

## Final Plat Staff Report

**DATE:** JANUARY 13, 2025  
**TO:** DOUGLAS COUNTY BOARD OF COUNTY COMMISSIONERS  
**THROUGH:** DOUGLAS J. DEBORD, COUNTY MANAGER  
**FROM:** TERENCE T. QUINN, AICP, DIRECTOR OF COMMUNITY DEVELOPMENT  
**CC:** BRETT THOMAS, AICP, CHIEF PLANNER  
JEANETTE BARE, AICP, CURRENT PLANNING MANAGER  
STEVEN E. KOSTER, AICP, ASSISTANT DIRECTOR OF PLANNING SERVICES  
**SUBJECT:** **STERLING RANCH FILING NO. 7B – FINAL PLAT**

*SK for TQ*

**PROJECT FILE: SB2024-052**

<b>OWNER:</b> STERLING RANCH LLC 8155 PINEY RIVER AVENUE, SUITE 200 LITTLETON, COLORADO 80125	<b>REPRESENTATIVE:</b> STERLING RANCH DEVELOPMENT COMPANY 8155 PINEY RIVER AVENUE, SUITE 200 LITTLETON, COLORADO 80125
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**BOARD OF COUNTY COMMISSIONERS MEETING:**

**JANUARY 28, 2025 @ 2:30 PM**

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**I. EXECUTIVE SUMMARY**

The request is for approval of Sterling Ranch Filing No. 7B (Filing 7B), the second final plat application associated with Sterling Ranch Preliminary Plan No. 7 (Preliminary Plan 7). The property is generally east of Roxborough Park Road, west of Middle Fork Street, and south of the Public Service Company of Colorado (PSCo) transmission lines. The property is within a portion of the Villages District and Regional Park planning areas of the Sterling Ranch Planned Development (Sterling Ranch PD). The Sterling Ranch PD is located in the Chatfield Urban Area as designated in the *Douglas County Comprehensive Master Plan* (2040 CMP).

The applicant proposes 147 residential lots, two superblock lots, 14 tracts, and associated public roads and private alleys on 43.38 acres.

Approximately 11 acres of open space are proposed within Filing 7B. Water and wastewater services will be provided by the Sterling Ranch Community Authority Board (CAB) through an agreement with the Dominion Water and Sanitation District (Dominion).

All engineering reports, studies, and plans for the Filing 7B subdivision have been reviewed and approved by Public Works Engineering (Engineering) subject to minor

technical corrections. Final approval of these documents will be accomplished prior to the Board meeting on January 28. The Filing 7B Subdivision Improvements Agreement – Intergovernmental Agreement (SIA-IGA) is acceptable to Engineering and is also scheduled for the Board’s consideration at the January 28 meeting.

## II. **REQUEST**

### **A. Request**

Approval of a final plat consisting of 147 residential lots, two superblock lots, 14 tracts, and associated public roads and private alleys on 43.38 acres within the Sterling Ranch PD.

### **B. Process**

A final plat application is processed pursuant to Article 5 of the *Douglas County Subdivision Resolution (DCSR)*. Article 5 states the intent of the process is “To provide for the review of the final engineering plans, the subdivision improvement agreement, public dedications, and other legal agreements.”

Per Section 504.06 of the *DCSR*, “The Board shall evaluate the final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, or deny the final plat. The Board’s action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.”

### **C. Location**

The site is located east of Roxborough Park Road, west of Middle Fork Street, and south of the PSCo transmission lines. To the south and east of the site is Sterling Ranch Filing 7B. A 2040 CMP land use map, zoning map, and aerial map are attached to the staff report and show the general location of the project area.

### **D. Project Description**

This application proposes 147 residential lots and two superblock lots for future development within the Villages District planning area of the Sterling Ranch PD. The site design provides approximately 11 acres of open space overall. The layout of the final plat is consistent with the approved Preliminary Plan 7.

Proposed residential areas within the Villages District may utilize either a clustered or traditional neighborhood development. Depending on the type of neighborhood proposed, the Sterling Ranch PD requires the developer to select a mix of character zones, which establish the development standards that are applicable to the filing. The applicant has submitted a traditional neighborhood development which designates lots as Character Zone C5. The proposed lots meet the minimum lot size requirements of Character Zone C5.

Superblock Lots 148 and 149 are included in this final plat for subdivision design purposes only. A note is included on the plat exhibit which states further development within these superblock lots will trigger additional land use processes, including a determination of water supply adequacy and required transportation improvements. For single-family detached residential lots, a preliminary plan and final plat process will be required. For multi-family or nonresidential proposals, a minor development plat process and site improvement plan process would both be required.

### **III. CONTEXT**

#### **A. Background**

The site was rezoned from Agricultural One (A-1) and Rural Residential (RR) to Planned Development (PD) with approval of the Sterling Ranch PD by the Board in July of 2013. At the time of PD approval, the Board also approved the Sterling Ranch Water Appeal which established alternative water supply documentation, demand standards, and other requirements related to water for Sterling Ranch. In 2021, the Board approved the Amended and Restated Sterling Ranch Water Appeal (Water Appeal) which, among other changes, allowed for the CAB to propose alternate minimum water demand standards as part of future development applications.

In October of 2022, the Board reviewed and approved Preliminary Plan 7 consisting of 1,667 residential lots, five superblock lots, 117 tracts, and associated public roads and private drives, of which this site is a part. This final plat layout substantially conforms to the approved Preliminary Plan 7.

#### **B. Adjacent Land Uses and Zoning**

The project area is east of Roxborough Park Road and west of Middle Fork Street within the Sterling Ranch PD. Portions of Sterling Ranch Filing 7A are located south and east of the site. Unplatted portions of the Sterling Ranch development are located to the west of the site across Roxborough Park Road, and north of the site across land owned by the PSCo for transmission lines. Filing 7C, currently in process, is located south of superblock Lot 148 and will be considered by the Board at a future land use meeting.

### **IV. PHYSICAL SITE CHARACTERISTICS**

#### **A. Site Characteristics and Constraints**

The site is predominantly vegetated with grasses and has historically been used as a cattle ranch. The site generally slopes to the northwest from a high point along the east. There are no known class 3 geologic hazards in the vicinity of Filing 7B.

#### **B. Access**

Access to the site will be provided from Sterling Ranch Avenue to the south and Ordway Drive to the east. Future access will be provided by Roxborough Park Road to

the west once it is improved with Filing 7C. Internal subdivision roads will be public and dedicated to Douglas County, with the exception of the private drives which provide access to alley-loaded residential lots.

As noted in proposed condition #3, the applicant is required to provide payment to Douglas County towards overall capacity improvements for the State Highway System (e.g.: U.S. Highway 85) in accordance with the commitments set forth in the Sterling Ranch PD. The amount of the fee is adjusted for inflation in accordance with the PD, and the final fee amount will be calculated and paid prior to recordation of the final plat.

#### **C. Soils and Geology**

The Class 3 Geologic Hazards map as described within the 2040 CMP indicates that there are no known debris-flow, rockfall-rockslide, debris avalanche, slope-failure, or soil subsidence areas in the vicinity of Filing 7B.

The Supplemental Geotechnical Site Development Study provided by the applicant indicates that if the site is overexcavated, structures could likely be founded on spread or pad type footings with footings below frost depth. The study notes foundation walls should not be used for retaining walls due to lateral earth pressures. Floors and flatwork being considered for construction on-grade will require a specific risk analysis due to the potential for slab movement. In addition, foundation subsurface drainage systems will be necessary for all below grade areas. The study also notes foundation backfill should be moistened and compacted to reduce future settlement.

The Colorado Geological Survey (CGS) reviewed the request at the time of Preliminary Plan 7 and noted no geologic constraints are present that would preclude the proposed uses and density.

#### **D. Drainage and Erosion**

The stormwater flows associated with Filing 7B generally drain north to stormwater detention and water quality facilities within Tract A prior to discharging to an unnamed stream. Public Works Engineering indicates that the Phase III Drainage Report required for the final plat has been reviewed and approved by Engineering subject to minor technical corrections. Final approval of the Phase III Drainage Report and plans will be accomplished prior to the Board meeting on January 28.

#### **E. Floodplain**

No mapped 100-year floodplain is present on-site.

#### **F. Wildlife**

The 2040 CMP Wildlife Resources map identifies this site as low to moderate habitat value. The site is not located within a wildlife habitat conservation area, overland

connection, wildlife movement corridor, proposed wildlife link, or wildlife crossing area.

During its review of Preliminary Plan 7, Colorado Parks and Wildlife (CPW) noted if any earth-moving will begin between March 15 and October 31, a burrowing owl survey should be performed. In addition, CPW recommended future residents be provided with CPW guidance and documentation on human-wildlife conflict prevention and mitigation.

#### **G. Historic Preservation**

ERO Resources Corporation conducted an on-site cultural resource survey of the Preliminary Plan 7 area in 2010 and 2016 and prepared a report in September of 2021. That survey and report did not identify any sites eligible for listing in the State Register of Historic Places, historic properties, or properties of historic significance within the boundary of Filing 7B.

During its review of Preliminary Plan 7, Douglas County Historic Preservation noted the project narrative addresses cultural resource mitigation and had no further recommendations. The Sterling Ranch PD establishes a protocol for protection of archaeological, paleontological, or historic resources identified during construction that is noted on each plat.

### **V. PROVISION OF SERVICES**

#### **A. Schools**

Pursuant to Section S-1.2(C)(i) of the Sterling Ranch PD, payment to the Douglas County School District (DCSD) of \$1,500 per lot is required for single-family detached residential lots, and \$750 per unit is required for each multi-family unit as a contribution toward capital improvements. This requirement of the PD is reflected in proposed condition #2. The payment of these fees was also noted by the DCSD in its referral comments on the application. Kindergarten through high school services are provided by the DCSD. The DCSD has capacity in various Roxborough and Highlands Ranch schools for Sterling Ranch students to able to attend.

In comments provided by the DCSD in 2022, the DCSD indicates that it will require a total of three elementary school sites, one middle school site, and one high school site to be dedicated within Sterling Ranch based on full build out of the PD.

Per the Sterling Ranch PD, the developer is required to dedicate land within the PD for schools within its community. To date, one 12.5-acre site in Sterling Ranch Filing 1 has been dedicated to Douglas County for a future school. In the past weeks, the DCSD has formally petitioned the Board for conveyance of this 12.5-acre school site. The conveyance of the school site to the DCSD is also scheduled for the Board's consideration at the January 28 meeting.

At the request of the DCSD, Sterling Ranch has committed to provide an additional school site in Filing 6. A PD Amendment to allow school use on the Filing 6 site and other areas of the PD was approved in June of 2022. The applicant indicates that it will convey this school site to Douglas County in the near future. In addition, a 12.1-acre school site has been identified within the northwest corner of Preliminary Plan 7. While formal dedications have not yet occurred, both the Filing 6 and Filing 7 school sites have been preliminarily approved by the DCSD. A middle and high school campus, to be located north of Titan Road as shown on the PD Plan, has not yet been evaluated by the DCSD. No development has occurred in the northern portion of the PD.

The Sterling Ranch PD establishes a formula for calculating school land dedication requirements. For the number of dwelling units platted to-date, including the current request, approximately 72 acres of school land are required for future schools. The PD allows for the timing of land dedications to be agreed upon by the developer, DCSD, and the County. With past filings, the County has deferred to the DCSD on the timing and location of school land dedication within the project. The Sterling Ranch developer, County, and DCSD continue to discuss options for school development within the PD, both near and long term.

**B. Fire Protection**

Fire protection is provided by South Metro Fire Rescue (South Metro). The applicant will coordinate with Douglas County Addressing and SMFR on front door locations and sidewalk layouts as part of their review for future site improvement plans.

**C. Sheriff Services**

The Douglas County Sheriff's Office (DCSO) will provide police protection to the site. DCSO had no comment on this request and the Office of Emergency Management noted no objections.

**D. Water**

Water supply requirements applicable to Sterling Ranch are governed by an appeal to the County's Water Supply Overlay District (18A) of the DCZR. In 2021, the Board approved the amended Water Appeal. The CAB adopted reduced water demand standards which were approved by the Board in 2022 with the approval of Sterling Ranch Preliminary Plan 7. The water demand standard for single-family detached is 0.26 acre-feet/year and the water demand standard for single-family attached is 0.17 acre-feet/year. The water demand standard for common area landscaping for single-family attached uses is 2.431 acre-feet/year/irrigated acre.

Water service will be provided to Filing 7B by the CAB, an authority established by Sterling Ranch Metropolitan Districts Nos. 1-7 (SRMD), through an IGA with Dominion.

Water supplies for Filings 1 through 7 are provided through IGAs with the City of Aurora and the Town of Castle Rock, including renewable and South Metro WISE Authority (WISE) water, as well as Denver Basin groundwater rights associated with Cherokee Ranch. Those supplies were evaluated and found to meet applicable approval criteria at the time of preliminary plan for the previous filings. No change to the previously approved water supply is proposed for Filing 7B.

The Colorado Division of Water Resources (CDWR) reviewed the application. In a letter dated September 26, 2024, the CDWR notes that the proposed water supply is adequate and will not cause material injury to decreed water rights, provided the applicant fully complies with the continued requirements of the agreements for the previously approved water supplies.

The CDWR offered the following opinion:

*Our opinion that the water supply is adequate is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on Castle Rock's water supply availability upstream of the Sterling Ranch Filing 7B.*

There is sufficient water supply to serve the proposed development in the Filing 7B application. The currently available firm water supply from Dominion to Sterling Ranch is 2,457 acre-feet/year, while the projected cumulative water demand including Filing 7B is 1,596.1 acre-feet/year.

#### **E. Sanitation**

Dominion indicates that permanent wastewater treatment services will be provided by Dominion at the Chatfield Basin Water Reclamation Facility (CBWRF), with initial wastewater treatment to be provided by the City of Littleton. The Colorado Department of Public Health and Environment (CDPHE) previously provided documentation to the County indicating that the CBWRF permit is in effect and that all necessary improvements have been made to allow the facility to resume operations.

Given the low level of sewer flows for the initial Sterling Ranch filings, sanitation service is provided by Dominion on an interim basis per an IGA with the Roxborough Water and Sanitation District (RWSD), the CAB, and the City of Littleton. Roxborough noted in its October referral response that it "is evaluating its ability to serve more units, but at this time no more than 4,000 units will be served through Roxborough lift station system." Dominion indicates that it will abide by all contractual agreements with RWSD relative to the certificate of occupancy limits.

As previously evaluated with Preliminary Plan 7, Dominion owns the CBWRF which is permitted to provide 0.6 million gallons per day (mgd) of treatment capacity utilizing

either existing or future plant improvements. Dominion has provided a will-serve commitment which states that permanent treatment capacity is available via the existing or upgraded CBWRF to serve all approved platted lots within Sterling Ranch.

The Planning Commission approved a Location and Extent application for a new sewer lift station, force main and other infrastructure improvements to transmit sewer flows from Filing 7B to the CBWRF site in March of 2024.

The Douglas County Health Department has reviewed the application and provided a favorable recommendation regarding proposed sanitary service.

#### **F. Utilities**

Per Colorado Revised Statute 30-28-133(3.e), the subdivider is to provide "Evidence that provision has been made for facility sites, easements, and rights of access for electrical and natural gas utility service sufficient to ensure reliable and adequate electric or, if applicable, natural gas service for the proposed subdivision. Submission of a letter of agreement between the subdivider and utility serving the site shall be deemed sufficient to establish that adequate provision for electric or, if applicable, natural gas service to a proposed subdivision has been made."

Utility service providers for Filing 7B include Xcel Energy for natural gas and electrical service, and CenturyLink and Comcast for phone and data services. No comments were received from Comcast. CenturyLink noted it has facilities in the area and the applicant is responsible for the relocation cost of facilities, if applicable. Xcel requested a plat note, which is included on the plat exhibit, setting forth its rights and responsibilities within the utility easements. Xcel also noted additional easements may need to be acquired by separate document. Douglas County will accept general purpose utility easements with the final plat.

Non-exclusive private telecommunication easements will be established by separate recorded instrument with reception numbers noted on the final plat exhibit prior to plat recordation in accordance with proposed condition #5. These easements are located in the same area as the general-purpose utility easements.

#### **G. Dedications**

The following dedications are accomplished with Filing 7B:

<b>Roads</b>	<ul style="list-style-type: none"><li>• Rights-of-way within Filing 7B are public and dedicated to Douglas County</li></ul>
<b>Utility Easements</b>	<ul style="list-style-type: none"><li>• Dedicated to Douglas County for utility purposes, including but not limited to gas, electricity, telephone, and cable</li></ul>

<b>Tracts and Private Drives</b>	<ul style="list-style-type: none"> <li>Dedicated to the Sterling Ranch CAB for ownership and maintenance of tracts for open space, drainage, utilities, and access</li> </ul>
<b>Sight Distance Easements</b>	<ul style="list-style-type: none"> <li>Dedicated to Douglas County for sight distance purposes</li> </ul>
<b>Drainage Easements</b>	<ul style="list-style-type: none"> <li>Dedicated to the Sterling Ranch CAB for ownership and maintenance of drainage facilities</li> </ul>
<b>Drainage and Blanket Access Easements</b>	<ul style="list-style-type: none"> <li>Dedicated to Douglas County for access to drainage facilities in the event that the system owner fails to maintain the improvements (onsite)</li> </ul>
<b>Public Pedestrian Access Easements</b>	<ul style="list-style-type: none"> <li>Dedicated to Douglas County for sidewalk improvements</li> </ul>

#### **H. Parks, Trails, and Open Space**

Filing 7B includes 14 tracts, accounting for approximately 25% of the site. The applicant has provided a report to track the status of parks and trails commitments. Burns Regional Park is located east of Filing 7B, across Ordway Drive. At the time of Preliminary Plan 7, the applicant submitted a conceptual master plan of Burns Regional Park which proposed a recreation center, multi-purpose fields, trails, picnic areas, community gardens, playgrounds, and other natural and active park facilities.

Park land dedication requirements are set forth in the Sterling Ranch PD. To date, approximately 174 acres of park land have been dedicated for park and trail use within Sterling Ranch. Based upon the dwelling units approved through plat or SIP, including the current subdivision request, approximately 203 acres of park land dedication is required. The Sterling Ranch PD establishes a process for crediting recreational improvements against park land dedication requirements. Approximately \$3.1 million in park improvements have been identified and secured through the subdivision process. The applicant estimates that the value of all improvements eligible for credit to be approximately \$22.3 million. The applicant has submitted an appraisal in order to establish a per-acre value of land within its subdivisions. Staff is reviewing the information submitted and is working with the applicant to document the final park improvement expenditures eligible for credit.

#### **I. Subdivision Improvements**

The intent of the County's final plat process is "to provide for the review of the final engineering plans, the subdivision improvements agreement, public dedications, and other legal agreements." Per the *DCSR* and the *Douglas County Roadway Design and Construction Standards*, specific engineering reports, studies, and construction plans are required to be submitted with a final plat application and finally accepted by Engineering prior to plat approval. Further, Colorado Revised Statute 30-28-133(5) provides that:

No subdivision shall be approved under section 30-28-110(3) and (4) until such data, surveys, analyses, studies, plans, and designs as may be required by this section and by the county planning commission or the board of county commissioners have been submitted, reviewed, and found to meet all sound planning and engineering requirements of the county contained in its subdivision regulations.

Cost estimates for the public and private improvements are generated from the construction plans and incorporated into the subdivision improvements agreement (SIA) for the plat. Per Section 504.05, the SIA must be approved by the County prior to the Board meeting on the final plat. As the SIA for this request includes the CAB and Dominion, an SIA-IGA is necessary. Due to the IGA component of the agreement, Board review and approval is required.

Required improvements for Filing 7B include internal subdivision roads, subdivision drainage facilities, dry utilities, and water and sanitary sewer improvements.

As of the writing of this staff report, Engineering indicates that only minor technical changes to the construction plans remain and that final approval of all reports, studies, and plans will be accomplished prior to the Board meeting on January 28, 2025. The SIA-IGA has been found to be acceptable by Engineering and will be considered by the Board, concurrent with the final plat, on January 28.

## **VI. PUBLIC NOTICE AND INPUT**

Courtesy notifications of an application in process were mailed to all abutting landowners. No public comments were received. All referral agency comments are outlined in the Referral Agency Response Report, as well as the Referral Response Letters, attached to this staff report.

## **VII. STAFF ANALYSIS**

A final plat may be approved upon the finding by the Board of County Commissioners that the following standards have been met:

### **503.01 Conforms with the goals, objectives, and policies of the Master Plan.**

*Staff Comment: The property is located within the Chatfield Urban Area as identified in Section 2 of the 2040 CMP. The 2040 CMP states that while approval criteria for land use applications require a finding of compliance with the 2040 CMP, "...the competing values of the Plan must be balanced through the public review process to achieve the larger vision of the community." As such, the 2040 CMP acknowledges its own competing values and that implementation can only be achieved through the balancing of community values during the review process. Filing 7B is consistent, on balance, with the goals and objectives of the 2040 CMP for urban development within this part of the County.*

*Article 1, Section 106.05 of the DCSR makes clear that “the individual goals, objectives, and policies of the Master Plan are not, themselves, approval standards.” It goes on to state that “The Board will consider the diversity of community values, applicable laws and regulations, private property rights, and unique characteristics of each application when balancing the goals, objectives, and policies set forth in the Master Plan.”*

*Consistent with Urban Land Use Goal 2-1, the request proposes urban development in a designated urban area, specifically the Chatfield Urban Area. Goal 2-1 also encourages development that supports healthy communities. Filing 7B provides pedestrian and bicycle facilities that provide residents the opportunity for physical activity. Goals 2-2 and 2-10 note any new development shall provide appropriate trail improvements and significant open space. Consistent with Goals 2-3 and 2-12 and their policies, the applicant is providing regional parks, neighborhood greens, and regional and local trails for pedestrians and cyclists in adjacent Filing 7A. In accordance with Goals 2-5 and 2-11, Filing 7B is located away from environmentally visually sensitive lands. As also encouraged in Goal 2-6, the street hierarchy provide a sense of order and minimizes the use of cul-de-sacs. The mix of housing types superblock lots for future nonresidential development fosters a balanced community consistent with Goal 2-7.*

*Section 5 of the 2040 CMP discuss the provision of community services. Consistent with Goal 5-1, the proposed subdivision was reviewed in cooperation with existing service providers, authorities, municipalities, and districts to ensure adequate community resources exist. Objective 5-2A states that a cooperative approach to planning for educational facilities should be maintained. Sterling Ranch PD commitments establish capital mitigation fees and school land dedication requirements. In its referral response, the DCSD requested payment of capital mitigation fees prior to SIP approval. A request for additional land dedication has not been made by the DCSD as part of the current application. The developer, DCSD, and County continue to coordinate to ensure that schools will be available within the PD.*

*In accordance with Goal 5-8, the Sterling Ranch PD commitments establish a program for preservation of archaeological resources.*

*The applicant and Engineering have worked closely to ensure rights-of-way are adequate to accommodate all street users and functions in accordance with the policies of Goal 6-1. Goal 6-2 provides that local roads are designed to serve the purpose and scale of the neighborhood.*

*Section 7 of the 2040 CMP relates to Water Supply, which is an important value for the Chatfield Urban Area and surrounding community. Consistent with policies of Goal 7-1, the Water Appeal minimizes the use of turf grass, includes the use of advanced irrigation systems, and establishes high standards for efficiency with the water delivery system.*

*Section 8 of the 2040 CMP discusses goals, objectives, and policies related to Environmental Quality. The subdivision is consistent with Goal 8-2 which provides for limited land uses in floodplains.*

*Section 9 of the 2040 CMP relates to Wildlife. According to Map 9.1 – Wildlife Resources, the property is not located within a wildlife habitat conservation area, wildlife movement corridor, overland connection, proposed wildlife link, or wildlife crossing area.*

**503.02 Addresses the design elements established in Article 4, Section 404.**

Staff Comment: *The final plat has addressed all applicable subdivision design elements as noted herein. These elements were evaluated at the time of preliminary plan approval. The final plat design is consistent with the preliminary plan.*

*Per Section 404.01 – As required in the Sterling Ranch PD, the applicant has submitted a neighborhood plan which designates a traditional neighborhood development with Character Zone C5. Each of the proposed lots meets the minimum lot size requirements of Character Zone C5.*

*Per Section 404.02 – Geotechnical conditions have been reviewed and determined there are no geologic constraints present that would preclude the proposed uses and density.*

*Per Section 404.03 – Conflicts with surrounding land uses are minimized through orientation of lots and tracts.*

