

OFFICE OF THE STATE ENGINEER
DETERMINATION OF FACTS

IN THE MATTER OF AN APPLICATION FOR UNDERGROUND WATER RIGHTS IN WATER DIVISION NO. 1,
ELBERT COUNTY, COLORADO

DATE FILED: May 7, 2024 8:50 AM
FILING ID: 55B9077A5473F
CASE NUMBER: 2024CW3028

APPLICANT: HENRY K. LOGAN TRUST, STEFAN TAUGER AND CANDICE TAUGER

AQUIFER: UPPER DAWSON

CASE NO.: 24CW3028

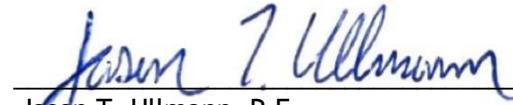
In compliance with C.R.S. 37-92-302(2), Henry K. Logan Trust, Stefan Tauger and Candice Tauger, (hereinafter "applicant") submitted an application to the Water Court for a determination of the amount of water available pursuant to C.R.S. 37-90-137(4). Based on information provided to the Court by the applicant and records of the Division of Water Resources, the State Engineer finds as follows:

1. The application was received by the Water Court on March 11, 2024.
2. According to the application, the applicant owns, or has consent to withdraw ground water underlying 80 acres of land as further described in said application.
3. The quantity of water in the Upper Dawson aquifer (hereinafter "aquifer"), exclusive of artificial recharge, underlying the 80 acres of land claimed in the application is 2,080 acre-feet. This determination was based on the following as specified in the Denver Basin Rules and site specific information:
 - a. The average specific yield of the saturated aquifer materials underlying the land claimed in the application is 20 percent.
 - b. The average thickness of the saturated aquifer materials underlying the land claimed in the application is 130 feet.
4. Withdrawal of ground water from the aquifer underlying the land claimed in the application will within one hundred years, deplete the flow of a natural stream at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and therefore the ground water is not nontributary ground water as defined in C.R.S. 37-90-103(10.7). C.R.S. 37-90-137(9)(c.5) states that judicial approval of a plan for augmentation shall be required prior to use of ground water of the type sought in this application. In the case of the Dawson aquifer such augmentation plans shall provide for the replacement of actual stream depletions to the extent necessary to prevent any injurious effect, based on actual aquifer conditions in existence at the time of the decree.
5. In determining the amount of ground water available for withdrawal annually from this aquifer, the provisions of C.R.S. 37-90-137(4) must be applied, and pursuant to C.R.S. 37-90-137(4)(b)(l) annual withdrawals shall be allowed on the basis of an aquifer life of 100 years.
6. A review of the records in the State Engineer's Office has disclosed that there are existing wells or other water rights withdrawing ground water from the aquifer underlying the land claimed by the applicant. The well permit numbers, locations, rates of diversion, and


other relevant data concerning such rights are set forth in the attached Exhibit A. The quantity of water underlying the land claimed in the application which is considered available for withdrawal has been reduced by 400 acre-feet based on an assessment of the amount of water necessary for the persons entitled to divert water under existing rights to divert the average annual amount of water from the aquifer for the minimum aquifer life of 100 years. The resulting total amount available for withdrawal is 1,680 acre-feet.

7. Underlying the land claimed in the application, the aquifer, based on site specific information, extends to a depth of approximately 465 feet below land surface. A site specific evaluation must be conducted with each well permit to identify the interval due to the varied elevation of the aquifer and surface topography.
8. The allowed average annual amount of water available for withdrawal from the aquifer underlying the lands claimed in the application is 16.8 acre-feet (the quantity of water which is considered available divided by the 100 year aquifer life). It is recommended that the water court retain jurisdiction necessary to provide for adjustment (increase or decrease) of this amount.
9. The total volume of water available for withdrawal from the aquifer underlying the lands claimed in the application is 1,680 acre-feet.

Dated this 6th day of May, 2024.



Jason T. Ullmann, P.E.
State Engineer/Director

By: 

Ioana Comaniciu
Water Resource Engineer

Prepared by: aat

EXHIBIT A

APPLICANT: HENRY K. LOGAN TRUST, STEFAN TAUGER AND CANDICE TAUGER

AQUIFER: UPPER DAWSON

CASE NO.: 24CW3028

EXEMPT AND/OR NON-EXEMPT WELL

Permit Number	1/4	1/4	Section	Township	Range	AF	Use
162342	SW	NW	34	7 S	65 W	4	Ordinary household purposes inside one single family dwelling, fire protection, the watering of poultry, domestic animals, and livestock on farms and ranches, and the irrigation of not over one (1) acre of home gardens and lawns.

