

Community & Economic Development Department
4430 S. Adams County Pkwy.
1st Floor, Suite W2000B
Brighton, CO 80601
PHONE 720.523.6800
EMAIL epermitcenter@adcogov.org
adcogov.org

Request for Comments

Case Name: Golden Fields, Filing No. 1 Final Plat

Case Number: PLT2026-00003

February 3, 2026

The Adams County Planning Commission is requesting comments by **March 3rd, 2026** on the following application: **Major Subdivision Final Plat to create six lots and two tracts within the Agricultural zone district on approximately 38 acres.** This request is located East of Petterson Road and North of East 144th Ave. The Assessor's Parcel Number is 0156513300003.

Applicant Information:

DAVID ANDERSEN
27242 EAST FROST PLACE

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 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 SRohren@adamscountyco.gov.

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.

Si usted tiene preguntas, por favor escribanos un correo electrónico a cedespanol@adcogov.org para asistencia en español. Por favor incluya su dirección o número de caso para poder ayudarle mejor.

Thank you for your review of this case.

Stephanie Rohren
Planner II

BOARD OF COUNTY COMMISSIONERS

Julie Duran Mullica
DISTRICT 1

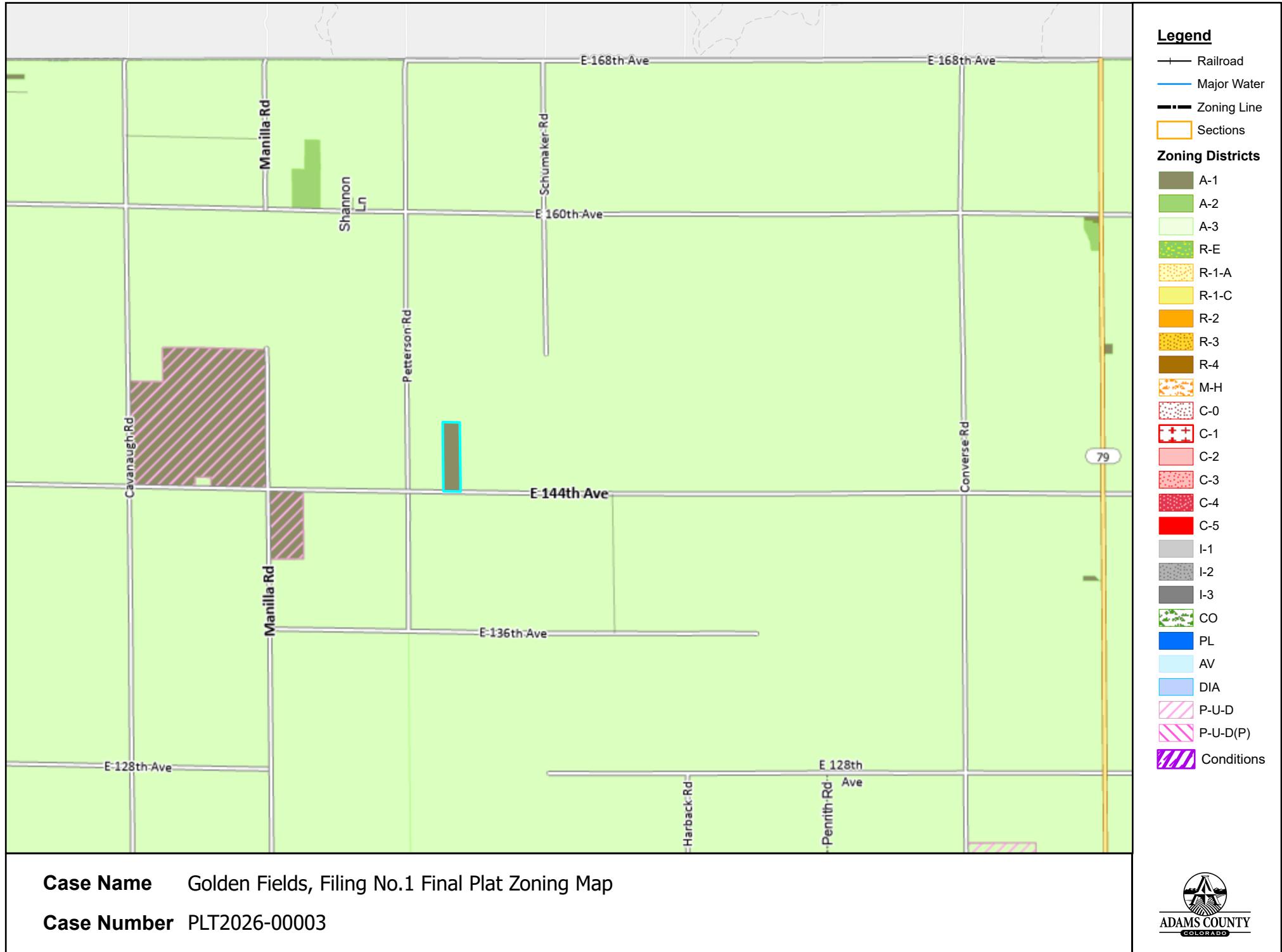
Kathy Henson
DISTRICT 2

Emma Pinter
DISTRICT 3

Steve O'Dorisio
DISTRICT 4

Lynn Baca
DISTRICT 5







ADAMS COUNTY
COLORADO

FINAL PLAT (MAJOR SUBDIVISION)

**Community & Economic Development Department
Planning & Development**

4430 S. Adams County Pkwy., 1st Floor, Suite W2000B

Brighton, CO 80601-8218

Phone: 720.523.6800

Website: adcogov.org

Required Checklist Items

Development Application Form

Written Explanation

Final Plat

Legal Description

Conceptual Site Plan

Proof of Ownership

Proof of Water and Sewer Services

Proof of Utilities

Certificate of Taxes Paid

Receipt of Payment to Colorado Geological Survey

Subdivision Engineering Review Application. If already filed, please identify the case number here:

Supplementary Checklist Item

School Impact Analysis

Fees Due When Application is Deemed Complete	
Minor Subdivision Final Plat	\$1,600

