



COLORADO
Division of Water Resources
Department of Natural Resources
Colorado Ground Water Commission

September 6, 2019

Kari Parsons
El Paso County, Planning and Community Development
DSDcomments@elpasoco.com

RE: Bent Grass Residential Filing No. 2
Part of the SE ¼, Sec. 1, T13S, R65W, 6th P.M.
Water Division 2, Water District 10
Upper Black Squirrel Creek Designated Basin

Dear Ms. Parsons:

We have received your August 20, 2019 submittal concerning the above-referenced proposal for the subdivision of 50.8 acres. The number of lots to be created is unknown since the Letter of Intent dated September 3, 2019 from Galloway states 181 single family residential dwelling units will be created, the application to the county states 177 single-family residential lots, the Final Map submitted has 179 lots, and the Bent Grass Residential Filing No. 2 Water Resources Report & Wastewater Treatment Report by JDS-Hydro Consultants dated July 2019 ("Water Resources Report") states the water supply and demand is for 121 residential lots.

Water Supply Demand

According to the Water Resources Report, the total estimated water requirement for 121 residential lots for Filing No. 2 is 42.7 acre-feet per year for a 300 year water supply.

Source of Water Supply

Woodmen Hills Metropolitan District ("District") is the proposed water supplier. The District has provided a letter dated July 9, 2019 committing to serve 121 residential lots with a water commitment of 42.713 acre-feet per year.

According to the Water Resources Report the District has a total legal supply of 3500.44 acre-feet based on a 100-year allocation approach. That quantity includes a claim for 18.28 acre-feet from the Denver aquifer associated with Determination of Water Right no. 1314-BD. According to Determination of Water Right no. 1314-BD the allowed average annual amount of withdrawal of ground water from the aquifer shall not exceed 12.7 acre-feet which would be 1,270 total based on a 100 year allocation approach. The Water Resources Report should be modified to correctly state the available water. In addition, the Water Resources Report claims water associated with Determination of Water Right Nos. 503-BD, 504-BD and 505-BD. According to those Determination of Water Rights the place of use of the water is limited to the 54.9 acres of overlying land further described in the determinations. Such water should be removed from the available water supplies until such time as the place of use of the water is changed to allow use within the District. The applicant should also provide information showing the water rights associated with Determination of Water Right Nos. 503-BD, 504-BD, 505-BD, 1312-BD, 1313-BD and 1314-BD were transferred to the District.

State Engineer's Office Opinion



Based upon the above and 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.

It appears that in order to obtain a favorable opinion from this office on the proposed water supply to the subdivision, the applicant must do the following:

1. Clarify the number of lots created in this subdivision application.
2. If the development will have more than 121 lots then the following must be provided:
 - a. A revised water supply plan that specifies the water demand for the lots.
 - b. A revised commitment letter from the District.
3. The Applicant must amend the Water Resources Report to accurately specify the amount of water available to the District, as described above.

Should you have any questions, please contact Ailis Thyne at 303-866-3581 ext. 8216.

Sincerely,

A handwritten signature in black ink that reads "Keith Vander Horst". The signature is written in a cursive, flowing style.

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

Ec: Upper Black Squirrel Creek Ground Water Management District