign-in sheet. However, there were 4 additional persons who were partners or couples at the meeting who did not sign the sign-in sheet. Twelve guests attended the meeting. Including my wife and I, there were 14 persons in attendance.

The scope of the meeting was presented to the attendees the scope of the proposed project. There were no objections to the project.

9. There is an existing subdivision that is approximately 2 miles west of Lot 3 that is within the Horse Creek Water District, and each house has its own separate septic system.
10. East of Lot 3 is the construction of a residence on Lot 7 (Parcel # 0156513400003) of the Lost Creek Subdivision. A permit has been issued for this construction. Also, an access permit was issued for Lot 8 (Parcel # 0156513400004).
11. East of Lot 8 (Parcel # 0156318300001) is an existing residence.
12. North of Lot 3 is an existing farm (Parcel # 0156500000043).
13. South of Lot 3 across from E 144th is vacant land. The parcel directly south of Lot 3 is Parcel # 0156524200003 which is vacant land.

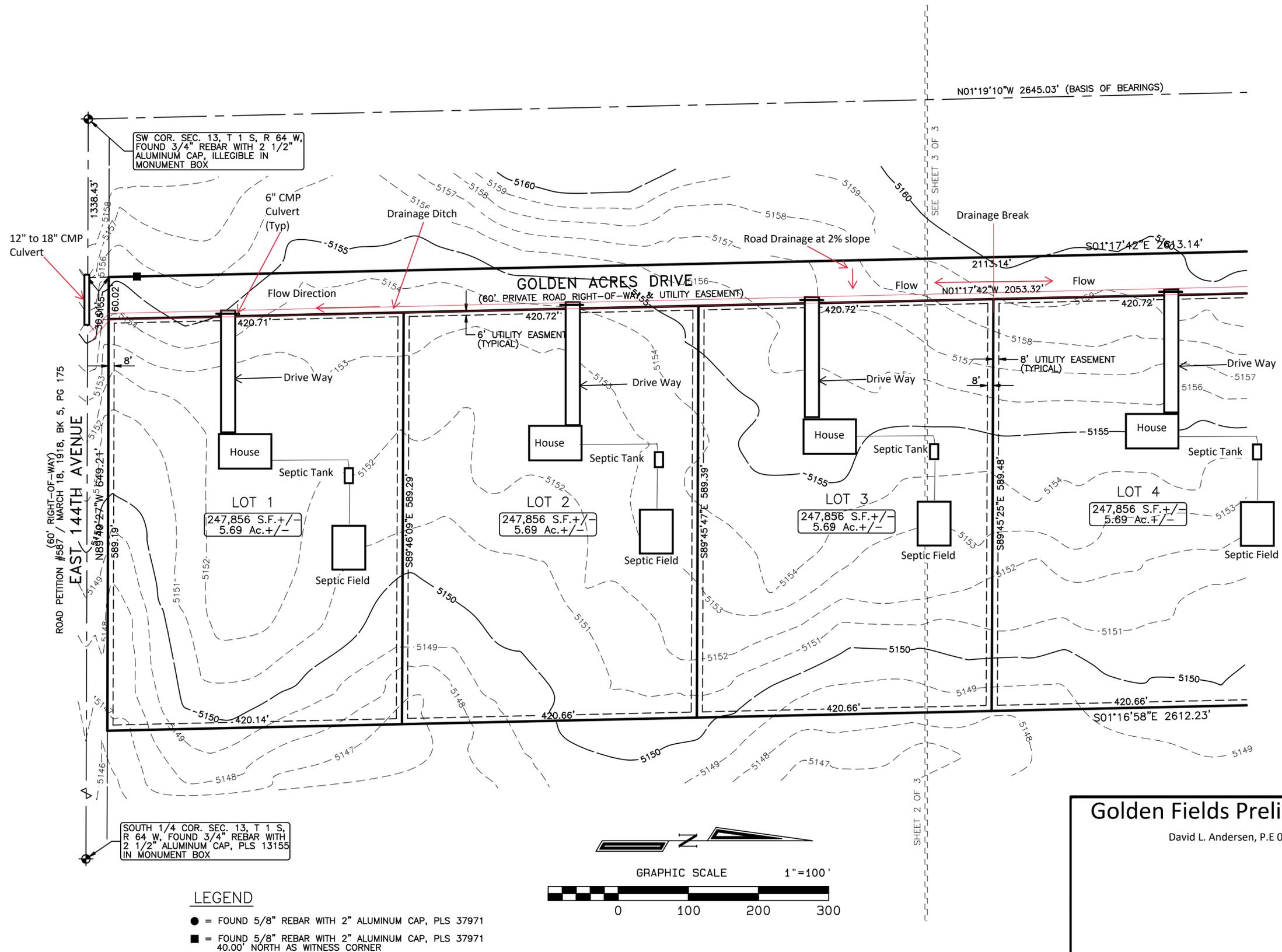
Attached are the items requested in the Rezoning checklist. Thank you for your time regarding this matter.

Preliminary Site Plan

GOLDEN FIELDS SUBDIVISON, FILING NO. 1

Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

Sheet 2 of 3

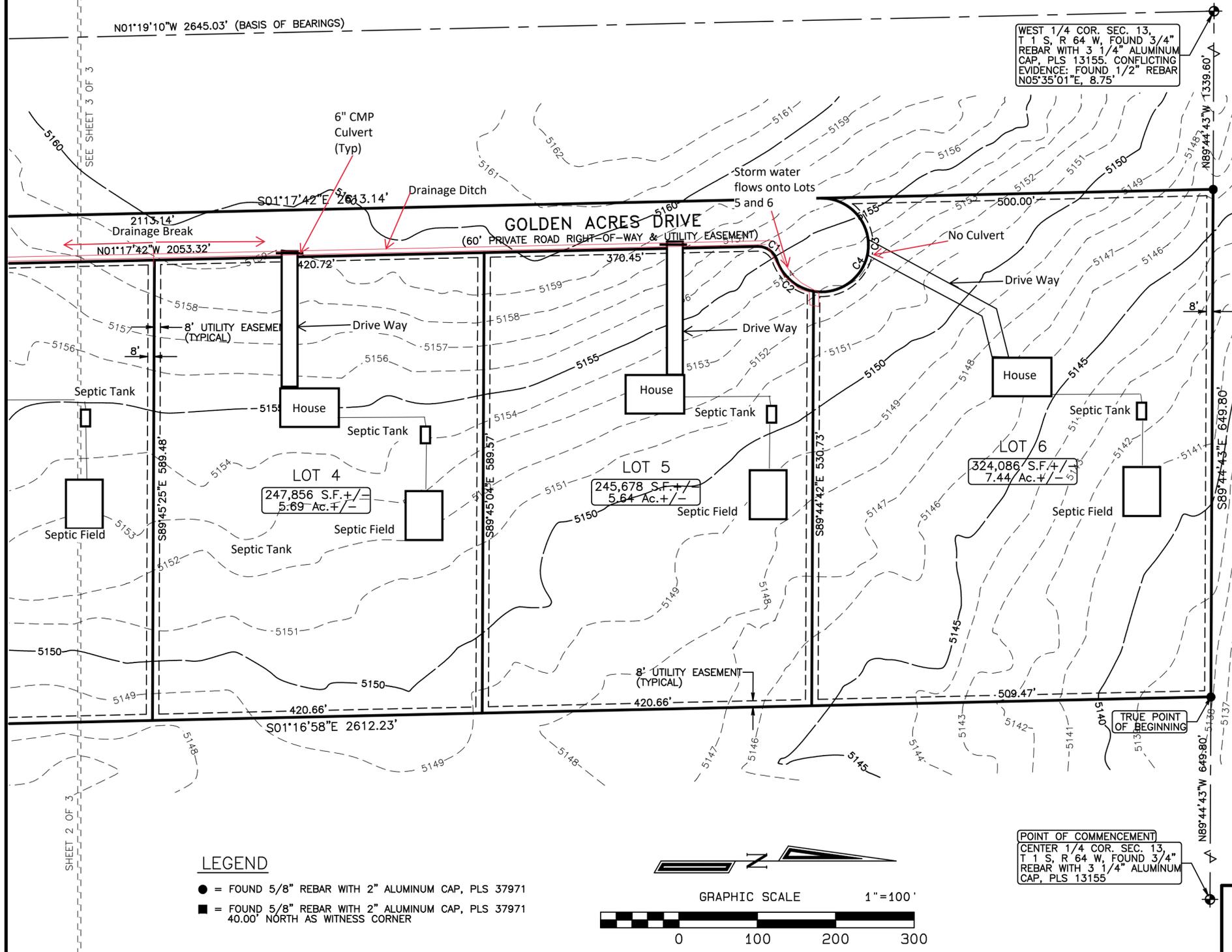


GOLDEN FIELDS SUBDIVISON, FILING NO. 1

Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

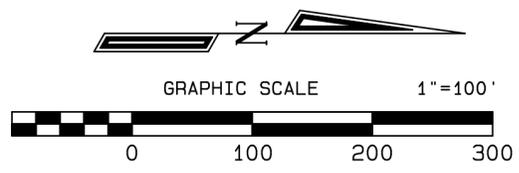
Sheet 2 of 3

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	25.00'	31.80'	72°53'05"	N35°08'50"E	29.70'
C2	60.00'	64.93'	62°00'09"	N40°35'18"E	61.81'
C3	60.00'	198.54'	180°35'13"	N85°12'23"W	119.58'
C4	60.00'	263.47'	242°35'22"	S54°12'19"E	97.33'



LEGEND

- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
40.00' NORTH AS WITNESS CORNER



WEST 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155. CONFLICTING
EVIDENCE: FOUND 1/2" REBAR
N05°35'01"E, 8.75'

(POINT OF COMMENCEMENT)
CENTER 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155

Golden Fields Preliminary Site Plan

David L. Andersen, P.E 0061720

Preliminary Plat

GOLDEN FIELDS SUBDIVISION, FILING NO. 1

Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

Sheet 1 of 3

OWNERSHIP CERTIFICATE & DEDICATION STATEMENT

KNOW ALL MEN BY THESE PRESENTS THAT DAVID ANDERSEN AND ANGELA ANDERSEN, BEING THE SOLE OWNER OF THE FOLLOWING DESCRIBED TRACT OF LAND:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMINIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINIUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2612.23 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 144TH AVENUE AS DESCRIBED IN ROAD PETITION NO. 587 RECORDED MARCH 18, 1918 IN BOOK 5 AT PAGE 175 OF THE RECORDS OF THE CLERK AND RECORDER FOR ADAMS COUNTY, COLORADO; THENCE NORTH 89°49'27" WEST, COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE BEING 30.00 FEET NORTHERLY FROM AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.21 FEET; THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2613.14 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 38.94 ACRES, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, STREETS AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF GOLDEN FIELDS SUBDIVISION, FILING NO. 1 AND DO HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC EASEMENTS AS SHOWN ON THIS PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENT TO ADAMS COUNTY AND/OR ITS ASSIGNS, PROVIDED HOWEVER, THAT THE SOLE RIGHT AND AUTHORITY TO RELEASE OR QUITCLAIM ALL OR ANY SUCH PUBLIC EASEMENTS SHALL REMAIN EXCLUSIVELY VESTED IN ADAMS COUNTY. FURTHERMORE, GOLDEN ACRES DRIVE AS SHOWN HEREON IS PRIVATELY OWNED AND MAINTAINED BY THE GOLDEN FIELDS HOMEOWNER'S ASSOCIATION.

