

EL PASO COUNTY



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PUDSP-22-4 Sanctuary Filing No. 1 at Meridian Ranch
PUD/Preliminary Plan

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
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WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by GTL Development, Inc. ("Applicant") for subdivision of 343 single-family lots plus open space, landscaping, and trails on 74 +/- acres of land (the "property"). The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary ("WSIS"), the subdivision demand is 106.3 acre-feet/lot for in-house use (0.31 acre-feet/lot), plus 0.10 acre-feet for irrigation for a total water demand of 106.5 acre-feet/year for the 343-lot subdivision. Based on the total demand, Applicant must be able to provide a supply of 31,950 acre-feet of water (106.5 acre-feet per year x 300 years) to meet the County's 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Meridian Service Metropolitan District ("District"). As detailed in the District's *Water Resources Report for The Sanctuary Filing 1 at Meridian Ranch*, dated June 2022, the District has water rights and appropriation for "Denver Basin groundwater, renewable alluvial ground water and additional Denver Basin water rights from adjacent metropolitan districts as part of either a financial or annexation agreement."

4. The District's General Manager provided a letter of commitment for the Sanctuary Filing 1 at Meridian Ranch development dated April 28, 2022, in which the District committed to providing water service to 343 residential lots plus irrigation with an annual water requirement of 107 acre-feet/year. The letter noted that the District has a current water demand of "1,670 Ac-Ft per year. ... The Sanctuary Filing 1 at Meridian Ranch will add an additional demand of 107 Ac-Ft per year The additional 107 Ac-Ft demand results an overall demand of 1,777 Ac-Ft, which leaves a surplus of 311 Ac-Ft per year."

State Engineer's Office Opinion

5. In a letter dated August 19, 2022, the State Engineer reviewed the proposal to subdivide the 74 +/- acre parcel into 343 single-family lots, plus additional tracts. The State Engineer stated the annual water use for the subdivision will be 107 acre-feet/year. Further, "Meridian Service Metropolitan District is the proposed water supplier. The District has provided a letter dated April 28, 2022 committing to serve this development with 107 acre-feet/year." The State Engineer identified that the District has total water rights of "2,088 acre-feet/year for a period of 300 years. The District has a current committed supply of 1,670 acre-feet/year. The uncommitted annual supply of 418 acre-feet is more than the estimated annual demand of 107 acre-feet/year for the Sanctuary Filing No. 1 at Meridian Ranch." Finally, "it is our opinion, pursuant to CRS 30-28-136(1)(h)(l), that the anticipated water supply can be provided without causing material injury to decreed waters. 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."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for the Sanctuary Filing No. 1 at Meridian Ranch development is 106.5 acre-feet per year to be supplied by the Meridian Service Metropolitan District.

Based on the water demand of 106.5 acre-feet/year for the development and the District's commitment to serve in the amount of 107 acre-feet/year, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for the Sanctuary Filing No. 1 at Meridian Ranch development.

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 June 23, 2022, the *Water Resources Report* dated June 2022, the Meridian Service Metropolitan District letter dated April

28, 2022, and the State Engineer Office's Opinion dated August 19, 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