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April 14, 2017

Mr. Cole Emmons
County Attorney's Office
200 South Cascade Ave., Suite 150
Colorado Springs, CO 80903

RE: Water Resource Report for Abert Ranch Subdivision

Dear Mr. Emmons:

I have 30+ years' experience in Colorado water rights work. I have obtained decrees approving over 100 plans for augmentation utilizing Denver Basin water rights. Though I am not an engineer, I do feel that my years of experience enable me to provide the information required by the State Engineer as set forth in § 8.4.7 (3)(e) of the El Paso County Land Development Code.

Abert Ranch subdivision is being developed on property owned by BF Ranch Trust 2015 ("BF Ranch"). The Abert Ranch subdivision will consist of ten lots on 39.83 acres of land located in portions of the NE1/4 of Section 23 and of the SW1/4 Section 24, T. 11 S., R. 66 W., 6th P.M. (The "Property"). A reduced-scale map of the proposed subdivision plat is attached hereto as Figure 1.

In Consolidated Case Nos. 15CW3153 and 15CW3062, entered by the Water Court for Water Division 1 on December 20, 2016 (the "Water Decree"), BF Ranch obtained an adjudication of the following water rights in the Denver Basin aquifer underlying the Property:

- 3,784 acre feet of water and water rights in the not nontributary Dawson aquifer;
- 3,623 acre feet of water and water rights in the nontributary Denver aquifer;
- 1,659 acre feet of water and water rights in the nontributary Arapahoe aquifer;
- 1,225 acre feet of water and water rights in the nontributary Laramie-Fox Hills aquifer.

The Water Decree also approved a plan for augmentation which allows up to 15 wells in the Dawson aquifer to be used on the Property. Each well would have been allowed to pump up to 0.8 acre foot (260,681 gallons) annually, at a pumping rate not to exceed 15 gallons per minute. It has subsequently been determined that El Paso County will approve no more than ten lots on the

Property. This does not change the amount of water which may be pumped from each of the ten Dawson aquifer wells; that amount remains 0.8 acre foot annually and 15 gpm.

The Water Decree allows the augmented Dawson aquifer wells to be used for indoor residential uses, livestock water, landscape irrigation, augmentation through septic system return flows, and for such additional uses as BF Ranch's successors might want to make of the well, other than municipal uses, provided that the lot owners apply for and obtain well permits which allow such additional uses.

As set forth in the attached Water Supply Summary form, BF Ranch projects that each of the ten lots in the subdivision will require, on average:

- 0.26 acre foot annually for indoor sanitary and drinking purposes;
- 0.225 acre foot annually for irrigation of approximately 4,356 square feet of landscaping, at a rate of 2.25 acre foot per acre. No daily water requirement is stated because landscape irrigation is highly seasonal, such that there is unlikely to be any irrigation during the months of November through February, with peak water use occurring during the summer months;
- 0.25 acre foot annually per lot for consumption by two horses or other large animals per lot, based on consumption of eleven gallons per head per day;
- 0.29 acre foot for other uses, which could include more water for indoor uses if a large family occupies the premises, more water for irrigation if more irrigated area is desired, more water for large animals, or water for other unspecified uses, such as (but not limited to) a home office or a guest cottage, a swimming pool, spa, or hot tub, etc.

The decree is structured such that as long as there is a residence on each lot which is permanently occupied, and annual water use on each lot does not exceed 0.8 acre foot, all stream depletions will be replaced with septic system return flows of 0.18 acre foot per lot during the 300 year pumping period. So long as those conditions are met, and as suggested in the previous paragraph, a lot owner may use the water for beneficial uses in addition to indoor residential, stock water and landscape irrigation, provided that the lot owner applied for and obtained a well permit which allows such additional uses.

As previously stated, the Water Decree approved the construction of 15 Dawson aquifer wells. In anticipation that 15 wells would be constructed, the Water Decree provides that the rights to 3,600 acre feet of Dawson aquifer water rights and 3,265 acre feet of Denver aquifer water rights, as well as the plan for augmentation itself, shall be considered as appurtenances to the Property. In the initial conveyance of each lot to a purchaser, BF Ranch will convey 240 acre feet of the Dawson aquifer water rights. Additionally, BF Ranch will convey to the Abert Ranch Homeowners Association the plan for augmentation, 1,200 acre feet of Dawson aquifer water rights (the difference

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between the 3,600 acre feet approved to be pumped and the 2,400 acre feet to be conveyed to the lot purchasers), and 3,265 acre feet of Denver aquifer water rights. BF Ranch also may, but is not required to, convey to the HOA more of the water rights decreed in the Water Decree.

