



November 10, 2021

Kari Parsons, Project Manager
Elbert County Community & Development Services
Transmitted via the EPC EDARP Portal: epcdevplanreview.com

Re: Latigo Trails Filing No. 10 (Final Plat)
Case No. SF2136
Part of the S ½ of Sec. 17, Twp. 12S, Rng. 64W, 6th P.M.
Upper Black Squirrel Creek Designated Basin
Water Division 2, Water District 10

Dear Kari Parsons:

We have reviewed the above-referenced proposal for the Final Plat of Latigo Trails Filing No. 10, which will create 39 single-family lots on 107 acres in the S ½ of Sec. 17, Twp. 12S, Rng. 64W, 6th P.M.

Water Supply Demand

The estimated water demand for the filing is 13 acre-feet/year for household use, including irrigation.

Source of Water Supply

According to the September 10, 2021 Letter of Intent (“Letter”), the Latigo Trails Metropolitan District (LTMD), a new metropolitan district to be formed upon the final plat recording, will serve the filing (page 3). However, later in the Letter it is stated that the Meridian Service Metropolitan District (MSMD) will serve the filing. MSMD currently services the other Latigo filings (which are considered an out of district user) per a 2001 Intergovernmental Agreement to provide 292 Single-Family Equivalents to the Latigo development. According to the September 7, 2021 letter (“will serve letter”) from MSMD, the district is committed to providing service to all lots within Filing No. 10. It is not clear whether MSMD will be a distributor for LTMD. Prior to further review, the applicant must specify the water supplier for this filing.

Our office has information regarding MSMD but that information is not up to date. According to the September 2021 Latigo Trails Filing No. 10 Water Resources Report (“Report”), MSMD has 6,088 annual acre-feet based on a 100-year supply. MSMD obtains their supply from nontributary Denver Basin bedrock aquifer wells and alluvial wells which withdraw under various determinations of water rights or final permits owned and controlled by MSMD at Meridian Ranch, Guthrie Ranch, Latigo Trails, and Hart Ranch. This information is summarized in Table 3 of the Report. Table 3 of the Report and the will serve letter states that 2,163 annual acre-feet based on a 300-year supply is available to MSMD. This quantity varies from the information available in our office. The district must clarify the amount of firm water supply available to them. Specifically the following items must be clarified:

- Table 3 claims the water quantified in 230-BD as part of the firm water supply. In order to claim such water MSMD must show that a Commission approved replacement plan for the groundwater has been obtained.



- Table 3 states that the water allocated in Determination of Water Rights 2099-BD and 2100-BD was split equally between MSMD and Woodmen Hills Metropolitan District. However the values in Table 3 are less than 50 percent of the water allocated in those determinations. The Applicant must clarify their interest in the water associated with 2099-BD and 2100-BD, including the basis for such interest.
- In determining the firm supply the applicant must account for that portion of the groundwater required to meet replacement obligations associated with 157-BD, 570-BD, 228-BD and 229-BD.
- The allowed places of use for Determination of Water Right Nos. 228-BD, 229-BD, and 230-BD do not include the portion of the S ½ of Sec. 17, Twp. 12S, Rng. 64W that comprises this filing. Therefore MSMD must clarify which sources will be used to serve this development.

According to the Report, MSMD currently serves Meridian Ranch Filings 1 - 11, Estates 2 & 3, Latigo Trails 2A, 7, & 8, Stonebridge Filing 1 - 4, The Vistas Filing 1, Windingwalk, and RHR 1-3, ERHR 1 & 2. The present demand on MSMD's water supplies is 1,716 acre-feet/year (which includes the anticipated demand due to the final platting of Filing No. 9 which is currently pending). The additional demand for Latigo Trails Filing No. 10 will commit another 13 acre-feet/year. This information is summarized in Table 2 of the Report. According to the will serve letter, MSMD anticipates a demand of 2,035 acre-feet/year at full build out of 4,500 single-family homes. This exceeds MSMD's apparent supply of 2,163 acre-feet/year (based on a 300-year water supply).

State Engineer's Office Opinion

Based on the above and pursuant to section 30-28-136(1)(h)(II), C.R.S., the State Engineer's Office has not received enough information to render an opinion regarding the potential for causing material injury to decreed water rights, or the adequacy of the proposed water supply. **Prior to further review of the subdivision water supply plan the following information is required.**

1. Clarification of which water supplier will provide service to the subdivision.
2. A summary of water rights owned and controlled by the above water supplier and evidence of that ownership and control. See above for additional questions.
3. Evidence that the groundwater allocated in Determination of Water Right Nos. 228-BD, 229-BD, 230-BD, 2099-BD, and 2100-BD can be used on the land on which Filing No. 10 will be platted, specifically that portion of the S ½ of Sec. 17, Twp. 12S, Rng. 64W, 6th P.M.
4. The amount of uncommitted firm supply the above water supplier has available for future commitment and development.

Note that Item 4 can be satisfied by showing that the district currently has adequate water to supply all of its water commitments at full build-out.

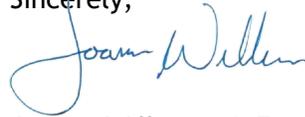
Additional Comments

According to the submitted material, stormwater detention structure(s) will be developed on the site. The applicant should be aware that, unless the structure can meet the requirements of a "storm water detention and infiltration facility" as defined in Designated Basin Rule 5.11, the structure may be subject to administration by this office. The applicant should review Rule 5.11 to

determine whether the structure meets the requirements of the Rule and ensure any notification requirement is met.

If you or the Applicant have any questions, please contact Wenli Dickinson at (303) 866-3581 x8206 or at Wenli.Dickinson@state.co.us.

Sincerely,

A handwritten signature in blue ink that reads "Joanna Williams". The signature is written in a cursive style with a large initial 'J'.

Joanna Williams, P.E.
Water Resource Engineer

Ec: Referral No. 28922
Keith Vander Horst, Chief of Water Supply, Designated Basins
Upper Black Squirrel Ground Water Management District