



September 24, 2026

Ryan Howser, Project Manager

El Paso County Development Services Department

Transmitted via EPC EDARP Portal: epcdevplanreview.com

Re: Falcon Reserve Preliminary Plan- 5th Letter

Part of the SE ¼ of Section 25, Twp. 12 South, Range 65 West, 6th P.M.

Water Division 2, Water District 10

Upper Black Squirrel Creek Designated Basin

Dear Ryan Howser:

We have reviewed the above-referenced proposal for the subdivision of approximately 40 acres into 149 residential lots, as well as Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, and a Pocket Park. The residential lots range from 3,825 to 7,700 square-feet each. An additional 11 lots are planned to be subdivided from Tract G once water supply allocations are available. Our office previously commented on an identical proposal in a letter dated September 9, 2026 for the Falcon Reserve Final Plat, and was asked by the County to resubmit our letter under the Falcon Reserve Preliminary Plan. This letter supersedes our previous letter based only on the project naming differences.

Water Supply Demand

According to the updated Water Supply Information Summary Sheet, the proposed water uses and estimated water requirements is estimated to be 53.64 acre-feet/year, consisting of the following:

- 29.50 acre-feet/year for inside each household
- 24.14 acre-feet/year for irrigation



The March 2021 Water Master Plan, submitted to this office, estimates 0.36 acre-feet/year of water use per Single Family Equivalent (“SFE”), which aligns with the estimated 53.64 acre-feet/year ($0.36 \text{ acre-feet/year} \times 149 = 53.64 \text{ acre-feet/year}$).

It should be noted that standard water use rates, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration, are 0.3 acre-foot per year for each ordinary household, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation.

Using the estimated indoor and outdoor uses from the Water Supply Information Summary, each household is anticipated to use approximately 0.198 acre-feet inside a home, and 0.162 acre-feet/year for irrigation (approximately 3240 square-feet of home gardens and lawn irrigation per lot).

Source of Water Supply

The proposed water supply for the subdivision is the Paint Brush Hills Metropolitan District (“District”). The commitment letter states that 149 lots totaling a supply of 53.98 acre-feet/year of water can and will be served by the Paint Brush Hills Metropolitan District with the District’s existing water supply.

According to information available to this office, the District has a 300-year water supply volume of 147,550 acre-feet (491.83 acre-feet/year based on a 300-year supply) and a commitment of 141,448 acre-feet, not including the 16,092 acre-feet ($53.64 \text{ acre-feet/year} \times 300 \text{ years}$) associated with this development. Therefore, it appears that the District may have an over-commitment of 9,990 acre-feet over a 300-year period. The information this office has on file for the District is summarized on Table 1, attached.

The submitted Water Report’s attached Water Master Plan (dated September 2020), Table 8: Summary of Water Rights indicates that the water district has 5,398 acre-feet of available supply for a 300-year commitment before accounting for the Falcon Reserve filing. However,

the 300-year volume of commitment needed for the Falcon Reserve filing is 53.6 acre-feet per year * 300 years = 16,092 acre-feet of water, which also indicates a possible over-commitment.

One of the main differences between what this office has calculated as the District's total commitments versus what the Water Report's Water Master Plan reports (from both 2020 and 2021) show is that this office has calculated Filing 14 under a 300-year water commitment, whereas the report appears to have calculated the filing on a 100-year commitment. Additionally, this office calculated the Falcon Reserve Final Plat demand with a 300-year commitment.

The District's supplies consist of Determination of Water Right nos. 719-BD¹ and 214-BD; permit nos. 30593-F, 46553-F, 47813-F, and 17048-F in the nontributary Arapahoe and Laramie-Fox Hills aquifers; and 85 acre-feet/year of water contracted from the Meridian Service Metropolitan District. The District is currently seeking to adjudicate additional groundwater in pending application receipt no. 10021946.

There are several additional tracts (Tract A, Tract B, Tract C, Tract D, Tract E, Tract F, Tract G, and a "Pocket Park") shown on the plat map. The Water Report dated May, 2026 states, "Due to limited water availability, the subdivision's open space and park areas are designed to feature xeriscape landscaping, which eliminates the need for irrigation." The report also states that 11 additional SFEs may only have a water supply pending the outcome of Case No. 23-GW-06. These 11 SFEs have currently been removed from the application, but may potentially become part of Tract G some time in the future.

Stormwater Detention Facilities

The submittal indicates that a storm water detention structure will be constructed as a part of this project. The applicant should be aware that, unless the structure can meet the

¹ Not included in total since a replacement plan is required.

requirements of a “storm water detention and infiltration facility” as defined in Designated Basin Rule 5.11, the structure may be subject to administration by this office. The applicant should review Rule 5.11 to determine whether the structure meets the requirements of the Rule and ensure any notification requirement is met.

State Engineer’s Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., this office has not received enough information to determine whether the proposed water supply is adequate or can be provided without causing injury to decreed water rights. It appears that in order to obtain a favorable opinion from this office on the proposed water supply to this subdivision, **this office needs the following:**

- **An explanation why Filing 14 of the 2020 and 2023 Water Master Plan Reports should be calculated on a 100-year water basis instead of the standard 300-year water basis, as required by the County.**
- **An updated Water Master Plan report that demonstrates there is enough water available to serve the new subdivision for 300 years (i.e. demonstrate that $53.98 \text{ acre-feet/year} \times 300 \text{ years} = 16,092 \text{ acre-feet}$ of water volume is available for the County’s required 300 years. The current Summary of Water Rights Table in the Water Master Plan reports from both 2020 and 2021 indicates there is 5,398 acre-feet of water remaining (assuming Filing 14 can be calculated based on a 100-year water demand)).**

Please contact Katie Anderson at 303-866-3581 x8207 or Katharine.Anderson@state.co.us with any questions.

Sincerely,



Ailis Thyne, P.E.

Water Resources Engineer