



Community & Economic Development Department  
4430 S. Adams County Pkwy.  
1st Floor, Suite W2000B  
Brighton, CO 80601  
PHONE 720.523.6800  
adamscountyco.gov

## Request for Comments

Case Name: D&K Cavanaugh Road Rezoning

Case Number: RCU2026-00006

March 19, 2026

The Adams County Planning Commission is requesting comments on the following application: **Zoning Map Amendment (Rezoning) to change the zoning designation from Agricultural-3 to Industrial-1 on approximately 39 acres.** This request is located at 2491 CAVANAUGH RD. The Assessor's Parcel Number is 0181734200002.

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 **4/9/26** 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 [DDeBoskey@adamscountyco.gov](mailto:DDeBoskey@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 <https://adamscountyco.gov/our-county/community-economic-development/planning-development/current-land-use-cases/>.

Si usted tiene preguntas, por favor escribanos un correo electrónico a [cedespanol@adcogov.org](mailto: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.

David DeBoskey

Planner II

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BOARD OF COUNTY COMMISSIONERS

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DISTRICT 1

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DISTRICT 4

Lynn Baca

DISTRICT 5



# REZONING

(ZONING MAP AMENDMENT)

A rezoning (zoning map amendment) is a public process that changes a property's zone district.

Please include this page with your submittal. Submittal instructions and more information about checklist items can be found on page 2.

Development Application Form (pg. 4)

Written Narrative

Site Plan

Proof of Ownership

Proof of Water and Sewer Services

Legal Description

Statement of Taxes Paid

Trip Generation Analysis

Supplemental items may be needed on a case-by-case basis. **\*Email documentation will be required if supplemental items are deemed unnecessary.**

- Please contact the Planner of the Day ([CEDD-Plan@adcogov.org](mailto:CEDD-Plan@adcogov.org)) to determine whether a Neighborhood Meeting is necessary.
- Please contact the Engineer of the Day ([CEDD-ENG@adcogov.org](mailto:CEDD-ENG@adcogov.org)) to determine whether a Level 1 Storm Drainage Study is necessary.

Applications Fees	Amount	Due
Application	\$1,500	After complete application received
Adams County Health	\$210 (public utilities -TCHD Level 2) \$360 (individual septic -TCHD Level 3)	After complete application received

## Guide to Rezoning Application

This application shall be submitted electronically to [epermitcenter@adcogov.org](mailto:epermitcenter@adcogov.org). If the submittal is too large to email as an attachment, the application may be sent as an unlocked Microsoft OneDrive link. Alternatively, the application may be delivered on a flash drive to the One-Stop Customer Service Center. All documents should be combined in a single PDF, although you may provide multiple PDFs to ensure no file exceeds 100 MB. Once a complete application has been received, fees will be invoiced and payable online at [www.permits.adcogov.org](http://www.permits.adcogov.org).

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### Written Narrative

- A written explanation of the project including the existing and proposed zone district and proposed use of the property.

### Site Plan Showing Proposed Development:

- A detailed drawing of existing and proposed improvements.
- Including:
  - Streets, roads, and intersections
  - Driveways, access points, and parking areas
  - Existing and proposed structures, wells, and septic systems
  - Easements, utility lines, and no build or hazardous areas
  - Scale, north arrow, and date of preparation

### Proof of Ownership:

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

### Proof of Water and Sewer:

- A written statement from the appropriate water/sewer district indicating that they will provide service to the property **OR** a copy of a current bill from the service provider.
- Well permit(s) information can be obtained from the Colorado State Division of Water Resources at (303) 866-3587.
- A written statement from Adams County Health Department indicating the viability of obtaining Onsite Wastewater Treatment Systems.

### Legal Description:

- Geographical description of a real estate property.
- Visit <http://gisapp.adcogov.org/quicksearch/> to find the legal description for your property.

### Statement of Taxes Paid:

- All taxes on the subject property must be paid in full. Please contact the Adams County Treasurer's Office
- Or [www.adcotax.com](http://www.adcotax.com)

### Trip Generation Letter:

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

## **Supplemental Documents**

### **Neighborhood Meeting Summary:**

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

### **Preliminary Drainage Analysis:**

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



**PROJECT NAME:**

**APPLICANT**

Name(s):  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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**OWNER**

Name(s):  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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

Name:  Phone #:

Address:

City, State, Zip:

2nd Phone #:  Email:

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**DESCRIPTION OF SITE**

Address:

City, State, Zip:

Area (acres or square feet):

Tax Assessor Parcel Number

Existing Zoning:

Existing Land Use:

Proposed Land Use:

Have you attended a Conceptual Review? YES  NO

If yes, please list PRE#:

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

Name:

Date:

Owner's Printed Name

Name:

February 12, 2026

Caitlin S. Quander  
Attorney at Law  
cquander@bhfs.com

Dear Adams County Planning and Development Staff:

This application is submitted by D&K, Limited Liability Company (“D&K” or “Applicant”) and requests approval of a zone map amendment to rezone Parcel #0181734200002 (“Parcel 2” or “Property”), located at 2491 Cavanaugh Road in Adams County (the “County”), Colorado from Agricultural-3 (“A-3”) Zone District to Industrial-1 (“I-1”) Zone District. D&K operates under the same ownership as Hamon Infrastructure. The Property was purchased with the primary goal of establishing a new mechanic shop for Hamon Infrastructure. Hamon Infrastructure’s mechanic shop and offices have been located in the County for nearly 35 years, constructing key roadway projects including East 58<sup>th</sup>, Washington Street, and Pecos.

This request satisfies each of the County’s four rezoning approval criteria: (1) it is consistent with the Colorado Air & Space Port Subarea Plan (the “CASP Subarea Plan”) and the Adams County Comprehensive Plan (the “Comprehensive Plan”), (2) it advances the purposes of the County’s Development Standards and Regulations (the “Development Code”), (3) it complies with applicable I-1 Zone District and Airport Influence Zone Overlay (the “AIZ Overlay”) standards, and (4) it is compatible with the surrounding area without detriment to public health, safety, or welfare. The potential to build D&K’s new, needed mechanic shop and remain in the County near the Colorado Air & Space Port as it is developed provides a great opportunity for future collaboration with the County as infrastructure and roadway construction needs in this area continue to grow.

## **I. Background & Current Zoning**

In May 2024, D&K initiated a separate zoning map amendment request to rezone Parcel 2 and an additional adjacent parcel, Parcel #0181734200001 (“Parcel 1”) (Parcel 1 and Parcel 2, collectively, the “Parcels”). In the May 2024 application D&K requested that Parcel 1 and Parcel 2 be rezoned from A-3 to Industrial-2 (“I-2”) Zone District. That application anticipated D&K utilizing much of Parcel 2 for its current business operations and marketing Parcel 1 for future development as a suite of industrial lots. Following referral, County staff recommended denial of the request because, in its determination, the I-2 rezoning request was inconsistent with the Comprehensive Plan and the CASP Subarea Plan. The Board of County Commissioners affirmed this position and denied the rezoning application.

As a result of the County's previous determination, both Parcels remain zoned A-3.

## **II. Proposed Rezoning**

In response to the County's feedback that it would support rezoning to I-1 but not I-2, this application limits the rezoning request to only Parcel 2 and seeks approval of a zoning map amendment from A-3 to I-1. The proposed use is a 14,000 square-foot lower-intensity land use of a mechanical shop with enclosed repair/restoration bays, administrative offices, indoor storage, and limited outdoor storage (the "Proposed Use") to augment Hamon Infrastructure's ongoing work in the County. The request squarely addresses staff's concerns by eliminating the request for I-2's medium-to-heavy industrial permissions and by documenting compliance with applicable code standards and overlays, including utilities requirements.

## **III. Approval Criteria for Rezoning**

This rezoning application satisfies all criteria for the approval of a zoning map amendment, including: (1) Consistency with the CASP Subarea Plan and the Comprehensive Plan; (2) Consistency with the purposes of the Development Code; (3) Compliance with the technical requirements of the Development Code, including the AIZ Overlay; and (4) Compatibility with the surrounding area and no detriment to the health, safety and welfare of the community.<sup>1</sup>

### **a) Consistency with Comprehensive Plan & Subarea Plans**

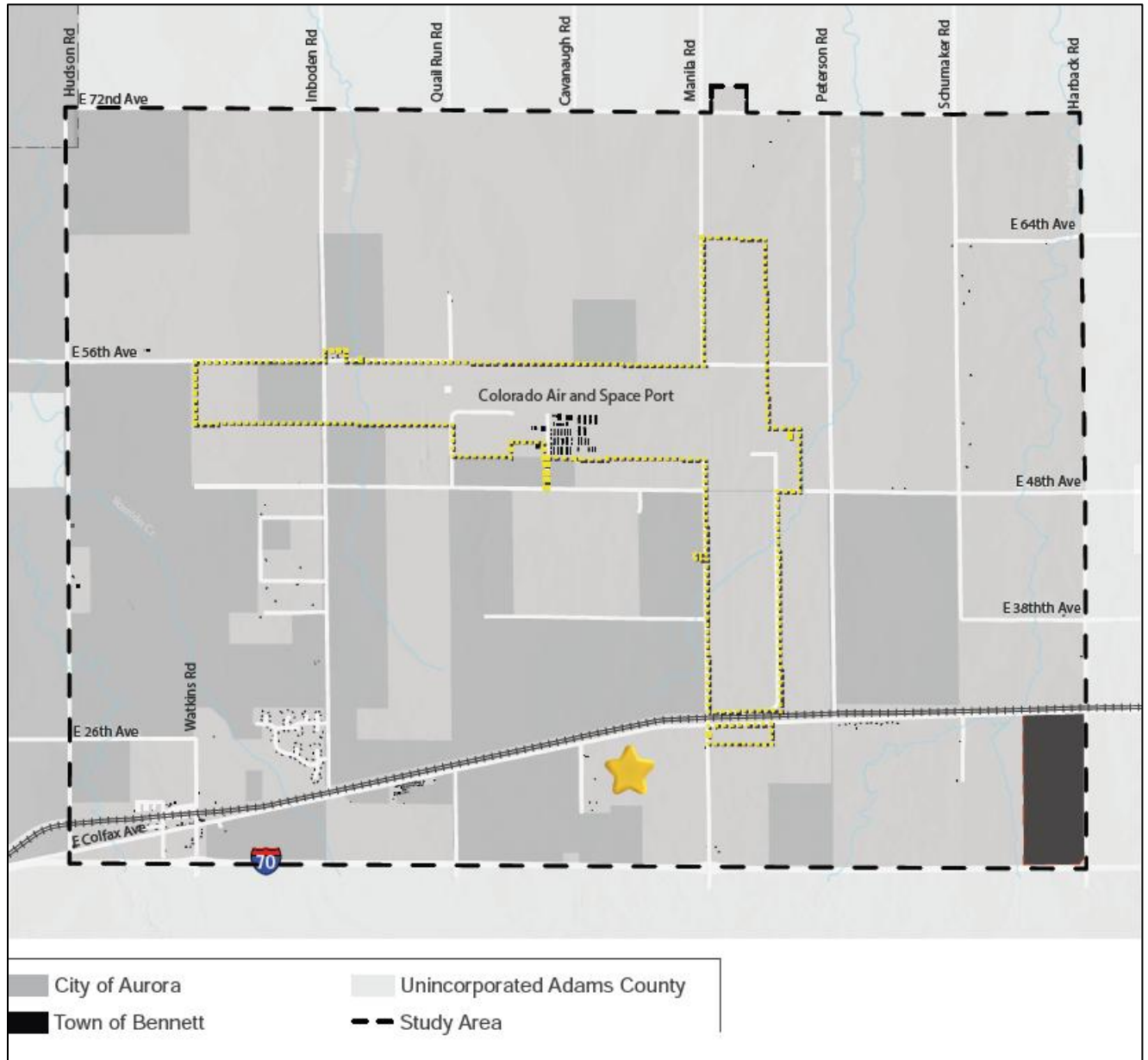
Parcel 2 is located in between East Colfax Avenue and I-70 (its location indicated with a star in the below map), squarely within the CASP Subarea, meaning that the rezoning request must further goals articulated in the CASP Subarea Plan and the Comprehensive Plan. Importantly, pursuant to the Comprehensive Plan, if conflict exists between it and the CASP Subarea Plan, the CASP Subarea Plan's policies control.<sup>2</sup> As a result, this application's compliance with the CASP Subarea Plan will be demonstrated first, followed by an analysis of the application's adherence to the Comprehensive Plan.

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<sup>1</sup> *Development Code*, § 2-02-15-06-02.

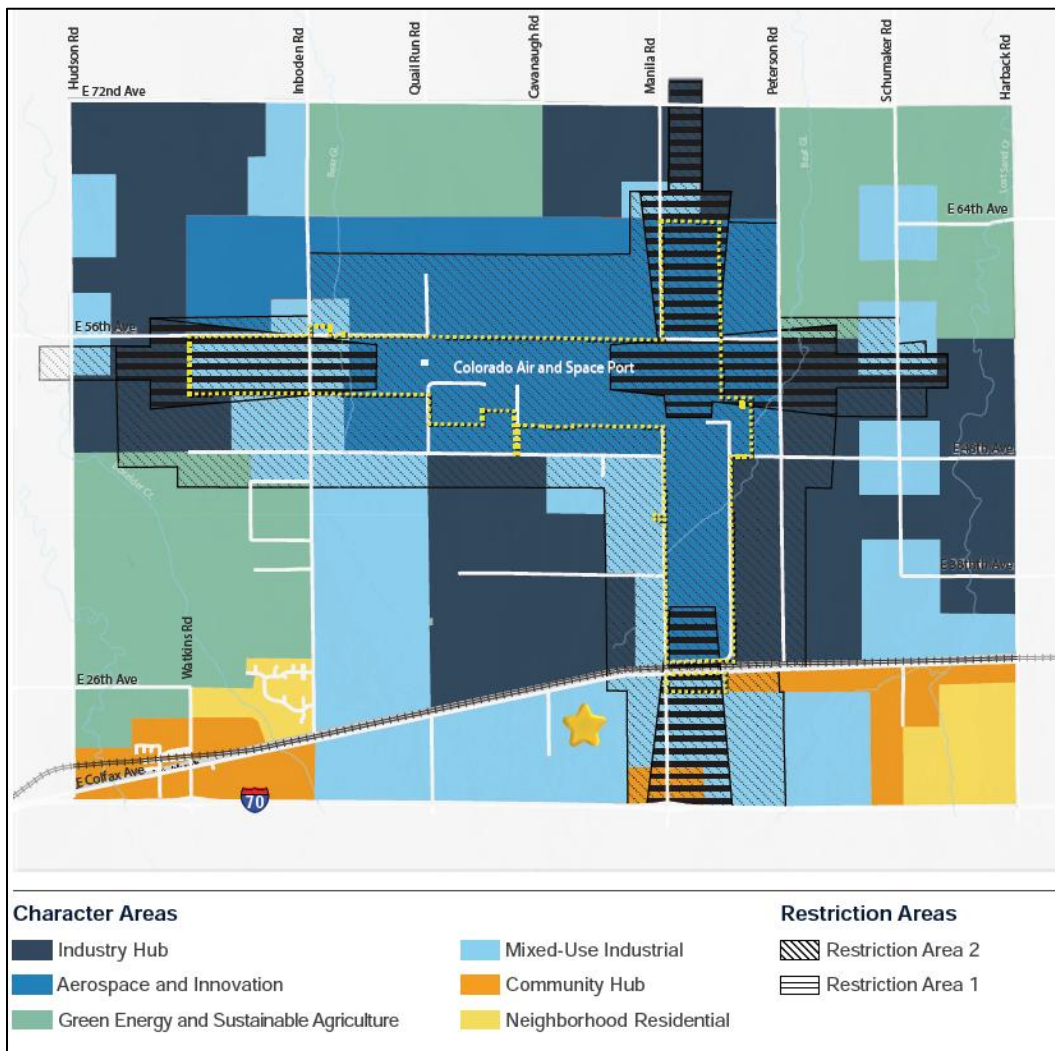
<sup>2</sup> *Comprehensive Plan*, ch. 1, 9.

*CASP Subarea Boundary Map*



***(1) CASP Subarea Plan***

The CASP Subarea Plan is anchored by three vision elements for future development: innovative, integrated, and resilient.<sup>3</sup> These vision elements are translated into a future land use map that identifies various “character areas,” which are designated areas within the CASP Subarea that are planned to have common characteristics in terms of land use, urban design, and overall character of development.<sup>4</sup> Here, the Property is located in a Mixed-Use Industrial character area (as indicated by the star on the below map), which area is intended for employment-focused uses in a dense, walkable urban form that transitions between lighter development and major industry hubs. Permitted uses may be supported by retail and services, and should be integrated with multimodal infrastructure, pedestrian-oriented streets, and open spaces that balance goods movement with connectivity and environmental quality.



<sup>3</sup> See *CASP Subarea Plan*, ch. 4.

<sup>4</sup> See *id.* at ch. 5.

Next, the CASP Subarea Plan identifies five goals that are aligned with the vision elements and that clarify the intended physical, social, and economic outcomes of these elements within the character areas. These include, as relevant here: (1) Land Use and Urban Design; (2) Mobility; (3) Parks and Open Space; (4) Utilities; and (5) Economic Development.<sup>5</sup> Lastly, the CASP Subarea Plan sets forth strategies related to each vision element goal to guide implementation of the CASP Subarea Plan.

To begin, the CASP Subarea Plan explicitly advocates for the use of zone map amendments, initiated by property owners in the CASP Subarea, to rezone land located in Mixed-Use Industrial character areas to the I-1 Zone District. This rezoning application makes that very request: if approved, the Property will support light industrial and employment-focused uses in areas specifically designated for those uses, as envisioned by the County.<sup>6</sup> In addition, and as detailed below, this rezoning request utilizes numerous strategies identified in the CASP Subarea Plan to further all other established goals, as well.

(a) Land Use & Urban Design. To meet the CASP Subarea Plan's Land Use & Urban Design goal, the Mixed-Use Industrial character area emphasizes light industrial, logistics, warehousing, and office as primary uses, with supporting commercial retail/services and hospitality uses.<sup>7</sup> The Proposed Use, which includes a mechanical shop with enclosed repair/restoration bays, administrative offices, indoor storage and limited outdoor storage, mirrors this desired mix.

Mixed-Use Industrial character areas are intended to provide transitions between higher-intensity employment areas and less intense areas via building form and buffering.<sup>8</sup> The Proposed Use limits externalities by conducting many activities indoors, adds landscape buffers and screening, and uses building orientation to shield adjacent parcels, fulfilling the transition function.

The character area also anticipates one-to-four-story buildings with smaller commercial/office buildings fronting the street and medium industrial/logistics buildings set back, creating an active street edge.<sup>9</sup> The project proposes to orient the mechanical shop toward the corridor frontage, placing warehouse components to the rear, thus matching the prescribed frontage/back-of-house relationship.

Site design in this character area should utilize native, water-wise landscaping and low-impact development strategies.<sup>10</sup> Here, the landscape plan will utilize xeric species, efficient irrigation,

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<sup>5</sup> See *id.* at ch. 6.

<sup>6</sup> *Id.* at ch. 7, 54-6.

<sup>7</sup> *Id.* at ch. 5, 32.

<sup>8</sup> *Id.* at ch. 5, 31, 33; ch. 6, at 41-3.

<sup>9</sup> *Id.*

<sup>10</sup> *Id.* at ch. 5, 33; ch. 6, 47-50.

Low Impact Development Best Management Practices (e.g., bioretention swales), and setbacks to improve water quality and reduce demand.

Lastly, given the Property's location in the AIZ Overlay, development and the Proposed Use must comply with relevant overlay restrictions, disclosure covenants, and Federal Aviation Administration ("FAA") height/hazard review where applicable; sensitive residential development is discouraged in the AIZ Overlay.<sup>11</sup> Here, the Proposed Use is non-residential. Applicant will comply with all AIZ Overlay requirements, aligning with the CASP Subarea Plan's compatibility goals.

Accordingly, the rezoning request satisfies the CASP Subarea Plan's Land Use & Urban Design goal.

(b) Mobility. To meet the CASP Subarea Plan's Mobility goal, the character area calls for a higher level of multimodal infrastructure, including separated sidewalks, transit stops, and bicycle facilities.<sup>12</sup> In addition, it calls for concentrated Mixed-Use Industrial uses within nodes and along major corridors to promote walkability and coordinated access management.<sup>13</sup>

Here, the initial site plan takes that into account and can accommodate future ADA-compliant routes from public sidewalks to entries, and provides bicycle parking consistent with corridor guidance. Access to the mechanical shop will be from Cavanaugh Road on the west side of the Property. The site plan also takes into account future improvements with the County, including Cavanaugh Road's future development. All of the above noted design plans demonstrate that this zone map amendment request satisfies the CASP Subarea Plan's Mobility goal.

(c) Parks & Open Space. Parks and open space in Mixed-Use Industrial character areas should provide amenities to employment uses and enhance environmental quality.<sup>14</sup> The site plan integrates a small forecourt at the front of the building and on-site stormwater features designed as landscape amenities that tie into the broader open space network.

(d) Utilities. To meet the CASP Subarea Plan's Utilities goal, the plan recommends phased infrastructure delivery and preparation of a water supply needs plan.<sup>15</sup> This rezoning application demonstrates that all required utilities are currently present to serve the Property and to support the Proposed Use, consistent with the CASP Subarea's utilities strategy.

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<sup>11</sup> *Id.* at fig. 6-3.

<sup>12</sup> *Id.* at ch. 5, 33; ch. 6, 45-7.

<sup>13</sup> *Id.* at ch. 6, 41-7.

<sup>14</sup> *Id.* at 47-9.

<sup>15</sup> *Id.* at 49-50, 56.