AF = Allowed annual withdrawal of the well in acre-feet per year

Use = Permitted use of the well

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APPLICANT: HENRY K. LOGAN TRUST, STEFAN TAUGER AND CANDICE TAUGER

AQUIFER: LOWER DAWSON

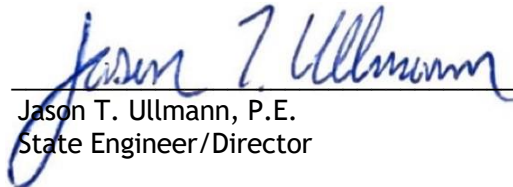
CASE NO.: 24CW3028

In compliance with C.R.S. 37-92-302(2), Henry K. Logan Trust, Stefan Tauger and Candice Tauger, (hereinafter "applicant") submitted an application to the Water Court for a determination of the amount of water available pursuant to C.R.S. 37-90-137(4). Based on information provided to the Court by the applicant and records of the Division of Water Resources, the State Engineer finds as follows:


1. The application was received by the Water Court on March 11, 2024.
2. According to the application, the applicant owns, or has consent to withdraw ground water underlying 80 acres of land as further described in said application.
3. The quantity of water in the Lower Dawson aquifer (hereinafter "aquifer"), exclusive of artificial recharge, underlying the 80 acres of land claimed in the application is 1,040 acre-feet. This determination was based on the following as specified in the Denver Basin Rules:
 - a. The average specific yield of the saturated aquifer materials underlying the land claimed in the application is 20 percent.
 - b. The average thickness of the saturated aquifer materials underlying the land claimed in the application is 65 feet.
4. Withdrawal of ground water from the aquifer underlying the land claimed in the application will not, within one hundred years of continuous withdrawal, deplete the flow of a natural stream at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and therefore the ground water is nontributary ground water as defined in C.R.S. 37-90-103(10.5). Pursuant to C.R.S. 37-90-137(9)(b) and the Denver Basin Rules, no more than 98% of the nontributary ground water withdrawn annually shall be consumed and the applicant shall demonstrate to the reasonable satisfaction of the State Engineer that no more than 98% of the water withdrawn will be consumed prior to the issuance of a well permit.
5. In determining the amount of ground water available for withdrawal annually from this aquifer, the provisions of C.R.S. 37-90-137(4) must be applied, and pursuant to C.R.S. 37-90-137(4)(b)(l) annual withdrawals shall be allowed on the basis of an aquifer life of 100 years.
6. A review of the records in the State Engineer's Office has not disclosed that there are any existing wells or other water rights claiming or diverting ground water from the aquifer underlying the land claimed by the applicant.

7. Underlying the land claimed in the application, the aquifer is, as specified in the Denver Basin Rules, located approximately 595 feet to 745 feet below land surface. A site specific evaluation must be conducted with each well permit to identify the interval due to the varied elevation of the aquifer and surface topography.
8. The allowed average annual amount of water available for withdrawal from the aquifer underlying the lands claimed in the application is 10.4 acre-feet (the quantity of water which is considered available divided by the 100 year aquifer life). It is recommended that the water court retain jurisdiction necessary to provide for adjustment (increase or decrease) of this amount.
9. The total volume of water available for withdrawal from the aquifer underlying the lands claimed in the application is 1,040 acre-feet.

Dated this 6th day of May, 2024.



Jason T. Ullmann, P.E.
State Engineer/Director

By: 

Ioana Comaniciu
Water Resource Engineer

Prepared by: aat

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IN THE MATTER OF AN APPLICATION FOR UNDERGROUND WATER RIGHTS IN WATER DIVISION NO. 1,
ELBERT COUNTY, COLORADO

APPLICANT: HENRY K. LOGAN TRUST, STEFAN TAUGER AND CANDICE TAUGER

AQUIFER: DENVER

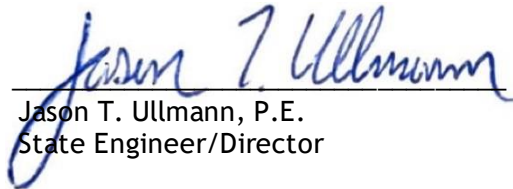
CASE NO.: 24CW3028

In compliance with C.R.S. 37-92-302(2), Henry K. Logan Trust, Stefan Tauger and Candice Tauger, (hereinafter "applicant") submitted an application to the Water Court for a determination of the amount of water available pursuant to C.R.S. 37-90-137(4). Based on information provided to the Court by the applicant and records of the Division of Water Resources, the State Engineer finds as follows:


