



July 19, 2022

Kari Parsons
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: Sanctuary Filing No. 1 at Meridian Ranch - Final Plat
Part of Sec. 20, Twp. 12S, Rng. 64W, 6th P.M.
Water Division 8, Water District 10
Upper Black Squirrel Creek Designated Basin
CDWR Assigned Subdivision No. 30359

To Whom It May Concern,

We have received the submittal to subdivide a 74± tract into 343 single-family residential lots and Tracts A-E. These lots will be approximately equal in size (3-4.5 acres in size) with no existing wells on any lots. The water supply will be provided by Meridian Service Metropolitan District (“District”) with wastewater disposed of by a central system operated by Cherokee Metro District and Meridian Service Metropolitan District.

Water Supply Demand

The Water Supply Information Summary, included with the submittal, estimated a total annual use for the subdivision of 107 acre-feet for all uses within the subdivision. This breaks down to 106 acre-feet/year for residential use and 1± acre-feet/year for irrigation.

Source of Water Supply

Meridian Service Metropolitan District is the proposed water supplier. The District has provided a letter dated April 28, 2022 committing to serve this development with 107 acre-feet/year.

The proposed source of water for this subdivision is a bedrock aquifer in the Denver Basin. The State Engineer’s Office does not have evidence regarding the length of time for which this source will be a physically and economically viable source of water. According to 37-90-137(4)(b)(I), C.R.S., “Permits issued pursuant to this subsection (4) shall allow withdrawals on the basis of an aquifer life of one hundred years.” Based on this **allocation** approach, the annual amounts of water decreed is equal to one percent of the total amount available as determined by Rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules, 2 CCR 402-7. Therefore, the water may be withdrawn in those amounts for a maximum of 100 years.

In the El Paso County Land Development Code, effective November, 1986, Chapter 5, Section 49.5, (D), (2) states:



“-Finding of Sufficient Quantity – The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of three hundred (300) years.”

Information provided to our office indicates the District’s water rights total approximately 2,088 acre-feet/year for a period of 300 years. The District has a current committed supply of 1,670 acre-feet/year. The uncommitted annual supply of 418 acre-feet is more than the estimated annual demand of 107 acre-feet/year for the Sanctuary Filing No. 1 at Meridian Ranch.

Should the development include construction and/or modification of any storm water structure(s), the Applicant should be aware that, unless the storm water structure(s) 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*, available online at: https://dnrweblink.state.co.us/dwr/0/edoc/3576581/DWR_3576581.pdf?searchid=978a5a31-ddf9-4e09-b58c-a96f372c943d, to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.

State Engineer’s Office Opinion

Based on the above, it is our opinion, pursuant to CRS 30-28-136(1)(h)(l), that the anticipated water supply can be provided without causing material injury to decreed waters.

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 the demands of the proposed subdivision.

Our opinion is qualified by the following:

The 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 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. Furthermore, that applicant will need to apply for, and obtain a new well permits issued pursuant to Section 37-90-137(4) C.R.S.

Should you or the applicant have questions regarding any of the above, please contact me at this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Franco". The signature is fluid and cursive, with the first name "Ivan" being more prominent than the last name "Franco".

Ivan Franco, P.E.
Water Resource Engineer

cc: Division 2 Engineer
District 10 Water Commissioner