*Per Section 404.04 - Drainage and grading designs have been reviewed and approved by Engineering subject to minor technical corrections. Plans will be finally approved prior to the Board's consideration of the application.*

*Per Section 404.05 – In general, the project integrates portions of natural terrain, drainage areas, and vegetation into the subdivision layout.*

*Per Section 404.06 – The Sterling Ranch PD establishes a protocol for the treatment of archaeological, paleontological, or historic resources identified during construction. This protocol will be followed for all grading activities within Filing 7B and is included as a note on the final plat exhibit.*

*Per Section 404.07 – Appropriate opportunities for vehicular, pedestrian, trail and parkland connections are possible via the proposed road and trail network and the overall Sterling Ranch PD.*

*Per Section 404.08 – Recommendations within technical studies, including the geotechnical report, drainage report, and traffic impact analysis, will be implemented through the review and approval of construction plans. Engineering indicates that the engineering reports, studies, and plans required for improvements to the final plat have*

*been reviewed and approved subject to technical corrections and will be finally approved before the Board meeting on January 28, 2025.*

**503.03 Conforms with Section 18A, Water Supply Overlay District, of the Zoning Resolution.**

Staff Comment: *For Sterling Ranch, the Appeal sets forth approval standards for all Development Applications. Conformance with the water supply approval standards was evaluated at the time of preliminary plan, with required information and service commitments reaffirmed with the final plat application as noted below. The water supply for Preliminary Plan 7 was reviewed and approved by the Board in October of 2022. The applicant submitted water supply documentation for the 7B final plat which confirms continued compliance with the approval standards set forth in Section 3 of the Water Appeal.*

**503.04 Provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems comply with State and local laws and regulations.**

Staff Comment: *Dominion stated it will provide wastewater services to the property. Agreements are in place for interim treatment through RWSD and the City of Littleton facilities. RWSD noted it “is evaluating its ability to serve more units, but at this time, no more than 4,000 units will be served through Roxborough lift station system.” Dominion indicates that it will abide by all contractual agreements with RWSD relative to the certificate of occupancy limits. Dominion has provided a will-serve commitment which states that permanent treatment capacity is available via the existing or upgraded CBWRF to serve all approved platted lots within Sterling Ranch. The Douglas County Health Department has provided a favorable recommendation regarding proposed sanitary service.*

**503.05 Identifies all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions and that the proposed uses of these areas are compatible with such conditions.**

Staff Comment: *A preliminary geotechnical study and a preliminary soil and foundation study were reviewed by CGS at the time of preliminary plan. CGS reviewed the proposed development and noted that “No geologic constraints are present that would preclude the proposed use(s) and density.”*

**503.06 Provides adequate drainage improvements.**

Staff Comment: *Engineering has reviewed and approved the Phase III Drainage Report and plans subject to minor technical corrections. All engineering reports and plans will be finally approved prior to the Board meeting on January 28.*

**503.07 Provides adequate transportation improvements.**

Staff Comment: *The applicant’s TIS and construction plans have been reviewed and approved by Engineering subject to minor technical corrections.*

**503.08 Protects significant cultural, archaeological, natural and historical resources and unique landforms.**

*Staff Comment: ERO Resources Corporation conducted an on-site cultural resource survey of the Preliminary Plan 7 area in 2010 and 2016 and prepared a report in September of 2021. That survey and report determined no historic properties and no properties of historic significance within the boundary of Filing 7B would be adversely affected. The Sterling Ranch PD establishes a protocol for protection of archaeological, paleontological, or historic resources identified during construction that is noted on each plat.*

**503.09 Has available all necessary services, including fire and police protection, recreation facilities, utility services, streets, and open space to serve the proposed subdivision.**

*Staff Comment: The proposed subdivision will be served by South Metro, the DCSO, the DCSD, Xcel Energy, Comcast, and CenturyLink. Roads are to be public and dedicated to Douglas County. Private roads will be owned and maintained by the CAB to serve townhome lots. Utility plans are a component of the required construction plans for the subdivision. Engineering has reviewed and approved construction plans for the subdivision subject to minor technical corrections. Final approval will be accomplished prior to the Board meeting on January 28. Xcel has noted that additional easements may need to be provided by separate recorded instrument if additional utility facilities are necessary to serve Filing 7B.*

**VIII. STAFF ASSESSMENT**

Staff has evaluated the final plat request in accordance with Article 5 of the DCSR. Engineering indicates that the engineering reports, studies, and plans required for the final plat have been reviewed and approved subject to minor technical corrections. Final construction plan approval will be accomplished prior to the Board meeting on January 28.

All subdivision improvements are identified and secured through the SIA-IGA for Filing 7B; this agreement is also scheduled for Board consideration at its January 28 public meeting. The Filing 7B SIA-IGA must be approved prior to final action by the Board on the final plat as reflected in the first proposed condition.

Should the Board find that the approval standards for the final plat are met, the following proposed conditions should be considered for inclusion in the motion:

1. Prior to the Board's action on the final plat, the Subdivision Improvements Agreement-Intergovernmental Agreement (SIA-IGA) for Filing 7B shall be approved by the Board.
2. Prior to recordation of the final plat, the applicant shall provide payment in the amount of \$1,500.00 per single-family dwelling unit to the Douglas County School

District for capital mitigation. For multi-family dwelling units within the final plat, the applicant shall provide payment in the amount of \$750.00 per unit to the Douglas County School District for capital mitigation prior to site improvement plan approval.

3. Prior to recordation of the final plat, the applicant shall provide payment to Douglas County for the pro-rata share costs towards improvements to the State Highway System in accordance with the commitments set forth in the Sterling Ranch PD.
4. Prior to recordation of the final plat, the property within Filing 7B shall be included into one or more of the Sterling Ranch Metropolitan Districts.
5. Prior to recordation of the final plat, the private telecommunication easements shall be recorded, and reception numbers noted on the final plat exhibit.
6. Prior to recordation of the final plat, technical corrections to the final plat exhibit shall be made to the satisfaction of Douglas County.
7. Colorado Division of Wildlife literature shall be made available to both prospective homeowners and homebuyers concerning the possible presence of wildlife and shall be available at all times.
8. A burrowing owl survey shall be performed if any earth-moving will begin between March 15 and October 31.
9. All commitments and promises made by the applicant or the applicant's representative during the public meeting and/or agreed to in writing and included in the public record have been relied upon by the Board of County Commissioners in approving the application; therefore, such approval is conditioned upon the applicant's full satisfaction of all such commitments and promises.

<b>ATTACHMENTS</b>	<b>PAGE</b>
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## LAND USE APPLICATION

*Please fill in this application form completely. An incomplete application will not be processed.*

Note: Neither the Planning Commission nor the Board of County Commissioners should be contacted regarding an open application.

OFFICE USE ONLY	PROJECT FILE #:
PROJECT NAME: _____	_____
PROJECT TYPE: <u>Minor Development Plat</u>	PLANNING FEES: _____
MARKETING NAME: <u>Filing 7B First Amendment</u>	ENGINEERING FEES: _____
SITE ADDRESS: <u>State Parcel: 222930300006</u>	TOTAL FEES: _____
OWNER(S): Name(s): <u>Sterling Ranch, LLC</u> Address: <u>8155 Piney River Ave, Suite 200, Littleton, CO 80125</u> Phone: <u>303-881-7119</u> Email: <u>susanb@sterlingranchcolorado.com</u>	RELATED PROJECTS: _____ _____ _____ _____

AUTHORIZED REPRESENTATIVE (requires notarized letter of authorization if other than owner)

Name: \_\_\_\_\_  
 Address: \_\_\_\_\_  
 Phone: \_\_\_\_\_  
 Email: \_\_\_\_\_

### LEGAL DESCRIPTION:

Subdivision Name: Sterling Ranch  
 Filing #: 7B Lot #: \_\_\_\_\_ Block #: \_\_\_\_\_ Section #: 30 Township: 6S Range: 68W  
 STATE PARCEL NUMBER(S): State Parcel: 222930300006

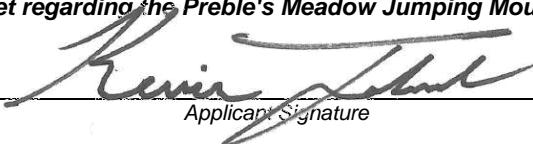
### ZONING:

Present Zoning: PD Proposed Zoning: PD Gross Acreage: 43.39  
 Gross Site Density (DU per AC): 3 # of Lots or Units Proposed: 147

### SERVICE PROVIDERS:

Fire District: SMFR Metro District: SR CAB Gas: Xcel  
 Water: DWSD Sewer: DWSD Electric: Xcel  
 Roads:  Public  Private (please explain): Includes private alleyways, in addition to public roads

To the best of my knowledge, the information contained on this application is true and correct. ***I have received the County's information sheet regarding the Preble's Meadow Jumping Mouse.***



Applicant Signature

08/28/2024

Date

100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460

Revised 03.04.2021



**Project Narrative Minor Development Plat Application for Sterling Ranch Filing 7B Final Plat**  
**September 16, 2024**

---

**Property Owner:**

Sterling Ranch, LLC  
8155 Piney River Avenue, Suite 200  
Littleton, Colorado 80125  
Brock Smethills  
(303) 202-6800  
[brocks@sterlingranchcolorado.com](mailto:brocks@sterlingranchcolorado.com)

**Applicant:**

Sterling Ranch Development Company  
8155 Piney River Avenue  
Littleton, Colorado 80125  
Susan Beckman  
(303) 881-7119  
[Susanb@sterlingranchcolorado.com](mailto:Susanb@sterlingranchcolorado.com)  
[kevin.johnk@sterlingranchcolorado.com](mailto:kevin.johnk@sterlingranchcolorado.com)

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Denver, Colorado, 80202-4432

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Greenwood Village, Colorado 80111  
Liam Shannon, PE  
(720)-689-6653  
[Liam.Shannon@kimley-horn.com](mailto:Liam.Shannon@kimley-horn.com)

**Land Planner:**

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200 Kalamath  
Denver, Colorado 80223  
Curtis Davidson  
(303) 531-4905  
[Curtis@pcsgroupco.com](mailto:Curtis@pcsgroupco.com)

**Transportation Engineer:**

Fox Tuttle Transportation Group  
1580 Logan Street, 6<sup>th</sup> Floor  
Denver, Colorado 80203  
Cassie Slade, PE, PTOE  
(303) 652-3571  
[cassie.slade@foxtuttle.com](mailto:cassie.slade@foxtuttle.com)

**PROJECT OVERVIEW**

Pursuant to Section 605.02 of the Douglas County Subdivision Resolution, this written narrative provides an outline of the submittal documentation in support of the Sterling Ranch Filing No. 7B Final Plat land use application (“Filing 7B”).

**A. Background.**

Filing 7B is the second plat submitted to Douglas County related to Preliminary Plan 7. Preliminary Plan 7 was approved by the Douglas County Board of County Commissioners on October 11, 2022.

**B. County Process.**

A Final Plat application is processed pursuant to Article 5 of the *Subdivision Resolution*. Article 5 states the intent of the process is “To provide for the review of the final engineering plans, the subdivision improvement agreement, public dedications, and other legal agreements.”

Per section 504.06, “Staff will provide a staff report to the Board. The Board shall evaluate the final plat, staff report, referral agency comments, applicant responses, and public comment and testimony, and shall approve, approve with conditions, continue, table for further study, or deny the final plat. The Board’s action shall be based on the evidence presented; compliance with adopted County standards, regulations, and policies; and other guidelines.”

**C. Location.**

The Applicant requests approval of Filing 7B, which includes approximately ±43.385 acres and is located within Planning Area D2 of the Sterling Ranch Planned Development. Filing No. 7B is generally located west of Filing Nos. 5A and 5B, south of the Xcel property, north of Waterton Road, and east of Roxborough Park Road. It is directly north of Filing No. 7A.

**D. Project.**

The Applicant proposes 75 single-family detached and 72 townhome lots and two (2) superblock lots for future commercial, retail or multifamily development on Lots 148 and 149. In addition, there are 14 tracts on 11.019 acres. One (1) Tract, Tract A, is 8.571 acres and is the location of Pond F30, a water quality and detention facility that supports Filing 7A, 7B, and a portion of future Filing 7C.

Filing 7B is currently part of Neighborhood D2.8 and is designated as Character Zone C5, which allows for single family, multifamily, and commercial development. The proposed density of the site is in conformance with the Neighborhood Plan and meets the allowable density requirement of the C5 Character Zone.

No land within the project site is being proposed for park dedication, however the 75 single-family detached and 72 townhome dwelling units will generate a park dedication requirement of 5.740 acres. The Sterling Ranch Park Tracking Table has been updated to account for the required park dedication.

Access for the project is proposed from Ordway Drive to the east and Sterling Ranch Avenue to the south as constructed per the approved Filing No. 7A plat.

**E. Infrastructure.**

To support the future development of Filing 7B, infrastructure related to roadways, water, sanitary sewer and storm sewer will be required within the site.

The Site will have three primary access points: 1) connection to and extension of Ordway Drive; 2) connection to and extension of Hooper Ave at the intersection of Sterling Ranch Avenue; and 3) connection to and extension of Vireo Street at the intersection of Sterling Ranch Avenue. Ordway Drive will be located immediately east of Filing 7B. Filing 7A will extend Ordway Drive from the current end point to Sterling Ranch Avenue. With Filing 7B, Ordway Drive is proposed to be extended north of Sterling Ranch Avenue along the eastern boundary of Filing 7B. It is proposed that there will be two (2) full movement intersections on Ordway Drive. Hooper Avenue south of Sterling Ranch Avenue will be constructed with Filing 7A. Hooper Avenue will also be extended north of

Sterling Ranch Avenue with Filing 7B to provide additional access to this filing. The intersections on Sterling Ranch Avenue at Ordway Drive and at Hooper Avenue are planned to be constructed as single-lane roundabouts. Sterling Ranch Avenue is located immediately south of Filing 7B and will be completed with the construction of Filing 7A. In addition to the access at Ordway Drive and Hooper Avenue, there will be one full-movement, side-street stop-controlled access on Sterling Ranch Avenue into Filing 7B.

Sanitary sewer will be provided through the 7B site. All flows will be conveyed to the west portion of 7B, where the sanitary sewer will tie into Roxborough Park Road sanitary sewer infrastructure constructed with the proposed Filing No. 7A. Flows are then routed west to the Lift Station 7. The site has been accounted for in the design of the downstream sanitary sewer system.

Potable water will be provided through the 7B site with proposed 18" and 8" diameter PVC watermain loops. Three connections to existing water main infrastructure will be made: one connection to and extension of the 8" PVC water main in Ordway Drive; one connection to and extension of the 8" PVC water main in Vireo Street, and one connection to and extension of the 18" DIP water main in Hooper Ave. Filing 7B will be served by the Sterling Ranch Community Authority Board (CAB), the retail water provider for the Sterling Ranch Planned Development. Dominion Water and Sanitation District (Dominion) is the wholesale water district that provides water and wastewater service to the CAB. The Dominion water supply information for Filing 7B is consistent with the previously submitted information with Preliminary Plan 7, which was approved by the Douglas County Board of County Commissioners on October 11, 2022.

Filing 7B has the required documentation to demonstrate evidence of sufficient water supply pursuant to the Amended and Restated Sterling Ranch Water Appeal approved on October 12, 2021 ("Sterling Ranch Water Appeal"). Included in the submittal is a Wholesale Water and Wastewater Cumulative Service Commitment Letter from Dominion dated August 5, 2024, and a CAB Will Serve Letter dated August 5, 2024.

Storm sewers have been designed within Filing 7B to capture flows from the proposed developed site and convey them to the northwest corner of Filing 7B, where the storm sewer will tie into Pond F30 infrastructure. All of the proposed Filing 7B storm sewer ultimately discharges to Pond F30, which provides water quality and detention for stormwater flows from Filing 7A, 7B, and part of future Filing 7C. The proposed pond F30 will discharge controlled stormwater to Unnamed Tributary 3 per the Master Drainage Study.

Electric and Gas service will be provided by Xcel Energy. Cable and telephone service will be provided by Lumiere Fiber, LLC.

Easements and tracts will be required to support development of the site for items such as utility easements for dry utilities, telecommunications, water and sanitary sewer facilities, storm sewer, and emergency access. The Plat identifies the type and location of tracts and easements required for the site.

#### **Compliance with FINAL PLAT Approval Standards**

##### **503.01 Filing 7B conforms with the goals, objectives, and policies of the Master Plan.**

Filing 7B is located within the boundaries of Preliminary Plan No. 7, which is located within the Chatfield Urban Area as identified in Section 2 of the 2040 Comprehensive Master Plan. Consistent with General Urban Land Use Goal 2-1, Filing 7B proposes urban development in a designated urban area, specifically the Chatfield Urban Area (See Maps 1.1 and 2.1). Consistent with Goal 2-5, the PD commitments establish a program for preservation of archaeological resources; a Class III Cultural Resources Survey was included with the Preliminary Plan 7 submittal, to ensure that impacts on natural and historic resources are avoided or minimized. The Sterling Ranch Road Design Standards, most recently updated and approved by Douglas County in July 2018, are consistent with the 2040 CMP Goals 6-1 & 6-2 that encourages roundabouts in lieu of traffic signals and shorter street lengths with interconnected trails and sidewalks that promote a walkable community. Partnerships with regional water providers, minimizing water consumption, promoting the use of conjunctive use water systems and bringing renewable water supplies to Douglas County each advance the policies in Goal 7-1.

**503.02 Filing 7B addresses the design elements established in Article 4, section 404.**

**A. 404.01**

As illustrated in the Final Plat, related construction drawings, and the Neighborhood Plan, lots conform in size to those allowed in Character Zone C5 of the Sterling Ranch PD.

**B. 404.02**

The proposed subdivision avoids Class 3 geologic hazards and mitigates other geologic hazards. Drainage improvements that discharge into East Willow Creek will be conveyed west as noted in the Master Drainage Study. Please see the “Geotechnical Site Development Study, A portion of Sterling Ranch Filing 7 (East), Douglas County, Colorado”, prepared by A. G. Wassenaar and dated July 22, 2021.

**C. 404.03**

Filing 7B is located within the boundaries of the Sterling Ranch PD and has been designed such that the subdivision is complementary with Sterling Ranch Filings 1, 2, 4A – 4C, 5A – 5C, 6A – 6C, and 7A.

**D. 404.04**

Streets have been planned and designed to meet the Sterling Ranch Road Design Standards, Douglas County Roadway Design and Construction Standards, and the Sterling Ranch Community Authority Board Design Standards. Sterling Ranch Avenue and Hooper Avenue will serve as the primary avenue access to Middle Fork Street and Ordway Drive provides local street access to Filing 5B.

Streets within Filing 7B will be a mix of public Local Streets (50' standard cross-section for single family development) and 24-ft Private Streets as described in the approved Sterling Ranch Road Design Standards. There is one street proposed to be a 60' standard cross-section per the multi-family cross-section. This street is immediately north of the proposed superblock lot 148.

The drainage system for the project will convey drainage northwest to Unnamed Tributary 3, as outlined in the Master Drainage Study. As outlined in the Phase III Drainage Report, this system has been designed to meet the Sterling Ranch Road Design Standards, Douglas County Roadway

Design and Construction Standards, Storm Drainage Design and Technical Criteria Manual, and the Sterling Ranch Community Authority Board Design Standards.

**E. 404.05**

Dedicated open space areas will be re-seeded with native landscaping and stormwater runoff will be collected in roadways and conveyed to the drainageways with a storm sewer system. Stormwater treatment and attenuation for the project will be provided by a detention and water quality pond to the northwest (i.e. Pond F30) prior to discharging to Unnamed Tributary 3. The storm sewer system has been designed in accordance with the Storm Drainage Design and Technical Criteria Manual and the Mile High Flood District Storm Drainage Criteria Manual.

**F. 404.06**

Consistent with Douglas County Subdivision Resolution 408.08, the Applicant submitted a Class III Cultural Resources Report from ERO Resources Corporation dated September 20, 2021 with the Preliminary Plan 7. Sterling Ranch contracted with Metcalf Archaeology Consultants to review the ERO Class III Report and found one minor discrepancy on Pg. 4 for a site identified as 5DA.3528. Metcalf confirmed through a Memo titled *Explanation of a discrepancy in ERO Resources Corporation inventory report for Filing No. 7*. dated December 13, 2021, that this site was incorrectly identified as not eligible for any future testing or additional work. Should any historical or archeological artifacts be found during development, the PD outlines a procedure to mitigate impacts of such a discovery.

**G. 404.07**

The Sterling Ranch Road Design Standards were designed to accommodate opportunities for safe and convenient vehicular, pedestrian, and bicycle connections with the subdivision and adjacent neighborhoods. As noted above, primary roads include Sterling Ranch Avenue, Hooper Avenue, Ordway Drive, and Vireo Street.

**H. 404.08**

Recommendations from the Preliminary Plan 7 and Filing 7B pre-submittal have been implemented in the proposed project.

**503.03 Filing 7B conforms with Section 18A, Water Supply – Overlay District of the Zoning Resolution.**

Dominion Water and Sanitation District will supply renewable water to the Sterling Ranch Community Authority Board, which will be delivered by extending infrastructure from adjacent filings. Dominion's water supply portfolio, as previously reviewed and approved by Douglas County associated with the Preliminary Plat Filing 7 Project File SB2021-057 (date of approval was October 11, 2022), remains the same. No new water supply review is needed. This proposed water system conforms with Section 18A of the Douglas County Zoning Resolution and the Sterling Ranch 2021 Water Appeal.

**503.04 Filing 7B provides for a public wastewater collection and treatment system and, if other methods of wastewater collection and treatment are proposed, such systems comply with State and local laws and regulations.**

The wastewater infrastructure will connect into existing infrastructure at the northwest corner of Preliminary Plan 7 near Roxborough Park Road at the Xcel parcel. The flows from Filing 7B will tie into the gravity sanitary sewer line that was designed as part of Filing No. 7A and extends west from Filing 7B to Lift Station 7. From Lift Station 7, flow will be conveyed via force main to the existing Dominion force main through a manifold connection.

**503.05 Filing 7B identifies all areas of the proposed subdivision, which may involve soil or topographical conditions presenting hazards or requiring special precautions and the proposed uses are compatible with such conditions.**

The Applicant has included as part of this submittal the “Geotechnical Site Development Study, A portion of Sterling Ranch Filing 7 (East), Douglas County, Colorado”, prepared by A. G. Wassenaar and dated July 22, 2021. This report identifies the soil and topographical conditions for the proposed subdivision. The report identifies there are a variety of soils present within Filing 7B, including expansive soils. The soils are indicative of those found throughout Northwest Douglas County and there are a variety of methods to mitigate the expansive soils. Development and construction of Filing 7B will follow the recommendations for soils mitigation outlined in the geotechnical report noted above.

The Class 3 Geological Hazards map as described within the 2040 CMP indicates that there are no known debris-flow, rockfall-rockslide, debris avalanche, slope-failure, or soil subsidence areas in the vicinity of the Filing 7B. Each homebuilder’s geotechnical engineer, not the developer or applicant, will make the final soil mitigation recommendation to the individual homebuilders for each lot. No other unique soil, topographical or hazardous requiring special precautions were identified that would prevent the development of this site.

**503.06 Filing 7B provides adequate drainage improvements**

The Applicant, in conjunction with this application, has submitted a Phase III Drainage Report that identifies the necessary drainage improvements to support Filing 7B. The drainage improvements include a storm water conveyance system (inlets, pipes channels and detention and water quality via Pond F30) that will connect to the system Unnamed Tributary F.

**503.07 Filing 7B provides adequate transportation improvements**

The Applicant has submitted a traffic study entitled, “Sterling Ranch Filing 7B Traffic Analysis” (August 2024) which outlines the traffic operations associated with Preliminary Plan No. 7 and improvements required. Based on a comparison of additional trip volume and roadway capacity, it was determined that the existing and proposed roadway network can accommodate the Filing 7B traffic. In summary, the analysis demonstrates compliance with the PD requirements for level of service while also providing safe travel for all roadway users in Sterling Ranch.

The following improvements are recommended to support the project-added traffic growth for Filing 7B:

- Ordway Drive: Extend north of Sterling Ranch Avenue to Xcel property at a local, 50' cross-section per the RDS.
- Hooper Avenue (formerly Avenue B): Extend from Sterling Ranch Avenue north to Xcel property with the ‘Avenue’ cross-section per the RDS.

- Accesses on Sterling Ranch Avenue, Ordway Drive and Hooper Avenue: Construct these intersections with one lane per approach and side-street stop-control.