1. The application was received by the Water Court on March 11, 2024.
2. According to the application, the applicant owns, or has consent to withdraw ground water underlying 80 acres of land as further described in said application.
3. The quantity of water in the Denver aquifer (hereinafter "aquifer"), exclusive of artificial recharge, underlying the 80 acres of land claimed in the application is 2,580 acre-feet. This determination was based on the following as specified in the Denver Basin Rules:
 - a. The average specific yield of the saturated aquifer materials underlying the land claimed in the application is 17 percent.
 - b. The average thickness of the saturated aquifer materials underlying the land claimed in the application is 190 feet.
4. Withdrawal of ground water from the aquifer underlying the land claimed in the application will not, within one hundred years of continuous withdrawal, deplete the flow of a natural stream at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and therefore the ground water is nontributary ground water as defined in C.R.S. 37-90-103(10.5). Pursuant to C.R.S. 37-90-137(9)(b) and the Denver Basin Rules, no more than 98% of the nontributary ground water withdrawn annually shall be consumed and the applicant shall demonstrate to the reasonable satisfaction of the State Engineer that no more than 98% of the water withdrawn will be consumed prior to the issuance of a well permit.
5. In determining the amount of ground water available for withdrawal annually from this aquifer, the provisions of C.R.S. 37-90-137(4) must be applied, and pursuant to C.R.S. 37-90-137(4)(b)(l) annual withdrawals shall be allowed on the basis of an aquifer life of 100 years.
6. A review of the records in the State Engineer's Office has not disclosed that there are any existing wells or other water rights claiming or diverting ground water from the aquifer underlying the land claimed by the applicant.

7. Underlying the land claimed in the application, the aquifer is, as specified in the Denver Basin Rules, located approximately 740 feet to 1745 feet below land surface. A site specific evaluation must be conducted with each well permit to identify the interval due to the varied elevation of the aquifer and surface topography.
8. The allowed average annual amount of water available for withdrawal from the aquifer underlying the lands claimed in the application is 25.8 acre-feet (the quantity of water which is considered available divided by the 100 year aquifer life). It is recommended that the water court retain jurisdiction necessary to provide for adjustment (increase or decrease) of this amount.
9. The total volume of water available for withdrawal from the aquifer underlying the lands claimed in the application is 2,580 acre-feet.

Dated this 6th day of May, 2024.



Jason T. Ullmann, P.E.
State Engineer/Director

By: 

Ioana Comaniciu
Water Resource Engineer

Prepared by: aat

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IN THE MATTER OF AN APPLICATION FOR UNDERGROUND WATER RIGHTS IN WATER DIVISION NO. 1,
ELBERT COUNTY, COLORADO

APPLICANT: HENRY K. LOGAN TRUST, STEFAN TAUGER AND CANDICE TAUGER

AQUIFER: ARAPAHOE

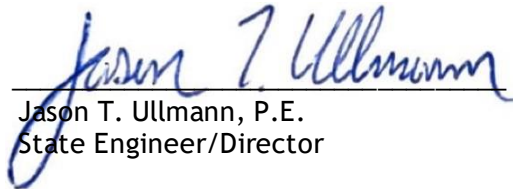
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In compliance with C.R.S. 37-92-302(2), Henry K. Logan Trust, Stefan Tauger and Candice Tauger, (hereinafter "applicant") submitted an application to the Water Court for a determination of the amount of water available pursuant to C.R.S. 37-90-137(4). Based on information provided to the Court by the applicant and records of the Division of Water Resources, the State Engineer finds as follows:

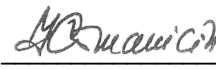
1. The application was received by the Water Court on March 11, 2024.
2. According to the application, the applicant owns, or has consent to withdraw ground water underlying 80 acres of land as further described in said application.
3. The quantity of water in the Arapahoe aquifer (hereinafter "aquifer"), exclusive of artificial recharge, underlying the 80 acres of land claimed in the application is 3,330 acre-feet. This determination was based on the following as specified in the Denver Basin Rules:
 - a. The average specific yield of the saturated aquifer materials underlying the land claimed in the application is 17 percent.
 - b. The average thickness of the saturated aquifer materials underlying the land claimed in the application is 245 feet.
4. Withdrawal of ground water from the aquifer underlying the land claimed in the application will not, within one hundred years of continuous withdrawal, deplete the flow of a natural stream at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and therefore the ground water is nontributary ground water as defined in C.R.S. 37-90-103(10.5). Pursuant to C.R.S. 37-90-137(9)(b) and the Denver Basin Rules, no more than 98% of the nontributary ground water withdrawn annually shall be consumed and the applicant shall demonstrate to the reasonable satisfaction of the State Engineer that no more than 98% of the water withdrawn will be consumed prior to the issuance of a well permit.
5. In determining the amount of ground water available for withdrawal annually from this aquifer, the provisions of C.R.S. 37-90-137(4) must be applied, and pursuant to C.R.S. 37-90-137(4)(b)(l) annual withdrawals shall be allowed on the basis of an aquifer life of 100 years.
6. A review of the records in the State Engineer's Office has not disclosed that there are any existing wells or other water rights claiming or diverting ground water from the aquifer underlying the land claimed by the applicant.