DAVID ANDERSEN

ANGELA ANDERSEN

ACKNOWLEDGEMENT

COUNTY OF ADAMS)
STATE OF COLORADO) SS

THE FOREGOING PLAT AND DEDICATION WAS ACKNOWLEDGED BEFORE ME BY: DAVID AND ANGELA ANDERSEN

THIS _____ DAY OF _____, 20____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

MY ADDRESS IS: _____

SURVEYOR'S STATEMENT

I, CURTIS D. HOOS, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY TO THE BEST OF MY KNOWLEDGE AND BELIEF. THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY ME TO DETERMINE OWNERSHIP

CURTIS D. HOOS, PLS 37971
FOR AND ON BEHALF OF:
AMERICAN WEST LAND SURVEYING CO.
A COLORADO CORPORATION

PLANNING COMMISSION APPROVAL

APPROVED BY THE ADAMS COUNTY PLANNING COMMISSION THIS _____ DAY

OF _____, 20____

CHAIRMAN

BOARD OF COUNTY COMMISSIONER'S APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COMMISSIONERS THIS _____ DAY

OF _____, 20____

CHAIRMAN

EASEMENT STATEMENT

SIX-FOOT (6') WIDE UTILITY EASEMENTS ARE HEREBY DEDICATED ON PRIVATE PROPERTY ADJACENT TO THE FRONT LOT LINES OF EACH LOT IN THE SUBDIVISION. IN ADDITION, EIGHT-FOOT (8.) WIDE DRY UTILITY EASEMENTS ARE HEREBY DEDICATED AROUND THE PERIMETER OF TRACTS, PARCELS AND/OR OPEN SPACE AREAS. THESE EASEMENTS ARE DEDICATED TO ADAMS COUNTY FOR THE BENEFIT OF THE APPLICABLE UTILITY PROVIDERS FOR THE INSTALLATION, MAINTENANCE, AND REPLACEMENT OF UTILITIES.

UTILITY EASEMENTS SHALL ALSO BE GRANTED WITHIN ANY ACCESS EASEMENTS AND PRIVATE STREETS IN THE SUBDIVISION. PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEEES, INCLUDING, WITHOUT LIMITATION, VEGETATION.

STORM DRAINAGE FACILITIES STATEMENT

THE POLICY OF THE COUNTY REQUIRES THAT MAINTENANCE ACCESS SHALL BE PROVIDED TO ALL STORM DRAINAGE FACILITIES TO ASSURE CONTINUOUS OPERATIONAL CAPABILITY OF THE SYSTEM. THE PROPERTY OWNERS SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF ALL DRAINAGE FACILITIES INCLUDING INLETS, PIPES, CULVERTS, CHANNELS, DITCHES, HYDRAULIC STRUCTURES, AND DETENTION BASINS LOCATED ON THEIR LAND UNLESS MODIFIED BY THE SUBDIVISION DEVELOPMENT AGREEMENT. SHOULD THE OWNER FAIL TO MAINTAIN SAID FACILITIES, THE COUNTY SHALL HAVE THE RIGHT TO ENTER SAID LAND FOR THE SOLE PURPOSE OF OPERATIONS AND MAINTENANCE. ALL SUCH MAINTENANCE COST WILL BE ASSESSED TO THE PROPERTY OWNERS.

NOTES

- 1) BASIS OF BEARING: THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 1 SOUTH, RANGE 67 WEST OF THE 6TH P.M., IN ADAMS COUNTY, COLORADO, BEING MONUMENTED ON THE NORTH AND SOUTH END BY A 2" ALUMINIUM CAP, PLS 25937 IN MONUMENT BOX, IS ASSUMED TO BEAR NORTH 00°33'42" WEST, WITH ALL BEARINGS SHOWN HEREON RELATIVE THERETO.
- 2) ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACTS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY, COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, C.R.S.
- 3) CERTIFICATION DEFINED: THE USE OF THE WORD "CERTIFY" OR "CERTIFICATION" BY A REGISTERED PROFESSIONAL LAND SURVEYOR, IN THE PRACTICE OF LAND SURVEYING, CONSTITUTES AN EXPRESSION OF PROFESSIONAL OPINION REGARDING THOSE FACTS OF FINDINGS WHICH ARE SUBJECT OF THE CERTIFICATION, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EITHER EXPRESS OR IMPLIED.
- 4) ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTIONS BASED UPON A 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 THE CERTIFICATION SHOWN HEREON.
- 5) THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY AMERICAN WEST LAND SURVEYING CO. TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD.
- 6) DISTANCES ON THIS DRAWING ARE EXPRESSED IN U.S. SURVEY FEET AND DECIMALS THEREOF. A U.S. SURVEY FOOT IS DEFINED AS EXACTLY 1200/3937 METERS.

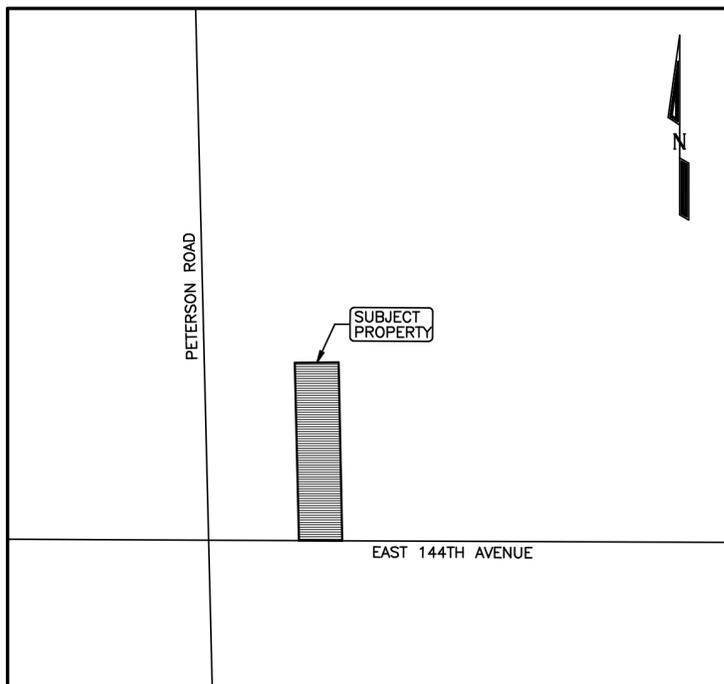
CLERK AND RECORDER'S CERTIFICATE

THIS MAP WAS FILED FOR RECORD IN THE OFFICE OF ADAMS COUNTY CLERK AND RECORDER, IN THE STATE OF COLORADO,

AT _____ M. ON THE _____ DAY OF _____, A.D. 20____

BY: _____ COUNTY CLERK AND RECORDER
DEPUTY

RECEPTION NO. _____



VICINITY MAP: 1" = 2000'

LIENHOLDER'S STATEMENT

THE UNDERSIGNED HEREBY CONSENT(S) TO THE DEDICATION AND EASEMENTS SHOWN ON THIS PLAT.

NAME _____ TITLE _____

FOR: POINT WEST COMMUNITY BANK

ACKNOWLEDGEMENT

COUNTY OF ADAMS)
STATE OF COLORADO) SS

THE FOREGOING LIENHOLDER'S CERTIFICATE WAS ACKNOWLEDGED BEFORE ME THIS

_____ DAY OF _____, 20____ BY _____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

MY ADDRESS IS: _____

American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

REVISION	DATE	SCALE 1" = 100'
		DATE: SEPT 18, 2023
		DRAWN BY: CDH
		CHECKED BY: MJH
		CLIENT: ANDERSEN
		JOB NO: 23-323

FILE: D:\SURVEYS\T1-25\T1S_R64W\S13\PARCEL 3 PRELIM PLAT.pro

GOLDEN FIELDS SUBDIVISON, FILING NO. 1

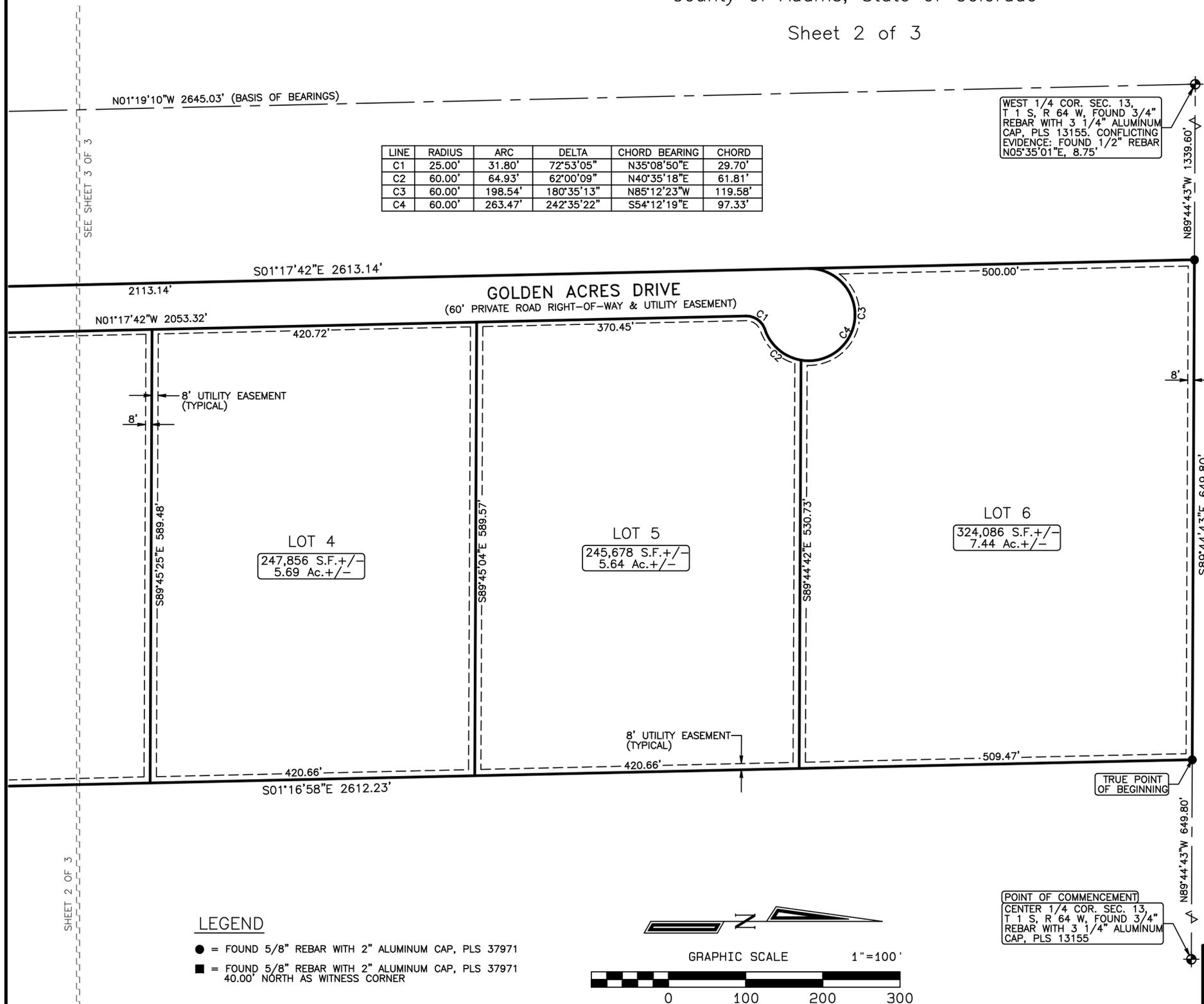
Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

Sheet 2 of 3

N01°19'10"W 2645.03' (BASIS OF BEARINGS)

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	25.00'	31.80'	72°53'05"	N35°08'50"E	29.70'
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C3	60.00'	198.54'	180°35'13"	N85°12'23"W	119.58'
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WEST 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
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EVIDENCE: FOUND 1/2" REBAR
N05°35'01"E, 8.75'

