



September 11, 2025

Kari Parsons, Project Manager
El Paso County Development Services Department
Sent via online portal at: <https://epcdevplanreview.com>

Re: Retreat at Prairie Ridge, Filings 1 - 3 (a.k.a. Jaynes)
File No. SP239
Part of Sections 28 and 33, Twp. 12 South, Rng. 65 West, 6th P.M.
Water Division 2, Water District 10
CDWR Assigned Referral Nos. 31142 - 5th Letter

Dear Kari Parsons:

We have reviewed the updated information provided via email on August 27, 2025 on the above referenced referral to subdivide 108.93 acres into 193 single-family lots, a community park, open space, and detention facilities. The proposed source of water is service provided by the Falcon Area Water and Wastewater Authority (FAWWA). Of the total 193 lots only 187 lots within Filing 1 and 2 will be served by FAWWA and the remaining 6 lots within Filing 3 will be served by individual on lot wells to be constructed in the not nontribuary Dawson aquifer operating pursuant to the decreed augmentation plan decreed in case no. 2024CW3007 for 5 lots and one lot will be supplied by an existing exempt well operating under permit no. 285607. Therefore, the comments provided in this letter are specifically for the central water system for the 187 lots supplied by FAWWA.

Also, the comments in this letter will supersede the comments provided in the April 24, 2025 letter for the entire development.



Water Supply Demand

According to a new Water Supply Information Summary Sheet and the revised Water Resource Report (“Report”) prepared by RESPEC from July 29, 2025, the water demand for the 187 lots within Filing 1 and 2 is estimated at 65.14 acre-feet/year for household purposes. Also, the estimated water demand for irrigation of active common areas landscaping is 6.35 acre-feet and for passive common area landscaping is 6.08 acre-feet for all 187 lots. The resulting water demand on the central water system provided by FAWWA is 77.56 acre-feet.

Source of Water Supply

The proposed source of water supply for all 187 lots is central service provided by the FAWWA. According to the revised commitment letter dated July 31, 2025, FAWWA is committed to providing the 77.56 acre-feet/year of water required by all 187 lots and miscellaneous landscaping.

FAWWA has a water supply of 1,960.33 acre-feet/year based on a 300-year supply consisting of Denver Basin aquifer water adjudicated in Water Court case nos. 85CW131 (Shamrock West water), 86CW19, 91CW35, 93CW18/85CW445 (Bar-X Ranch water), 07CW56 (augmentation plan approved in 24CW3007), 08CW113, 17CW3002, 18CW3002, 20CW3059, 23CW3009 (Well Field and Augmentation Plan), and Determination of Water Right nos. 1689-BD, 1690-BD, and 1691-BD (McCune water). A summary of these water rights was described in the July 29, 2025 revised Report.

Based on information provided in the revised Report, FAWWA has 1,147.24 acre-feet/year based on a 300-year supply in commitments as of July 29, 2025, resulting in 813.09 acre-feet/year based on a 300-year supply of uncommitted supply.

Allocation Approach

The proposed source of water for this subdivision is bedrock aquifers 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. The Denver Basin water rights adjudications have been decreed by the State of Colorado, Water Division 1 District Court, Water Division 2 District Court, and the Colorado Groundwater Commission. According to section 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." Additionally, according to section 37-90-107(7)(a), C.R.S., "Permits issued pursuant to this subsection (7) shall allow withdrawals on the basis of an aquifer life of 100 years." Based on this allocation approach, the annual amounts of water allocated in the decrees and determinations are equal to one percent of the total amount, as determined by Rules 8.A and 8.B of the Statewide Nontributary Ground Water Rules (2 CCR 402-7) and by rule 5.3.2.1 of the Designated Basin Rules (2 CCR 410-1). Therefore, the water may be withdrawn in those annual amounts shown on attached Table 1 for a maximum of 100 years.

The *El Paso County Land Development Code*, Section 8.4.7.(B)(7)(b) states:

"(7) Finding of Sufficient Quantity

(b) Required Water Supply. The water supply shall be of sufficient quantity to meet the average annual demand of the proposed subdivision for a period of 300 years."

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." However, treating El Paso County's requirement as an allocation approach based on 300 years, the allowed average annual amount of withdrawal would be reduced to one third of that amount or 1,960.33 acre-feet/year, which is greater than the annual demand of FAWWA's commitments of 1,147.24 acre-feet/year. As a result, the water may be withdrawn in those annual amounts for 300 years. Therefore, there appears to be sufficient legal supply to serve this development on a 300-year basis.

