

MCGEHEE Minor Subdivision

WATER QUALITY REPORT

**For
McGehee Minor
Subdivision**

December 23, 2020

Prepared By:



13511 Northgate Estates Dr., Ste. 250, Colorado Springs, Colorado 80921

Executive Summary:

Water Quality Report – McGehee Minor Subdivision

Chris D. Cummins of Monson, Cummins & Shohet, LLC, on behalf of Applicant, Dale D. and Stephanie B. McGehee, (“Owner”), provides the following Water Quality Report in support of the McGehee Minor Subdivision. The undersigned has been practicing water law almost exclusively, for over 17 years, and has extensive experience with Denver Basin groundwater resources, augmentation plans, basin replacement plans, subdivision proceedings, and rural water usage. The undersigned should be considered a “qualified professional” as concerns water resources issues discussed at Section 8.4.7(B)(1)(c) of the El Paso County Land Development Code. This Report, prepared in conjunction with other professionals, is intended to demonstrate to the El Paso County Planning Commission and the BoCC, the quality in terms of quality of the water rights and resources to be utilized in the proposed McGehee Minor Subdivision (the “Subdivision”), near Black Forest in El Paso County, Colorado.

This is not a Water Quality report with analysis of trace elements and suitability for domestic use. This is a Water Resources Report. Please upload a completed Water Quality report for the neighborhood well previously tested pursuant to Section 8.4 of the Land Development Code

The Property consists of approximately 10.5 acres located at the current street address of 16860 Thompson Rd, Colorado Springs, CO 80908, in the SW¼ of Section 19, Township 11 South, Range 65 West of the 6th P.M. Each of the 2 lots in the Subdivision is to be provided water and sewer/septic services through an on-site individual well and Individual Septic Disposal Systems (“ISDS”). The proposed minor subdivision includes two residential lots. The proposed minor subdivision is currently unimproved land, and includes two residential lots each being approximately 5.2 acres in size.

The water resources to be utilized on the residential lots in the Subdivision is typical of rural residential development in areas east of the Black Forest in El Paso County, Colorado. The decree issued by Water Court, Water Division 1 in Case No. 17CW3054 on August 9, 2017, demonstrates a sufficient quantity and reliability of water to support compliance with El Paso County’s 300-year water supply rules for subdivisions of this nature, and the well-established water quality in the Dawson Aquifer in this part of the County, demonstrates a sufficient water quality consistent with Section 8.4.7(b)(3)(d), and combined with quality testing completed for a nearby Dawson aquifer well, demonstrates a sufficient water quality.

I. INTRODUCTION

The purpose of this report is to provide a preliminary outline of the water quality necessary for approval of the McGehee minor subdivision, as proposed.

1.1 **New Development Description:** The Subdivision consists of approximately 10.5 acres located at 16860 Thompson Rd, Colorado Springs, CO 80908, in the SW¼ of Section 19, Township 11 South, Range 65 West of the 6th P.M. The Property will be subdivided into two lots. **Exhibit A**, attached hereto, is the plan for the Subdivision as proposed, prepared by Parr Engineering & Consulting, Inc., including an area/vicinity

map, attached as **Exhibit B**.

8.4.7(B)(7)(d), presumptive use values for single family dwellings are 0.26 acres. Finding of sufficiency does not meet minimum presumptive use threshold.

II. PROJECTION OF WATER NEEDS

2.1 Analysis of Water Demands: It is expected that the two residential lots in the Subdivision, will utilize one well drilled to the Dawson aquifer, to be utilized for domestic-type uses, including in-house, landscape/irrigation of lawn and gardens, watering of domestic animals and stock, commercial uses, home office use, and hot tub/and or swimming pool purposes from one individual well existing on the Property. An existing non-exempt well with Permit No. 81469-F will provide water supply to the lots. The well location is depicted on attached **Exhibit B**. It is anticipated that the residences on both lots will each utilize 0.20 acre-feet annually, for a maximum total of 0.40 annual acre feet of water, for in-house residential purposes consistent with the decree in Case No. 17CW3054. The existing well, permitted under Permit No. 81469-F, is constructed to and will produce from the not-nontributary Dawson aquifer at a flow of 100 gallons per minute. There are no other wells currently constructed on the property. On past experience with the numerous Dawson aquifer wells serving other properties throughout El Paso County, this rate of production should be sufficient to meet demand for in-house use.

