



COLORADO

Division of Water Resources

Department of Natural Resources

Colorado Ground Water Commission

February 17, 2025

Ryan Howser

El Paso County Community and Development Services

Transmission via EDARP portal at: epcdevplanreview.com

RE: Knecht Minor Subdivision

Project File No. SF2419

NW ¼, Section 18, T12S, R64W, 6th P.M.

Water Division 2, Water District 10

Upper Black Squirrel Creek Designated Groundwater Basin

Dear Ryan Howser,

We have received additional information concerning the above referenced proposal to subdivide 21.03 acres, presently comprised of 3 parcels, into 5 residential lots. The lots would range in size from 1 to 5 acres and would be served by individual on-lot wells and septic systems. This office previously provided comments regarding this subdivision on September 23, 2024. The comments in this letter supersede our comments from the September 23, 2024, letter.

Water Supply Demand

According to the Water Supply Information Summary Sheet and other referral information, the demand for the subdivision totals 2.5 acre-feet per year. The water supply would be provided by individual on-lot wells pursuant to Colorado Ground Water Commission Findings Determination No. 4733-BD and the associated Replacement Plan No. 4733-BD. Pursuant to



the replacement plan the water supply to each lot would be 0.5 acre-feet/year for 1 single family residence, irrigation, and livestock watering.

Source of Water Supply

The proposed water supply for the subdivision is individual on lot wells producing from the not nontributary actual Dawson aquifer under the Determination of Water Rights No. 4733-BD and Replacement Plan No. 4733-RP. The Determination of Water Right No. 4733-BD for the Dawson aquifer amended a prior determination and quantified the amount of water underlying the total 21.03 acres located in the NW ¼ of Section 18, Township 12 South, Range 64 West, 6th P.M. In addition, the Replacement Plan No. 4733-RP was issued by the Commission on November 21, 2024 to Jon Knecht for an allowed annual amount of withdrawal of ground water of 2.5 acre-feet/year for the Dawson aquifer (based on an aquifer life of 300 years) for domestic, including inhouse use, irrigation, and stock watering to be used on the 21.03 acres of which the subject property is a part. The proposed water uses, would be split between five wells each withdrawing 0.5 acre-feet/year.

There are two existing wells located on the property. The first has Permit No. 77690 and the second has Permit No. 87434-F. Both wells are located in the NW1/4 of the NW1/4 of Section 18, Township 12 South, Range 64 West of the 6th P.M. The applicant shall apply to re-permit both wells pursuant to Replacement Plan No. 4733-RP.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:

“(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years.”

The State Engineer's Office does not have evidence regarding the length of time for which this source will provide a water supply. However, treating El Paso County's requirement as an **allocation** approach based on three hundred years, the allowed annual amount of withdrawal permitted by Replacement Plan No. 4733-RP would allow for an annual amount of withdrawal for 300 years of 2.5 acre-feet/year. As a result, the water may be withdrawn in that annual amount for a maximum of 300 years.

State Engineer's Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(l), C.R.S., it is our opinion that the proposed water supply is **adequate** and can be provided **without causing injury** to existing water rights.

Our opinion that the water supply is adequate is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be provided without causing injury is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach, for the proposed uses on the subdivided land, is greater than the annual amount of water required to supply the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Ground Water Commission has retained jurisdiction over the final amount of water available pursuant to the above-referenced water rights, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are

calculated based on estimated current aquifer conditions. The source of water is from non-renewable aquifers, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Additional Comments

The Applicant should be aware that any proposed storm water detention structures proposed for this subdivision must meet the requirements of a “storm water detention and infiltration facility” as defined in Designated Basin Rule 5.11, otherwise the structures may be subject to administration by this office. The Applicant should review Rule 5.11 to determine whether the structures meet the requirements of the Rule and ensure any notification requirement is met.

If you, or the applicant, have any questions please contact Ivan Franco at 303-866-3581 x8243 or at or at Ivan.Franco@state.co.us

Sincerely,



Ioana Comaniciu, P.E.

Water Resource Engineer

Ec: Subdivision No. 32495

File for permit nos. 77690 and 87434-F