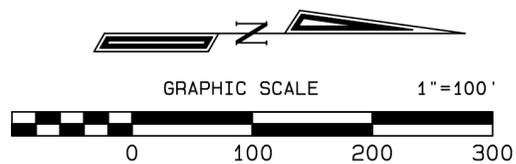


SEE SHEET 3 OF 3

SHEET 2 OF 3

LEGEND

- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
40.00' NORTH AS WITNESS CORNER



POINT OF COMMENCEMENT
CENTER 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155

American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

REVISION	DATE	SCALE 1" = 100'

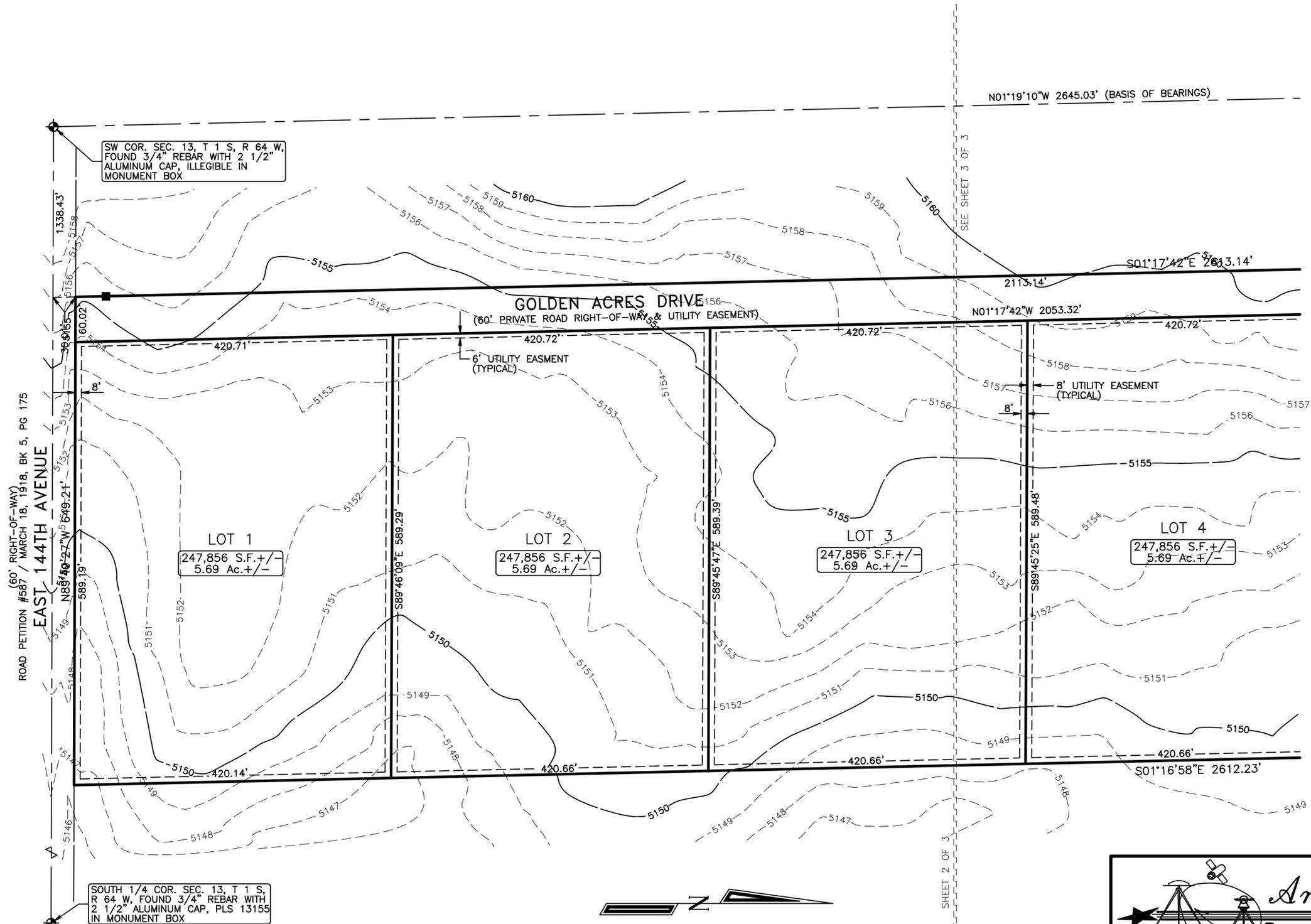
CLIENT: ANDERSEN
JOB NO: 23-323

FILE: D:\SURVEYS\T1-25\T1S_R64W_S13\PARCEL 3 PRELIM PLAT.pro

GOLDEN FIELDS SUBDIVISION, FILING NO. 1

Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

Sheet 2 of 3



LEGEND

- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
40.00' NORTH AS WITNESS CORNER

American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

REVISION	DATE	SCALE 1" = 100'
		DATE: SEPT 18, 2023
		DRAWN BY: CDH
		CHECKED BY: MJH
		CLIENT: ANDERSEN
		JOB NO: 23-323

FILE: D:\SURVEYS\T1-2S\T1S_R64W_S13\PARCEL 3 PRELIM PLAT_WITH TOPO.pro

GOLDEN FIELDS SUBDIVISON, FILING NO. 1

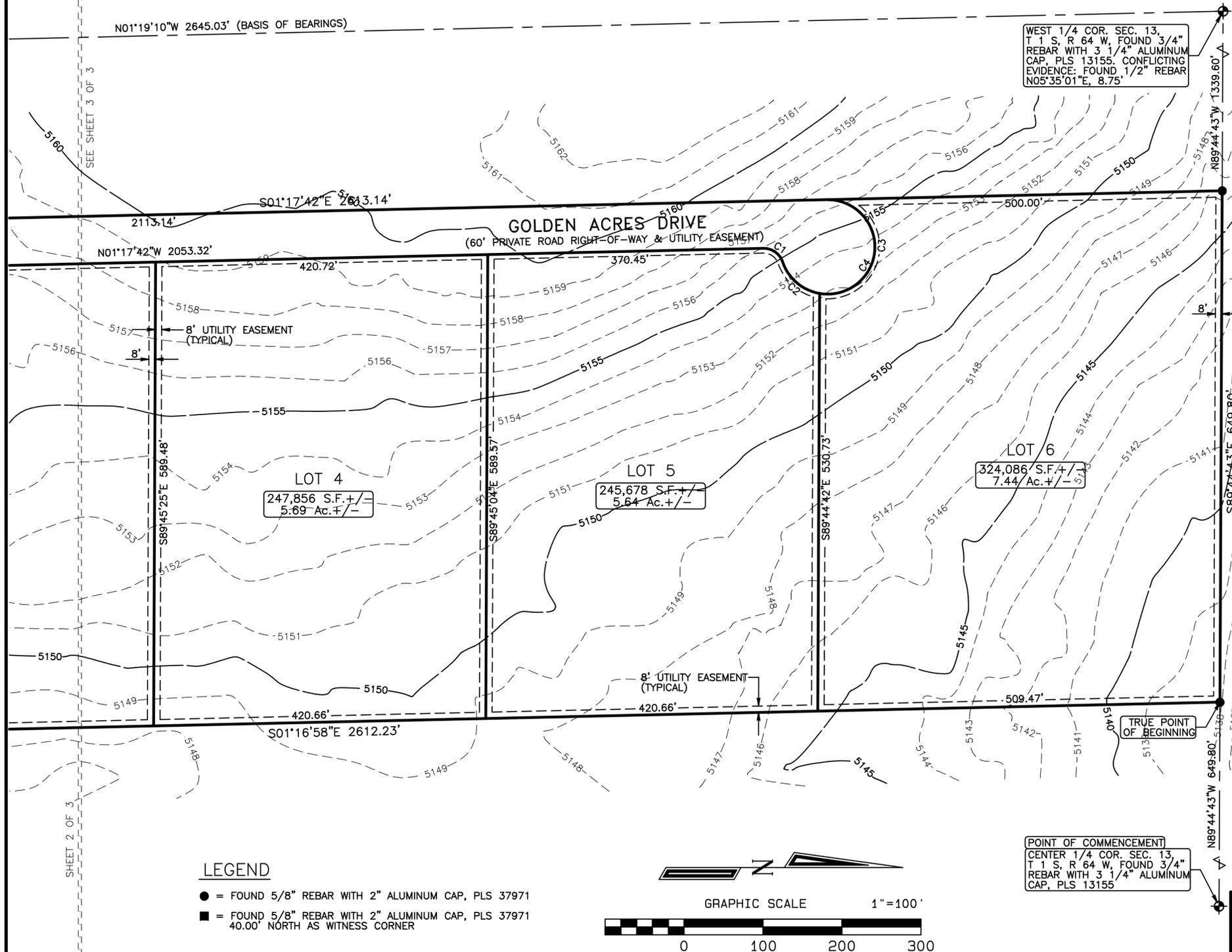
Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

Sheet 2 of 3

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	25.00'	31.80'	72°53'05"	N35°08'50"E	29.70'
C2	60.00'	64.93'	62°00'09"	N40°35'18"E	61.81'
C3	60.00'	198.54'	180°35'13"	N85°12'23"W	119.58'
C4	60.00'	263.47'	242°35'22"	S54°12'19"E	97.33'

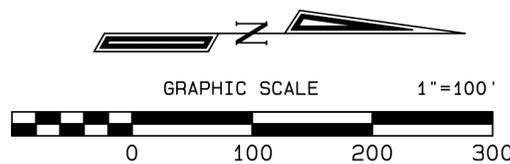
WEST 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155. CONFLICTING
EVIDENCE: FOUND 1/2" REBAR
N05°35'01"E, 8.75'

POINT OF COMMENCEMENT
CENTER 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155



LEGEND

- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
40.00' NORTH AS WITNESS CORNER



American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

REVISION	DATE	SCALE 1" = 100'

FILE: D:\SURVEYS\T1-2S\T1S_R64W\S13\PARCEL 3 PRELIM PLAT_WITH TOPO.pro

TTrip Generation Letter

To: David Andersen, PE

From: Brian Horan, PE, PTOE
Galloway

Date: October 13, 2023

Re: **Golden Fields Subdivision Filing 1, Adams County;
Trip Generation Analysis**



INTRODUCTION

The purpose of this memorandum is to provide an estimate of the trip generation forecasted by a proposed subdivision in Adams County, Colorado. The subject site is located north of East 144th Avenue and approximately 1,300' east of Peterson Road. The site is approximately 38.94 acres and is being proposed as a six (6) lot subdivision.

BACKGROUND

The site is currently vacant and is part of the southwest quarter of section 13, township 1 south, range 64 west of the 6th P.M., Adams County, Colorado. No access exists to the site. A new 60' right-of-way private drive would be established to provide access to 6 single family detached lots. A preliminary plat is provided attached that shows the lot sizes and proposed access.

TRIP GENERATION

A trip generation analysis (TGA) is provided herein to provide the County information regarding potential impacts to the surrounding network. Trip generation estimates were calculated utilizing the Institute of Transportation Engineers (ITE) Trip Generation Manual 11th Edition rates/equations. As shown on Table 1, the proposed use would generate, at build out and full occupancy:

- 6 AM weekday peak hour (2 in/4 out),
- 7 PM weekday peak hour (4 in/3 out), and
- 76 Average Daily Trips.

NETWORK IMPACTS

The proposed use would generate 6 trips during the AM peak hour and 7 trips during the PM peak hour. The proposed development would have no negative impact to the surrounding network operations.

Table 1
 Golden Fields Adams County
 Site Trip Generation

Land Use	Land Use Code	Amount	Units	AM Peak Hour			PM Peak Hour			Average Daily Trips
				In	Out	Total	In	Out	Total	
Single Family Detached Housing	210	6	DU	2	4	6	4	3	7	76

Note(s):

(1) Trip generation based on the Institute of Transportation Engineers' Trip Generation Manual, 11th Edition

David Andersen
Golden Fields
October 13, 2023

CONCLUSION

As detailed above the proposed site use would generate fewer than 10 trips during any one-hour peak period based on traffic generation estimates of the ITE Trip Generation Manual. The proposed site use would have negligible impact to the surrounding network.