**503.08 Filing 7B protects significant archaeological, natural, and historical resources and unique landforms**

The Applicant submitted a Class III Cultural Resources Report from ERO Resources Corporation dated September 20, 2021 with the Preliminary Plan 7 application.

**503.09 Filing 7B will have available all necessary services, including fire and police protection, recreational facilities, utility services, streets, and open space to serve the proposed subdivision**

1. Fire: Fire services will be provided by South Metro Fire District.
2. Police: Douglas County Sheriff's Office will provide police protection.
3. Utility Services: Public Service Company of Colorado is the regulated utility for the boundaries of the Filing 7B and will provide gas and electric service to the proposed subdivision. Telecommunications services will be provided by Lumiere Fiber to the proposed subdivision.
4. Streets: The road network will access adjacent infrastructure that will be constructed as part of Filing No. 7A. More specifically, a mix of local streets and private roads connecting to Sterling Ranch Ave, Hooper Ave, Vireo Street, and Ordway Drive are proposed to serve the project.
5. Open Space and Trails: 75 single-family detached lots and 72 townhome lots planned for Filing 7B will generate a park dedication requirement of 5.740 acres. Please see the Park and Open Space Tracking Exhibit included with this application.
6. Schools: Douglas County School District will be the education provider for the proposed subdivision. The Applicant will continue to pay the \$1,500 per single family detached unit and \$750 per single family attached unit capital fee to DCSD prior to recordation of a final plat as outlined in the Sterling Ranch PD.

**MISCELLANEOUS**

Any off-site easements, rights-of-way or other dedications necessary for installation of trails, utilities, water, storm drainage, sewer, roads or other public purpose shall be obtained in accordance with the schedule outlined in the SIA/IGA.

The Applicant agrees to provide payment to Douglas County towards overall capacity improvements for the State Highway System (State Highway 85) in accordance with the commitments set forth in the PD.

The 2040 CMP Wildlife Resources map identifies this area as having low habitat value. The site is not located within a wildlife habitat conservation area, overland connection, wildlife movement corridor, proposed wildlife link or wildlife crossing area.

Prior to recordation of the final plat, the property within Filing 7B shall be included in at least one of the Metro Districts.

**503.01 Filing 7B conforms with the goals, objectives, and policies of the Master Plan.**

**Section 2 Urban Land Use** Filing 7B is located within the boundaries of Preliminary Plan No. 7, which is located within the Chatfield Urban Area as identified in Section 2 of the 2040 Comprehensive Master Plan.

Consistent with General Urban Land Use Goal 2-1, Filing 7B proposes urban development in a designated urban area, specifically the Chatfield Urban Area.

Consistent with Policy 2-2A.2 New development should be supported through the provision of significant open space, the conservation of habitats, movement corridors, and habitat linkages as indicated in the study. Sterling Ranch has preserved significant movement corridors including the Willow Creek Wildlife Corridor and the Sterling Ranch Gulch Wildlife Corridor.

Consistent with General Urban Land Use Goal 2-3, Filing 7B will sit directly west of a portion of Burns Regional Park. Ultimately, Burns Regional Park will be approximately 104 acres in size. The 7-acre portion of the park that sits directly adjacent to Filing 7B is anticipated to be the 1<sup>st</sup> construction phase of the park as it is centrally located between Filing 7B, filing 1, and Filing 4C. Easey and safe access will be provided to the park via sidewalks and pedestrian ramps. Filing 7B also sits catacorner to a planned Pickleball facility that is currently in a separate L&E process with the County and is anticipated to open in 2025.

Consistent with Urban Land Use Goal 2-4, the Filing 7B Plat has designated a 2.9-acre lot as a future commercial site. While the ultimate user of this site has yet to be determined, it is anticipated that this commercial lot will serve as a public gathering space within the community, not only for residents in Filing 7B but also for residents in the adjacent Filings as wells as anyone from the surrounding communities visiting future Burns Regional Park.

Consistent with General Urban Land Use Goal 2-5, the Sterling Ranch PD commitments establish a program for preservation of archaeological resources: a Class III Cultural Resources Survey was included with the Preliminary Plan 7submittal, to ensure that impacts on natural and historic resources are avoided or minimized.

Consistent with General Urban Land Use Goal 2-6C, the road network has been designed in accordance with the Sterling Ranch Roadway Design Standards (RDS). The primary thoroughfares in the Filing include Sterling Ranch Avenue and Hooper St., both of which have designated bicycle lanes, and attractively landscaped tree lawns and medians. The raised median detail on Sterling Ranch as well as 2 planned roundabouts will provide safe and attractive access for both vehicular and pedestrian users as well as a beautiful frontage for the planned commercial lots in Filings 7A and 7B. The street hierarchy provides a sense of order and scale with a pattern that allows for users to find their way. Local and collector streets connect appropriately, and no cul-de-sacs have been created. The Sterling Ranch Design Review Committee (DRC) review process will enforce diversity in residential design through variation in color, façade treatment, and lot size. House design for all product types in the Filing places the garage behind the front entrance plane of the buildings and the mixed residential product types and densities create a diversity of housing types, sizes, and price ranges.

Consistent with Policy 2-6G.2 all exterior lighting fixtures are required to adhere to dark-sky practices.

Consistent with Policy 2-7A.1, the selected housing product segmentation provides a variety of housing that fits differ lifestyles and needs.

Consistent with Policy 2-9, Filing 7B is being developed concurrently with essential services and infrastructure.

Consistent with Chatfield Urban Area Objective 2-10A Balance, conserve, and preserve sensitive environmental and visual resources as open space in areas adjacent to and within proposed urban areas,

Sterling Ranch has dedicated over 133 acres in Burns Regional Park and Providence Regional Park. At full buildout Sterling Ranch will have over 280 acres of Regional Park.

Consistent with Chatfield Urban Area Goal 2-12, the Sterling Ranch Planned Development at full buildout will provide over 330 acres of Open Preserve, over 280 acres of Regional Park, over 500 acres of Multi-Function Open Space, and 2 wildlife corridors (Willow Creek Wildlife Corridor, and Sterling Gulch Wildlife Corridor).

## **Section 6 Transportation**

Consistent with Goals 6-1, 6-2 The Sterling Ranch Road Design Standards, most recently updated and approved by Douglas County in July 2018, are consistent with the that encourages roundabouts in lieu of traffic signals and shorter street lengths with interconnected trails and sidewalks that promote a walkable community.

Consistent with Objective 6-1C Consider safety a major element of transportation improvements in the county. Final Plat 7B roads were designed to accommodate opportunities for safe and convenient vehicular, pedestrian, and bicycle connections with the subdivision and adjacent neighborhoods.

Consistent with Policy 6-2D. Support local road designs that encourage walkable environments and foster sense of place Primary roads include Sterling Ranch Avenue, Hooper Avenue, Ordway Drive, and Vireo Street and they were designed with bicycle paths and sidewalks that will allow for connectivity to the trails in Burns Regional Park and the 7A Community Linear Park.

## **Section 7 Water Supply**

Consistent with in Objective 7-1. 7-1A-1 Sterling Ranch minimizing water consumption, promoting the use of conjunctive use water systems, and bringing renewable water supplies to Douglas County. Dominion Water and Sanitation District will supply renewable water to the Sterling Ranch Community Authority Board, which will be delivered by extending infrastructure from adjacent filings. Dominion's water supply portfolio, as previously reviewed and approved by Douglas County associated with the Preliminary Plat Filing 7 Project remains the same. This proposed water system conforms with Section 18A of the Douglas County Zoning Resolution and the Sterling Ranch 2021 Water Appeal.

Consistent with objective 7-1a Minimize water consumption. Final Plat 7A Encourage landscapes that minimize water consumption. Sterling Ranch empowers residents to monitor their indoor/outdoor water usage by providing dual-water metering equipment and a smart irrigation controller in every home in Final Plat 7B. Every home in Final Plat 7B will be required to follow water-wise landscaping guidelines developed with the help of the Denver Botanic Gardens.

Consistent with Objective 7-1B Sterling Ranch promotes the techniques that capture rainwater as allowed by law. With unanimous support from the Colorado legislature in 2024 SB-148 affirmed that Sterling Ranch is the first Rainwater Harvesting pilot Project in the State. This legislation made Sterling Ranch's Regional Parks the approved pilot for the rainwater harvesting. Dominion Water and Sanitation District has already received the support of the Colorado Water conservation board and is also partnering with the Colorado School of Mines, and the Colorado Department of Natural Resources to develop a viable rainwater harvesting model for parks that will identify ways to improve water quality and sustainable practices in Sterling Ranch and across the state Colorado.

## **Section 8 Environmental Quality**

Consistent with Goal 8-1 To Recognize and respect natural Geologic Conditions Sterling Ranch has included and will follow the recommendations of the “Geotechnical Site Development Study, A portion of Sterling Ranch Filing 7 (East), Douglas County, Colorado”, prepared by A. G. Wassenaar. The Class 3 Geological Hazards map as described within the 2040 CMP indicates that there are no known debris-flow, rockfall-rocksides, debris avalanche, slope-failure, or soil subsidence areas in the vicinity of Filing 7B. No other unique soil, topographical or hazardous requiring special precautions were identified that would prevent the development of this site.

## **Section 9 Wildlife**

Consistent with Goal 9-1 Protect and enhance wildlife habitat and movement Corridors and foster wildlife Conservation. Sterling Ranch has preserved significant movement corridors including the Willow Creek Wildlife Corridor and the Sterling Gulch Wildlife Corridor. The 2040 CMP Wildlife Resources map identifies this area as having low habitat value. The site is not located within a wildlife habitat conservation area, overland connection, wildlife movement corridor, proposed wildlife link or wildlife crossing area.

# Comprehensive Master Plan

## Land Use Reference Map

### Comprehensive Master Plan Areas

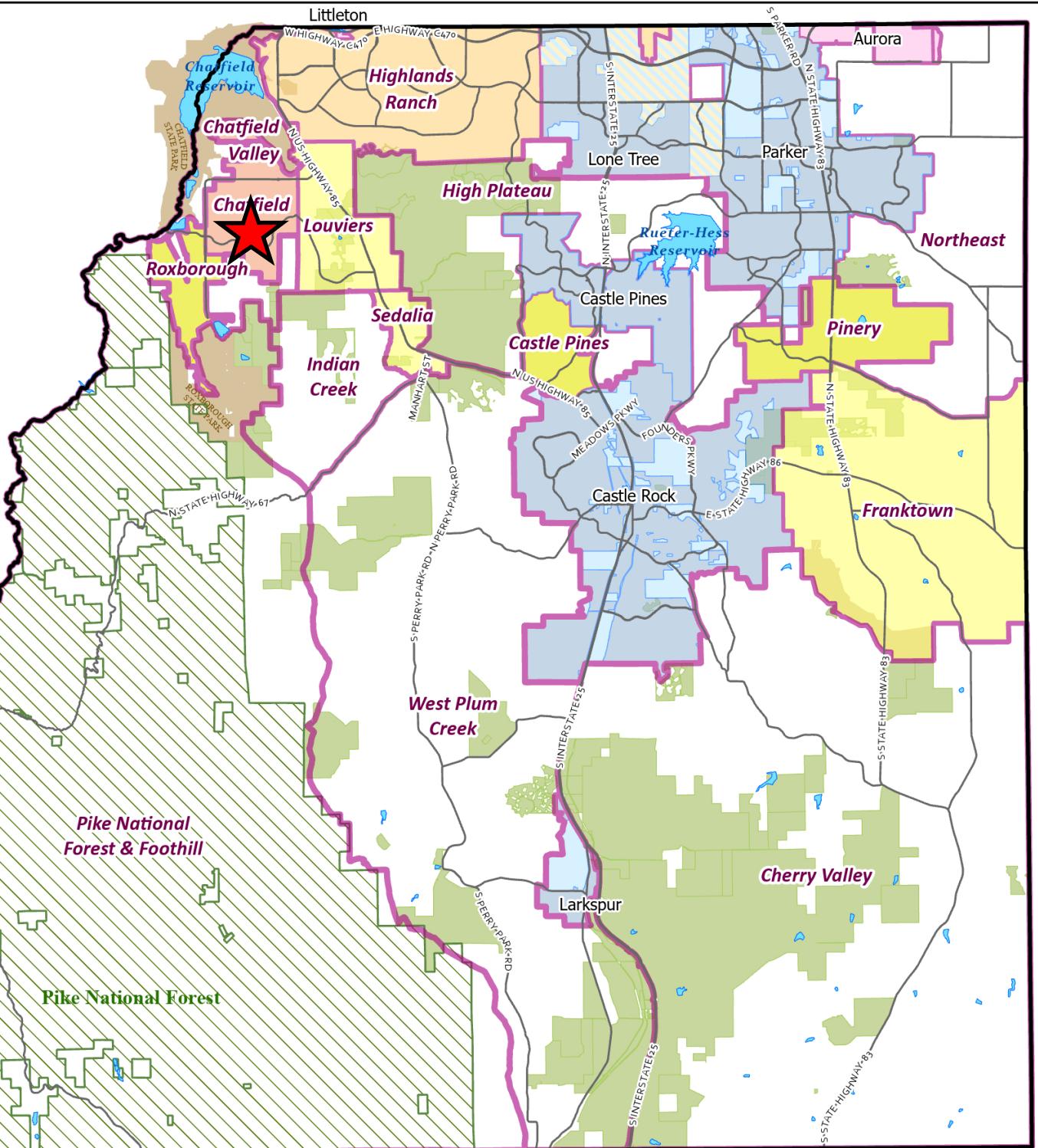
- Primary Urban Area
- Chatfield Urban Area
- Separated Urban Area
- Rural Community
- Nonurban Subarea
- Municipal Planning Area (Incorporated)
- Municipal Planning Area (Unincorporated)
- Municipal Planning Area Inclusive of County PUA / SUA
- Non-Douglas County Based Municipalities
- Douglas County Boundary

### Parks

- Pike National Forest
- State Parks
- Open Space
- Lakes

### Roadways

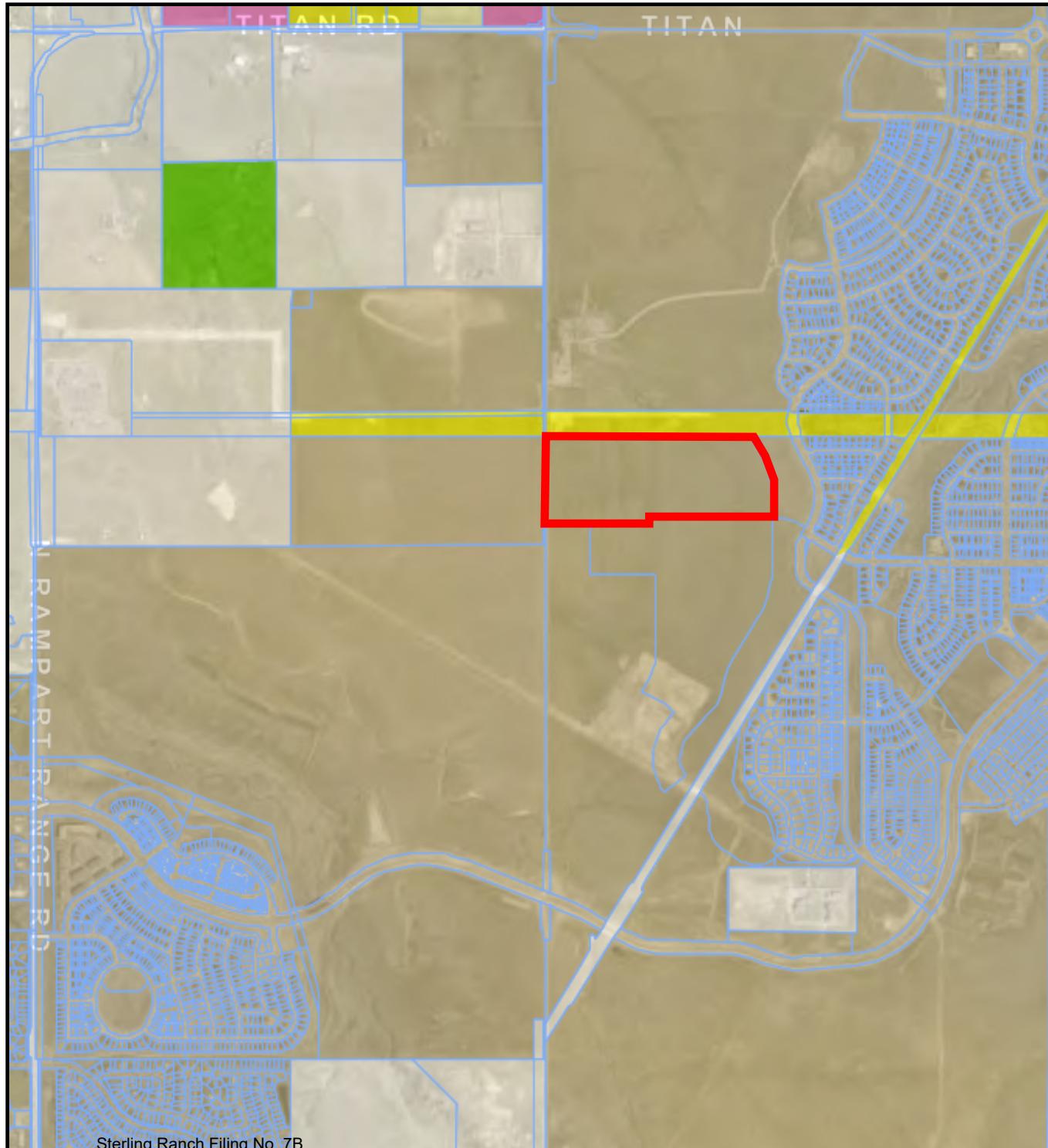
- Major Roads



Sterling Ranch Filing No. 7B

Project File SB2024-052, Final Plat

Board of County Commissioners Staff Report - Page 28 of 239



# STERLING RANCH FILING 7B

SB2024-052  
ZONING MAP

## LEGEND

MAJOR ROADS

OTHER ROADS

PROJECT SITE

## ZONE DISTRICT

A1 - AGRICULTURAL ONE

LRR - LARGE RURAL RESIDENTIAL

RR - RURAL RESIDENTIAL

ER - ESTATE RESIDENTIAL

SR - SUBURBAN RESIDENTIAL

MF - MULTIFAMILY

LSB - LIMITED SERVICE BUSINESS

B - BUSINESS

C - COMMERCIAL

LI - LIGHT INDUSTRIAL

GI - GENERAL INDUSTRIAL

CMTY - SEDALIA COMMUNITY

D - SEDALIA DOWNTOWN

HC - SEDALIA HIGHWAY COMMERCIAL

MI - SEDALIA MIXED INDUSTRIAL

PD - PLANNED DEVELOPMENT

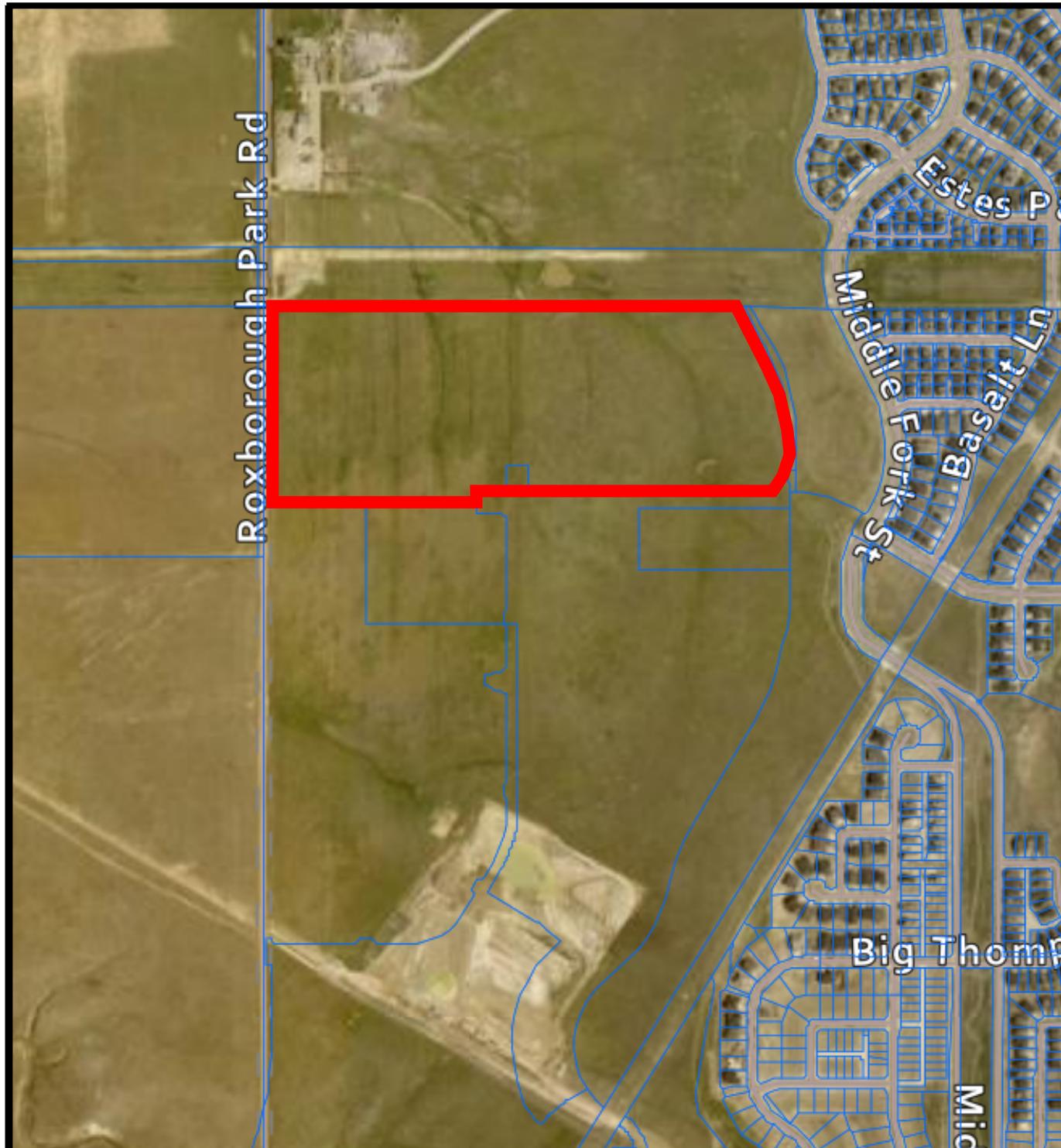
OS - OPEN SPACE CONSERVATION

NF - NATIONAL FOREST

INCORPORATED AREAS



NOVEMBER 2024  
DOUGLAS COUNTY  
DEPARTMENT OF  
COMMUNITY DEVELOPMENT



## STERLING RANCH FILING 7B

SB2024-052  
AERIAL MAP



### LEGEND

- MAJOR ROADS
- OTHER ROADS
- PROJECT SITE

**Referral Agency Response Report****Page 1 of 4****Project Name:** Sterling Ranch Filing 7B**Project File #:** SB2024-052**Date Sent:** 09/19/2024**Date Due:** 10/17/2024

Agency	Date Received	Agency Response	Response Resolution
Addressing Analyst	10/03/2024	<b>Verbatim response:</b> Please propose street names to be placed on the final plat. Douglas County will evaluate and confirm approval or denial of proposed street names. At <a href="https://dcdata-dougco.opendata.arcgis.com/datasets/douglas-county-street-names/data">https://dcdata-dougco.opendata.arcgis.com/datasets/douglas-county-street-names/data</a> you will find a list of street names in the Douglas County database. You can use this resource to pre-check proposed street names. Four names are required for the accesses shown as Street A, B, C, and D.  Contact DCAddressing@douglas.co.us or 303.660.7411 with questions.	Street names have been revised on the exhibit to comply with Addressing requirements. The applicant will coordinate with Addressing and SMFR to determine addressing for the development.
Assessor	10/16/2024	<b>Verbatim response:</b> The acceptance block for the Sterling Ranch Community Authority Board needs to include ALL of the dedicated tracts, including Tracts P, Q, R, S, T, U, and V as per note 8.	The applicant revised the acceptance block as requested.
AT&T Long Distance - ROW	09/19/2024	<b>Summary of response letter:</b> There is a possibility of conflict near Roxborough Park Road; provide additional information.	The applicant has coordinated with AT&T to confirm there is not a conflict.
Building Services	10/04/2024	No comment.	No action necessary.
CenturyLink	11/01/2024	<b>Summary of response letter:</b> CenturyLink has reviewed the request and has no objections.	No action necessary.
Chatfield Community Association	--/--/----	No response received.	No action necessary.
Chatfield Watershed Authority	--/--/----	No response received.	No action necessary.

