



February 3, 2021

John Green
El Paso County Planning & Community Development
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: Solace of Colorado Springs - Final Plat
Sec. 7, Twp. 14S, Rng. 65W, Sixth P.M.
Water Division 2, Water District 10
CDWR Assigned Referral No. 27045

To Whom It May Concern:

We have received the submittal concerning the above referenced proposal for 348 multi-family units within 15 buildings on a site of approximately 29 acres. Phase 1 of the plan consists of 234 units on 21.37 acres and irrigation of 6.1 acres. Phase 2 of the plan consists of 114 units on 7.62 acres. The applicant proposes to irrigate a total of 11.8 acres on the site. According to the submittal, the proposed supply of water and wastewater disposal is to be served by Cherokee Metropolitan District ("Cherokee"). This office most recently provided comments on the proposed subdivision in a letter dated March 17, 2020.

Water Supply Demand

The Water Supply Information Summary, Form No. GWS-76, provided with the submittal references a demand of 61.6 acre-feet/year the proposed development. The referral documents estimate a water use rate of 0.20 acre-foot/year/unit and 2.48 acre-foot/year/acre of irrigation.

Source of Water Supply

The source of water for the proposed development is to be served by the Cherokee Metropolitan District ("Cherokee"), and a June 15, 2020 letter of commitment from Cherokee was provided with the submittal confirming 61.8 acre-feet have been committed to Solace of Colorado Springs, which is sufficient for Phase 1 of the proposed development and 6 acres of irrigation. The application documents indicate that the water supply for Phase 2 will be addressed in the Final Plat.

Information in our files indicates that Cherokee has sufficient resources to serve the property without injury to decreed water rights.

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

According to this office's records, it appears Cherokee has sufficient water resources to serve the proposed development. Based upon the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

According to the application materials, the proposed water supply for the subdivision is to be served by Cherokee Metropolitan District. Our office does not have up to date information on the ability of the Authority to supply water to this subdivision. As outlined in the statutes, Section 30-28-133(3)(d), C.R.S., the subdivider is required to submit evidence that a water supply that is sufficient in terms of quality, quantity, and dependability will be available to ensure an adequate supply of water. Adequate evidence is usually provided in the form of a water resource report, prepared by a professional engineer, which addresses the quality, quantity, and dependability issues. A report of this nature was not provided with the submittal. Please see the State Engineer's March 4, 2005 and March 16, 2005 memorandums, available on the Colorado Division of Water Resources webpage at <https://dnrweblink.state.co.us/dwr/ElectronicFile.aspx?docid=3565889&dbid=0>, for the necessary information. In this situation, Cherokee will have to provide the required information of a quasi-municipality following Attachment A, Section 1 of the memorandums. **This office may not approve future submittals without the requested information.**

Should you have any further questions, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

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