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November 14, 2024

SP-24-1 Monument Ridge East

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

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a proposal by Monument Ridge East, LLC (“Applicant”), to subdivide an approximately 63 +/- acre tract of land into 37 single-family detached residential lots and 303 multi-family attached units. The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the *Water Supply Information Summary* (“WSIS”), the Applicant estimates its annual water needs to serve this subdivision at 94.72 acre-feet/year with no request for irrigation. Based on these figures, the Applicant must provide a supply of 28,416 acre-feet of water (94.72 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 Woodmoor Water & Sanitation District No. 1. The *Water Resources Report* (“*Report*”) estimates the total annual water demand for the subdivision at 94.72 acre-feet/year, consisting of household uses. The *Report* indicates that the District’s decreed Denver Basin water rights annual entitlement available for use totals 6,322.4 acre-feet per year. This amount is in addition to exchange water rights and senior surface water rights owned by the District. The total water commitment to serve existing development from Denver Basin water as of 2022 is 2,575 annual acre-feet. “[T]he District has an excess of 3,747.4 af/yr of Denver Basin water rights annual entitlement available for future water commitments.”

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4. The Woodmoor Water & Sanitation District No. 1 District provided a letter of commitment dated August 7, 2024, for Monument Ridge East, in which the District committed to providing water service for the 340 units in an annual amount of 94.72 acre-feet per year. This commitment is contingent upon the Applicant entering into a Supplemental Water Service agreement with the District and complying with all District rules, regulations, specifications, and policies.

State Engineer's Office Opinion

5. In a letter dated October 28, 2024, the State Engineer's Office reviewed the application to subdivide the 63 +/- acres into 37 single-family detached residential lots and 303 multi-family attached units/lots. The State Engineer stated that "[t]he proposed water supplier is Woodmoor Water and Sanitation District ("District")." The State Engineer noted the estimated water demand of 94.72 acre-feet per year for the subdivision. Further, the State Engineer stated that "...pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply is adequate and can be provided without causing injury to decreed water rights..." The State Engineer requires that a Well Abandonment Report be filed prior to subdivision approval for the existing well on the property.

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Monument Ridge East is 94.72 acre-feet per year for a total demand of 28,416 acre-feet for the subdivision for 300 years, to be supplied by Woodmoor Water & Sanitation District No. 1. **Based on the District's available water supply of approximately 3,747 annual acre-feet, but given the District's requirement of a Supplemental Water Service Agreement, the County Attorney's Office recommends a finding of conditional sufficiency as to water quantity and dependability for Monument Ridge East.**

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 2024, the *Woodmoor Water & Sanitation District No. 1* letter dated August 7, 2024, and the *State Engineer Office's Opinion* dated October 28, 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.
- B. Prior to **approval** of the first final plat for this preliminary plan, Applicant must provide proof that a Well Abandonment Report has been filed with the State Engineer's Office for the existing well under permit no. 167104-A.
- C. Prior to **recording** the first final plat for this preliminary plan, Applicant must provide proof that it has entered into an approved Supplemental Water Service Agreement with the District.

cc: Kylie Bagley, Project Manager, Planner