



Montaño • Freeman • Sinor • Thompson P.C.

Mirko L. Kruse, Esq.
mkruse@troutlaw.com
303.339.5825

1120 Lincoln Street • Suite 1600
Denver, Colorado 80203-2141
303.861.1963
www.troutlaw.com

April 8, 2021

Kari Parsons
El Paso County Planning and Community Development Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910
kariparsons@elpasoco.com

Spencer Fane LLC
Russ Dykstra
rdykstra@spencerfane.com

4 Site Investments LLC
1271 Kelly Johnson Blvd, Suite 100
Colorado Springs, CO 80920

Re: Grandview Reserve Metropolitan District Nos. 1-4

Dear Ms. Parsons:

This firm represents the Upper Black Squirrel Creek Ground Water Management District (“the District”). On June 30, 2020, September 17, 2020, and November 25, 2020 the District submitted comment letters raising several concerns over water and wastewater service for the proposed Grandview Reserve subdivision development. The District briefly summarizes some of those concerns again here:

Water Service

Applicant estimates that Grandview Reserve will require 1,151 acre-feet per year. *See* Letter of Intent at 3. Applicant intends to meet this demand through future wells drilled in the Arapahoe and Laramie Fox-Hills aquifers under groundwater determinations owned by Applicant and neighboring Four-Way Ranch Metro District. The groundwater determinations Applicant relies on would not allow for municipal use within Grandview Reserve because they are currently determined for municipal use for the Woodmen Hills Metro District and Four-Way Ranch Metro District only. Furthermore, Applicant has not provided evidence that it owns its claimed 1,400 acre-feet of Arapahoe non-tributary water. Nor has Applicant provided evidence that claimed 4 Way Ranch water will be available as evidenced by lease agreements, option contracts, or other

such arrangements and that this water has not already been allocated to other well permits for withdrawal.

The District's Regulations on Large Capacity Well Use

The wells Applicant proposes for its water supply must comply with the UBS District's rules and regulations. District Rule 17.A. limits withdrawals from large capacity wells in subdivisions and District Rule 18 limits large capacity well use outside subdivisions.

Wastewater Service

Applicant anticipates that Woodmen Hills Metropolitan District ("Woodmen Hills") will provide Grandview Reserve's wastewater services. See Letter of Intent at 4. Woodmen Hills' existing and forthcoming renewed discharge permit from the Water Quality Control Commission must include standards for the discharge to groundwater, which are included in Regulation Nos. 41 and 42. Woodmen Hills' treatment facility, which discharges wastewater into the UBS Basin, is currently noncompliant with these standards. Although the groundwater discharge standards are not currently part of Woodmen Hills' discharge permit, we anticipate that the groundwater discharge standards will be required in any future renewal and the County should support the District's efforts to ensure that the discharge meets the groundwater standards for the basin.

Underdrains

Underdrains may be needed in Grandview Reserve due to local high ground water and soil conditions. Any underdrains will require a large capacity well permit and those well permits will require a replacement plan in compliance with Designated Basin Rule 5.6.

The UBS District reserves the right to provide additional comments at a later date founded upon information not readily ascertainable from the above-referenced application.

Sincerely,



Mirko L. Kruse
for
TROUT RALEY

cc: UBSCGWMD Board of Directors