(i) *Water*. In August 2024, D&K applied to the Colorado Ground Water Commission (the “Commission”) for determinations of rights to designated groundwater beneath the Parcels within the Lost Creek Designated Ground Water Basin (the “Basin”), seeking allocations from the Laramie-Fox Hills, Upper Arapahoe, Lower Arapahoe, and Denver aquifers. During review, D&K worked with the state engineer’s office to update files, corrective deeds, and resolve the status of Well No. 74064 (replaced by 74064-A) via a GWS-09. Public notice regarding D&K’s applications ran pursuant to statute. In January 2025, the Lost Creek Ground Water Management District (the “District”) filed a timely objection to Case No. 25GW01. In April 2025, D&K and the District executed a Stipulation and Agreement that limited intended uses of the Parcels to domestic, industrial, commercial, and irrigation and withdrawing claims to storage, municipal, replacement, livestock, wildlife, and recreational water features; the hearing officer approved the Stipulation and Agreement, closed the case, and remanded for administrative processing. In July 2025, the Commission issued four determinations allocating final volumes for the 91.19 acres (the total acreage of the Parcels): Laramie-Fox Hills: 1,980 acre-feet (No. 4785-BD); Upper Arapahoe: 2,400 acre-feet (No. 4787-BD); Lower Arapahoe: 853 acre-feet (No. 4786-BD); and Denver: 2,884 acre-feet (No. 4788-BD), with jurisdiction affirmed in the Lost Creek Basin and allocations made under C.R.S. § 37-90-107(7) and the Designated Basin Rules.<sup>16</sup> Pursuant to the Stipulation and Agreement, standard conditions related to construction in the aquifer, overlying-land siting, spacing/waivers, geophysical logging, metering/recordkeeping, and separate small-capacity permitting by the state engineer apply to development on the Property. The Denver Aquifer determination further requires canceling and re-permitting Well Permit 74064-A to operate under the new determination. D&K will comply with all terms of the Stipulation and Agreement. Accordingly, subject to approval of this rezoning, water service will be supplied by an onsite well to be re-permitted pursuant to the Stipulation and Agreement.

(ii) *Wastewater Treatment*. Wastewater will be handled by an onsite septic system. All planning, design, and construction of this system, including all setbacks, will comply with all relevant Adams County Board of Health Regulations and all state-level requirements.<sup>17</sup> D&K will obtain all utility clearances and permits prior to commencing construction, and will also obtain approval of the On-Site Wastewater Treatment System from the Tri-County Health Department.

(iii) *Electric Service*. Pursuant to a Will Serve Letter addressed to Applicant, dated April 22, 2025, Xcel Energy will provide electric service to the Property.

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<sup>16</sup> *Rules and Regulations for the Management and Control of Designated Ground Water*, 2 CCR 410-1.

<sup>17</sup> *Adams County Board of Health Regulations No.0-22: On-Site Wastewater Treatment System Criteria* (OWTS Effective December 5, 2022); *Colorado Department of Public Health and Environment Water Quality Control Commission On-Site Wastewater Treatment System Regulation #43*, 5 CCR-1002-43.

(e) Economic Development. To meet the CASP Subarea Plan's Economic Development goal, the Proposed Use aligns with the plan by advancing strategies to create a differentiated economic niche that leverages proximity to the CASP Subarea, Denver International Airport, and major freight corridors.<sup>18</sup> The Proposed Use complements the subarea's aerospace and innovation employment base by introducing specialty services and augmenting Hamon Infrastructure's existing operations, while benefiting from supply-chain efficiencies tied to I-70 and Colfax access.<sup>19</sup> The Proposed Use provides an opportunity for an existing County small business that provides important services to the County to grow within the County jurisdiction and contribute further to the County economy. This approach implements the CASP Subarea Plan's emphasis on regional connectivity as an economic asset and its strategy to capitalize on location advantages for logistics spillovers.<sup>20</sup> The rezoning application clearly satisfies the CASP Subarea Plan's Economic Development goal.

In conclusion, and as demonstrated in the sections above, the rezoning request furthers all established goals of the CASP Subarea Plan.

(2) Comprehensive Plan

The proposed rezoning also furthers the goals articulated in the Comprehensive Plan and is consistent with its vision for future development.

The Comprehensive Plan applies three core value lenses - equity, sustainability, and livability - to assess existing conditions and to shape policies and strategies that advance the County's long-term planning vision. As relevant here, the Comprehensive Plan identifies four key focus areas to address through land use planning, including: (1) Community and Housing; (2) Natural Resources & Environment; (3) Built Environment & Connections; and (4) Economic Development Goals. It then identifies various goals, or desired outcomes, related to each key focus area and related policies that articulate the County's objectives. Last, various strategies are set forth in relation to each policy which describe implementable actions for addressing each key focus area.<sup>21</sup>

The requested rezoning from A-3, an agricultural use, to I-1, a light industrial/commercial use, supports the County's long-term planning goals and uses strategies identified in the Comprehensive Plan to address all of the key focus areas.

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<sup>18</sup> CASP Subarea Plan at 50-7.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.* at 50.

<sup>21</sup> See *Comprehensive Plan*.

(a) Community & Housing. To support the development of community and housing, the County promotes sustainable and responsible residential growth that concentrates higher densities in serviced, mixed-use areas with access to jobs, transit, and amenities.<sup>22</sup> Goals and strategies are focused on maintaining and reinvesting in existing neighborhoods, enhancing neighborhood safety, resilience, and access to essential goods and services, and preserving agricultural land.<sup>23</sup> New residential development in airport-impacted areas is discouraged; rather, airport-proximate employment and commercial/industrial uses are preferred uses in these areas, as articulated under the Comprehensive Plan's Community and Housing ("COH") Goal 1.<sup>24</sup>

This rezoning request realizes the Comprehensive Plan's key focus on supporting community and housing, namely COH Goals 1 and 5, by incorporating site planning that establishes transitions between its proposed operations and nearby neighborhoods, reducing exposure to air and noise pollutants and directing industrial growth away from residential areas, thereby supporting safe, livable neighborhoods.<sup>25</sup> By channeling industrial activity into specific areas, as articulated in COH Goal 3, this rezoning will support infill in nearby neighborhoods without incompatible industrial adjacency, stabilizing existing housing stock.<sup>26</sup> Lastly, the rezoning will discourage scattered development on productive agricultural lands and preserve agriculture elsewhere, consistent with COH Goal 1, which focuses on protecting productive agricultural areas.<sup>27</sup>

This application presents a development plan that actively employs strategies responding to the Comprehensive Plan's key focus on community and housing.

(b) Natural Resources & Environment. This rezoning request meets the Comprehensive Plan's focus on protecting the natural resources and the environment. Natural Resources and Environmental ("NRE") goals related to this key focus area prioritize conserving limited water resources, and advancing climate adaptation and hazard mitigation.<sup>28</sup> Policies and strategies promote sustainable development and building practices, preservation of open space and coordinated flood protection to safeguard people, property, and environmental health.<sup>29</sup>

In preparation for this application, D&K resolved its water rights and has the ability to serve the Parcels with Well Permit 74064-A; thus, efficiently conserving water resources based on existing rights and water.

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<sup>22</sup> See *id.* at ch. 3.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.* at Policy COH 1.1, 1.1.06-.07.

<sup>25</sup> *Id.* at 1.1, 1.1.06; Policy COH 5.1, 5.1.01

<sup>26</sup> *Id.* at Policy COH 3.1, 3.1.02.

<sup>27</sup> *Id.* at Policy COH 1.1, 1.1.05.

<sup>28</sup> *Id.* at ch. 4.

<sup>29</sup> *Id.* at Policy NRE 1.1-4.1.

The site plan for Parcel 2 incorporates xeriscape palettes, native vegetation, permeable surfaces, and green infrastructure, which will minimize untreated runoff and reduce irrigation demand, directly advancing water quality and conservation objectives as articulated in NRE Goal 2.<sup>30</sup>

Further, because the surrounding area is known to experience localized drainage issues during major storm events, drainage bypass swales will be constructed along the perimeter of the Property to divert larger stormwater flows around the development and discharge them at the northeast corner of the site. These bypass flows will not be detained on the Property, while onsite runoff will be managed through a regional detention pond built as part of the overall project and future use of the Parcels.

The above described site planning is specifically designed to protect the County's natural resources and assets and clearly satisfies the requirement that all zone map amendment requests respond to the specific key vision areas identified in the Comprehensive Plan.

(c) Built Environment & Connections. This rezoning request meets this key focus area identified in the Comprehensive Plan's by identifying Built Environment & Connections ("BEC") goals that coordinate land use, infrastructure, and multimodal transportation to create a more sustainable, livable built environment.<sup>31</sup> Strategies to achieve these goals direct growth to areas with services and connectivity, promote equitable access to housing, services, and mobility, and strengthen resilience to hazards and climate change through green and sustainable infrastructure.<sup>32</sup>

This rezoning application implements several strategies to direct growth to areas supported by existing and planned services, and to align zoning with land use to support equitable access to jobs and services.<sup>33</sup> Given the location of the Property, the Proposed Use will be ideally situated to leverage existing transportation and utility systems, focusing growth where services are available, and thereby supporting fiscally and environmentally responsible development as envisioned by BEC Goal 2.<sup>34</sup> In addition, by placing low-level industrial uses within the CASP Subarea and away from sensitive residential areas, and by employing transitions and buffering, the request advances compatible edges between industrial and residential areas pursuant to BEC Goal 1.<sup>35</sup>

This rezoning request uses a variety of strategies identified in the Comprehensive Plan to respond to the key focus area of Built Environment and Connections, demonstrating compliance with the requirements for rezoning approval under the Development Code.

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<sup>30</sup> *Id.* at Policy NRE 2.1, 2.1.03; 2.1.04; 2.1.05.

<sup>31</sup> *Id.* at ch. 5.

<sup>32</sup> *Id.* at Policy BEC 1.1–2.2; 3.1.

<sup>33</sup> *Id.* at Policy BEC 2.1, 2.2.01; 2.2, 2.2.04, 2.2.08.

<sup>34</sup> *Id.* at Strategy BEC 2.2.01.

<sup>35</sup> *Id.* at Strategy BEC 1.1.07.

(d) Economic Development. This zone map amendment application also addresses and promotes the Comprehensive Plan’s key focus area of economic development. The Comprehensive Plan promotes a “people-first,” innovative, and transparent economic development approach that strengthens a competitive, inclusive economy, or Economic Development (“ED”) goals.<sup>36</sup> The policies related to this key focus area emphasize equitable job creation and retention, siting and transitioning uses compatibly, diversifying into emerging industries, and leveraging partnerships to market and implement the County’s shared vision.<sup>37</sup>

This rezoning will promote ED Goal 2, which focuses on the attraction and retention of businesses that provide sustainable, living-wage employment.<sup>38</sup> To date, Hamon Infrastructure has constructed some of the more prevalent Adams County Public Works roadway projects, including East 58<sup>th</sup> Avenue, Washington Street, and Pecos Street. Hamon Infrastructure wants to maintain and expand its work in the County and continue contributing to the County economic base and small business community. This Proposed Use will allow for that continued expansion with a much-needed mechanic shop and related offices and limited storage.<sup>39</sup> In addition, the Proposed Use will diversify the County’s economic base and support target sectors that benefit from proximity to major freight, highway, rail, and airport assets, which is an identified priority under ED Goal 4.<sup>40</sup>

The Proposed Use will support the local economy and create jobs, which is a key area of focus in the Comprehensive Plan; approval of this application is thus further supported under the Comprehensive Plan, as required for approval under the Development Code.

In conclusion, this application demonstrates that the requested zone map amendment from A-3 to I-1 is consistent with the CASP Subarea Plan and Comprehensive Plan, as required for approval under § 2-02-15-06-02 of the Development Code.

**b) Compliance with Purpose of Development Code**

The proposed rezoning also furthers the purpose of the Development Code. The Development Code establishes a comprehensive framework to ensure that growth within the County occurs in an orderly, efficient, and integrated manner while protecting public health, safety, and welfare.<sup>41</sup> It governs land use and building standards, including lot dimensions, density, landscaping, and open space, and sets forth clear procedures for zoning administration, enforcement, and amendments. The Code also prescribes requirements for subdivision processing and land records to maintain accurate property documentation and safeguard both public and private interests.

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<sup>36</sup> *Id.* at ch. 6.

<sup>37</sup> *Id.* at Policy ED 1.1–5.1.

<sup>38</sup> *Id.* at Policy ED 2.1, 2.1.04.

<sup>39</sup> *See, generally, id.* at Policy ED 2.1.

<sup>40</sup> *Id.* at Policy ED 4.1, 4.1.01; 4.1.02.

<sup>41</sup> *Development Code*, § 1-01-03.

Additionally, it mandates the provision of essential infrastructure and public amenities and incorporates measures to mitigate risks from hazards such as fire and flooding.

This rezoning application complies with these requirements. It does not seek any variances or deviations from the Development Code, thus promoting orderly and consistent development in the County. The Property is located in an area specifically designated for light industrial uses within I-1, and the Proposed Use is expressly permitted under that designation. In addition, the site plan demonstrates compliance with all applicable design and use standards and will follow every procedural step required for rezoning and construction under the Development Code. Furthermore, the Property will be served by on-site water and sewage treatment systems and will meet all County standards for public amenities and safety. In every respect, this request advances the intent of the Development Code and demonstrates full compliance with County regulations without exception.

**c) Compliance with Technical Requirements of Development Code**

As required for approval under County land use regulations, this rezoning application also meets the technical requirements of the Development Code by clearly demonstrating compliance with applicable I-1 and AIZ Overlay standards, including purpose, use framework, and dimensional and performance requirements.<sup>42</sup>

I-1 accommodates compatible business, warehouse, wholesale, offices, and limited industrial uses.<sup>43</sup> Automotive repair, including top/body/paint/upholstery and tire re-treading; automotive services (excluding wrecking/towing storage yards); trucking and general warehousing; and business offices are permitted uses in I-1.<sup>44</sup> Only one principal use per lot is allowed, but accessory uses such as storage and office functions are expressly permitted when associated with the primary use.<sup>45</sup> In addition to primary uses, accessory activities strictly tied to the principal use such as accessory agricultural, commercial, or industrial operations are allowed, subject to building permit review.<sup>46</sup>

The Proposed Use is explicitly permitted under the Code and is consistent with the intent of I-1.<sup>47</sup> Further, pursuant to the I-1 dimensional standards, which include minimum lot size, width, setbacks, right-of-way and section line clearances, and maximum height will be met by the proposed site plan, and no deviation from the I-1 dimensional table is requested.<sup>48</sup> The project will comply with all applicable design and performance standards as required by § 3-25-08 of the

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<sup>42</sup> *Id.* at §§ 3-25-01 - 08; §3-07.

<sup>43</sup> *Id.* at § 3-25-01; § 3-25-02 -.04.

<sup>44</sup> *Id.* at §3-07.

<sup>45</sup> *Id.* at § 3-25-03.

<sup>46</sup> *Id.*

<sup>47</sup> *Id.* at § 3-25-01.

<sup>48</sup> *Id.* at § 3-07-02.

Development Code, including, without limitation, industrial performance standards governing fencing/screening, operational compatibility and standards, parking, signage, and landscaping.<sup>49</sup>

Because the Property is within the AIZ Overlay, the Proposed Use must also comply with those relevant Development Code requirements as well. As relevant here, the Property does not fall within either of the Restriction Areas identified in the Development Code, and thus must only comply with the basic requirements of the AIZ Overlay.<sup>50</sup>

Within the AIZ Overlay, all uses permitted by the underlying zone district remain permitted unless specifically restricted.<sup>51</sup> Here, the Proposed Use is a permitted use in I-1. In addition, because the project is non-residential, it aligns with AIZ Overlay rules aimed to minimize conflicts with aviation operations.<sup>52</sup> The Proposed Use does not introduce emissions, glare, or wildlife attractants that interfere with aviation; site and building design will incorporate any required disclosures, easements, and noise mitigation as applicable to ensure compliance with AIZ Overlay requirements.<sup>53</sup> This includes FAA Part 77 aeronautical study obligations where applicable, recordation of aircraft activity disclosure covenants prior to the issuance of a building permit, and adherence to restrictions specific to mapped Restriction Areas.<sup>54</sup>

Pursuant to the above analysis, this rezoning application satisfies the Development Code's technical requirements, which is required for approval of the application.

**d) Compatibility & Non-detriment**

The proposed rezoning is compatible with the surrounding area and will not be detrimental to public health, safety, or welfare; thus, satisfying the last condition for approval under the Development Code. Under the Development Code, a rezoning may be approved only if the resulting uses are compatible with the surrounding area and will not be detrimental to the health, safety, or welfare of present or future residents or to future development.<sup>55</sup> Compatibility is evaluated with reference to applicable zone district and overlay standards, including performance standards (e.g., enclosure, screening, noise, and odor controls), and the specific context of adjacent uses and planned character.<sup>56</sup>

Here, the Proposed Use provides low-intensity industrial and employment uses compatible with the CASP Subarea context. The request avoids I-2 heavy industrial categories (e.g., chemical/petroleum manufacturing, heavy processing) that were previously found inconsistent with the CASP Subarea's Mixed-Use Industrial character area intent.<sup>57</sup> Buffers, building

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<sup>49</sup> *Id.* at § 3-25-08; § 4-11-01.

<sup>50</sup> *Id.* at § 3-38-02.

<sup>51</sup> *Id.* at § 3-38-03.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.* at §§ 3-38-03 - 05; §3-39-05-04.

<sup>54</sup> *Id.* at §§ 3-38-03 - 05; § 3-37-04-01; § 3-38-05-04.

<sup>55</sup> *See id.* at. § 2-02-15-06-02.

<sup>56</sup> *See id.* at §§ 4-09-02-11-02; 4-09-02-11-04; 4-11-01.

<sup>57</sup> *See Comprehensive Plan* at ch. 6.

orientation, landscaping, and compliance with Development Code performance standards together ensure compatible transitions and no detriment to surrounding properties and future development.<sup>58</sup> Siting an employment-oriented, commercial/industrial use in an airport-proximate area where the Plan discourages new residential development further aligns with hazard-aware siting and subarea coordination.<sup>59</sup>

Additional information submitted with this application further supports compatibility and non-detriment, as required for rezoning approval. First, the rezoning stage is traffic-neutral, meaning that it will not immediately add any vehicle trips to the area, with any future trips reviewed at the site plan phase, limiting immediate traffic impacts. Three employees are anticipated to regularly work at the site, leading to minimal additional traffic on Cavanaugh Road. Future development of the Property allows Cavanaugh Road to be improved by D&K, the County, the City of Aurora, and other owners of property surrounding Cavanaugh Road (Western Transport, Diversified Underground, and Elevation Midstream, and Conoco Phillips). Second, existing drainage patterns are contained on-site and the Property lies outside FEMA 100-year flood hazard areas, reducing off-site runoff risk and flood exposure. Third, the Property will be served by a re-permitted, existing well and an on-site wastewater treatment system and utility capacity and any upgrades will be coordinated with ongoing development to avoid any potential interim service strains. Fourth, contextually, the Property is within an established industrial corridor near U.S. 40/Colfax and Union Pacific right-of-way, and is surrounded by a mix of I-1/I-2 zoning, including Aurora I-2 districts and industrial users (e.g., LKQ; Crestone Peak Oil and Gas), demonstrating locational compatibility. As articulated throughout this application, the Proposed Use is materially lower-impact than many nearby I-2 uses. Lastly, the large site area ( $\pm 39$  acres) and dual frontages (I-70 and Cavanaugh Rd.) provide ample depth for internal circulation, building placement, and landscape buffers further ensuring no detriment to the surrounding area.

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<sup>58</sup> See *Development Code* at §§ 4-09-02-11-02; 4-09-02-11-04; 4-11-01.

<sup>59</sup> See *Comprehensive Plan* at ch. 3.

#### IV. Conclusion

This request for a zoning map amendment from A-3 to I-1 satisfies all criteria for approval under § 2-02-15-06-02 of the Development Code: (1) it is consistent with the CASP Subarea Plan and the Comprehensive Plan; (2) it is consistent with the purposes of the Development Code to guide orderly, compatible development; (3) the Proposed Use complies with permitted uses in I-1, and is in compliance with all other performance and AIZ Overlay standards; and (4) the Proposed Use will be compatible with the surrounding area and not detrimental to health, safety, welfare, or future development.<sup>60</sup>

For the above stated reasons, Applicant requests that the County approve this rezoning application.

Sincerely,

A handwritten signature in blue ink that reads "Caitlin S. Quander". The signature is written in a cursive style.

Caitlin S. Quander

Enclosures

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<sup>60</sup> See *Development Code* at § 2-02-15-06-02; see also §§ 1-01-03; 3-07-02; 3-25-01; 3-38-01 – 05; ch. 3 Use Chart; 4-09-02-11-02; 4-09-02-11-04; 4-11-01.



## SPECIAL WARRANTY DEED

THIS DEED, Made this 1st day of May, 2024, between

Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

of the County of Hennepin and State of MINNESOTA, grantor(s), and

D&K Limited Liability Company, a Colorado limited liability company

whose legal address is 550 E 84th Avenue Ste E-5, Thornton, CO 80229

of the County of Adams and State of COLORADO, grantee(s):

WITNESS, That the grantor(s), for and in consideration of the sum of ONE MILLION THREE HUNDRED SIXTY-SEVEN THOUSAND EIGHT HUNDRED FIFTY AND NO/100 Dollars (\$1,367,850.00), 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(s), its heirs and assigns forever, 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 1:

A parcel of land located in the Northwest Quarter of Section 34 and in the Southwest Quarter of Section 27 all in Township 3 South, Range 64 West of the Sixth Principal Meridian, County of Adams, State of Colorado.

Beginning at A 3/4" aluminum cap 0.5' above the dirt surface stamped T3S R64W N1/4 S34 -1992 -LS 10734" at the North Quarter corner of said Section 34; thence S00°02'02" W along the Easterly line of the Northwest Quarter of said Section 34 a distance of 635.24 feet; thence N88°42'99"W a distance of 2213.48 feet; thence S00°04'03" W a distance of 147.87 feet; thence N88°42'29"W a distance of 405.00 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way as described at Book 2101, Pages 393-395, Reception No. 48005 Filed in the Adams County Clerk and Recorder's Office; thence N00°04'03" E along the Easterly right-of-way line of Cavanaugh Road a distance of 687.42 feet to a Point on the Southerly right-of-way line of U.S. Highway 40; thence N78°32'19"E along the Southerly right-of-way line of said U.S. Highway 40 a distance of 2669.49 feet to a Point on the Easterly line of the Southwest Quarter of said Section 27; thence S00°09'02" E along the Easterly line of the Southwest Quarter of said Section 27 a distance of 493.80 feet to The Point of Beginning; County of Adams, State of Colorado.