I trust that the information contained herein satisfies the Trip Generation Analysis as requested. If you have any questions or require more information, please do not hesitate to contact me at BrianHoran@GallowayUS.com or 303-770-8884.

GOLDEN FIELDS SUBDIVISON, FILING NO. 1

Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

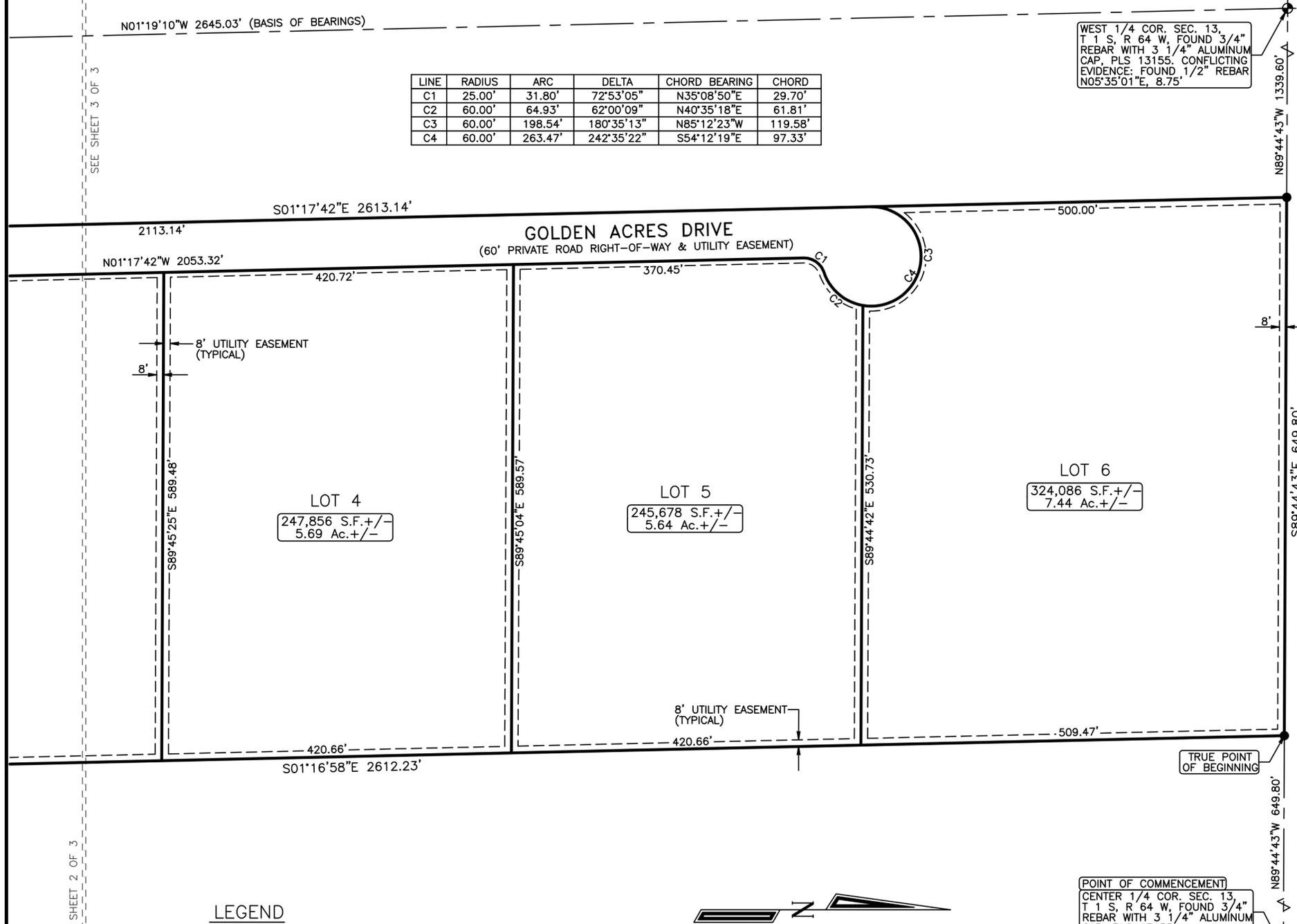
Sheet 2 of 3

N01°19'10"W 2645.03' (BASIS OF BEARINGS)

WEST 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155. CONFLICTING
EVIDENCE: FOUND 1/2" REBAR
N05°35'01"E, 8.75'

LINE	RADIUS	ARC	DELTA	CHORD BEARING	CHORD
C1	25.00'	31.80'	72°53'05"	N35°08'50"E	29.70'
C2	60.00'	64.93'	62°00'09"	N40°35'18"E	61.81'
C3	60.00'	198.54'	180°35'13"	N85°12'23"W	119.58'
C4	60.00'	263.47'	242°35'22"	S54°12'19"E	97.33'

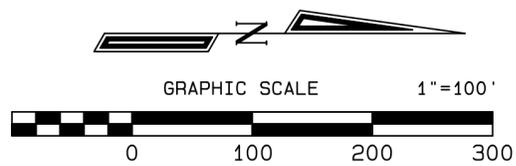
SEE SHEET 3 OF 3



SHEET 2 OF 3

LEGEND

- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
40.00' NORTH AS WITNESS CORNER



POINT OF COMMENCEMENT
CENTER 1/4 COR. SEC. 13,
T 1 S, R 64 W, FOUND 3/4"
REBAR WITH 3 1/4" ALUMINUM
CAP, PLS 13155

American West
Land Surveying Co.
A Colorado Corporation

PO Box 129, Brighton, CO 80601 * P:303-659-1532 F:303-655-0575 * amwestls.com

REVISION	DATE	SCALE 1" = 100'

DATE: SEPT 18, 2023
DRAWN BY: CDH
CHECKED BY: MJH
CLIENT: ANDERSEN
JOB NO: 23-323

FILE: D:\SURVEYS\T1-25\T1S_R64W_S13\PARCEL 3 PRELIM PLAT.pro

Preliminar Drainage Analysis

**Preliminary Drainage Analysis of Parcel # 0156513300003
Lost Creek Subdivision Lot 3**

(Property Owners: David and Angela Andersen)
Prepared by David Andersen, P.E. #0061720 Colorado

The access road to the 6 lots will be a residential rural, unpaved road on the west side of the property. A drainage swall will be along the east side of the road, and the storm water will sheet flow across the road into the ditch. A ditch slope break will be at property line of Lot 3 – 4. At the slope break, the ditch will slope south along the access road toward East 144th Avenue and to the north toward Lot 6. At Lot 6, the storm water will sheet flow onto Lot 6. To the south the storm water will enter the drainage ditch along East 144th Avenue.

Each lot varies in slope ranging from 0.25% to 2.3% generally in the easterly direction. Lots 1, 2, and 3 slope to the east and southeast direction, and Lots 4, 5, and 6 slope to east and northeast direction. The storm water drainage from the driveways of each lot and from the roof of each house will sheet flow onto each respective property.

Neighborhood Meeting Summary

August 2, 2023

Hello Neighbors:

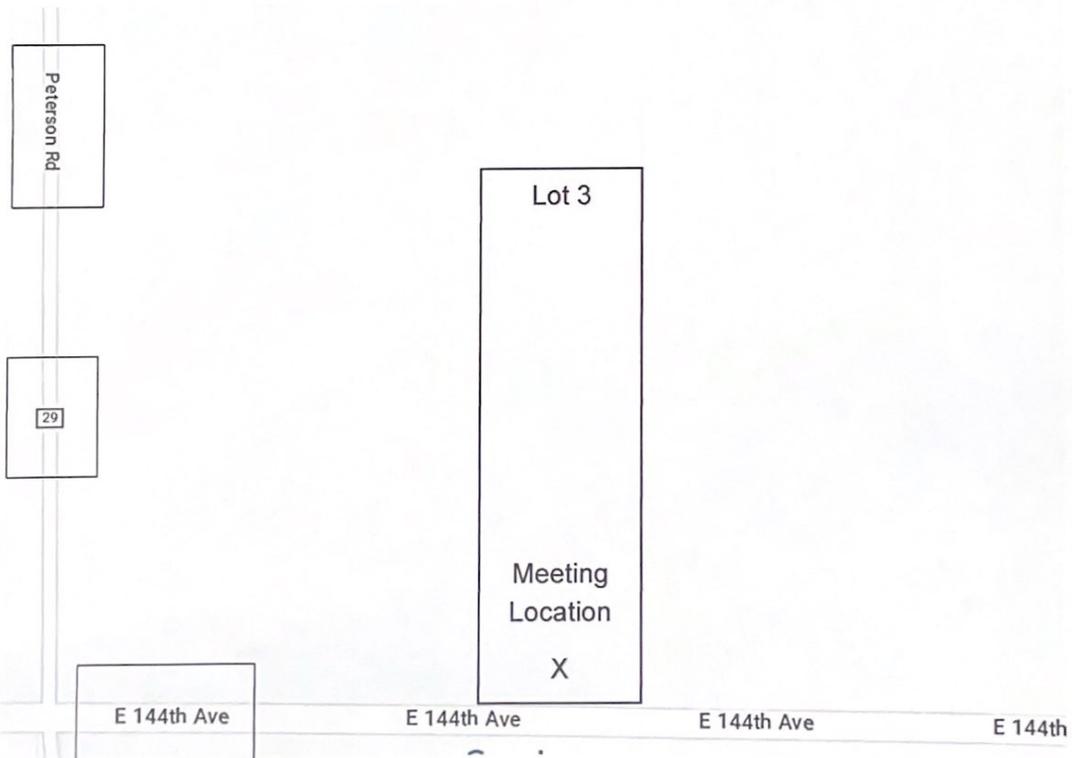
We are holding a neighborhood meeting on Thursday, August 17 @ 5:00 p.m. at our property if you would like to attend. The maps below show the location of the meeting (which is near the intersection of Petersen and East 144th Avenue). The purpose of the meeting is to introduce ourselves and let you know about our property improvement plan (residential) for Lot 3. It will be an informal, open-house type format and will be held on Lot 3.

Thank you,



David and Angela Andersen
Property Owners, Lot 3, Lost Creek Highlands Subdivision
Hudson, Colorado

Meeting Location



Warranty Deed

WHEN RECORDED RETURN TO:
David Andersen and Angela Andersen



First American

File Number: 5525-3723269

SPECIAL WARRANTY DEED

THIS DEED, Made this Twenty-first day of June, 2021, between **AB Investors, LLC, a Colorado limited liability company** duly organized and existing under and by virtue of the laws of the State of Colorado, grantor, and **David Andersen and Angela Andersen** whose legal address is , of the County of Adams and State of Colorado, grantee:

WITNESSETH, That the grantor, for and in consideration of the sum of **TWO HUNDRED TWENTY FIVE THOUSAND AND NO/100 DOLLARS (\$225,000.00)**, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantee, his heirs, successors and assigns forever, not in tenancy in common but in joint tenancy, all the real property, together with improvements, if any, situate, lying and being in the County of Adams, State of Colorado, described as follows:

PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST ¼ OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST ¼ OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMINUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH A 3 1/4" ALUMINUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO:

COMMENCING AT THE CENTER ¼ CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2612.23 FEET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 144TH AVENUE AS DESCRIBED IN ROAD PETITION NO. 587 RECORDED MARCH 18, 1918 IN BOOK 5 AT PAGE 175 OF THE RECORDS OF THE CLERK AND RECORDER FOR ADAMS COUNTY, COLORADO; THENCE NORTH 89°49'27" WEST, COINCIDENT WITH SAID NORTH RIGHT-OF-WAY LINE BEING 30.00 FEET NORTHERLY FROM AND PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 13, A DISTANCE OF 649.21 FEET; THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2613.14 FEET TO THE NORTH LINE OF THE SOUTHWEST ¼ OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING, COUNTY OF ADAMS, STATE OF COLORADO.

THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY CURTIS D. HOOS, PLS 37971, AMERICAN WEST LAND SURVEYING CO., PO BOX 129, DATED 04/16/2020

Doc Fee: \$ _____

Proof of Water

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF
GROUNDWATER IN THE LOST CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4496-BD

AQUIFER: Laramie-Fox Hills

APPLICANT: David and Angela Andersen

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, David and Angela Andersen (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Laramie-Fox Hills Aquifer.

FINDINGS

1. The application was received by the Commission on December 20, 2022.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Laramie-Fox Hills aquifer (Aquifer) underlying 38.35 acres, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., in Adams County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 19, 2022, attached hereto as Exhibit A, the Applicant owns the 38.35 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Lost Creek Designated Groundwater Basin and within the Lost Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: residential, domestic animal watering, and irrigation use. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 38.35 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 38.35 acres of Overlying Land claimed by the Applicant is 719 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
 - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 125 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 719 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) (“Designated Basin Rules”, or “Rules”).
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
 - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 719 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 7.19 acre-feet per year.
 - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
 - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural 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 groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On January 11, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Lost Creek Ground Water Management District. No written recommendations from the District were received.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Eastern Colorado News newspaper on January 20, 2023 and January 27, 2023. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Laramie-Fox Hills Aquifer underlying 38.35 acres of land, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 38.35 acres of Overlying Land allocated herein is 719 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
 - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 719 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water

- permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
 - c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
 - d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
 - e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
 - f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: residential, domestic animal watering, and irrigation use. The place of use of the Underlying Groundwater shall be limited to the above described 38.35 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Lost Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
 - g. The wells must be located on the above described 38.35 acres of Overlying Land.
 - h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
 - i. The wells must be constructed to withdraw water from only the Laramie-Fox Hills Aquifer.
 - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and

submitted to the Commission and the Lost Creek Ground Water Management District upon request.

- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 38.35 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 2nd day of March, 2023.



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

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

Prepared by: wad
F&O4496-BD.doc

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.

- 1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
- 2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.

NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant David and Angela Andersen			
Mailing Address PO Box 111745	City Anchorage	State AK	Zip Code 99511
Telephone Number (include area code) (907)250-3741		Email dandersen@askatestlab.com	
2. AQUIFER Laramie-Fox Hills			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located. Number of acres: <u>38.35</u> in the county of: <u>Adams</u> described as follows (insert legal description). <u>DESCRIPTION OF PARCEL 3:</u> — A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: — CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMINIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINIUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; — COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING. — SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS. — I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal. see attached legal description and Deed of Trust			
4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). See attached form GWS-43			
5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <u>David Andersen, Angela Andersen</u> Date: <u>12/19/22</u> Print name and title: <u>David Andersen, Angela Andersen, Property Owners</u>			

Legal Description of Parcel # 0156513300003, Lost Creek Subdivision Lot 3

Part of the South ½ of Section 13, Township 1 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.

DESCRIPTION OF PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF
GROUNDWATER IN THE LOST CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4497-BD

AQUIFER: Lower Arapahoe

APPLICANT: David and Angela Andersen

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, David and Angela Andersen (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Lower Arapahoe Aquifer.

FINDINGS

1. The application was received by the Commission on December 20, 2022.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Lower Arapahoe aquifer (Aquifer) underlying 38.35 acres, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., in Adams County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 19, 2022, attached hereto as Exhibit A, the Applicant owns the 38.35 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Lost Creek Designated Groundwater Basin and within the Lost Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: residential, domestic animal watering, and irrigation use. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 38.35 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 38.35 acres of Overlying Land claimed by the Applicant is 456 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
 - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 70 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 456 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) (“Designated Basin Rules”, or “Rules”).
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
 - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 456 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 4.56 acre-feet per year.
 - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
 - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural 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 groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On January 11, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Lost Creek Ground Water Management District. No written recommendations from the District were received.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Eastern Colorado News newspaper on January 20, 2023 and January 27, 2023. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Lower Arapahoe Aquifer underlying 38.35 acres of land, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 38.35 acres of Overlying Land allocated herein is 456 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
 - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 456 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water

- permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
 - c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
 - d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
 - e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
 - f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: residential, domestic animal watering, and irrigation use. The place of use of the Underlying Groundwater shall be limited to the above described 38.35 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Lost Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
 - g. The wells must be located on the above described 38.35 acres of Overlying Land.
 - h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
 - i. The wells must be constructed to withdraw water from only the Lower Arapahoe Aquifer.
 - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and

submitted to the Commission and the Lost Creek Ground Water Management District upon request.

- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 38.35 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 2nd day of March, 2023.



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

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

Prepared by: wad
F&O4497-BD.doc

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

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

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

1. APPLICANT INFORMATION			
Name of Applicant David and Angela Andersen			
Mailing Address PO Box 111745	City Anchorage	State AK	Zip Code 99511
Telephone Number (include area code) (907)250-3741		Email dandersen@ a.bskatestlab.com	
2. AQUIFER Lower Arapahoe			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located. Number of acres: <u>38.35</u> in the county of: <u>Adams</u> described as follows (insert legal description). <u>DESCRIPTION OF PARCEL 3:</u> — A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: — CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMINIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINIUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO, — COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING. — SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS. — I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
See attached legal description and Deed of Trust			
4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). See attached GWS-43			
5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <u>David Andersen, Angela Andersen</u> Date: <u>12/19/22</u> Print name and title: <u>David Andersen, Angela Andersen, Property Owners</u>			

Legal Description of Parcel # 0156513300003, Lost Creek Subdivision Lot 3

Part of the South ½ of Section 13, Township 1 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.

DESCRIPTION OF PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF
GROUNDWATER IN THE LOST CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4498-BD

AQUIFER: Upper Arapahoe

APPLICANT: David and Angela Andersen

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, David and Angela Andersen (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Upper Arapahoe Aquifer.

FINDINGS

1. The application was received by the Commission on December 20, 2022.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Upper Arapahoe aquifer (Aquifer) underlying 38.35 acres, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., in Adams County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 19, 2022, attached hereto as Exhibit A, the Applicant owns the 38.35 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Lost Creek Designated Groundwater Basin and within the Lost Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: residential, domestic animal watering, and irrigation use. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 38.35 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 38.35 acres of Overlying Land claimed by the Applicant is 424 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
 - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 65 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 424 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) (“Designated Basin Rules”, or “Rules”).
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
 - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 424 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 4.24 acre-feet per year.
 - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
 - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will, within one hundred years, deplete the flow of a natural stream or an alluvial aquifer at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. 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 alluvial aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission. Pursuant to the Rules the Applicant may at any time be required to identify the proposed, or actual, location of the delivery of the replacement water and how the required four percent (4%) of water diverted will be, or is being, delivered into the alluvial aquifer.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On January 11, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Lost Creek Ground Water Management District. No written recommendations from the District were received.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Eastern Colorado News newspaper on January 20, 2023 and January 27, 2023. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Upper Arapahoe Aquifer underlying 38.35 acres of land, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 38.35 acres of Overlying Land allocated herein is 424 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.

- a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 424 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
- c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
- d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
- e. At least four percent (4%) of the amount of Underlying Groundwater withdrawn annually must be returned to the alluvial aquifer in the vicinity of the permitted point or points of withdrawal, unless other locations are approved by the Commission. The Applicant may at any time be required to identify the proposed, or actual, location of the delivery of the replacement water and how the required four percent (4%) of water diverted will be, or is being, delivered into the alluvial aquifer.
- f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: residential, domestic animal watering, and irrigation use. The place of use of the Underlying Groundwater shall be limited to the above described 38.35 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Lost Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
- g. The wells must be located on the above described 38.35 acres of Overlying Land.
- h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
- i. The wells must be constructed to withdraw water from only the Upper Arapahoe Aquifer.

- j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Lost Creek Ground Water Management District upon request.
 - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 38.35 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 2nd day of March, 2023.



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

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

Prepared by: wad
F&O4498-BD.doc

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

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

1. APPLICANT INFORMATION			
Name of Applicant David and Angela Andersen			
Mailing Address PO Box 111745	City Anchorage	State AK	Zip Code 99511
Telephone Number (include area code) (907)250-3741	Email dandersen@alaskatestlab.com		
2. AQUIFER Upper Arapahoe			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located. Number of acres: <u>38.35</u> in the county of: <u>Adam s</u> described as follows (insert legal description). <u>DESCRIPTION OF PARCEL 3:</u> — A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS: — CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMIUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO; — COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING. — SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS. See attached legal description and Deed of Trust			
- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). See Attached			
5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge. Signature: <u>David Andersen, Angela Andersen</u> Date: <u>12/19/22</u> Print name and title: <u>David Andersen, Angela Andersen, Property Owners</u>			

Legal Description of Parcel # 0156513300003, Lost Creek Subdivision Lot 3

Part of the South ½ of Section 13, Township 1 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.

DESCRIPTION OF PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS.

**COLORADO GROUND WATER COMMISSION
FINDINGS AND ORDER**

IN THE MATTER OF AN APPLICATION FOR A DETERMINATION OF A RIGHT TO AN ALLOCATION OF
GROUNDWATER IN THE LOST CREEK DESIGNATED GROUNDWATER BASIN

DETERMINATION NO.: 4499-BD

AQUIFER: Denver

APPLICANT: David and Angela Andersen

In compliance with section 37-90-107(7), C.R.S., and the Designated Basin Rules, 2 CCR 410-1, David and Angela Andersen (Applicant) submitted an application to the Colorado Ground Water Commission (Commission) for a determination of a right to an allocation of designated groundwater from the Denver Aquifer.

FINDINGS

1. The application was received by the Commission on December 20, 2022.
2. The Applicant requests a determination of right to an allocation of designated groundwater (Determination) in the Denver aquifer (Aquifer) underlying 38.35 acres, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., in Adams County (Overlying Land). According to a Nontributary Groundwater Landownership Statement dated December 19, 2022, attached hereto as Exhibit A, the Applicant owns the 38.35 acres of land, which are further described in said Ownership Statement, and claims control of the right to the groundwater in the Aquifer underlying the land.
3. The Overlying Land is located within the boundaries of the Lost Creek Designated Groundwater Basin and within the Lost Creek Ground Water Management District. The Commission has jurisdiction over the designated groundwater that is the subject of this Determination.
4. The Commission's Staff has evaluated the application relying on the claims to control of the groundwater in the Aquifer underlying the Overlying Land made by the Applicant.
5. The Applicant intends to apply the groundwater in the Aquifer underlying the Overlying Land to the following beneficial uses: residential, domestic animal watering, and irrigation use. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 38.35 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), and in accordance with the Designated Basin Rules, the Commission shall allocate the groundwater in the Aquifer underlying the Overlying Land on the basis of the ownership of the Overlying Land.
7. The amount of water in storage in the Aquifer underlying the 38.35 acres of Overlying Land claimed by the Applicant is 97.8 acre-feet. This determination was based on the following as specified in the Designated Basin Rules.
 - a. The average specific yield of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 17 percent.

