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Kari Parsons  
El Paso County Planning and Community Development Department  
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Colorado Springs, CO 80910  
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William Guman & Associates, Ltd.  
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Cheyenne Mountain Development Company, LLC  
Robert C. Irwin  
P.O. Box 60069  
Colorado Springs, CO 80960

Re: Latigo Trails Final Plat Filing Nos. 9 & 10

Dear Ms. Parsons:

This firm represents the Upper Black Squirrel Creek Ground Water Management District (“the UBS District”). Applicant, William Guman & Associates, Ltd., on behalf of Cheyenne Mountain Development Company, LLC, provided materials in support of its application for two filings, No. 9 and No. 10, for a final plat for its Latigo Trails subdivision development. Latigo Trails be located within the UBS District’s boundaries and, as explained in the Applicant’s application, Filing Nos. 9 &10 will consist of 37 single family lots on 102 acres and 39 single family lots on 107 acres, respectively. The UBS District reviewed the Applicant’s application materials and submits the following comments:

*Water Service for Latigo Trails*

Section 30-28-133(3)(d), C.R.S. requires counties to adopt regulations that require “adequate evidence that a water supply that is sufficient in terms of quantity, quality, and dependability will be available to ensure an adequate supply of water” for proposed subdivisions. El Paso County requires, as part of every application for a final plat, a water resources report that

includes “[p]roof of ownership or right of acquisition of use of existing or proposed water rights sufficient in quality, quantity and dependability to serve the proposed use including well permits, court decrees, well applications, export permits, etc..” *See* El Paso County Land Development Code § 8.4.7(B)(3)(c)(i). El Paso County specifies that “[n]o final plat will be approved without adequate proof of ownership or the right of acquisition or use of existing and proposed water rights.” *Id.*, § 8.4.7(B)(6).

Applicant has not demonstrated that there is an uncommitted water supply available to serve Latigo Trails’ demands. The UBS District re-emphasizes the missing or conflicting evidence of a firm water supply observed by the Division of Water Resources in their letter submitted November 10, 2021. First, it is unclear who will provide water service for these filings. Applicant’s materials state at one point that water service will be provided by a to-be-formed Latigo Trails Metropolitan District. *Letter of Intent* at 3. However, Applicant’s materials also state that Meridian Metropolitan District (“Meridian”) will provide water service to Latigo Trails. *Id.* at 6. Applicant should clarify which entity will be providing water service for these filings.

Second, if Meridian is providing water service, it is unclear whether there is a firm supply available from Meridian’s sources. As noted in the Division of Water Resource’s November Letter (1) Determination No. 230-BD is claimed as a source of supply but would require a replacement plan if it is to be utilized; (2) it is unclear how much supply is available from Determination Nos. 2099-BD and 2100-BD; (3) replacement obligations must be accounted for from Determination Nos. 157-BD, 570-BD, 228-BD, and 229-BD; (4) and Determination Nos. 228-BD, 229-BD, and 230-BD do not include a portion of the land being developed for Latigo Trails.

Applicant should clarify these issues and provide evidence to support that it has an available source of firm water supply to meet the demands of Latigo Trails.

#### *Wastewater Treatment*

According to the Application, discharged wastewater will be treated through individual on-site wastewater treatment systems. *See* Letter of Intent at 3. The attached memorandum from the UBS District’s hydrogeologist, Mr. Mike Wireman, describes the UBS District’s concerns with individual on-site wastewater treatment systems. Furthermore, the UBS District has enacted a policy which encourages the use of central wastewater systems, as opposed to the use of individual septic systems, to minimize the possibility of contamination of the alluvial aquifer in the basin. It may be feasible for Latigo Trails to connect to Meridian’s wastewater treatment plant, and Applicant should consider this alternative to avoid the proliferation of inferior wastewater treatment through septic systems that the basin is experiencing.

The UBS District reserves the right to provide additional comments at a later date founded upon information not readily ascertainable from the above-referenced application.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Mirko L. Kruse', with a long horizontal flourish extending to the right.

Mirko L. Kruse  
for  
TROUT RALEY

cc: UBSCGWMD Board of Directors

Encl.: Mike Wireman, Technical Memorandum, Issues/Concerns Related to Discharge of Wastewater Effluent to the Upper Black Squirrel Alluvial Aquifer from Densely Spaced Individual Sewage Disposal Systems (Feb. 16, 2021).