**Referral Agency Response Report****Page 2 of 4****Project Name:** Sterling Ranch Filing 7B**Project File #:** SB2024-052**Date Sent:** 09/19/2024**Date Due:** 10/17/2024

Agency	Date Received	Agency Response	Response Resolution
Colorado Division of Water Resources	09/26/2024	<b>Summary of response letter:</b> The Division of Water Resources noted that the proposed water supply based on the water demand standards from Sterling Ranch Water Appeal is adequate and will not cause material injury to decree water rights, provided; 1) the Applicant fully complies with the requirements of the IGA and FSC IGA with Castle Rock and demonstrate that the 700 acre-feet is physically available for this Filing 7B of the development since the FSC IGA relies on Dominion bringing non-tributary water supplies to Castle Rock in exchange of delivery of water from Castle Rock; 2) the Applicant fully complies with the requirements of South Metro WISE Authority-WISE Delivery Agreement and demonstrates that the 625 acre-feet of WISE project water is physically available for Filing 7B of the development. The SEO opinion that the water supply is adequate is based on its determination that the amount of water required annually to serve the subdivision is currently physically available, based on Castle Rock's water supply availability upstream of the Sterling Ranch Filing 7B.	No action necessary.
Comcast	--/--/----	No response received.	No action necessary.
CORE Electric Cooperative	10/15/2024	<b>Verbatim response:</b> We have received the above-referenced referral request. We have reviewed our records and find that this property is not in our service territory.	No action necessary.
Dominion Water and Sanitation District	--/--/----	No response received.	No action necessary.
Douglas County Health Department	10/16/2024	<b>Summary of response letter:</b> The Health Department provided a favorable recommendation regarding the proposed method of water service and sewage disposal. Additional information was provided regarding fugitive dust and radon.	No action necessary.

**Referral Agency Response Report****Page 3 of 4****Project Name:** Sterling Ranch Filing 7B**Project File #:** SB2024-052**Date Sent:** 09/19/2024**Date Due:** 10/17/2024

Agency	Date Received	Agency Response	Response Resolution
Douglas County Parks and Trails	10/15/2024	<b>Verbatim response:</b> Applicant will be responsible for meeting the Park Land Dedication standard as outlined in the Sterling Ranch Planned Development.	Local and regional parks and trails meet the intent of the PD Plan and its commitments.
Douglas County School District RE 1	10/18/2024	<b>Summary of response letter:</b> DCSD requested payment of the required capital mitigation fees of \$1,550 per single-family dwelling prior to recordation of the final plat. Capital mitigation fees of \$750 per multifamily unit will be required prior to site plan approval.	Proposed condition #2 requires payment of school fees prior to recordation of the final plat or approval of the SIP, as applicable.
Engineering Services	10/17/2024	<b>Summary of response letter:</b> Engineering provided comments regarding the Phase III drainage report, road and storm construction plans, and SIA-IGA.	All engineering reports, studies, and plans have been reviewed and approved by Engineering subject to minor technical corrections. Final approval of these documents will be accomplished prior to the Board meeting on January 28.
Jefferson County Planning and Zoning	--/--/----	No response received.	No action necessary.
Mile High Flood District	--/--/----	No response received.	No action necessary.
Office of Emergency Management	09/19/2024	<b>Verbatim response:</b> OEM has no concerns with this project.	No action necessary.
Plum Valley Heights HOA	--/--/----	No response received.	No action necessary.
Roxborough Water & Sanitation District	10/08/2024	<b>Summary of response letter:</b> Roxborough Waters and Sanitation District noted it is evaluating its ability to serve more units, but at this time no more than 4,000 units will be served through Roxborough lift station system.	Dominion has provided a will-serve commitment which states that permanent treatment capacity is available via existing or upgraded Chatfield Basin Water Reclamation Facility to serve all approved platted lots within Sterling Ranch.
Sheriff's Office	--/--/----	No response received.	No action necessary.

**Referral Agency Response Report****Page 4 of 4****Project Name:** Sterling Ranch Filing 7B**Project File #:** SB2024-052**Date Sent:** 09/19/2024**Date Due:** 10/17/2024

Agency	Date Received	Agency Response	Response Resolution
South Metro Fire Rescue	10/04/2024	<b>Summary of response letter:</b> South Metro Fire Rescue (SMFR) has reviewed the provided documents and has conditional non-objection to the proposed final plat application. Applicants and Contractors are encouraged to contact SMFR regarding the applicable permit requirements for the proposed project.  Plat plan documents are all marked as "For Review Do Not Record" and do not appear to be final plat plans. Some streets are still labeled as Street A, Street B, etc. and do not have their assigned names on the plan. It is expected this plan will be revised prior to recording of the plat.	Street names have been revised on the exhibit to comply with Addressing requirements. The applicant will coordinate with Addressing and SMFR to determine addressing for the development.
Sterling Ranch Community Authority Board	--/--/----	No response received.	No action necessary.
Western Douglas County Citizens Alliance	--/--/----	No response received.	No action necessary.
Xcel Energy-Right of Way & Permits (PSCo)	10/15/2024	<b>Summary of response letter:</b> Xcel requested clarification of the utility easements proposed on the final plat exhibit. Xcel noted additional easements may need to be acquired by separate document for new facilities and requested that a specific note be added to the plat.	The applicant provided clarification of the utility easements and acknowledged it will coordinate with Xcel if additional easements are necessary in the future. The requested note was added to the plat.

## Brett Thomas

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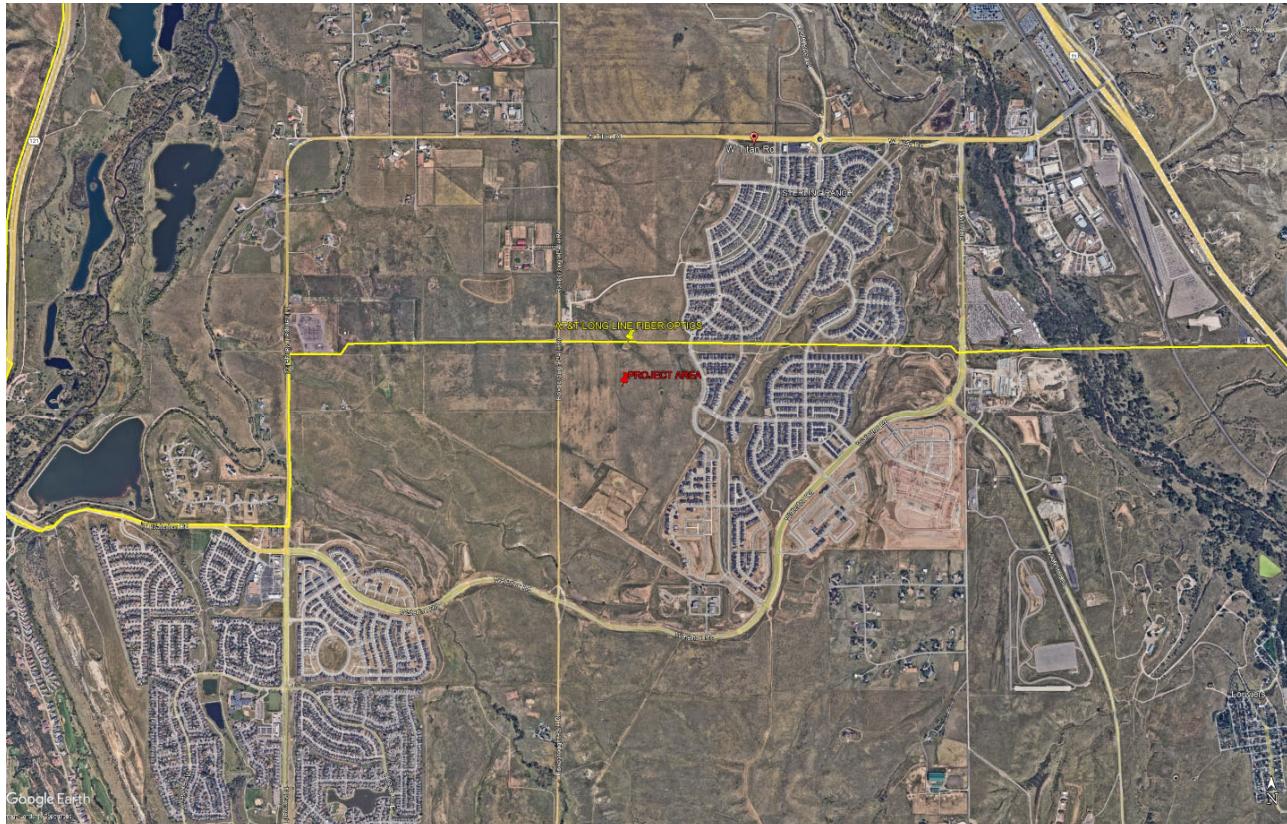
From: annb cwc64.com <annb@cwc64.com>  
Sent: Thursday, September 19, 2024 3:48 PM  
To: Brett Thomas <bthomas@douglas.co.us>  
Cc: Pam Choy (pc2914@att.com) <pc2914@att.com>; duanew cwc64.com <duanew@cwc64.com>; jt cwc64.com <jt@cwc64.com>  
Subject: Sterling Ranch Development Littleton, Colorado Douglas County eReferral #SB2024-052

Hi Brett,

This is in response to your eReferral for a utility map showing the buried AT&T Long Line Fiber Optics near Sterling Ranch Development Littleton, Colorado. I attached an Earth map showing the project area in red and the buried AT&T Long Line Fiber Optics in yellow. As shown, there is a possibility of conflict near Roxborough Park Rd. Any other information you could provide about the projects would be appreciated in determining if a conflict will exist. Please pass on our contact information as well.

Please feel free to contact us with any questions or concerns.

Ann Barnowski  
Clearwater Consulting Group Inc  
120 9th Avenue South  
Suite 140  
Nampa, ID 83651  
AnnB@cwc64.com



The attached google earth maps are intended to show approximate locations of the buried AT&T long line fiber optic cable. The maps are provided for informational purposes only. In no way should the maps be used for anything other than general guidelines as to where the fiber is or is not and any other use of these maps is strictly prohibited.



November 1, 2024

CenturyLink

Brett Thomas, AICP  
Chief Planner  
Planning Services  
100 Third Street  
Castle Rock, CO 80104

Sent To: [bthomas@douglas.co.us](mailto:bthomas@douglas.co.us)  
Copied To: [bobby.hight@lumen.com](mailto:bobby.hight@lumen.com)

**SUBJECT: APPROVAL TO PROCEED / ENCROACHMENT**

Project Number & Location: PRN 863418 - *Sterling Ranch Filing No. 7B- Final Plat Review* SB2024-052 Douglas County CO / APN: 2077-34-3-01-007

Dear Mr. Thomas:

Qwest Corporation, d/b/a CenturyLink QC (“CenturyLink”) is the holder of rights granted by that certain plat *Sterling Ranch Filing No. 7B to be* recorded in Douglas County, Colorado.

CenturyLink has reviewed your request on behalf of the Landowner to proceed with improvements as shown on Exhibit “A” (“Improvements”), said Exhibit “A” attached hereto and incorporated by this reference, within the Easement Tract and has no objections providing, however, the following terms and conditions are agreed to, and met, by the Landowner:

1. Locates must be performed by a state recognized organization (i.e. Call Before You Dig, Blue Stake, etc.).
2. A minimum of three feet of cover above CenturyLink facilities is maintained at all times and the final grade provides for no less than three feet of cover.
3. If any CenturyLink facilities are damaged or require relocation as a result of said Improvements, or the act of installing, maintaining or removing said Improvements, Landowner agrees to bear the cost of repair and/or relocation of said CenturyLink facilities.
4. No buildings or structures are to be placed within the Easement Tract other than those, if any, that are approved by this APPROVAL TO PROCEED.

It is the intent and understanding of CenturyLink that this action shall not reduce our rights to any existing easements or rights we have on this site or in the area.

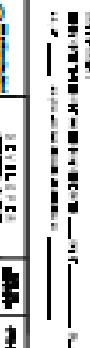
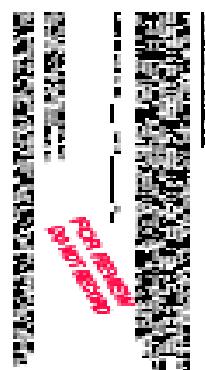
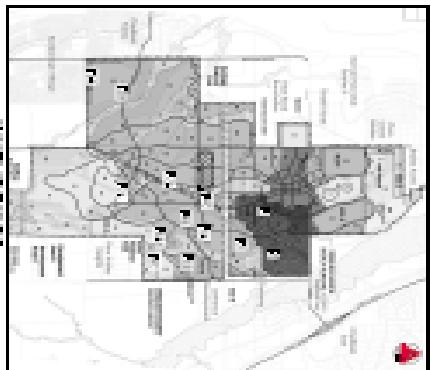
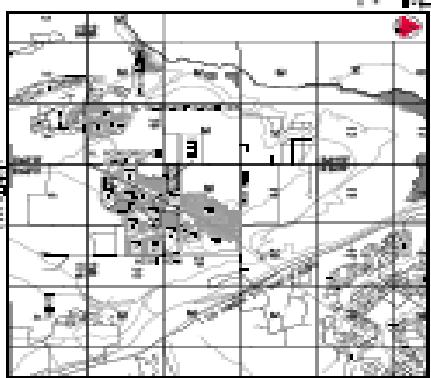
If you have any questions or would like to discuss this action further, please contact Stephanie Canary or [stephanie.canary@lumen.com](mailto:stephanie.canary@lumen.com).

Sincerely yours,

CenturyLink Right of Way Team

**EXHIBIT A P863418**  
**ENCROACHMENT FINAL PLAT**  
**NOT TO SCALE – FOR ILLUSTRATION ONLY**

STERLING RANCH FILING NO. 713





September 26, 2024

Brett Thomas  
Douglas County Planning Department  
Transmission via email: [bthomas@douglas.co.us](mailto:bthomas@douglas.co.us)

**RE: Sterling Ranch Filing 7B**  
**SB2024-052**  
**Portions of the SW1/4 of Sections 30, T6S, R68W**  
**Water Division 1, Water District 8**

Dear Mr. Thomas:

We have reviewed your September 19, 2024 referral related to the Sterling Ranch Filing 7B, which represents a portion of the Sterling Ranch Planned Development (“SRPD”) (planning Area D2). Sterling Ranch Filing 7B is a proposed subdivision on about 43.385 acres that will be subdivided into 75 single-family detached and 72 townhome lots and two (2) superblock lots for future commercial, retail or multifamily development on Lots 148 and 149, and 14 tracts. Dominion Water and Sanitation District (“Dominion”) will be the entity that will provide the water supply to the Sterling Ranch Filing 7B. Our office previously commented on the SPRD rezone application and the initial water supply standards appeal in 2009 and 2010, the proposed water supply for the SPRD by our letter dated May 13, 2013, and the water supply for the Sterling Ranch Preliminary Plan No. 7 by our letter dated January 5, 2022.

### **Water Demand**

A Water Supply Information Summary Sheet (“Summary Sheet”) was not included in the referral material, however a letter dated August 5, 2024 from Sterling Ranch Community Authority Board (“Sterling Ranch CAB”) provided the water demand for Sterling Ranch Filing 7B. The water demands for Sterling Ranch Filing 7B were calculated according to the Amended and Restated Sterling Ranch Water Appeal (“Amended Water Appeal”) approved by the county on October 12, 2021 and include the water demand for SFDs, SFAs as well as multifamily. Using the Amended Water Appeal water demand standards, the total water demand for Sterling Ranch Filing 7B, is estimated at approximately 43.49 acre-feet/year. A detailed breakdown of water demands by land use sector is summarized in Table 1 below:



**Table 1 - Sterling Ranch Filing 7B, Amended Water Demands**

Land Use	Quantity	Initial Water Demands Standards from Sterling Ranch Water Appeal	Total (acre-feet/year)
Residential - SFD large	0 units	0.26 acre-feet/year/unit	0.0
Residential - SFD small	75 units	0.26 acre-feet/year/unit	19.50
Residential - SFA	72 Units	0.17 acre-feet/year/unit	29.75
Residential - MF	0 units	0.14 acre-feet/year/unit	12.24
Residential - Superblock	2 unit	0.26 acre-feet/year/unit	0.52
School	0 students elementary/middle	0.01456 acre-feet/year/student	0.0
	0 students high school	0.02184 acre-feet/year/student	0.0
	0 irrigated acres	2.431 acre-feet/year/irrigated acre	0.0
Non-Residential Commercial/Retail and Other	0 square-feet of building space	0.75 acre-feet/year/6,695 square-feet of building space	0.0
	0 square-feet of building space	0.75 acre-feet/year/6,695 square-feet of building space	0.0
	0 Pool	4.00 acre-feet/year fill, refill, and evaporation	0.0
	0 Splash Pad	20,000 gallons/year	0.0
Non-residential irrigation	4.62 irrigated acres	2.431 acre-feet/year/irrigated acre	11.23
<b>Total Demand:</b>			<b>43.49</b>

Note: The demand estimates represent total demand at the water treatment plant, and account for losses between the water treatment plant and the end use.

This is the second filing under the Preliminary Plan 7 and the water demands are within the Sterling Ranch CAB and Dominion's prior service commitments made for Preliminary Plan 7. The total water demand for Filing 7A and 7B is 188.39 acre-feet/year, as shown in Table 2 of the August 5, 2024 Sterling Ranch CAB's letter (attached to this letter).

Based on the information received in this office as part of SB2024-022 referral (Filing 5C, 1<sup>st</sup> Amendment), Dominion's prior commitments to serve Sterling Ranch Filing 1, Filing 2, Filing 3, Filing 4, Filing 5, Filing 6, and Filing 7 the present initial demand for Filings 1 through 5 and Preliminary Plan Nos. 6 and 7 is 1,596.1 acre-feet/year, as shown in Table 2 below:

**Table 2 - Sterling Ranch Filing 1, 2, 3, 4, 5, 6, and Preliminary Plan No. 7 Combined Amended Water Demands**

Land Use	Quantity	Initial Water Demands Standards from Sterling Ranch Water Appeal	Total (acre-feet/year)
Residential - SFD	3470 units	0.26 acre-feet/year/unit	902.2
Residential - SFD-Small	152 units	0.26 acre-feet/year/unit	39.5
Residential - SFA	1441 units	0.17 acre-feet/year/unit	245
Residential - MF	1095 units	0.14 acre-feet/year/unit	153.3
Residential - Superblock	18 units	0.26 acre-feet/year/unit	4.7
School	1,000 students elementary/middle	0.01456 acre-feet/year/student	14.6
	0 students high school	0.02184 acre-feet/year/student	0.0
	6.3 irrigated acres	2.431 acre-feet/year/irrigated acre	15.3
Non-Residential Commercial/Retain and Other	10,000 square-feet of building space	0.75 acre-feet/year/6,695 square-feet of building space	1.1
	63,458 square-feet of building space	0.75 acre-feet/year/6,695 square-feet of building space	7.1
	2 pool sites	4.00 acre-feet/year fill, refill, and evaporation	8.0
	1 Splash Pad	20,000 gallons/year	0.1
Non-residential irrigation	84.4 irrigated acres	2.431 acre-feet/year/irrigated acre	205.2
<b>Total Demand:</b>			<b>1,596.1</b>

The superblocks have been included and assigned an amount of water that is equivalent to one residential unit for planning purposes.

All water for Sterling Ranch Filings 1 through 7 will be directly provided from potable sources. However, treated reusable effluent may be used in the future.

### **Water Supply**

The water supply for the Sterling Ranch Filing 7B, will be provided by Sterling Ranch CAB through its agreement with Dominion Water and Sanitation District (“District” or “Dominion”). Sterling Ranch CAB receives wholesale water and wastewater services from Dominion. According to the information in the submitted material Sterling Ranch CAB acknowledges its intent and ability to provide public water and wastewater service to the property. A commitment letter from Dominion dated October 4, 2021 was provided as part of the submittal for Preliminary Plan 7.

According to the commitment letter, Dominion acknowledges its intent and ability to provide wholesale water and wastewater services to Sterling Ranch Preliminary Plan No. 7. Dominion's water supply previously approved by Douglas County total 1,180 acre-feet/year which include 480 acre-feet/year from two intergovernmental agreements ("IGA") for water supply with the City of Aurora ("Aurora") and 700 acre-feet/year from an IGA with the Town of Castle Rock ("Castle Rock").

Pursuant to the first IGA with Aurora, dated October 26, 2009 Dominion acquired and transferred to Aurora certain water rights located in Park County. In exchange Aurora agreed to deliver 230 acre-feet of water per year to Dominion on a permanent basis from any sources of fully consumable water that Aurora has legally available for delivery at a location between Strontia Springs Reservoir and the outlet works of Chatfield Reservoir. This first IGA was amended on July 30, 2012, and provides for deliveries at a rate equal to demands up to 2 cubic feet per second ("cfs") and up to 40 acre-feet/month.

The second IGA approved on December 11, 2013 provides for the permanent delivery of up to 250 acre-feet per year of fully consumable, raw water to Dominion effective as of the date of the agreement, or such later date as requested by Dominion. This second IGA is based on Dominion either bringing acceptable water supplies to Aurora in exchange of delivery of water from Aurora or purchasing the water supply from Aurora on or before December 31, 2020. According to the IGA, the 250 acre-feet/year of fully consumable water will be delivered at a rate equal to demands up to 0.7 million gallons per day ("mgd") and up to 66.7 acre-feet/month. The IGA does not identify specific water rights, however according to the information previously received in this office, Dominion conveyed to Aurora 59 acre-feet of the Hock Hocking Mine Portal water right on September 28, 2019. The Hock Hocking Mine Portal water right was decreed by the District Court, Water Division 1 in case no. W-1318 as nontributary developed water, for 8.5 cubic-feet per second ("cfs"). The decreed use of the Hock Hocking Mine Portal is domestic, irrigation, municipal, manufacturing, mechanical, fire protection, mining and milling, recreation including fishery and wildlife and maintenance of adequate storage systems and reserve. Aurora acknowledged the conveyance of the 59 acre-feet of the Hock Hocking Mine Portal water right and began deliveries of the 250 acre-feet.

In addition, according to the information provided to this office by Dominion on January 18, 2021 the remaining 191 acre-feet have been conveyed to Aurora in transactions of 67 acre-feet through a special warranty deed from September 18, 2017 and 124 acre-feet through a Special Warranty Deed dated December 20, 2017. The 67 acre-feet represent the consumptive use water from the Randall and Nicholas Ditch, decreed in Case No. CA0341 by the Park County Colorado District Court on October 18, 1889 for 10 cubic feet per second out of Michigan Creek, with date of appropriation of October 14, 1874, as changed in the decree entered in Case No. W-7936-75 on February 2, 1978, as amended and modified on March 6, 1991. Further,

the 124 acre-feet represent the consumptive use of the water rights associated with the Red Hill Ranch decreed in Case No. CA0341 by the Park County District Court as changed in Case Nos. W-9242-A-78 and 83CW197 by the Water Court for Water Division No. 1, also known as Trout Creek Ditch, Wadley Ditch No. 1, Wadley Ditch No. 2, and Wadley Ditch No. 3.

Pursuant to the IGA with Castle Rock approved on January 7, 2014, Castle Rock agreed to deliver Dominion's Water Infrastructure and Supply Efficiency ("WISE") project water through the Castle Rock system and deliver a like amount of treated potable water to Dominion in exchange for 5 percent of all deliveries. The terms and conditions of IGA limit the daily rate of delivery to not more than 4 mgd and to an annual volume of not more than 4,500 acre-feet/year (June 1 through May 1).

Castle Rock and Dominion have also entered into a firming service commitment intergovernmental agreement ("FSC IGA") dated September 20, 2016. The FSC IGA provides that Dominion will use a firming supply of 700 acre-feet/year of its water from the South Metro WISE Authority. Both Castle Rock and Dominion are members of the South Metro WISE Authority and participants in WISE under the South Metro WISE Authority Formation and IGA. The South Metro WISE Authority-WISE Delivery Agreement ("WDA") signed December 2013 provides Dominion delivery of a contractual obligated average supply of 1,325 acre-feet/year of fully consumable water to Dominion over a 10-year block. In conjunction with the FSC IGA with Castle Rock, Dominion is including 700 acre-feet/year of its total 1,325 acre-feet/year WISE project water to its water supply portfolio. For this service Dominion agrees to take its 700 acre-feet of WISE delivery when available first. Castle Rock provides service from its system when the WISE deliveries are not available, from its current water rights and water storage supplies.

