



May 22, 2024

Joe Letke
El Paso County Planning and Community Development
Transmission via EDARP portal
CDWR Subdivision 31344

**Re: New Breed Ranch Subdivision Filing 3 EA2214 SF247
Secs. 10 and 15, T12S, R66W of the 6th PM
Water Division 2, Water District 10**

Dear Joe Letke:

We have reviewed your April 3, 2024 submittal concerning the above referenced proposal to subdivide 34.7 acres into 7 lots ranging in size from approximately 4 acres to 5 acres.

Water Supply Demand

According to the submittal, the proposed uses and estimated water requirements for the four lots are as 7 household units at 0.27 AF/year each, landscape irrigation, livestock, and a pool or pond up to 1.33 acre-feet per year.

Source of Water Supply

We have previously approved the entire subdivision by letter dated February 7, 2000 (attached), and specific filings in subsequent letters dated October 19, 2000 and April 4, 2008. The water source is the Denver aquifer, pursuant to the decrees and augmentation plans in Case Nos. 99CW58 and 99CW79.

Our opinion is qualified by the following:

The Division 2 Water Court [Ground Water Commission] has retained jurisdiction over the final amount of water available pursuant to the above-referenced decree, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes 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 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



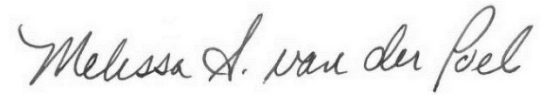
Project Name
Date

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Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gvh/?viewer=cswdif>, to meet the notification requirements.

Should you have any questions, please contact me in this office at 303-866-3581.

Sincerely,

A handwritten signature in cursive script that reads "Melissa A. van der Poel".

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

cc: Subdivision File 31344
Martha Archuleta, Water Data Analyst

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER

Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone: (303) 866-3581
FAX: (303) 866-3589

<http://water.state.co.us/default.htm>



Bill Owens
Governor

Greg E. Walcher
Executive Director

Hal D. Simpson, P.E.
State Engineer

February 7, 2000

Lauren Light
El Paso County Planning Department
P.O. Box 2007
Colorado Springs, CO 80901

RE: New Breed Ranch Subdivision
Sec.s 10 & 15, T12S, R66W, 6th P.M.
Water Division 2, Water District 10

Dear Ms. Light:

We have received a follow up submittal from the applicant's attorney concerning the above referenced proposal. The applicant now desires to subdivide the 462 acres into 92 lots. An existing Dawson aquifer well, permit no. 6729, would continue to serve an existing residence on Lot 47. The remaining 91 lots would be served by new Denver aquifer wells operating pursuant to a plan for augmentation decreed in Division 2 case no. 99CW79. Ninety (90) of the lots will each have a single well serving a single family residence. Lot 33 is proposed to contain a residence, a caretaker's house, and a commercial stable and arena for up to 15 horses, and to be served by either 1 or 2 new wells. The estimated water requirements were given as 42.32 acre-feet annually.

The plan for augmentation in case no. 99CW79 provides for up to 94 new Denver aquifer wells, each well serving indoor needs of a single family dwelling plus varying levels of pond or swimming pool, horse watering, or landscape irrigation. So long as all of the outside uses for the caretaker's house on lot 33 is dedicated to the watering of no more than 15 head, the requested uses on lot 33 will be considered to be the equivalent of 2 residences under 99CW79. Pursuant to the provision of C.R.S. 30-28-136(1)(h)(l) it is the opinion of this office that the proposed water supply is adequate and would not injure decreed water rights.

Water in the Denver Basin aquifers is allocated based on a 100 year aquifer life under the provisions of CRS 37-90-134(4)(b)(l). For planning purposes 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 indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply. If you have any questions please contact Keith Vander Horst of this office.

Sincerely,

Kenneth W. Knox
Assistant State Engineer

cc: Division 2
KWK/KVH:newbreed2.doc