

County Attorney

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August 21, 2024

SF-24-8 Village at Lorson Ranch Filing No. 1

Reviewed by: Lori Seago, Senior Assistant County Attorney  
April Willie, Paralegal

**WATER SUPPLY REVIEW AND RECOMMENDATIONS**

Project Description

1. This is a proposal by Cradlan, LLC (“Applicant”), to subdivide an approximately 9.725 +/- acre parcel into 6 commercial lots. The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimated its annual water needs to serve this subdivision at 12.93 acre-feet/year, which equates to 1.50 acre-feet per year per lot and is comprised of 9.05 annual acre-feet for commercial use and 3.88 annual acre-feet for irrigation. Based on these figures, the Applicant must provide a supply of 3,879 acre-feet of water (12.93 acre-feet/year x 300 years) to meet the County’s 300-year water supply requirement for the subdivision.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Widefield Water and Sanitation District (“District”). As described in the Water Resources Report (“Report”), the District has a current developed physical water supply of 5,271 acre-feet of water per year, and the three year average actual use is 2,898 acre-feet per year. The District’s water is sourced from a number of groundwater and surface water sources. The Report indicates that the district “has an excess capacity in their existing water supply system to serve this subdivision.”

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4. The District provided a letter of commitment for The Villages at Lorson Ranch Filing No. 1 dated April 4, 2024, in which the District committed to providing water service for the 6 commercial lots plus irrigation, for an annual water requirement of 12.93 acre-feet.

#### State Engineer's Office Opinion

5. In a letter dated May 22, 2024, the State Engineer reviewed the application to subdivide the 9.725 +/- acres into 6 commercial lots. The State Engineer stated that "[i]nformation in our files indicates the district has approximately 458 acre-feet per year of Denver basin ground water available for additional commitments." Further, the State Engineer stated that "...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."

#### Recommended Findings

6. Quantity and Dependability. Applicant's water demand for The Village at Lorson Ranch Filing No. 1 is 12.93 acre-feet per year for a total demand of 3,879 acre-feet for the subdivision for 300 years, to be supplied by Widefield Water and Sanitation District. **Based on the District's commitment to serve this subdivision and the State Engineer's conclusion that the District has sufficient water to provide such service, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for The Village at Lorson Ranch Filing No. 1.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the *Water Supply Information Summary*, the *Water Resources Report* dated April 2024 the *Widefield Water and Sanitation District* letter dated April 4, 2024, and the *State Engineer Office's Opinion* dated May 22, 2024. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

#### **REQUIREMENTS:**

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.

cc: Kylie Bagley, Project Manager, Planner