### Parcel 2:

That portion of the Northwest 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., described as follows:

Commencing at a 3-1/4" aluminum cap 0.5' above the dirt surface stamped WT3S R64W N1/4 S34 - 1992 - LS 10734" at the North quarter corner of said Section 34; Thence S00°02'02"W along the Easterly line of the Northwest quarter of said Section 34 a distance of 635.24 feet to the Point of Beginning; Thence continuing S00°02'02"W along the Easterly line of the Northwest quarter of said section 34 a distance of 680.98 feet to the Southeast corner of the South half of the North half of the Northwest quarter of said Section 34; Thence N°48'03"W along the Southerly line of the South half of the North half of the Northwest quarter of said Section 34 a distance of 2618.79 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way is described at Book 2101, Pages 393-395, Reception No. 48005 filed in the Adams County Clerk and Recorder's Office; Thence N00°04'03"E along the Easterly right-of-way line of Cavanaugh Road a distance of 537.34 feet; Thence S88°42'29"E a distance of 405.00 feet; Thence N00°04'03"E a distance of 147.87 feet; Thence S88°42'29"E a distance of 2213.48 feet to the Point of Beginning, County of Adams, State of Colorado.

Also known by street and number as: 2491 Cavanaugh Road, Bennett, CO 80102

Grantors except and reserve unto themselves 100% interest in and to the oil, gas and other minerals in and to the aforesaid land, including, without limitation, all appurtenant royalty interests, mineral development leases and the right to receive any share of rentals, bonus payment, and other similar sums that might be payable under the terms of an appurtenant mineral development lease, if any, however, Grantor waives all access rights to use the surface of the Property to exercise said rights.

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee(s), its heirs, and assigns forever. The grantor(s), for itself, its heirs and personal representatives or successors, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee(s), its heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, through or under the grantor(s), subject to statutory exceptions.

The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLER:

Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

BY: *Ricky L. Van Dyk*  
Ricky L. Van Dyk  
Co-Trustee

BY: \_\_\_\_\_  
Julie A. McKay  
Co-Trustee

STATE OF ~~Kansas~~ <sup>DKCS</sup> Kansas  
COUNTY OF Douglas

The foregoing instrument was acknowledged before me this 29th day of April, 2024, by Ricky L. Van Dyk as Co-Trustees for Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

*Donna M. Garlock-Burdette*  
Notary Public



Witness my hand and official seal.  
My Commission Expires:

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Julie A. McKay as Co-Trustees for Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

\_\_\_\_\_  
Notary Public

Witness my hand and official seal.  
My Commission Expires:

IN WITNESS WHEREOF, the grantor(s) has executed this deed on the date set forth above.

SELLER:

Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

BY: \_\_\_\_\_  
Ricky L. Van Dyk  
Co-Trustee

BY: Julie A McKay  
Julie A. McKay  
Co-Trustee

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Ricky L. Van Dyk as Co-Trustees for Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

\_\_\_\_\_  
Notary Public

Witness my hand and official seal.  
My Commission Expires:

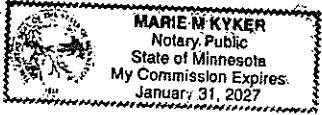
STATE OF MINN

COUNTY OF HENRIP

The foregoing instrument was acknowledged before me this 29 day of APRIL, 2024, by Julie A. McKay as Co-Trustees for Gerrit A. Van Dyk and Dorothy M. Van Dyk Joint Revocable Trust dated August 22, 2011

Marie N Kyker  
Notary Public

Witness my hand and official seal.  
My Commission Expires: 1/31/2027



**Proof of Water**

The property at 2491 Cavanaugh will be served by an onsite well. It is currently served by Well Permit 74064A (attached) with procedural history below and attached. D&K has legally recognized and administratively conditioned groundwater supplies available to serve Parcel 2 (see attached Denver aquifer water rights 2,884 acre-feet). This Well Permit will be cancelled in accordance with the attached Colorado Ground Water Commission Order and a new Well Permit issued to that same physical well to operate pursuant to the Commission Order and the Lost Creek and D&K Stipulation Agreement dated April 29, 2025 (attached). Other than as described, D&K is not proposing any changes to the current water or sewer systems as they are able to serve the proposed limited development and use.

*Procedural History*

In August 2024, D&K applied to the Colorado Ground Water Commission (the “Commission”) for determinations of rights to designated groundwater beneath 2491 Cavanaugh within the Lost Creek Designated Ground Water Basin, seeking allocations from the Laramie-Fox Hills, Upper Arapahoe, Lower Arapahoe, and Denver aquifers. During review, the state engineer requested corrections from D&K, requiring D&K to acknowledge that the Dawson aquifer is absent on-site, to file separate Upper/Lower Arapahoe forms, to fix a Parcel 2 legal description, and to resolve the status of Well No. 74064 (replaced by 74064-A) via a GWS-09 if the original well was abandoned. D&K recorded a Corrective Affidavit for the Parcel 2 scrivener’s error and coordinated on historic well status, confirming 74064-A replaced 74064. Crandall Drilling submitted a GWS-09 for Well 74064. Following these corrections, public notice regarding D&K’s applications were completed pursuant to statute. In January 2025, the Lost Creek Ground Water Management District (the “District”) filed a timely objection to all four applications.

The Commission acknowledged the objection, and proceedings began under Case No. 25GW01. In April 2025, D&K and the District executed a Stipulation and Agreement that limited intended uses of the Parcels to domestic, industrial, commercial, and irrigation and withdrawing claims to storage, municipal, replacement, livestock, wildlife, and recreational water features; the hearing officer approved the Stipulation and Agreement, closed the case, and remanded for administrative processing. In July 2025, the Commission issued four determinations allocating final volumes for the 91.19 acres (the total acreage of Parcel 1 and 2, Parcel 2 being the operative property for this rezoning application): Laramie-Fox Hills: 1,980 acre-feet (No. 4785-BD); Upper Arapahoe: 2,400 acre-feet (No. 4787-BD); Lower Arapahoe: 853 acre-feet (No. 4786-BD); and Denver: 2,884 acre-feet (No. 4788-BD), with jurisdiction affirmed in the Lost Creek Basin and allocations made under C.R.S. § 37-90-107(7) and the Designated Basin Rules. Pursuant to the Stipulation and Agreement, standard conditions related to construction in the aquifer, overlying-land siting, spacing/waivers, geophysical logging, metering/recordkeeping, and separate small-capacity permitting by the state engineer apply to development on the Property. The Denver Aquifer determination further requires canceling and re-permitting Well Permit 74064-A to operate under the new determination. D&K will comply with all terms of the

D&K I-1 Rezoning Application: Proof of Water

Stipulation and Agreement and will replace the Well Permit as contemplated upon development of the Property.

**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

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Determination No.: 4788-BD

Aquifer: Denver

Applicant: D&K Limited Liability Company c/o Brad Davis

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In compliance with section 37-90-107(7) of the Colorado Revised Statutes (“C.R.S.”), and the Rules and Regulations for the Management and Control of Designated Ground Water, 2 CCR 410-1 (“Designated Basin Rules”), D&K Limited Liability Company c/o Brad Davis (“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 August 9, 2024.
2. The Applicant requests a determination of right to an allocation of designated groundwater (“Determination”) in the Denver aquifer (“Aquifer”) underlying 91.19 acres, generally described as part of the SW 1/4 of Section 27 and part of the NW 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., in Adams County (“Overlying Land”). According to a Nontributary Groundwater Landownership Statement dated August 8, 2024, attached hereto as Exhibit A, the Applicant owns the 91.19 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.

Aquifer: Denver

Applicant: D&K Limited Liability Company c/o Brad Davis

3. The Overlying Land is located within the boundaries of the Lost Creek Designated Groundwater Basin and 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: domestic, industrial, commercial, and irrigation. The Applicant's proposed place of use of the groundwater in the Aquifer underlying the Overlying Land is the above described 91.19 acres of Overlying Land.
6. Pursuant to section 37-90-107(7)(a), C.R.S., 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 91.19 acres of Overlying Land claimed by the Applicant is 3,100 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 200 feet.

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

8. A review of the records in the Office of the State Engineer has disclosed that a well operating pursuant to section 37-90-105, C.R.S., (i.e. a small-capacity well), permit no. 74064-A, is located on the Overlying Land and is permitted to withdraw 3 acre-feet per year of groundwater from the Aquifer from beneath the Overlying Land. The applicant has indicated that permit no. 74064-A will be canceled and the well re-permitted to operate pursuant to this Determination. The amount of water considered to have been historically withdrawn from the aquifer by this well is 216 acre-feet. In applying Rule 5.3.2.5 of the Designated Basin Rules to computing the amount of water available for allocation in this Determination, the amount of groundwater in the Aquifer underlying the Overlying Land available for allocation in this Determination is reduced by 216 acre-feet to 2,884 acre-feet. Except for that well, review of the records in the Office of the State Engineer finds no other previous allocations or permitted withdrawals from the Aquifer underlying the Overlying Land.
9. Pursuant to section 37-90-107(7)(c)(III), C.R.S., 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), C.R.S., 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), C.R.S. 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 Designated Basin Rules.

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

11. Large capacity well permits issued pursuant to section 37-90-107(7), C.R.S. are subject to the following provisions of statute and the Designated Basin Rules.
  - a. Pursuant to section 37-90-107(7)(a), C.R.S. well permits issued pursuant to subsection 107(7) shall allow withdrawals on the basis of an aquifer life of one hundred years. The 2,884 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 28.84 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, C.R.S., 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.R.S.
  - 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 (0.1%) of the annual rate of withdrawal and, therefore, the groundwater in the Aquifer underlying the Overlying Land is considered to be not-nontributary groundwater as defined in Rule 4.2.23 of the Designated Basin Rules. Also, the location of the land claimed by the Applicant is farther than one mile from the Aquifer contact with the alluvium. Pursuant to the Rules, at least four percent (4%) of the amount of the underlying water withdrawn annually must be returned to the alluvial aquifer in the vicinity of the permitted point or

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

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), C.R.S., 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 November 26, 2024, 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), C.R.S. and 37-90-112, C.R.S., the application was published in the Eastern Colorado News newspaper on December 6, 2024 and December 13, 2024.
  - a. An objection to the application was submitted by the Lost Creek Ground Water Management District.

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

- b. The application and objection were forwarded to the Hearing Officer and assigned case no. 25GW01.
- c. The Applicant and the Lost Creek Ground Water Management District entered into a stipulation dated April 29, 2025.
- d. The Hearing Officer entered an order dated May 2, 2025 dismissing the case and remanding the application to Staff for administrative processing.

### Order

In accordance with section 37-90-107(7), C.R.S. and the Designated Basin Rules, the Commission hereby determines a right to an allocation of designated groundwater in the Denver Aquifer underlying 91.19 acres of land, generally described as part of the SW 1/4 of Section 27 and part of the NW 1/4 of Section 34, Township 3 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 91.19 acres of Overlying Land allocated herein is 2,884 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), C.R.S., 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), C.R.S.

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

19. Well permits issued pursuant to section 37-90-107(7), C.R.S., (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 2,884 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, C.R.S. 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.

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

- 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: domestic, industrial, commercial, and irrigation. The place of use and place of storage of the Underlying Groundwater shall be limited to the above described 91.19 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 91.19 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.

Aquifer: Denver

Applicant: D&amp;K Limited Liability Company c/o Brad Davis

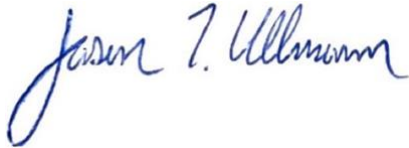
- i. The wells must be constructed to withdraw water from only the Denver Aquifer.
  - j. The entire depth of each well must be geophysically logged prior to installing the casing in the same manner as set forth in Rule 9 of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7.
  - k. A totalizing flow meter or other Commission approved measuring device shall be installed on each well and maintained in good working order by the well owner. Annual diversion records shall be collected and permanently maintained by the well owner and submitted to the Commission and the Lost Creek Ground Water Management District upon request.
  - l. The well shall be marked in a conspicuous place with this determination number, the well permit number, and the name of the Aquifer. The well owner shall take necessary means and precautions to preserve these markings.
20. Existing well permit no. 74064-A must be canceled and a new permit issued for that well to operate pursuant to this Determination.
  21. 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 91.19 acres of Overlying Land area, or any part thereof, shall reveal the existence of this Determination.
  22. 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

Aquifer: Denver

Applicant: D&K Limited Liability Company c/o Brad Davis

specific Aquifer, and the total amount (i.e. volume) of the right that is being conveyed.

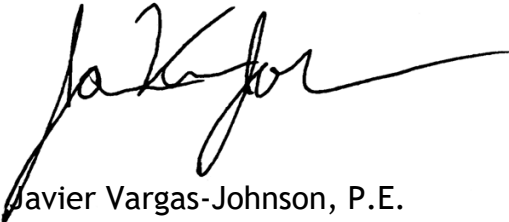
Dated this 3rd day of July, 2025.



Jason T. Ullmann, P.E.

Executive Director

Colorado Ground Water Commission



By: Javier Vargas-Johnson, P.E.

Chief of Water Supply, Designated Basins

F&O4788-BD.docx

Prepared by: wad

Form no. **DIVISION OF WATER RESOURCES**  
 GWS-1 **DEPARTMENT OF NATURAL RESOURCES**  
 (7/2023) **1313 Sherman St, Room 821, Denver, CO 80203**  
**(303) 866-3581, [www.colorado.gov/water](http://www.colorado.gov/water), [dwrpermitsonline@state.co.us](mailto: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](http://Colorado.gov/water). See instructions on the reverse of this form.  
 Type or print in black or blue ink.

<b>1. APPLICANT INFORMATION</b>			
Name of Applicant D&K Limited Liability Company (Brad Davis)			
Mailing Address 550 E 84th Ave Suite E-5	City Thornton	State CO	Zip Code 80229
Telephone Number (include area code) 303-944-8657		Email bdavis@dandkllc.com	
<b>2. AQUIFER</b> <i>Denver</i>			
<b>3. CLAIM OF OWNERSHIP</b> – I hereby claim that I am the owner of the following described property, as evidenced by the attached copy of a deed recorded in the county in which the property is located.  Number of acres: <u>91.19</u> in the county of: <u>Adams</u>  described as follows (type the legal description below or type "see attached" and attach a legal description).  See Attached   - 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.			
<b>4. THE APPLICANT MUST PROVIDE</b> – a Verification of Notice of Application (form no. GWS-43) (see instructions for exceptions).			
<b>5. SIGNATURE</b> – Sign or enter name(s) of applicant(s) or authorized agent. The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104(13)(a). I have read the statements herein, know the contents thereof, and state that they are true to my knowledge.  Signature: <u><i>Brad Davis</i></u> Date: <u>8/8/24</u>  Print name and title: <u>Brad Davis (D&amp;K LLC Managing Member)</u>			



Exhibit A  
Determination no. 4788-BD  
Page 3 of 6

Parcel 1:

A parcel of land located in the Northwest Quarter of Section 34 and in the Southwest Quarter of Section 27 all in Township 3 South, Range 64 West of the Sixth Principal Meridian, County of Adams, State of Colorado.

Beginning at A 31/4 aluminum cap 0.5' above the dirt surface stamped T3S R64W N1/4 S34 -1992 -LS 10734" at the North Quarter corner of said Section 34; thence S00°02'02" W along the Easterly line of the Northwest Quarter of said Section 34 a distance of 635.24 feet; thence N88°42'99"W a distance of 2213.48 feet; thence S00°04'03"W a distance of 147.87 feet; thence N88°42'29"W a distance of 405.00 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way as described at Book 2101, Pages 393-395, Reception No. 48005 Filed in the Adams County Clerk and Recorder's Office; thence N00°04'03" E along the Easterly right-of-way line of Cavanaugh Road a distance of 687.42 feet to a Point on the Southerly right-of-way line of U.S. Highway 40; thence N78°32'19"E along the Southerly right of-way line of said U.S. Highway 40 a distance of 2669.49 feet to a Point on the Easterly line of the Southwest Quarter of said Section 27; thence S00°09'02" E along the Easterly line of the Southwest Quarter of said Section 27 a distance of 493.80 feet to The Point of Beginning; County of Adams, State of Colorado.

Parcel 2:

That portion of the Northwest 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., described as follows:

Commencing at a 3-1/4" aluminum cap 0.5' above the dirt surface stamped WT3S R64W N1/4 S34 - 1992 - LS 10734" at the North quarter corner of said Section 34; Thence S00°02'02"W along the Easterly line of the Northwest quarter of said Section 34 a distance of 635.24 feet to the Point of Beginning; Thence continuing S00°02'02"W along the Easterly line of the Northwest quarter of said section 34 a distance of 680.98 feet to the Southeast corner of the South half of the North half of the Northwest quarter of said Section 34; Thence **N°48'03"W** along the Southerly line of the South half of the North half of the Northwest quarter of said Section 34 a distance of 2618.79 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way is described at Book 2101, Pages 393-395, Reception No. 48005 filed in the Adams County Clerk and Recorder's Office; Thence N00°04'03"E along the Easterly right-of-way line of Cavanaugh Road a distance of 537.34 feet; Thence S88°42'29"E a distance of 405.00 feet; Thence N00°04'03"E a distance of 147.87 feet; Thence S88°42'29"E a distance of 2213.48 feet to the Point of Beginning, County of Adams, State of Colorado.

The consideration amount in said instrument is hereby corrected by this affidavit to:

Parcel 1:

A parcel of land located in the Northwest Quarter of Section 34 and in the Southwest Quarter of Section 27 all in Township 3 South, Range 64 West of the Sixth Principal Meridian, County of Adams, State of Colorado.

Beginning at A 31/4 aluminum cap 0.5' above the dirt surface stamped T3S R64W N1/4 S34 -1992 -LS 10734" at the North Quarter corner of said Section 34; thence S00°02'02" W along the Easterly line of the Northwest Quarter of said Section 34 a distance of 635.24 feet; thence N88°42'99"W a distance of 2213.48 feet; thence S00°04'03"W a distance of 147.87 feet; thence N88°42'29"W a distance of 405.00 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way as described at Book 2101, Pages 393-395, Reception No. 48005 Filed in the Adams County Clerk and Recorder's Office; thence N00°04'03" E along the Easterly right-of-way line of Cavanaugh Road a distance of 687.42 feet to a Point on the Southerly right-of-way line of U.S. Highway 40; thence N78°32'19"E along the Southerly right of-way line of said U.S. Highway 40 a distance of 2669.49 feet to a Point on the Easterly line of the Southwest Quarter of said Section 27; thence S00°09'02" E along the Easterly line of the Southwest Quarter of said Section 27 a distance of 493.80 feet to The Point of Beginning; County of Adams, State of Colorado.

Parcel 2:

That portion of the Northwest 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., described as follows:

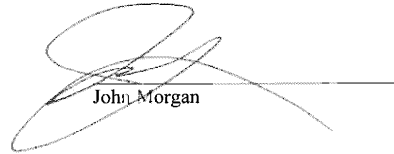
Commencing at a 3-1/4" aluminum cap 0.5' above the dirt surface stamped WT3S R64W N1/4 S34 - 1992 - LS 10734" at the North quarter corner of said Section 34; Thence S00°02'02"W along the Easterly line of the Northwest quarter of said Section 34 a distance of 635.24 feet to the Point of Beginning; Thence continuing S00°02'02"W along the Easterly line of the Northwest quarter of said section 34 a distance of 680.98 feet to the Southeast corner of the South half of the North half of the Northwest quarter of said Section 34; Thence **N88°48'03"W** along the Southerly line of the South half of the North half of the Northwest quarter of said Section 34 a distance of 2618.79 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way is described at Book 2101, Pages 393-395,

Exhibit A  
Determination no. 4788-BD  
Page 4 of 6

Reception No. 48005 filed in the Adams County Clerk and Recorder's Office; Thence N00°04'03"E along the Easterly right-of-way line of Cavanaugh Road a distance of 537.34 feet; Thence S88°42'29"E a distance of 405.00 feet; Thence N00°04'03"E a distance of 147.87 feet; Thence S88°42'29"E a distance of 2213.48 feet to the Point of Beginning, County of Adams, State of Colorado.

6. Affiant herein acknowledges that he/she is, by this instrument, testifying under penalty of perjury.

Further Affiant sayeth not.

  
John Morgan

STATE OF COLORADO        )  
  ) ss.  
COUNTY OF ARAPAHOE    )

Subscribed and sworn to before me this 6th day of September, 2024, by John Morgan

My commission expires: 05/17/27


  
Notary Public



Exhibit A  
 Determination no. 4788-BD  
 Page 5 of 6

**ALTA / NSPS LAND TITLE SURVEY**  
 2491 Cavanaugh Road  
 PART OF THE NW 1/4, SECTION 34, AND THE SW 1/4, SECTION 27,  
 TOWNSHIP 3 SOUTH, RANGE 64 WEST OF THE 6TH P.M.  
 COUNTY OF ADAMS, STATE OF COLORADO

**PROPERTY DESCRIPTION**

**Parcel 1:**

A parcel of land located in the Northwest Quarter of Section 34 and in the Southwest Quarter of Section 27 of Township 3 South, Range 64 West of the Sixth Principal Meridian, County of Adams, State of Colorado. Beginning at A 3/16" aluminum cap 0.5' above the dirt surface staked T35 R64W N14 S34 - 1092 - LS 10734" at the North Quarter corner of said Section 34, thence S00°02'02" W along the Eastern line of the Northwest Quarter of said Section 34 a distance of 635.24 feet, thence N85°42'59" W a distance of 2213.48 feet, thence S00°04'03" W a distance of 147.87 feet, thence N84°42'27" W a distance of 405.00 feet to the Eastern right-of-way line of Cavanaugh Road, said right of way as described at Book 2101, Pages 303-305, Reception No. 48005 filed in the Adams County Clerk and Recorder's Office, thence N00°04'03" E along the Eastern right-of-way line of Cavanaugh Road a distance of 697.42 feet to a Point on the Southern right-of-way line of U.S. Highway 40, thence N76°12'10" E along the Southern right-of-way line of said U.S. Highway 40 a distance of 2060.48 feet to a Point on the Eastern line of the Southwest Quarter of said Section 27, thence S00°09'02" E along the Eastern line of the Southwest Quarter of said Section 27 a distance of 493.80 feet to the Point of Beginning, County of Adams, State of Colorado.

**Parcel 2:**

That portion of the Northwest 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., described as follows: Commencing at a 3-1/4" aluminum cap 0.5' above the dirt surface staked W135 R64W N14 S34 - 1092 - LS 10734" at the North Quarter corner of said Section 34, thence S00°02'02" W along the Eastern line of the Northwest Quarter of said Section 34 a distance of 635.24 feet to the Point of Beginning, thence continuing S00°02'02" W along the Eastern line of the Northwest Quarter of said Section 34 a distance of 600.99 feet to the Southeast corner of the South half of the North half of the Northwest Quarter of said Section 34, thence N48°03'14" W along the Southern line of the South half of the North half of the Northwest Quarter of said Section 34 a distance of 2618.78 feet to the Eastern right-of-way line of Cavanaugh Road, said right of way as described at Book 2101, Pages 303-305, Reception No. 48005 filed in the Adams County Clerk and Recorder's Office, thence N00°04'03" E along the Eastern right-of-way line of Cavanaugh Road a distance of 537.34 feet, thence S68°42'29" E a distance of 405.00 feet, thence N00°04'03" E a distance of 147.87 feet, thence S68°42'29" E a distance of 2213.48 feet to the Point of Beginning, County of Adams, State of Colorado.