Community & Economic
Development Department
www.adcogov.org



4430 South Adams County Parkway
1st Floor, Suite W2000
Brighton, CO 80601-8204
PHONE 720.523.6800
FAX 720.523.6998

DEVELOPMENT APPLICATION FORM

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:	<input type="text"/>
City, State, Zip:	<input type="text"/>
Area (acres or square feet):	<input type="text"/>
Tax Assessor Parcel Number	<input type="text"/>
Existing Zoning:	<input type="text"/>
Existing Land Use:	<input type="text"/>
Proposed Land Use:	<input type="text"/>

Have you attended a Conceptual Review? YES NO

If Yes, please list PRE#:

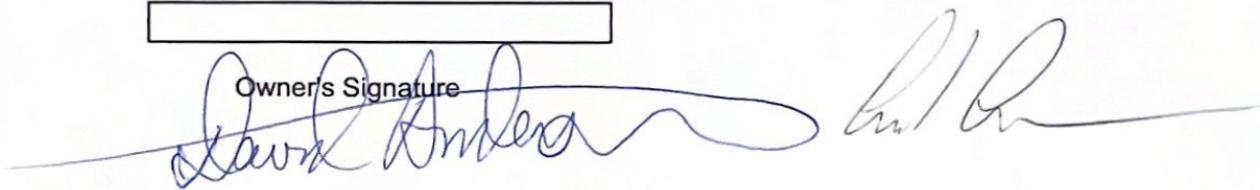
I hereby certify that I am making this application as owner of the above-described property or acting under the authority of the owner (attached authorization, if not owner). I am familiar with all pertinent requirements, procedures, and fees of the County. I understand that the Application Review Fee 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



Explanation of the Project of Parcel # 0156513300003
Golden Fields Subdivision
Case #

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

1. **Purpose** – The purpose of this application is to seek a final plat approval from Adams County Planning Department.
2. **General Description** - The proposed name of the subdivision is Golden Fields. Lot 3, Parcel 0156513300003 is 38.35-acre lot and it is proposed to be subdivided into 6 lots varying between 5.7 and 6.9 acres with 5 lots being 5.7 acres and the 6th lot being 6.9 acres.

The construction activities of this project will include Golden Field Drive and runoff conveyance including drainage ditches and a culvert. The residential construction of each lot will not be part of this application.

Attached are a final plat and legal description, a conceptual site plan, proof of ownership, proof of water and sewer, proof of utilities, certificate of taxes paid, a Colorado Geological Survey receipt, and the school impact analysis.

The subdivision engineering review application number is EGR2025-00032, and the review is completed.

3. **Site Development** - The development concept consists of constructing a residential rural, unpaved road on the west side of the property with a drainage swell on the west side of the road extending from East 144th Avenue to Lot 6. A 24" culvert will be placed in the existing drainage ditch that parallels East 144th Avenue under the subdivision road.
 - a. **Road Design** – Golden Fields Drive will be 24 feet wide with a 2% crown from centerline and 6 feet of shoulders on both sides of the road; thus, making the road 30 feet wide with shoulders. The first 60 feet of the road that is within the public right-of-way will be paved.
 - b. **On-site Drainage** – Drainage ditches will be on both sides of Golden Fields Drive that will convey runoff to East 144th Avenue and the drainage Tract B. A 24" culvert will be installed within the ditch line at East 144th Avenue with flare attachments at each end.
4. **Water** – 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 may be drilled into the Laramie-Fox Hills aquifer approximately 1100 ft. The water right evaluation determined that 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 subdivision, each lot would be limited to 0.4 AF per year.

5. **Sewer** – 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. **Receipt of Payment from the Colorado Geological Survey** – Payment was made to the Colorado Geological Survey, and the receipt is attached.
7. **School Impact Analysis** – The 27J Schools Board of Education conducted a school impact analysis, and it is attached. The conclusion of the proposed subdivision impact on the schools is that the schools can accommodate additional students living in the subdivision that are zoned to attend the school district.

GOLDEN FIELDS SUBDIVISION, FILING NO. 1 - FINAL PLAT

CASE NO. PRC2026-XXXXX

OWNERSHIP AND DEDICATION CERTIFICATE

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

AS DESCRIBED IN DEED RECORDED JUNE 30, 2021 AS RECEPTION NO. 2021000078503:

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" ALUMINUM 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 261.23 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, COUNTY OF ADAMS, STATE OF COLORADO.

SAID PARCEL CONTAINS 38.94 ACRES, MORE OR LESS.

HAVE BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME INTO LOTS, TRACTS, STREETS, AND EASEMENTS AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF GOLDEN FIELDS SUBDIVISION, FILING NO. 1 - PRELIMINARY PLAT, AND DO HEREBY DEDICATE, GRANT AND CONVEY TO ADAMS COUNTY THOSE PUBLIC STREETS AND EASEMENTS AS SHOWN ON THIS PLAT; AND FURTHER RESTRICTS THE USE OF ALL PUBLIC EASEMENTS 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.

EXECUTED THIS ____ DAY OF _____, 20 ____

OWNERS:

DAVID ANDERSEN

ANGELA ANDERSEN

ACKNOWLEDGEMENT

STATE OF COLORADO,)
COUNTY OF ADAMS) SS

THE FOREGOING OWNERSHIP AND DEDICATION CERTIFICATE WAS ACKNOWLEDGED BEFORE ME BY: DAVID ANDERSEN AND ANGELA ANDERSEN, OWNERS, AS JOINT TENANTS

THIS ____ DAY OF _____, 20 ____

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

MY ADDRESS IS: _____

LIENHOLDER'S STATEMENT

THE UNDERSIGNED HEREBY CONSENT(S) TO THE DEDICATION OF UTILITY EASEMENTS, AS SHOWN ON THIS PLAT.

