



January 18, 2021

Ryan Howser
El Paso County Development Services Department
Transmission via email: ryanhowser@elpasoco.com

Re: Monument Academy Minor Subdivision - Final Plat
File No. MS2110
E1/2 NW1/4, Section 15, T11S, R66W, 6th P.M.
Water Division 1, Water District 8

Dear Ryan Howser:

We have reviewed your referral dated January 4, 2022 regarding the above-referenced request for approval of a subdivision final plat, to allow for the development of 62.60 acres to include one lot totaling 19.38 acres to facilitate the existing Monument Academy high school, 2 individual tracts of 15.35 acres (Tract A), 19.90 acres (Tract B), to be held for future development; 2 individual tracts of 1.03 acres (Tract C) and 0.17 acres (Tract D), to be transferred to adjoining property owners as part of a property lot line adjustment; and a road Right-of-Way totaling 6.77 acres.

Water Supply Demand

The Water Supply Information Summary Sheet submitted in the referral material indicated that the estimated water requirements for the subdivision total 3.10 acre-feet annually. This amount breaks down to 2.29 acre-feet/year for the high school and 0.81 acre-feet/year for irrigation use of 0.5 acres. No estimates of water requirement were provided for the two lots to be held for future development or the two lots to be transferred to adjoining property owners.

Source of Water Supply

The proposed water supplier for the Monument Academy Minor Subdivision is the Walden Corporation (“Corporation”), a private water company. A letter of commitment from the Corporation was not included in the referral material. Therefore, prior to further review the Applicant must provide a letter of commitment for water from the Corporation.

According to a Water Resource Report (“Report”) dated December 8, 2021 prepared by Oliver E. Watts, Consulting Engineer, Inc., the Corporation operates seven Denver Basin ground water wells. Six of the wells withdraw ground water from the Dawson aquifer and were decreed as nontributary in Division 1 Water Court case nos. W-7843-74 and W-6220. The seventh well, permit no. 32697-F, withdraws ground water from the nontributary portion of the Denver aquifer.

The Report provided in the referral material, states that the total annual appropriation of the Corporation wells total 604 acre-feet/year. Based on our records the Corporation wells are



not currently fully developed to pump the total decreed amount. Therefore, the State Engineer's Office ("SEO") determined that the current withdrawal capacity of the seven wells is approximately 413.7 acre-feet/year, consisting of approximately 173.7 acre-feet/year from the Dawson aquifer and 240 acre-feet/year from the Denver aquifer. We have previously noted that the Dawson Well No. 6 is currently capable of producing 26 gallons per minute or 41 acre-feet/year. The Corporation re-drilled the Dawson Well No. 6, however the well is currently capable of producing 30 gallons per minute or 48 acre-feet/year. In addition, the Denver aquifer well is currently capable of producing 105 acre-feet per year. The Corporation has the ability to seek permits to construct additional wells into the Denver aquifer to withdraw the full allowed annual amount permitted to be withdrawn of 240 acre-feet per year.

In addition to the Dawson and Denver aquifers wells decreed in Cases W-7843-74 and W-6220), according to our records the Corporation obtained supplemental not nontributary Dawson aquifer water from the decree in consolidated Case Nos. 2002CW187 (Division 1) and 2002CW117 (Division 2). In the decree in consolidated Case Nos. 2002CW187 (Division 1) and 2002CW117 (Division 2), an augmentation plan was approved for the use of 93 individual wells in the not nontributary Dawson aquifer for the annual withdrawal of 0.47 acre-feet per well and 43.71 acre-feet total for 300 years (13,113 acre-feet total over 300 years). In Case No. 2015CW3007 the original augmentation plan was revised to reduce the number of Dawson aquifer wells which will operate pursuant to the plan from 93 to 22 lots. The balance of water previously allocated for individual on lot wells from the original augmentation plan was transferred to the Corporation for use in the central water system. An augmentation plan for the Dawson aquifer water decreed in consolidated Case Nos. 2002CW187 (Division 1) and 2002CW117 (Division 2) was approved on August 8, 2017 under consolidated Case Nos. 2016CW3103 (Division 1) and 2016CW3048 (Division 2) for the withdrawal of up to 155 acre-feet/year for 100 year. The augmentation plan allows for the ground water to be used for in-house, irrigation, commercial, fire protection, and stock watering purposes, including storage, through a central water supply system.

The Corporation current water supply commitment status was presented in the Report. According to the Report, the Corporation central water system currently has total commitments of approximately 8,336 acre-feet of water committed to serve 245.2 single-family equivalents ("SFE") units and an elementary school (9.1 SFE), based on a 100-year water supply. An additional 20,094 acre-feet of water are committed to serving 197 single-family equivalents in the Walden Pines, Walden Preserve Filing 1 and the Walden Preserve 2 PUD, based on a 300-year water supply. Therefore, the Corporation has approximately 28,440 acre-feet (based on the actual amount determined by SEO) of Denver Basin ground water available for additional commitments.

The proposed source of water for this development 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. 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 allowed annual amount of water permitted to be withdrawn from the Denver aquifer under permit no. 32697-F and the Dawson aquifer under case no. 2016CW3103 is 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. Therefore, the water may be withdrawn in those annual amount 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.” The amount of water that would be available from the above described supplies based on a 100-year and 300 year allocation approach is as follows:

Summary of the Available Supplies

Well Nos/Permit Nos/Case No.	Aquifer	Decreed Annual amount (100 yr. allocation approach (acre-feet)	Annual amount determined by SEO (acre-feet)	Annual amount available (300 yr. allocation approach) (acre-feet)
1-51749-FR	Dawson	45.0	45.0	45.0
2-51751-FR	Dawson	19.0	19.3	19.3
3-25998-FR	Dawson	13.0	12.9	12.9
4-51750-FR	Dawson	26.0	26.0	26.0
5-63866-FR	Dawson	23.0	22.5	22.5
6-16389-FR	Dawson	238.0	48.0	48.0
7-32697-F	Denver	240.0	240	80.0
Case Nos. 2016CW3103 (Div 1) and 2016CW3048 (Div 2)	Dawson	155.0		
Total		759.0	413.7	253.7

Furthermore, the applicant should be aware that any proposed detention pond for this development, must meet the requirements of a “storm water detention and infiltration facility” as defined in section 37-92-602(8), Colorado Revised Statutes, otherwise the structure 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 Colorado Stormwater Detention and Infiltration Facility Notification Portal, located at <https://maperture.digitaldataservices.com/gyh/?viewer=cswdif>, to meet the notification requirements.

State Engineer’s Office Opinion

Pursuant to Section 30-28-136(1)(h)(I), C.R.S. and 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

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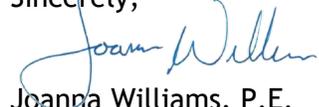
Monument Academy Minor Subdivision

adequacy of the proposed water supply. Prior to further review of the subdivision water supply plan the following information is required:

1. A letter of commitment from the Corporation clarifying that they are committed to supply water to Monument Academy Minor Subdivision.

Should you or the applicant have any questions, please contact Ioana Comaniciu at (303) 866-3581 x8246.

Sincerely,



Joanna Williams, P.E.
Water Resource Engineer

Ec: Subdivision File: 29051

JMW/idc: Monument Academy Minor (El Paso)