



January 22, 2025

Ryan Howser, Project Manager
El Paso County Development Services Department
Sent via online portal at: epcdevplanreview.com

Re: Flying Horse East Phase 1 - Sketch Plan
File #: SKP242
Part of Sec. 13, 14, 23, 24, Twp. 14 South, Rng. 64 West, 6th P.M.
Upper Black Squirrel Creek Designated Basin
Water Division 2, Water District 10

Dear Ryan Howser:

We have received the above-referenced proposal to develop a parcel totaling 1,822.44 acres into several mixed-use applications, which would equate to approximately 5,227 single family residences. The applicant has proposed to utilize water and wastewater services from Cherokee Metropolitan District (“Cherokee”).

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.



The proposed water uses for the development include household use for 5,227 units, commercial use, school use, and irrigation. The preliminary estimated water demand at full build out is 2,921.5 acre-feet/year (based on 0.353 acre-feet/year/SFE and a total of 8,276.2 SFE). The proposed source of water supply is service provided by the Cherokee. A letter dated May 28, 2024 from the Cherokee makes a preliminary and conditional commitment to providing service to the development.

The Water Supply Information Summary provided in the referral anticipates that existing wells and yet to be developed wells/springs/water rights would be used to provide water to the proposed development. Information in our files indicates that Cherokee does not currently have the capacity to supply 2,921.5 acre-feet/year to the proposed development.

This office cannot provide comments on this development at this time without additional information regarding the proposed water supply. **Prior to further review of the water supply plan, the following information is required:**

1. A completed [GWS-76](#) form or report summarizing the proposed water uses and estimated water requirements for the development, that satisfy El Paso County's 300-year water supply requirement . Along with a commitment letter that matches the number of units proposed in the report.
2. Cherokee must provide a report as required by section 30-28-136(1)(h)(II), C.R.S., documenting the amount of water that can be supplied to the development. Such report must be provided in a manner that demonstrates that Cherokee has sufficient physical and legal water resources to meet its commitments in terms of an overall water supply, considering annual and long-term availability, including the following:
 - a. A summary of the water rights owned and controlled by Cherokee and evidence of that ownership and control.
 - b. The anticipated yield of these rights in both an average and dry year.
 - c. The present demand on Cherokee and the anticipated demand due to commitments for service entered into by Cherokee that are not yet supplied.

- d. The amount of uncommitted firm supply Cherokee has available for future commitment and development.
- e. A map of Cherokee's service area.

Please contact me at (303) 866-3581 x8246 or Ivan.Franco@state.co.us with any questions.

Sincerely,



Ivan Franco, P.E.

Water Resource Engineer

Ec: Subdivision No. 32654

District File

Upper Black Squirrel Ground Water Management District