

## County Attorney

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January 20, 2023

SF-22-24            Glen at Widefield Filing No. 12  
Final Plat

Reviewed by:    Lori Seago, Senior Assistant County Attorney  
April Willie, Paralegal

### **WATER SUPPLY REVIEW AND RECOMMENDATIONS**

#### Project Description

1. This is a Final Plat proposal by Widefield Investment Group (“Applicant”), to subdivide an approximately 27.229 +/- acre parcel into 79 single family lots. The property is zoned RS-6000 (Residential Suburban).

#### Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimated its annual water needs to serve this subdivision at 27.65 acre-feet/year, which equates to 0.35 acre-feet per year per lot. Based on these figures, the Applicant must provide a supply of 8,295 acre-feet of water (27.65 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

#### Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Widefield Water and Sanitation District (“District”). As detailed in the *District Water and Wastewater Report Annual Update* dated January 31, 2022 (“Report”), the District’s water supply is sourced from renewable groundwater, surface water rights, and a mix of various sources. The *Report* indicates that “[t]he current Developed Physical Supply is 5,271 annual acre-feet. The three-year running average actual use is 2,898 acre-feet which is roughly 55% of the existing available physical supply.”

#### **ASSISTANT COUNTY ATTORNEYS**

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4. The District's General Manager provided a letter of commitment for The Glen at Widefield East Subdivision Filing No. 12 dated February 22, 2022, in which the District committed to providing water service for the 79 residential lots, for an annual water requirement of 27.65 acre-feet.

#### State Engineer's Office Opinion

5. In a letter dated August 11, 2022, the State Engineer reviewed the application to subdivide the 77.82 +/- acres into 79 single-family lots. The State Engineer stated that "[a]ccording to this office's records, it appears Widefield has sufficient water resources to serve the proposed development." Further, the State Engineer stated that "pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

#### Recommended Findings

6. Quantity and Dependability. Applicant's water demand for The Glen at Widefield Filing No. 12 is 27.65 acre-feet per year for a total demand of 8,295 acre-feet for the subdivision for 300 years, to be supplied by Widefield Water and Sanitation District. **Based on the District's available water supply of approximately 2,373 annual acre-feet, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for The Glen at Widefield Filing No. 12.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the 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 July 13, 2022, the *Water Resources Report* dated January 31, 2022, the *Widefield Water and Sanitation District* letter dated February 22, 2022, and the *State Engineer Office's Opinion* dated August 11, 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. 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.

cc: Ryan Howser, Planner III