

STATE OF COLORADO

OFFICE OF THE STATE ENGINEER

Division of Water Resources
Department of Natural Resources

1313 Sherman Street, Room 818
Denver, Colorado 80203
Phone: (303) 866-3581
FAX: (303) 866-3589

<http://water.state.co.us/default.htm>

January 13, 2000



Bill Owens
Governor

Greg E. Walcher
Executive Director

Hal D. Simpson, P.E.
State Engineer

RECEIVED

JAN 18 1999

ELBERT COUNTY PLANNING DEPT.

Mr. James McClanahan
Elbert County Planning Dept.
P.O. Box 7
Kiowa, CO 80117

Re: Coyote Hills Subdivision, PP 99-03-01
N1/2 Sec. 22, T7S, R65W, 6th P.M.
Water Division 1, Water District 2

Dear Mr. McClanahan:

We have reviewed the above referenced proposal to subdivide 200 acres into 32 residential lots of approximately 5 acres and 1 tract of 28.62 acres. The proposed water source is individual on lot wells to be constructed into the not-nontributary Upper Dawson aquifer.

The developer has obtained water rights and a plan for augmentation in Division 1 Water Court, Case No. 98CW265. This case quantified the available amount of ground water underlying 200 acres in the not-nontributary Upper Dawson aquifer and the nontributary Lower Dawson, Denver, Arapahoe, and Laramie-Fox Hills aquifers to be 72 acre-feet, 21 acre-feet, 80 acre-feet, 80 acre-feet, and 55 acre-feet respectively. The augmentation plan is for 32 residential lots to be constructed into the not-nontributary Upper Dawson aquifer. Each lot is limited to an annual appropriation of 0.74 acre-feet per year, 0.3 acre-feet for in-house use, 0.4 acre-feet for irrigation of 7,000 square feet, and 0.05 for the watering of 4 large domestic animals (total of 24 acre-feet annually). It appears that this proposal has an adequate supply for 300 years.

Applicants for on lot well permits, submitted by an entity other than Royl and Rebecca Moore, the claimants on the said decree, must include evidence that the applicant has acquired the right to the portion of water being requested on the application. The claimants of the decree shall operate the decree until such time they create a Property Owner's Association which all lot purchasers are required to join. **Once the claimants create the Property Owners Association, the water rights will be assigned to the Association,** therefore, applicants for on lot well permits will not be required to provide evidence that the applicant has acquired the right to the portion of the water being requested on the application. Non-evaporative type septic systems/leach fields are required and the wells must be metered.

Based upon the above and pursuant to Section 30-28-136(1)(h)(I), 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.

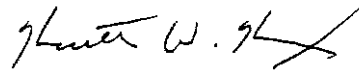
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Water in the Denver Basin aquifers is allocated based on a 100 year aquifer life under the provisions of CRS 37-90-137(4)(b)(I). For planning purposes the county should be aware that the economic life of a water supply based on wells in a given Denver Basin aquifer may be less than the 100 years indicated due to anticipated water level declines. Furthermore, the water supply plan should not rely solely upon non-renewable aquifers. Alternative renewable water resources should be acquired and incorporated in a permanent water supply plan that provides future generations with a water supply.

Should you have any questions regarding the water supply for this project, please contact Heidi Frey of this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth W. Knox", with a stylized flourish at the end.

Kenneth W. Knox
Assistant State Engineer

CC: Richard Stenzel, Division Engineer
Water Supply Branch

KWK/HCF:word/coyote hills