



March 11, 2021

Kari Parsons
El Paso County Development Services Department
2880 International Circle, Suite 110
Colorado Springs, CO 80910

RE: Upland Flats by Watermark Filing No. 1
Sec. 32, Twp. 13S, Rng. 65W, Sixth P.M.
Water Division 2, Water Districts 10
CDWR Assigned Subdivision No. 27561

To Whom It May Concern:

We have received the submittal concerning the above referenced proposal to approve a Final Plat for Eldorado Springs Apartments. This proposal is for the creation of a 15.39 acre lot with nine buildings, totaling 300-unit multifamily dwellings. The proposed Upland Flats by Watermark Filing No. 1 is a replat of Akers Market, which was previously platted as Tract DD, Hannah Ridge at Feathergrass Filing No. 1. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Cherokee Metropolitan District ("District").

Water Supply Demand

The Water Supply Information Sheet, Form no. GWS-76, provided with the submittal estimates an estimated water demand of 60.0 acre-feet/year for 300 units, 0.69 acre-feet/year for clubhouse and pool water, and 10.1 acre-feet/year for irrigation of 10.1 acres. The total annual water demand is 70.8 acre-feet. This equates to an anticipated water demand of approximately 0.20 acre-feet/year/unit and 1.0 acre-feet/year/acre of irrigation. The waste water will be directed into proposed sewer mains that will be owned and operated by the District.

It should be noted that standard water use rates, as found in the *Guide to Colorado Well Permits, Water Rights, and Water Administration*, are 0.3 acre-foot per year for each ordinary household, 0.05 acre-foot per year for four large domestic animals, and 0.05 acre-foot per year for each 1,000 square feet of lawn and garden irrigation.

Source of Water Supply

The source of water for the proposed development is to be served by the Cherokee Metropolitan District. In a letter dated January 28, 2021, the District committed to serve the proposed development.

According to the records of this office, Cherokee has sufficient water resources to supply this development as described above.



Our records also indicate the wells with Permit Nos. 29766 and 29768 may be located on the subject parcel. Note that CRS 37-92-602(3)(b)(III), requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights, and CRS 30-28-101(10)(b) states:

“Subdivision” or “subdivided land”, means any parcel of land in the state which is to be used for condominiums, apartments, or any other multiple dwelling units...”

Thus, under the subject statute this development is defined as a subdivision. Therefore, any existing exempt wells on the parcel must be included in an augmentation plan, or must be plugged and abandoned since the provisions of CRS 37-92-602 which allowed for issuance of the well permits will no longer apply.

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

According to this office’s records, it appears District has sufficient water resources to serve the proposed development. Based upon the above and pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed can be provided without causing injury to decreed water rights and is expected to be adequate. Should you have any further questions, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.
Water Resource Engineer

cc: Bill Tyner, Division Engineer
Doug Hollister, Water Commissioner