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March 19, 2024

PUDSP-23-5 Rolling Hills Ranch North PUD

Reviewed by: Lori L. Seago, Senior Assistant County Attorney
April Willie, Paralegal

WATER SUPPLY REVIEW AND RECOMMENDATIONS

Project Description

1. This is a Preliminary/Final PUD proposal by Meridian Ranch Investments Inc. (“Applicant”), to subdivide an approximately 148.873 +/- acre tract of land into 441 single-family units (the “Property”). The property is zoned PUD (Planned Unit Development).

Estimated Water Demand

2. Pursuant to the Water Supply Information Summary (“WSIS”), the subdivision demand is 136.7 acre-feet per year for 441 lots with irrigation of 0.7 acre-feet per year for a total demand of 137.4 acre-feet per year. The Applicant must therefore be able to provide a supply of 41,220 acre-feet of water (137.4 acre-feet per year x 300 years) to meet the County’s 300-year water supply requirement.

Proposed Water Supply

3. The Applicant has provided for the source of water to derive from the Meridian Service Metropolitan District (“District”). As detailed in the Water Resources Report dated January 2024 (“Report”), the average daily use for each of the 441 lots will be 0.31 acre-feet per dwelling unit/year (includes outside irrigation) for a total water demand of 136.7 acre-feet/year. Irrigation of parks and right-of-way landscaping will create an additional demand of 0.7 acre-feet/year. According to the Report, the District owns 2,089 acre-feet/year based on a 300-year supply. Of that amount, the District currently has 2,022 acre-feet/year of water available for

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primary supply. The current total demand on the District is 1,687 acre-feet/year, leaving a surplus of 335 acre-feet per year.

4. The District's General Manager provided a letter of commitment for Rolling Hills Ranch North PUD dated August 23, 2023, in which the District General Manager stated that the District will provide water service to the Property in the amount of 137 acre-feet per year. The County Attorney's Office recommends requiring the Applicant to provide an updated letter committing to serve 137.4 acre-feet/year to the subdivision.

State Engineer's Office Opinion

5. In a letter dated December 15, 2023, the State Engineer reviewed the proposal to subdivide the 148.873 +/- acre parcel into 441 single-family lots, landscaping, open space, and trails. The State Engineer stated that the "[t]he proposed water supply is service provided by the Meridian Service Metropolitan District (MSMD). . . MSMD is committed to serving the development." The State Engineer indicates a water demand of 137.7 acre-feet/year for 441 single-family lots. The State Engineer indicates they received a letter of commitment dated August 23, 2023 from the District which indicated that MSMD is committed to serving the development. Finally, "pursuant to section 30-28-136(1)(h)(I) and 30-28-136(1)(h)(II), C.R.S., it is our opinion that the proposed water supply is adequate and can be provided without causing injury to decreed water rights."

Recommended Findings

6. Quantity and Dependability. Applicant's water demand for Rolling Hills Ranch North PUD is 137.4 acre-feet per year to be supplied by the Meridian Service Metropolitan District. **Based on the water demand of 137.4 acre-feet/year for the development and the District's availability of 335 acre-feet/year, the County Attorney's Office recommends a finding of sufficient water quantity and dependability for Rolling Hills Ranch North PUD.**

7. Quality. The water quality requirements of Section 8.4.7.B.10 of the Code must be satisfied. Section 8.4.7.B.10.g. of the Code allows for the presumption of acceptable water quality for projects such as this where water is supplied by an existing Community Water Supply operating in conformance with Colorado Primary Drinking Water Regulations unless there is evidence to the contrary.

8. Basis. The County Attorney's Office reviewed the following documents in preparing this review: the Water Supply Information Summary, the Water Resources Report dated January 2024, the Meridian Service Metropolitan District letter dated August 23, 2023, and the State Engineer Office's Opinion dated December 15, 2023. The recommendations herein are based on the information contained in such documents and on compliance with the requirements set forth below. ***Should the information relied upon be found to be incorrect, or should the below requirements not be met, the County Attorney's Office reserves the right to amend or withdraw its recommendations.***

REQUIREMENTS:

- A. Applicant and all future owners of lots within this filing shall be advised of, and comply with, the conditions, rules, regulations, limitations, and specifications set by the District.
- B. Prior to the Planning Commission hearing on this application, Applicant shall obtain an updated commitment letter from the Meridian Service Metropolitan District committing to serve 137.4 acre/feet per year to this subdivision.

cc. Ryan Howser, Project Manager, Planner