



COLORADO

Division of Water Resources

Department of Natural Resources
Colorado Ground Water Commission

May 22, 2019

Kari Parsons
El Paso County Development Services Department
DSDcomments@elpasoco.com

RE: Grandview Reserve
Part of the S ½, Sec. 21, Part of the S ½ Sec. 22, Part of the N ½ Sec. 27, Part of the N ½ Sec. 28, all in T12S, R64W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Kari Parsons:

We have reviewed your May 6, 2019 submittal concerning the above referenced proposal for the subdivision of 768.23 acres into 184 lots.

Water Supply Demand

According to the Water Supply Information Summary Sheet and the JDS-Hydro Consultants, Inc. Water Resources and Wastewater Report dated January 2019 (“Water Resources Report”) that were provided with the submittal, the estimated water demand for the 184 lots is 77.3 acre-feet per year (41.2 acre-feet per year for household use and 36.1 acre-feet per year for irrigation of 14.6 acres), with each lot requiring an annual demand of 0.42 acre-feet for domestic, irrigation and stock watering use.

Source of Water Supply

The proposed water source is individual on lot wells producing from the Dawson aquifer. While the Water Resources Report indicates the wells will operate pursuant to Determination of Water Right no. 513-BD, Determination of Water Right no. 513-BD was canceled and replaced by Determination of Water Right no. 1438-BD (“1438-BD”), and therefore our opinions are based on the wells operating pursuant to 1438-BD.

A portion of the water determined to be available in 1438-BD consists of nontributary ground water (underlying an area that is referred to in 1438-BD as Area B), and a portion is not-nontributary ground water (underlying areas that are referred to in 1438-BD as Areas A and C). The Water Resources Report indicates that 158 lots would withdraw nontributary ground water (underlying what is referred to in 1438-BD as Area B), and 26 lots would withdraw not-nontributary ground water (underlying what is referred to in 1438-BD as Area C). Prior to diversion of the not-nontributary ground water a replacement plan must be obtained from the Ground Water Commission. No replacement plan has been applied for or approved.

A map within Appendix A of the Water Resources Report shows a number of lots will overly both Areas B and C of 1438-BD. For those lots that overly both Areas B and C of 1438-BD, the Water Resources Report has not identified whether the location of the well on such



lots with be within Area B or Area C of 1438-BD, and so whether the water to be withdrawn by the well on that lot would be nontributary or not-nontributary ground water.

The Water Resources Report did not identify the number of square-feet of irrigation or number of stock that would be allowed on each lot.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is not adequate and cannot be provided without causing injury to decreed water rights.

In order to obtain a favorable opinion from this office on the proposed water supply to the subdivision, the following additional information is required:

1. A replacement plan must be required for the withdrawal of the not-nontributary ground water underlying Area C of 1438-BD.
2. The applicant must list, by lot number, which lots will have wells that withdraw nontributary ground water underlying what is referred to as Area B in 1438-BD, and what lots will have well that withdraw not-nontributary ground water underlying what is referred to as Area C in 1438-BD. The submittal should not rely on the map within Appendix A of the Water Resources Report to provide those lot numbers. For those lots that overly both Areas B and C of 1438-BD, the applicant must provide clarification, for future lot owners, whether the required location of the well must be within Area B or Area C of 1438-BD.
3. The applicant must identify the number of square-feet of irrigation or number of stock that would be allowed to be served by each well.

If you, or the applicant, have any questions, please contact Ailis Thyne at 303-866-3581 ext. 8216.

Sincerely,



Keith Vander Horst
Chief of Water Supply, Designated Basins

Cc: Division 2
Grandview Reserve.docx
Project no. 26508