



August 10, 2022

Kari Parsons  
El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127  
Sent via online portal at: <https://epcdevplanreview.com/Agencies/Home>

RE: Sterling Ranch East Phase One  
Preliminary Plan  
Sec. 34, Twp. 12S, Rng. 65W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 30428

To Whom It May Concern:

We have received a referral regarding the above-referenced proposal to subdivide a 321.4± acre tract of land into 761 single-family lots. The development would include 134.5 acres of single-family lots, 39.1 acres of road right-of-way, 147.7 acres of open space, including a community park and a future school site. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Sterling Ranch Metropolitan District No. 1 ("District").

### Water Supply Demand

According to the Water Supply Information Sheet received by this office, the estimated water demand for the development is 242 acre-feet/year (based on the Districts SFE equivalency for high-density lots) for 761 residential lots and 70.76 acre-feet/year for turf/native grass irrigation. The total estimated demand is 312.77 acre-feet/year. The wastewater will return to the District's central system.

### Source of Water Supply

The source of water for the proposed development is to be served by the Sterling Ranch Metropolitan District No. 1 ("District"). A letter of commitment dated June 10, 2022 from the District was provided with the referral materials. The letter commits 312.77 acre-feet/year, which is equal to the estimated demand for the development. According to the submittal, the District will provide water from a number of Denver Basin aquifer wells (both existing and proposed) to a central system and provide water to the proposed development.

However, based on the May 2022 Water Resources Report included in the submittal, the District claims that the current available annual supply totals 697.39 acre-feet while the current annual commitments (current/future) total 852.62 acre-feet. The report indicates that additional Denver Basin Aquifer supplies, totaling 968.28 acre-feet/year, are tentatively available based on conditional contracts. However, no evidence was provided



at the time of referral to suggest that the Districts firm supply exceeds 697.39 acre-feet/year.

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."

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 three hundred years, the allowed average annual amount of withdrawal would total 697.39 acre-feet. However, the District claims to have fully committed this volume to this development and others within the service area. The preliminary plan for Sterling Ranch East Phase One indicates that the estimated water demand for the development would be a total of 312.77 acre-feet/year. As a result, the water may not be available for withdrawn in that annual amount for a maximum of 300 years.

### Additional Comments

Should the development include construction and/or modification of any storm water structure(s), the applicant should be aware that, unless the structure can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, 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*, located at <https://dnrweblink.state.co.us/dwr/ElectronicFile.aspx?docid=3576581&dbid=0> 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/gvh/?viewer=cswdif>, to meet the notification requirements.

### State Engineer's Office Opinion

Pursuant to 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 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. The District must provide a complete summary of the water rights owned and controlled by the District, accounting for relinquishment requirement, and evidence of that ownership and control. Most importantly, the District shall provide evidence that the firm supply exceeds the committed supply.
2. The District shall supply information that supports the position that the anticipated supply will be physically adequate to serve the proposed development.

Should you or the applicant have questions regarding any of the above, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, appearing to read "Ivan Franco". The signature is written in a cursive, flowing style.

Ivan Franco, P.E.  
Water Resource Engineer

Cc: Bill Tyner, Division Engineer  
Doug Hollister, North Regional Team Lead