



May 12, 2021

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

RE: Bridle Bit Road Replat/Terra Benedetta Subdivision
Sec. 10 and 11, Twp. 12S, Rng. 66W, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Subdivision No. 27686

To Whom It May Concern,

We have received the submittal to subdivide a 25.4 +/- acres into three lots. These lots will be created by adjusting the existing lot lines between Lot 10, Bridle Bit Ranch Subdivision and two adjacent unplatted parcels. This proposed is being evaluated as a new plat. The proposed supply of water for this development is to be served by individual on-lot wells and wastewater is to be served by individual septic systems.

Water Supply Demand

The Water Supply Information Summary, Form No. GWS-76, was not included with the referral. Please note that this document should be included with future referrals to clarify information regarding estimate water requirements. It should be noted that standard water use rates, as found in the *Guide to Colorado Well Permits, Water Rights, and Water Administration*, are 0.3 acre-foot per year for each ordinary household, 0.05 acre-foot per year for four large domestic animals, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation.

Source of Water Supply

The anticipated source of water is to be provided by three on-lot wells producing from the Dawson aquifer.

A review of our records also found the groundwater in the Dawson, Denver, Arapahoe and Laramie-Fox Hills aquifers underlying the two unplatted parcels was adjudicated in Division 2 Water Court Case No. 03CW34. According to the decree referenced above, the following amounts of water shown in Table 1, below, were determined to be available underlying the 20.0 ± acre tract of land owned by the applicant.



Table 1 - Denver Basin Ground Water Rights

Aquifer	Tributary Status	Annual Allocation 100 Year (AF/Year)	Annual Allocation 300 Year (AF/Year)
Dawson	NNT	3.6	1.2
Denver	NNT 4%	17.3	5.7
Arapahoe	NNT 4%	7.99	2.6
Laramie-Fox Hills	NT	5.7	1.9

Judicial approval of a plan for augmentation is required prior to withdrawing water from the Dawson, Denver, or Arapahoe aquifers.

This office has record of two existing wells located on the property. Well permit no. 126812 was issued on August 18, 1982 to withdraw groundwater underlying 20 acres from the not-nontributary Dawson aquifer for domestic use, including the irrigation of not more than one (1) acre of home lawn and garden. Section 37-92-602(3)(b)(III), C.R.S., requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. **Prior to further evaluation of the water supply plan the applicant must clarify if the well will be used within the subdivision or if the well will be plugged and abandoned. If well will be used within the subdivision, the well must be re-permitted pursuant to a water court approved augmentation plan prior to subdivision approval.**

Well permit no. 308950 was issued on April 10, 2018 pursuant to section 37-92-602(3)(b)(I), C.R.S. for a well on Lot 10, Bridle Bit Ranch to withdraw 1.18 acre-foot per year from the not-nontributary Dawson aquifer for ordinary household purposes inside one single family dwelling, the watering up to two (2) head of large domestic animals and the irrigation of not more than 17,000 square feet of home lawn and garden. Section 37-92-602(3)(b)(III), C.R.S., requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. **Prior to further evaluation of the water supply plan the applicant must clarify if the well will be used within the subdivision or if the well will be plugged and abandoned. If well will be used within the subdivision, the well must be re-permitted pursuant to a water court approved augmentation plan prior to subdivision approval.**

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."

According to correspondence with the county planning department, the three parcels that are the subject of this proposed subdivision must meet the three hundred year requirement. The State Engineer's Office does not have evidence regarding the length of time for which this source will "meet the average annual demand of the proposed subdivision."

State Engineer's Office Opinion

Based on the above and pursuant to Section 30-28-136(1)(h)(I), 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. A completed Water Supply Information Summary Sheet (GWS-76), or report, that specifies the water requirements for the subdivision and the proposed water supply to meet the county's 300 year water supply requirements.
2. The applicant must clarify if the existing wells under permit nos. 308950 and 126812 will be plugged and abandoned or if the wells will be re-permitted pursuant to a water court approved augmentation plan.

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

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

cc: Bill Tyner, Division 2 Engineer
Doug Hollister, District 10 Water Commissioner