



October 9, 2024

Ashlyn Mathey, Project Manager  
Elbert County Community & Development Services  
Transmitted via the EPC EDARP Portal: [epcdevplanreview.com](http://epcdevplanreview.com)

**Re: Latigo Trails Filing No. 10 EA20184, SF2421**  
SW 1/4 of Sec. 17, Twp. 12S, Rng. 64W, 6<sup>th</sup> P.M.  
Upper Black Squirrel Creek Designated Basin  
Water Division 2, Water District 10

Dear Kari Parsons:

We have reviewed the above-referenced proposal for Latigo Trails Filing No. 10, which will create 43 single-family lots on 125.6 acres in the SW 1/4 of Sec. 17, Twp. 12S, Rng. 64W, 6<sup>th</sup> P.M. We have previously commented on this filing in a letter dated November 10, 2021.

### Water Supply Demand

The estimated water demand for the filing is 13 acre-feet/year for household use, including irrigation.

### Source of Water Supply

Meridian Service Metropolitan District (MSMD) will serve the filing. MSMD currently services the other Latigo filings (which are considered an out of district user) per a 2001 Intergovernmental Agreement to provide 292 Single-Family Equivalents to the Latigo development. The addition of Latigo Trails Filing 10 homes will bring the committed service lots up to 194 SFEs. According to the June 20, 2024 letter (“will serve letter”) from MSMD, the district is committed to providing service to lots 1 - 43 within Filing No. 10.

MSMD obtains their supply from nontributary Denver Basin bedrock aquifer wells and alluvial wells which withdraw under various determinations of water rights or final permits owned and controlled by MSMD at Meridian Ranch, Guthrie Ranch, Latigo Trails, and Hart Ranch. This information is summarized in Table 3 of the Report. Table 3 of the Report and the will serve letter states that 2,163 annual acre-feet based on a 300-year supply is available to MSMD. This quantity varies from the information available in our office. The district must clarify the amount of firm water supply available to them. Specifically the following items must be clarified:

- Table 3 claims the water quantified in 230-BD as part of the firm water supply. In order to claim such water MSMD must show that a Commission approved replacement plan for the groundwater has been obtained.
- Table 3 states that the water allocated in Determination of Water Rights 2099-BD and 2100-BD was split equally between MSMD and Woodmen Hills Metropolitan District. However the values in Table 3 are less than 50 percent of the water allocated in those determinations. The Applicant must clarify their interest in the water associated with 2099-BD and 2100-BD, including the basis for such interest.



- In determining the firm supply the applicant must account for that portion of the groundwater required to meet replacement obligations associated with 157-BD, 570-BD, 228-BD and 229-BD.
- The allowed places of use for Determination of Water Right Nos. 228-BD, 229-BD, and 230-BD do not include the portion of the SW 1/4 of Sec. 17, Twp. 12S, Rng. 64W that comprises this filing. Therefore MSMD must clarify which sources will be used to serve this development.

According to the Report, MSMD currently serves Meridian Ranch, Latigo, Paint Brush Hills Metro, schools, commercial buildings, civic buildings and a golf course. The present demand on MSMD's water supplies is 1,874 acre-feet/year, including Latigo Trails Filing No. 10. This information is summarized in Table 2 of the Report. According to the will serve letter, MSMD anticipates a demand of 1,996 acre-feet/year at full build out of 5,000 single-family homes.

### **State Engineer's Office Opinion**

Based on the above and pursuant to section 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. **Prior to further review of the subdivision water supply plan the following information is required.**

1. A summary of water rights owned and controlled by the above water supplier and evidence of that ownership and control. See above for additional questions.
2. Evidence that the groundwater allocated in Determination of Water Right Nos. 228-BD, 229-BD, 230-BD, 2099-BD, and 2100-BD can be used on the land on which Filing No. 10 will be platted, specifically that portion of the S ½ of Sec. 17, Twp. 12S, Rng. 64W, 6<sup>th</sup> P.M.
3. The amount of uncommitted firm supply the above water supplier has available for future commitment and development.

*Note that Item 3 can be satisfied by showing that the district currently has adequate water to supply all of its water commitments at full build-out.*

### **Additional Comments**

The application materials indicate that the project will collect storm flows in a detention pond. The applicant should be aware that, unless the structure 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*, to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The applicant is encouraged to use *Colorado Stormwater Detention and Infiltration Facility Notification Portal*, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

If you or the Applicant have any questions, please contact me at (303) 866-3581 x8208 or at melissa.vanderpoel@state.co.us.

Sincerely,

A handwritten signature in black ink that reads "Melissa A. van der Poel". The signature is written in a cursive, flowing style.

Melissa A. van der Poel, P.E.  
Water Resource Engineer

Ec: Referral No. 28922  
Upper Black Squirrel Ground Water Management District