RYAN THOMPSON, JUNIOR BANK OFFICER
ON BEHALF OF: POINTS WEST COMMUNITY BANK

ACKNOWLEDGEMENT

STATE OF COLORADO,)
COUNTY OF ADAMS) SS

THE FOREGOING LIENHOLDER'S STATEMENT WAS ACKNOWLEDGED BEFORE ME

THIS ____ DAY OF _____, 20 ____

BY:
RYAN THOMPSON, JUNIOR BANK OFFICER
ON BEHALF OF: POINTS WEST COMMUNITY BANK

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

MY ADDRESS IS: _____

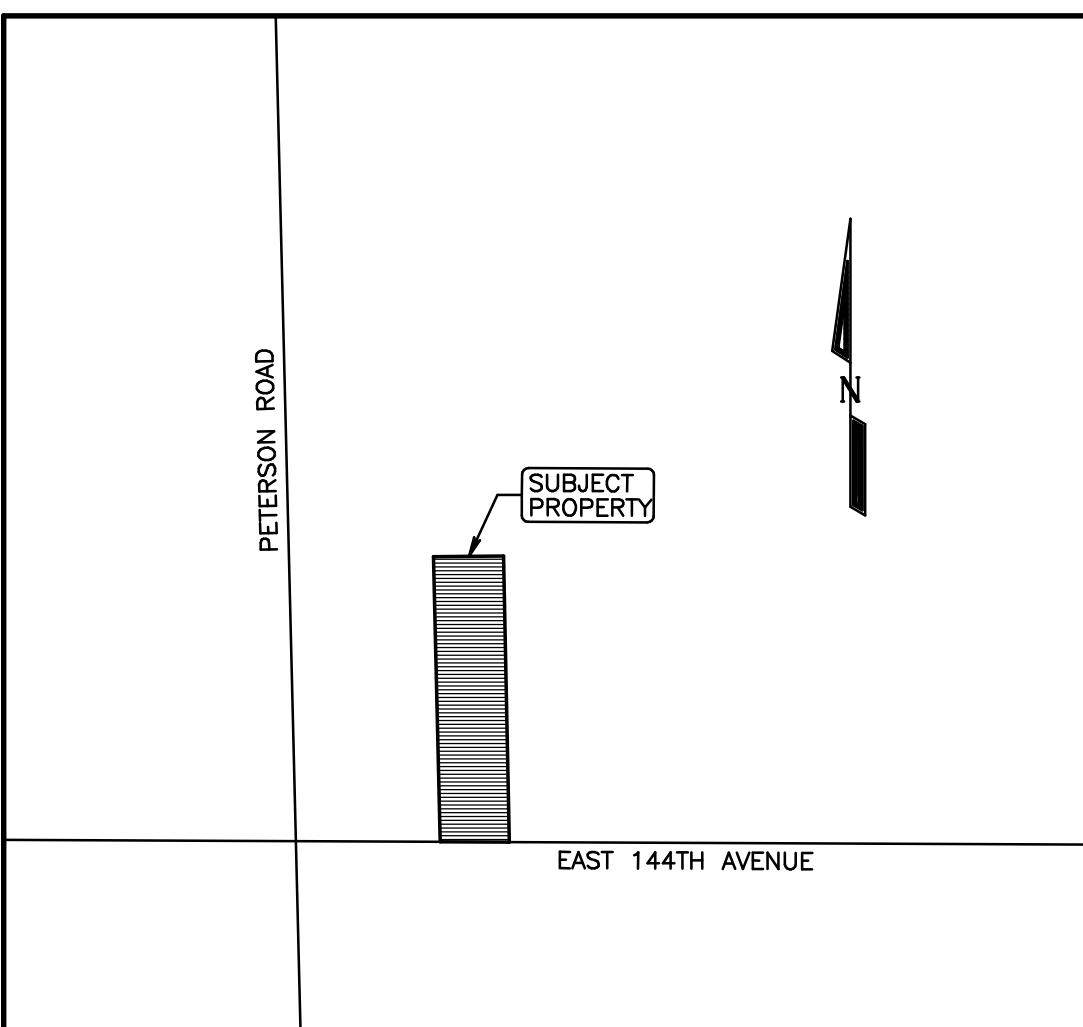
Part of the Southwest 1/4 of Section 13,
Township 1 South, Range 64 West of the 6th P.M.,
County of Adams, State of Colorado

Sheet 1 of 4

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



VICINITY MAP: 1" = 2000'

PLANNING COMMISSION APPROVAL

RECOMMENDED FOR APPROVAL BY THE ADAMS COUNTY PLANNING COMMISSION

THIS ____ DAY OF _____, 20 ____

CHAIR _____

BOARD OF COUNTY COMMISSIONER'S APPROVAL

APPROVED BY THE ADAMS COUNTY BOARD OF COUNTY COMMISSIONERS

THIS ____ DAY OF _____, 20 ____

CHAIR _____

COUNTY ATTORNEY'S OFFICE

APPROVED AS TO FORM _____

EASEMENT STATEMENT

FIFTEEN-FOOT (15') WIDE UTILITY EASEMENTS ARE HEREBY DEDICATED ON PRIVATE PROPERTY ADJACENT TO THE FRONT LOT LINES OF EACH LOT IN THE SUBDIVISION. IN ADDITION, TEN-FOOT (10') 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" ALUMINUM 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 DEFACES 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.

