



January 18, 2022

Kari Parsons, Planner III
El Paso County Development Services Department
Transmitted via the EPC EDARP Portal

Re: Grandview Reserve Metropolitan District 1041 Application
File #: AASI213
Parts of Sections 21, 22, 27, and 28, Twp. 12S, Rng. 64W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Kari Parsons:

We have reviewed the January 12, 2022 referral concerning the above-referenced HB74-1041 application for the formation of the Grandview Reserve Metropolitan District (GRMD), consisting of four (4) subdistricts, and related water and wastewater infrastructure to service a 738.23-acre area in a portion of the S ½ of Sec. 21, a portion of the S ½ of Sec. 22, a portion of Sec. 27, and a portion of the N ½ of Sec. 28, Twp. 12S, Rng. 64W, 6th P.M. This office most recently provided formal comments on the Grandview Reserve Subdivision water supply plan on January 3, 2022, which is related to this referral.

This referral does not appear to qualify as a “subdivision” as defined in Section 30-28-101(10)(a), C.R.S. Therefore, pursuant to the State Engineer’s March 4, 2005 and March 11, 2011 memorandums to county planning directors, this office will only perform a cursory review of the referral information and provide informal comments. The comments do not address the adequacy of the water supply plan for this project or the ability of the water supply plan to satisfy any County regulations or requirements. In addition, the comments provided herein cannot be used to guarantee a viable water supply plan or infrastructure, the issuance of a well permit, or physical availability of water.

Water Demand

The GRMD will provide an estimated 3 million gallons per day at full buildout of treated water for the proposed Grandview Reserve Subdivision. The GRMD will also provide wastewater infrastructure to its service area and the 4-Way Ranch Metropolitan District (4RMD). According to the Water Resource Report by HR Green updated December 10, 2021 (“Report”), the estimated demand on the GRMD from the Grandview Reserve Subdivision is 3,338.8 single-family equivalents (SFEs). At a rate of 0.353 acre-feet/year per SFE, the total demand is estimated at 1,178.60 acre-feet/year.

According to the letter from GRMD dated July 20, 2021 and the Report, the district is committed to providing service to Filing No. 1 of the subdivision which will have an estimated water demand of 577.3 SFEs (203.79 acre-feet/year) associated with the following uses: single-family residential, use in a recreational center, and use in a church. The present demand on the District consists of the 203.79 acre-feet/year associated with proposed Filing 1.



Water Supply

According to the Report, GRMD will operate large capacity Arapahoe and Laramie-Fox Hills aquifer wells to meet the district's demands. The Report indicates a total of 904.17 acre-feet/year (based on a 300-year supply) of water will be available to GRMD from Determinations of Water Rights for the Arapahoe and Laramie-Fox Hills aquifers:

1. There is 466.67 acre-feet/year based on a 300-year supply (140,000 acre-feet total) of nontributary Arapahoe aquifer available to GRMD from Determination of Water Right No. 511-BD, as evidenced by the special warranty deed dated December 9, 2021 conveying 140,000 acre-feet of 511-BD from 4 Site Investments, LLC to GRMD (Exhibit 4 of the Report). Determination of Water no. 511-BD allocated 2,615 acre-feet/year from the nontributary Arapahoe aquifer allowing domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation uses, and municipal use by 4-Way Ranch Metropolitan District and Woodmen Hills Metropolitan District on the 8,905-acre Overlying Land. While the proposed subdivision is within the Overlying Land Area of 511-BD, 511-BD currently does not allow municipal use by GRMD.
2. The Report states there is 437.50 acre-feet/year based on a 300-year supply (131,250 acre-feet total) of nontributary Laramie-Fox Hills water available to GRMD from Determination of Water Right No. 510-BD. Determination of Water Right no. 510-BD allocated 2,429 acre-feet/year from the nontributary Laramie-Fox Hills aquifer allowing domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation uses, and municipal use by 4-Way Ranch Metropolitan District and Woodmen Hills Metropolitan District on the 8,905-acre Overlying Land. While the proposed subdivision is within the Overlying Land Area of 510-BD, 510-BD currently does not allow municipal use by GRMD. Additionally, this groundwater is currently owned by 4 Way Ranch. The referral material indicates 4 Site Investments is under contract to purchase such right; however no evidence of GRMD's ownership or control of the right was provided. According to "Documents Related to 3.201 [Source Water]" prepared by HR Green, GRMD anticipates closing such contract in January 2022.

The above amounts are inconsistent with the amounts provided in the letter from HR Green to the county dated August 13, 2021. The reason for the discrepancy is not clear. The anticipated demand on the District at full buildout is 1,178.60 acre-feet/year, which exceeds GRMD's apparent supply of 904.17 acre-feet/year.

Additionally, Determinations of Water Right nos. 510-BD and 511-BD allow the following uses: domestic, livestock watering, lawn irrigation, commercial, industrial, replacement, augmentation and municipal by the Four-Way Ranch Metropolitan District and Woodmen Hills Metropolitan District, and do not allow municipal use by the GRMD. Therefore if GRMD will use water from Determination of Water Right Nos. 510-BD and 511-BD for municipal purposes, the Determinations must first be amended to allow municipal use by the GRMD. According to "Documents Related to 3.201 [Source Water]" prepared by HR Green, GRMD will apply to change the allowed uses of Determination of Water Right Nos. 510-BD and 511-BD to allow municipal use by GRMD, which applications have not yet been filed.

According to the report, well no. 273040 is located within the boundaries of the proposed subdivision. Permit no. 237040 was issued March 22, 2007 for the registration of an existing well first put to beneficial use on January 11, 1955. Based on the depth, the well likely produces from the nontributary Dawson

aquifer. Upon approval of the subdivision filing in which this well will be located, the well must be re-permitted pursuant to a determination of water right as a large capacity well.

Cursory Review Comments

According to the submitted material, storm water detention structure(s) will be developed on the site. The applicant should be aware that, unless the structure can meet the 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.

In order to obtain a favorable opinion on subdivision(s) served by the GRMD, including filings for the Grandview Reserve Subdivision, a subdivision water supply plan must be submitted to our office including: evidence of approval of the formation of the GRMD district, a complete summary of the water rights owned and controlled by GRMD and evidence of that ownership or control, anticipated demand due to commitments for service entered into by GRMD that are not yet supplied that does not exceed the district’s supply, and evidence that the proposed water sources can legally be used for the proposed water uses.

The ability for the GRMD to obtain well permit(s), and the allowed uses, will be determined at the time that well permit application(s) are submitted to and reviewed by the State Engineer’s Office. The ability for GRMD to amend the Determination(s) will be evaluated at the time application(s) are filed with and reviewed by the Ground Water Commission.

If you or the Applicant have any questions, please contact Wenli Dickinson at (303) 866-3581 x8206 or at Wenli.Dickinson@state.co.us.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

Ec: Grandview Reserve Metropolitan District file
Referral No. 29054
Well Permit No. 237040 file
Upper Black Squirrel Ground Water Management District