An updated commitment letter from Castle Rock dated November 28, 2017 was provided to this office on December 4, 2017 as part of the review of the Sterling Ranch Filing No. 4, preliminary plan (SB2017-018). According to that letter the town intends to provide service to Dominion for a treated potable water supply as described in the January 7, 2014 IGA. Furthermore, according to the FSC IGA, in considerations for the town's service Dominion will be conveying 400 acre-feet of non-tributary water supply to Castle Rock to meet the water demands associated with this commitment. According to Appendix B of FSC IGA the 400 acre-feet are associated with the decree approved by the Division 1 Water Court in case no. 2003CW116. According to a letter dated November 21, 2017 from Dominion, Castle Rock confirms that Dominion has conveyed the 400 acre-feet/year to Castle Rock as required by Section 2.1 of the FSC IGA. The 400 acre-feet/year serves as a firming component of Dominion's variable yield of 700 acre-feet/year of WISE project water.

According to previous information received in this office, Castle Rock has 35,000 acre-feet of nontributary Denver Basin ground water and 7609 acre-feet of not-tributary Denver Basin ground water available (42,611 acre-feet total). From the

existing Denver Basin well-system, Castle Rock has 8,700 acre-feet of firm yield, 834 acre-feet of firm yield from alluvial well system along East Plum Creek, 8,355 acre-feet of junior water and 4,300 acre-feet of lawn irrigation return flows and reuse supplies. As of the date of Castle Rock letter, the town existing and future demand range between 11,800 and 23,500 acre-feet/year and the current demand has averaged 7,280 acre-feet/year over the last several years.

Dominion's FSC IGA with Castle Rock includes terms for treatment of up to 2 mgd. Treated water supplies measured at the Castle Rock master meter will be delivered in a pipeline to be constructed by Dominion to a manifold at the Roxborough Water Treatment Plant ("WTP"). A 5 percent transmission loss is estimated from Castle Rock to Roxborough WTP, leaving 665 acre-feet available for both the non-potable and potable demand.

In addition to the IGAs with Aurora and the Castle Rock described above, Dominion will utilize the remaining 625 acre-feet/year of its 1,325 acre-feet/year water from the South Metro WISE Authority in its water supply portfolio. While, the South Metro WISE Authority WDA provides Dominion delivery of a contractual obligated average supply of 1,325 acre-feet/year of fully consumable water to Dominion over a 10-year block, the 625 acre-feet/year of WISE project water uses 625 acre-feet/year of nontributary Arapahoe aquifer groundwater decreed by the Division 1 Water Court in Case No. 98CW219, as a firming component of Dominion's variable yield of WISE water.

Dominion has a signed IGA for the Option to Purchase and Right of First Refusal Regarding Ground Water Rights, Easements, and Related Improvements with the Town of Castle Rock dated March 5, 2019, securing Dominion's purchase of up to 3,569 acre-feet/year of Denver Basin groundwater rights associated with Cherokee Ranch decree approved by the Division 1 Water Court in Case No. 98CW219 as modified in Case No. 03CW117. On August 3, 2019, Dominion completed its first transaction, purchasing 300 acre-feet/year of nontributary Arapahoe aquifer groundwater decreed to Cherokee Ranch in Case No. 98CW219. On October 6, 2020, Dominion completed its second transaction with Castle Rock, exchanging a portion of Dominion's excess capacity in WISE project water for 200 acre-feet/year of not nontributary Denver aquifer, 400 acre-feet/year from the nontributary Arapahoe aquifer, and 20 acre-feet/year from the nontributary Laramie-Fox Hills aquifer groundwater decreed to Cherokee Ranch in Case No. 98CW219. The 20 acre-feet/year is reserved for post-pumping augmentation requirements associated with Dominion's use of 200 acre-feet/year of the not nontributary Denver aquifer. Under the terms of the March 5, 2019 IGA, Dominion will purchase groundwater from the Town of Castle Rock in increments of at least 200 acre-feet/year as necessary by the demands. Dominion's WISE project water or the nontributary Arapahoe aquifer groundwater which will be delivered through the Eastside Water System will incur a 5 percent conveyance loss. Accordingly, with the current infrastructure and operation, together, the combination of 625 acre-feet/year of nontributary Arapahoe aquifer groundwater and the 625 acre-feet/year of WISE

project water result in a delivery yield of 593.8 acre-feet/year. Dominion's Eastside Water System is currently under construction. The pipeline is planned to deliver Dominion's FSC IGA water, WISE water, and groundwater supply from the Cherokee Ranch decree in Case No. 98CW219 as modified in Case No. 03CW117.

Dominion completed its third transaction with the Town of Castle Rock on May 4, 2021, exchanging a portion of Dominion's excess capacity in WISE project water for infrastructure for 374 acre-feet/year of nontributary Arapahoe aquifer, 107 acre-feet/year of not nontributary Denver aquifer, and 53 acre-feet/year of the nontributary Laramie-Fox Hills aquifer. Dominion is requesting that Douglas County acknowledges the 481.0 acre-feet/year of additional Cherokee Ranch groundwater in the nontributary Arapahoe aquifer and the not nontributary Denver aquifer water supply in its water supply portfolio decreed in the Denver and Arapahoe aquifers in Case No. 98CW219 as modified in Case No. 03CW117.

The current dependable delivery yield of these additional supplied is at least 457.0 acre-feet/year after accounting for the 5 percent conveyance loss.

The firm water supply available to Dominion's customers is 2,457 acre-feet per year, as shown in Table 3 below:

Table 3 - Dominion's Current Total Water Supply

Water Source	Total Water Supply Available at WTP (AF)	Total Water Supply Available at WTP (AF)
Aurora First IGA	230.0	230.0
Aurora Second IGA	250.0	250.0
Castle Rock/WISE firming	700	665.0 (700 less 5% loss)
Castle Rock/WISE firming	625	593.8 (625 less 5% loss)
Remaining Cherokee Ranch Water from 98CW219	275	261.2 (275 less 5% loss)
Additional Cherokee Ranch Water from 98CW219	481	457 (481 less 5% loss)
Total	2,561	2,457

The applicant should be aware that any proposed detention pond for this filing, must meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, otherwise 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](#) 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.

**SEO Opinion**

Based on the above, it is our opinion, pursuant to C.R.S. § 30-28-136(1)(h)(I) and C.R.S. § 30-28-136(1)(h)(II), that the proposed water supply for the Sterling Ranch Filing 7B based on the new water demand standards from Sterling Ranch Water Appeal, is adequate and will not cause material injury to decreed water rights, provided; 1) the Applicant fully complies with the requirements of the IGA and FSC IGA with Castle Rock and demonstrate that the 700 acre-feet is physically available for this Filing 7B of the development since the FSC IGA relies on Dominion bringing non-tributary water supplies to Castle Rock in exchange of delivery of water from Castle Rock; 2) the Applicant fully complies with the requirements of South Metro WISE Authority-WISE Delivery Agreement and demonstrates that the 625 acre-feet of WISE project water is physically available for this Filing 5B of the development.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on Castle Rock's water supply availability upstream of the Sterling Ranch Filing 7B.

Should you have any questions, please contact me at this office at 303-866-3581 x8264 or [ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us)

Sincerely,

  
Ioana Comaniciu, P.E.  
Water Resource Engineer

Ec: Subdivision File 32497

/IDC

**Table 2. Total Water Demands for Filings 7A and 7B within Preliminary Plan No. 7.**

Land Use	Quantity	Water Demand Standard <sup>(1)</sup>		Total (AF/yr)
Residential				
SFD – Large	103 Units	0.260	AF/yr/unit	26.78
SFD – Small	320 Units	0.260	AF/yr/unit	83.20
SFA	247 Units	0.170	AF/yr/unit	41.99
MF	0 Units	0.140	AF/yr/unit	0.00
Indoor-only	0 Units	0.140	AF/yr/unit	0.00
Superblock <sup>(2)</sup>	3 Units	0.260	AF/yr/unit	0.78
Schools				
Elementary/Middle	0 Students	0.01456	AF/yr/student	0.00
High	0 Students	0.02184	AF/yr/student	0.00
Irrigation	0 irrigated acres	2.431	AF/yr/irrigated acre	0.00
Non-Residential				
Commercial/Hospitality	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Commercial/Retail	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Office	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Industrial	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Other	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
	0 Pools	4.00	AF/yr fill, refill, and evap	0.00
	0 Splash Pads	NA	See Table Note (3)	0.00
Non-Residential Irrigation <sup>(4)</sup>	14.66 irrigated acres	2.431	AF/yr/irrigated acre	35.64
<b>Total Demand:</b>				<b>188.39</b>

Table 1 and 2 Notes:

(1) The CAB approved Resolution No. 2021-10-02 adopting amended and restated water demand standards on October 20, 2021 (“2021 Water Demand Standards”).

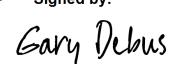
(2) Superblock lots have been included and have been assigned an amount of water that is equivalent to one SFD-Large residential unit for the purposes of water demand and supply review at this time.

(3) A splash pad has been proposed in Filing 3. Manufacturer information indicates the annual water demand is 20,000 gal/year (0.1 AF/yr).

(4) Includes irrigated lawn, garden, and open space not appurtenant to a dwelling unit.

This is the second filing under PP7, and the combined water demands for Filings 7A and 7B are within CAB’s and Dominion’s prior service commitments made for PP7.

### Sterling Ranch Community Authority Board

Signed by:  
  
 Gary Debus  
 8128C5DEC17842C...

By: Gary Debus  
 General Manager

Attachments

October 16, 2024

Brett Thomas  
100 Third St.  
Castle Rock, CO 80104

RE: SB2024-052

Dear Brett Thomas,

Thank you for the opportunity to review and comment on the referenced Final Plat application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comments.

#### **Water and Sewer Service**

A will-serve letter has been provided by Dominion Water and Sanitation District. Based on this letter, DCHD is providing a favorable recommendation regarding the proposed method of water service and sewage disposal.

#### **Fugitive Dust - Developments of 25 acres and more than 6 months in duration**

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions, including fugitive dust from developments of 25 acres or more that last at least 6 months. The applicant shall contact the APCD, at (303) 692-3100 for more information. Additional information is available at <https://cdphe.colorado.gov/apens-and-air-permits>.

#### **Radon**

Radon is a naturally occurring radioactive gas that is present at high levels in all parts of Colorado due to the presence of uranium in the soil. Radon can enter homes and long-term exposure causes lung cancer. In order to prevent radon from infiltrating the home, DCHD recommends designing new homes so that they are radon resistant. This includes laying a barrier beneath the flooring system, installing a gas-tight venting pipe from the gravel level through the roof, and sealing and caulking the foundation thoroughly. More information regarding radon and radon-resistant construction techniques can be found here: <https://www.epa.gov/radon/building-new-home-have-you-considered-radon>.

Please feel free to contact me at 720-907-4897 or smccain@douglas.co.us if you have any questions about our comments.

Sincerely,



A handwritten signature in black ink, appearing to read 'Shania McCain'.

Shania McCain  
Environmental Health Specialist I  
Douglas County Health Department



620 Wilcox Street  
Castle Rock, Colorado 80104

October 18<sup>th</sup>, 2024

Bret Thomas  
Douglas County Community Development, Planning Services  
100 Third Street  
Castle Rock, CO 80104  
[bthomas@douglas.co.us](mailto:bthomas@douglas.co.us)  
(303)814-4369

RE: Sterling Ranch Filing 7B, Final Plat (SB2024-052)

Dear Mr. Thomas,

Thank you for the opportunity to respond to the above referenced application. It is our understanding that the applicant is requesting approval of a final plat application for 147 residential lots (75 single family lots and 72 townhome lots) and 2 superblock lots for future development. The site is located generally north of Filing 7A and east of Roxborough Park Road."

On behalf of Douglas County School District (DCSD), we have a couple comments regarding this proposed development that we would like to resolve prior to approval. DCSD has calculated the number of students that are expected from the 147 residential units. A total of 55 students are expected from this development which would equate to a total land dedication requirement of 1.297-acres.

PROJECT NAME: STERLING RANCH 7B FINAL PLAT (SB2024-052)				
DU/	ACRES		DENSITY	
147	13.445		10.93	
<u>STUDENT GENERATION RATES</u>	<u>No. of DU's</u>	<u>Generation</u>	<u>Number</u>	
ELEMENTARY	147	X	0.19	28
MIDDLE SCHOOL	147	X	0.06	9
HIGH SCHOOL	147	X	0.12	18
				Required
			School	Land
<u>SCHOOL LAND DEDICATION</u>	<u>Number of Students</u>	<u>Acreage Per Student</u>	<u>Dedication Acreage</u>	
ELEMENTARY	28	X	0.018	0.503
MIDDLE SCHOOL	9	X	0.030	0.265
HIGH SCHOOL	18	X	0.030	0.529
			<b>TOTAL</b>	<b>1.297</b>

Pursuant to Section S-1.2(C)(i) of the Sterling Ranch PD, \$1,500 in capital mitigation fees is required for each single family dwelling unit that is not an AHU and \$750.00 is required for each multi-family dwelling unit that is not an AHU. DCSD requests that the required capital mitigation fees for the single family detached units be paid directly to DCSD upon final plat approval and that the required capital mitigation fees for the single family attached units be paid prior to Site Improvement Plan approval.

Granted the applicant does not object to payment of the assessed capital mitigation fees upon final plat approval DCSD has no objection to this proposal.

Shavon Caldwell-Planning Manager  
Planning and Construction Department  
Douglas County School District

[scaldwell2@dcsdk12.org](mailto:scaldwell2@dcsdk12.org)  
[shavon.caldwell@dcsdk12.org](mailto:shavon.caldwell@dcsdk12.org)

303.387.0417

**REFERRAL RESPONSE REQUEST**Date sent: September 19, 2024Comments due by: **October 17, 2024**

Fax: 303.660.9550

**Project Name:** Sterling Ranch Filing 7B**Project File #:** SB2024-052**Project Summary:** A final plat application requesting approval for 147 residential lots, 2 superblock lots, and 14 tracts on 43.39 acres of land within the Sterling Ranch Planned Development. The site is located generally east of Roxborough Park Road, west of Middle Fork Street, and south of the PSCo property.

Information on the identified development proposal located in Douglas County is enclosed. Please review and comment in the space provided.

<input type="checkbox"/> No Comment
<input type="checkbox"/> Please be advised of the following concerns:  <hr/> <hr/>
<input checked="" type="checkbox"/> See letter attached for detail.

<b>Agency:</b>	Douglas County Public Works	<b>Phone #:</b>	303-660-7490
<b>Your Name:</b>	Ken Murphy, P.E. <i>(please print)</i>	<b>Your Signature:</b>	
		<b>Date:</b>	17 OCT 2024

Additional information and documents can be found at [www.douglas.co.us/pro](http://www.douglas.co.us/pro) and searching for the Project File # provided above. You are encouraged to attend the public hearing in the Commissioner's Hearing Room at 100 Third Street, Castle Rock. The hearing date may be obtained by calling 303.660.7460. Agencies should be advised that failure to submit written comments prior to the due date, or to obtain the applicant's written approval of an extension, will result in written comments being accepted for informational purposes only.

Sincerely,



Brett Thomas, AICP, Chief Planner

*Enclosure***100 Third Street, Castle Rock, Colorado 80104 • 303.660.7460**

Sterling Ranch Filing No. 7B

Project File SB2024-052, Final Plat

Board of County Commissioners Staff Report - Page 52 of 239

October 17, 2024

**DV2024-400**

Susan Beckman  
Sterling Ranch LLC  
8155 Piney River Avenue – Suite 200  
Littleton, CO 80125

RE: Sterling Ranch Filing 7B – Final Plat  
rev1 PWE Comments

Ms. Beckman,

Douglas County Public Works Engineering has reviewed your submittal. Overall the engineering documents look very good. Our comments are below.

#### TECHNICAL DOCUMENTATION

##### Project Narrative and Planning Exhibit

- We have no comments regarding the plat exhibit.

##### Traffic Impact Analysis

- The county traffic engineer has accepted the traffic conformance letter without comment.

##### Drainage Study

- Please address comments in the redlined drainage study.

##### Construction Documents (CDs)

- Please address comments in the redlined CDs.

##### Grading Erosion and Sediment Control (GESC) Report and Plan

- A GESC report and plan were approved for the subject property under County project number DV2024-400.

##### Storm Drainage Operation & Maintenance (O & M) Manual

- Permanent stormwater and water quality facilities will require a site-specific O & M Manual.
- The manual will provide future owner-operators with a basis for regular inspection and maintenance.
- Manual templates are at: <https://www.douglas.co.us/public-works/development-review/>
- Edit the template to make it relevant to the site and the stormwater improvements.

#### ADMINISTRATIVE DOCUMENTATION

Documents described below are required for final approvals and/or to start construction.

##### Subdivision Improvements Agreement (SIA)

- Please address comments in the redlined SIA.
- For questions regarding provision of corporate signatures and financial securities, contact Janet Peterson at [JLPeterson@Douglas.co.us](mailto:JLPeterson@Douglas.co.us)
- Please allow approximately 1 to 2 weeks for agreement approval.

**100 Third Street, Castle Rock, Colorado 80104 • 303.660.7490**

#### **Temporary Construction Easement (TCE)**

- Sheet 16 of the Road and Storm CDs references a temporary grading easement. Please provide a copy of the recorded easement agreement for the project file.

#### **Secondary Drainage Easement**

- This easement is required for stormwater detention facilities constructed with the project.
- When the facility design is complete, prepare legal exhibits granting access to, around, and into each pond from the nearest public right-of-way.
- Easements must be accepted by the Board of County Commissioners in a regular land use hearing and approval generally requires 1 to 3 weeks.

#### **GESC Permit**

- As described above, a GESC permit has already been issued for the subject property.

#### **Right-of-Way / Construction Permit**

- Contact the Permits and Inspections Division to apply for a ROW/Construction permit or other required permits
- <https://www.douglas.co.us/public-works/permits/>

#### **POST-CONSTRUCTION DOCUMENTATION**

Please see requirements below to obtain a certificate of occupancy (CO).

#### **As-Built Plans**

- Following construction, provide the County with a set of as-built plans documenting information critical to the function of roadway and drainage improvements based on a post-construction survey
- Where as-built information differs from record copy plans, strike-through the record copy information and annotate as-built information in red font, linework, or hatching, as applicable.
- Have the engineer-of-record sign and stamp the as-builts and provide County with a copy.

#### **Certification of Stormwater Detention and Water Quality Facilities**

- Following construction, provide the County with a letter from the engineer of record certifying the stormwater improvements are constructed per the design and will function as intended.
  - Include as-built drawings for each facility based on a post-construction survey.
  - Include re-analysis demonstrating facility performance based on the as-built geometry.
  - Include tables documenting key design criteria (e.g. pond and spillway capacities, freeboard) to demonstrate the as-built pond meets or exceeds minimum criteria.

#### **DOUGLAS COUNTY PUBLIC WORKS DEVELOPMENT RESOURCES**

Many resources including criteria manuals, agreement forms, warranty and maintenance applications, templates for O & M manuals and other items are available at the web page below:

- <https://www.douglas.co.us/public-works/development-review/>

Please let me know if you have any questions regarding the items above.

Respectfully,



Kenneth M Murphy, P.E.  
Senior Development Review Engineer  
[kmurphy@douglas.co.us](mailto:kmurphy@douglas.co.us)

cc: DV File



# Roxborough

Water & Sanitation District

October 8, 2024

Planning Services  
100 Third Street  
Castle Rock, CO 80104

Attn: Brett Thomas

Re: eReferral SB2024-052 Sterling Ranch Filing 7B

Mr. Thomas,

Roxborough Water & Sanitation District “the District” thanks you for the opportunity to provide comments on this application. Below is a list of comments for your consideration.

1. The District has an agreement in place with Dominion to convey up to 4,000 Equivalent Residential Units (EQRs) or a maximum flow rate of 0.6 MGD of wastewater from Dominion, through the District, to South Platte Renew on a temporary basis until December 31, 2028. After 2028, the District could continue to convey wastewater at a higher cost rate to Dominion, but in no circumstances shall the District be obligated to provide wastewater service other than capacity in the District O-Line. The referral document “Dwelling Unit Tracking\_94681887” indicates that 3,157 EQR’s are built, under construction or have permits issued. The same document also indicates 4,333 EQRs approved by Douglas County and 1,603 EQRS in process but not yet approved. Note, there is already more units platted than Roxborough has agreed to serve. Wastewater flow projections do not show flows exceeding 0.6 MGD until after 2028 at which point Dominion is projected to have a wastewater treatment plant online accepting their flows. Roxborough is evaluating its ability to serve more units, but at this time no more than 4,000 units will be served through Roxborough lift station system.
2. The document “Narrative\_9461882” indicates that for sanitary sewer service “The site has been accounted for in the design of downstream sanitary sewer system.” As indicated in comment 1, RWSD has an agreement for a maximum of 4,000 units with Dominion Water and Sanitation District and platting has already exceeded the number of units. This is again overlooked in the Final Plat Approval Standard Section 503.04. Roxborough is evaluating its ability to serve more units, but at this time no more than 4,000 units will be served through Roxborough lift station system.



# Roxborough

Water & Sanitation District

3. The document "Water and Sanitary Sewer Service\_94681890" includes a Service Commitment from Dominion Water and Sanitation District dated 8/5/2024. No reference to 4,000 EQR limit or 0.6 MGD max flow requirement per contract is stated.
4. The agreement between RWSD and Dominion allows a peak flow rate of 4 MGD through the O-Line. Dominion to provide evidence of all (current and proposed) lift station max pump rates occurring simultaneously to confirm flow rates to do not exceed a flow rate of 4 MGD.

Please don't hesitate to reach out if there are any questions or concerns with the comments here within.

Sincerely,

Mike Marcum  
General Manager

# **SOUTH METRO FIRE RESCUE**

## **FIRE MARSHAL'S OFFICE**



Brett Thomas, AICP, Chief Planner  
Douglas County Department of Community Development, Planning Services  
100 Third St  
Castle Rock Co 80104  
303.660.7460  
303.660.9550 Fax

Project Name: Sterling Ranch Filing 7B  
Project File #: **SB2024-052**  
S Metro Review #: REFFP24-00160

Review date: October 4, 2024

Plan reviewer: Aaron Miller  
720.989.2246  
[aaron.miller@southmetro.org](mailto:aaron.miller@southmetro.org)

**Project Summary:** A final plat application requesting approval for 147 residential lots, 2 superblock lots, and 14 tracts on 43.39 acres of land within the Sterling Ranch Planned Development. The site is located generally east of Roxborough Park Road, west of Middle Fork Street, and south of the PSCo property.

Code Reference: Douglas County Fire Code, 2018 International Fire Code, and 2021 International Building Code with amendments as adopted by Douglas County.

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has conditional non-objection to the proposed final plat application. Applicants and Contractors are encouraged to contact SMFR regarding the applicable permit requirements for the proposed project.

Plat plan documents are all marked as "For Review Do Not Record" and do not appear to be final plat plans. Some streets are still labeled as Street A, Street B, etc. and do not have their assigned names on the plan. It is expected this plan will be revised prior to recording of the plat.



**Right of Way & Permits**

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: **303.285.6612**  
violeta.ciocanu@xcelenergy.com

October 15, 2024

Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

Attn: Brett Thomas

**Re: Sterling Ranch Filing No. 7B, Case # SB2024-052**

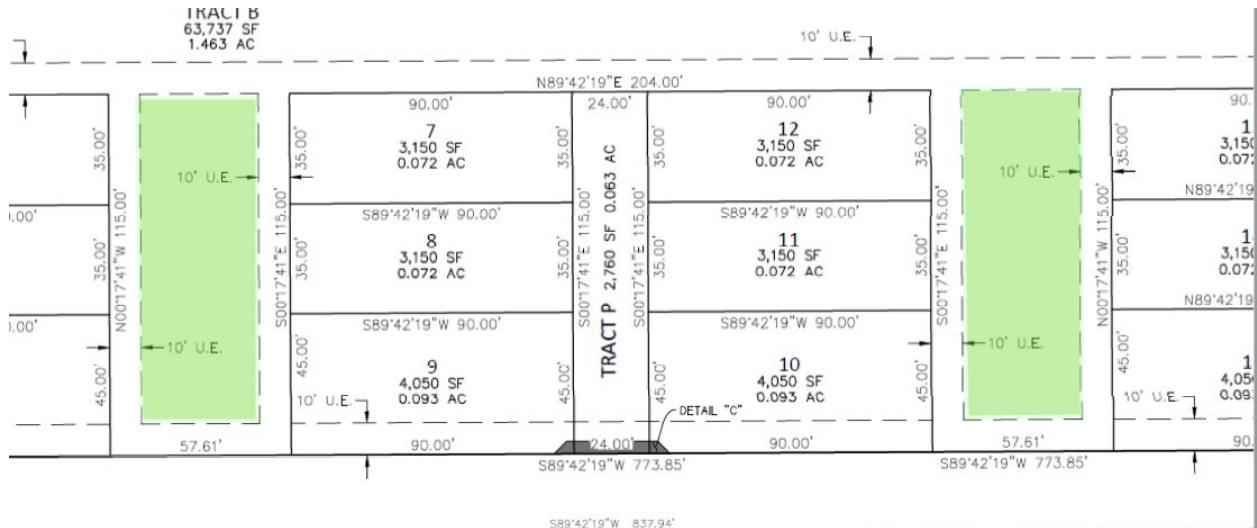
Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documents for Sterling Ranch Filing No. 7B and has determined **there are concerns**.

PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

*Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.*

PSCo requests clarification of the dry utilities' placement in the example below. Where will the natural gas utilities be located? Bear in mind that natural gas distribution requires 6-feet wide utility easement with a minimum 5-foot clearance from any structure and where there is drivable pavement with space for service truck access (8-feet wide, 6-inches thick) with plowing in snowy conditions.

What are the plans for the portions highlighted in green? Is it landscaping with a detention pond or something else?



The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

If additional easements need to be acquired by separate PSCo document (i.e. transformer), a Right-of-Way Agent will need to be contacted by the Designer.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

Violeta Ciocanu (Chokanu)  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-285-6612 – Email: [violeta.ciocanu@xcelenergy.com](mailto:violeta.ciocanu@xcelenergy.com)

November 11, 2024

Brett Thomas, AICP Chief Planner  
Douglas County Department of Community Development  
100 Third Street  
Castle Rock, CO 80104

Re: Sterling Ranch Filing 7B Referral Agency Comment Response Letter

Dear Brett,

We have received your referral agency comments for Sterling Ranch Filing 7B, and we offer the following responses shown in **blue** throughout this letter:

### **ENGINEERING COMMENTS:**

Douglas County Public Works Engineering has reviewed your submittal. Overall, the engineering documents look very good. Our comments are below.

#### **Technical Documentation**

##### **Project Narrative and Planning Exhibit**

- We have no comments regarding the plat exhibit

**Response: Thank you for your review and confirmation of no comments on the plat exhibit.**

##### **Traffic Impact Analysis**

- The county traffic engineer has accepted the traffic conformance letter without comment.

**Response: Thank you for your review and confirmation of acceptance of the traffic conformance letter without comment.**

##### **Drainage Study**

- Please address comments in the redlined drainage study.

**Response: Comments shown on the drainage study have been responded to and addressed. Please refer to the responses provided on the redlined PDFs.**

##### **Construction Documents (CDs)**

- Please address comments in the redlined CDs.

**Response: Comments shown on the CDs have been responded to and addressed. Please refer to the responses provided on the redlined PDFs.**

##### **Grading Erosion and Sediment Control (GESC) Report and Plan**

- A GESC report and plan were approved for the subject property under County project number DV2024-400.

**Response: Noted, thank you.**

## Storm Drainage Operation & Maintenance (O & M) Manual

- Permanent stormwater quality facilities will require a site-specific O & M Manual.
- The manual will provide future owner-operators with a basis for regular inspection and maintenance.
- Manual templates are at: <https://www.douglas.co.us/public-works/development-review/>
- Edit the template to make it relevant to the site and the stormwater improvements.

**Response: Noted, thank you. The permanent stormwater quality facility (Pond F30) will be existing by the start of construction of this Development. Site-specific O & M Manual provided with the approved Sterling Ranch Filing 7A North CDs.**

## Administrative Documentation

Documents described below are required for final approvals and/or to start construction.

### Subdivision improvements Agreement (SIA)

- Please address comments in the redlined SIA.
- For questions regarding the provision of corporate signatures and financial securities, contact Janet Peterson at [JLPeterson@Douglas.co.us](mailto:JLPeterson@Douglas.co.us)
- Please allow approximately 1 to 2 weeks for agreement approval.

**Response: Comments shown on the SIA have been addressed.**

### Temporary Construction Easement (TCE)

- Sheet 16 of the Road and Storm CDs reference a temporary grading easement. Please provide a copy of the recorded easement agreement for the project file.

**Response: The applicant is coordinating with Xcel for the temporary construction easement for proposed grading within the Xcel corridor. A copy of the recorded easement agreement for the temporary grading easement shown on Sheet 16 of the Road and Storm CDs will be provided to the County for the project file as soon as it is received.**

### Secondary Drainage Easement

- This easement is required for stormwater detention facilities constructed with the project.
- When the facility design is complete, prepare legal exhibits granting access to, around, and into each pond from the nearest public right-of-way.
- Easements must be accepted by the Board of County Commissioners in a regular land use hearing and approval generally requires 1 to 3 weeks.

**Response: Noted, thank you. The permanent stormwater quality facility (Pond F30) is being constructed currently as a part of the approved Sterling Ranch Filing 7A North CDs. Easements for this facility were accepted by the BOCC with the Filing 7A land use hearing earlier in the year. No additional easements for access to this stormwater facility are proposed or needed with this Filing 7B Development.**

### GESC Permit

- As described above, a GESC permit has already been issued for the subject property.

**Response: Noted, thank you.**

## **Right-of-Way / Construction Permit**

- Contact the Permits and Inspections Division to apply for a ROW/Construction permit or other required permits.
- <https://www.douglas.co.us/public-works/permits/>

**Response: Noted, thank you. The Applicant will apply for permits through the Permits and Inspections Divisions.**

## **Post-Construction Documentation**

Please see requirements below to obtain a certificate of occupancy (CO).

### **As-Built Plans**

- Following construction, provide the County with a set of as-built plans documenting information critical to the function of roadway and drainage improvements based on a post-construction survey.
- Where as-built information differs from record copy plans, strike-through the record copy information and annotate as-built information in red font, linework, or hatching, as applicable.
- Have the engineer-of-record sign and stamp the as-builts and provide County with a copy.

**Response: Noted, thank you. It is understood that record drawings will be provided to the County per all County requirements in order to obtain a certificate of occupancy (CO).**

### **Certification of Stormwater Detention and Water Quality Facilities**

- Following construction, provide the County with a letter from the engineer of record certifying the stormwater improvements are constructed per the design and will function as intended.
  - o Include as-built drawings for each facility based on a post-construction survey.
  - o Include re-analysis demonstrating facility performance based on the as-built geometry.
  - o Include tables documenting key design criteria (e.g. pond and spillway capacities, freeboard) to demonstrate the as-built pond meets or exceeds minimum criteria.

**Response: Noted, thank you. The permanent stormwater quality facility (Pond F30) will be existing by the start of construction of this Development. Facility design is provided with the approved Sterling Ranch Filing 7A North CDs. It is understood that record drawings will be provided to the County following the construction of Sterling Ranch 7A North per all County requirements. It is also understood that the certification of the permanent stormwater quality facility Pond F30 will be required in order to obtain a certificate of occupancy (CO).**

## **Douglas County Public Works Development Resources**

Many resources including criteria manual, agreement forms, warranty and maintenance applications, templates for O & M manuals and other items are available at the web page below:

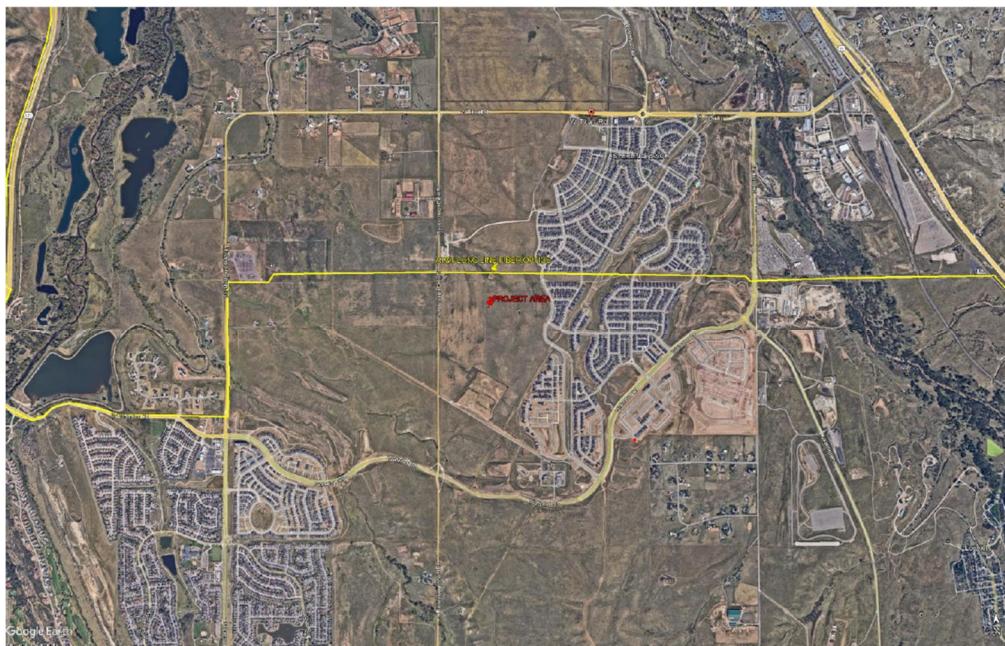
<https://www.douglas.co.us/public-works/development-review/>

**Response: Noted, thank you.**

## REFERRAL AGENCY COMMENTS:

### AT&T LONG LINE FIBER OPTICS:

This is in response to your eReferral for a utility map showing the buried AT&T Long Line Fiber Optics near Sterling Ranch Development Littleton, Colorado. I attached an Earth map showing the project area in red and the buried AT&T Long Line Fiber Optics in yellow. As shown, there is a possibility of conflict near Roxborough Park Rd. Any other information you could provide about the projects would be appreciated in determining if a conflict will exist. Please pass on our contact information as well. Please feel free to contact us with any questions or concerns.



**Response: The Applicant reached out to AT&T as requested to provide additional information and AT&T confirmed there is no conflict. The AT&T line is co-located with the Xcel easement to the immediate north of Filing 7B.**

# Kimley»Horn

## CENTURYLINK:

We have received your request for an Encroachment and have set up a Lumen project accordingly. Your project number is P863418 and it should be referenced in all emails sent in for review. Please do not reply to this email. Your project owner is Stephanie Canary and they can be reached by email at [stephanie.canary@lumen.com](mailto:stephanie.canary@lumen.com) with any questions that you may have regarding this project.

NOTE: Please do not reply to this email and direct any further communication to the assigned Right-of-Way Agent listed above.

Requests are addressed in the order received; Lumen will endeavor to respond within 30 days.

**Response: Thank you for the response. The applicant will contact Stephanie Canary with any project correspondence.**

## CHATFIELD COMMUNITY ASSOCIATION:

No response received.

**Response: No response necessary.**

## CHATFIELD WATERSHED AUTHORITY:

No response received.

**Response: No response necessary.**

## COLORADO DIVISION OF WATER RESOURCES:

Based on the above, it is our opinion, pursuant to C.R.S. § 30-28-136(1)(h)(I) and C.R.S. § 30-28-136(1)(h)(II), that the proposed water supply for the Sterling Ranch Filing 7B based on the new water demand standards from Sterling Ranch Water Appeal, is adequate and will not cause material injury to decreed water rights, provided; 1) the Applicant fully complies with the requirements of the IGA and FSC IGA with Castle Rock and demonstrate that the 700 acre-feet is physically available for this Filing 7B of the development since the FSC IGA relies on Dominion bringing non-tributary water supplies to Castle Rock in exchange of delivery of water from Castle Rock; 2) the Applicant fully complies with the requirements of South Metro WISE Authority-WISE Delivery Agreement and demonstrates that the 625 acre-feet of WISE project water is physically available for this Filing 5B of the development.

Our opinion that the water supply is **adequate** is based on our determination that the amount of water required annually to serve the subdivision is currently physically available, based on Castle Rock's water supply availability upstream of the Sterling Ranch Filing 7B.

Should you have any questions, please contact me at this office at 303-866-3581 x8264 or [ioana.comaniciu@state.co.us](mailto:ioana.comaniciu@state.co.us)

**Response: Thank you for your review and confirmation on the water supply being adequate for the proposed development.**

COMCAST:

No response received.

**Response: No response necessary.**

CORE ELECTRIC COOPERATIVE:

We have received the above-referenced referral request. We have reviewed our records and find that this property is not in our service territory.

**Response: Thank you for your response and review. No further action required.**

DOMINION WATER AND SANITATION DISTRICT:

No response received.

**Response: No response necessary.**

DOUGLAS COUNTY HEALTH DEPARTMENT:

Thank you for the opportunity to review and comment on the referenced Final Plat application. Douglas County Health Department (DCHD) staff have reviewed the application for compliance with pertinent environmental and public health regulations. After reviewing the application, DCHD has the following comments.

#### **Water and Sewer Service**

A will-serve letter has been provided by Dominion Water and Sanitation District. Based on this letter, DCHD is providing a favorable recommendation regarding the proposed method of water service and sewage disposal.

#### **Fugitive Dust – Developments of 25 acres and more than 6 months in duration**

Exposure to air pollution is associated with a number of health problems including asthma, lung cancer, and heart disease. The Colorado Department of Public Health and Environment Air Pollution Control Division (APCD) regulates air emissions, including fugitive dust from developments of 25 acres or more that last at least 6 months. The applicant shall contact the APCD, at (303) 692-3100 for more information. Additional information is available at <https://cdphe.colorado.gov/apens-and-air-permits>.

#### **Radon**

Radon is a naturally occurring radioactive gas that is present at high levels in all parts of Colorado due to the presence of uranium in the soil. Radon can enter homes and long-term exposure causes lung cancer. In order to prevent radon from infiltrating the home, DCHD recommends designing new homes so that they are radon resistant. This includes laying a barrier beneath the flooring system, installing a gas-tight venting pipe from the gravel level through the roof, and sealing and caulking the foundation thoroughly. More information regarding radon and radon-resistant construction techniques can be found here: <https://www.epa.gov/radon/building-new-home-have-you-considered-radon>.

Feel free to contact me at 720-907-4897 or [smccain@douglas.co.us](mailto:smccain@douglas.co.us) if you have any questions about our comments.

**Response:** Thank you for your review and responses. The applicant appreciates the favorable recommendation regarding the proposed method of water service and sewage disposal. This Development is intended to be constructed following the requirements described in the Douglas County Grading, Erosion, and Sediment Control Manual as well as applicable state and federal air quality regulations. This Final Plat is intended to be constructed in accordance with the 2021 International Residential Code (IRC) and accepted Douglas County amendments to the 2021 IRC. Radon control method requirements are addressed within the IRC which align with the recommendations described in your response. Thank you for your comments and additional resources provided.

#### DOUGLAS COUNTY PARKS AND TRAILS:

Applicant will be responsible for meeting the Park Land Dedication standard as outlined in Article 10 of the Douglas County Subdivision Resolution.

**Response:** This Final Plat is required to dedicate 5.740 acres of total park dedication according to Article 10 of the Douglas County Subdivision Resolution and the approved Sterling Ranch Planned Development document. This Final Plat is proposing 10.56 acres dedicated to Parks, Trails, Greens, and Playgrounds (zoned as C1-Multi-Functional Open Space) to be owned and maintained by the Sterling Ranch Community Authority Board (SRCAB). This proposed dedicated exceeds and complies with the Park Land Dedication requirements described in Article 10 of the Douglas County Subdivision Resolution. Please see the Park & Open Space Tracking – Filing 7 document prepared by PCS Group Inc. and Sterling Ranch that is included within the submittal for more information. Thank you for your comment.

#### DOUGLAS COUNTY SCHOOL DISTRICT RE 1:

No response received.

**Response:** No response necessary.

#### JEFFERSON COUNTY PLANNING & ZONING:

No response received.

**Response:** No response necessary.

#### MILE HIGH FLOOD DISTRICT

No response received.

**Response:** No response necessary.

# Kimley»Horn

## OFFICE OF EMERGENCY MANAGEMENT:

OEM has no concerns with this project.

**Response: Thank you for your confirmation of no concerns with this project.**

## DOUGLAS COUNTY ADDRESSING:

Please propose street names to be placed on the final plat. Douglas County will evaluate and confirm approval or denial of proposed street names. At

<https://dcdatadougco.opendata.arcgis.com/datasets/douglas-county-street-names/data> you will find a list of street names in the Douglas County database. You can use this resource to pre-check proposed street names. Four names are required for the accesses shown as Street A, B, C, and D.

Contact [DCAddressing@douglas.co.us](mailto:DCAddressing@douglas.co.us) or 303.660.7411 with questions.

**Response: Four names were approved and reserved for the use within Sterling Ranch 7B by Caitlin Zeiler via email on October 16<sup>th</sup>, 2024. The street names for Street A, B, C, and D have been added to the final plat for final review and approval.**

## DOUGLAS COUNTY ASSESSOR:

The acceptance block for the Sterling Ranch Community Authority Board needs to include ALL of the dedicated tracts, including Tracts P, Q, R, S, T, U, and V as per note 8.

**Response: Acceptance block on final plat has been updated to include Tracts P, Q, R, S, T, U, and V as listed in Note 8.**

## DOUGLAS COUNTY BUILDING:

No comment.

**Response: Noted, thank you.**

## PLUM VALLEY HEIGHTS HOA:

No response received.

**Response: No response necessary.**

## ROXBOROUGH WATER & SANITATION DISTRICT:

Roxborough Water & Sanitation District “the District” thanks you for the opportunity to provide comments on this application. Below is a list of comments for your consideration.

1. The District has an agreement in place with Dominion to convey up to 4,000 Equivalent Residential Units (EQRs) or a maximum flow rate of 0.6 MGD of wastewater from Dominion, through the District, to South Platte Renew on a temporary basis until December 31, 2028. After 2028, the District could continue to convey wastewater at a higher cost rate to Dominion, but in no circumstances shall the District be obligated to provide wastewater service other than capacity in the District O-Line. The referral document “Dwelling Unit Tracking\_94681887” indicates that 3,157 EQR’s are built, under construction or have permits issued. The same document also indicates 4,333 EQRs approved by Douglas County and 1,603 EQRS in process but not yet approved. Note, there is already more units platted than Roxborough has agreed to serve. Wastewater flow projections do not show flows exceeding 0.6 MGD until after 2028 at which point Dominion is projected to have a wastewater treatment plant online accepting their flows. Roxborough is evaluating its ability to serve more units, but at this time no more than 4,000 units will be served through Roxborough lift station system.

2. The document “Narrative\_9461882” indicates that for sanitary sewer service “The site has been accounted for in the design of downstream sanitary sewer system.” As indicated in comment 1, RWSD has an agreement for a maximum of 4,000 units with Dominion Water and Sanitation District and platting has already exceeded the number of units. This is again overlooked in the Final Plat Approval Standard Section 503.04. Roxborough is evaluating its ability to serve more units, but at this time no more than 4,000 units will be served through Roxborough lift station system.

3. The document “Water and Sanitary Sewer Service\_94681890” includes a Service Commitment from Dominion Water and Sanitation District dated 8/5/2024. No reference to 4,000 EQR limit or 0.6 MGD max flow requirement per contract is stated.

4. The agreement between RWSD and Dominion allows a peak flow rate of 4 MGD through the O-Line. Dominion to provide evidence of all (current and proposed) lift station max pump rates occurring simultaneously to confirm flow rates to do not exceed a flow rate of 4 MGD.

Please don't hesitate to reach out if there are any questions or concerns with the comments here within.

**Response:** Please refer to the response letter prepared by Dominion Water and Sanitation District dated November 6, 2024 provided with this submittal. *Given the advancement of the Chatfield Basin Water Reclamation Facility (CBWRF), measured indoor water usage and wastewater conveyance, and accurate portrayal of Equivalent Resident Units (EQRs) based on certificate of occupancy, Dominion's wastewater flow will not exceed 0.6 MGD prior to the final completion and operations of the CBWRF. Dominion and Roxborough are currently negotiating an amendment to the Roxborough IGA to reflect this understanding, more specifically to update the number of EQRs that are associated with the 0.6 MGD capacity limitation within Roxborough's system.*

## SHERIFF'S OFFICE:

No response received.

**Response:** No response necessary.

## SOUTH METRO FIRE RESCUE:

South Metro Fire Rescue (SMFR) has reviewed the provided documents and has conditional non-objection to the proposed final plat application. Applicants and Contractors are encouraged to contact SMFR regarding the applicable permit requirements for the proposed project.

Plat plan documents are all marked as "For Review Do Not Record" and do not appear to be final plat plans. Some streets are still labeled as Street A, Street B, etc. and do not have their assigned names on the plan. It is expected this plan will be revised prior to recording of the plat.

**Response: The project has been submitted to the SMFR portal for review and was given approval by SMFR. After addressing County Referral comments, the Final Plat Construction Documents have been re-submitted to the SMFR portal for approval. The re-submittal shows street names on the plans per the Street Naming Exhibit reviewed by the County.**

## STERLING RANCH COMMUNITY AUTHORITY BOARD:

No response received.

**Response: No response necessary.**

## WESTERN DOUGLAS COUNTY CITIZENS ALLIANCE:

No response received.

**Response: No response necessary.**

## XCEL ENERGY – RIGHT OF WAY & PERMITS

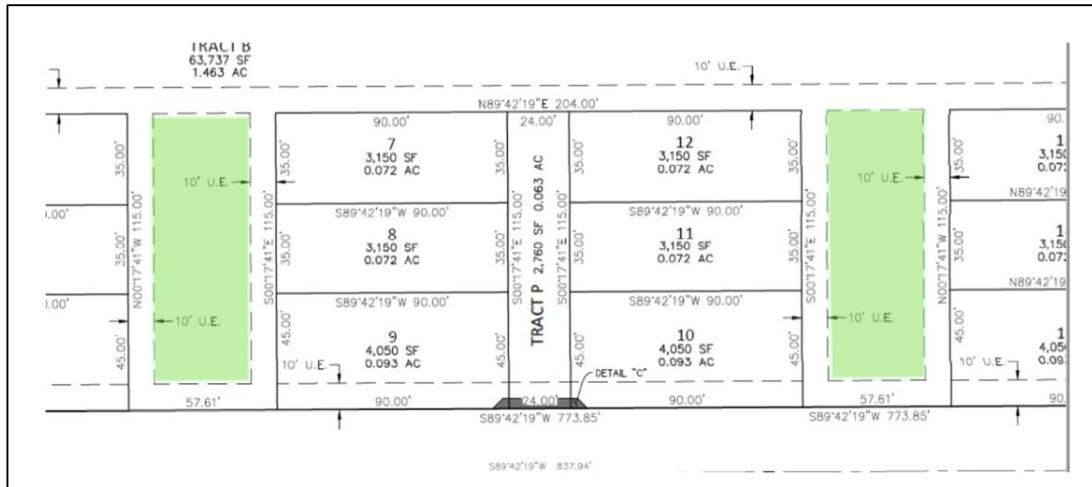
Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documents for Sterling Ranch Filing No. 7B and has determined **there are concerns**.

PSCo requests that the following language or plat note be placed on the preliminary and final plats for the subdivision:

*Permanent structures, improvements, objects, buildings, wells, water meters and other objects that may interfere with the utility facilities or use thereof (Interfering Objects) shall not be permitted within said utility easements and the utility providers, as grantees, may remove any Interfering Objects at no cost to such grantees, including, without limitation, vegetation. Public Service Company of Colorado (PSCo) and its successors reserve the right to require additional easements and to require the property owner to grant PSCo an easement on its standard form.*

PSCo requests clarification of the dry utilities' placement in the example below. Where will the natural gas utilities be located? Bear in mind that natural gas distribution requires 6-feet wide utility easement with a minimum 5-foot clearance from any structure and where there is drivable pavement with space of service truck access (8-feet wide, 8-inches thick) with plowing in snowy conditions.

What are the plans for the portions highlighted in green? Is it landscaping with a detention pond or something else?



The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via [xcelenergy.com/InstallAndConnect](http://xcelenergy.com/InstallAndConnect). It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details.

