



June 26, 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. This letter supersedes the letter dated May 22, 2024.

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, and specific filings in subsequent letters dated October 19, 2000 and April 4, 2008. The water source is individual on-lot wells diverting from the Denver aquifer, pursuant to the decrees and augmentation plans in Case Nos. 99CW58 and 99CW79.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed 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 is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

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.



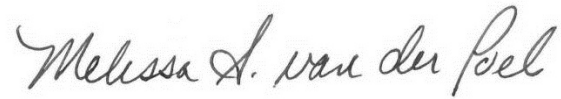
The amounts of water in the Denver Basin aquifers, and identified in this letter, are calculated based on estimated current aquifer conditions. For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 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 *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,



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

cc: Subdivision File 31344
Martha Archuleta, Water Data Analyst