Eric Pavlinek

From: Chatfield Community Association <chatfieldcommunity@gmail.com>
Sent: Tuesday, August 25, 2026 2:23 PM
To: Eric Pavlinek
Subject: MI2024-026 Minor Development Non-Residential

Follow Up Flag: Follow up
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Eric,

Chatfield Community Association Mission

The mission of CCA is to preserve the character of the Chatfield Basin, and to ensure that development in the area at least meets all state and county regulations, has adequate water, doesn't adversely impact existing residents, and hopefully blends well with the existing semi-rural nature.

We emphasize objective, factual referral and public hearing comments when possible. But some views are inevitably subjective regarding quality of life, rural life, dark skies, and the like

We have reviewed the application for MI2024-026 and have the following concerns.

Dominion Water and Sanitation District (DWSD) stated that they will submit a Will Serve letter committing to serve the proposed application. They submitted their water supply chart using their Established District status as the water available for the application. We want to make note of the changes in DWSD's water contracts.

Established District Water Supply Chart.

Table 1 – Dominion's Average Annual Water Supply Portfolio and Dependable Yields.

Renewable and Groundwater Sources	Bedrock Aquifer	(1) Available Supply (AF/yr)	(2) Utilized Supply (AF/yr)	(3) Current Yield (AF/yr)
Aurora 230 Contract	-	230.0	230.0	230.0
Aurora 250 Contract	-	250.0	250.0	250.0
FSC IGA*	-	700.0	700.0	665.0
Hock Hocking	-	62.5	0.0	0.0
WISE 625	-	625.0	625.0	593.8**
Total Renewable Water Supply		**1867.5**	**1805.0**	**1738.8**
Cherokee Ranch (98CW219/03CW117)	Arapahoe	1074.0	1074.0**	1020.3**
	Not-Nontributary Denver	1614.0	307.0**	291.7**
	Laramie -Fox Hills	381.0	0.00***	0.0***
Total Groundwater Supply		**3069.0**	**1381.0**	**1312.0**
Total Supply		**4936.5**	**3186.0**	**2457.0****
Reusable Supply**		**1007.4**	**0**	**0.0**

(1) "Available" means Dominion's owned/available contract supplies.
(2) "Utilized" means the portion of the Available supply that has been dedicated by Dominion for customer use.
(3) "Yield" refers to the water supply available for commitments through contracts and infrastructure less system transmission losses to near the Larry D. Moore Water Treatment Plant.

*Consists of 700 AF/yr of WISE, backed up by Castle Rock Water in the Firming Service Commitment (FSC IGA, 11/22/2016).
**593.8 AF/yr of Dominion's current yield may be delivered from Dominion's utilized supply associated with 625.0 AF/yr of WISE and/or 625 AF/yr of Cherokee Ranch Denver Basin Groundwater.
*** Dominion's acquired 73 AF/yr Cherokee Ranch Laramie-Fox Hills supplies are specifically reserved to offset post pumping augmentation requirements associated with Dominion's use of 307 AF of Not-Nontributary Denver Aquifer supplies. Cherokee Ranch Denver Aquifer post pumping augmentation requirements to be met with Laramie-Fox Hill water is equal to 23.54% of Denver Aquifer pumping. This is based upon ratio of 380 AF LFH reserved for 1,614 AF Cherokee Denver Aquifer pumping required in Case No. 03CW117. Cherokee Ranch Laramie-Fox Hills does not count toward Dominion's current yield available to meet commitments and has no conveyance loss.
**** Dominion's reusable water supply (effluent credits), are estimated as ~41% of current yield, however facilities are not currently available to capture the effluent credits from current supply first use deliveries. The 41% considers no Laramie-Fox Hills return flows, and 2% of Arapahoe, and 4% of Denver pumping amounts are relinquished to the stream.

First, the water supplies of 230 AF and 250 AF are not available at those levels. Aurora is now taking transportation losses for DWSD's water and Castle Rock is taking 5% of the water going through their system. Aurora will lease some of the transportation losses IF the water is available. This year is an example of when Aurora does not have the loss water available for leasing. Thus, the full 480AF is not firm.

12) System Loss Leasing. Dominion shall have the option to lease the system losses associated with the 230 Water, 250 Water and Temporary 570 Water traveling through the WISE infrastructure from Aurora Water. The rate for such system losses payable to Aurora Water will be the then applicable full WISE rate from Aurora Water. Dominion must notify Aurora Water in writing of its intent to negotiate such a lease with no less than 180 days notice. The Parties reasonably contemplate system losses to be approximately: (1) 30 acre-feet for the 230 Water; (2) 18 acre-feet for the 250 Water; and (3) up to 74 acre-feet of Temporary 570 Water through December 31, 2028.