- b. The average thickness of those saturated aquifer materials containing sufficient water that can be drained by gravity and placed to beneficial use is 15 feet.
8. A review of the records in the Office of the State Engineer has disclosed that none of the groundwater in the Aquifer underlying the Overlying Land has been either previously determined to be allocated by the Commission, has been permitted for withdrawal by large capacity wells that have rights that were initiated prior to November 19, 1973 that are subject to section 37-90-107(7)(b), or has been permitted for withdrawal by existing small capacity wells withdrawing water under permits issued pursuant to section 37-90-105, C.R.S. The amount of designated groundwater in the Aquifer underlying the Overlying Land that is available for allocation in this Determination is 97.8 acre-feet.
9. Pursuant to section 37-90-107(7)(c)(III), an approved determination of a right to an allocation shall be considered a final determination of the amount of groundwater so determined; except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes.
10. Pursuant to section 37-90-107(7)(d), the Commission has authority to issue well permits pursuant to subsection 107(7) (i.e. permits for large capacity wells) for the withdrawal of designated groundwater from the Aquifer. Pursuant to section 37-90-107(7)(a) the Commission shall adopt the necessary rules to carry out the provisions of subsection (7). Pursuant to section 37-90-111(h), C.R.S., the Commission is empowered to adopt rules necessary to carry out the provisions of Article 90 of Title 37. In accordance with that authority, the Commission has adopted the Rules and Regulations for the Management and Control of Designated Ground Water (2 CCR 410-1) (“Designated Basin Rules”, or “Rules”).
11. Large capacity well permits issued pursuant to section 37-90-107(7) are subject to the following provisions of statute and the Designated Basin Rules.
 - a. Pursuant to section 37-90-107(7)(a) well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 97.8 acre-feet of water in the Aquifer underlying the Overlying Land available for allocation in this Determination, if permitted for withdrawal by large capacity wells on the basis of an aquifer life of one hundred years, would result in an allowed average annual amount of withdrawal of 0.978 acre-feet per year.
 - b. Any amounts of groundwater in the Aquifer allocated in this Determination that are permitted for withdrawal pursuant to section 37-90-105, by small capacity well permits issued after the issuance of this Determination reduce the amount of water, and the allowed average annual amount of withdrawal, that may be withdrawn by wells permitted pursuant to section 37-90-107(7).
 - c. In accordance with Rule 5.3.6 of the Designated Basin Rules, it has been determined that withdrawal of groundwater from the Aquifer underlying the Overlying Land will not, within one hundred years, deplete the flow of a natural 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 groundwater in the Aquifer underlying the Overlying Land is nontributary groundwater as defined in Rule 4.2.22 of the Designated Basin Rules. Pursuant to the Rules, no more than 98% of the amount of the groundwater in the Aquifer underlying the Overlying Land withdrawn annually shall be consumed.

12. Pursuant to section 37-90-105(1), the State Engineer has the authority to approve small capacity well permits. While water withdrawn from the Aquifer from beneath the Overlying Land by small capacity wells may consist of the groundwater allocated herein, the Commission recognizes that in approving small capacity permits the State Engineer is not bound by the terms and conditions of this Determination, and may approve small capacity permits based on standards and with such conditions as the State Engineer considers appropriate.
13. The ability of wells permitted to withdraw the authorized amount of water from this nonrenewable Aquifer may be less than the one hundred years upon which the amount of water in the Aquifer is allocated, due to anticipated water level declines.
14. On January 11, 2023, in accordance with Rule 9.1 of the Designated Basin Rules, written recommendations concerning this application were requested from the Lost Creek Ground Water Management District. No written recommendations from the District were received.
15. In accordance with sections 37-90-107(7)(c)(II) and 37-90-112, C.R.S., the application was published in the Eastern Colorado News newspaper on January 20, 2023 and January 27, 2023. No objections to the application were received within the time limit set by statute.

ORDER

In accordance with section 37-90-107(7) and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 38.35 acres of land, generally described as a portion of the W 1/2 of the E 1/2 of the SW 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M., further described in Exhibit A, subject to the following conditions.

16. The amount (i.e. volume) of water in the Aquifer underlying the 38.35 acres of Overlying Land allocated herein is 97.8 acre-feet (Underlying Groundwater).
17. The amount (i.e. volume) of Underlying Groundwater allocated herein shall be considered final, except that the Commission shall retain jurisdiction for subsequent adjustment of such amount to conform to the actual local aquifer characteristics from adequate information obtained from well drilling or test holes, if such information indicates that the initial estimate of the amount of Underlying Groundwater in the Aquifer was incorrect.
18. Approval of this Determination meets the requirements of section 37-90-107(7)(d)(II), that requires a determination of groundwater to be withdrawn by a well be made prior to the granting of a well permit pursuant to section 37-90-107(7).
19. Well permits issued pursuant to section 37-90-107(7), (i.e. large capacity wells) and this Determination are subject to the following conditions.
 - a. The total amount of Underlying Groundwater that may be withdrawn from the Aquifer by all large capacity wells permitted pursuant to this Determination may not exceed a volume of 97.8 acre-feet, less any amount of the Underlying Groundwater allocated herein permitted to be withdrawn by small capacity wells issued permits pursuant to section 37-90-105 after the issuance of this Determination. The amounts of water

- permitted to be withdrawn by such small capacity wells shall be considered to be one-hundred times the annual withdrawals permitted to be withdrawn by those wells.
- b. The allowed average annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water shall be equal to the volume of water permitted to be withdrawn by that well (or well field) divided by one-hundred years.
 - c. The allowed maximum annual amount of withdrawal by any large capacity well (or well field) permitted to withdraw the allocated water may exceed the allowed average annual amount of withdrawal allowed by the well permit(s) as long as the total volume of water withdrawn by such well(s) does not exceed the product of the number of years since the date(s) of issuance of the well permit(s) times the allowed average annual amount of withdrawal allowed by the well permit(s).
 - d. The Applicant may pump the allowed average annual amount of withdrawal and the allowed maximum annual amount of withdrawal from one or more wells of a well field in any combination, so long as the total combined withdrawal of the wells does not exceed the amounts described in this Order.
 - e. No more than 98% of the amount of Underlying Groundwater withdrawn annually shall be consumed. The Commission may require well owners to demonstrate periodically that no more than 98% of the Underlying Groundwater withdrawn annually is being consumed.
 - f. The use of the Underlying Groundwater shall be limited to the following beneficial uses: residential, domestic animal watering, and irrigation use. The place of use of the Underlying Groundwater shall be limited to the above described 38.35 acres of Overlying Land. The Underlying Groundwater that is the subject of this Determination may be reused and successively used to extinction to the extent dominion and control over the water is maintained and its volume can be distinguished from the volume of any stream system into which it is introduced to the satisfaction of the Commission. The Underlying Groundwater is located within the Lost Creek Ground Water Management District where local District rules apply which may further limit the withdrawal and use of the subject designated groundwater.
 - g. The wells must be located on the above described 38.35 acres of Overlying Land.
 - h. No well shall be located within 600 feet of any existing large-capacity well in the same Aquifer unless a Waiver of Claim of Injury is obtained from the owner of the existing well or unless the Commission, after a hearing, finds that circumstances in a particular instance warrant that a well may be permitted without regard to this limitation.
 - i. The wells must be constructed to withdraw water from only the Denver Aquifer.
 - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
 - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and

submitted to the Commission and the Lost Creek Ground Water Management District upon request.

- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public records of the county in which the Overlying Land is located so that a title examination of the above described 38.35 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
21. The right to an allocation of designated groundwater determined herein is a vested property right with specific ownership. Some or all of the water right may be transferred independent of the land under which the right originated. Any action taken that is intended to convey, transfer, and/or sell the subject water right shall explicitly identify this Determination number, the specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

Dated this 2nd day of March, 2023.



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

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

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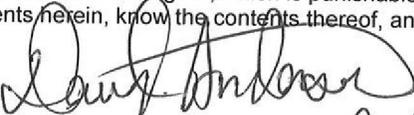
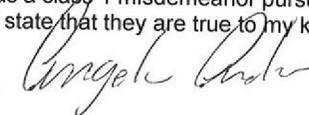
Form no. **DIVISION OF WATER RESOURCES**
 GWS-1 **DEPARTMENT OF NATURAL RESOURCES**
 (1/2020) **1313 Sherman St, Room 821, Denver, CO 80203**
(303) 866-3581, www.colorado.gov/water, dwrpermitsonline@state.co.us

NONTRIBUTARY GROUNDWATER LANDOWNERSHIP STATEMENT

This form is to be submitted with applications for the following, when the applicant is the owner of the overlying land.

- 1) A well permit to withdraw groundwater from the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or other aquifer the applicant claims contains nontributary groundwater, outside of a Designated Groundwater Basin subject to section 37-90-137(4), C.R.S., except when the right to withdraw the groundwater has been determined by a valid decree; OR
- 2) A determination of water right in the Dawson, Denver, Arapahoe or Laramie-Fox Hills aquifers, or a well permit to withdraw groundwater from those aquifers that are subject to Designated Basin Rule 5.4, within a Designated Groundwater Basin.

NOTE: Form submittal instructions can be found on our website Colorado.gov/water. See instructions on the reverse of this form. Type or print in black or blue ink.

1. APPLICANT INFORMATION			
Name of Applicant David and Angela Andersen			
Mailing Address PO Box 111745		City Anchorage	State AK
		Zip Code 99511	
Telephone Number (include area code) (907)250-3741		Email dandersen@alaskatestlab.com	
2. AQUIFER Denver			
3. CLAIM OF OWNERSHIP – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.			
Number of acres: <u>38.35</u> in the county of: <u>Adams</u>			
described as follows (insert legal description).			
<u>DESCRIPTION OF PARCEL 3:</u>			
<p>— A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:</p> <p>CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMINIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINIUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;</p> <p>— COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.</p> <p>— SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS.</p>		<p>see attached legal description and Deed of Trust</p>	
- I further claim that the right to withdraw the groundwater in the aquifer underlying the above described property has not been reserved by another, nor has consent been given to another for the right to its withdrawal.			
4. THE APPLICANT MUST PROVIDE – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). see attached			
5. SIGNATURE – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.			
Signature: 		Date: <u>12/19/22</u>	
Signature: 			
Print name and title: <u>David Andersen, Angela Andersen, Property Owners</u>			

Legal Description of Parcel # 0156513300003, Lost Creek Subdivision Lot 3

Part of the South ½ of Section 13, Township 1 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.

DESCRIPTION OF PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS.

Proof of Sewer

From: Jeff McCarron <jmccarron@tchd.org>
Sent: Tuesday, March 1, 2022 6:24 AM
To: David Andersen <dandersen@alaskatestlab.com>
Cc: Land Use <LandUse@tchd.org>
Subject: RE: Lost Creek Subdivision, Parcel 0156513300003

Dear Applicant,

Thank you for contacting Tri-County Health Department regarding your proposed subdivision of a 35 acre parcel located at Lost Creek Subdivision, Adams County Parcel 0156513300003. TCHD will approve an Onsite Wastewater Treatment System at the property provided all requirements for OWTS permitting, design, and inspections are met. Please note that TCHD may provide additional water and wastewater referral comments as part of the comprehensive TCHD Land Use referral response. Additional comments may arise from the Land Use Review that may require modifications to the proposed OWTS plans.

Sincerely,

Jeff

Jeffrey K. McCarron, B.S., REHS
Environmental Health Specialist IV
Tri-County Health Department
4201 E. 72nd Avenue, Suite D
Commerce City, CO 80022
303-439-5913
jmccarron@tchd.org

Proof of Power

March 14, 2022

David Andersen and Angela Andersen
PO Box 111745
Anchorage, AK 99511-1745

Re: Parcel 3 Lost Creek Highlands

We are an electric utility operating under the rules and regulations approved by our Board of Directors. The above-referenced parcels of land in Section 13, Township 1 South, and Range 64 West of the 6th P.M., County of Adams, State of Colorado, is located within our service area.

We are willing to extend our facilities to the proposed project in accordance with our extension policies. When you submit for an application for service, the designer assigned will be able to answer any questions concerning the location of electric facilities in relation to the project. Any attempt to identify facilities now may provide inaccurate information due to the phasing of your project and other developments in the vicinity, which may alter the location or type of facilities prior to your request for service.

If you have any further questions, please feel free to contact me.