7. Underlying the land claimed in the application, the aquifer is, as specified in the Denver Basin Rules, located approximately 1770 feet to 2230 feet below land surface. A site specific evaluation must be conducted with each well permit to identify the interval due to the varied elevation of the aquifer and surface topography.
8. The allowed average annual amount of water available for withdrawal from the aquifer underlying the lands claimed in the application is 33.3 acre-feet (the quantity of water which is considered available divided by the 100 year aquifer life). It is recommended that the water court retain jurisdiction necessary to provide for adjustment (increase or decrease) of this amount.
9. The total volume of water available for withdrawal from the aquifer underlying the lands claimed in the application is 3,330 acre-feet.

Dated this 6th day of May, 2024.



Jason T. Ullmann, P.E.
State Engineer/Director

By: 

Ioana Comaniciu
Water Resource Engineer

Prepared by: aat

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APPLICANT: HENRY K. LOGAN TRUST, STEFAN TAUGER AND CANDICE TAUGER

AQUIFER: LARAMIE-FOX HILLS

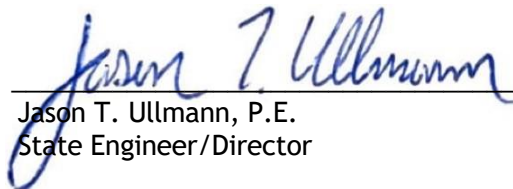
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1. The application was received by the Water Court on March 11, 2024.
2. According to the application, the applicant owns, or has consent to withdraw ground water underlying 80 acres of land as further described in said application.
3. The quantity of water in the Laramie-Fox Hills aquifer (hereinafter "aquifer"), exclusive of artificial recharge, underlying the 80 acres of land claimed in the application is 2,400 acre-feet. This determination was based on the following as specified in the Denver Basin Rules:
 - a. The average specific yield of the saturated aquifer materials underlying the land claimed in the application is 15 percent.
 - b. The average thickness of the saturated aquifer materials underlying the land claimed in the application is 200 feet.
4. Withdrawal of ground water from the aquifer underlying the land claimed in the application will not, within one hundred years of continuous withdrawal, deplete the flow of a natural stream at an annual rate greater than one-tenth of one percent of the annual rate of withdrawal and therefore the ground water is nontributary ground water as defined in C.R.S. 37-90-103(10.5). Pursuant to C.R.S. 37-90-137(9)(b) and the Denver Basin Rules, no more than 98% of the nontributary ground water withdrawn annually shall be consumed and the applicant shall demonstrate to the reasonable satisfaction of the State Engineer that no more than 98% of the water withdrawn will be consumed prior to the issuance of a well permit.
5. In determining the amount of ground water available for withdrawal annually from this aquifer, the provisions of C.R.S. 37-90-137(4) must be applied, and pursuant to C.R.S. 37-90-137(4)(b)(I) annual withdrawals shall be allowed on the basis of an aquifer life of 100 years.
6. A review of the records in the State Engineer's Office has not disclosed that there are any existing wells or other water rights claiming or diverting ground water from the aquifer underlying the land claimed by the applicant.

7. Underlying the land claimed in the application, the aquifer is, as specified in the Denver Basin Rules, located approximately 2565 feet to 2935 feet below land surface. A site specific evaluation must be conducted with each well permit to identify the interval due to the varied elevation of the aquifer and surface topography.
8. The allowed average annual amount of water available for withdrawal from the aquifer underlying the lands claimed in the application is 24.0 acre-feet (the quantity of water which is considered available divided by the 100 year aquifer life). It is recommended that the water court retain jurisdiction necessary to provide for adjustment (increase or decrease) of this amount.
9. The total volume of water available for withdrawal from the aquifer underlying the lands claimed in the application is 2,400 acre-feet.

Dated this 6th day of May, 2024.



Jason T. Ullmann, P.E.
State Engineer/Director

By: 

Ioana Comaniciu
Water Resource Engineer

Prepared by: aat