13) Construction Water. If Aurora Water has capacity and water available in its system (as determined in Aurora Water's sole discretion) Aurora Water may provide Dominion with additional water for construction use at Aurora Water's then current construction water

WATER SERVICE AGREEMENT

KEY TERMS

- 2016 Water Service IGA
  - Provides Town with additional supplies
  - Dominion can re-time deliveries
  - Town will treat and deliver additional water dedicated to Town by Dominion

- 2026 Amended and Restated Firming Agreement
  - Firming 700 AF of WISE water in any given year, 0.685 MGD max
  - WISE 700 delivered first
  - 5% loss for direct WISE and/or 'Other' deliveries
  - 10% additional loss for any retimed
  - Clarified accounting and methodology for calculating the *Renewable Water Replacement Fee*
  - Continued regional partnership with Dominion

DWSD is claiming the 700AF agreement with Castle Rock is firm water. However, the agreement says that Castle Rock will deliver a MAXIMUM of 700 AF less transportation losses. We question how much water is the minimum that Castle Rock will deliver so units can be assured of water.

Discussion

CRW has two agreements related to moving water supplies through our distribution and transmission system for Dominion Water, the 2014 Water Service IGA and the 2016 Firming Service Agreement. The Firming Service IGA also provides actual firming water supplies to Dominion during times when WISE water may not be available. CRW is proposing an amended and restated Firming Service Agreement to clarify aspects of the 2016 version and ensure compatibility with the 2014 Water Service IGA. The 2014 Water Service IGA started to move water last year in May. Per the 2014 Dominion Wheeling IGA, Dominion will have the ability to move up to 4.0 million gallons per day (MGD) of their water through the Town's system and other facilities shared by the Town and Dominion up to a maximum annual total of 4,500 AF. The Firming Service IGA requires CRW to provide up to 0.685 MGD of additional water supply up to a maximum annual amount of 700 AF.

Under the Firming Service IGA, Dominion provided CRW with 400 AF of non-renewable groundwater supply with water banking provisions for an annual supply up to 700 AF. CRW has been able to utilize these supplies since they were dedicated in 2016 and added to CRW's combined well field water rights decree. In November 2025, CRW was able to use this supply for Dominion, securing deliveries to Dominion when WISE was offline for several weeks due to maintenance activities at Aurora's Binney WTP. Water delivered to Dominion through the 2014 Water Service IGA and the Firming Service IGA is supplied to Dominion at the Dominion connection point (located on the northwestern side of Town, near Atrium drive and Highway 85, which feeds into Dominion's Eastern Regional Pipeline). Dominion's water supplies are received through CRW's WISE connection, see ***Attachment B***.

In DWSD's Established District application, they list the Aurora 570 AF, although not in their supply chart. We want to confirm that the 570AF is no longer available.



Water Policy Committee Meeting - June 2026

Dominion is claiming the WISE 625 as being available. The Castle Rock agreement is for a maximum of 700 AF and the 625, if available, will be retimed and stored for when the full 700 AF isn't available. Castle Rock is taking 10% of any retimed water as seen in the chart above. In addition, for the first 10 year block, the original WISE agreement of 100,000 AF is no longer available. The next 10 Year block is only 90,000 AF reducing DWSD's 1325 AF. Depending on the drought, even the 90,000 AF might not be available. Houses should not be approved on this intermittent water. The State Department of Water Resources referral state they do not see the 625 as available in their review of the DWSD water supply when reviewing the Range application.

Range Subdivision (Douglas) - DWR 4th Letter 3

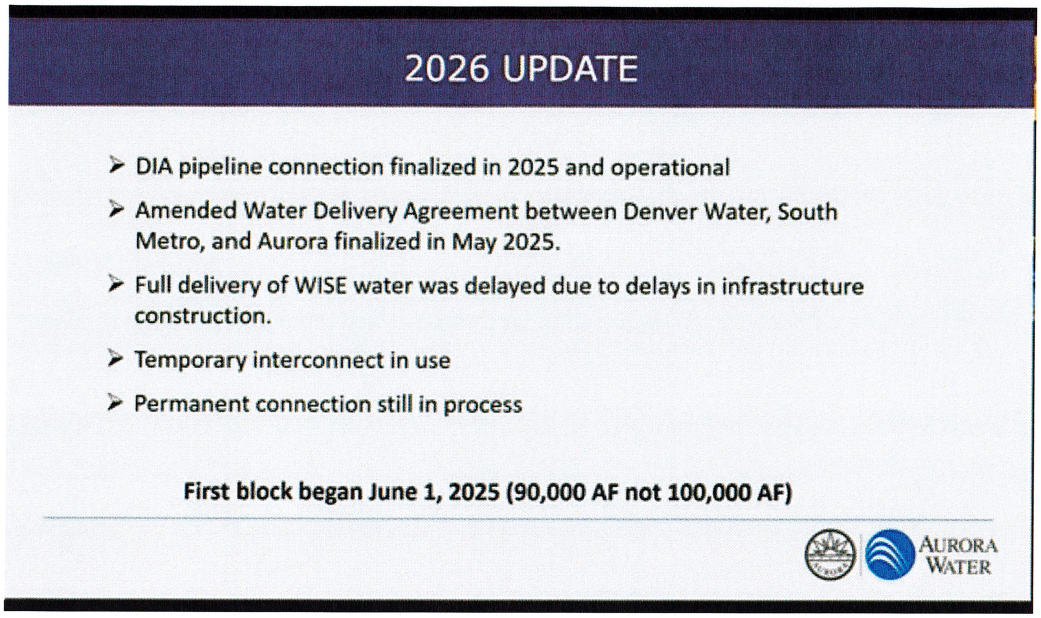
with a total demand of 1,596.1 acre-feet/year at the residences and commercial block to be at the wastewater treatment plant (including an average system loss of 6.1%). Therefore, after committing to serve The Range, 559.6 acre-feet/year or approximately 23% of Dominion's firm supply remains uncommitted.