Sincerely,



Brooks Kaufman
Lands and Rights-of-Way Manager

Legal Description

Legal Description of Parcel # 0156513300003, Lost Creek Subdivision Lot 3

Part of the South ½ of Section 13, Township 1 South, Range 64 West of the 6th P.M., County of Adams, State of Colorado.

DESCRIPTION OF PARCEL 3:

A PARCEL OF LAND LOCATED IN THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO, DESCRIBED AS FOLLOWS:

CONSIDERING THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 1 SOUTH, RANGE 64 WEST OF THE 6TH P.M., COUNTY OF ADAMS, STATE OF COLORADO IS ASSUMED TO BEAR NORTH 01°19'10" WEST, BEING MONUMENTED ON THE SOUTH END BY A 3/4" REBAR WITH 2 1/2" ALUMIUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS 13155, AND WITH ALL BEARINGS CONTAINED HEREIN RELATIVE THERETO;

COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°49'27" WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 649.22 FEET THENCE NORTH 01°17'42" WEST, A DISTANCE OF 2573.13 FEET TO THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE SOUTH 89°44'43" EAST, COINCIDENT WITH SAID NORTH LINE, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING.

SAID PARCEL CONTAINS 38.35 ACRES, MORE OR LESS.

Certificate of Taxes Paid

Search Options

Sort by Situs Address

Sort direction Ascending

Print Forms

- [Redemption Certificate](#)
- [Account Balance](#)
- [Statement Of Taxes Due](#)
- [Summary of Taxes Due](#)

What Can I Do On This Page?

- Select and Open an Account.
- Print Reports and Forms By Opening An Account Then Chose Desired Report Option In The Print Forms Box.
- Selcting A Form From The Above Print Form Box Will Automattically Print That Form For Every Account Listed In The Account Search Results.

What Can I Do Once I Bring Up My Account?

- View Account Information
- View Payment Information

Search Result

Account balances shown on this page do not include additional fees/interest and may reflect a future year Special Assessment. Please click on an account below to view current balance or pay taxes.

Online payments are limited to \$100,000.00 per transaction.

One item found.1

<i>Description Summary</i>			
<i>ACCOUNT</i>	<i>015651330003</i>	<i>0</i>	<i>ANDERSEN DAVID AND</i>
<i>R0207827</i>	<i>Balance: -0.94</i>		<i>SECT, TWN, RNG 13-1-64 DESC: PARCEL 3 LOCATED IN THE SW4 ...</i>

One item found.1

Certificate of Notice to Mineral Estate Owners

CERTIFICATION OF NOTICE TO MINERAL ESTATE OWNERS

I/We, David and Angela Andersen
(the "Applicant") by signing below, hereby declare and certify as follows:

With respect to the property located at:
Physical Address: No physical address - on E. 144th Ave. near intersection of Peterson Rd and E. 144th Ave.
Legal Description: Part of Southwest 1/4 of Section 13, Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado
Parcel #(s): 0156513300003

(PLEASE CHECK ONE):

 On the day of , 20 , which is not less than thirty days before the initial public hearing, notice of application for surface development was provided to mineral estate owners pursuant to section 24-65.5-103 of the Colorado Revised Statutes;

 X or
I/We have searched the records of the Adams County Tax Assessor and the Adams County Clerk and Recorder for the above identified parcel and have found that no mineral estate owner is identified therein.

Date: 12-30-2023 Applicant: David and Angela Andersen
By: *David Andersen and Angela Andersen*
Print Name: DAVID Andersen and Angela Andersen
Address: PO Box 111745
Anchorage, Alaska 99511

STATE OF COLORADO)
)
COUNTY OF ADAMS)

Subscribed and sworn to before me this 30 day of Dec, 2023 by
David & Angela Andersen.

Witness my hand and official seal.

My Commission expires: NOV, 06, 2027

SIPARA YIGZAW HADERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20234041897
MY COMMISSION EXPIRES NOV. 06, 2027

Notary Public

After Recording Return To:

Name and Address of Person Preparing Legal Description:

A recorded copy of this Certification shall be submitted to the Adams County Community and Economic Development Department with all applicable land use applications.

Conceptual Review Comments

Development Review Team Comments - Preliminary

Date: July 20, 2023

Project Number: PRE2023-00047

Project Name: David and Angela Andersen Subdivision Concept

Note to Applicant:

The following review comments and information from the Development Review Team is based on the information you submitted for the Conceptual Review meeting. The Development Review Team review comments may change if you provide different information during a land use submittal/ building permit. Please contact the case manager if you have any questions.

Also, please note where "Section" is referenced, it is referring to the appropriate section of the Adams County Development Standards and Regulations.

Your conceptual review meeting will be held on July 26th, 2023, from 9:15 a.m. to 10:00 a.m.

Commenting Division: Development Services, Planning and Development Division

Name of Reviewer: Lia Campbell, Planner II

Contact: LCampbell@adcogov.org / 720-523-6949

PLN01: Request

Rezone 38-acre lot from A-3 to A-1 and subdivide into 6 lots.

PLN02: Site Characteristics

Parcel number: 0156513300003

Parcel size: 38.9400 acres

Current zoning: A-3

Future land use: agricultural small

PLN03: Planning Comments

1. Not in aviation, flammable gas, or mineral conservation overlay.
2. Future land use supports a rezone to A-1.
3. Lots must meet the dimensional standards of the A-1 zone district.
 - a. Min lot size: 2.5 acres. All proposed lots exceed this
 - b. Min lot width: 150'. Lot widths not provided, but they probably meet this
4. Major subdivision required: Subdivision requirements laid out in Chapter 5 of Adams County Development Standards and Regulations. Keep in mind that subdivision design standards require that the length of a lot cannot be more than 3x its width. These lots look like they meet this requirement, but there are no dimensions provided, so I wanted to make sure you were aware.
5. Neighborhood meeting is required prior to any land use application. See Section 2-01-02 for neighborhood meeting requirements.
6. Water and sewer availability provided. Note: when you submit for the major subdivision, the application will be referred to the Division of Water Resources. They will make the final determination at that point whether you have enough water to serve 6 separate lots. If they determine you don't have enough water for 6 lots, you will have to change your plans to

incorporate their feedback. Proof of water and sewer shall be submitted with each single-family dwelling building permit.

7. Public Land Dedication Fees will be required at time of Final Plat. These fees will be based on total number of lots and an estimate will be provided at the time of Preliminary Plat.

PLN04: Required Applications

1. Rezoning
2. Major Subdivision Preliminary Plat
3. Major Subdivision Final Plat
4. Subdivision Improvement Agreement
5. Building Permits

*Note on required applications: #s 1 & 2 can be done concurrently, followed by #s 3 & 4 which can also be done concurrently. Summary of neighborhood meeting shall be submitted as part of the rezoning and major subdivision preliminary plat applications. Building permits will be applied for when all land use and infrastructure requirements are completed.

Commenting Division: Development Services, Engineering

Name of Reviewer: Laurie Clark, Senior Civil Engineer

Contact: LAClark@adcogov.org / 720-523-6897

ENG1: Flood Insurance Rate Map – FIRM Panel # (08001C0385H), Federal Emergency Management Agency, January 20, 2016. According to the above reference, the project site is NOT located within a delineated 100-year flood hazard zone; a floodplain use permit will not be required.

ENG2: Property is NOT in Adams County MS4 Stormwater Permit area. A Stormwater Quality (SWQ) Permit will NOT be required, but a State Permit COR400000 WILL be required as long as one (1) acre or more of ground is disturbed. Applicant is responsible for installation and maintenance of Erosion and Sediment Control BMPs. Builder/developer is responsible for adhering to all the regulations of Adams County Ordinance 11 regarding illicit discharge.

ENG3: Because the applicant is proposing to install over 3,000 square feet of impervious area on the whole project site, a drainage report and drainage plans in accordance to Chapter 9 of the Adams County Development Review Manual, are required to be completed by a registered professional engineer and submitted to Adams County for review and final approval. The County may grant administrative relief from the criteria if the increase in impervious area is less than 5% of the overall development and if the nature of the work applied for meets the intent of these standards and specifications. Such relief shall be based upon technical justification submitted with the drainage letter and grading plan. Drainage design shall have no adverse off-site impacts on neighboring properties or the public ROW.

ENG4: If the applicant proposes to import greater than 10 CY of soil to this site, additional permitting is required. Per Section 4-04-02-02, of the Adams County Development Standards and Regulations, a Temporary or Special Use Permit is required to ensure that only clean, inert soil is imported into any site within un-incorporated Adams County. A Conditional Use Permit will be required if the importation exceeds 500,000 CY.

ENG5: The applicant is required to complete a traffic trip generation analysis signed and stamped by a professional engineer. If the proposed scope of work shows the use of the new structure on the site will generate over 20 vehicles per day, then a traffic impact study signed and stamped by a professional engineer will be required.

EGR6: The proposed site improvements are required to go through an engineering review process. The developer is required to submit for review and receive approval of all civil site construction plans and reports. Construction documents shall include, at a minimum, onsite and public improvements construction plans, drainage report, traffic impact study. All construction documents must meet the requirements of the Adams County Development Standards and Regulations. The developer shall submit to the Adams County One Stop Customer Center the following: Engineering Review Application, Engineering Review Fee, a copy of all construction documents, plans and reports in PDF format.

ENG7: E 144th Avenue is classified as a Rural Arterial and is owned by Adams County.

ENG8: The developer is required to construct roadway improvements adjacent to the proposed site as required by the approved traffic impact study.

ENG9: Roadways internal to the subdivision must be within dedicated public right-of-way.

ENG10: Fire District approval is required for the access road.

ENG11: A Subdivision Improvements Agreement (SIA) will be required for all public improvements.

ENG12: No building permits will be issued until all public improvements have been constructed, inspected, and preliminarily accepted by the Adams County Public Works Department (as applicable).

ENG13: The developer is responsible for the repair or replacement of any broken or damaged public infrastructure.

ENG14: All proposed drainage facilities shall be within dedicated easements that include maintenance access.

Commenting Division: Development Services, Right-of-Way Agent

Name of Review: David Dittmer

Contact: DDittmer@adcogov.org / 720-523-6811

ROW1: With this concept, a major subdivision preliminary and final plat will be required.

ROW2: A Title Report dated within 30 days of the preliminary plat application date must be provided. It must include hyperlinks to all cited documents or an abstract.

ROW3: Private Road must be located within a TRACT, owned and maintained by the owners or owners association. Any storm drainage facilities, detention pond, if required, will be dedicated by the plat with access to same, to be owned and maintained by the owners or owners association.

ROW4: An access permit will be required to connect this road to E. 144th Ave., and a grading permit for the road itself. A copy of these approved permits will be required for each lots building permit.

Individual lot owners will not have to apply for an access permit as it is to a private road.

ROW5: Utility and drainage easements for each lot must be provided.

ROW6: East 144th Avenue is a Section Line Arterial and has a 70' half width cross section. It appears only 30' has been dedicated to Adams County. Pending the traffic impact study and engineering review,

the additional 40' may be a requirement, or a portion thereof, and will be dedicated by the subdivision plat.

ROW7: The private road can have a unique name to a point or be named as it falls within the current grid system naming convention. This can be addressed at a later date.

ROW8: Addressing will be provided off the private/named road.

ROW9: See application guidelines and check list for approved dedication and ownership statements for plats containing TRACTS, easements, ROW, etc.

ROW10: Preliminary plats do not get recorded. Do not provide a recording block for this plat.

ROW11: The subdivision's name will need to be provided.

