

Petrock & Fendel, P.C.

Attorneys

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David and Alyce McElhoes
16605 Dancing Wolf Way
Colorado Springs, Colorado 80908

Re: Proposed Water Supply/Additional Lots in Dancing Wolf Estates

Dear David and Alyce:

The following describes the water supply to serve additional lots in Dancing Wolf Estates. Specifically, Lot 2, Dancing Wolf Estates, and Lot 2, Dancing Wolf Estates III, will each be split into two residential lots, and Lot 1, Dancing Wolf Estates will be split into two commercial lots. This letter is based on Case No. 99CW065 and does not provide information of the actual physical supply available.

DEMAND

The estimated annual demand for each residential lot is 0.57 acre-feet per year for 300 years, which will be used for in house use (0.35 acre-feet), irrigation of 2400 square-feet of irrigated area (0.17 acre-feet), and stockwatering of up to 4 large domestic animals (0.05 acre-feet). The two commercial lots will have approximately 14,000 square-feet of commercial space which requires approximately 1.56 acre-feet per year for 300 years, based on the El Paso County value of 0.1 gallons per day for each square foot of space.

SUPPLY

One of the split lots on both Lot 2, Dancing Wolf Estates, and Lot 2, Dancing Wolf Estates III, will continue to be served by an existing Dawson aquifer well as permitted in Well Permit No. 78470-F and 60477-F, respectively. Each permit is issued for the annual withdrawal of 0.57 acre-feet per year for 300 years.

The remaining residential and commercial lots will be served using Denver aquifer wells as decreed in Case No. 99CW065. The decree allows annual withdrawals of 5.26 acre-feet per year for 300 years for domestic use in three residences (2.96 acre-feet per year), and commercial use (2.3 acre-feet per year).

For purposes of this letter, the second residential lots on both Lot 2, Dancing Wolf Estates, and Lot 2, Dancing Wolf Estates III, will be served by Denver aquifer wells pursuant to Case No. 99CW065. Each well will be permitted for 0.57 acre-feet per year for 300 years for the same uses described above. Said demand is less than the annual amount allowed to be used for residential use in Case No. 99CW065.

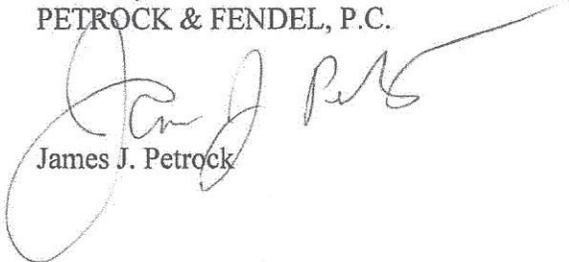
The two commercial lots will also be served by a Denver aquifer well(s) pursuant to Case No. 99CW065 for the demand described above. Said demand is also less than the annual amount allowed to be used for commercial use in Case No. 99CW065.

USE OF DAWSON AQUIFER GROUNDWATER

In the alternative, Applicants may complete a new augmentation plan for use of additional amounts of Dawson aquifer groundwater to meet the demand for the two additional residential lots and the two commercial lots. It is understood that the State cannot approve use of the Dawson aquifer water until an augmentation plan to allow such use has been approved by the Water Court. However, Applicants reserve the right to substitute use of the Dawson aquifer groundwater at such time that an augmentation plan has been approved by the Water Court.

If you have any questions or comments, please feel free to call.

Sincerely,
PETROCK & FENDEL, P.C.



James J. Petrock