

EL PASO COUNTY



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SP-20-8 Homestead North Phase I
Preliminary Plan

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
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WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by SR Land, LLC ("Applicant") for subdivision of 147 single-family lots and 11 tracts on 60.623 acres. A zoning change on the parcel was approved by the Board of County Commissioners on June 15, 2021 and the parcel is zoned RS-6000 (Residential Suburban).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary ("WSIS"), the subdivision water demand is 51.89 acre-feet/year for in-house use (0.35 acre-feet/lot), plus 10.58 acre-feet for irrigation for a total of 62.47 acre-feet/year for the subdivision. Based on the total demand, Applicant must be able to provide a supply of 18,741 acre-feet of water (62.47 acre-feet/year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Falcon Area Water and Wastewater Authority f/k/a Sterling Ranch Metropolitan District ("District"). The Applicant submitted a *Falcon Area Water and Wastewater Authority Water Resources Report for Homestead North Phase One dated March, 2022 ("Report")*, which described the water resources available to the District. The District has 697.39 acre-feet of available water supply with commitments of 380.23 acre-feet. The remaining water supply leaves a net excess of

currently available but uncommitted amount of water of 317.16 acre-feet/year for this subdivision and subsequent developments.

4. The District Board President provided a letter of commitment for the Homestead North Phase I preliminary plan dated March 7, 2022, in which the District committed to providing water service to the 147 residential lots including irrigation, with an annual water requirement of 62.47 acre-feet/year on the 60.623-acre parcel.

State Engineer’s Office Opinion

5. In a letter dated March 30, 2022, the State Engineer reviewed the proposal to subdivide the 60.623-acre parcel into 147 single-family lots. The State Engineer notes the District will provide water from Arapahoe, Denver, and Laramie-Fox Hills aquifer wells. A summary of the water rights table provided by the State Engineer’s Office is noted below.

Aquifer	Decree	Annual Allocation 300 Year (AF/Year)
Laramie-Fox Hills	86CW19	179.67
Laramie-Fox Hills	08CW113	0.13
Laramie-Fox Hills	20CW3059	9.27
Arapahoe	86CW18	191.67
Arapahoe	08CW113	0.20
Arapahoe	20CW3059	14.37
Denver	08CW113	242.97
Denver	08CW3059	15.19
Total		653.47¹

The State Engineer further stated that “pursuant to CRS 30-28-136(1)(h)(l), that the anticipated water supply can be provided without causing material injury to decreed water rights so long as the applicant obtains well permits issued pursuant to C.R.S. 37-90-137(4) and the plan for augmentation noted herein, for all wells in the subdivision and operates the wells in accordance with the terms and conditions of any future well permits.”

Recommended Findings

6. Quantity and Dependability. Applicant’s water demand for the Homestead North Phase I development is 62.47 acre-feet per year to be supplied by Falcon Area Water and Wastewater Authority.

¹ This amount is slightly less than the amounts delineated in the *Water Resources Report*.

Based on the water demand of 62.47 acre-feet/year for the Homestead North Phase I preliminary plan and the District's available water resources in the amount of 697.39 acre-feet/year, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the Homestead North Phase I development.

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Land Development Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the Water Supply Information Summary provided March 4, 2022, the *Water Resources Report* dated March 2022, the Sterling Ranch Metropolitan District letter dated March 7, 2022, and the State Engineer Office's Opinion dated March 30, 2022. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Prior to recording the final plat, Applicant must upload to eDARP an Amended Water Resources Report that, in the Executive Summary and elsewhere in the Report as appropriate, provides a more detailed summary of the nature and role of FAWWA and the date on which service to the plats within this preliminary plan will transition from Sterling Ranch Metro District No. 1 to FAWWA.
- B. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District and FAWWA, as applicable.

cc. Kari Parsons, Senior Planner