



June 26, 2024

Kylie Bagley
El Paso County Planning and Community Development
Transmission via EDARP portal

**Re: Windermere Preliminary Plan Minor Amendment Phase 2, Tract B
EA21172 SP223
E ½ of Section 29, T13S, R65W, 6th PM
Water Division 2, Water District 10
CDWR Subdivision #32385**

Dear Kylie Bagley;

We have reviewed your June 20, 2024 submittal concerning the above referenced proposal to subdivide 9.3 acres into 150 multi-family residential units with 4.29 acres of landscaped area.

Water Supply Demand

According to the submittal, the proposed uses and estimated water requirements for development are 30 acre-feet for residential use (150 households X 0.2 acre-feet per household) and the 8.6 acre-feet for irrigation (4.29 acres at 2.0 acre-feet per acre).

Source of Water Supply

The proposed water supplier is the Cherokee Metro District (“District”). The District has provided a letter dated April 1, 2024 committing to serve the subdivision. Information in our files indicates the district has approximately 830 acre-feet per year of Denver Basin ground water available for additional commitments.

State Engineer’s Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(l) C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory **allocation** approach, for the proposed uses is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision

Our opinion is qualified by the following:

The Division 2 Water Court has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

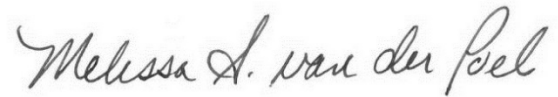


Additional Comments

The application materials indicate that the project will collect storm flows in a detention pond. The applicant should be aware that, unless the structure can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR’s *Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado*, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you have any questions, please contact me at 303-866-3581.

Sincerely,



Melissa A. van der Poel, P.E.
Water Resources Engineer

cc: Subdivision File 32385
Martha Archuleta, Water Data Analyst