Additional Comments

The application materials indicate that stormwater detention structure(s) may be part of this project. The Applicant should be aware that unless the structure(s) can meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), C.R.S., the structure(s) may be subject to administration by this office. The Applicant should review DWR’s Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado to ensure that the notification, construction and operation of the proposed structure meets statutory and administrative requirements. The Applicant is encouraged to use the Colorado Stormwater Detention and Infiltration Facility Notification Portal to meet the notification requirements.

State Engineer’s Office Opinion

Based upon the above and pursuant to section 30-28-136(1)(h)(I) and section 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply for the central water system for the 187 lots within Filing 1 and 2 of the Retreat at Prairie Ridge, is adequate and can be provided without causing injury to decreed water rights:

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on current estimated aquifer conditions.

Our opinion that the water supply can be **provided without causing injury** is based on our determination that the amount of water that is legally available on an annual basis, according to the statutory allocation approach, for the proposed uses on the subdivided land is greater than the annual amount of water required to supply existing water commitments and the demands of the proposed subdivision.

Our opinion is qualified by the following:

The Water Court and Ground Water Commission have retained jurisdiction over the final amount of water available pursuant to the above-referenced water rights, pending actual geophysical data from the aquifer.

The amounts of water in the Denver Basin aquifer, and identified in this letter, are calculated based on estimated current aquifer conditions. The source of water is from a non-renewable aquifer, the allocations of which are based on a 100-year aquifer life. The county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years (or 300 years) used for allocation due to anticipated water level declines. We recommend that the county determine whether it is appropriate to require development of renewable water resources for this subdivision to provide for a long-term water supply.

Please contact me at this office (303) 866-3581 x8246 or at ioana.comaniciu@state.co.us with any questions.

Sincerely,



Ioana Comaniciu, P.E.

