



September 9, 2026

Ryan Howser, Project Manager

El Paso County Development Services Department

Transmitted via EPC EDARP Portal: epcdevplanreview.com

Re: Falcon Reserve Final Plat - 4th Letter

Part of the SE ¼ of Section 25, Twp. 12 South, Range 65 West, 6th P.M.

Water Division 2, Water District 10

Upper Black Squirrel Creek Designated Basin

Dear Ryan Howser:

We have reviewed the above-referenced proposal for the subdivision of approximately 40 acres into 149 residential lots, as well as Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, and a Pocket Park. The residential lots range from 3,825 to 7,700 square-feet each. An additional 11 lots are planned to be subdivided from Tract G once water supply allocations are available. Our office previously commented on this proposal in a letter dated November 13, 2025. This letter supersedes the previous letter.

Water Supply Demand

According to the updated Water Supply Information Summary Sheet, the proposed water uses and estimated water requirements is estimated to be 53.64 acre-feet/year, consisting of the following:

- 29.50 acre-feet/year for inside each household
- 24.14 acre-feet/year for irrigation



The March 2021 Water Master Plan, submitted to this office, estimates 0.36 acre-feet/year of water use per Single Family Equivalent (“SFE”), which aligns with the estimated 53.64 acre-feet/year ($0.36 \text{ acre-feet/year} \times 149 = 53.64 \text{ acre-feet/year}$).

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, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation.

Using the estimated indoor and outdoor uses from the Water Supply Information Summary, each household is anticipated to use approximately 0.198 acre-feet inside a home, and 0.162 acre-feet/year for irrigation (approximately 3240 square-feet of home gardens and lawn irrigation per lot).

Source of Water Supply

The proposed water supply for the subdivision is the Paint Brush Hills Metropolitan District (“District”). The commitment letter states that 149 lots totaling a supply of 53.98 acre-feet/year of water can and will be served by the Paint Brush Hills Metropolitan District with the District’s existing water supply.

According to information available to this office, the District has a 300-year water supply volume of 147,550 acre-feet (491.83 acre-feet/year based on a 300-year supply) and a commitment of 141,448 acre-feet, not including the 16,092 acre-feet ($53.64 \text{ acre-feet/year} \times 300 \text{ years}$) associated with this development. Therefore, it appears that the District may have an over-commitment of 9,990 acre-feet over a 300-year period. The information this office has on file for the District is summarized on Table 1, attached.

The submitted Water Report’s attached Water Master Plan (dated September 2020), Table 8: Summary of Water Rights indicates that the water district has 5,398 acre-feet of available supply for a 300-year commitment before accounting for the Falcon Reserve filing. However,

the 300-year volume of commitment needed for the Falcon Reserve filing is 53.6 acre-feet per year * 300 years = 16,092 acre-feet of water, which also indicates a possible over-commitment.

One of the main differences between what this office has calculated as the District's total commitments versus what the Water Report's Water Master Plan reports (from both 2020 and 2021) show is that this office has calculated Filing 14 under a 300-year water commitment, whereas the report appears to have calculated the filing on a 100-year commitment. Additionally, this office calculated the Falcon Reserve Final Plat demand with a 300-year commitment.

The District's supplies consist of Determination of Water Right nos. 719-BD¹ and 214-BD; permit nos. 30593-F, 46553-F, 47813-F, and 17048-F in the nontributary Arapahoe and Laramie-Fox Hills aquifers; and 85 acre-feet/year of water contracted from the Meridian Service Metropolitan District. The District is currently seeking to adjudicate additional groundwater in pending application receipt no. 10021946.

There are several additional tracts (Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, Tract G, and a "Pocket Park") shown on the plat map. The Water Report dated May, 2026 states, "Due to limited water availability, the subdivision's open space and park areas are designed to feature xeriscape landscaping, which eliminates the need for irrigation." The report also states that 11 additional SFEs may only have a water supply pending the outcome of Case No. 23-GW-06. These 11 SFEs have currently been removed from the application, but may potentially become part of Tract G some time in the future.

Stormwater Detention Facilities

The submittal indicates that a storm water detention structure will be constructed as a part of this project. The applicant should be aware that, unless the structure can meet the

¹ Not included in total since a replacement plan is required.

requirements of a “storm water detention and infiltration facility” as defined in Designated Basin Rule 5.11, the structure may be subject to administration by this office. The applicant should review Rule 5.11 to determine whether the structure meets the requirements of the Rule and ensure any notification requirement is met.

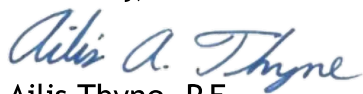
State Engineer’s Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., this office has not received enough information to determine whether the proposed water supply is adequate or can be provided without causing injury to decreed water rights. It appears that in order to obtain a favorable opinion from this office on the proposed water supply to this subdivision, **this office needs the following:**

- **An explanation why Filing 14 of the 2020 and 2023 Water Master Plan Reports should be calculated on a 100-year water basis instead of the standard 300-year water basis, as required by the County.**
- **An updated Water Master Plan report that demonstrates there is enough water available to serve the new subdivision for 300 years (i.e. demonstrate that $53.98 \text{ acre-feet/year} \times 300 \text{ years} = 16,092 \text{ acre-feet}$ of water volume is available for the County’s required 300 years. The current Summary of Water Rights Table in the Water Master Plan reports from both 2020 and 2021 indicates there is 5,398 acre-feet of water remaining (assuming Filing 14 can be calculated based on a 100-year water demand).**

Please contact Katie Anderson at 303-866-3581 x8207 or Katharine.Anderson@state.co.us with any questions.

Sincerely,



Ailis Thyne, P.E.

