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Phil Stuepfert
HR Green Development, LLC
5619 DTC Parkway, Suite 1150
Greenwood Village, CO 80111

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4 Site Investments LLC
1271 Kelly Johnson Blvd, Suite 100
Colorado Springs, CO 80920

Re: Grandview Reserve, Filing No. 1 (PUDSP2110)

Dear Ms. Parsons:

This firm represents the Upper Black Squirrel Creek Ground Water Management District (“the District”). On June 30, 2020, September 17, 2020, November 25, 2020, April 8, 2021, and June 17, 2021, the District submitted comment letters raising several concerns over water and wastewater service for the proposed Grandview Reserve subdivision development. In this application, Applicant requests a preliminary plan and water sufficiency finding. In addition to the comments the District raised previously, the District emphasizes in particular its concern with Applicant’s proposed water supply. Specifically, Applicant has not provided adequate evidence demonstrating proof of ownership or control over the water supplies it proposes to use for the development. The District further explains this concern below:

Water Service

Applicant estimates that Grandview Reserve will require 1,178 acre-feet per year. *See* Water Resources Report at Table 1a. Applicant intends to meet this demand through water service provided by Grandview Reserve Metropolitan District (“GRMD”). Applicant states that GRMD, in turn, will source its water from future wells drilled in the Arapahoe and Laramie Fox-Hills

aquifers under groundwater determinations 510-BD and 511-BD. Portions of these groundwater determinations, Applicant claims, are available to the GRMD or neighboring Four-Way Ranch Metro District sufficient to meet Grandview Reserve's demands. Applicant, however, has not provided sufficient evidence that GRMD owns or controls these water rights in 510-BD or 511-BD. The only evidence Applicant provides is an executed purchase and sale agreement for 1,312.5 acre-feet of water per year (on a 100-year basis) from determination 510-BD. This purchase and sale agreement does show that this water is under contract to be purchased by Applicant, but does not evidence the current and guaranteed right to use this water.

The District agrees with the comments provided on this application by the Colorado Division of Water Resources, which concluded that "the water rights owned or controlled by GRMD, and therefore the total available supply to GRMD, . . . are not clear." *See* Letter from Keith Vander Horst to Kari Parsons (Sep. 16, 2021). The District further comments that it has observed an increasing incidence of development applications to the County that have provided unclear or incomplete evidence of water-rights ownership. Such evidence is critical for the District and County to review a proposed development's water supply and ensure that sufficient water will in fact be available to meet the development's demand.

The 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".

Mirko L. Kruse
for
TROUT RALEY

cc: UBSCGWMD Board of Directors