Water Resource Engineer

Attachments-Table 1 SEO Calculation of FAWWA Supplies

FAWWA Water Supplies	Aquifer	Finding / Determination / Decree	Tripartite Status	Volume (AF)	Annual Allocation 100 Year (AF/yr)	Annual Allocation 300 Year (AF/yr)	Subtotal 300 Year (AF/yr)	Evidence of Ownership	Notes	Approved Well Locations
Last Updated		85CW131	NT	0.00	0.00	0.00		Special Warranty Deed	Not included in FAWWA's calculations of water supply.	LFH-1, LFH-2, LFH-3, LFH-4, LFH-5, LFH-6
9/11/2025		91CW18/85CW445	NT	53,200.00	552.00	184.00		Special Warranty Deed	Applicant was deeded 552af of NT KLF water decreed in 85CW445 in two separate transactions	KLF1 - KLF4
		86CW19	NT	5,900.00	539.00	179.67		FAWWA Assignment from SR Water	Under 1410 acres	LFH-1
		91CW35	NT	3,600.00	36.00	12.00		Quit Claim		
PLEASE DO NOT SAVE MULTIPLE COPIES OF THIS SPREADSHEET IT IS TOO CONFUSING.		07CW0056	NT	3,850.00	38.50	12.83		Quit Claim	480af reserved for augmentation under 24CW3007, not accounted yet by FAWWA until aug plan is approved.	
	Laramie Fox Hills	08CW113	NT	40.00	0.40	0.13	493.98	FAWWA Assignment from SR Water	Under 41.44 acres, reduced to 1.44 acres	
		17CW3002	NT	6440.00	64.40	21.47		Assignment/Assumption Agreement	Applicant only deeded 64.4af of 98af of NT KA	
		17CW3002	NT	-612.00	-6.12	-2.04		-	PPD Augmenting 29 wells; relinquished	
		17CW3002	NT	-2796.00	-27.96	-9.32		-	Reserved for post-pumping for 18CW3002	
		20CW3059	NT	2,780.00	27.80	9.27		-		
		24CW3007	NT	9.30	9.30	3.10		FAWWA Assignment from SR Water		
		07CW0056	NT	-1440.00	-14.40	-4.80		-		
JUST UPDATE THE EXISTING ONE AND DATE THE UPDATE		1689-80	NT	26,300.00	263.00	87.67		Special Warranty Deed		Place of use includes Sterling Ranch Metro's boundaries; see Note 1
		85CW131	NT	4,740.00	47.40	158.00		Special Warranty Deed	Presumably applicant only owns 47.4af of the 616 af of NT KA decreed in 85CW131	
		85CW131	NNT	2,500.00	0.00	0.00		Special Warranty Deed	Needs Augmentation, presumably applicant only owns 25af of 237af NT KA decreed in 85CW131	
		86CW18	NT	5,750.00	575.00	191.67		FAWWA Assignment from SR Water	Under 1410 acres	KA1-KA4
		91CW35	NT	4,900.00	49.00	16.33		Quit Claim		KA-1
	Arapahoe	93CW18/85CW445	NT	7,950.00	79.50	263.50	828.76	Special Warranty Deed	Applicant was deeded 790.50af of 813 NT KA water decreed in 85CW445 in two separate transactions	
		07CW0056	NT	5,810.00	58.10	19.37		Quit Claim		
		08CW113	NNT	60.00	0.60	0.20		FAWWA Assignment from SR Water	Augmented under 20CW3059	Place of use includes Sterling Ranch Metro's boundaries
		17CW3002	NT	9,796.00	97.96	32.65		Assignment/Assumption Agreement		
		20CW3059	NNT	4,311.00	43.11	14.37		FAWWA Assignment from SR Water	Augmented under 20CW3059	Place of use includes Sterling Ranch Metro's boundaries
		1691-80	NT	3,980.00	39.80	132.67		Special Warranty Deed	Place of use includes Sterling Ranch Metro's boundaries; Sterling Ranch assigned all water/sanitary service to FAWWA via Assignment	Place of use includes Sterling Ranch Metro's boundaries
		85CW131	NT	19,700.00	197.00	62.38		Special Warranty Deed	Needs Augmentation, presumably applicant only owns 1057af of 1945af of NT TKD water decreed in 85CW131	D-1, D-2, D-3, D-4, D-5, D-6
		85CW131	NNT	10,570.00	0.00	0.00		Special Warranty Deed	Needs Augmentation, presumably applicant only owns 1057af of 1945af of NT TKD water decreed in 85CW131	
		91CW35	NNT	7,600.00	0.00	0.00		Quit Claim	Needs Augmentation, not included in FAWWA's calculations of water supply	DN-1
	Denver	93CW18/85CW445	NT	12,600.00	126.00	420.00	637.61	Special Warranty Deed	Applicant was deeded 1,260af of 1,360 NT TKD water decreed in 85CW445 in two separate transactions	
		93CW18	NT	-821.67	-8.22	-273.89		-	Post-pumping depletions reevaluation under 20CW3059	
		07CW0056	NNT	6,920.00	0.00	0.00		Quit Claim	Pending augmentation under 23CW3059	
		08CW113	NNT	7,280.00	72.80	242.98		FAWWA Assignment from SR Water	Augmented under 20CW3059	Place of use includes Sterling Ranch Metro's boundaries
		20CW3059	NNT	4,556.00	45.56	15.19		FAWWA Assignment from SR Water	Requires Permit 26947-F to be re-permitted (has not happened as of 2022); augmented under 20CW3059	Place of use includes Sterling Ranch Metro's boundaries
		1691-80	NT	51,300.00	513.00	175.00		Special Warranty Deed	Place of use includes Sterling Ranch Metro's boundaries; Sterling Ranch assigned all water/sanitary service to FAWWA via Assignment	Place of use includes Sterling Ranch Metro's boundaries
		85CW131	NNT	40,800.00	0.00	0.00		Special Warranty Deed	Needs Augmentation, presumably applicant only owns 498af of 1720af of NNT TDW water decreed in 85CW131	DA-1, DA-2, DA-3, DA-4
		91CW35	NNT	3,400.00	0.00	0.00		Quit Claim	Needs Augmentation, not included in FAWWA's calculations of water supply	DA-1
		93CW18/85CW445	NNT	12,800.00	0.00	0.00		Special Warranty Deed	Needs Augmentation	
	Dawson	07CW0056	NNT	3,490.00	0.00	0.00	0.00	Quit Claim	Augmented under 23CW3009	
		08CW113	NNT	39,250.00	0.00	0.00		FAWWA Assignment from SR Water	Not included in FAWWA's calculations of water supply.	
		16CW3095	NNT	0.00	0.00	0.00		Not owned by FAWWA	Augments 10 residential wells for 300 years; private wells not owned by FAWWA	
		18CW3002	NNT	0.00	0.00	0.00		Not owned by FAWWA	Augmentation Plan for 17CW3002 for 300 years; private wells not owned by FAWWA	
		20CW3059	NNT	975.00	0.00	0.00		FAWWA Assignment from SR Water	Not included in FAWWA's calculations of water supply.	
		Determination Total		11,740.00	1,174.00	391.34				
		Water Court Total		81,913.00	4,706.98	1,562.99			Includes water that is not augmented.	
		Total Currently Available		5,881.06	5,881.06	1,960.35			The total in May 20, 2023 Table 3 appears to exclude the water augmented under 16CW3095, 18CW3002, 20CW3059	
		Commitments		3,441.72	3,441.72	1,147.24			As of March 2025	
		Total Supply Remaining		24,939.34	24,939.34	813.11				

Notes 1 The Sterling Ranch Metropolitan District is wholly contained within FAWWA and is the largest part of FAWWA.

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