I purposely omitted answering part 3 of the Water Supply Information Summary. It is my impression that part 3 is intended to provide information whether one or more wells in a proposed subdivision may not need to be augmented for one reason or another. Each of the ten nontributary Dawson aquifer wells sought to be utilized in Abert Ranch will be augmented, so I concluded that no information was required in response to that part of the Water Supply Information Summary. If that supposition was incorrect, and more information is necessary, please let me know.

CONCLUSION. The amounts of water rights which BF Ranch will convey to the individual lot purchasers and to the Abert Ranch Homeowners Association will substantially exceed the amounts required to comply with El Paso County's requirement of a 300 year water supply for subdivisions which rely on non-renewable ground water.

Please do not hesitate to contact me if you have any questions or concerns.

Sincerely yours,

/s/ *Henry D. Worley*

Henry D. Worley

attachments

c: Eric Leffler
Michael Turner
Jerry Hannigan

ABERT RANCH SUBDIVISION

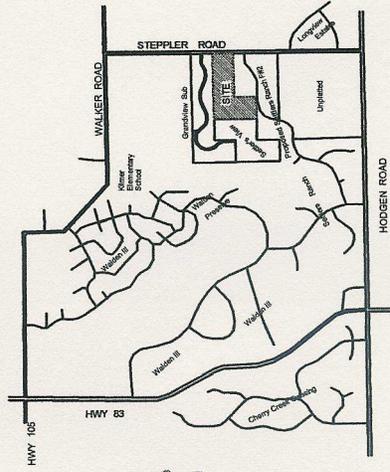
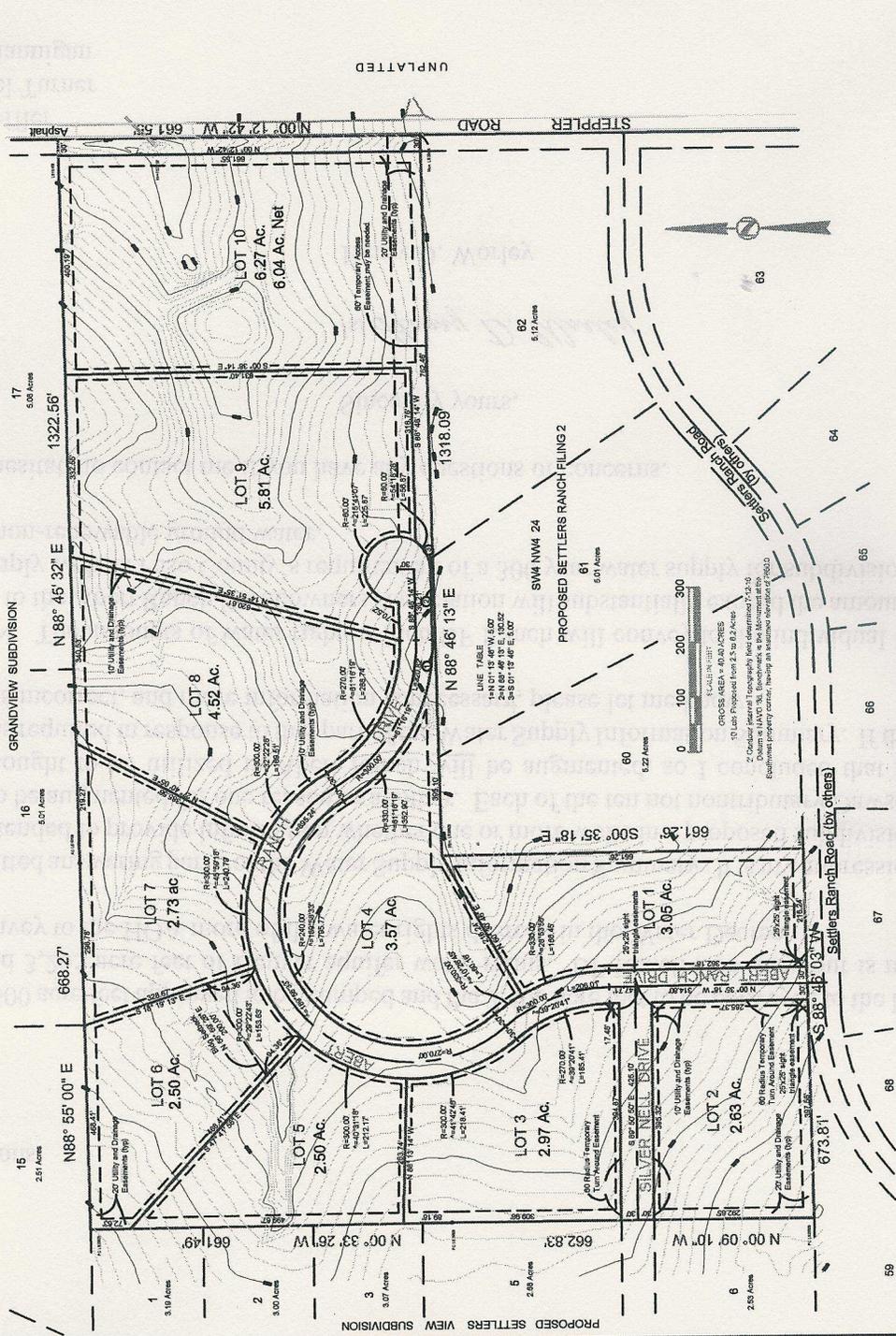
A Rural Residential Subdivision in the NE Quarter of Section 23 and in the NW Quarter of Section 24, Township 11 South, Range 66 West of the 6th P.M., El Paso County, Colorado.

