



COLORADO

Division of Water Resources

Department of Natural Resources

1313 Sherman Street, Room 821

Denver, CO 80203

March 23, 2018

Raimere Fitzpatrick
El Paso County Planning Department
Transmitted via email:
raimerefitzpatrick@elpasoco.com

RE: Hadden Heights No. 2, Lot 18B
SE ¼ of Sec 13, T13S, R65W, 6th P.M.
Upper Black Squirrel Creek Designated Ground Water Basin
Water Division 2, Water District 10

Dear Mr. Fitzpatrick:

We have received your January 9, 2018 submittal concerning the above-referenced proposal to vacate an existing 10.210 acre lot (original Lot 18, Hadden Heights Subdivision) and re-plat 5.105 acres of that original lot into a new residential lot (proposed Lot 18B, Hadden Heights No. 2).

Review of your submittal and the permit files in our office indicates the purpose of this action is because in 1986 (or possibly by an earlier deed) the subject 5.105 acres was deeded from original 10.210 acre Lot 18 without obtaining proper county approval, and the owner is now trying to legalize with the county the subject 5.105 acres as proposed Lot 18B.

This submittal is presented as a one lot subdivision (Lot 18B, Hadden Heights No. 2) by the county. This submittal does not address the water supply of the remaining 5.105 acre portion of original Lot 18, Hadden Heights.

Water Supply Demand

The Water Supply Information Summary sheet estimates the demand for water is one acre-foot per year.

Source of Water Supply

The proposed water source for the property is an existing Denver aquifer well constructed under well permit no. 191102.

Review of our files indicates the following history of the well permits related to the subject property.

- Hadden Height subdivision was approved by the County in 1973 for a total of 26 lots, consisting of 25 residential lots and one lot (Lot 18) described on the plat map as Park Area Dedicated To Public Use.
- In 1977 our office issued well permit no. 88657 for a well on Lot 19. That well appears to exist on Lot 19.
- In 1982 our office issued well permit no. 126992, also for a well on Lot 19. It appears well permit no. 126992 actually exists on (and may have intended to be applied for) original Lot 18. Well permit no. 126992 appears to be located within the remaining 5.105 acre portion



of original Lot 18 that is not the subject of proposed Lot 18B.

- In 1986 (or possibly by an earlier deed) 5.105 acres (proposed Lot 18B) was deeded from original Lot 18.
- In a letter dated April 21, 1987 our office approved a water supply to the Hadden Heights subdivision, consisting of a Denver Aquifer well on each lot. It is not clear whether this letter was referring to the 25 residential lots of the original subdivision or all 26 lots of the original subdivision. It is unlikely our office was aware at this time that the subject acreage (proposed Lot 18B) had been deeded from original Lot 18.
- In 1995 our office issued well permit no. 191102 on the subject 5.105 acres (proposed Lot 18B).

Even though the County did not consider the subject acreage (proposed Lot 18B) as a legal lot at the time permit no. 191102 was issued, since our office issued well permit no 191102 for the subject acreage our office will consider this permit to be valid and the well can be used to serve proposed Lot 18B as long as the well is operated in accordance with the terms and conditions of the well permit.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(l), 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.

If you, or the applicant, have any questions, please contact Joanna Williams at 303-866-3581 ext. 8265.

Sincerely,



Keith Vander Horst
Chief of Water Supply, Basins

Cc: Division 1
Well permit nos. 88657, 126992, 191102

HaddenHeights2Lot18B.docx