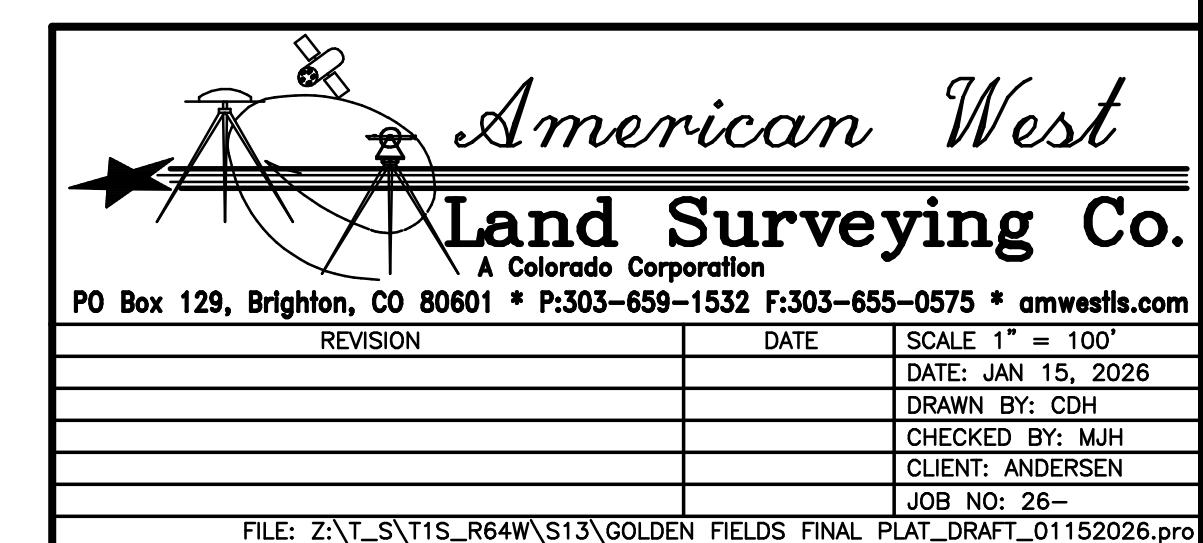
7) ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S FLOOD INSURANCE RATE MAP DATED MARCH 5, 2007, MAP NO. 08001C0385H, THE SUBJECT PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE "X" (AREAS OF MINIMAL FLOOD HAZARD).

8) 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.

9) TRACT A (GOLDEN FIELDS DRIVE) IS PRIVATELY OWNED AND MAINTAINED BY THE GOLDEN FIELDS SUBDIVISION HOMEOWNER'S ASSOCIATION. TRACT B IS A PRIVATELY OWNED DETENTION / DRAINAGE EASEMENT WITH ACCESS VIA TRACT A. TRACT B IS PRIVATELY OWNED AND MAINTAINED BY THE GOLDEN FIELDS SUBDIVISION HOMEOWNER'S ASSOCIATION.

10) LOTS WITHIN GOLDEN FIELDS SUBDIVISION, FILING NO. 1 WILL BE SERVED BY ONSITE WASTEWATER TREATMENT SYSTEMS. 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@ADCOG.ORG.

11) AT A MINIMUM, RESIDENCES WITHIN THIS SUBDIVISION SHALL BE SETBACK THIRTY (30') FEET FROM THE COMMON PROPERTY LINE IN ACCORDANCE WITH SECTION 05-02-02-01 OF THE ADAMS COUNTY SUBDIVISION DESIGN, IMPROVEMENTS, AND DEDICATION JANUARY 17, 2023 LAND DEDICATION STANDARDS

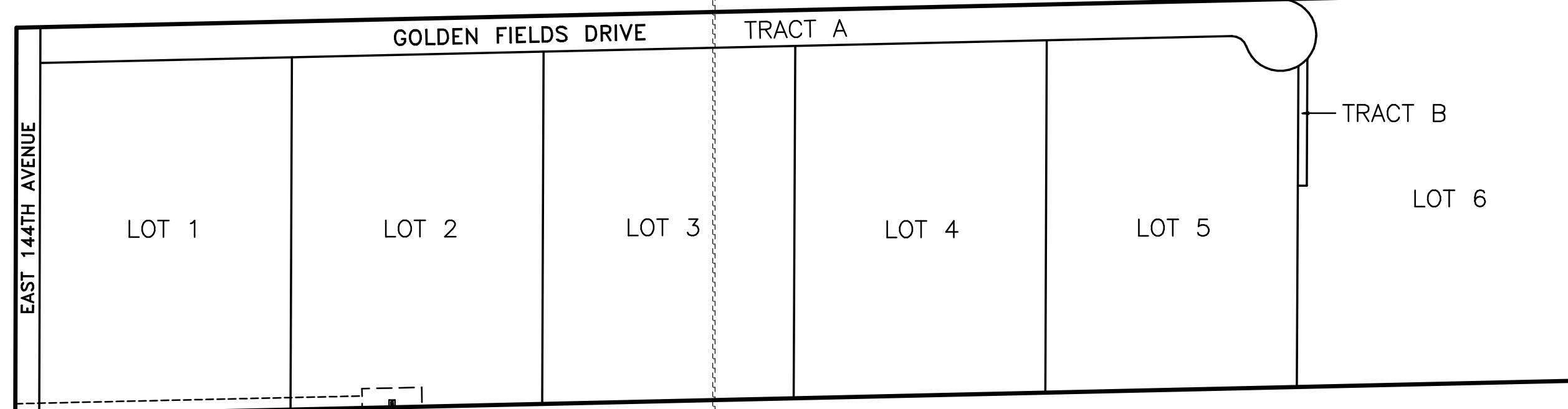
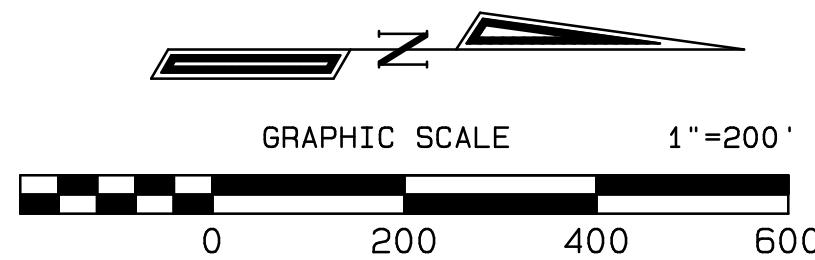


