



November 22, 2021

John Green  
El Paso County Development Services Department  
[DSDcomments@elpasoco.com](mailto:DSDcomments@elpasoco.com)

**RE:** Miles Subdivision AKA JeniShay Farms  
Part of the E ½ of the SW ¼, Section 29, T11S, R65W, 6<sup>th</sup> P.M.  
Water Division 1, Water District 8

Dear John Green,

We have reviewed the additional information received by this office on November 11, 2021 regarding the above referenced referral. The Applicant is proposing to create a 9 lot subdivision on 52.63 acres. The 52.63 acres consists of a 39.72 acre parcel and lots known as Lots 5 and 6 of Terra Ridge Estates. We previously commented on this subdivision by letter dated December 30, 2020

### **Water Supply Demand**

According to section 2.1 of the Water Supply Information Summary and the JeniShay Farms Water Resources Report & Wastewater Treatment Report by JDS-Hydro Consultants dated October 2021 (“Water Resources Report”), the estimated annual demand for all 9 lots is 0.59 acre-feet per year per lot for 300 years, which will be used for domestic indoor use (0.26 acre-feet), irrigation of 4,000 square-feet of lawn, garden and trees (0.26 acre-feet), and watering of up to 4 large domestic animals (0.07 acre-feet). The total estimated water requirement for the 9 lots is 5.31 acre-feet per year for a 300 year water supply.

According to section 3.1 of the Water Resources Report use of the wells will be limited to ordinary household purposes inside one single family dwelling, the watering of not more than four large non-commercial domestic animals, and the irrigation of not more than 13,000 square feet of home gardens and lawns. Due to this conflicting information the applicant must clarify the demands for the lots.

Note that our office could not open the Water Supply Information Summary in the referral documents therefore these comments are based on the Water Resources Report.

### **Source of Water Supply**

The proposed water source for the 9 lots is individual on lot wells in Dawson aquifer. The Water Resources Report only references the water decreed in case no. 18CW3226. Individual on lot wells located on Lots 5 and 6 of Terra Ridge Estates cannot withdraw such water since any wells withdrawing water decreed in case no. 18CW3226 must be located on the 39.72 acres of overlying land that was considered in that case. In addition, the augmentation plan granted in case no. 18CW3226 only allows for 7 individual on lot Dawson wells.



Lots 5 and 6 of Terra Ridge Estates is within the area associated with the decreed augmentation plan in Division 2 Water Court Case no. 96CW068. That augmentation plan allows for the withdrawal of 1 acre-foot per year for 100 years from 40 individual on lot Dawson wells.

In the *El Paso County Land Development Code*, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:

“- Finding of Sufficient Quantity - The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years.”

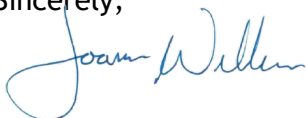
### **State Engineer’s Office Opinion**

Based on the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. A completed report that specifies the water requirements for all nine lots and the proposed water supply for all nine lots. Such report should satisfy the county’s 300 year allocation approach.

Should you or the Applicant have any questions, please contact me at 303-866-3581 x8265 or [Joanna.Williams@state.co.us](mailto:Joanna.Williams@state.co.us).

Sincerely,



Joanna Williams, P.E.  
Water Resource Engineer

Ec: Subdivision file: 27451