



COLORADO

Division of Water Resources

Department of Natural Resources

1313 Sherman Street, Room 821

Denver, CO 80203

January 8, 2018

Nina Ruiz
El Paso County Planning and Community Development
Transmitted via email:
NinaRuiz@elpasoco.com

RE: Judge Orr Ranchettes Preliminary Plan
E $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 33, T12S, R64W, 6th P.M.
Upper Black Squirrel Creek Ground Water Management District
Water Division 2, Water District 10

Dear Ms. Ruiz:

We have received your November 21, 2017 referral concerning the above-referenced proposal for a 7-lot subdivision to divide a 40.67-acre parcel of land into seven 5-acre lots, public roadway infrastructure, and overhead utility department.

Water Supply Demand

According to the submitted material, there are two Water Supply Information Summary sheets. One of them indicates that the total water demand is 3.50 acre-feet annually (0.50 acre-feet annually per lot), while the other indicates the total water demand to be 3.85 acre-feet annually (0.55 acre-feet annually per lot). This information is conflicting. The submittal also lacks information on the breakdown of the water uses for each lot.

Source of Water Supply

The proposed source of water supply is individual on-lot wells producing from the not-nontributary (4% replacement) Denver aquifer that will operate pursuant to and approved Determination of Water Right.

Determination of Water Right No. 679-BD is issued to Robert D. and Stephen R. Gieck for the water in the Denver aquifer underlying 139.25 acres including the subject 40.67 acres, and allows 46.3 acre-feet of water annually for domestic, stock watering, irrigation, commercial, industrial, and replacement uses. The applicant has not provided evidence of ownership or right to use any of the water that is the subject of Determination of Water Right No. 679-BD.

An existing well, permit no. 143638, constructed in and put to use in 1986 is permitted for 1 acre-foot annually on a 30-acre parcel for domestic uses, and is producing from the Denver aquifer and is located on the subject 40.67 acres. Since the size of the parcel on which the existing well, permit no. 143638, is located will change, that permit will become invalid. If that well will be used to supply the lot on which it will be located, it will have to be issued a new permit pursuant to Determination of Water Right No. 679-BD.

State Engineer's Office Opinion

Based upon the above and pursuant to Section 30-28-136(1)(h)(l), C.R.S., it is our opinion that the proposed water supply is not adequate and cannot be provided without causing injury to decreed water rights.



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Page 2 of 2

A clarified Water Supply Information Summary is needed for this 7-lot proposed subdivision that states the actual estimated demand, with a breakdown of the water uses for each lot. Evidence must be provided of ownership or right to use the water that is the subject of Determination of Water Right No. 679-BD in the amount needed to supply the demand. The intent regarding the further use, and permitting, of existing well permit no. 143638 also needs to be provided.

If you, or the applicant, have any questions, please contact Neelha Mudigonda at 303-866-3581 ext. 8206.

Sincerely,



Keith Vander Horst, P.E.
Chief of Water Supply, Basins

Cc: Upper Black Squirrel Creek GWMD
Division 2
Well permit no. 143638

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