GOLDEN FIELDS SUBDIVISION, FILING NO. 1 - FINAL PLAT

CASE NO. PRC2026-XXXXX

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 4



SHEET 3 OF 3

SHEET 2 OF 3

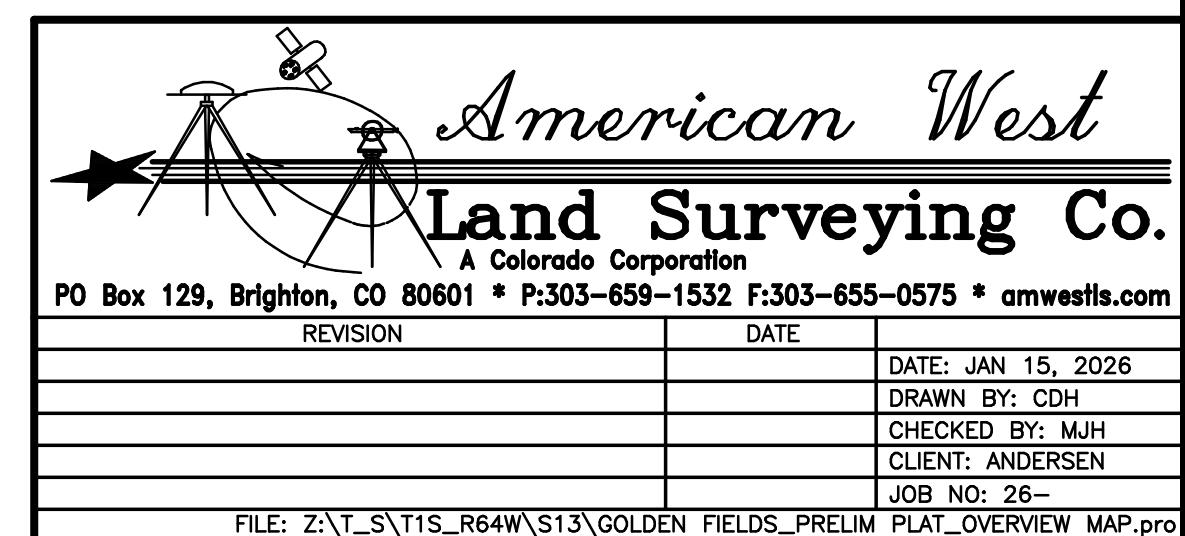
TRACT	AREA S.F.	AREA AC.	USE	OWNERSHIP	MAINTENANCE
TRACT A	132,858 S.F.	3.05 Ac.	PRIVATE ROAD, DRAINAGE & UTILITY EASEMENT	GOLDEN FIELDS HOA	GOLDEN FIELDS HOA
TRACT B	3083 S.F.	0.07 Ac.	DRAINAGE & UTILITY EASEMENT	GOLDEN FIELDS HOA	GOLDEN FIELDS HOA

TOTAL AREA OF TRACTS: 135,941 S.F. / 3.12 Ac.

TOTAL AREA OF LOTS: 1,534,670 S.F. / 35.23 Ac.

TOTAL AREA OF ROW: 25,974 S.F. / 0.59 Ac.

TOTAL SITE AREA: 1,696,585 / 38.94 Ac.



FILE: Z:\T_S\T1S_R64W\S13\GOLDEN FIELDS_PRELIM PLAT_OVERVIEW MAP.pro

Legal Description

Legal Description of Parcel # 015651330003, 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" ALUMINUM 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;

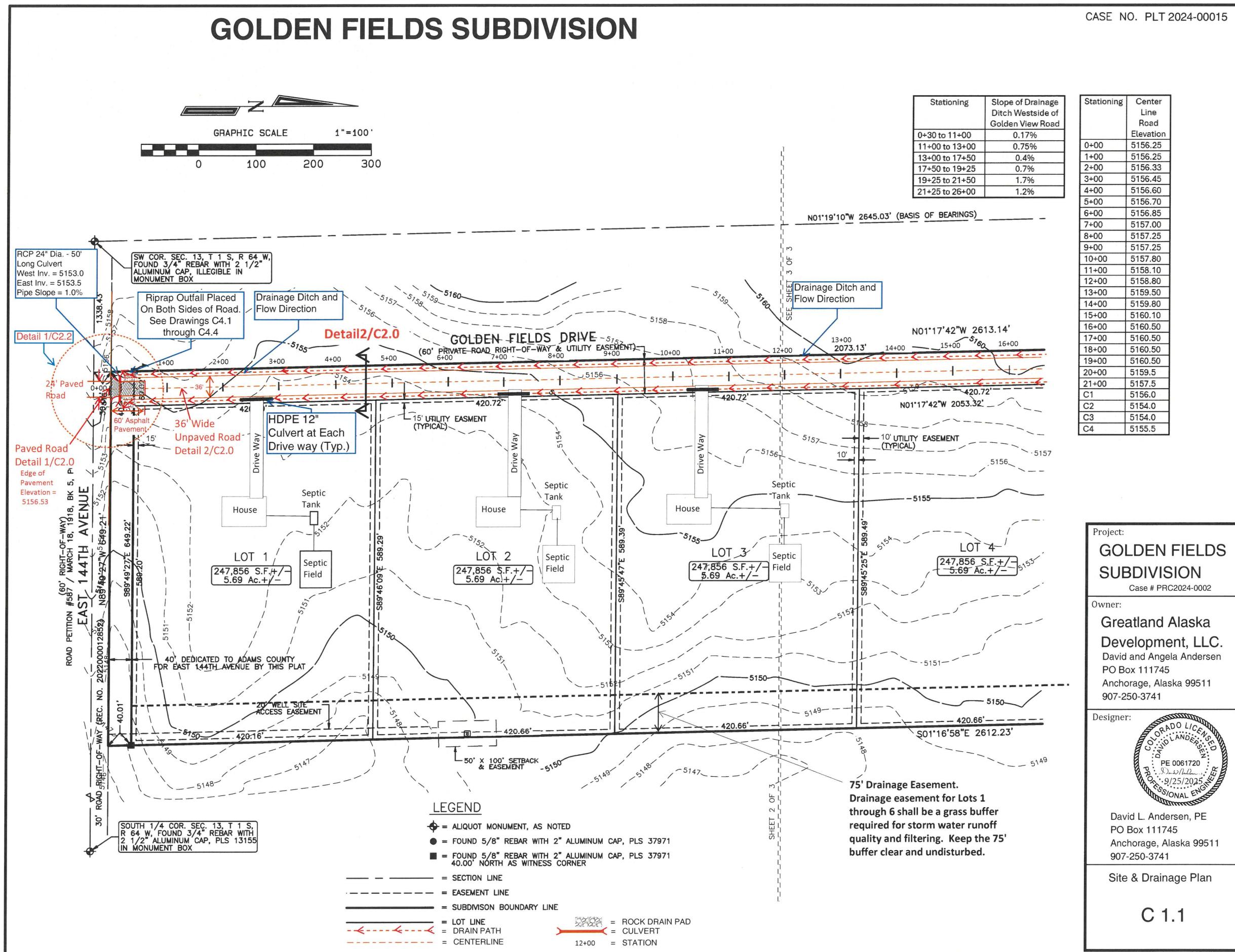
COMMENCING AT THE CENTER 1/4 CORNER OF SAID SECTION 13; THENCE NORTH 89°44'43" WEST, COINCIDENT WITH THE NORTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13, A DISTANCE OF 649.80 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 01°16'58" EAST, A DISTANCE OF 2572.22 FEET TO A POINT LYING 70.00 FEET NORTH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