For information purposes only: 2491 Cavanaugh Road, Bennett, CO 80102  
 APN: Parcel ID: 0181734200001 0181734200002

THE FOLLOWING IS A PART OF THE COMMITMENT FOR TITLE INSURANCE ISSUED BY FIRST INTEGRITY TITLE COMPANY, ORDER NO. 109-2404283-S-2023, SCHEDULE B, PART II - EXCEPTIONS:

- 8 ANY EXISTING LEASES OR TENANCIES
- 10 RIGHT OF WAY FOR ALL COUNTY ROADS AS CURRENTLY ESTABLISHED AND USED.
- 11 RESERVATION BY THE UNION PACIFIC LAND RAILROAD COMPANY OF (1) ALL OIL, COAL AND OTHER MINERALS UNDERLYING THE LAND, (2) THE EXCLUSIVE RIGHT TO PROSPECT FOR, MINE, AND REMOVE OIL, COAL, AND OTHER MINERALS, AND (3) THE RIGHT OF MINERS AND MINERS AND REGRESS TO PROSPECT FOR, MINE AND REMOVE OIL, COAL AND OTHER MINERALS, ALL AS CONTAINED IN DEEDS RECORDED DECEMBER 15, 1900 IN BOOK 2101 AT PAGE 303 AND ANY AND ALL ASSUMPTIONS THEREOF OR INTERESTS THEREIN. (NOT PLOTTABLE)
- NOTE: OUYELAMU DEED RECORDED APRIL 14, 1971 IN BOOK 1024 AT PAGE 217 AND RELEASE AND OUYELAMU DEED RECORDED DECEMBER 23, 1988 AT RECEPTION NO. 4248334 AND DEED RECORDED FEBRUARY 6, 2020 AT RECEPTION NO. 4248334
- NOTE: REQUEST FOR NOTIFICATION OF SURFACE DEVELOPMENT RECORDED MAY 20, 2002 AT RECEPTION NO. 4248334
- 12 RESERVATION OF A 1/8 INTEREST IN OIL, GAS AND OTHER MINERALS AS RESERVED IN DEED RECORDED JANUARY 24, 1926 IN BOOK 1024 AT PAGE 217 AND IN DEED RECORDED AUGUST 22, 1967 IN BOOK 1024 AT PAGE 217, AND ANY AND ALL ASSUMPTIONS THEREOF OR INTERESTS THEREIN. (NOT PLOTTABLE)
- 13 TERMS, CONDITIONS, PROVISIONS, OBSERVATIONS AND AGREEMENTS AS SET FORTH IN THE RESOLUTION RECORDED MAY 23, 1971 AT RECEPTION NO. 4248334 (NOT PLOTTABLE)
- 14 TERMS, CONDITIONS, PROVISIONS, OBSERVATIONS AND AGREEMENTS AS SET FORTH IN THE PUBLIC SERVICE COMPANY OF COLORADO EASEMENT RECORDED APRIL 10, 2012 AT RECEPTION NO. 4248334
- 15 OIL AND GAS EASES RECORDED FEBRUARY 12, 2018 AT RECEPTION NO. 4248334, AND ANY AND ALL ASSUMPTIONS THEREOF OR INTERESTS THEREIN. (NOT PLOTTABLE)
- 16 TERMS, CONDITIONS, PROVISIONS, OBSERVATIONS AND AGREEMENTS AS SET FORTH IN THE RESOLUTION RECORDED OCTOBER 16, 2019 AT RECEPTION NO. 4248334 (NOT PLOTTABLE)

**TABLE A PARCEL DATA**

PHYSICAL ADDRESS: 2491 Cavanaugh Road, Bennett, CO 80102

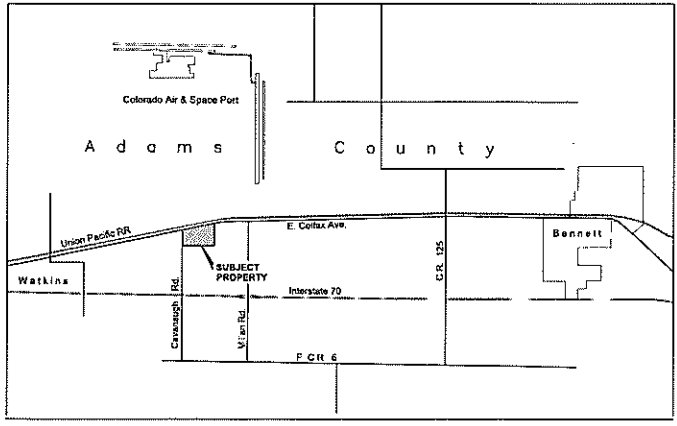
GROSS LAND AREA: 91.19 ACRES MORE OR LESS.

ZONING: ZONING REPORT NOT PROVIDED BY CLIENT.

THE SUBJECT PROPERTY DOES NOT LIE WITHIN A DESIGNATED 100-YEAR FLOOD HAZARD AREA, FEMA DESIGNATION ZONE X AREA OF MINIMAL FLOOD HAZARD.  
 FEMA MAP NO. 080210055H, EFFECTIVE DATE 5/5/2007

**NOTES:**

- 1 ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED ON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. NO EVENT SHALL ANY ACTION BE COMMENCED MORE THAN 10 YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREIN.
- 2 ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFEATS ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMBATS A CLASS TWO MISDEMEANOR PURSUANT TO SECTION 18-4-508 OF THE COLORADO REVISED STATUTES.
- 3 THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY RAMOND BACK SURVEYING, LLC TO DETERMINE OWNERSHIP OR EASEMENTS OF RECORD. FOR ALL INFORMATION REGARDING EASEMENTS AND RIGHTS-OF-WAY, RAMOND BACK SURVEYING, LLC RELIED ON THE RECORDED PLATS AND RECORD DOCUMENTS CONTAINED IN THE REFERENCED COMMITMENT FOR TITLE INSURANCE.
- 4 BASIS OF BEARINGS: THE NORTH LINE OF PARCEL 1 OF THE SUBJECT PROPERTY BETWEEN THE NORTHWEST CORNER BEING THE NORTHWEST CORNER OF SECTION 34 A FOUND 3/4" ALUMINUM CAP IS ABOVE SURFACE STAMPED AS SHOWN 1 1/2" WEST OF PROPERTY LINE, AND THE NORTHEAST CORNER BEING A FOLIO LSS BEAR WITH YELLOW PLASTIC CAP MARKED 25001, SAID NORTH LINE BEARS N81°32'19"E WITH ALL BEARINGS HEREIN RELATIVE THERETO.
- 5 LINEAL UNIT OF MEASURE IS U.S. SURVEY FEET.
- 6 UTILITIES, IF SHOWN, WERE PLOTTED BASED ON VISIBLE AND MARKINGS BY A UTILITY OR UTILITY MARKING COMPANY, AND ARE NOT GUARANTEED ACCURATE, COMPLETE OR ALL INCLUSIVE.



VICINITY MAP  
 NO SCALE

**SURVEYORS CERTIFICATION**

TO FIRST INTEGRITY TITLE COMPANY AND DAK LLC, A COLORADO LIMITED LIABILITY COMPANY:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT, AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 8, 11(a), AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON APRIL 5, 2024.



SCOTT A. PELLING  
 COLORADO REGISTERED PROFESSIONAL  
 LAND SURVEYOR NO. 27336

REVISIONS

NO.	REVISION	DATE	BY
1	ISSUED	4/11/24	SSP

PROJECT: 2491 Cavanaugh Road  
 ADAMS COUNTY, CO, COLORADO  
 SHEET 1 OF 2  
 JOB NO. 2491

DATE: 4/11/24  
 DRAWN BY: JCS  
 CHECKED BY: SSP

PREPARED BY: LSS SURVEYING LLC  
 1000 W. 10TH AVE., SUITE 100  
 DENVER, CO 80202  
 CONTACT: SCOTT A. PELLING, PLS  
 303.733.2736



<p>Before the Colorado Ground Water Commission 1313 Sherman St., Rm 821, Denver, Colorado 80203</p>	<p style="text-align: center;"><b>COMMISSION USE ONLY</b></p>
<p><b>IN THE MATTER OF AN APPLICATION FOR DETERMINATION OF WATER RIGHT, RECEIPT NOS. 10037677-10037680</b></p> <p>In the Lost Creek Designated Ground Water Basin</p> <p>Applicant: D&amp;K, Limited Liability Company c/o Brad Davis</p> <p>In Adams County.</p>	
<p><i>ATTORNEY FOR D&amp;K, LLC</i> Michael P. Smith, # 48730 Ruth Elizabeth Morris, # 60764 <b>BROWNSTEIN HYATT FARBER SCHRECK, LLP</b> 675 Fifteenth Street, Suite 2900 Denver, Colorado 80202-4432 Telephone: (303) 223-1100 Fax: (303) 223-1111 E-Mail: msmith@bhfs.com; rmorris@bhfs.com</p>	<p style="text-align: center;">Case Number: 21GW05</p>
<p><b>STIPULATION AND AGREEMENT BETWEEN APPLICANT AND OBJECTOR LOST CREEK GROUND WATER MANAGEMENT DISTRICT</b></p>	

Applicant, D&K, LLC (“Applicant”), and Objector, Lost Creek Ground Water Management District (the “District”), by and through their respective undersigned legal counsel, hereby stipulate and agree (“Stipulation”) as follows:

1. Applicant filed applications with the Colorado Ground Water Commission (“Commission”) on August 8, 2024 for determination of water rights to allocations of designated groundwater from the Laramie-Fox Hills (receipt no. 10037677), Lower Arapahoe (receipt no. 10037678), Upper Arapahoe (receipt no. 10037679) and Denver (receipt no. 10037680) aquifers underlying 91.19 acres generally described as part of the SW 1/4 of Section 27 and part of the NW 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., Adams County (collectively, the “Applications”).
2. The Applications were duly published in the Eastern Colorado News on December 6 and 13, 2024 pursuant to C.R.S. § 37-90-107(7). Under the Applications, Applicant proposed to use the groundwater from these allocations on the described property for the following beneficial uses: industrial, commercial, domestic, livestock, irrigation, recreational water feature, wildlife, and replacement in support of such uses, either directly or after storage.

3. The District filed a timely objection on January 13, 2025, and the Commission Hearing Office assigned the matter Case No. 25GW01.
4. Since the District's filing of its objection, Applicant has agreed to limit the beneficial uses under the Applications to the following uses: industrial, domestic, irrigation, and stock-watering. Applicant will withdraw its claims for the following beneficial uses: municipal, replacement, livestock, wildlife, and recreational water feature uses.
5. The District agrees that it will not oppose the issuance of any final determination in this case that contains terms and conditions that are consistent with this Stipulation.
6. The District shall limit its participation herein to ensuring that the determination ultimately entered in this case is in conformity with the provisions of this Stipulation, namely, that beneficial uses are limited to domestic, industrial, commercial, and irrigation.
7. This Stipulation shall bind and benefit the Parties hereto and their assigns and successors-in-interest.
8. The Parties represent and affirm the signatories to this Stipulation are legally authorized to bind the Parties.
9. The Parties hereto shall each bear their own costs and attorneys' fees.

Dated this 24 day of April, 2025

BROWNSTEIN HYATT FARBER SCHRECK, LLP



Michael P. Smith, #48730

*Attorney for Applicant, D&K LLC*

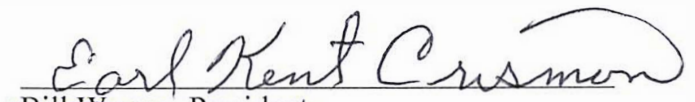
LAW OFFICE OF P. ANDREW JONES



P. Andrew Jones, #29076

*Attorney for Objector  
Lost Creek Ground Water Management District*

LOST CREEK GROUND WATER  
MANAGEMENT DISTRICT



~~Bill Warren, President~~  
Kent Crisman, Vice President

**QUITCLAIM DEED WATER RIGHTS**

THIS DEED is dated **May 1, 2024**, and is made between **Gerrit A. and Dorothy M. Van Dyk Joint Revocable Trust**, "Grantor," and **D&K Limited Liability Company** "Grantee," whose legal address is 550 E 84th Avenue Ste E-5, Thornton CO 80229.

**WITNESS**, that the Grantor, for and in consideration of the sum of **Ten Dollars (\$10.00) and other good and valuable consideration**, the receipt and sufficiency of which is hereby acknowledged, does hereby remise, release, sell and QUITCLAIM unto the Grantee, its successors and assigns, forever, all the right, title, interest, claim and demand which the Grantor has in and to the real property being the Designated Ground Water together with the well and associated water rights located in the County of **Adams** and State of Colorado, described as follows:

All water, all water rights, all water development rights and all water related interests owned by the Grantor, pertaining to the above described Property, if any, including but not limited to all water, water shares, all surface and subsurface water rights, all tributary, non-tributary and not non-tributary ground water rights, reservoirs and reservoir rights used in connection with the Property, ditches, ditch rights, wells, well rights whether adjudicated or non-adjudicated, all state engineer filings, determination of water rights, well registration statements, well permit applications, decrees and all well permits, with the exception of any mineral rights reserved in the deed at Reception No. ~~2024000022972~~ dated May 1, 2024. Neither the title company nor the Grantor are insuring, warranting or making any representations concerning the extent or present or future condition or the above described water rights associated with the Property.

This Quitclaim Deed is executed and delivered simultaneously with Grantor's transfer to Grantee, by separate deed, of the real property described as follows in Adams County, Colorado:

**SEE EXHIBIT "A" PROPERTY LEGAL DESCRIPTION** attached hereto and incorporated herein also known by street address as: **2491 Cavanaugh Road, Bennett CO 80102** and assessor's schedule or parcel number: **0181734200001 and 0181734200002**.

**IN WITNESS WHEREOF**, the Grantor has executed this deed on the date set forth above.

GRANTOR:

Gerrit A. and Dorothy M. Van Dyk Joint Revocable Trust

*Ricky L. Van Dyk*  
By, Ricky L. Van Dyk, Trustee

\_\_\_\_\_  
Julie McKay, Trustee

STATE OF <sup>DMCB</sup> ~~COLORADO~~ *Kansas* )  
County of *Douglas* ) ss.

*DMCB*  
*April 29th*

The foregoing instrument was acknowledged before me on this day of ~~May~~ <sup>DMCB</sup> *April*, 2024 by Ricky L. Van Dyk and Julie McKay Trustees of the Gerrit A. and Dorothy M. Van Dyk Joint Revocable Trust.

Witness my hand and official seal.  
My commission expires: *01-10-2026*

*Donna M Garlock-Burdette*  
Notary Public



GRANTOR:

Gerrit A. and Dorothy M. Van Dyk Joint Revocable Trust

By, Ricky L. Van Dyk, Trustee

Julie McKay  
Julie McKay, Trustee

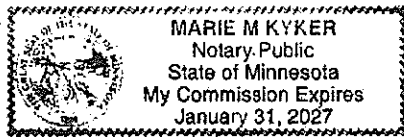
STATE OF ~~COLORADO~~ <sup>MINN</sup> )  
County of  <sup>Hennepin</sup> ) ss.

APRIL 29, 2024

The foregoing instrument was acknowledged before me on this day of ~~May~~ <sup>APRIL</sup> 29, 2024 by Ricky L. Van Dyk and Julie McKay Trustees of the Gerrit A. and Dorothy M. Van Dyk Joint Revocable Trust.

Witness my hand and official seal.  
My commission expires: 1/31/2027

Marie M. Kyker  
Notary Public



## EXHIBIT A

The land referred to herein is situate in Adams County, State of Colorado and is described as follows:

### Parcel 1:

A parcel of land located in the Northwest Quarter of Section 34 and in the Southwest Quarter of Section 27 all in Township 3 South, Range 64 West of the Sixth Principal Meridian, County of Adams, State of Colorado. Beginning at A 3 1/4 aluminum cap 0.5' above the dirt surface stamped T3S R64W N1/4 S34 -1992 -LS 10734" at the North Quarter corner of said Section 34; thence S00°02'02" W along the Easterly line of the Northwest Quarter of said Section 34 a distance of 635.24 feet; thence N88°42'99"W a distance of 2213.48 feet; thence S00°04'03" W a distance of 147.87 feet; thence N88°42'29"W a distance of 405.00 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way as described at Book 2101, Pages 393-395, Reception No. 48005 Filed in the Adams County Clerk and Recorder's Office; thence N00°04'03" E along the Easterly right-of-way line of Cavanaugh Road a distance of 687.42 feet to a Point on the Southerly right-of-way line of U.S. Highway 40; thence N78°32'19"E along the Southerly right of-way line of said U.S. Highway 40 a distance of 2669.49 feet to a Point on the Easterly line of the Southwest Quarter of said Section 27; thence S00°09'02" E along the Easterly line of the Southwest Quarter of said Section 27 a distance of 493.80 feet to The Point of Beginning; County of Adams, State of Colorado.

### Parcel 2:

That portion of the Northwest 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., described as follows:

Commencing at a 3-1/4" aluminum cap 0.5' above the dirt surface stamped WT3S R64W N1/4 S34 - 1992 - LS 10734" at the North quarter corner of said Section 34; Thence S00°02'02"W along the Easterly line of the Northwest quarter of said Section 34 a distance of 635.24 feet to the Point of Beginning; Thence continuing S00°02'02"W along the Easterly line of the Northwest quarter of said section 34 a distance of 680.98 feet to the Southeast corner of the South half of the North half of the Northwest quarter of said Section 34; Thence N°48'03"W along the Southerly line of the South half of the North half of the Northwest quarter of said Section 34 a distance of 2618.79 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way is described at Book 2101, Pages 393-395, Reception No. 48005 filed in the Adams County Clerk and Recorder's Office; Thence N00°04'03"E along the Easterly right-of-way line of Cavanaugh Road a distance of 537.34 feet; Thence S88°42'29"E a distance of 405.00 feet; Thence N00°04'03"E a distance of 147.87 feet; Thence S88°42'29"E a distance of 2213.48 feet to the Point of Beginning, County of Adams, State of Colorado.

For information purposes only: 2491 Cavanaugh Road, Bennett, CO 80102  
APN/Parcel ID: 0181734200001, 0181734200002

FORM NO.  
GWS-32  
10/04

**PUMP INSTALLATION AND TEST REPORT**  
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only

0468237 RECEIVED  
APR 17 2001

WATER RESOURCES  
STATE ENGINEER  
COLO

1. WELL PERMIT NUMBER 74064-A

2. OWNER NAME(S) Gary Van Dyk  
Mailing Address 2491 Cavanaugh Rd  
City, St. Zip Watkins, CO 80737  
Phone (303) 366-7862

3. WELL LOCATION AS DRILLED: NW 1/4 NW 1/4, Sec. 34 Twp. 35, Range 64 W  
DISTANCES FROM SEC. LINES:  
675 ft. from North Sec. line. and 218 ft. from West Sec. line.  
(north or south) (east or west)  
SUBDIVISION: \_\_\_\_\_ LOT \_\_\_\_\_ BLOCK \_\_\_\_\_ FILING(UNIT) \_\_\_\_\_  
STREET ADDRESS AT WELL LOCATION: \_\_\_\_\_

4. PUMP DATA: Type Submersible Installation Completed 3-16-01  
Pump Manufacturer \_\_\_\_\_ Pump Model No. 150 CNICSI 188C1  
Design GPM 10 at RPM 3450, HP 1 1/2, Volts 230, Full Load Amps 12  
Pump Intake Depth 360 Feet, Drop/Column Pipe Size 1 Inches, Kind P.V.C  
ADDITIONAL INFORMATION FOR PUMPS GREATER THAT 50 GPM:  
TURBINE DRIVER TYPE:  Electric  Engine  Other \_\_\_\_\_  
Design Head \_\_\_\_\_ feet, Number of Stages \_\_\_\_\_, Shaft size \_\_\_\_\_ inches.

5. OTHER EQUIPMENT:  
Airline Installed  Yes  No, Orifice Depth ft. \_\_\_\_\_, Monitor Tube Installed  Yes  No, Depth ft. \_\_\_\_\_  
Flow Meter Mfg. \_\_\_\_\_ Meter Serial No. \_\_\_\_\_  
Meter Readout  Gallons,  Thousand Gallons,  Acre feet,  Beginning Reading \_\_\_\_\_

6. TEST DATA:  Check box if Test data is submitted on Supplemental Form.  
Date 3-16-01  
Total Well Depth 605 Time 5:30  
Static Level 210' Rate (GPM) 15  
Date Measured 3-14-01 Pumping Lvl. 240

7. DISINFECTION: Type Chlorine Amt. Used 2 gal

8. Water Quality analysis available.  Yes  No

9. Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

CONTRACTOR Crandall's Lock It Good Drilling Phone (303) 622-4820 Lic. No. 1229  
Mailing Address \_\_\_\_\_

Name/Title (Please type or print) Signature Date  
Howard H Crandall - owner Howard H Crandall 3-31-01

OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES  
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203  
(303) 866-3581

WELL PERMIT NUMBER

74064 - A

DIV. 8

WD 1

DES. BASIN 5

MD 9

APPLICANT

GARY VAN DYK  
2491 CAVANAUGH RD  
WATKINS, CO 80137-

APPROVED WELL LOCATION

ADAMS COUNTY

NW 1/4 NW 1/4 Section 34

Township 3 S Range 64 W Sixth P.M.

DISTANCES FROM SECTION LINES

675 Ft. from North Section Line

218 Ft. from West Section Line

(303) 366-7862

PERMIT TO CONSTRUCT A WELL

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-105(3)(d) for the replacement of an existing well, permit no. 74064. The old well must be plugged and abandoned in accordance with Rule 16 of the Water Well Construction Rules. The enclosed Well Abandonment Report form must be completed within ninety (90) days of construction of the new well affirming that the old well was plugged and abandoned.
- 4) Water from this well may be used for domestic purposes inside one (1) single family dwelling.
- 5) The maximum pumping rate of this well shall not exceed 50 GPM.
- 6) The annual withdrawal of ground water from this well shall not exceed 3 acre-feet.
- 7) The irrigated area shall not exceed 1 acre of lawn and garden.
- 8) Water from this well may be used for the watering of livestock on range and pasture.
- 9) Production is limited to the Denver aquifer which is located 220 feet below land surface and extends to depth of 745 feet. Plain casing must be installed and grouted to prevent the withdrawal of ground water from other aquifers and the movement of ground water between aquifers.
- 10) This well must be constructed within 300 feet of the location specified on this permit.
- 11) This permit has been approved with a change to the permit application form from that applied for by the applicant. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.)

