



**COLORADO**  
Division of Water Resources  
Department of Natural Resources

September 8, 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: Homestead North at Sterling Ranch Filing 3  
Preliminary Plan  
Sec. 34, Twp. 12S, Rng. 65W, 6<sup>th</sup> P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 30443

To Whom It May Concern:

We have received a referral regarding the above-referenced proposal to subdivide a 40.8271± acre tract of land into 77 single-family lots. According to the submittal, the proposed supply of water and wastewater disposal is to be served by the Falcon Area Water and Wastewater Authority ("District").

### **Water Supply Demand**

According to the Water Supply Information Sheet received by this office, the estimated water demand for the development is 27.18 acre-feet/year (based on the District's SFE equivalency for high-density lots) for 77 residential lots and 14.13 acre-feet/year for turf/native grass irrigation. The total estimated demand is 41.31 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 Falcon Area Water and Wastewater Authority ("District"). A letter of commitment dated June 10, 2022 from the District was provided with the referral materials. The letter commits 41.31 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 District's 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 Homestead North at Sterling Ranch Filing 3 indicates that the estimated water demand for the development would be a total of 41.31 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 "K. Fuller". The signature is written in a cursive, flowing style.

Kate Fuller, P.E.  
Water Resource Engineer

Cc: Bill Tyner, Division Engineer  
Jacob Olson, North Regional Team Lead