



MERIDIAN SERVICE METROPOLITAN DISTRICT

Water, Wastewater, Parks and Recreation

11886 Stapleton Dr, Falcon, CO 80831

719-495-6567, Fax 719-495-3349

November 18, 2020

Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910-3127
Attn: Craig Dossey

RE: Meridian Service Metropolitan District
Well Sites #5, #7 & #8 – Laramie Fox Hills (154-BD), Arapahoe (155-BD), Denver (156-BD) and
Dawson (157-BD) Wells
Relevance to Guidelines & Regulations for Areas and Activities of State Interest

Dear Mr. Dossey:

Meridian Service Metropolitan District (MSMD, the District), is in the planning and design phases of Well Sites #5, #7 & #8 and watermain to connect the proposed wells to the water system. Well Site #5 is located on Tract F of Meridian Ranch Filing No. 11A. Well Sites #7 and #8 and their connection to the existing system are located in recorded easements within Falcon Regional Park. The wells located at the proposed sites will extract groundwater from the Denver Basins of the Laramie Fox Hills aquifer as appropriated with 154-BD, Arapahoe aquifer appropriated with 155-BD, Denver aquifer appropriated with 156-BD and Dawson aquifer appropriated with 157-BD. MSMD owns the rights to 755 ac-ft of Laramie Fox Hills, 942 ac-ft of Arapahoe, 1,171 ac-ft of Denver and 851.9 ac-ft of Dawson water under Meridian Ranch. All well permits have been obtained or are in process of being acquired. The final permits are expected to be issued by the State within 30 days.

The well sites and watermain are located in Falcon, CO. Well Site #5 is northeast of the intersection of Rainbow Bridge Drive and Mount Harvard Drive, north of Londonderry Drive. Well Site #5 is located on Tract F of Meridian Ranch Filing No. 11A, owned and maintained by MSMD and its designated uses include utility placement. Well Sites #7 and #8 are in recorded easements within the east side of Falcon Regional Park, west of and adjacent to Eastonville Road. The watermain is to be located within an existing 60' utility easement adjacent to the west right-of-way line of Eastonville Road. No additional easements will be necessary for this project.

Each well site includes the potential for up to three wells, 4" ductile iron pipe connecting to a below ground well vault, an electric building, and the appropriately sized watermain to connect to the existing system. The watermain will be 10" or smaller along the northern boundary of Meridian Ranch and 6" or smaller pipe size along Eastonville Road. A site plan exhibit is enclosed with this letter.

Project appears satisfy the exemption requirements as outlined in Section 3.104 of the 1041 Regulations. Specifically, the well sites will not as an aggregate produce more than 500 AF per year. The four similarly outfitted well sites withdrawing appropriations from the Arapahoe and Laramie Fox Hills



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aquifers have on average produced 80 AF per year each. In August 2020 a single well site did produce 180 AF, this occurred with one well site inoperable for most of the year and prior to a new well site beginning production. It is estimated that the average production of each well site will continue to be 80 AF per year for an annual total production rate of less than 250 AF per year for this project. The addition of the three new well sites should reduce the production demands of all of the existing wells operated by MSMD.

Looking at the well sites from the maximum possible production for each site; that is pumping at the expected rate constantly for an entire year the annual production for the project equates to 460 AF per year. The figure is derived from the average pumping rate during 2020 from all the similar outfitted well sites located on Meridian Ranch and assume the pumps will run constantly for an entire year. The average combined pumping rate these well sites equates to 95 GPM yielding 153 AF per year per well site.

The project also appears to be exempt in that it is to be located on land designated as well sites and located within existing recorded easements or within a tract set aside as open space with provisions for utility usage. The well sites have been identified on the approved Sketch Plan for Meridian Ranch since 2011. The location of well site 5 on Tract F of Meridian Ranch Filing 11A final plat owned and maintained by the District and permits utilities among other uses recorded in 2014. Well site #7 and #8 easements and the utility easement for the pipeline were identified and recorded in 2014. This seems to fit into the exemption outlined under allowed exemptions found in Section 1.105 paragraphs 3, 4, and 5.

Under Article 1 General Provisions of Chapter 4, 'Site Selection and Construction of Major New Domestic Water and Sewage Treatment Systems and Major Extensions of Existing Domestic Water and Sewage Treatment Systems,' this project does not fall within the Regulations for Areas and Activities of State Interest. More specifically, Section 4.101 Designation of Activities of State Interest, subsection 1 relates to a new water supply system, new water treatment plants or extensions of those systems or plants that include water storage and line extensions; none of which apply in this case. Subsection 2 relates to the same as subsection 1 except for commercial and/or industrial use; again, does not apply in this case. Subsection 3 does not apply as the proposed project is a well and not a sewer system as this subsection applies. Subsection 4 does not apply, as this project is maintenance and capacity related to an extension of existing mains and not tied to any subdivision development.