Table 1 - Dominion's Current Total Water Supply

Source	Water Supply (acre-feet/year)	Firm Supply* (acre-feet/year)
Aurora First IGA	230	230
Aurora Second IGA	250	250
Castle Rock FSC IGA	700	665
Hock Hocking	62.5	0.0
South Platte Junior Water Rights	743.8	0.0
WISE Water	625	0.0
Cherokee Ranch Water**	1,381	1,312
Total	3,992.3	**2,457**
Development	**Commitment (acre-feet/year)**	**Firm Supply Remaining (acre-feet/year)**
Sterling Ranch	1,699.8	757.2
The Range	197.6	**559.6**

*After assessing conveyance losses and excluding Hock Hocking and SP Junior Water Rights (infrastructure not yet developed) and WISE water.

**Does not include 97CW74 water at this time.



DWSD lists Cherokee Ranch 1312 AF of water as available. That well is permitted as a monitoring well and has not been re-permitted to producing nor has it been connected to pipelines. It has not been pumped to have a real volume estimate of how much is actually available from the Cherokee Ranch. Until that well has been pumped for some time to determine how much water is available, applications should not be approved using that water supply.

DWSD also lists as available water 1007.4 AF of reuse water. As of now, all of Sterling Ranch's wastewater is going to South Platte Renew Wastewater treatment facility and is not an available to DWSD. In order for DWSD to have that water to serve Sterling Ranch, they must first get a permit to build their wastewater treatment plant. According to the CDPHE, DWSD has no permit and has not submitted all of their required documents. So, it is unknown when or if DWSD will get a permit and what it will look like for water availability.

cdphe.colorado.gov

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Active Projects (in review or awaiting more info)

Department of Public Health & Environment

Click to close dropdown

These projects are currently in review by CDPHE staff

Entity Name | Type | Project Type | Case ID | County

Design Review Project Status - Active Status

Entity Name	Entity ID	Case ID	Project Name	Type	Project Type	Status	Date Created	Project Reviewer	Project QC	County
RANCH										
DENVER WATER BOARD	CO0116001	260450	Marston WTP Disinfection Improvements	DW	Design Review	Awaiting More Info	Jun 9, 2026	Anthony.Kerr	Emily.Wong	Denver
DIRT FACTORY LLC	CO0262210	251221	New Treatment System	DW	Design Review	In Review	Jan 6, 2026	Austin.Houser	Emily.Wong	Weld
DIVIDE MPC MD NO 1	CO0160295	226687	OCCT Eval	DW	Internal	Awaiting More Info	Feb 4, 2022	null	null	Teller
DOMINION WATER AND SANITATION DISTRICT - CHATFIELD BASIN WATER RECLAMATION FACILITY	CO0041645	226719	SRF Chatfield Basin WRF Expansion	CW	Design Review	Awaiting More Info	null	JC.Acuna	Paul.Kim	Douglas
DUNES GLAMPING	CO0220030	249102	New Treatment and Distribution System	DW	Design Review	Awaiting More Info	Dec 5, 2024	Stephanie.Martin	Michael.Emming	null
DUNTON HOT SPRINGS INC	CO0217300	248467	Treatment Systen	DW	Design Review	In Review	Mar 15, 2024	Coulton.Pierce	Michael.Emming	Dolores

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In addition, in order for DWSD to get reuse, they must win an eminent domain lawsuit against Denver Water. DWSD does not have permission to use Denver Water land for their infrastructure. DWSD does not have the right to build a diversion structure for them to divert any water, including wastewater, in order to get reuse. Both the eminent domain lawsuit and the diversion structure case are in courts. We do not know how either of these cases might be settled nor do we know how long it will take to settle them. No application should be approved using diverted water until the outcome of these cases are known.

These are some of our concerns regarding DWSD's ability to serve the proposed Minor Development Non-Residential application nor any application Sterling Ranch submits needing water. We hope that the county will take into consideration these issues when hearing any application.

Team CCA