Site Plan

GOLDEN FIELDS SUBDIVISION

CASE NO. PLT 2024-00015



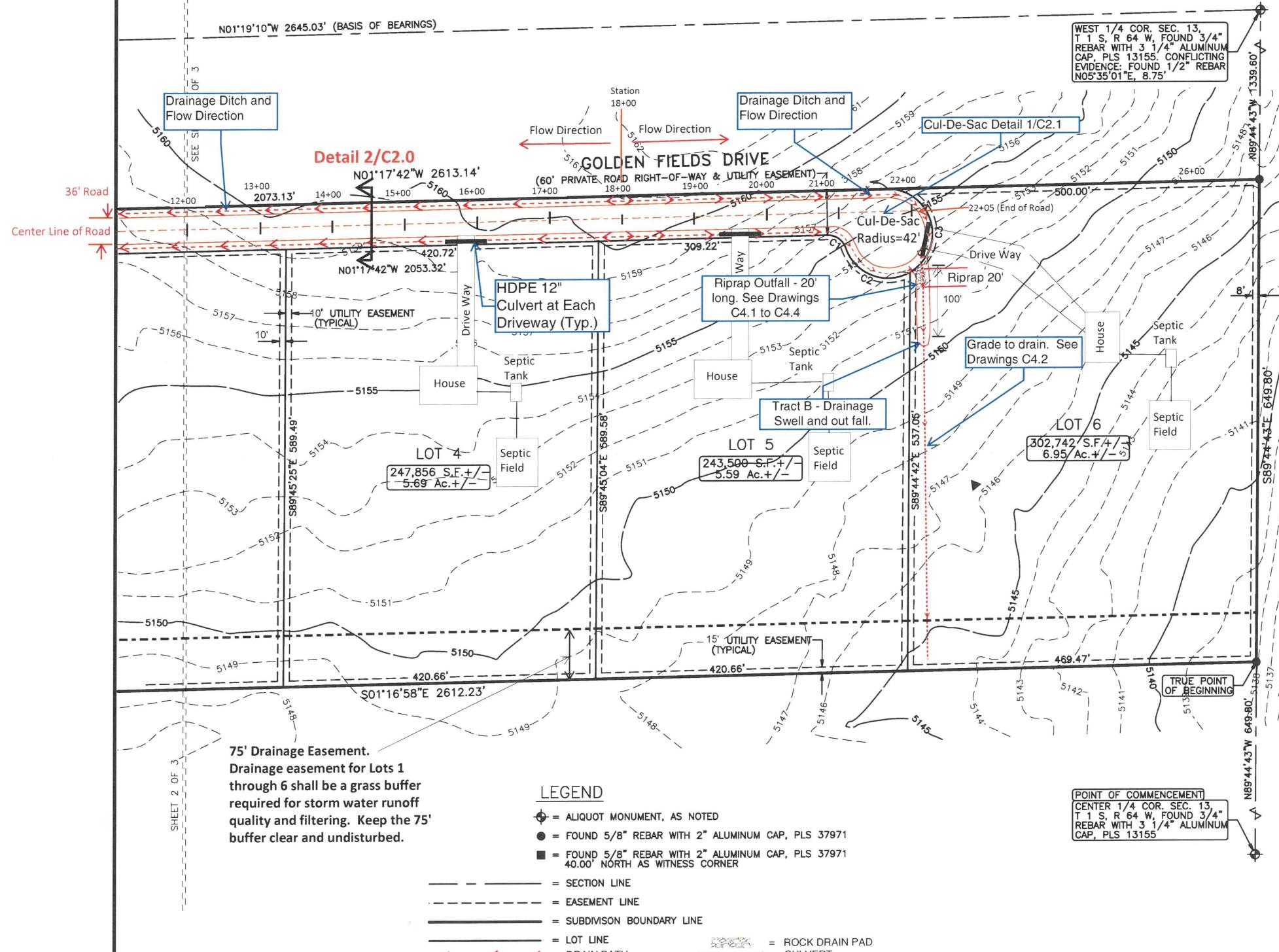
GOLDEN FIELDS SUBDIVISION

CASE NO. PLT 2024-00015

LINE	RADIUS	ARC	DELTA	CHORD	BEARING	CHORD
C1	25.00'	31.80'	72'53"05"	N35°08'50"E	29.70'	
C2	60.00'	106.41'	101'37"04"	N20°45'51"E	93.01'	
C3	60.00'	157.05'	149°58'19"	S74°59'10"W	115.90'	
C4	60.00'	207.43'	249'16"20"	SE142°10'45"E	67.33'	

Stationing	Center Line Road Elevation
0+00	5156.25
1+00	5156.25
2+00	5156.33
3+00	5156.45
4+00	5156.60
5+00	5156.70
6+00	5156.85
7+00	5157.00
8+00	5157.25
9+00	5157.25
10+00	5157.80
11+00	5158.10
12+00	5158.80
13+00	5159.50
14+00	5159.80
15+00	5160.10
16+00	5160.50
17+00	5160.50
18+00	5160.50
19+00	5160.50
20+00	5159.5
21+00	5157.5
C1	5156.0
C2	5154.0
C3	5154.0
C4	5155.5

Stationing	Slope of Drainage Ditch Westside of Golden View Road
0+30 to 11+00	0.17%
11+00 to 13+00	0.75%
13+00 to 17+50	0.4%
17+50 to 19+25	0.7%
19+25 to 21+50	1.7%
21+25 to 26+00	1.2%