NOTE: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

APPROVED  
SMJ

*Hal D. Simpson*  
State Engineer

*[Signature]*  
By

Receipt No. 0468237

DATE ISSUED

OCT 19 2000

EXPIRATION DATE

OCT 19 2002

Permit Application Change Form

To be used when issuing well permits based upon information other than as received. Please file with final Permit

Receipt No. 468327

Name of Applicant GARY VAN DYK

Summary of change(s):

Based on a phone call to the applicant the well will be located on a 40 acre tract - NW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub>, sec. 34, Twp. 3 south, Rng. 64 west.

The applicant failed to complete items 6 + 7.

Item 6 - 1 single family dwelling  
1 acre of lawn  
garden irrigation

Item 7 - 50 gpm  
3 acre feet withdrawn  
The Denver aquifer

Date 10/18/00

Signed Sandy Johnson

Print Name SANDY JOHNSON

COLORADO DIVISION OF WATER RESOURCES  
DEPARTMENT OF NATURAL RESOURCES  
1313 SHERMAN ST., RM. 818, DENVER CO 80203  
Phone - info: (303) 866-3587 Main: (303) 866-3581

FAX 866 2223  
E20.00 VISA EMERGENCY  
RECEIVED  
OCT 18 2000

**RESIDENTIAL** \* (Note: You may also use this form to apply for livestock watering)  
**Water Well Permit Application**  
Review instructions prior to completing form Must be completed in black ink or typed

**1. APPLICANT INFORMATION**

Name of applicant  
**GARY VAN DYK**

Mailing Address  
**2491 CAVANAUGH RD**

City State Zip code  
**WATKINS Colo 80137**

Telephone Number (include area code)  
**303 866 7862**

**6. USE OF WELL** (check appropriate entry or entries)  
See instructions to determine use(s) for which you may qualify -

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

B. Ordinary household use in 1 to 3 single-family dwellings:  
Number of dwellings: \_\_\_\_\_  
 Home garden/lawn irrigation, not to exceed 1 acre: area irrigated \_\_\_\_\_  sq. ft.  acre

Domestic animal watering - (non-commercial)

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

**2. TYPE OF APPLICATION** (check applicable box(es))

Construct new well  Use existing well

Replace existing well  Change / Increase Use

Change (source) aquifer  Reapplication (expired permit)

Other:

**7. WELL DATA**

Maximum pumping rate	Annual amount to be withdrawn
gpm	acre-feet
Total depth	Aquifer
<b>430</b> feet	

**3. REFER TO** (if applicable):

Water court case # \_\_\_\_\_ Permit # **74064**

Verbal # **-VE-** Monitoring hole acknowledgment # **MH-**

Well name or # \_\_\_\_\_

**8. TYPE OF RESIDENTIAL SEWAGE SYSTEM**

Septic tank / absorption leach field

Central system  
District name: \_\_\_\_\_

Vault  
Location sewage to be hauled to: \_\_\_\_\_

Other (attach copy of engineering design)

**4. LOCATION OF WELL**

County <b>ADAMS</b>	Quarter/quarter <b>NW 1/4</b>	Quarter <b>NW 1/4</b>
Section <b>34</b>	Township N or S <b>35</b>	Range E or W <b>64W</b>
		Principal Meridian <b>6TH PM</b>

Distance of well from section lines  
**675** ft. from  N  S **218** ft. from  E  W

Well location address, if different from applicant address (if applicable)

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

**9. PROPOSED WELL DRILLER** (optional)

Name <b>LOOKING GOOD DRIVING</b>	License number <b>1229</b>
<b>HOWIE GRANDALL 303 908 1610</b>	

**5. TRACT ON WHICH WELL WILL BE LOCATED**

**A. You must check one of the following - see instructions**

Subdivision: Name \_\_\_\_\_

Lot no. \_\_\_\_\_ Block no. \_\_\_\_\_  
Filing/Unit \_\_\_\_\_

County exemption (attach copy of county approval & survey)  
Name/no. \_\_\_\_\_ Tract no. \_\_\_\_\_

Mining claim (attach copy of deed or survey)  
Name/no. \_\_\_\_\_

Other (attach legal description to application)

**B. STATE PARCEL ID#** (optional): \_\_\_\_\_

**C. # acres in tract** \_\_\_\_\_ **D. Are you the owner of this property?**  
 YES  NO (if no - see detailed inst.)

**E. Will this be the only well on this tract?**  
 YES  NO (if other wells are on this tract - see detailed inst.)

**10. SIGNATURE** 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.

Must be original signature  
*Gary Van Dyk*

Title <b>OWNER</b>	Date <b>10/18/00</b>
-----------------------	-------------------------

**OPTIONAL INFORMATION**

USGS map name	DWR map no.	Surface elev.
	<b>34 H</b>	<b>5515</b>

Office Use Only

MP <input checked="" type="checkbox"/>	PCT <input checked="" type="checkbox"/>	SB <input checked="" type="checkbox"/>	AP <input checked="" type="checkbox"/>	WE <input checked="" type="checkbox"/>	WR <input checked="" type="checkbox"/>	CWCBL <input checked="" type="checkbox"/>	ML <input checked="" type="checkbox"/>
Invoice # 460237 10/18/00 -- 18:28:23 AM Cashier ID: 01 \$ 20.00							
Credit Card Purchase USE NONE							

DIV	<b>8</b>
CO	
WD	<b>1</b>
BA	<b>5</b>
MD	<b>9</b>

SAME AS ITEM 4 40ac.

ISFD 300ft 50gpm IAC NEEDED

LOCATION: NW1/4 OF NW1/4 OF SEC. 34, T.3S., R.64W. (675 NSL, 218 WSL)  
 LOCATION IS WITHIN THE LOST CREEK DESIGNATED GROUND WATER BASIN  
 Ground Elevation: 5575 Number of Acres: 40

AQUIFER	ELEVATION		NET SAND	DEPTH TO		ANNUAL APPROP A-F	STATUS
	BOT.	TOP		BOT.	TOP		
UPPER DAWSON	----	----	----	----	----	----	---
LOWER DAWSON	----	----	----	----	----	----	---
DENVER	4831	5356	205.2	744	219	13.95	NNT
UPPER ARAPAHOE	4607	4806	149.0	968	769	10.13	NT
LOWER ARAPAHOE	4328	4532	55.3	1247	1043	3.76	NT
LARAMIE-FOX HILLS	3754	4005	147.4	1821	1570	8.84	NT

note: E indicates location is at aquifer boundary and values may be more approximate.  
 Elevation of the bottom and the depth to the bottom of the Upper Arapahoe are approximate and should be checked against DENVER BASIN ATLAS NO. 3

THIS FORM MUST BE SUBMITTED PRIOR TO THE EXPIRATION OF THE PERMIT. TYPE OR PRINT IN BLACK INK. COPY OF ACCEPTED STATEMENT MAILED ON REQUEST.

COLORADO DIVISION OF WATER RESOURCES

300 Columbine Bldg., 1845 Sherman St. Denver, Colorado 80203

T.A.S.

RECEIVED

APR 22 '74

WATER RESOURCES STATE ENGINEER COLO.

FOR OFFICE USE ONLY Div. City

STATEMENT OF BENEFICIAL USE OF GROUND WATER AMENDMENT OF EXISTING RECORD

PERMIT NUMBER

74064 late registration

STATE OF COLORADO

COUNTY OF Adams

SS.

LOCATION OF WELL

THE AFFIANT(S) Ivan Danbauer whose mailing address is Rt. 1, Box 11 City Bennett, Colorado 80102

County Adams S W 1/4 of the NW 1/4, Section 34 Twp. 3 S, Rng. 64 W, 6 P.M.

being duly sworn upon oath, deposes and says that he (they) is (are) the owner(s) of the well described hereon; the well is located as described above, at distances of 675 feet from the North section line and 218 feet from the West section line; water from this well was first applied to a beneficial use for the purpose(s) described herein on the 10 day of November, 1953; the maximum sustained pumping rate of the well is 50 gallons per minute, the pumping rate claimed hereby is 50 gallons per minute; the total depth of the well is 430 feet; the average annual amount of water to be diverted is - acre-feet; for which claim is hereby made for Domestic and stock

purpose(s); the legal description of the land on which the water from this well is used is SW 1/4 2nd NW 1/4 T3S R 64W which totals

one acres and which is illustrated on the map on the reverse side of this form; that this well was completed in compliance with the permit approved therefor; this statement of beneficial use of ground water is filed in compliance with law; he (they) has (have) read the statements made hereon; knows the content thereof; and that the same are true of his (their) knowledge.

Signature(s) Ivan Danbauer

Subscribed and sworn to before me on this 16th day of April, 1974

My Commission expires: December 26, 1977

Sharon J. Keller NOTARY PUBLIC

ACCEPTED FOR FILING BY THE STATE ENGINEER OF COLORADO PURSUANT TO THE FOLLOWING CONDITIONS:

FOR OFFICE USE ONLY Court Case No. Sec. Well Use 3 Dist. 1-1 Basin LC-5 Mon. Dis. Prior. Mo. Day Yr.

APR 29 1974

J. W. Erker

Leonard G. Mason

**Proof of Sewer**

The existing property at 2491 Cavanaugh is served by an onsite wastewater treatment system. D&K is not proposing any changes to the current municipal sewer systems.



# **TBC**

---

# **GEOTECH**

April 18, 2024

## **SEPTIC SOIL TREATMENT INVESTIGATION**

FOR SITE LOCATED AT:

**2491 CAVANAUGH ROAD  
WATKINS, CO 80103  
ADAMS COUNTY**

PREPARED FOR:

**AUSTIN KONKEL  
HAMON INFRASTRUCTURE  
550 E. 84TH AVE E5  
THORNTON CO 80229**

Job #: 6773-9404

**TBC GEOTECH  
THE BRITT COMPANY, INC.  
1800 COUNTY ROAD 118  
ELIZABETH, CO 80107  
PHONE: 303.951.6776  
EMAIL: [CLINT@TBCGEOTECH.COM](mailto:CLINT@TBCGEOTECH.COM)  
WEB: [TBCGEOTECH.COM](http://TBCGEOTECH.COM)**

# 1. SITE FINDINGS

## 1.1 SCOPE OF INVESTIGATION

On April 8, 2024, TBC GEOTECH excavated 2 test pits at **2491 CAVANAUGH ROAD**, a lot in **Watkins, Colorado in Adams County**. The layout of the site and the approximate location of our explorations are provided in the Test Pit Site Plan, herein. This investigation was made to determine the type of soil at the Soils Treatment Area (STA) for the proposed septic system.

## 1.2 SITE DESCRIPTION AND PROPOSED CONSTRUCTION

At the time of our field exploration, the site was an undeveloped large Acre Lot (acreage unknown but we suspect over 60) with no existing infrastructure on the property. The existing vegetation consists of native grasses and weeds.

The building site slopes down significantly to the North. The project area is bound to the East and West by lots with vacant land. There is an established commercial business to the South and an apparent Single Family Residence to the North. Based on information provided by our client, it is our understanding the proposed construction is to consist of building a Large Steel Building Commercial Shop on the West side of the property.

The footprint of the proposed Steel Building construction is approximately 14,000 square feet. It has been assumed that the proposed construction is to be one to two stories in height and is to consist of steel framed exterior and interior construction. It has been assumed that excavation will not exceed 5 feet deep from the existing ground surface.

If the proposed construction differs from the information provided or the assumptions made, TBC GEOTECH should be contacted immediately to review the differences and how they may impact construction and design of the proposed septic system.

## 1.3 SUBSURFACE FINDINGS

Two, twenty-four-inch-wide test pits were excavated to a depth of eight feet (8') at the proposed STA site with a John Deere Backhoe. At specific intervals, the bucket was removed from the test pits and soil samples were obtained.

Soil samples were analysed in the field to determine the characteristics of the soil (per USDA) for identification and design recommendations. (Adams County Reg O-22, Table 10.) In general, the soil profiles in test pits #1 & #2, indicated **Silt Loam** to a depth of 8 feet. The Soils were moist but no changes in the soil was found throughout the test.

## 1.4 GROUND WATER

Groundwater was not encountered during the excavation process. However, fluctuations in groundwater and subsurface moisture conditions may occur due to variations in rainfall and other factors not readily apparent at this time. Development of the property and adjacent properties may also affect groundwater levels.

## 1.5 LABORATORY FINDINGS

One-dimensional visual and tactile tests were performed on selected samples to evaluate the texture, Structure and Grade of the soils and/or bedrock strata. **These tests indicated a Soil Type of 2A at a depth of 0 to 8 feet.** The soils in this report were classified using the U S D A N R C S classification procedures.

## 1.6 SOIL TREATMENT AREA RECOMMENDATIONS

Based on our evaluation of the subsurface conditions, and Adams County Regulations for 4' Feet of Treatment Separation, we recommend the proposed **STA** be sized using a **Soil Type 2A** with a corresponding **Long Term Acceptance Rate of 0.50**. The depth of the **infiltrative surface shall be 2.5' to a maximum of 4'**, which shall be into the Silt Loam from 2.5 feet to 4 feet.

### Attachments:

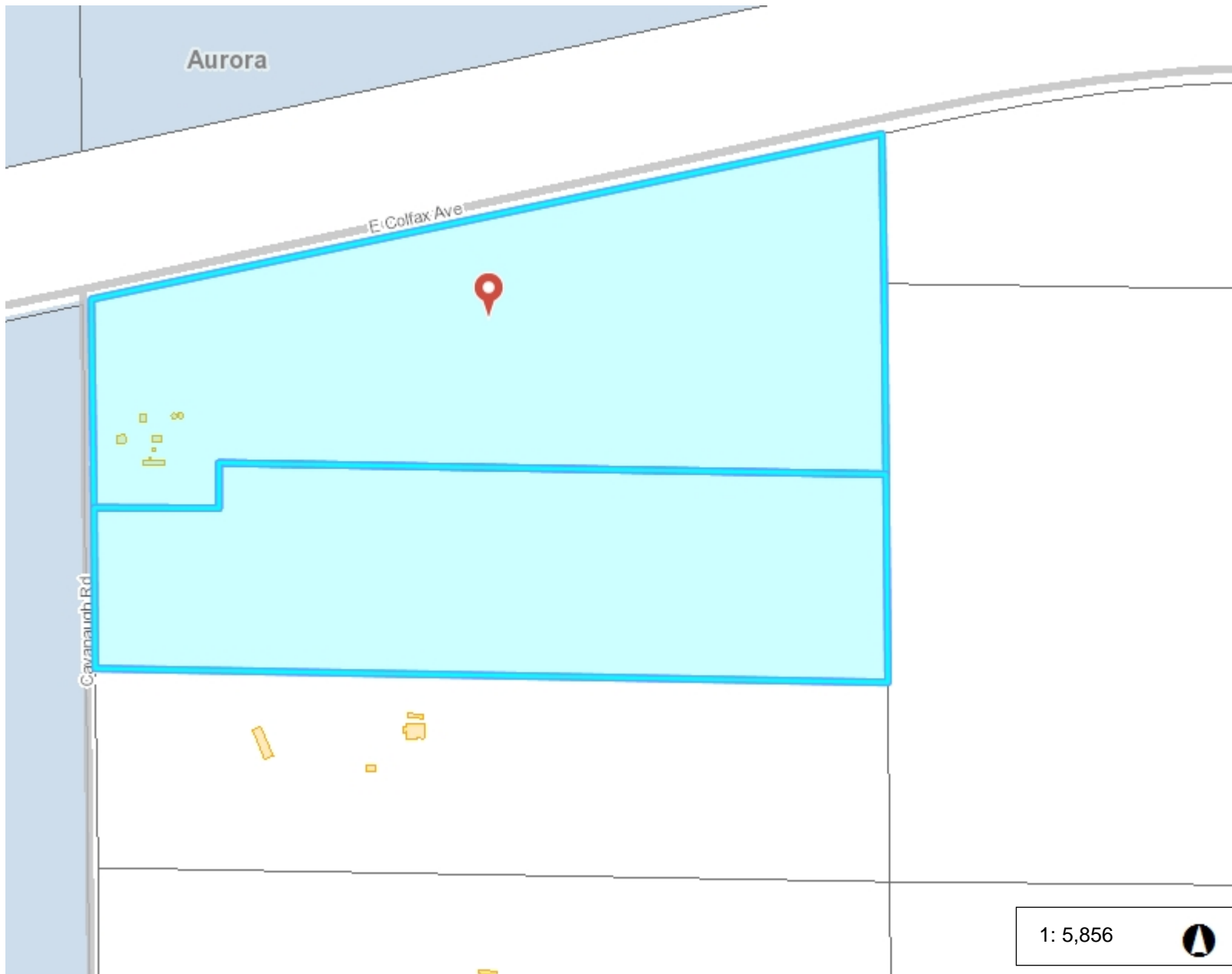
Site Plan

Soil Summary

Soil Logs

FEMA Flood Zone Map

NRCS Soils Map



### Legend

- Lake
- Lake
- River
- Parks and Open Space
- Highways (5,000 - 10,000)
  - Interstate
  - Highway
  - Tollway
- Parcels
- Building
- County Boundary
- City
  - Arvada
  - Aurora
  - Bennett
  - Brighton
  - Commerce City
  - Federal Heights
  - Lochbuie
  - Northglenn
  - Thornton
  - Westminster

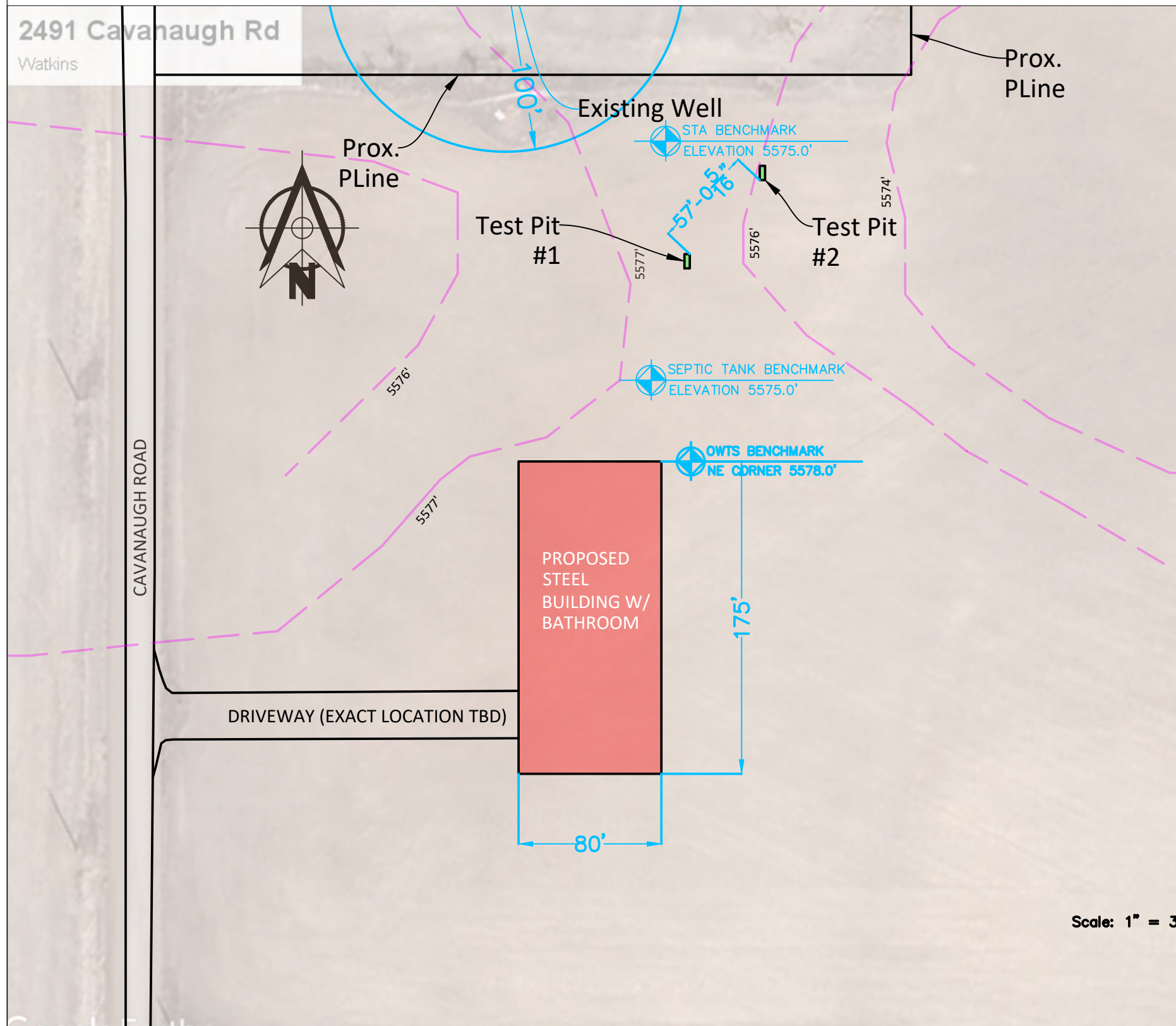
1: 5,856

0.2      0      0.09      0.2 Miles

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. THIS MAP IS NOT TO BE USED FOR NAVIGATION

### Notes

# TEST PIT LOCATIONS



Scale: 1" = 30'

**IMPORTANT SETBACKS FOR THIS PROJECT:**  
 MINIMUM Distance from:

House to Clean-out:	>5.0'
Well to Tank(s):	50.0'
Well to STA:	100.0'
House to Tank(s):	5.0'
House to STA:	20.0'
STA to Property Line:	10.0'
STA to Dry Gulch:	25.0'

**ELEVATIONS:**

Building NorthEastCorner: (OWTS Benchmark):	5578.0'
Building Finished Floor Elevation:	5578.0'
Building Septic Stub Out:	5575.0'
Finished Grade Above Septic Tank:	5575.0'
Septic Tank Inlet:	5573.5'
Finished Grade Above Pump Tank:	0000.0'
Pump Tank Inlet:	0000.0'
Existing Grade on Uphill Edge of STA:	5575.0'
Depth of Infiltrative Surface:	5471.0'

All Elevations are Subject to Change. Elevations are Based Upon Limited Information Provided By Survey Plans. Variations in Stub-Out Location and House Location Will Affect All Elevations Pipe and Tank Elevations. Follow Adams County O-22 Regulations for minimum Pipe Slope and Tank Depths.

