



EL PASO COUNTY

Office of the County Attorney
Civil Division

KENNETH R. HODGES, COUNTY ATTORNEY

Nathan J. Whitney, First Assistant County Attorney | Steven A. Klaffky, Chief Deputy County Attorney

October 5, 2026

MS-21-2 Bradley Point Filing No. 1

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

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Bradley Point LLC ("Applicant"), to develop an approximately 9.74 +/- acre parcel to legalize a previously illegal subdivision of land into 2 lots. The property is zoned M (Industrial).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* ("WSIS"), the Applicant estimated its annual water needs to serve this subdivision at 2.24 acre-feet/year for industrial uses on 0.46 acres with approximately 0.04 acre-feet/year allocated for irrigation for a total demand of 2.28 acre-feet/year. Based on these figures, the Applicant must provide a supply of 684 acre-feet of water (2.28 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 Security Water District ("District"). As detailed in the *Security Water District Water Resources Report* updated June 23, 2025 ("*Report*"), the District's water supply is sourced from wells drilled into Widefield and Windmill Gulch Aquifer, Fry-Ark Project water, surface water rights, and a mix of various sources. The *Report* indicates that current water supplies "can support approximately 6,038 acre-feet per year of physical deliveries to Security". Applying a 10 percent contingency for climate change or other future reductions to Security's water supplies results in the calculated water system yield of 5,434 acre-feet per year. The District currently has service commitments in the amount of 3,526 acre-feet per year, leaving an available balance for new commitments of 2,621 annual acre-feet.

4. The District's General Manager provided a letter of commitment for Bradley Point Filing No. 1 dated July 2, 2026, in which the District committed to providing water service for the industrial and irrigation uses in an amount up to 6.68 acre-feet per year.

State Engineer's Office Opinion

5. In a letter dated September 15, 2026, the State Engineer reviewed the application to subdivide the 9.74 +/- acres. The State Engineer identifies Security Water and Sanitation District as the source of water for the proposed development. Further, the State Engineer stated that "[p]ursuant to Section 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office offers the opinion that the proposed water supply appears to be adequate and can be provided without causing material injury to existing water rights so long as the water is used in accordance with applicable decrees and statute."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Bradley Point Filing No. 1 is 2.28 acre-feet per year for a total demand of 684 acre-feet for the subdivision for 300 years, to be supplied by Security Water and Sanitation District. **Based on the District's available water supply of approximately 2,621 annual acre-feet, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Bradley Point 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 September 2026, the *Security Water and Sanitation District* letter dated June 23, 2025, and the *State Engineer Office's Opinion* dated September 15, 2026. 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.
- B. **Prior to recording the final plat:**
 - 1. Delete Note 10 from the face of the plat.
 - 2. Provide for review by the County Attorney's Office an updated letter of intent that removes all references to this being a dry subdivision and that addresses the water sufficiency criteria for final plats, as a typical letter of intent would.

cc: Joe Letke, Project Manager, Planner