PROPERTY DESCRIPTION:
 The Northeast quarter of the Southeast quarter and the Southeast quarter of the Northeast quarter of the South half of the Northwest quarter of Section 24, Township 11 South, Range 66 West of the 6th Principal Meridian, El Paso County, Colorado.

NOTE:
 There are 10 Lots in this subdivision with the following areas:
 Lot 1 is 5.09 acres
 Lot 2 is 2.50 acres
 Lot 3 is 2.97 acres
 Lot 4 is 3.57 acres
 Lot 5 is 2.69 acres
 Lot 6 is 2.50 acres
 Lot 7 is 2.73 acres
 Lot 8 is 4.52 acres
 Lot 9 is 5.81 acres
 Lot 10 is 6.27 acres
 Overall Density is 1 dwelling Unit per 4.04 acres.

PROPOSED ZONING IS RR-2.5
 All lots meet the RR-2.5 Standards. Building setbacks are 20' Front, 15' Side and 25' Rear. Minimum permitted Building height is 30 feet. No B-1 uses or easements are shown and reserved for the purposes stated. Restrictive and protective covenants will be recorded with the Final Plat of Zoning. The proposed covenants shall be subject to the approval of the Planning Commission of the City of Colorado Springs. The proposed plat shall be subject to the approval of the Planning Commission of the City of Colorado Springs. The proposed plat shall be subject to the approval of the Planning Commission of the City of Colorado Springs. The proposed plat shall be subject to the approval of the Planning Commission of the City of Colorado Springs.

The Following Documents, Studies and Reports are on file:
 1) Findings, Conclusions, Judgment and Determination in Water Rights Case No. 18CW0193 and 18CW0092.
 2) Wastewater Study and Report by Entech Engineering.
 3) Soil, Geology & Geologic Hazard Report by Entech Engineering.
 4) Preliminary Grading and Erosion Control Plan by JPS Engineering.
 5) Preliminary Grading and Erosion Control Plan by JPS Engineering.
 6) Traffic Impact Study and Report by LSC Transportation Consultants, Inc.
 7) Natural Feature Site Assessment & Report by ERC Resources Corporation.



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ABERT RANCH SUBDIVISION
 Preliminary Plat
 El Paso County, Colorado
 BF Ranch Trust 2015

DATE: 11-04-16
 SHEET: 16-008