**TBC GEOTECH**  
 SOILS TESTING & DESIGN

1800 COUNTY ROAD 118  
 ELIZABETH CO, 80107  
 303.731.2299  
 www.TBCGEOTECH.com

INSTALLER LICENSE #s: TRI-COUNTY: CIO002412 | ELBERT: ST0140 | EL PASO: PT0039661 | WELD: IL-1700002  
 NAWT INSPECTOR LICENSE #: 14515ITC

<b>CLIENT(S):</b>	Austin Konkel Hamon Infrastructure 550 E. 84th Ave Thornton, CO 80229
<b>SITE ADDRESS:</b>	Parcel #: 018173420002 2491 Cavanaugh Road Watkins, CO 80103
<b>DATE:</b>	April 21, 2024
<b>SHEET:</b>	1
<b>OF:</b>	1

DESIGN AND DRAWING BY: CLINT BRITT  
 REVIEWED BY: PAUL SORENSEN, P.E.

STAMP NOT REQUIRED FOR SITE PLAN

Official Seal



1800 County Road 118, Elizabeth, CO 80107 | 303-951-6776 | www.TBCGEOTECH.com

### SOIL INVESTIGATION SUMMARY FORM

Property Address: 2491 Cavanaugh Road, Watkins CO 80137

Legal Description:

#### Property Owner Information

Name: Austin Konkel

Address: 550 E. 84<sup>th</sup> Ave, Thornton CO 80229

Phone: 303.472.6296

Email: [akonkel@hamonbuilt.com](mailto:akonkel@hamonbuilt.com)

Indicate Which Soil Investigation Method You Performed: (check one)

1. Visual and tactile evaluation from two or more soil profile test pit excavations.

2. Percolation test plus one or more soil profile test pit excavations.

#### Soil Investigation Results Summary

Is there a limiting condition with low permeability, bedrock, ground water or other condition that restricts the treatment capability of the soil?  Yes  No


If yes, design document must explain how the limiting condition is addressed.

Recommended Infiltrative Surface Elevation or Depth: MINIMUM 24" --- MAXIMUM 48" \_

Recommended Long Term Acceptance Rate (LTAR), From Table 10-1: 0.50

(Note: If method 2 is used, and the average percolation rate and soil class fall into different rows in Table 10-1, the lesser LTAR shall be used).


Project Name: Hamon	<b>Test Pit #1</b>	Company Rep: C. Britt
Project Number: 6773-9404		Northing Coord.: 39 46'.03.67N
Date Excavated: 4/8/2024	Project Address:	Easting Coord.: 104 32'40.69W
Pit Width: 24"	<b>2491 CAVANAUGH RD</b>	Excavator: C. Britt
Excavation: Backhoe	<b>WATKINS CO 80137</b>	Tested By: C. Britt
Sampling: 200 Sieve		

Depth in Feet	Surface Elevation	Soil Type	Graphic	USDA NRCS Soil Texture	USDA NRCS Structure	USDA NRCS Grade	Percolation Rate (MPI)	LTAR (TL1)
0'-	5076							
1'								
2'	5074							
3'								
4'	5072	2A		Silt Loam	Massive	Structureless	26-40	0.5
5'	5070							
6'								
7'	5068							
8'								



Soils Test  
Pit Logs

Project Name: Hamon	<b>Test Pit #2</b>	Company Rep: C. Britt
Project Number: 6773-9404		Northing Coord.: 39 46'.03.67N
Date Excavated: 4/8/2024	Project Address:	Easting Coord.: 104 32'40.69W
Pit Width: 24"	<b>2491 CAVANAUGH RD</b>	Excavator: C. Britt
Excavation: Backhoe	<b>WATKINS CO 80137</b>	Tested By: C. Britt
Sampling: 200 Sieve		

Depth in Feet	Surface Elevation	Soil Type	Graphic	USDA NRCS Soil Texture	USDA NRCS Structure	USDA NRCS Grade	Percolation Rate (MPI)	LTAR (TL1)
0'-	5076							
1'								
2'	5074							
3'								
4'	5072	2A		Silt Loam	Massive	Structureless	26-40	0.5
5'	5070							
6'								
7'	5068							
8'								

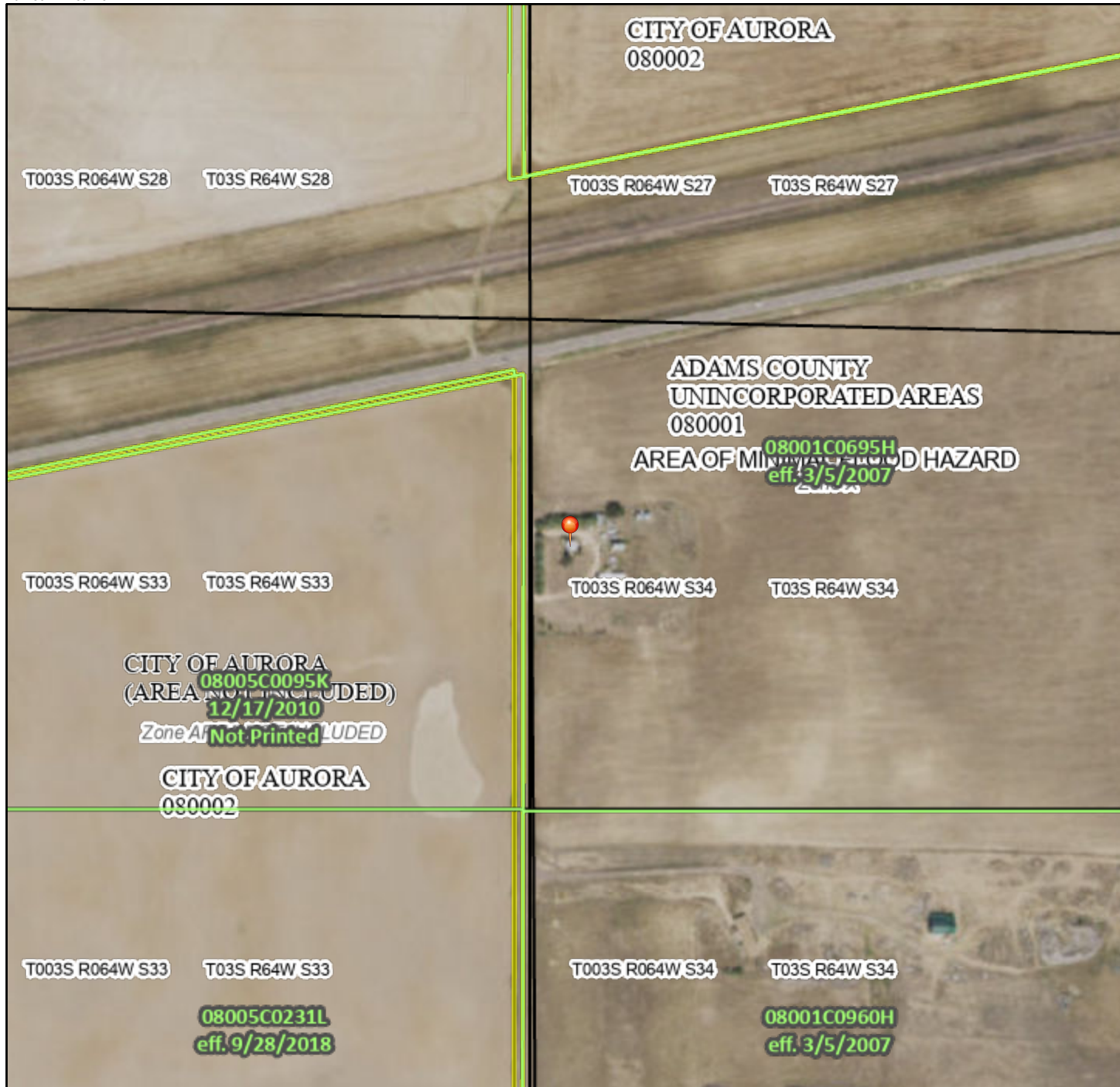


Soils Test  
Pit Logs

# National Flood Hazard Layer FIRMette



104°33'2"W 39°45'21"N



## Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS	
	Without Base Flood Elevation (BFE) <i>Zone A, V, A99</i>
	With BFE or Depth <i>Zone AE, AO, AH, VE, AR</i>
	Regulatory Floodway

OTHER AREAS OF FLOOD HAZARD	
	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile <i>Zone X</i>
	Future Conditions 1% Annual Chance Flood Hazard <i>Zone X</i>
	Area with Reduced Flood Risk due to Levee. See Notes. <i>Zone X</i>
	Area with Flood Risk due to Levee <i>Zone D</i>

OTHER AREAS	
	NO SCREEN Area of Minimal Flood Hazard <i>Zone X</i>
	Effective LOMRs
	Area of Undetermined Flood Hazard <i>Zone D</i>

GENERAL STRUCTURES	
	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall

OTHER FEATURES	
	20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
	17.5 Coastal Transect
	Base Flood Elevation Line (BFE)
	Limit of Study
	Jurisdiction Boundary
	Coastal Transect Baseline
	Profile Baseline
	Hydrographic Feature

MAP PANELS	
	Digital Data Available
	No Digital Data Available
	Unmapped

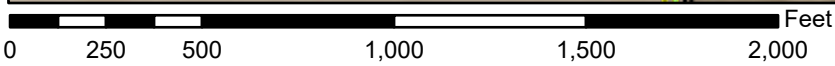


The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 4/21/2024 at 1:08 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



1:6,000

104°32'25"W 39°44'53"N

Basemap Imagery Source: USGS National Map 2023



United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for Adams County Area, Parts of Adams and Denver Counties, Colorado



# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

# Contents

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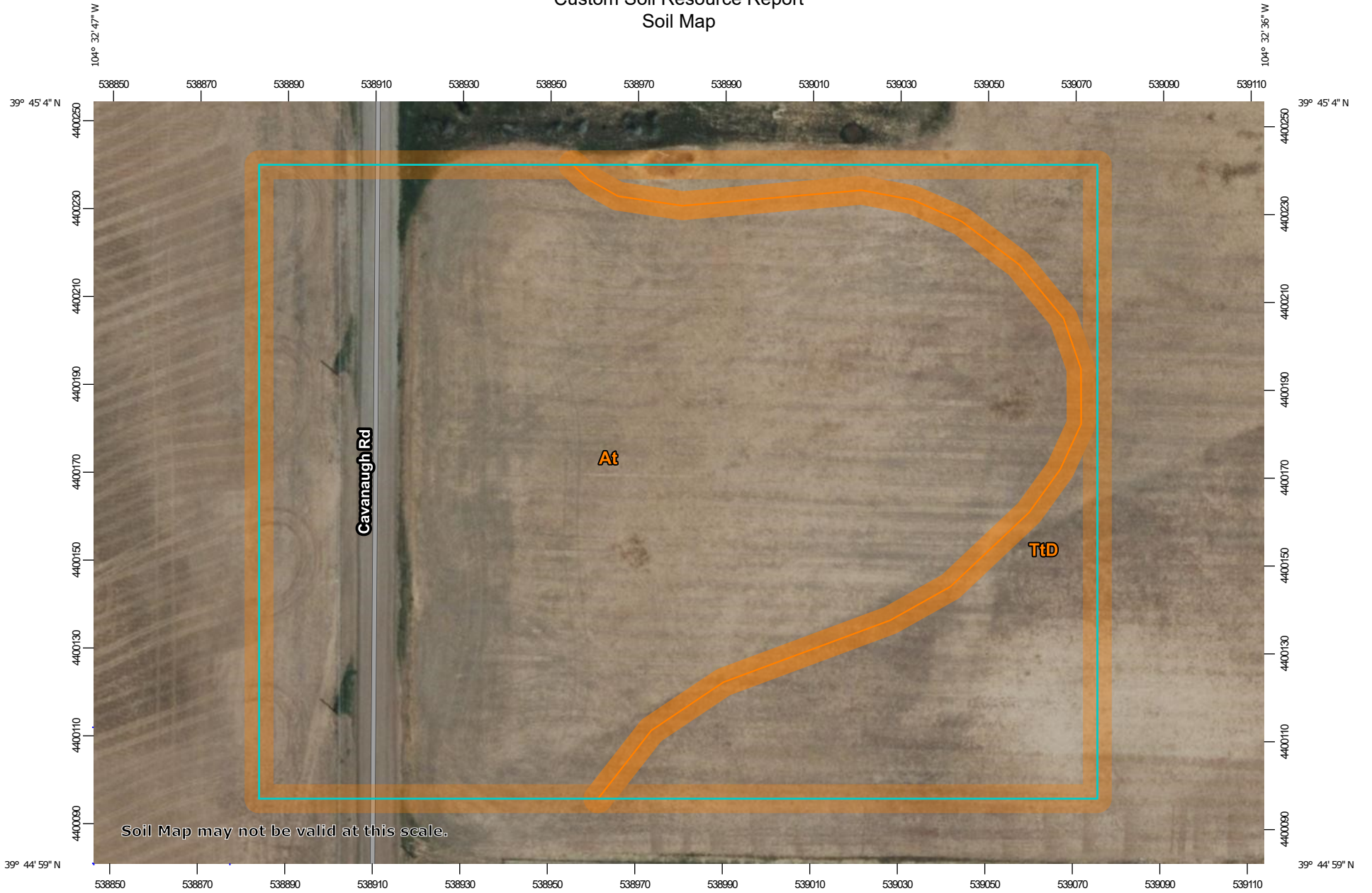
<b>Preface</b> .....	2
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At—Ascalon-Platner association, 0 to 5 percent slopes.....	11
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# Soil Map

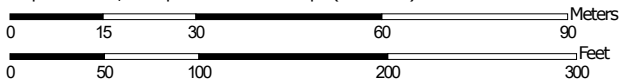
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The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map




Map Scale: 1:1,220 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84


### MAP LEGEND

**Area of Interest (AOI)**

 Area of Interest (AOI)




















**Soils**







 Soil Map Unit Polygons

 Soil Map Unit Lines


 Soil Map Unit Points

**Special Point Features**






-  Blowout
-  Borrow Pit
-  Clay Spot
-  Closed Depression
-  Gravel Pit
-  Gravelly Spot
-  Landfill
-  Lava Flow
-  Marsh or swamp
-  Mine or Quarry
-  Miscellaneous Water
-  Perennial Water
-  Rock Outcrop
-  Saline Spot
-  Sandy Spot
-  Severely Eroded Spot
-  Sinkhole
-  Slide or Slip
-  Sodic Spot

-  Spoil Area
-  Stony Spot
-  Very Stony Spot
-  Wet Spot
-  Other
-  Special Line Features


**Water Features**

 Streams and Canals

**Transportation**

-  Rails
-  Interstate Highways
-  US Routes
-  Major Roads
-  Local Roads

**Background**

 Aerial Photography

### MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
 Web Soil Survey URL:  
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Adams County Area, Parts of Adams and Denver Counties, Colorado  
 Survey Area Data: Version 20, Aug 24, 2023

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Jun 9, 2021—Jun 12, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background

**MAP LEGEND**

**MAP INFORMATION**

imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
At	Ascalon-Platner association, 0 to 5 percent slopes	5.3	77.8%
TtD	Truckton loamy sand, 3 to 9 percent slopes	1.5	22.2%
<b>Totals for Area of Interest</b>		<b>6.9</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

## Custom Soil Resource Report

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Adams County Area, Parts of Adams and Denver Counties, Colorado

### At—Ascalon-Platner association, 0 to 5 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2yqp9

*Elevation:* 4,800 to 5,590 feet

*Mean annual precipitation:* 13 to 17 inches

*Mean annual air temperature:* 50 to 54 degrees F

*Frost-free period:* 135 to 160 days

*Farmland classification:* Prime farmland if irrigated and the product of I (soil erodibility) x C (climate factor) does not exceed 60

#### Map Unit Composition

*Ascalon and similar soils:* 60 percent

*Platner and similar soils:* 40 percent

*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Ascalon

##### Setting

*Landform:* Interfluves

*Landform position (two-dimensional):* Summit, backslope

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Wind-reworked alluvium and/or calcareous sandy eolian deposits

##### Typical profile

*Ap - 0 to 10 inches:* sandy loam

*Bt - 10 to 15 inches:* sandy clay loam

*Btk - 15 to 21 inches:* sandy loam

*Bk1 - 21 to 35 inches:* sandy loam

*Bk2 - 35 to 80 inches:* sandy loam

##### Properties and qualities

*Slope:* 3 to 5 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Runoff class:* Low

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.60 to 6.00 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 10 percent

*Maximum salinity:* Nonsaline to very slightly saline (0.1 to 2.0 mmhos/cm)

*Available water supply, 0 to 60 inches:* Moderate (about 6.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 3e

*Land capability classification (nonirrigated):* 4c

*Hydrologic Soil Group:* B

*Ecological site:* R067BY024CO - Sandy Plains

*Hydric soil rating:* No

## Description of Platner

### Setting

*Landform:* Interfluves

*Landform position (two-dimensional):* Summit

*Landform position (three-dimensional):* Interfluve

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Mixed eolian deposits over tertiary aged alluvium derived from igneous, metamorphic and sedimentary rock

### Typical profile

*Ap - 0 to 6 inches:* loam

*Bt1 - 6 to 11 inches:* clay

*Bt2 - 11 to 20 inches:* clay

*Bk1 - 20 to 27 inches:* loam

*Bk2 - 27 to 37 inches:* sandy clay loam

*C - 37 to 80 inches:* sandy loam

### Properties and qualities

*Slope:* 0 to 3 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Runoff class:* Medium

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately low to moderately high (0.06 to 0.20 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 15 percent

*Maximum salinity:* Nonsaline to very slightly saline (0.1 to 2.0 mmhos/cm)

*Available water supply, 0 to 60 inches:* Moderate (about 7.7 inches)

### Interpretive groups

*Land capability classification (irrigated):* 3s

*Land capability classification (nonirrigated):* 4c

*Hydrologic Soil Group:* C

*Ecological site:* R067BY002CO - Loamy Plains

*Hydric soil rating:* No

## TtD—Truckton loamy sand, 3 to 9 percent slopes

### Map Unit Setting

*National map unit symbol:* 34wz

*Elevation:* 4,400 to 6,000 feet

*Mean annual precipitation:* 13 to 15 inches

*Mean annual air temperature:* 48 to 52 degrees F

*Frost-free period:* 125 to 155 days

*Farmland classification:* Not prime farmland

**Map Unit Composition**

*Truckton and similar soils: 85 percent*

*Minor components: 15 percent*

*Estimates are based on observations, descriptions, and transects of the mapunit.*

**Description of Truckton**

**Setting**

*Landform: Plains*

*Landform position (three-dimensional): Talf*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Eolian deposits derived from mixed*

**Typical profile**

*H1 - 0 to 9 inches: loamy sand*

*H2 - 9 to 21 inches: sandy loam*

*H3 - 21 to 32 inches: loamy sand*

*H4 - 32 to 60 inches: coarse sand*

**Properties and qualities**

*Slope: 3 to 9 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Well drained*

*Runoff class: Low*

*Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Available water supply, 0 to 60 inches: Low (about 4.3 inches)*

**Interpretive groups**

*Land capability classification (irrigated): 4e*

*Land capability classification (nonirrigated): 6e*

*Hydrologic Soil Group: A*

*Ecological site: R067BY024CO - Sandy Plains*

*Hydric soil rating: No*

**Minor Components**

**Vona**

*Percent of map unit: 8 percent*

*Hydric soil rating: No*

**Blakeland**

*Percent of map unit: 5 percent*

*Hydric soil rating: No*

**Loup**

*Percent of map unit: 1 percent*

*Landform: Swales*

*Ecological site: R067BY029CO - Sandy Meadow*

*Hydric soil rating: Yes*

**Tryon**

*Percent of map unit: 1 percent*

## Custom Soil Resource Report

*Landform:* Swales

*Ecological site:* R067BY024CO - Sandy Plains

*Hydric soil rating:* Yes

**GENERAL NOTES:**

All Work per Adams County Board of Health Regulation No.0-22: On-Site Wastewater Treatment Systems (OWTS, Effective December 5, 2022) Criteria. Regulations Available at <https://adcogov.org/sites/default/files/2022-10/Updated-ACHD-Regulation-O-22-On-site-Wastewater-Treatment-Systems-101322.pdf>. All Setbacks Shall Conform to Adams County Regulation O-22 (See Table 6, Page A6 in the Regulations for Additional Information). Contractor or Homeowner Must Verify All Setbacks and Obtain Utility Clearances Prior to Construction. See Important Distances Below.

Contractor/Homeowner is Responsible for Permit. Contractor/Homeowner Must Obtain Approval of Engineered OWTS from the Tri-County Health Department.

All Bends Limited to 45 Degree Ells or Long Sweep Quarter Bends. Areas Under Driveways Shall Be Protected as Per Adams County Health Department Regulations.

Building Sewer Clean-Outs Shall Be Installed within 5 FT of the Structure and at Intervals Not to Exceed 100 FT in Straight Runs, Upstream at Each Change of Direction Greater Than 45°, and at Any Combination of Bends Greater Than 45° within a 40 FT Section of Building Sewer.

Grade Surrounding Area to Drain Away from the Soil Treatment Area (STA).

Paving, Planting of Trees/Shrubs, Irrigation, Vehicular Traffic or Hoofed Animal Traffic of Any Kind Over the STA may Cause Premature Failure and is Prohibited.