Commenting Division: Environmental, Land Use/Built Env Specialist

Name of Review: Megan Grant

Contact: MGrant@adcogov.org/ 720-523-6226

The following comments apply to oil and gas wells:

ENV1. There is one (1) plugged and abandoned oil and gas well, operated by Amoco Production Company, on the subject parcel. Prior to submittal of a final plat or site-specific development plan, each plugged and abandoned well shall be located and surveyed. The plugged and abandoned well shall be permanently marked by a brass plaque set in concrete similar to a permanent benchmark to monument its existence and location. Such plaque shall contain all information required on a dry hole marker by the Colorado Oil and Gas Conservation Commission (COGCC) and the County.

ENV2. On every final plat or site-specific development plan which contains a plugged and abandoned well, there shall be dedicated a well maintenance and workover setback depicted on the plat, the dimensions of which shall be not less than fifty feet in width and 100 feet in length. No permanent structures shall be located within this setback. The plugged and abandoned well shall be located in the center of the setback. There shall be public access for ingress and egress to the setback of a width of not less than twenty feet. Refer to Section 4-11-02-03-03-05.2.c

ENV3. The Final Plat shall include the following notice to prospective buyers of the location of the oil and gas well and associated easements: "The owner shall disclose to prospective purchasers of lots within a radius of 200 feet of the plugged and abandoned well of (1) the location of the plugged and abandoned well, (2) the location of the maintenance and workover setback, and (3) the purpose for the well maintenance and workover setback."

ENV4. All known oil and gas well flow lines and/or easements shall be graphically depicted on the Final Plat. Though the well may be plugged and abandoned, that does not mean that the flowlines were removed. In the interest of public health and safety, Adams County recommends that the applicant verify the status of the flowlines.

ENV5. All wells within 200 feet of the subject parcel(s) must be located and mapped. These may be located off the subject parcel(s), but setback distances may impact the parcel(s). Refer to Section 4-11-02-03-03-05-2b.

ENV6. Well details and location, as well as historical aerials and records are available through the COGCC map features: <https://cogcc.state.co.us/maps.html#/gisonline>

The following comments apply to water wells:

ENV7. Drinking water contaminated with pathogens can cause a variety of illnesses in humans. It is important to protect source water from contamination, and to treat drinking water to eliminate pathogens before it is provided for human consumption. The Colorado Division of Water Resources (DWR) is the agency that regulates well permitting. The applicant shall contact DWR for well permitting to verify water availability for proposed project. More information can be found at <https://dwr.colorado.gov/>.

ENV8. Individual well owners have primary responsibility for the safety of the water drawn from their own wells. Well owners with questions about wells or well water can call the Wellcare® Hotline operated by the Water Systems Council, a national organization focused on well systems not regulated under the Safe Drinking Water Act., at 888-395- 1033 or online at www.wellcarehotline.org.

ENV9. The applicant may want to consider having the well water analyzed for several contaminants as a baseline of the water quality. A baseline water quality analysis is valuable for future reference in the case of possible contamination. Certain parameters such as coliform bacteria and nitrate, pH, and Total Dissolved Solids (TDS) are recommended to be analyzed annually as these can indicate possible breaches in the well. The Colorado Department of Public Health and Environment (CDPHE), Laboratory Services Division can assist you with water analyses. The CDPHE offers individual water tests as well as testing packages to choose from depending on your needs. The CDPHE laboratory web site is located at <https://www.colorado.gov/pacific/cdphe/watertesting>.

The following comments apply to septic systems:

ENV10. Adams County Health Department (ACHD) regulates On-Site Wastewater Treatment Systems (OWTS), also known as septic systems, through the issuance of permits to install, repair, expand, use, or operate a system. This includes a plan review, site evaluation before installation, final inspection after installation, and certification before the system is put into use. The regulation, including setback requirements, can be found at <https://adamscountyhealthdepartment.org/septic-system-and-use-permits>

ENV11. On-Site Wastewater Treatment System (OWTS) – New or Expanded
Proper wastewater management promotes effective and responsible water use, protects potable water from contaminants, and provides appropriate collection, treatment, and disposal of waste, which protects public health and the environment. The OWTS system must be permitted, inspected, and operated in accordance with ACHD's current OWTS Regulation. Based on the applicant's description, a permit for the installation and final approval of each OWTS is required. Septic system applications can be mailed or dropped off at the S. Platte Crossing office or emailed to EHWaterProgram@adcogov.org

ENV12. OWTS – Proposed Subdivision

The OWTS system(s) must be permitted, inspected, and operated in accordance with ACHD's current OWTS Regulation. Specific mechanisms for accomplishing this may consist of plat note(s), newsletters, reminder letters, and distribution of ACHD's "On-Site Wastewater Treatment System Homeowner Guidelines," which can be found at <https://adamscountyhealthdepartment.org/septic-system-and-use-permits>.

An example plat note would read:

"Lots within the [insert name of subdivision] will be served by Onsite Wastewater Treatment Systems (OWTS). Adams County Health Department requires that septic tanks be pumped and inspected every four years. At least every four years, each property owner shall have their septic tank pumped and inspected by a systems cleaner licensed by Adams County Health Department and shall submit a receipt indicating that the septic system has been pumped and inspected to the Adams County Health Department EHWaterProgram@adcogov.org."

ENV13. Updated site plans demonstrating size and locations of all structures, water wells, OWTS components, linear distances between components, and setback distances will be required at time of building permits.

The following comments apply to design and construction:

ENV14. The way that buildings are designed impacts health through the materials used and the amount of volatile organic compounds (VOCs) or other harmful chemicals that they contain; the air and water quality; the amount of daylight; and even by encouraging physical activity and social interaction. Adams County encourages the applicant to consider incorporating design standards into the development to ensure a health-promoting environment. The applicant could pursue building certifications such as LEED, WELL Building Standard, Certified Healthy, or Living Building Challenge.

ENV15. Exposure to air pollution is associated with numerous health problems including asthma, lung cancer, and heart disease. Construction and traffic in unpaved areas may contribute to increased fugitive dust emissions. Adams County recommends the applicant utilize all available methods to minimize fugitive dust during all phases of construction.

ENV16. An inert fill permit must be obtained prior to importing any volume of fill material onto the parcel as part of site development. The permit type will depend on the duration and total volume of fill imported to the site.

Commenting Division: Development Services, Long Range Planning Division

Name of Reviewer: John Stoll, Planner - Principal

Contact: JCStoll@adcogov.org / 720-523-6817

Long Range Review

Advancing Adams Comprehensive Plan 2022

The subject parcel has a designated future land use of Agriculture Small Scale (AS). The AS land use category is for smaller agricultural operations that balance housing and agricultural production on the site. Examples can be found in the Welby and Splendid Valley District Plan. This category is not intended for properties where residential is the only use.

- Typical Zone Districts include: A-1, A-2 and may be integrated with Residential Low, Parks and Open Space, and Agricultural Large Scale.

Strategy Community and Housing (COH) 1.1.03: Analyze and evaluate fiscal and other impacts to the County when extending residential development into previously undeveloped or agricultural areas.

Strategy COH 1.1.05: Preserve existing productive agricultural lands, open space, designated view corridors, wildlife habitat, and sensitive environmental areas.

Balanced Housing Plan

Policies:

1. Improve and support housing opportunities for all residents in Adams County
2. Foster an environment that promotes “balanced housing.”
3. Encourage connection and access between schools and housing.
5. Integrate development practices that increase diversity in housing stock.

Commenting Division: Building Safety Division

Name of Review: Heather Whitaker

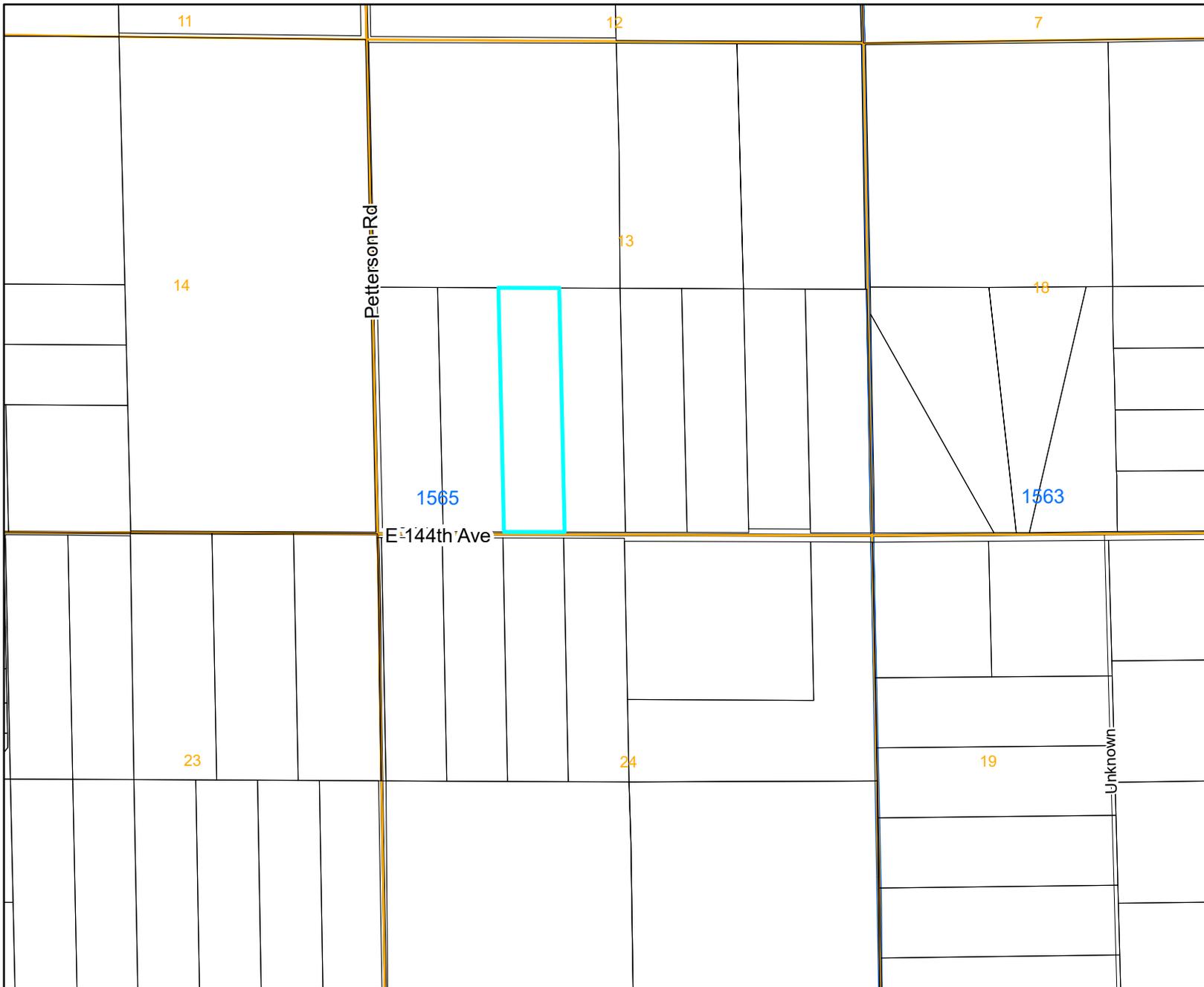
Contact: HWhitaker@adcogov.org / 720-523-6975

BSD1- Building permits would be required for each structure. Engineered plans will be required to obtain permits.

BSD2- Applicant should refer to residential submittal requirements. Here is a link for your reference <https://epermits.adcogov.org/submittal-checklists>

BSD3- Current adopted codes are the 2018 International Building Codes and the 2017 National Electrical Code.

BSD4- Applicant should contact Fire Department for their requirements. This is a separate permit, review, and inspection with your local fire department.



Legend

- +— Railroad
- Major Water
- Zoning Line
- Sections

Zoning Districts

RCU2024-00002: Golden Fields Rezoning

Simple Map



For display purposes only.



ADAMS COUNTY
COLORADO

This map is made possible by the Adams County GIS group, which assumes no responsibility for its accuracy