Summary mentions restricting livestock to 4 head. Why and how would that restriction be enforced when the RR-5 zoning district does not have that restriction?

No mention of Irrigation Usage or calculations.

PROPOSED WATER RIGHTS QUALITY

Water Rights: An Augmentation Plan for utilizing the unconsolidated aquifer was decreed by Water Court, Division 1 on August 9, 2017, attached as **Exhibit C**, and the sufficiency and dependability of such water supplies are described in a separate Water Resources Report.

Full Water Resource Report not included

3.2 Source of Supply: Rural residential water supply demand will be met using an existing not-nontributary Dawson aquifer formation well. Consistent with El Paso County Land Development Code Section 8.4.7(B)(3)(c)(v), a minor subdivision utilizing individual wells need not make a further showing as to source of supply.

3.3 Water Quality and Treatment: The water quality in the Dawson aquifer in this area is well established as being suitable for potable use with only in-house filtration for mineral deposits, with an estimated 27,000 households in El Paso County currently utilizing Denver Basin wells. See June 15, 2015 Gazette article – “*Where there is a well, there is a way...*”, attached hereto as **Exhibit D**. While no power has been ran to the existing well on the property, an existing neighboring well was sampled, and Owner has obtained new water quality testing from such well with Permit No. 226563. The Subdivision will utilize a well pumping from a confined bedrock aquifer well. As such, the Owner believes that additional testing required for wells withdrawing from an unconfined bedrock aquifer does not need to include the Volatile Organic Chemical Contaminants and Synthetic Organic Chemical Contaminants described in LDC §8.4.7(B)(10)(a). So as to ensure compliance with Land Development Code Section 8.4.7(B)(3)(d), and all provisions of LDC Section 8.4.7(B)(10), Owner obtained full-spectrum water quality testing on said neighboring well. Such samples were collected pursuant to explicit instructions provided by Owner’s Colorado-certified testing

laboratory, SGS North America Inc. (“SGS”), who likewise assisted in maintaining a proper chain of custody on all such samples (see LDC §8.4.7(B)(10)(d)). All samples tested by SGS were obtained from the Dawson aquifer at an existing well neighboring the project site and within ½ mile (see LDC §8.4.7(B)(10)(e)). Owner believes the full-spectrum water quality testing evidences that the quality of the source water in the Dawson aquifer does indeed meet all standards of the Colorado Primary Drinking Water Regulations, and therefore believes LDC §8.4.7(B)(10)(f) to be inapplicable, while acknowledging that pursuant to LDC §§8.4.7(B)(10)(h) and (i), all future water sources must continue to meet all such applicable standards, including other state or federal standards in addition to or supplemental of those of EPCDHE. Owner believes Section §8.4.7(B)(10)(g) to be inapplicable, as the requested subdivision is in excess of the maximum 4 lots referenced therein. Copies of those testing results are collectively attached hereto as **Exhibit E**. Finally, while Owner believes the foregoing narrative to be in compliance with LDC §§8.4.7(B)(3)(d)(1) and (2), subsection (3) of such provision requires Owner to identify potential for water quality degradation from on-site and off-site sources – Owner has identified no unusual or atypical on-site or off-site sources of potential contamination which is likely to, or has the real potential to, contaminate the confined Dawson aquifer from which Owner’s source water is to be obtained. Owner’s requested subdivision of the subject property into approximately 5-acre parcels is typical of the region, as is the proposed water source. Potential contaminants would be non-compliant or poorly located septic systems (which will not be permitted within the subdivision), hazardous material spills, etc., that are contrary to existing law and regulation, and beyond the Owner’s control. Barring such misfeasance or malfeasance, Applicant does not believe any on or off-site hazards of note exist.

Respectfully submitted this December 23rd, 2020.

MONSON, CUMMINS & SHOHET, LLC

/s/ Chris D. Cummins

Chris D. Cummins

Exhibits:

- A – Final Plat of the Property
- B – Location of the Well
- C- 17CW3054 Decree
- D – Gazette article
- E – Well Testing Results