Water Resources Engineer

Paint Brush Hills Metropolitan District

By: Allis Thyne

Updated: 9/1/2026

SUPPLY

Determination or Permit no.	Aquifer	NT / NNT Status	Replacement Plan	Total allocation (af)	Total Allocation (af/yr)	100-yr Availability (af/yr)	300-yr Availability (af/yr)	Volume Available (af)	Comments	Type of Use	Place of Use
Subject to 37-90-107(7)(a).											
719-BD	TDW	NNT-Actual	Still needed	23,710	237.1	0	0	0	Replacement Plan needed. 215-BD cancelled upon issuance of 719-BD.	municipal, domestic, livestock, lawn irrigation, commercial, replacement	PBHMD service area
214-BD	TKD	NNT-4%		29,750	297.5	297.5	99.17	29,750		municipal, domestic, livestock, lawn irrigation, commercial, replacement	945 acre PBHMD service area
30593-F	KA	na		11,300	113	113	37.67	11,300	113 af/yr based on 11-21-1990 SBU and reservation of 113 af/yr to this permit when permit no. 46553-F was issued. Inappropriately listed as a well field under 46553-F in Curt Wells' February 2013 Water Supply Summary table.	domestic, commercial, municipal & industrial	PBHMD service area, by implication
46553-F	KA	NT		18,200	182	182	60.67	18,200	Other wells in well field: 55193-F, 60862-F, 64086-F	municipal	PBHMD service area
47813-F	KLF	NT		38,800	388	388	129.33	38800.00	Other wells in well field: 50877-F, 55192-F, 63429-F, 64084-F	municipal	PBHMD service area
subtotal						981	327	98,050			
Subject to 37-90-107(7)(b).											
17048-F	TKD & KA	na		na	80	80	80	24,000	The amount of its water right is currently uncertain. 80 af/yr is conservatively assumed based on 50 gpm test pump rate on a Well Completion Report and a SBU submitted March 13, 1975.	Industrial, Municipal, Domestic, Fire	PBHMD (formerly Latigo Ranch)
Total Bedrock Supply					1,061		407	122,050			
Total Supply (af)											
						1,146	492	147,550			
From Meridian Service MD											
From Meridian Service MD	not specified	na			85	85	85	25,500	Per Sept. 8, 2003 contract Meridian Service MD to supply Six Ninety Nine L.A., LLC, which was assigned to Paint Brush Hills MD per agreement dated April 2, 2004. See also July 22, 2016 letter from Meridian Service MD.	Municipal and export	Undetermined
Total Supply (af)											
						1,146	492	147,550			

COMMITMENTS

Paint Brush Hills	Phase	# of Lots	Date of SEO opinion	Demand per af/yr/lot	Total commitment per year (af/yr)	Total commitment for 100 yrs (af)	Total commitment for 300 yrs (af)	Total commitment (af)	Comments
100 year commitments1									
Filing 4	II	164	1/22/1987		91.8	9,184		9,184	
Filing 5		31	6/19/1995		17.4	1,736		1,736	
Filing 6		48	5/1/1996		26.9	2,688		2,688	Per El Paso County, Filings 4 - 9 approved based on a 100 yr supply
Filing 7		57	6/27/1997	0.56	31.9	3,192		3,192	
Filing 8		109	4/9/1999		61.0	6,104		6,104	
Filing 9		88	5/31/2000		49.3	4,928		4,928	
Falcon Middle School					22.0	2,200		2,200	22 af/yr per Curtis Wells Feb. 2013 table and 2-26-2013 letter.
District Greenbelt/Park irrig.					14.0	1,400		1,400	14 af/yr per Curtis Wells Feb. 2013 table and 2-26-2013 letter.
Subtotal						31,432		31,432	
300 year commitments1									
Filing 10		90	3/24/2003	0.40	36.0		10,800	10,800	
Filing 11		81	4/17/2003	0.40	32.4		9,720	9,720	
Filing 12		51	4/17/2003	0.40	20.4		6,120	6,120	
Church					0.2		60	60	0.2 af/yr per Curtis Wells Feb. 2013 table and 2-26-2013 letter.

Filing 13a	17	6/9/2013	0.4	7.0	2,100	2,100	a.k.a. Filing 13 - Phase I	
Scenic View & park	90	2/6/2014	0.4	36	10,800	10,800	a.k.a. Filing 14	park uses 0.36 af/yr
School (16)	16		0.36	5.76	1,728	1,728		
Filing 13b	21	2/26/2014	0.36	7.56	2,268	2,268	a.k.a. Filing 13 - Phase 2	
Filing 13c	135	10/24/2016	0.36	48.6	14,580	14,580	Note: Filing 13C reduced from 150 lots to 135 lots.	
Filing 13d	97	10/24/2016	0.36	34.92	10,476	10,476		
Filing 13e	158	2/27/2019	0.36	56.88	17,064	17,064		
Filing 14	224	3/24/2021	0.36	80.64	24,192	24,192	The report uses the 100-yr demand commitment uses the 300-yr amount.	
Subtotal				543.2		109,908		
300 year commitments1 outside of Paint Brush Hills Subdivision								
Foundation Church	1	TBD	0.36	0.4	108	108		
Falcon Reserve Filing No. 1	149		0.36	53.6	16,092	16,092	29.50 AF/yr for household, 24.14 AF/yr for irrigation	
Subtotal					16200.0	16,200		
1. El Paso County requires a 300 year water supply as of Nov. 20, 1986, per El Paso County Land Development Code sections 8.4.7.(A)(2) and 8.4.7.(B)(7)(b).								
Total Commitments (af)						157,540		

UNCOMMITTED SUPPLY (af)

-9,990