With respect to Water Supply Systems, the proposed wells do not add new water to the system other than what is already appropriated to MSMD. The water to be extracted is from water rights already owned and extracted by the District for use by the community. The water treatment plant does not require increased capacity as a result of the wells being drilled.

After researching El Paso County's "Guidelines and Regulations for Areas and Activities of State Interest (the Regulations)," we are submitting the following information related to Section 1.105 Exemptions to demonstrate that the project does not apply to the Regulations. Below are excerpts from the Regulations followed by rationale and information related to this project:



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Section 1.105 – Exemptions

1. The specific development or activity is authorized by a valid building Permit issued by the Pikes Peak Regional Building Department on behalf of the County.

The proposed activity is not applicable to line item number 1.

2. The specific development or activity was directly approved by the electorate of the State or of the County; provided that approval by the electorate of any bond issue shall not, in and of itself be construed to be an approval of the specific development or activity.

The existing activity of water distribution was approved by El Paso County and the Colorado Department of Public Health and Environment (CDPHE). The proposed activity is not a change to the process. Also, the approved capacity and treatment location of the water will not change.

3. The specific development or activity is to be on land which has been finally approved, with or without conditions, for planned unit development or for a use other than a subdivision substantially the same as a planned unit development, and a Site Development Plan has been approved by El Paso County prior to the effective date of these Regulations for the development or activity which would otherwise be subject to these Regulations.

The proposed activity is to be located on land designated as a Well Site on the finally approved Sketch Plan for Meridian Ranch and easement documentation for Falcon Regional Park. Well Sites 5, 7, & 8 have been identified as such since 2011. Filing 11A final plat indicates Tract F is owned and maintained by the District and its approved uses include among others is for utility use. The easements over the Falcon Regional Park for the watermain and the two well sites were identified and recorded in 2014 as part of the property transfer for the regional park.

4. The specific development or activity is to be on land which has been zoned by the County expressly and specifically for a use by right for the use contemplated by the development or activity and a Site Development Plan has been approved for the specific development or activity which would otherwise be subject to these regulations.

Well Site #5 proposed activity is on land zoned by the County for its current use, which will remain unchanged. The Well Site #7 and #8 and the watermain are located within easements agreed to for these uses and recorded in El Paso County records with the property transfer to the county for Falcon Regional Park.

5. These Regulations shall not apply to the division, subdivision or resubdivision of land, which complies with the Land Development Code, the El Paso County Engineering Criteria Manual and the City of Colorado Springs and the El Paso County Drainage Criteria Manual, as long as any exceedance of the thresholds in Section 6.105(3) are addressed in the land use approval process.

The proposed activity is not a division, subdivision or resubdivision process.

6. The day-to-day operations of an existing project or facility, or a minor change in the operation of an existing project or facility, including retrofitting or updating technology, so



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long as the change in operation does not constitute a material change and does not cause negative impacts different from that of the existing facility or project or otherwise exacerbate existing impacts. The determination of minor change, material change, and negative or exacerbating impacts shall be made by the Development Services Department Director.

There are no current "day-to-day" activities associated with the location, nor will there be any day-to-day operations of the well (as far as being visited daily by personnel).

There are no negative impacts from a well. Only a new water source to the system, and that source has been approved by the State Engineer's Office and the location is shown on the approved sketch plan.

7. These regulations shall not apply to any use or structure otherwise lawfully existing on the date the area or activity is designated or subjected to these Regulations which use becomes nonconforming as a result of the adoption of these Regulations, provided, when such a nonconforming use shall be discontinued for one year or more or a nonconforming structure is damaged or destroyed to the extent of at least fifty (50) percent of the County Assessor's assessed value, any reuse, reconstruction, or replacement of such structure shall be deemed a new use and shall be subject to these Regulations. Additionally, expansion of a legal nonconforming use or structure shall require a Permit.

The proposed activity is not applicable to line item number 7.

Attached is an exhibit depicting the locations of the proposed well sites, the well permits issued by CDPHE, Falcon Regional Park agreement and recorded easement documents.

If I can provide any additional information, or if you have any questions, please feel free to contact me.

Sincerely,

Thomas A Kerby, PE
District Engineer
Meridian Service Metropolitan District
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Falcon, CO 80831
719.495.7444