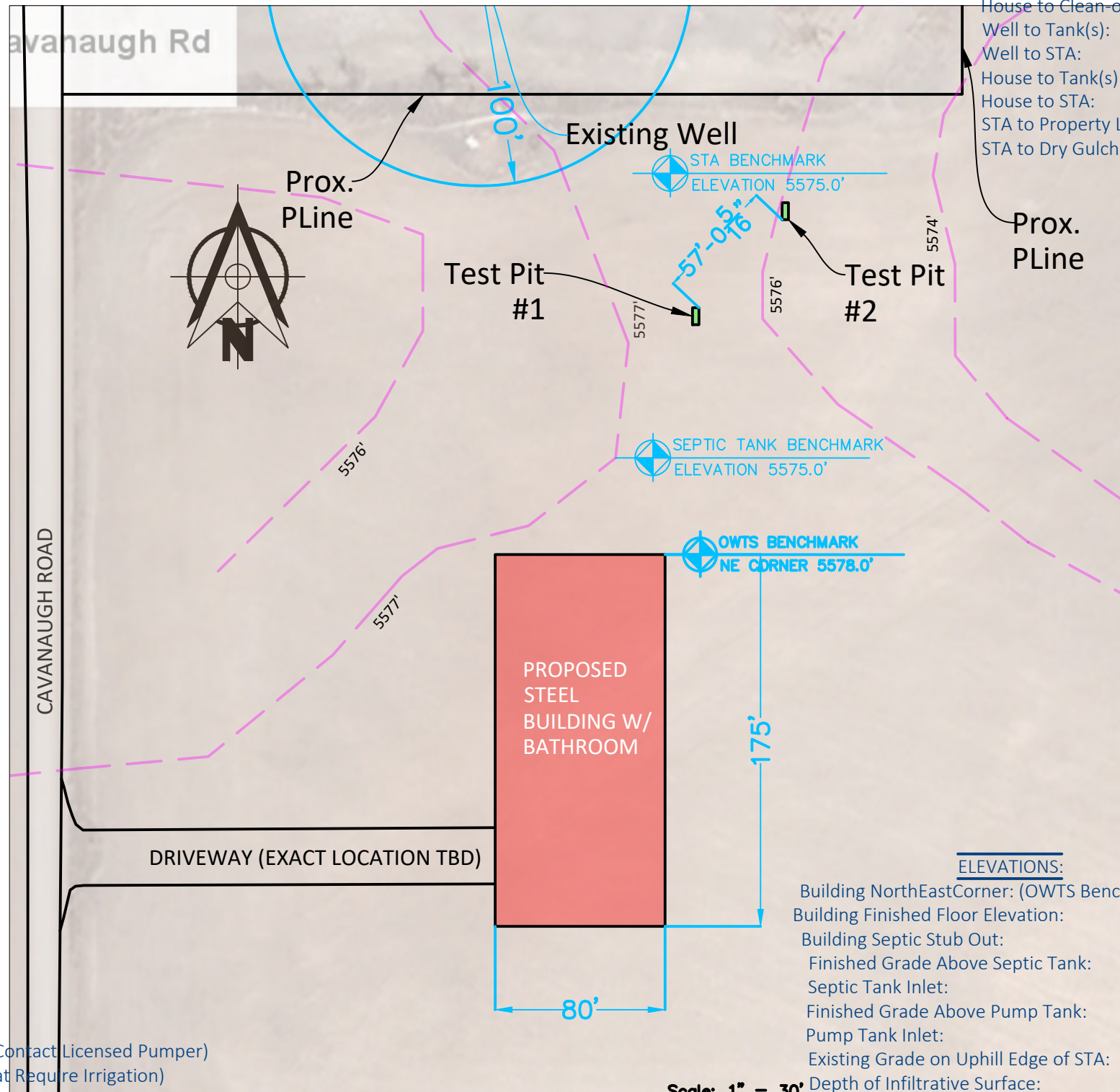
**INSPECTIONS REQUIRED ARE AS FOLLOWS:**

- 1) Prior of Placement of Any Sand Material
- 2) After Installation of All OWTS Components
- 3) Inspection of STA Backfill Area to Ensure Minimum Cover and Proper Drainage Away from STA. Please notify TBC GEOTECH At least 24 Hours Prior to Inspection.

**HOMEOWNER RESPONSIBILITY:**

1. Refrain from Putting Harsh Chemicals Down Drain(s)
2. Have Septic Tank Pump Every 3-5 Years (or As Needed, Contact Licensed Pumper)
3. Plant Native Grass Over STA (No Plants with Roots or that Require Irrigation)
4. Be Mindful of Waste Going into Toilet (Minimize Toilet Paper Consumption, no 'Wipes' or Paper Towels)
5. Use of Garbage Disposal and Water Softener is Discouraged
6. Conserve Water and Repair Leaking Fixtures
7. Do Not Drive Over STA or Tanks
8. Understand Pump Float Operation. Get to know the Control Panel HOA Switch and Disconnect Switch

# TEST PIT SITE PLAN & NOTES



**IMPORTANT SETBACKS FOR THIS PROJECT:**

MINIMUM Distance from:	Distance:
House to Clean-out:	>5.0'
Well to Tank(s):	50.0'
Well to STA:	100.0'
House to Tank(s):	5.0'
House to STA:	20.0'
STA to Property Line:	10.0'
STA to Dry Gulch:	25.0'

**ELEVATIONS:**

Building NorthEastCorner: (OWTS Benchmark):	5578.0'
Building Finished Floor Elevation:	5578.0'
Building Septic Stub Out:	5575.0'
Finished Grade Above Septic Tank:	5575.0'
Septic Tank Inlet:	5573.5'
Finished Grade Above Pump Tank:	0000.0'
Pump Tank Inlet:	0000.0'
Existing Grade on Uphill Edge of STA:	5575.0'
Depth of Infiltrative Surface:	5471.0'

Scale: 1" = 30'

All Elevations are Subject to Change. Elevations are Based Upon Limited Information Provided By Survey Plans. Variations in Stub-Out Location and House Location Will Affect All Elevations Pipe and Tank Elevations. Follow Adams County 0-22 Regulation for minimum Pipe Slope and Tank Depths.



**SOILS TESTING & DESIGN**

1800 COUNTY ROAD 118  
ELIZABETH CO, 80107  
303.731.2299  
www.TBCGEOTECH.com

INSTALLER LICENSE #s: TRI-COUNTY: CIO002412 | ELBERT: ST0140 | EL PASO: PT0039661 | WELD: IL-1700002  
NAWT INSPECTOR LICENSE #: 14515ITC

TBC GEOTECH has Provided this Design in Accordance with the Standards of Practice. However, as with All Underground Absorption Fields, Guarantee from Failure is Impossible. Even with Proper Installation, as Outlined for this Proposed Construction, There Can Remain Many Uncertainties, and Difficulties Can Still Arise in the Operation of the System in the Future. Proper Design, Construction, and Maintenance can Assist in Minimizing Uncertainties, but Cannot Entirely Eliminate Them. Homeowners Should be Advised of Maintenance and Special Considerations for Septic Systems. Refer to Adams County Public Health Education and Care Page at: <https://adamscountyhealthdepartment.org/education-and-care> for Additional Information. Due to the Possibility of Unknown Water Usage Factors, TBC GEOTECH. Provides No Warranty of this Design or Installation Against Failure or Damage.

<b>CLIENT(S):</b>	Austin Konkel Hamon Infrastructure 550 E. 84th Ave Thornton, CO 80229
<b>SITE ADDRESS:</b>	Parcel #: 0181734200002 2491 Cavanaugh Road Watkins, CO 80103
<b>DATE:</b>	April 21, 2024
<b>SHEET:</b>	1
<b>OF:</b>	5

DESIGN AND DRAWING BY: CLINT BRITT  
REVIEWED BY: PAUL SORENSEN, P.E.



Official Seal

# DESIGN FLOW & INFLUENT STRENGTH

## DESIGN FLOW

We will utilize the Commercial Wastewater Table 3 of the Adams County OWTS Regulations. From this table, "Factories and Plants Exclusive of Industrial Wastewater, per Employee, Per eight-hour shift, Showers Provided" is the category that most fits the application. Therefore, **35 Gallons Per Day, Per Person** will be used.

**TABLE 3, COMMERCIAL WASTEWATER, ADAMS COUNTY HEALTH DEPARTMENT REG O-22**

COMMERCIAL WASTEWATER		
Facilities with short-term or transient visitors Examples: Airports or bus stations per passenger; fairgrounds per person attending; ball parks, race tracks, stadiums, theaters or auditoriums per seat	5	.02
Airport per employee	10	.06
Barber and beauty shops per chair	100	.70 <sup>1</sup>
Bowling alleys per lane - toilet wastes only	5	.03 <sup>1</sup>
Country club per member	30	.02
County club per employee	20	.06
Dentist offices per non-wet chair	50	.14 <sup>1</sup>
Doctor offices per doctor	250	.80 <sup>1</sup>
Factories and plants exclusive of industrial wastewater per employee per eight-hour shift – no showers	20	.05
<b>Factories and plants exclusive of industrial wastewater per employee per eight-hour shift - showers provided</b>	<b>35</b>	<b>.08</b>
Kennels per dog	30	.20
Laundries, self-service per commercial washer	400	.75
Office buildings per employee per eight-hour shift	15	.06
Service stations per toilet fixture	250	.50 <sup>1</sup>
Stores and shopping centers per square foot of retail space	.1	.01 <sup>1</sup>
Work or construction camps semi-permanent with flush toilets	50	.17
Work or construction camps semi-permanent without flush toilets	35	.02

## DESIGN FLOW CALCULATION

Ownership has provided the projected # Employees per day. The Average Expected Employees is **4** per Day + a 20% Visitor Factor. Therefore;  $4 \times 20\% = 4.8$  **Total Persons Per Day**

**Design Flow = Persons Per Day x Gallons Per Day**

**Design Flow = 4.8 Persons Per Day x 35 Gallons Per Day**

**Design Flow = 168 Gallons Per Day**

## INFLUENT STRENGTH

We will utilize the same Commercial Wastewater Table (3) of the Adams County Health Department O-22 OTWS Regulations. From this table, "Factories and Plants Exclusive of Industrial Wastewater, per Employee, Per eight-hour shift, Showers Provided" is the category that most fits the application. Therefore, **.08 Pounds of BOD5 Per Day, Per Person** will be used.

## INFLUENT STRENGTH CALCULATION

POLLUTANT LOAD = LB/DAY/PERSON x # of PERSONS

POLLUTANT LOAD = .08 LB/DAY/PERSON x 4.8 PERSONS

**POLLUTANT LOAD = .384 LB/DAY**

**TREATMENT:** SEPTIC TREATMENT TANK BOD5 REMOVAL EFFICIENCIES: 40% TO 60%; **USE 50%**

POLLUTANT LB/DAY = .384 LB/DAY x 50% TREATMENT = **.192 LB/DAY TREATED**

REMAINING BOD5 EFFLUENT = .384 LB/DAY - .192 LB/DAY TREATED = **.192 LB/DAY**

**TOTAL BOD5 EFFLUENT W/ DESIGN FLOW = .192 LB/DAY / 168 GALLONS/DAY = .001143 BOD5 LB/GALLON/DAY**

**CONVERT TO MG/L: 1 pound per gallon US (lb/gal) = 119,826.43 milligrams per liter (mg/l).**

**119826.43 X .001143 GAL BOD5**

**1 GAL 1 DAY**

**=119826.43 mg/l X .001143 BOD5 PER GALL PER DAY = 136.9445 mg/l**

Treatment Level	BOD <sub>5</sub> (mg/L)	CBOD <sub>5</sub> <sup>1</sup> (mg/L)	TSS (mg/L)	Total Nitrogen (mg/L)
TL1 <sup>2</sup>	180	-	80	60-80
TL2	-	25	30	N/A <sup>3</sup>
TL2N	-	25	30	>50% reduction <sup>4</sup>
TL3	-	10	10	4N/A <sup>3</sup>
TL3N	-	10	10	20 mg/L

Shading indicates higher treatment levels.

**Apply to Table 4, TREATMENT LEVELS, Of the Adams County Reg O-22, therefore:**

**136.9445 mg/l < 180 mg/l and therefor the Influent is acceptable for a TL1 system.**



**SOIL TESTING & DESIGN**

**1800 COUNTY ROAD 118**

**ELIZABETH CO 80107**

**303.951.6776**

**TBCGEOTECH.com**

INSTALLER LICENSE #s: TRI-COUNTY: CIO002412 | ELBERT: ST0140 | EL PASO: PT0039661 | WELD: IL-1700002

NAWT INSPECTOR LICENSE #: 14515ITC

CLIENT(S):

Austin Konkel  
Hamon Infrastructure  
550 E. 84th Ave  
Thornton, CO 80229

SITE ADDRESS:

Parcel #: 0181734200002  
2491 Cavanaugh Road  
Watkins, CO 80103

DATE: April 21, 2024

SHEET: 2  
OF: 5

DESIGN AND DRAWING BY: CLINT BRITT  
REVIEWED BY: PAUL SORENSEN, P.E.



Official Seal

**PROJECT SUMMARY:**

Construction Company is Building a Large Steel Building for Office and Storage Yard Operations. Treatment Level = TL1

**SEPTIC TANK CALCULATIONS**

- a) Design Flow Gallons per Day: 168 (See Page 2 for Calcs)
- b) Septic Tank Size (Gallons): 48 Hour Detention Time. 168 GPD x 2 = 336 Gallon Tank. Smallest 2 Comp tank is 1,000 Gallons (Table 9, ACHD O-22 Regs)
- c) Install a 1000 Gallon, 2 Compartment Precast or Poly Tank with Risers/Lids to Finished Grade.

**PUMP TANK CALCULATIONS: NA**

**SOIL TYPE:**

A Soil Type Analysis; with 2 Test Pits, has been Performed by TBC GEOTECH in April 2023 in the Proposed STA Area. (Soils Investigative Summary Forms/Report Provided Separately). The Soils Report Reveals a Silt Loam; aka Soil Type "2A" with LTAR of 0.50 GPD/SqFt in the Infiltrative Layers. Because of this Relatively Favorable Soil, Traditional Gravity Bed System shall be installed deeper than 24" and less than 48" to Achieve Proper Treatment.

**IMPORTED MEDIA SPECIFICATIONS:**

- Recycled Tire Chips (Page 75, ACHD O-22 Regs)
- a) The pipe may be surrounded with clean, uniformly-sized tire chips.
- b) Tire chips must be nominally two (2) inches in size and may range from one-half (1/2) inch to a maximum of four (4) inches in any one direction.
- c) Wire strands must not protrude from the tire chips more than 3/4 of an inch.
- d) Tire chips must be free from balls of wire and fine particles less than two (2) mm across.
- e) The top of the tire chips used must be covered with non-woven permeable geotextile meeting a maximum thickness rating of 2.0 ounces per square yard or equivalent pervious material. An impervious covering must not be used.

**SOIL TREATMENT AREA (STA) CALCULATIONS**

LTAR = 0.50 GPD/SqFt  
Q = 168 GPD  
A = Q/LTAR ; A = (168 GPD) / (0.50 LTAR)  
A = 336 SqFt Distribution Area.

**ADJUSTMENTS; GRAVITY BED STA - RECYCLED TIRE CHIPS**

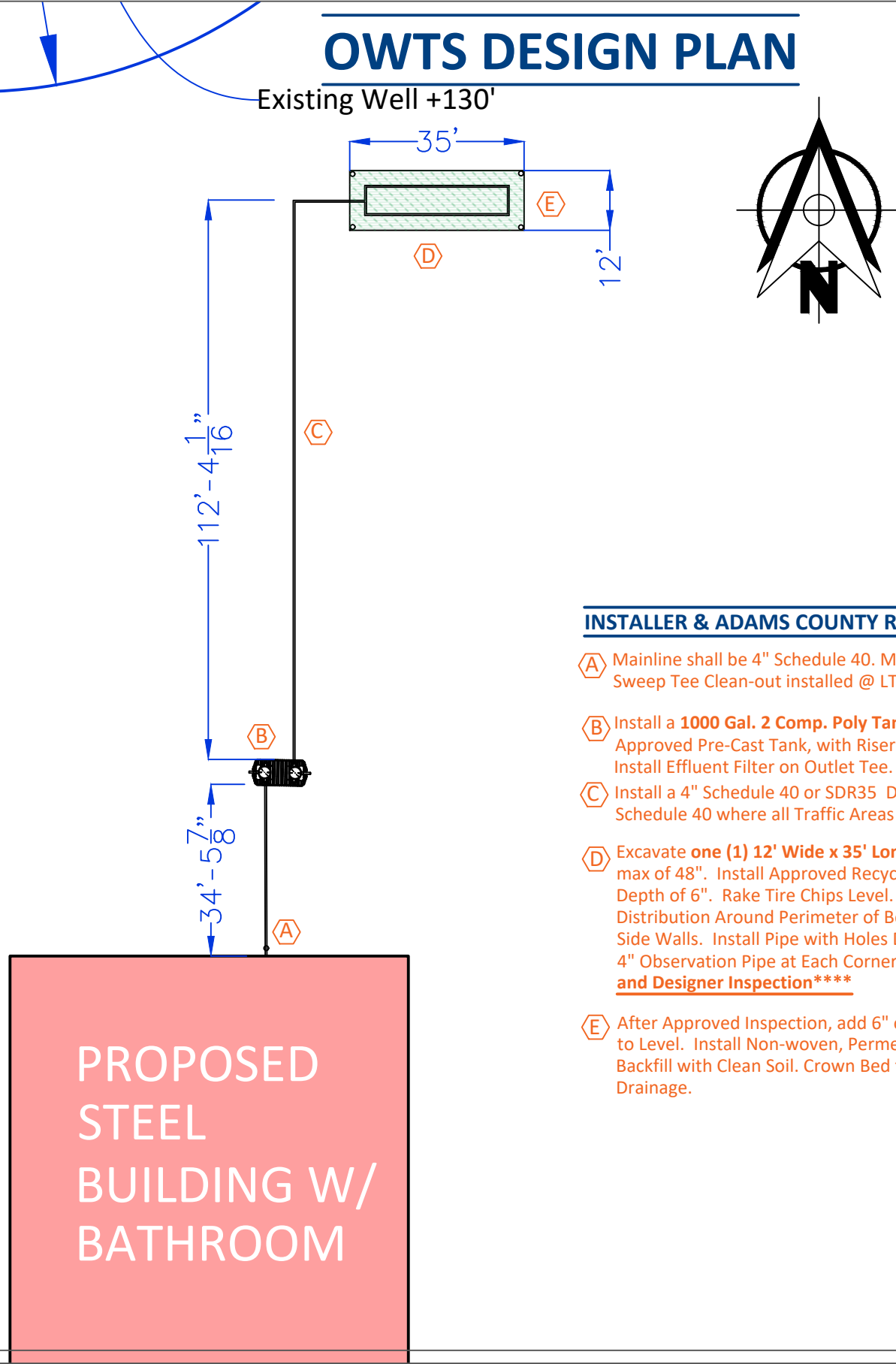
y = Gravity Bed Adjustment Factor = 1.2 (Table 12, ACHD O-22 Regs)  
z = Media Adjustment Factor = Tire Chips = 1.0 (Table 13 ACHD O-22 Regs)  
Adjusted Area (AA) = (A) x (y) x (z)  
AA = (336 SQFT) x (1.2) x (1.0)  
Adjusted Area = 403.2 SqFt

**DISTRIBUTION AREA: GRAVITY BED STA- TIRE CHIPS**

- a. AA (Min): = 403.2 SqFt
- b. Width of Bed Max: 12'
- c. Length of Bed = 403.2/12' = 33.6' Use 35'
- d. Media Height Required: 12"
- e. Weight Of 1 Cubic Foot: 14.6 lbs.
- f. Imported Tire Chips lbs. Required: 420 sqft x 14.6 lbs/sqft = 6,132 lbs

# OWTS DESIGN PLAN

Existing Well +130'



**INSTALLER & ADAMS COUNTY REGULATOR NOTES:**

- A** Mainline shall be 4" Schedule 40. Maintain 2% Fall. Schedule 40 Double Sweep Tee Clean-out installed @ LT5' from Structure.
- B** Install a 1000 Gal. 2 Comp. Poly Tank by Infiltrator (IM1060) or State Approved Pre-Cast Tank, with Risers & Lids at/above Finished Grade. Install Effluent Filter on Outlet Tee.
- C** Install a 4" Schedule 40 or SDR35 Distribution Line. Maintain 1% fall. (Install Schedule 40 where all Traffic Areas are Planned to Cross Effluent Line)
- D** Excavate one (1) 12' Wide x 35' Long Bed, Level. Bed Depth to be 24" to a max of 48". Install Approved Recycled Tire Chips at an Installation to Depth of 6". Rake Tire Chips Level. Install 4" (or 3") Perforated Distribution Around Perimeter of Bed, Maintaining a Distance of 3' from Side Walls. Install Pipe with Holes Down. (4 and 7 O'clock). Install One (1) 4" Observation Pipe at Each Corner of Bed. (Typ.). **\*\*\*\*Call for County and Designer Inspection\*\*\*\***
- E** After Approved Inspection, add 6" of Recycled Tire Chips Over Pipe. Rake to Level. Install Non-woven, Permeable, Geotextile Fabric Over Top Layer. Backfill with Clean Soil. Crown Bed for Settling and Proper Storm-water Drainage.



**SOIL TESTING & DESIGN**

1800 COUNTY ROAD 118  
ELIZABETH CO 80107  
303.951.6776  
TBCGEOTECH.com

INSTALLER LICENSE #s: TRI-COUNTY: CIO002412 |  
ELBERT: ST0140 | EL PASO: PT0039661 | WELD:  
IL-1700002  
NAWT INSPECTOR LICENSE #: 14515ITC

**CLIENT(S):**

Austin Konkel  
Hamon Infrastructure  
550 E. 84th Ave  
Thornton, CO 80229

**SITE ADDRESS:**

Parcel #: 0181734200002  
2491 Cavanaugh Road  
Watkins, CO 80103

DATE: April 21, 2024

SHEET: 3  
OF: 5



DESIGN AND DRAWING BY: CLINT BRITT  
REVIEWED BY: PAUL SORENSEN, P.E.



