

Kari Parsons

From: Kip Petersen <Kipp@donalawater.com>
Sent: Tuesday, April 24, 2018 3:04 PM
To: Lori Seago; Kari Parsons
Cc: 'dhostetler@ldc-inc.com'
Subject: Academy Village 3 Water Issues
Attachments: ACAD VIL FIL 3 Plat Exhibits.pdf

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Hello Lori and Kari – I believe I have determined what has occurred over the years. The original plat in 1999 was indeed, for 4 lots. I “assumed” when I was first asked to review the replats, that the 2.58 AF, noted in our Utility Resource Report, was for all for lots. I was incorrect. Upon further review, which included a review of platting history and the acreages of the lots involved, I have to say that our commitment of 2.58 AF was for only Lot 4. My confusion came about from a lack of records in our office. The original letter of commitment from Dana Duthie, dated November 9, 1998, only stated that the District was committed to serve the four lots in question. It did not provide any amounts for either each lot, or an aggregate amount of water. When Academy Village 2A was being reviewed, on February 22, 2016, I provided a commitment letter stating that the necessary water demand of 1.37 AF would need to come out of the original 2.58 AF allocation, for all four lots.

Upon further review of our Utility Resource Report, along with the approved Final Plat Filing 2, dated 10.22.98, I understand my error. In this final plat, Lot 4 is noted as having an area of 2.93 acres. This matches exactly, what is noted in our Utility Resource Report for Academy Village, Filing 2. What I missed is the column titled PLANNED (UNPLATTED OR NO ACTIVITY. This is on page II-13. Line 36 shows Academy Village Commercial as having a water allocation of 6.42 AF. This is where the allocation of 1.37 AF for Academy Village 2A should have come from., not the 2.58 allocation. At the time of the drafting of the Utility Resource Report, Lots 2 & 3 were not developed, thus their placement in the PLANNED (UNPLATTED OR NO ACTIVITY section. The total acreage also is very close to the 7.3 acres noted in our report.

In summary, the commitment of 1.37 AF for the Academy Village 2A, should have been noted as being allocated from the unplatted portion of table II-10. The replat of Lot 4 will still be consistent with my original commitment of 2.58 AF for the bank property and the new structure being placed behind it (to the north on lot 4).

I contacted Dave Hostetler and asked if he could provide some plat maps that would assist me. He did and I have included these to support my findings. I am hopeful that this explanation is sufficient, and make a case. I am leaving on Sunday and will be returning on May 7th. I know that you are busy and I appreciate you taking this action. I am more than willing to meet with you in person to review my findings and answer any questions to meet the deadline. Please let me know your thoughts.

Regards,

Kip Petersen

General Manager
Donala Water and Sanitation District
719-488-3603

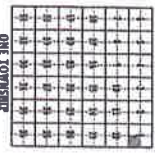
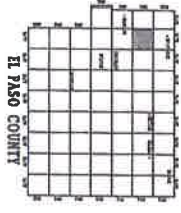
This subdivision is a replat of Lot 4, Academy Village 2 (AV2). When AV2 (a 4-lot subdivision) was approved in 1999, the County Attorney water review was based on 2.5 AF for the entire subdivision. In addition, the 2015 Donala Utility Resources Report, in Table II-10, lists 2.58 AF as committed to AV2. I read these documents to indicate that the 2.58 AF is for the use of all 4 lots in AV2.

Academy Village 2A (AV2A) was approved in the last year or two, and it combined into one lot Lots 2 and 3, AV2. The County Attorney water review was based on a demand of 1.37 AF. The Donala commitment letter cited the 2.58 AF previously committed for AV2 in agreeing to serve AV2A.

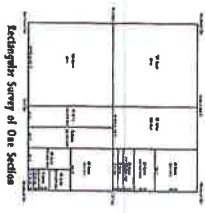
Now, AV3 is estimating a total demand of 2.4 AF for the 2 new lots. Again, Donala's letter is citing the 2.58 AF previously committed for AV2 in agreeing to serve AV3. But if you subtract the 1.37 AF being used for AV2A, that only leaves 1.21 AF for AV3 and the original Lot 1, AV2.

I don't doubt that Donala has the water to serve AV3, but I want to make sure the numbers add up. Would you mind taking another look at this? Please don't hesitate to call or email with questions. Thank you!

72014



ASSESSOR



ADJOINING 72000

UNITED STATES

AIR FORCE ACADEMY

SEE MAP 72000



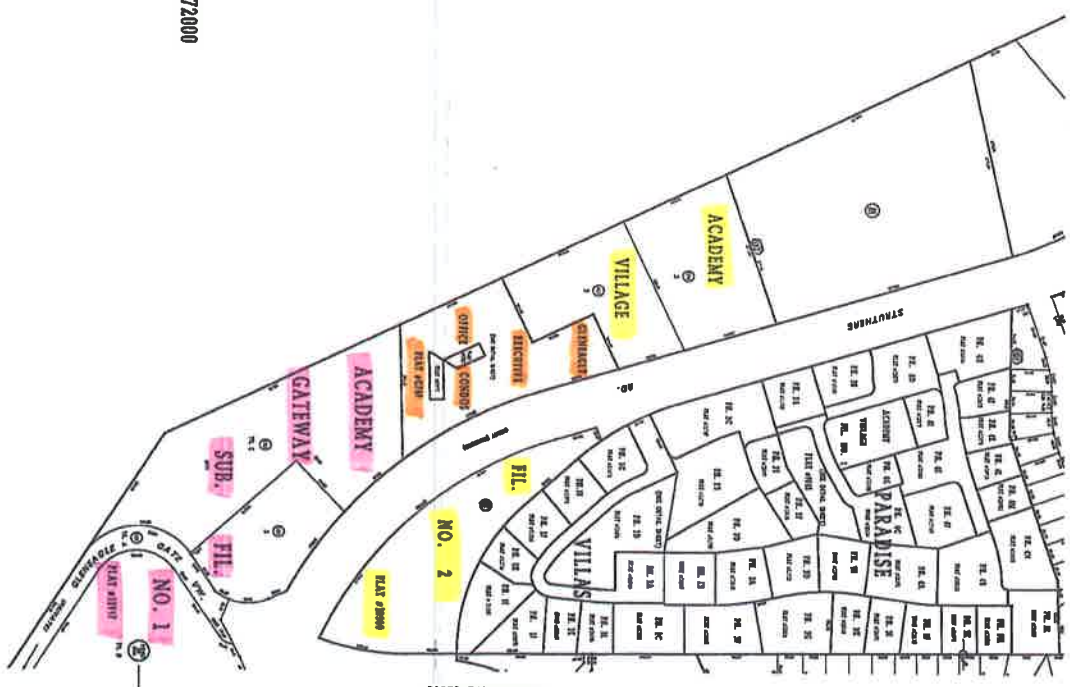
December 28, 2017



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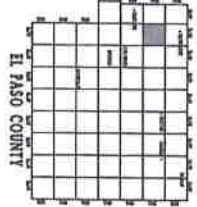
ADJOINING 72000 & 72011



72014



ADJOINING 72000



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ONE TOWNSHIP

ASSESSOR



January 04, 2017



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