

Brett Behnke

From: Ryan Farr <rwf@cowaterlaw.com>
Sent: Tuesday, February 12, 2019 10:30 AM
To: Brett Behnke
Cc: Jim McGrady; John McGinn; Chris Cummins
Subject: Will Serve Letter - Ferrari Films

Brett,

I provide the following comments on behalf of Triview Metropolitan District only as to the water sufficiency for the preliminary PD site plans for Ferrari Films. Future changes of the site plan will require reassessment concerning water provision from Triview. The proposed development is a 14,500 square foot office building sitting on 2.03 acres, 0.3 acres of which is landscaped with a xeriscape approach and drip line only irrigation after initial planting. I provide the following comments on behalf of the Triview Metropolitan District only as to a legal and physical supply of water to support the proposed development. Additional technical comments may be forthcoming from the District's engineering consultants at JDS-Hydro, or from District Staff.

As referenced, this submittal concerns the development of a 14,500 square foot office building whose use is assumed to be general office use without any additional, special, or unique water uses. If this is not the case, a reassessment shall be necessary. The landscape design is for native grasses to be planted along with shrubs and trees. The native grasses are only to be irrigated for the first growing season and drip lines are to be installed to irrigate the planted trees and shrubs. Because this is a project of CSI Development, an affiliate of the Centre/Vision group, we must take into account the three-way agreement between Centre, Triview, and the Town of Monument entered on April 8, 2014 which provided Centre/Vision with certain "water credits" to be utilized in future development, as discussed in more detail below.

Water usage for Triview is based on the Town of Monument's WA-10 water appendix as set forth in Town Ordinance 17-2014. The WA-10 provides for office demand of 50 gallons per day per 1,000 square feet. Therefore, for a 14,500 square foot office the demand is $50 \times 14.5 \times 365 = 264,625$ gallons or 0.81 acre-feet per year. Additional water will be needed for the drip line irrigation system for the trees and shrubs. Although the site is xeriscaped with native grasses that will not be irrigated after the initial planting year, the calculation for water use herein is still completed using the allowed irrigation allotment from the WA-10 water appendix. If there is additional engineering that you can provide Triview as to actual irrigation water use for the xeriscaped landscape or specifics about actual size of irrigated acreage, Triview will consider it may thereafter update the water use assessment. However, at this time the planned landscaped acreage is 0.3 acres and the WA-10 water appendix sets irrigation allotments at 1.5 acre-feet per irrigated acre. As such, the irrigation assessment has water usage at $0.3 \times 1.5 = 0.45$ acre-feet per year. Combined with the office use, we are looking at a presumed water usage of 1.26 acre-feet per year for the development.

As referenced above, this is being conducted by an affiliate of Centre Development/Vision, for which certain "water credits" are available. Specifically, there is an IGA between the Town of Monument and Triview and a three-way agreement between those entities and Centre, which created such water credits. Therefore, it is possible for such water credits to be applied to this development if that is the decision of Centre. If such credits are to be utilized, upon issuance of a "will serve" letter by Triview, which Triview would be prepared to issue, all parties should adjust their accountings of water credits available to Centre/Vision and their affiliates under the Agreement by an amount of **1.26 annual acre-feet of supply**, representing the quantity of water discussed above necessary to serve the anticipated demand. Assuming this is the case, and upon confirmation of the same by CSI and Centre, Triview is prepared to issue a "will serve" letter for the proposed development, presuming any comments from the District and its technical consultants as to infrastructure are likewise adequately addressed. If the water credits are not to be used for this

development, then in-lieu of fees will be due to the District in the amount of \$17,000 per acre-foot, or \$21,420 for the 1.26 acre-feet at issue here, and Triview will issue a "will serve" letter upon payment of the same.

Thanks,

Ryan W. Farr
MONSON, CUMMINS & SHOHET, LLC
13511 Northgate Estates Drive, Suite 250
Colorado Springs, Colorado 80921
(719) 471-1212



E-MAIL NOTICE: This e-mail message (and any attachments) may contain information belonging to the sender which may be confidential and legally privileged. If you are not the intended recipient, you are hereby notified that any disclosure, copying or distribution of this information, or any action taken in reliance on the information within this e-mail, is strictly prohibited. If you have received this e-mail message in error, please notify the sender and then delete the message (and any attachments) from your computer and/or network. Thank you.

This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>