SHEET 2

LEGEND

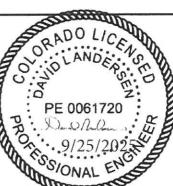
- = ALIQUOT MONUMENT, AS NOTED
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
- = FOUND 5/8" REBAR WITH 2" ALUMINUM CAP, PLS 37971
40.00' NORTH AS WITNESS CORNER
- = SECTION LINE
- = EASEMENT LINE
- = SUBDIVISION BOUNDARY LINE
- = LOT LINE
- = DRAIN PATH
- = CENTERLINE
-  = ROCK DRAIN
-  = CULVERT
- 10-20 = STATION

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

Project:
**GOLDEN FIELDS
SUBDIVISION**

Case # PRC2024-0002

Owner: **Greatland Alaska Development, LLC.**
David and Angela Andersen
PO Box 111745
Anchorage, Alaska 99511
907.265.0711



David L. Andersen, PE
PO Box 111745
Anchorage, Alaska 99511
907-250-3741

Site & Drainage Plan

Site & Drainage Plan

Site & Drainage Plan

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 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" 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 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, 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.

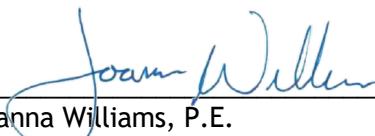
- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public 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.

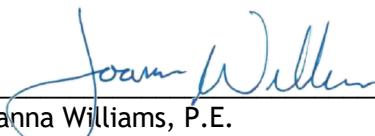
Dated this 2nd day of March, 2023.



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

Prepared by: wad
F&O4496-BD.doc



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

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

Exhibit A
Determination no. 4496-BD
Page 1 of 2

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

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: 38.35 in the county of: Adam s
described as follows (insert legal description).

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" ALUMINUM 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.

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.

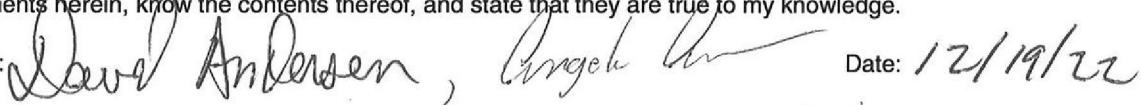
4. THE APPLICANT MUST PROVIDE

a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions). See attached 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:



Date: 12/19/22

Print name and title: David Andersen, Angela Andersen, Property Owners

Exhibit A
Determination no. 4496-BD
Page 2 of 2

Legal Description of Parcel # 015651330003, 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" ALUMINUM 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.

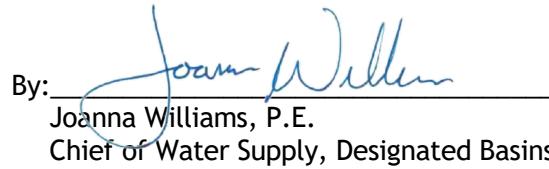
- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public 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.

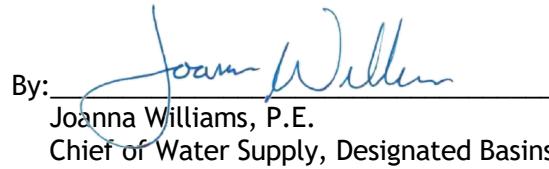
Dated this 2nd day of March, 2023.



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

Prepared by: wad
F&O4497-BD.doc



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

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

Exhibit A
Determination no. 4497-BD
Page 1 of 2

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	City	State	Zip Code
PO Box 111745	Anchorage	AK	99511
Telephone Number (include area code)	Email		
(907)250-3741	dandersen@alaskatestlab.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: 38.35 in the county of: Adam s
described as follows (insert legal description).

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" ALUMINUM 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 649.60 FEET TO THE TRUE POINT OF BEGINNING; THENCE SOUTH 11°15'36" EAST, A DISTANCE OF 252.22 FEET TO A POINT LYING 70.00 FEET NORTHERLY 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 649.60 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 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: *David Andersen, Angela L. Andersen, Angela Andersen, Property Owners*
Print name and title:

Exhibit A
Determination no. 4497-BD
Page 2 of 2

Legal Description of Parcel # 015651330003, 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" ALUMINUM 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-nonttributary 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

Prepared by: wad
F&O4498-BD.doc



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

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

Exhibit A
Determination no. 4498-BD
Page 1 of 2

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.

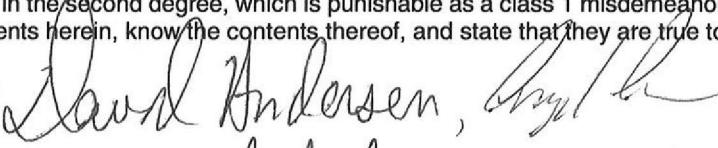
1. APPLICANT INFORMATION			
Name of Applicant David and Angela Andersen			
Mailing Address PO Box 111745	City Anchorage	State AK	Zip Code 99511
Telephone Number (include area code) (907)250-3741	Email dandersen@alaskatestlab.com		
2. AQUIFER Upper Arapahoe			
3. CLAIM OF OWNERSHIP – I hereby claim that 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: 38.35 in the county of: Adam S described as follows (insert legal description).			
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" ALUMINUM CAP, (ILLEGIBLE) IN MONUMENT BOX, AND ON THE NORTH END BY A 3/4" REBAR WITH 3 1/4" ALUMINUM CAP, PLS T3S5, 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 649.73 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			
<ul style="list-style-type: none">- 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: 12/19/22		
Print name and title: David Andersen, Angela Andersen, Property Owners			

Exhibit A
Determination no. 4498-BD
Page 2 of 2

Legal Description of Parcel # 015651330003, 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" ALUMINUM 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

Aquifer: Denver

Applicant: David and Angela Andersen

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

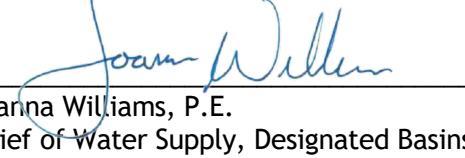
- l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. A copy of this Determination shall be recorded by the Applicant in the public 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

Prepared by: wad
F&O4499-BD.doc



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

Exhibit A

Form no. DIVISION OF WATER RESOURCES Determination no.
GWS-1 DEPARTMENT OF NATURAL RESOURCES Page 1 of 2
(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

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				

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: 38.35 in the county of: Adams
described as follows (insert legal description).

