



November 2, 2020

El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127

RE: Eagle Rising - Preliminary Plan Reconsideration  
Sec. 29, Twp. 12S, Rng. 65W, 6th P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 23310

To Whom it May Concern:

We have received additional information concerning the above referenced project to subdivide a 70.8 +/- acre parcel into 17 lots and a tract of open space; according to the current referral materials, the subdivision is largely unchanged from prior referrals, the proposed lots have an average size of 3.24 +/- acres and the proposed open space is 12.55 +/- acres. This office previously issued comments, which pertained to the entire subdivision on August 9, 2013, and for Phase 1 of the project on November 26, 2018. The proposed supply of water for this development is to be served by the Park Forest Water District ("District") and wastewater is to be served by individual septic systems.

### **Water Supply Demand**

The Water Supply Information Summary, Form No. GWS-76, was not included with the referral. Please note that this document should be included with future referrals to clarify information regarding estimate water requirements. It should be noted that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot per year for each ordinary household, 0.05 acre-foot per year for four large domestic animals, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation.

### **Source of Water Supply**

The applicant continues to propose that the Park Forest Water District will provide the water supply to the subdivision. A letter of commitment from the District was not included in the referral materials. However, the referral materials did include information that the District has rescinded their prior commitment to serve the subdivision and the parties are in litigation to reach a final consensus on the water supply for the subdivision. The applicant has proposed that the alternative water supply to the subdivision may be on-lot non-exempt water wells.



### Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities* in Colorado, available online at: <http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>, to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.

### State Engineer's Office Opinion

Due to the current lack of information and commitment, it is our opinion, pursuant to C.R.S. 30-28-136(1)(h)(II), that a water supply to this subdivision may cause material injury to decreed water rights. Furthermore, this office is unable to comment on the physical adequacy of the supply at this time. The applicant should provide additional information detailing the conclusion of the discussions with the District, along with a new commitment letter, or detail a new water supply plan for the subdivision. Should you or the applicant have questions regarding any of the above, please feel free to contact me directly.

Sincerely,



Ivan Franco, P.E.  
Water Resources Engineer

cc: Bill Tyner, Division 2 Engineer  
Doug Hollister, District 10 Water Commissioner