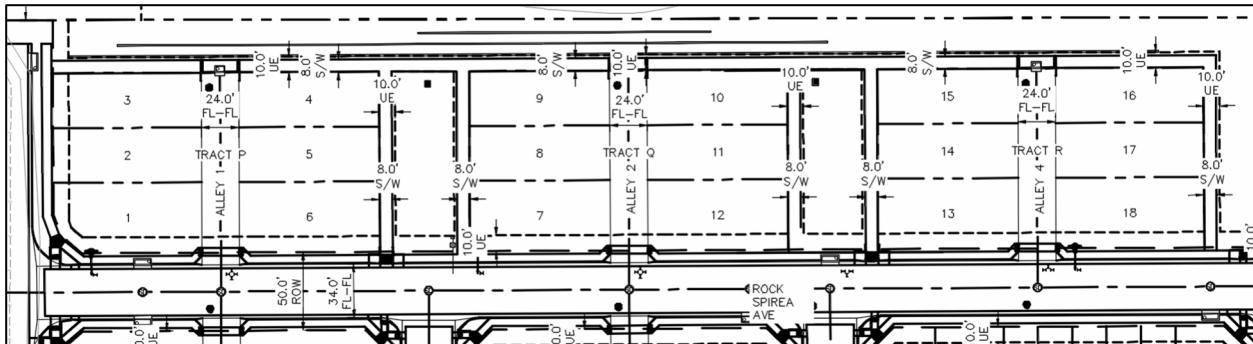
If additional easements need to be acquired by separate PSCo document (i.e. transformer), a Right-of-Way Agent will need to be contacted by the Designer.

As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

## Response:

Sterling Ranch does not object to the language provided by Xcel and understands this is part of the easement agreement & contract documents that are required to be entered into prior to construction. Sterling Ranch also acknowledges that additional easements may be required by Xcel and will grant them as needed to facilitate the utility design. The requested note has not been added to the plat document, understanding that these requirements & commitments are sufficiently covered in other contract documents, as well as to be consistent with every previous plat document recorded at Sterling Ranch that does not include this note or any other notes with similar language.

Per the request for clarification of dry utility service placement in the example provided, see snip below. The snip below shows the 8-foot wide sidewalks provided for maintenance of the dry utilities located in the 10-foot wide dry utility easement provided on the Plat. The dry utilities will be placed behind lots 4-16 within the 10-foot utility easement. Sterling Ranch has worked closely with Xcel and their contracted design staff to implement site design sufficient to accommodate construction & maintenance needs.



The area highlighted in green in the comment above is proposed as landscaping. Please see landscape plans Sheets L1.1 and L1.2 for landscaping details.

No additional easements are anticipated with this Final Plat, thank you.

On behalf of Sterling Ranch, Kimley-Horn and the project team, thank you for your time and consideration reviewing the Sterling Ranch Filing 7B. If you have any questions, please contact me at [liam.shannon@kimley-horn.com](mailto:liam.shannon@kimley-horn.com) or (720) 689-6653.

Sincerely,

Liam Shannon, P.E.

Project Engineer, Associate  
Kimley-Horn



Dominion Water & Sanitation District  
9250 E. Costilla Avenue, Suite 400  
Greenwood Village, CO 80112

November 6, 2024

Brett Thomas  
Planning Services Division  
100 Third St., 2<sup>nd</sup> Floor  
Castle Rock, CO 80104

Re: eReferral SB2024-052 Sterling Ranch Filing 7B – Roxborough Referral Letter

Dear Mr. Thomas:

Dominion Water & Sanitation District (“Dominion”) is in receipt of the Referral Letter from Roxborough Water & Sanitation District (“Roxborough”) in reference to the Sterling Ranch Filing 7B application (“SB2024-052”). Dominion and Roxborough have been working collaboratively on regional water and wastewater solutions for Northwest Douglas County since 2007 and look forward to continuing this long standing collaboration to the benefit of both Dominion and Roxborough customers. To that end, Dominion has been working with Roxborough regarding the contractual limitations to capacity within the Roxborough wastewater conveyance system that currently conveys wastewater to the South Platte Renew (“SPR”) formerly the Bi-Cities and/or Littleton-Englewood Facility.

Through numerous meetings Dominion has presented data and information to Roxborough that accurately portrays how equivalent resident units (“EQR”) are connected to Dominion’s wholesale wastewater facilities and ultimately Roxborough’s wastewater conveyance system and correlates those EQRs with actual measured wastewater flows. Per the Intergovernmental Agreement for Temporary Lease of and Acquisition of Capacity in the Roxborough Wastewater Conveyance System Between Roxborough Water and Sanitation District and Dominion Water and Sanitation District, dated October 2020 (“Roxborough IGA”), an EQR is defined as follows:

*Connection of an EQR to the Roxborough Wastewater Conveyance System shall occur upon the issuance of a certificate of occupancy for the applicable property within the Communities.*

To date, there are 3,137 certificate of occupancies within the Sterling Ranch Community that utilizes the Roxborough Conveyance capacity. The Sterling Ranch application for 7B does not represent a certificate of occupancy, rather it represents the planned number of residential units within that particular Filing of the community. Further, given the measured indoor water usage and the measured flow through both the Titan Road and Willow Creek lift stations, the measured



flow through the system is 0.22 MGD. Both of these values are below the contractual limits within the Roxborough IGA.

Roxborough and Dominion understand that the original contract terms were not entered into with the benefit of measured data. As Sterling Ranch continues to meet and exceed demand standards for both indoor and outdoor water usage, both entities recognize that an amendment to the Roxborough IGA is needed that accurately portrays the flowrate per EQR that is connected at the time of the issuance of a certificate of occupancy.

Further, Dominion is in receipt of \$20M of American Rescue Plan Act ("ARPA") funds to design and construct the Chatfield Basin Water Reclamation Facility ("CBWRF"). Dominion is diligently advancing both the design and construction of the CBWRF and anticipates that the facility will be operational by December 31, 2027, with all ARPA funds fully expended by December 31, 2026.

Given the advancement of the CBWRF, measured indoor water usage and wastewater conveyance, and accurate portrayal of EQRs based on certificate of occupancy, Dominion's wastewater flow will not exceed 0.6 MGD prior to the final completion and operations of the CBWRF. Dominion and Roxborough are currently negotiating an amendment to the Roxborough IGA to reflect this understanding, more specifically to update the number of EQRs that are associated with the 0.6 MGD capacity limitation within Roxborough's system.

Should additional information be requested by Douglas County Planning Staff please feel free to contact myself Andrea Cole, General Manager of Dominion Water & Sanitation District, at [andrea.cole@dominionwsd.com](mailto:andrea.cole@dominionwsd.com).

Sincerely,

Andrea Cole

General Manager

Dominion Water & Sanitation District

cc: Dominion Water & Sanitation District Board

WATER AND SANITARY SEWER SERVICE FOR  
FILING 7B IN STERLING RANCH  
PRELIMINARY PLAN NO. 7

August 14, 2024

## INDEX - WATER & SANITARY SEWER SERVICE FOR FILING 7B IN STERLING RANCH PRELIMINARY PLAN NO. 7

1. CAB Service Commitment Letter
2. **Attachment A** – Water Packet for Preliminary Plan No. 7 dated April 14, 2022
3. **Attachment B** - Wholesale Water and Wastewater Cumulative Service Commitment Letter
4. **Attachment C** – Application for Water/Wastewater Service for Sterling Ranch CAB



August 5, 2024

Jeanette Bare, AICP  
 Douglas County Planning Services  
 100 Third Street  
 Castle Rock, CO 80104

RE: Water and Sanitary Sewer Service for Filing 7B within Sterling Ranch Preliminary Plan No.

7

Dear Ms. Bare:

Pursuant to the Amended and Restated Sterling Ranch Water Appeal approved on October 12, 2021 (“Sterling Ranch Water Appeal”), the Sterling Ranch Community Authority Board (the “CAB”) acknowledges its intent and ability to provide water and wastewater services for Filing 7B within Preliminary Plan No. 7 (“PP7”) of the Sterling Ranch Planned Development. All water supply information for PP7 required under the Sterling Ranch Water Appeal was documented in the “Water and Sanitary Sewer Service for Sterling Ranch Preliminary Plan No. 7” water packet dated April 14, 2022, which is provided herewith as **Attachment A**.

CAB receives wholesale water and wastewater services from Dominion Water & Sanitation District (“Dominion”). Dominion’s Wholesale Water and Wastewater Cumulative Service Commitment letter dated April 15, 2022 (see Attachment A) committed 2,457 acre-feet per year (AF/yr) to Sterling Ranch including a PP7 water demand up to 751 AF/yr. Dominion has provided CAB with a “Wholesale Water and Wastewater Cumulative Service commitment” letter dated August 5, 2024 (**Attachment B**) affirming that the water demands for Filing 7B discussed herein are within Dominion’s prior water supply commitments to CAB.

We understand that Sterling Ranch Development Company (the “Applicant”), with the consent of Sterling Ranch, LLC (the “Land Owner”), is currently seeking approval to develop Filing 7B. CAB submits the following information and hereby agrees to supply the uses and densities for Filing 7B provided in **Attachment C**. The water demand for the uses is currently projected to be 43.5 AF/yr according to the water demand standards set forth in **Table 1**. Filing 7B includes the following: 75 single-family detached-small (SFD – Small) units with lots sizes less than 5,000 square feet; 72 single-family attached (SFA) units; the equivalent of 4.62 non-residential irrigated acres; and 2 superblock lots. The total combined water demand for Filings 7A and 7B is 188.4 AF/yr as shown in **Table 2** below.

**Table 1. Water Demands for Filing 7B within Preliminary Plan No. 7.**

Land Use	Quantity	Water Demand Standard <sup>(1)</sup>		Total (AF/yr)
Residential				
SFD – Large	0 Units	0.260	AF/yr/unit	0.00
SFD – Small	75 Units	0.260	AF/yr/unit	19.50
SFA	72 Units	0.170	AF/yr/unit	12.24
MF	0 Units	0.140	AF/yr/unit	0.00
Indoor-only	0 Units	0.140	AF/yr/unit	0.00
Superblock <sup>(2)</sup>	2 Units	0.260	AF/yr/unit	0.52
Schools				
Elementary/Middle	0 Students	0.01456	AF/yr/student	0.00
High	0 Students	0.02184	AF/yr/student	0.00
Irrigation	0 irrigated acres	2.431	AF/yr/irrigated acre	0.00
Non-Residential				
Commercial/Hospitality	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Commercial/Retail	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Office	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Industrial	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Other	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
	0 Pools	4.00	AF/yr fill, refill, and evap	0.00
	0 Splash Pads	NA	See Table Note (3)	0.00
Non-Residential Irrigation <sup>(4)</sup>	4.62 irrigated acres	2.431	AF/yr/irrigated acre	11.23
<b>Total Demand:</b>				<b>43.49</b>

**Table 2. Total Water Demands for Filings 7A and 7B within Preliminary Plan No. 7.**

Land Use	Quantity	Water Demand Standard <sup>(1)</sup>		Total (AF/yr)
Residential				
SFD – Large	103 Units	0.260	AF/yr/unit	26.78
SFD – Small	320 Units	0.260	AF/yr/unit	83.20
SFA	247 Units	0.170	AF/yr/unit	41.99
MF	0 Units	0.140	AF/yr/unit	0.00
Indoor-only	0 Units	0.140	AF/yr/unit	0.00
Superblock <sup>(2)</sup>	3 Units	0.260	AF/yr/unit	0.78
Schools				
Elementary/Middle	0 Students	0.01456	AF/yr/student	0.00
High	0 Students	0.02184	AF/yr/student	0.00
Irrigation	0 irrigated acres	2.431	AF/yr/irrigated acre	0.00
Non-Residential				
Commercial/Hospitality	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Commercial/Retail	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Office	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Industrial	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
Other	0 sf of bldg space	0.75	AF/6,695 sf of bldg space	0.00
	0 Pools	4.00	AF/yr fill, refill, and evap	0.00
	0 Splash Pads	NA	See Table Note (3)	0.00
Non-Residential Irrigation <sup>(4)</sup>	14.66 irrigated acres	2.431	AF/yr/irrigated acre	35.64
<b>Total Demand:</b>				<b>188.39</b>

Table 1 and 2 Notes:

(1) The CAB approved Resolution No. 2021-10-02 adopting amended and restated water demand standards on October 20, 2021 (“2021 Water Demand Standards”).

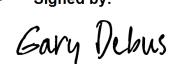
(2) Superblock lots have been included and have been assigned an amount of water that is equivalent to one SFD-Large residential unit for the purposes of water demand and supply review at this time.

(3) A splash pad has been proposed in Filing 3. Manufacturer information indicates the annual water demand is 20,000 gal/year (0.1 AF/yr).

(4) Includes irrigated lawn, garden, and open space not appurtenant to a dwelling unit.

This is the second filing under PP7, and the combined water demands for Filings 7A and 7B are within CAB’s and Dominion’s prior service commitments made for PP7.

### Sterling Ranch Community Authority Board

Signed by:  
  
 Gary Debus  
 8128C5DEC17842C...

By: Gary Debus  
 General Manager

Attachments

ATTACHMENT A

WATER PACKET FOR PRELIMINARY PLAN NO. 7 DATED APRIL 14, 2022

# WATER AND SANITARY SEWER SERVICE FOR STERLING RANCH PRELIMINARY PLAN NO. 7

April 14, 2022  
(Amendments to November 11, 2021)

## INDEX

Amendment Summary Letter dated April 14, 2022

Executive Summary Of Preliminary Plan 7 Water Packet

CAB Will Serve Letter

**2021 Water Demand Standards** [\[Amended\]](#)

**Initial Water Demand Standards** [\[Amended\]](#)

**Exhibit A** – 2021 Water Appeal

**Attachment A-1** – CAB Resolution Adopting Demand Standards

**Exhibit B** – Dominion Service Commitment Letter to CAB [\[Amended\]](#)

**Attachment B-1** – Sterling Ranch Service Commitment Application [\[Amended\]](#)

**Attachment B-2** – Statement of Water Availability

## APPENDICES

### APPENDIX A – Sterling Ranch Service Area

**Attachment A-1 – Legal Description of Property to be Served**

**Attachment A-2 – CAB Service Area Map**

### APPENDIX B – Dominion Water System

**Figure A – Dominion Water & Sanitation District Wastewater System**

**Figure 1 – Dominion Water & Sanitation District Water Delivery System & Water Supplies**

### APPENDIX C – Dominion Water Right Documentation

**Decree Case Number (98CW219)**

**Decree Case Number (03CW117)**

**Special Warranty Deed to PSA Fifth Amendment**

**Cherokee Ranch Conservation Easement Deed**



Jeanette Bare, AICP  
Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

April 14<sup>th</sup>, 2022

RE: Amendments to the November 11<sup>th</sup>, 2021, Water Packet for Preliminary Plan No. 7

Dear Ms. Bare:

To adapt to market variabilities and the need for attainable housing in Sterling Ranch a change in uses and densities from what was presented in the Preliminary Plan No. 7 (PP7) Water Packet Submittal Dated November 11<sup>th</sup>, 2021, is being requested. Please note these changes meet all zoning requirements and character zones requirements within PP7.

Preliminary Plan No. 7 initial site plan included 1,355 single-family detached (SFD) units, 262 single-family attached (SFA) units, the equivalent of 32.17 non-residential irrigated acres, and 7 superblocks. The water demand for these combined uses was projected to be 727.8 acre-feet/year (AF/yr) based on the existing water demand standards.

Currently PP7 site plan has been adapted and includes 1,090 SFD units, 582 SFA units, the equivalent of 32.17 non-residential irrigated acres, and 10 superblocks. This is an increase of 55 units and 3 superblocks. The water demand for these combined uses is projected to be 751.0 AF/yr based on existing water demand standards.

Dominion has signed an updated **Wholesale Water and Wastewater Cumulative Service Commitment Letter** that commits 751.0 AF/yr and a water supply for up to an additional 247 residential single family detached units for PP7. The Sterling Ranch Community Authority Board (CAB) has signed an updated **Will Serve Letter - Water and Sanitary Sewer Service for Sterling Ranch PP7** based on initial water demand standards.

The CAB has updated and signed the **CAB 2021 Water Demand Standard for PP7**, pursuant to the Amended and Restated Sterling Ranch Water Appeal approved on October 12, 2021, reflects the requested 2021 Water Demand Standards for Sterling Ranch Filing 1 through 6 and the amended PP7 water demands. This document will be updated again later this month after the approval of the CAB to include the full year data set for actual water usage in 2021.

Please accept these minor amendment documents to the November 11<sup>th</sup>, 2021, Water Packet:

- DEVCO Application - Water/Wastewater Service for Sterling Ranch April 4, 2022
- Dominion Wholesale Water and Wastewater Cumulative Service Commitment- April 15th, 2022.
- Dominion's Total Water Supply Service Commitments -Table 1 - Executive Water Summary PP7 Water Packet Submittal Dated November 11th, 2021
- CAB Water and Sanitary Sewer Service for Sterling Ranch Preliminary Plan 7-Initial Water Demand Standards April 12, 2022
- CAB Water and Sanitary Sewer Service for Sterling Ranch Preliminary Plan 7- 2021 Water Demand Standard April 12, 2022 – This document will be updated this month after the CAB monthly meeting to include the full year data set for water usage in Sterling Ranch.

Please let me know if you have any questions or concerns.

Respectfully,



Susan Beckman  
Entitlement Director  
Sterling Ranch Development Company

## Executive Summary Of Preliminary Plan 7 Water Packet

November 11, 2021

Jeanette Bare, AICP  
Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

RE: Water and Sanitary Sewer Service for Sterling Ranch Preliminary Plan No. 7 –  
**Executive Summary**

Dear Ms. Bare:

Sterling Ranch Community Authority Board (“CAB”), as a Retail Provider, in partnership with Dominion Water and Sanitation District (Dominion), as a Wholesale Water and Wastewater Provider, is pleased to submit this Water and Sanitary Sewer Service Packet (“Water Packet”) for Preliminary Plan 7 (“PP7”), for your review and consideration. This Water Packet includes detailed information supporting establishment of a reduced demand standard by CAB and water sufficiency to meet those demands by Dominion. As part of the Amended and Restated Sterling Ranch Water Appeal, approved by the Board of County Commissioners (“BOCC”) on October 12, 2021 (“Sterling Ranch Water Appeal”), CAB is authorized to establish its own demand standards to be subsequently approved by the BOCC as part of a preliminary plan filing. We are requesting that the BOCC consider this revised demand standard at this time. However, understanding that final approval to utilize CAB’s demand standards rests with the BOCC, the PP7 Water Packet includes two distinct will serve letters with two distinct demand standards to allow for a streamlined review of PP7. Dominion has provided written consent and has water sufficient to meet both water demand standards as presented.

Prior to the Sterling Ranch Water Appeal, the submitted Water Packets provided information on water sufficient to meet the established demand standard of 0.40 acre-feet per year per unit (AF/yr/unit) for the residential project sector. Based on the authorization of the BOCC, collection of water usage data since 2017, and a thorough and independent analysis by ELEMENT Water Consulting, CAB has established and adopted by resolution amended demand standards (“2021 CAB Water Demand Standards”) for the residential project sector, as follows:

- 0.26 AF/yr/unit for single-family detached homes;
- 0.17 AF/yr/unit for single-family attached homes; and

- 0.14 AF/yr/unit for multifamily homes and units that have an indoor-only connection (*Exhibit A*).

CAB adopted the 2021 CAB Water Demand Standards based on analyses of water use trends and characteristics from within the Sterling Ranch residential community, including water use data recorded during landscape establishment and during the COVID-19 pandemic. The CAB resolution states that using the 2021 CAB Water Demand Standards is in the best interest of the health and welfare of its residents and users and promotes the efficient management of water use within the Sterling Ranch community. Thus, Dominion, in collaboration with CAB, is able to more efficiently and cost effectively plan for their water supply needs and timing, resulting in overall better stewardship of our precious water resources.

To this end, we have prepared two CAB Will Serve Letters for the BOCC's consideration and approval. The first letter, "2021 Water Demand Standards," details PP7's water demand utilizing CAB's adopted 2021 demand standards, while the second letter, "Initial Demand Standards," presents PP7's demand utilizing 0.40 AF/yr/unit for all residential homes, the standard used by Sterling Ranch since 2013. Table 1 provides a summary of water supply and demand under the standard of 0.40 AF/yr/unit and the updated 2021 standards. In either scenario, Dominion's available water supply remains the same, and sufficiently meets the planned demand under both standards.

Dominion has provided CAB with a Service Commitment Letter (*Exhibit B*) demonstrating a water supply sufficient to meet not only their existing service commitments to CAB (Table 1), but also demands for PP7 using the Initial Demand Standard of 0.40 AF/yr/unit for all residential homes. It logically follows that if Dominion's water supply is sufficient to meet PP7 water demands at 0.40 AF/yr/unit, then Dominion also has a water supply sufficient to meet the lower 2021 CAB Water Demand Standards. Thus, only one Service Commitment Letter, including all supplemental information as required under the approved Sterling Ranch Water Appeal (*Exhibit A*), has been provided in the PP7 Water Packet. Table 2 attached hereinto summarizes information Dominion is required to provide under the Sterling Ranch Water Appeal, and where this information can be located. Supplemental information including groundwater deeds, decrees, and conservation easements, can be found in the Appendices.

We appreciate the County's consideration of two Will Serve Letters reflecting both the previously approved standard of 0.40 AF/yr/unit as well as CAB's recently updated standards per the 2021 Sterling Ranch Water Appeal, in order to efficiently process the Sterling Ranch submittal for Preliminary Plan No. 7. While we are confident in our analysis of Sterling Ranch

water demands to date, the innovative water efficient home and landscape designs of Sterling Ranch, and in our subsequent water demand projections, we understand that questions may arise and are happy to answer these as needed.

Thank you for your consideration. As water providers and stewards we look forward to continuing to work with the County to ensure that our customers receive a high quality, reliable and renewable water supply.

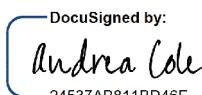
Sincerely,

Sterling Ranch Community Authority Board

DocuSigned by:  
  
FD155D6F25584D7...

By: Denise Hogenes  
General Manager

Dominion Water & Sanitation District

DocuSigned by:  
  
24537AB811BD46E...

By: Andrea Cole  
General Manager

Table 1

Dominion's Total Water Supply Service Commitments				
Filing ("F") or Preliminary Plan ("PP") No.	Original Filing Demands	DWSD Water Supply Commitments	2021 Water Appeal CAB Demand	Water Supply Required per CAB Demand Standard
[A]	Total Dependable Yield			
[B]		Original Filing Demands	DWSD Water Supply Commitments	
[C]		-	2,457.0	
[D]	F1	387.9	387.9	276.7
[E]	F2	76.6	76.6	39.7
[F]	F3A – F3B	403.5	403.5	194.1
[G]	F4A – F4C	260.0	260.0	157.3
[H]	F5A – F5B	158.3	158.3	107.8
[I]	PP6	320.7	320.7	212.5
[J]	PP7	727.8	727.8	476.9
	<b>Reserved for future Sterling Ranch Filings</b>	0.0	0.0	869.9
[J]	<b>Total</b>	2,334.9	2,334.9	2,334.9
[K]	<b>Remaining Available to Entitle for Current Commitments</b>	-	122.1	122.1

**Notes**

[A] Total Dependable Yield is the total supplies available to meet the demands as defined by Dominion Statement of Water Availability (11/03/2021)

[B] Filing 1 (F1) original demands based on service commitment dated 9/18/2019.

[C] Filing 2 (F2) original demands based on service commitment dated 9/18/2019.

[D] Filing 3 (F3A – F3B) original demands based on service commitment dated 5/3/2021.

[E] Filing 4 (F4A - F4C) original demands based on service commitment dated 4/23/2019.

[F] Filing 5 (F5A - F5B) original demands based on service commitment dated 11/20/2020.

[G] Preliminary Plan 6 (PP6) original demands based on service commitment dated 4/9/2021.

[H] Preliminary Plan 7 (PP7) original demands based on service commitment dated 9/29/2021.

[I] Reserved for future Sterling Ranch Filings = Portion of Dominion's original water supply commitment now available to meet future Sterling Ranch demands

[J] Total = Sum of supply and demands associated with Filing 1 through PP7 and reserved for future Sterling Ranch commitments

[K] Remaining Available to Entitle = Total at WTP - Total. Current commitments include Sterling Ranch, Chatfield Valley Framework, and Louviers.