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 BE, 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 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 232.22 FEET, THENCE NORTH 70.00 FEET NORTH OF THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 13; THENCE NORTH 89°47.27' WEST, PARALLEL WITH AND 70.00 FEET NORTHERLY FROM SAID SOUTH LINE, A DISTANCE OF 604.22 FEET; THENCE NORTH 01°17'42" WEST, A DISTANCE OF 257.13 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:

Dave Anderson *Angel Loh* Date: 12/19/22

Date: 12/19/21

Print name and title:

David Andersen, Angola Andersen, Property Owners

Exhibit A
Determination no. 4499-BD
Page 2 of 2

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" ALUMINUM 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

The Energy to Thrive™



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,

A handwritten signature in blue ink, appearing to read "Brooks Kaufman".

Brooks Kaufman
Lands and Rights-of-Way Manager

Geological Survey Receipt



Colorado Geological Survey Payment Portal

Receipt Number: 838722

Colorado Geological Survey

Current Date: 05/16/2024

Description	Amount	Tax
Pre-Pay the Colorado Geological Survey Land Use Review Fee		\$950.00
Must select project size to calculate a price: Small Subdivision -		
Project Name: Golden View Subdivision		
County of Project: Adams County		
Applicant's Name: David and Angela Andersen		
Applicant's Address (line 1): PO Box 111745		
Applicant's City: Anchorage		
Applicant's State: AK		
Applicant's Zip Code: 99511		
Applicant's Phone: 907-250-3741		
Applicant's Email: dandersen@alaskatestlab.com		
Section: Part of SW 1/4 of Section 13		
Township: 1 South		
Range: 64 West of the 6th PM		
Latitude: 39 57' 21" N (39.956091)		
Longitude: 104 30'015" N (-104.504246)		
Pre-Pay the Colorado Geological Survey Land Use Review Fee	Total	\$950.00

Payments Received	Amount
CC	\$950.00
Visa XXXXXXXXXXXXXXX2495	
Authorization # 601875	
Total	\$950.00

Thank you for the payment.

School Impact Analysis



27J Schools

Kerrie Monti – Planning Manager
1850 Egbert Street, Suite 140, Brighton, CO 80601
Superintendent Chris Fiedler, Ed.D.

27J Schools Board of Education

Greg Piotraschke, President
Lloyd Worth, Vice President
Ashley Conn, Director
Tom Green, Director
Mandy Thomas, Director
Leon Thornton, Director
Mary Vigil, Director

Planner: Lia Campbell
LCampbell@adcogov.org

DATE: January 24, 2024

SUBDIVISION NAME: Golden Fields

LOCATION: 1/4 mile E of 144th Avenue and Petterson Road

A. STUDENT GENERATION (see attached Table 1 for methodology)

Dwelling Units	Students
6 SFD	4.65

(Any discrepancy due to rounding)

B. LAND DEDICATION/CASH-IN-LIEU REQUIREMENTS (See attached Table 1 for methodology)

The land dedication requirement is currently 0.1209 acres (or \$1,651.74) cash in lieu of land dedication.

C. SCHOOL ATTENDANCE AREA

Students from this proposed development will currently attend:

Pennock ES – 3707 Estrella St, Brighton
Overland Trail MS – 455 N 19th Avenue, Brighton
Brighton HS – 270 S 8th Avenue, Brighton

Each of these schools has adequate capacity for the proposed students.

D. CAPITAL FACILITY FEE FOUNDATION (see attached Table 2 for methodology)

The Capital Facility Fee Foundation is a unique public/private nonprofit organization founded in January 2001 to help fund school expansion or new school construction. This program has been developed in partnership with each of the municipalities in the District, developer and

builder representatives, and School District 27J. Funding is provided by builders and developers who have agreed to contribute per residential dwelling unit based on the current fee structure. The current fees negotiated for this program are as follows: \$980 per single family residential unit and \$560 per multi-family unit.

SCHOOL DISTRICT PLANNING COMMENTS AND RECOMMENDATIONS:

- 1. The District requests cash in lieu of land dedication to be paid prior to construction.**
- 2. Prior to the approval of the final subdivision plat, we recommend that the developer enter into an agreement with the Capital Facility Fee Foundation to mitigate the impact of this development on District school facilities. Given the four additional residential dwelling units, the tax-deductible capital facility fees are projected to be \$5,880. CFFF fees may be paid in a lump sum or as permits are pulled. The developer is welcome to assign the agreement to builders as they purchase lots.**

We appreciate your continuing cooperation and the opportunity to comment upon issues of interest to both the City and the School District. We look forward to receiving updated referrals on this subdivision. Please let me know if you have questions about these comments.

Sincerely,

Kerrie Monti

Kerrie Monti
Planning Manager

Attachment

Golden Fields

Adams County Student Generation and Facilities Requirements

Dwelling Unit Type	Number of DUs	Population Rate	Population Generated	Student Generation Rate	Number of Students	Land Area Required per Student	Number of Acres	Land Value per Acre Zone A-1	Total School District Fee	School District Fee per DU
SFD	6	3.278	19.668	0.775	4.65	0.026	0.1209	\$13,662	\$1,651.74	
SFA		2.533	0	0.364	0	0.026	0	\$13,662	\$0.00	
TH/C		2.216	0	0.303	0	0.026	0	\$13,662	\$0.00	
Apartment		2.007	0	0.195	0	0.026	0	\$13,662	\$0.00	
Mobile Home		2.803	0	0.512	0	0.026	0	\$13,662	\$0.00	
Total	6		19.668		4.65		0.1209		\$1,651.74	\$275.29

Land Dedication Provided	0
--------------------------	---