Official Seal

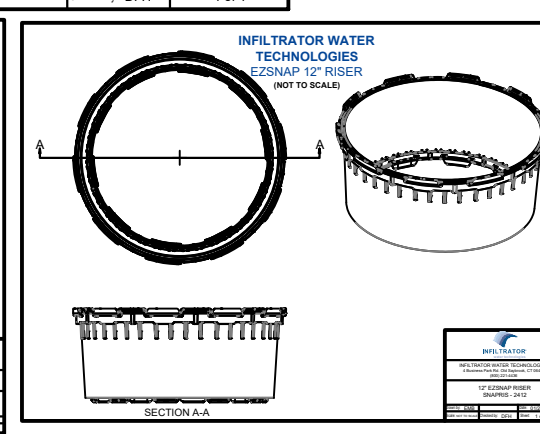
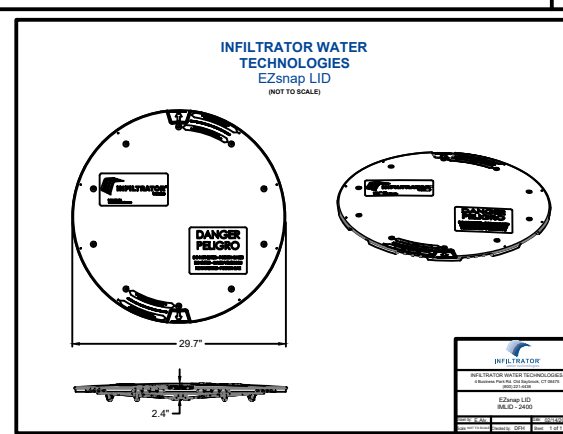
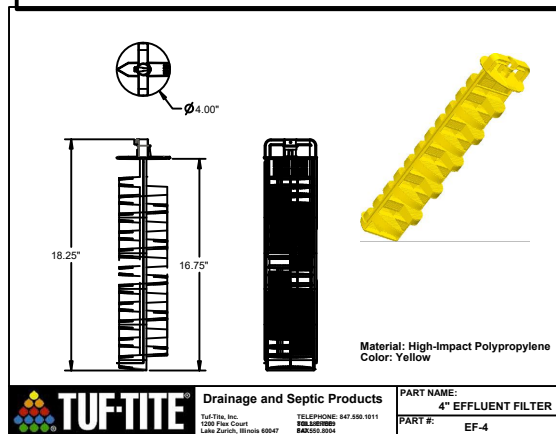
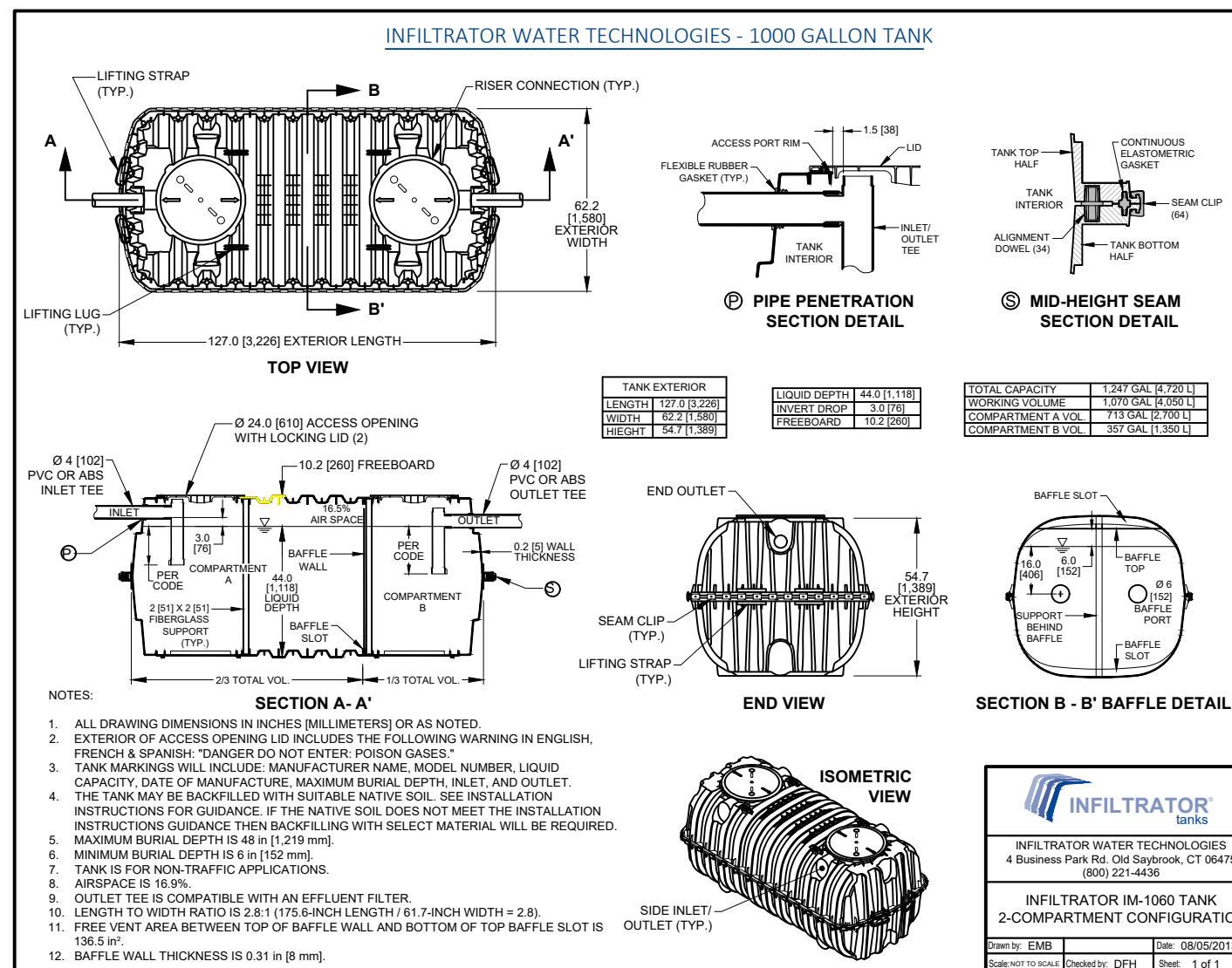
# OWTS TANK CUT DETAIL



SOILS TESTING & DESIGN  
1800 COUNTY ROAD 118  
ELIZABETH CO 80107  
303.951.6776  
TBCGEOTECH.com

INSTALLER LICENSE #s: TRI-COUNTY: CIO002412 | ELBERT: ST0140 | EL PASO: PT0039661 | WELD: IL-1700002

NAWT INSPECTOR LICENSE #: 14515ITC



CLIENT(S):

Austin Konkel  
Hamon Infrastructure  
550 E. 84th Ave  
Thornton, CO 80229

SITE ADDRESS:

Parcel #: 018173420002  
2491 Cavanaugh Road  
Watkins, CO 80103

DATE: April 21, 2024

SHEET: 4  
OF: 5

DESIGN AND DRAWING BY: CLINT BRITT  
REVIEWED BY: PAUL SORENSEN, P.E.



Official Seal

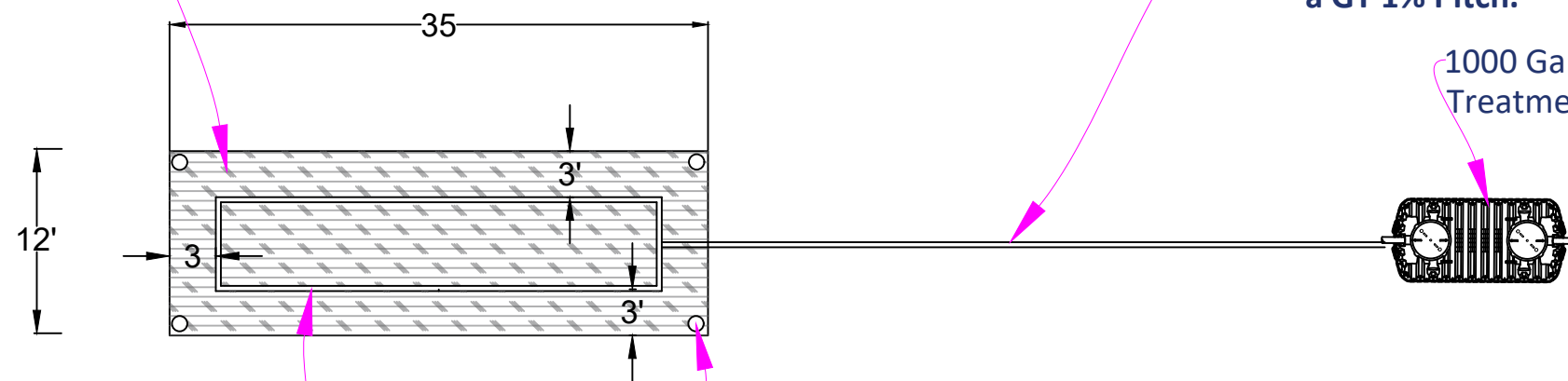
# STA DETAIL

**Recycled Tire Chips**  
Install 6" base, install Effluent Line(s), Cover w/ 6" Top Layer and Non-woven Geo Fabric.

Tire Chips in Bed, Gravity System

4" Schedule 40 or SDR35 from Septic Tank to STA.  
**Line Shall be Installed with a GT 1% Pitch.**

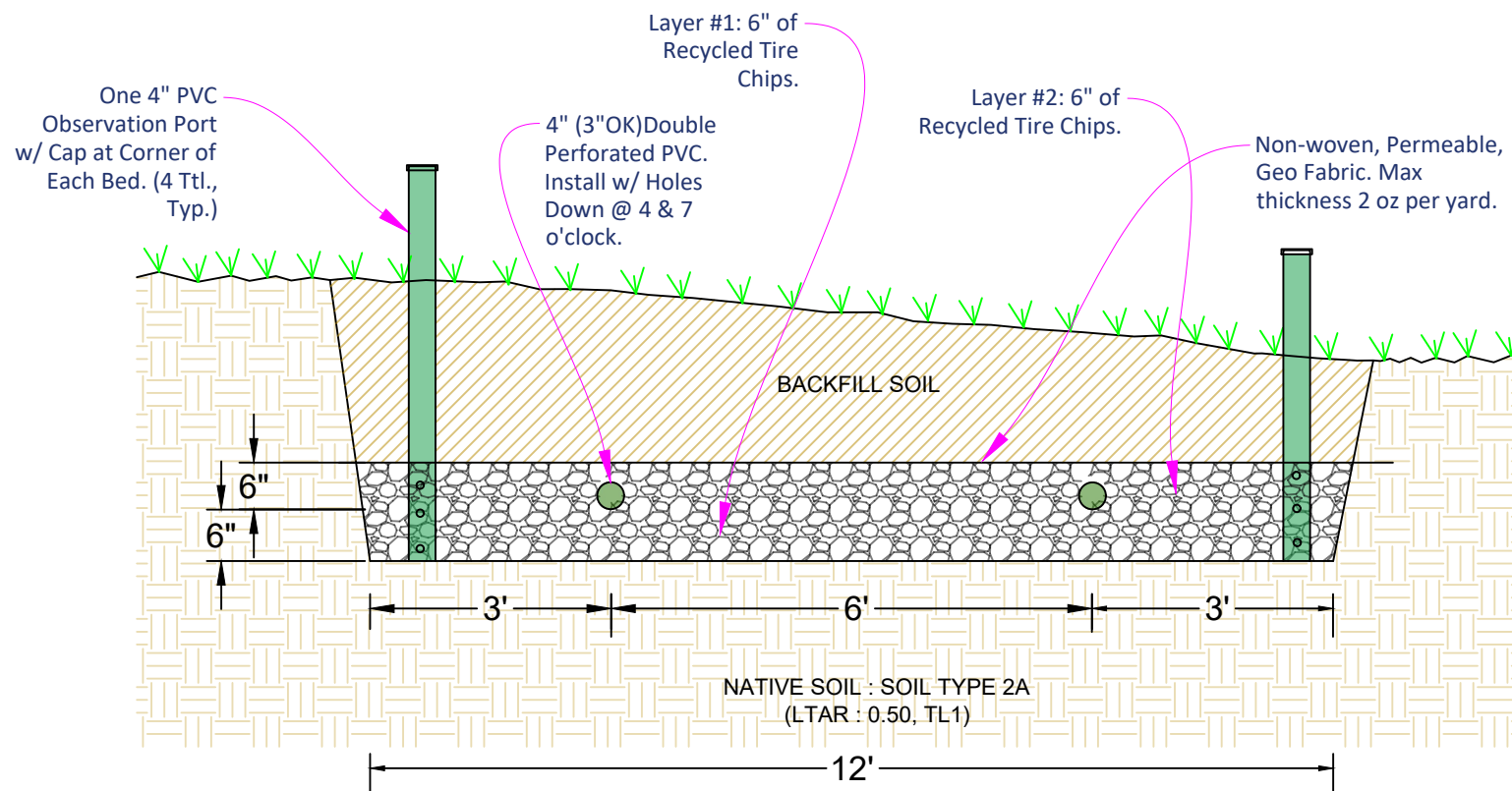
1000 Gallon Treatment Tank



4" Perforated PVC (3" OK). Glue with Holes down, at 4 and 7 o'clock. Maintain 3' off perimeter of wall.

One 4" PVC Observation Port w/ Cap at Corner of Bed. (4 Ttl., Typ.)

## TYPICAL BED DETAIL SECTION VIEW



SOILS TESTING & DESIGN  
1800 COUNTY ROAD 118  
ELIZABETH CO 80107  
303.731.2299  
www.TBCseptic.com

INSTALLER LICENSE #s: TRI-COUNTY: CIO002412 | ELBERT: ST0140 | EL PASO: PT0039661 | WELD: IL-1700002

NAWT INSPECTOR LICENSE #: 14515ITC



CLIENT(S):

Austin Konkel  
Hamon Infrastructure  
550 E. 84th Ave  
Thornton, CO 80229

SITE ADDRESS:

Parcel #: 0181734200002  
2491 Cavanaugh Road  
Watkins, CO 80103

DATE: April 21, 2024

SHEET: 5  
OF: 5

DESIGN AND DRAWING BY: CLINT BRITT  
REVIEWED BY: PAUL SORENSEN, P.E.



Official Seal

## Shawn Merz

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**From:** Jeffrey K. McCarron <JMcCarron@adcogov.org>  
**Sent:** Friday, August 29, 2025 3:11 PM  
**To:** Shawn Merz  
**Subject:** RE: D&K Industrial Park

8/29/2025

Dear Shawn Merz,

Adams County Health Department (ACHD) has received communication that you intend to construct an Onsite Wastewater Treatment System (OWTS) for a proposed 14,000 square foot workshop on a parcel located at the southwest corner of Cavanaugh Road and Colfax Avenue in Watkins, Colorado. ACHD will issue a permit for a new installation of an OWTS, provided that the proposed design meets all applicable requirements set forth in ACHD Regulation O-22, pursuant to Title 25-10-101, et seq. Colorado Revised Statutes and the Colorado Department of Public Health and Environment Water Quality Control Commission On-Site Wastewater Treatment System Regulation #43, 5 CCR-1002-43.

Requirements from regulation O-22 that may be applicable to the septic system installation include (but are not limited to):

- A proposed septic system design,
- A soil test report near the proposed soil treatment area,
- Minimum horizontal setback distances between OWTS components and health impact features, as noted in table 6 of regulation O-22,
- A site visit performed by ACHD to determine the suitability of the site and of the proposed design, and
  - A permit fee to be paid by the applicant to ACHD.
  - Appropriate sizing of the OWTS based on a complete analysis of the water usage and wastewater generation measurements as set forth in Table 3, Regulation O-22.



When ACHD staff have reviewed the design, and any deficiencies have been resolved, ACHD will issue a permit to install the OWTS. ACHD does not guarantee that permits or any other authorizations applicable to this property will be issued by other entities.

Sincerely,

Jeff

Jeff McCarron  
Environmental Health Specialist IV, Water Program  
ADAMS COUNTY, COLORADO  
7190 Colorado Blvd, Commerce City, CO 80022  
o: 720.340.7215 | Main: | [jmccarron@adcogov.org](mailto:jmccarron@adcogov.org)  
[www.adamscountyhealthdepartment.org](http://www.adamscountyhealthdepartment.org)

*To responsibly serve the Adams County community with integrity and innovation*

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**From:** Shawn Merz <Shawn.Merz@enertiagc.com>  
**Sent:** Friday, August 29, 2025 10:17 AM

To: Jeffrey K. McCarron <JMcCarron@adcogov.org>

Subject: D&K Industrial Park

You don't often get email from [shawn.merz@enertiag.com](mailto:shawn.merz@enertiag.com). [Learn why this is important](#)

Please be cautious: This email was sent from outside Adams County

Good morning Jeff,

I am following up on a conversation we had back in April. I am working with a client that is trying to rezone a piece of property for an industrial development out east of Watkins located at the SW corner of Cavanaugh Road and Colfax Avenue. Our client would like to build a 14,000 sf workshop on one of the lots. We are submitting to Adams County for a Concept Submittal next week. I would like to get a letter from you stating the viability of our proposed septic system for their lot. Feel free to give me a call if you have any questions.

Thanks,

**Shawn Merz PE, LEED AP**

**Enertia Consulting Group**

*Project Manager*



1515 Market Street

Denver, CO 80202

303-564-3435

[shawn.merz@enertiag.com](mailto:shawn.merz@enertiag.com)

D&K I-1 Rezoning Application: Proof of Electric

**Proof of Electric**

The existing property at 2491 Cavanaugh will be served by Xcel Energy.



## WILL SERVE LETTER

April 22, 2025

D&K LLC  
550 E 84<sup>th</sup> Ave  
Thornton, CO 80229

Re: 2491.5 Cavanaugh Road, Watkins, CO 80137

Dear D&K LLC,

This letter is to confirm that Xcel Energy is your utility provider for electric service. In accordance with our tariffs, on file with and approved by the Colorado Public Utilities Commission, electric facilities can be made available to serve the project at 2491.5 Cavanaugh Road, Watkins, CO 80137. The cost, and whether any reinforcements or extensions are required, for the Company to provide those facilities will be determined by your designer upon receipt of application and project plans.

Your utility service(s) will be provided after the following steps are completed:

- ***Application submitted to Xcel Energy's "Builders Call Line (BCL)"*** – once your application is accepted you will be assigned a design department representative who will be your primary point of contact
- ***Utility design is completed*** – you must provide your design representative with the site plan, the one - line diagrams, and panel schedules for electric and gas loads if applicable
- ***All documents provided by design representative are signed and returned***
- ***Payment is received*** (Residential Service Laterals if applicable)
- ***Required easements are granted*** - you must sign and return applicable easement documents to your Right-of-Way agent
- ***Site is ready for utility construction*** - the site ready information can be found on our website at may be viewed at [Construction and Inspection | Xcel Energy](#).

An estimated scheduled in-service date will be provided once these requirements have been met. It is important to keep in mind that the terms and conditions of utility service, per our tariffs, require that you provide adequate space and an easement on your property for all gas and electric facilities required to serve your project, including but not limited to gas and electrical lines and meters, transformers, and pedestals. General guidelines for requirements can be found on our website at [xcelenergy.com/InstallAndConnect](#).

Xcel Energy looks forward to working with you on your project and if I can be of further assistance, please contact me at the phone number or email listed below.

Sincerely,

Andrea Perez  
Xcel Energy Planner

Mailing address: Xcel Energy  
2070 S Valentia St  
Denver, CO 80231

## Shawn Merz

---

**From:** Kevin Mills <KMills@adcogov.org>  
**Sent:** Wednesday, April 16, 2025 12:56 PM  
**To:** 'Austin Konkel'  
**Subject:** Half Address Assignment - 2491.5 CAVANAUGH RD

Good afternoon Austin,

It was nice speaking to you today regarding the utility address for the property at 2491 CAVANAUGH RD. Per our discussion I have created and allocated a utility address of **2491.5 CAVANUAGH RD**. This address, as a utility, is to serve for assistance with Xcel metering, and does not have intention to be occupied at this present time, therefore an official address letter will not be produced, however you can use this email as confirmation that the County recognizes this address. If I can be of further assistance, please let me know!

<input type="checkbox"/>	No	Yes	2491	CAVANAUGH	RD	1/2
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Thank you,



**Kevin Mills**

One-Stop Customer Center Supervisor  
*Community & Economic Development*

ADAMS COUNTY, COLORADO

4430 S. Adams County Parkway, Suite W2000B

Brighton, CO 80601

p: 720.523.6985 | m: 720-523-6800 | [kmills@adcogov.org](mailto:kmills@adcogov.org)

**Legal Description**

Parcel 2

That portion of the Northwest 1/4 of Section 34, Township 3 South, Range 64 West of the 6th P.M., described as follows:

Commencing at a 3-1/4" aluminum cap 0.5' above the dirt surface stamped WT3S R64W N1/4 S34 - 1992 - LS 10734" at the North quarter corner of said Section 34; Thence S00°02'02"W along the Easterly line of the Northwest quarter of said Section 34 a distance of 635.24 feet to the Point of Beginning; Thence continuing S00°02'02" W along the Easterly line of the Northwest quarter of said section 34 a distance of 680.98 feet to the Southeast corner of the South half of the North half of the Northwest quarter of said Section 34; Thence N°48'03"W along the Southerly line of the South half of the North half of the Northwest quarter of said Section 34 a distance of 2618.79 feet to the Easterly right-of-way line of Cavanaugh Road, said right of way is described at Book 2101, Pages 393-395, Reception No. 48005 filed in the Adams County Clerk and Recorder's Office; Thence N00°04'03"E along the Easterly right-of-way line of Cavanaugh Road a distance of 537.34 feet; Thence S88°42'29"E a distance of 405.00 feet; Thence N00°04'03"E a distance of 147.87 feet; Thence S88°42'29"E a distance of 2213.48 feet to the Point of Beginning,

County of Adams, State of Colorado.

Also known by street and number as: 2491 Cavanaugh Road, Bennett, CO 80102

<b>Account</b>	<b>As of Date</b>	<b>Parcel Number</b>	<b>Owner</b>
R0119601	04/17/2025	0181734200002	D&K LIMITED LIABILITY COMPANY

**Legal:** SECT, TWN, RNG: 34-3-64 DESC: PARC IN THE NW4 OF SEC 34 DESC AS FOL BEG AT THE N4 COR OF SD SEC 34 TH S 00D 02M 02S W A DIST OF 635/24 FT TO THE POB TH CONT S 00D 02M 02S W A DIST OF 680/98 FT TH N 90D 48M 03S W A DIST OF 2618/79 TH N 00D 04M 03S E A DIST OF 537/34 FT TH S 88D 42M 29S E A DIST OF 405 FT TH N 00D 04M 03S E A DIST OF 147/87 FT TH S 88D 42M 29S E A DIST OF 2213/48 FT TO THE POB 39/681 AC

**Situs Address:** 0

<b>Year</b>	<b>Tax</b>	<b>Total Due</b>
Total	\$0.00	\$0.00

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**Trip Generation Letter**

At the current zone map amendment stage, no vehicle trips are added to the area. At building permit application stage, Applicant will update and transmit an updated Trip Generation Letter, as necessary.

**Preliminary Drainage Study**

Existing Onsite Drainage Characteristics are shown in the attached topographical survey. Currently all drainage is confined to the Parcels and does not leave Parcel 2. In addition, Parcel 2 falls outside of the flood plain.



# Drainage Direction

