



COLORADO

Division of Water Resources

Department of Natural Resources
1313 Street, Room 821
Denver, CO 80203

August 15, 2018

Kari Parsons
El Paso County Development Services Department
Transmitted via email:
kariparsons@elpasoco.com

RE: Paint Brush Hills Filing No. 13E
Sections 25 and 26, T12S, R65W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Ms. Parsons:

We have received your July 31, 2018 submittal concerning the above-referenced proposal to subdivide 172.08 acres into 158 single-family units, streets, and private open areas.

Water Supply Demand

According to the submittal, the estimated water requirements of Paint Brush Hills Filing No. 13E are 56.8 acre-feet annually (approximately 0.36 acre-feet/year per lot for 158 single-family lots). The estimated demand equals 17,040 acre-feet over a period of 300 years.

Source of Water Supply

The proposed water supplier is the Paint Brush Hills Metropolitan District (PBHMD or District). The District provided a Will Serve Letter for 365 Single-Family Equivalent Units for Paint Brush Hills Filing No. 13C, 13D, and 13E for 131.4 acre-feet per year, dated June 24, 2016. Filing No. 13C has been platted for 135 lots, and Filing No. 13D has been platted for 97 lots. The proposed total number of lots with Filing No. 13E makes the total number of Single-Family Equivalent Units 390 lots, which is greater than the number of lots committed to by the District.

According to information in our files, the District has a volume of 98,050 acre-feet of Denver Basin water rights available for supplying its commitments, and its current commitments require a volume of 97,234 acre-feet of water (per El Paso County approval some commitments require a commitment period of 100 years and others require a commitment period of 300 years). A summary of the District's available supplies and commitments are provided herewith. The District's water rights are not sufficient to meet its estimated demand for the required commitment periods.

State Engineer's Office Opinion

Based upon the above and pursuant to Sections 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is not adequate and cannot be provided without causing injury to water rights. The Applicant must provide an updated Will Serve letter from the District to reflect its ability to serve the new number of lots. Additionally, the District also needs to submit new information proving it has adequate water to meet its current commitments, including serving the proposed Filing No. 13E.



Should you have any questions, please contact Neelha Mudigonda at neelha.mudigonda@state.co.us.

Sincerely,

A handwritten signature in cursive script that reads "Keith Vander Horst".

Keith Vander Horst, P.E.
Chief of Water Supply, Basins

cc: Upper Black Squirrel Creek GWMD

NSM: Paintbrush Filing 13E_Aug2018