



October 26, 2022

Kari Parsons
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910-3127

RE: Crossroads North
Sec. 8, Twp. 14S, Rng. 65W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 27443

To Whom it May Concern,

We have received a referral concerning the above-referenced proposal to divide a 44.34 +/- acre tract of land into 10 commercial lots. This office previously issued comments on December 10, 2020. This letter shall supersede those previous comments. The proposed supply of water and wastewater disposal is to be served by the Cherokee Metropolitan District ("Cherokee").

Water Supply Demand

The Water Supply Information Summary, Form No. GWS-76, and the Water/Wastewater Report dated June 17, 2022 included with the submittal provide an estimated total demand 42.5 acre-feet/year. This includes 38.3 acre-feet/year for commercial use, based on an estimate of 0.1 gallons-per-day/square-foot of commercial space, and 4.2 acre-feet/year for irrigation of 1.69 acres.

Source of Water Supply

The proposed source of water is to be served by Cherokee Metropolitan District. A letter dated June 17, 2022 estimated that the water demand for the proposed subdivision will be 42.5 acre-feet/year and commits to providing this estimated demand.

There appears to be conflicting information in the Water/Wastewater Report about the volume of water available to Cherokee. Well Permit 27571-FP is limited to a maximum volume of 115.4 acre-feet per year, which is less than the 153.5 acre-feet per year that was reported in the Water/Wastewater Report. While it appears that Cherokee still has adequate water resources to serve the estimated demand of 42.5 acre-feet/year for the proposed development, please **provide clarification about Cherokee's water supply.**

Our records also indicate that several exempt wells may currently exist within the proposed development: Permit nos. 251680, 255973, and 308683. Pursuant to Policy 2011-1 of the Office of the State Engineer, available online at: <https://dnrweblink.state.co.us/dwr/ElectronicFile.aspx?docid=3565489&dbid=0>, any new or existing wells (including pre-May 8, 1972 wells) that would be used in a subdivision



must be evaluated according to C.R.S. 37-92-602(3)(b)(I). In this area of the state water is considered to be over-appropriated; therefore, all wells in the subdivision must operate pursuant to a court approved plan for augmentation in order to be approved as part of the proposed water supply for the subdivision.

Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) 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 (<https://dnrweblink.state.co.us/dwr/ElectronicFile.aspx?docid=3576581&dbid=0>) to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.

State Engineer’s Office Opinion

Pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply for Crossroads North is adequate and can be provided without causing injury to decreed water rights. However, please provide clarification about Cherokee’s water supply in subsequent submittals.

Should you or the Applicant have questions concerning any of the above, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

cc: Bill Tyner, Division 2 Engineer
Jacob Olson, District 10 Water Commissioner