\* Demands based on Sterling Ranch 2021 Water Appeal

Table 2

**Approval Standards Summary - Amended and Restated Sterling Ranch Water Appeal approved on October 12, 2021**

<b>Appeal Section No.</b>	<b>Text of Standard</b>	<b>Dominion Reference</b>
3.1	The proposed Water Supply for the Development Application can be used for the proposed use(s).	<ul style="list-style-type: none"><li>• Commitment Letter</li><li>• Opinion of Water Counsel</li></ul>
3.2	The reliability of a renewable water right has been analyzed and is deemed sufficient by the County based on its priority date within the Colorado System of Water Rights Administration.	<ul style="list-style-type: none"><li>• Statement of Water Availability</li><li>• Commitment Letter</li></ul>
3.3	The proposed Water Supply for the Development Application is adequate and feasible to ensure that Water Supply shortages will not occur due to variations in the hydrologic cycle, taking into account the anticipated Water Demand of the Development Application, as established pursuant to Section 6 below.	<ul style="list-style-type: none"><li>• Statement of Water Availability</li><li>• Commitment Letter</li></ul>
3.4	The proposed Water Supply for the Development Application is sufficient to meet the Water Demand standard established pursuant to Section 6 below.	<ul style="list-style-type: none"><li>• Commitment Letter</li></ul>

**Notes**

- Commitment Letter refers to "Dominion Wholesale Water and Wastewater Cumulative Service Commitment" letter.
- Opinion of Water Counsel refers to "Sterling Ranch Water Appeal Supplemental Information: Opinion of Water Counsel for Dominion Water & Sanitation District"

**CAB Will Serve Letter**  
2021 Water Demand Standards



April 12, 2022

Jeanette Bare, AICP  
Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

RE: Water and Sanitary Sewer Service for Sterling Ranch Preliminary Plan No. 7 –  
2021 Water Demand Standards

Dear Ms. Bare:

Pursuant to the Amended and Restated Sterling Ranch Water Appeal approved on October 12, 2021 (“Sterling Ranch Water Appeal”), the Sterling Ranch Community Authority Board (the “CAB”) acknowledges its intent and ability to provide water and wastewater services to approximately 446.7 acres to be developed within Preliminary Plan No. 7 (“PP7”) of the Sterling Ranch Planned Development (the “Property”). A legal description of the Property to be served is provided herewith in **Attachment A-1 of Appendix A**. The property is within the service area boundaries of the CAB, as illustrated on the map attached in **Appendix A as Attachment A-2**.

CAB receives wholesale water and wastewater services from Dominion Water & Sanitation District (“Dominion”). Dominion has provided CAB with a Wholesale Water and Wastewater Cumulative Service Commitment letter for PP7, attached as **Exhibit B**, for the uses and densities discussed herein.

We understand that Sterling Ranch Development Company (the “Applicant”), with the consent of Sterling Ranch, LLC (the “Land Owner”), is currently seeking approval for PP7 and will subsequently seek final plat approval, either in a single application or in phases. In satisfaction of the Sterling Ranch Water Appeal, CAB submits the following information and hereby agrees to supply the uses and densities shown in **Attachment B-1**. The water demand for the uses is currently projected to be 463.1 acre-feet/year (AF/yr) according to the water demand standards set forth in **Table 1**. PP7 includes 1,090 single-family detached (SFD) units, 582 single-family attached (SFA) units, the equivalent of 32.17 non-residential irrigated acres, and 10 superblocks. Together with CAB’s prior commitment to serve Filings 1 through 5, Preliminary Plan No. 6, and the PP7 water demands in **Table 1**, the total combined water demands of 1,451.2 AF/yr are shown in **Table 2** below.

Table 1. Water Demands (Revised<sup>1</sup>): Sterling Ranch Preliminary Plan No. 7.

Land Use	Quantity		Initial Water Demand Standard		Total (AF/yr)
Residential – SFD – Large	1,090	Units	0.260	AF/yr/unit	283.4
Residential – SFD – Small	0	Units	0.260	AF/yr/unit	0.0
Residential – SFA	582	Units	0.170	AF/yr/unit	98.9
Residential – MF	0	Units	0.140	AF/yr/unit	0.0
Residential – Indoor-only	0	Units	0.140	AF/yr/unit	0.0
Residential – Superblock <sup>2</sup>	10	Units	0.260	AF/yr/unit	2.6
School					
Elementary/Middle	0	Students	0.01456	AF/yr/student	0.0
High	0	Students	0.02184	AF/yr/student	0.0
Irrigation	0	irrigated acres	2.431	AF/yr/irrigated acre	0.0
Non-Residential					
Commercial/Retail	0	sf of bldg space	0.75	AF/6,695 sf of bldg space	0.0
Other	0	sf of bldg space	0.75	AF/6,695 sf of bldg space	0.0
	0	Pools	4.00	AF/yr fill, refill, and evap	0.0
	0	Splash Pad	NA	See Note 3	0.0
Other Non-Res. Irrigation	32.17	irrigated acres	2.431	AF/yr/irrigated acre	78.2
					<b>Total Demand:</b> 463.1

Table 2. Total Combined Sterling Ranch Water Demands (Revised<sup>1</sup>)

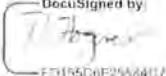
Land Use	Quantity		Initial Water Demand Standard		Total (AF/yr)
Residential – SFD – Large	3,470	Units	0.260	AF/yr/unit	902.2
Residential – SFD – Small	152	Units	0.260	AF/yr/unit	39.5
Residential – SFA	1,332	Units	0.170	AF/yr/unit	226.4
Residential – MF	350	Units	0.140	AF/yr/unit	49.0
Residential – Indoor-only	0	Units	0.140	AF/yr/unit	0.0
Residential – Superblock <sup>2</sup>	17	Units	0.260	AF/yr/unit	4.4
School					
Elementary/Middle	1,000	Students	0.01456	AF/yr/student	14.6
High	0	Students	0.02184	AF/yr/student	0.0
Irrigation	6.3	irrigated acres	2.431	AF/yr/irrigated acre	15.3
Non-Residential					
Commercial/Retail	0	sf of bldg space	0.75	AF/6,695 sf of bldg space	0.0
Other	63,458	sf of bldg space	0.75	AF/6,695 sf of bldg space	7.1
	2	Pools	4.00	AF/yr fill, refill, and evap	8.0
	1	Splash Pad	NA	See Note 3	0.1
Other Non-Res. Irrigation	75.9	irrigated acres	2.431	AF/yr/irrigated acre	184.6
					<b>Total Demand<sup>4</sup>:</b> 1,451.2

Table 1 and Table 2 Notes

- 1) The CAB approved Resolution No. 2021-10-02 adopting amended and restated water demand standards on October 20, 2021, attached as **Exhibit A**.
- 2) Superblock lots have been included and have been assigned an amount of water that is equivalent to one SFD-Large residential unit for the purposes of water demand and supply review at this time.
- 3) A splash pad has been proposed in Filing 3. Manufacturer information indicates the annual water demand is 20,000 gal/year (0.1 AF/yr).
- 4) Total Demand is the combined Sterling Ranch Water Demands for Filings 1 through 5, Preliminary Plan 6, and Preliminary Plan 7, as detailed in the attached table: Sterling Ranch Cumulative Water Demands.

The CAB received a Wholesale Water and Wastewater Cumulative Service Commitment letter from Dominion and the CAB acknowledges the feasibility of developing and funding the infrastructure necessary to provide the requisite capacity to serve development within the Property. In reliance on Dominion's Wholesale Water and Wastewater Cumulative Service Commitment letter, attached hereto as **Exhibit B**, the CAB agrees to provide public water and wastewater service to the Property upon payment of the requisite fees and charges and compliance with the CAB's rules, regulations and resolutions, as now or hereinafter constituted. Dominion reports that it will manage their water systems such that deliveries to Sterling Ranch are comprised of approximately 70% from renewable supplies on a rolling 10-year annual average upon the full build-out of Sterling Ranch.

**Sterling Ranch Community Authority Board**

DocuSigned by:  
  
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By: Denise Hogenes  
General Manager

Attachment: Sterling Ranch Cumulative Water Demands – Based on 2021 Water Demand Standards  
Adopted by the CAB.

Sterling Ranch Cumulative Water Demands, Based on 2021 Water Demand Standards Adopted by the CAB.

Water Use Sector (A)	Quantity (B)										Demand (AF/yr) (C)						Wastewater Flow Calculations (D)			
	Filing 1 (9/13/19)	Filing 2 (9/13/19)	Filing 3A-3B (5/5/21)	Filing 3A-3B (4/23/19)	Filing 3A-3C (4/23/19)	Filing 3A-3C (11/20/20)	PP No. 6 (4/9/21)	PP No. 7 (4/14/22)	Total	Filing 1 (9/13/19)	Filing 2 (9/13/19)	Filing 3A-3B (5/5/21)	Filing 3A-3C (4/23/19)	PP No. 6 (4/9/21)	PP No. 7 (4/14/22)	Total	(gal/day) (MGD)			
Residential (units)																				
SFD - Large	754	48	-	264	-	469	351	444	1,090	3,470	206.4	12.5	68.6	121.9	93.5	115.4	283.4	902.2	433.750	0.334
SFD - Small	0	0	131	-	354	161	0	104	152	0	152	0	0	0	0	39.5	19.000	0.019	19,000	0.019
SFA	0	0	0	350	0	0	0	0	350	0	0	0	0	0	0	0	35.3	226.4	166,500	0.167
MU	0	0	1	0	0	0	0	0	1	0	0	0	0	0	0	0	49.0	49.0	43,750	0.044
Indoor-Only	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0.0	0.0	0.000	0.000
Supertank	0	1	0	0	0	0	0	6	10	17	0.0	0.3	0.0	0.0	0.0	1.6	2.6	4.4	2,125	0.002
School (students)																				
Elementary	1,000	0	0	0	0	0	0	0	1,000	14.6	0.0	0.0	0.0	0.0	0.0	0.0	14.6	11,693	0.012	0
Middle	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000	0.000	0
High	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000	0.000	0
Irrigation (acres)	6.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.3	0.0	-	-
Non-Residential (sq ft of build space)																				
Commercial/Hospitality	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000	0.000
Commercial/Retail	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000	0.000
Office	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000	0.000
Industrial	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000	0.000
Other	0	0	0	10,000	1	0	0	0	63,458	6.0	0.0	1.1	0.0	0.0	0.0	0.0	7.1	5,712	0.006	-
Pools (#)	1	0	0	0	0	0	0	0	1	4.0	0.0	4.0	0.0	0.0	0.0	0.0	8.0	0.1	-	-
Splash Pools (#)	0	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.1	-	-	-
Other irrigation (acres)																				
Potable <sup>2</sup>	12.50	1.91	4.53	3.10	5.73	15.75	32.17	75.9	30.4	4.6	11.1	8.0	13.9	30.3	78.2	184.6	-	-	-	-
Non-Potable <sup>3</sup>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.083

**CAB Will Serve Letter**  
Initial Water Demand Standards

STERLING RANCH



COMMUNITY AUTHORITY BOARD

April 12, 2022

Jeanette Bare, AICP  
Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

RE: Water and Sanitary Sewer Service for Sterling Ranch Preliminary Plan No. 7 –  
Initial Water Demand Standards

Dear Ms. Bare:

Pursuant to the Amended and Restated Sterling Ranch Water Appeal approved on October 12, 2021 ("Sterling Ranch Water Appeal"), the Sterling Ranch Community Authority Board (the "CAB") acknowledges its intent and ability to provide water and wastewater services to approximately 446.7 acres to be developed within Preliminary Plan No. 7 ("PP7") of the Sterling Ranch Planned Development (the "Property"). A legal description of the Property to be served is provided herewith in **Attachment A-1 of Appendix A**. The property is within the service area boundaries of the CAB, as illustrated on the map attached in **Appendix A as Attachment A-2**.

CAB receives wholesale water and wastewater services from Dominion Water & Sanitation District ("Dominion"). Dominion has provided CAB with a Wholesale Water and Wastewater Cumulative Service Commitment letter for PP7, for the uses and densities discussed herein.

We understand that Sterling Ranch Development Company (the "Applicant"), with the consent of Sterling Ranch, LLC (the "Land Owner"), is currently seeking approval for PP7 and will subsequently seek final plat approval, either in a single application or in phases. In satisfaction of the Sterling Ranch Water Appeal, CAB submits the following information and hereby agrees to supply the uses and densities shown in **Attachment B-1**. The water demand for the uses is currently projected to be 751.0 acre-feet/year (AF/yr) according to the water demand standards set forth in **Table 1**. PP7 includes 1,090 single-family detached (SFD) units, 582 single-family attached (SFA) units, the equivalent of 32.17 non-residential irrigated acres, and 10 superblocks. Together with CAB's prior commitment to serve Filings 1 through 5, Preliminary Plan No. 6, and the PP7 water demands in Table 1, the total combined water demands of 2,358.1 AF/yr are shown in **Table 2** below.

Table 1. Water Demands (Initial<sup>1</sup>): Sterling Ranch Preliminary Plan No. 7.

Land Use	Quantity	Initial Water Demand Standard		Total (AF/yr)
Residential – SFD – Large	1,090	Units	0.40 AF/yr/unit	436.0
Residential – SFD – Small	0	Units	0.40 AF/yr/unit	0.0
Residential – SFA	582	Units	0.40 AF/yr/unit	232.8
Residential – MF	0	Units	0.40 AF/yr/unit	0.0
Residential – Indoor-only	0	Units	0.40 AF/yr/unit	0.0
Residential – Superblock <sup>2</sup>	10	Units	0.40 AF/yr/unit	4.0
School				
Elementary/Middle	0	Students	0.01456 AF/yr/student	0.0
High	0	Students	0.02184 AF/yr/student	0.0
Irrigation	0	irrigated acres	2.431 AF/yr/irrigated acre	0.0
Non-Residential				
Commercial/Retail	0	sf of bldg space	0.75 AF/6,695 sf of bldg space	0.0
Other	0	sf of bldg space	0.75 AF/6,695 sf of bldg space	0.0
	0	Pools	4.00 AF/yr fill, refill, and evap	0.0
	0	Splash Pad	NA See Note 3	0.0
Other Non-Res. Irrigation	32.17	irrigated acres	2.431 AF/yr/irrigated acre	78.2
				Total Demand: 751.0

Table 2. Total Combined Sterling Ranch Water Demands (Initial<sup>1</sup>)

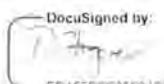
Land Use	Quantity	Initial Water Demand Standard		Total (AF/yr)
Residential – SFD – Large	3,470	Units	0.40 AF/yr/unit	1,388.0
Residential – SFD – Small	152	Units	0.40 AF/yr/unit	60.8
Residential – SFA	1,332	Units	0.40 AF/yr/unit	532.8
Residential – MF	350	Units	0.40 AF/yr/unit	140.0
Residential – Indoor-only	0	Units	0.40 AF/yr/unit	0.0
Residential – Superblock <sup>2</sup>	17	Units	0.40 AF/yr/unit	6.8
School				
Elementary/Middle	1,000	Students	0.01456 AF/yr/student	14.6
High	0	Students	0.02184 AF/yr/student	0.0
Irrigation	6.3	irrigated acres	2.431 AF/yr/irrigated acre	15.3
Non-Residential				
Commercial/Retail	0	sf of bldg space	0.75 AF/6,695 sf of bldg space	0.0
Other	63,458	sf of bldg space	0.75 AF/6,695 sf of bldg space	7.1
	2	Pools	4.00 AF/yr fill, refill, and evap	8.0
	1	Splash Pad	NA See Note 3	0.1
Other Non-Res. Irrigation	75.9	irrigated acres	2.431 AF/yr/irrigated acre	184.6
				Total Demand <sup>4</sup> : 2,358.1

Table 1 and Table 2 Notes

- 1) Based on the Initial Water Demand Standards listed in the Sterling Ranch Water Appeal, attached as **Exhibit A**.
- 2) Superblock lots have been included and have been assigned an amount of water that is equivalent to one SFD-Large residential unit for the purposes of water demand and supply review at this time.
- 3) A splash pad has been proposed in Filing 3. Manufacturer information indicates the annual water demand is 20,000 gal/year (0.1 AF/yr).
- 4) Total Demand is the combined Sterling Ranch Water Demands for Filings 1 through 5, Preliminary Plan 6, and Preliminary Plan 7, as detailed in the attached table: Sterling Ranch Cumulative Water Demands.

The CAB received a Wholesale Water and Wastewater Cumulative Service Commitment letter from Dominion and the Cab acknowledges the feasibility of developing and funding the infrastructure necessary to provide the requisite capacity to serve development within the Property. In reliance on Dominion's Wholesale Water and Wastewater Cumulative Service Commitment letter, attached hereto as **Exhibit B**, the CAB agrees to provide public water and wastewater service to the Property upon payment of the requisite fees and charges and compliance with the CAB's rules, regulations and resolutions, as now or hereinafter constituted. Dominion reports that it will manage their water systems such that deliveries to Sterling Ranch are comprised of approximately 70% from renewable supplies on a rolling 10-year annual average upon the full build-out of Sterling Ranch.

**Sterling Ranch Community Authority Board**



By: Denise Hogenes  
General Manager

Attachment: Sterling Ranch Cumulative Water Demands – Based on the Initial Water Demand Standards listed in the Sterling Ranch Water Appeal.

## Sterling Ranch Cumulative Water Demands, Based on the Initial Water Demand Standards, listed in the Sterling Ranch Water Appeal.

Water Use Sector (A)	Quantity (B)										Demand (AF/yr) (C)				Wastewater Flow Calculations (D)	
	Filing 1 (9/13/19)	Filing 2 (9/18/19)	Filing 3A-3B (5/3/21)	Filing 4A-4C (4/23/19)	Filing 5A-5B (11/20/20)	PP No. 6 (4/5/21)	PP No. 7 (4/4/22)	Total	Filing 1 (8/1/21)	Filing 2 (8/1/21)	Filing 3A-3B (4/24/21)	Filing 5A-5B (5/5/21)	PP No. 6 (4/5/21)	PP No. 7 (4/4/22)	Total	lsgal/day (MGD)
Residential (Units)																
SD - Large	794	43	754	453	361	414	1,080	3,470	317.6	19.2	105.6	187.6	144.4	177.6	436.0	1,388.0
SD - Small	0	0	131	354	152	0	152	152	0	0	0	0	60.8	0	60.8	139.000
SFA	0	0	0	0	0	0	0	0	1,332	0.0	52.4	141.6	64.4	0.0	41.6	232.8
MF	0	0	0	0	0	0	0	0	350	0.0	180.0	0.0	0.0	0.0	0.0	140.0
Indoor-Only	0	1	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
Suburblock	0	0	0	0	0	0	0	0	17	0.0	0.4	0.0	0.0	2.4	4.0	6.8
School (Students)																
Elementary	1,000	0	0	0	0	0	0	1,000	14.6	0.0	0.0	0.0	0.0	0.0	14.6	116.8
Middle	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
High	63	0.0	0.0	0.0	0.0	0.0	0.0	0.0	15.3	0.0	0.0	0.0	0.0	0.0	0.0	-
Irrigation (acres)																
Non-Residential (1st of 350 spaces)	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
Commercial/Hospitality	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
Commercial/Retail	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
Office	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
Industrial	0	0	0	0	0	0	0	0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.000
Other	0	0	10,000	0	0	0	0	0	63,458	6.0	1.4	0.0	0.0	0.0	7.1	5,712
Pools (#)	53,453	0	1	0	0	0	0	0	2	4.0	0.0	0.0	0.0	0.0	8.0	0.006
Splash Pools (#)	0	0	1	0	0	0	0	0	1	0.0	0.1	0.0	0.0	0.0	0.1	-
Other Irrigation (acres)																
Portable <sup>1</sup>	12.50	1.91	4.50	3.30	5.73	15.75	32.17	75.9	30.4	4.6	11.1	8.0	13.9	38.3	76.2	184.6
Non-Portable <sup>2</sup>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	-
									387.5	76.6	403.5	2890.0	158.3	320.7	751.0	2,358.1
																682.535
																0.683

**CAB Will Serve Letter**

**Exhibit A – 2021 Water Appeal**

**AMENDED AND RESTATED**  
**STERLING RANCH WATER APPEAL**  
\_\_\_\_\_  
**, 2021**

On December 3, 2009, pursuant to the provisions of Section 18A of the Douglas County Zoning Resolution, the Owner and Dominion (as such terms are defined below) submitted to Douglas County, Colorado, an appeal of certain provisions of such Section 18A. Such appeal was approved by the Board of County Commissioners of Douglas County, Colorado on May 11, 2011. This Amended and Restated Sterling Ranch Water Appeal supersedes and replaces all prior water appeal requests for the Property. This Amended and Restated Sterling Ranch Water Appeal, as the same may be amended from time to time, is referred to herein as the "Water Appeal." The purpose of this Water Appeal is to ensure that no structure will ever be built within the Property (as defined below) without a sustainable and reliable Water Supply.

1. **Definitions.**

For purposes of this Water Appeal, capitalized terms used herein shall have the meanings ascribed to them in this Section 1.

"Applicant" means an Owner or an Owner's authorized representative who has submitted a Development Application to the County.

"Board" means the Board of County Commissioners for Douglas County, Colorado.

"County" means Douglas County, Colorado.

"Development Application" means each application requesting County approval of a preliminary plan, final plat, minor development final plat, site improvement plan on unplatted property, use by special review, or location and extent permit.

"Development Plan" means the Sterling Ranch Planned Development approved by the Board on November 12, 2013, as the same may be amended from time to time.

"Dominion" means Dominion Water & Sanitation District, a quasi-municipal corporation and political subdivision of the State of Colorado, and any successor or assignee water and sanitation district.

"Owner" means any fee simple owner of any portion of the Property, including without limitation Sterling Ranch LLC, a Colorado limited liability company and its affiliates, including but not limited to Sterling Ranch Too LLC, a Colorado limited liability company, to the extent such entities own any portion of the Property.

"PD" means that certain Sterling Ranch Planned Development, recorded December 10, 2013, in the real property records of Douglas County, Colorado at Reception No. 2013095325.

"Property" means that certain real property that is subject to and encumbered by the PD.

“Retail Water Provider” means the Sterling Ranch Community Authority Board, an authority and separate legal entity formed pursuant to C.R.S. § 29-1-203, and Sterling Ranch Colorado Metropolitan District Nos. 1-7, each a quasi-municipal corporation and political subdivision of the State of Colorado; or another district formed for the purpose of owning and maintaining water infrastructure within the Property.

“Water Demand” means the sum of: (1) the amount of water delivered to a customer at the customer’s connection to the water distribution system; and (2) the amount of water lost to system inefficiencies through the delivery system.

“Water Distribution System” means the infrastructure located within the Property which is necessary to provide water service thereto, and any other infrastructure of the Retail Water Provider or Dominion which is necessary for the orderly extension of water service to the portion of the Property that is the subject of a Development Application.

“Water Supply” means a physical quantity of water, together with the legal right to the use thereof, including without limitation, in fee or pursuant to a lease or contract.

“Zoning Resolution” means the Douglas County Zoning Resolution, as the same may be amended from time to time.

2. Water Supply Information. With each Development Application proposing a project within the Property that requires water, or at final plat if not previously provided, unless waived by the County or previously submitted with a prior Development Application, the Applicant shall submit to the County the following documents and information regarding the Water Supply proposed for such project. This Section 2 is intended to ensure that all of the information required to be submitted pursuant to C.R.S. § 29-20-304, as applicable, is submitted in connection with each Development Application.

- 2.1 A service commitment letter from Dominion containing all of the substantive elements of the form letter attached hereto as Exhibit A, including an exhibit setting forth the then-current water rights portfolio of Dominion, a sample of which is attached hereto as Exhibit C.
- 2.2 A written commitment to serve from the Retail Water Provider substantially in the form attached hereto as Exhibit B.
- 2.3 A resolution of the governing board of the Retail Water Provider establishing the operative Water Demand standards for the Development Application, together with evidence supporting such standards as necessary to evaluate the Development Application, subject to the limitation set forth in Section 6.2 pertaining to submittal of information that was previously provided with a Development Application proposing similar land uses.
- 2.4 With respect to any portion of the Water Supply to which Dominion holds title to the water rights:

- (a) A copy of the court decree of adjudication of the subject water rights, as applicable.
- (b) An analysis showing that the subject water rights provide a sufficient and reliable Water Supply for the proposed project based on the Retail Water Provider's applicable Water Demand standards. For purposes of this Section 2.4(b), a "sufficient and reliable Water Supply" means that the total Water Supply, including the subject Water Supply proposed for the Development Application, available to Dominion and the Retail Water Provider, has sufficient yields in average years and dry years to meet the total water demand for the uses presently in Sterling Ranch plus the estimated additional Water Demand resulting from the Development Application's proposed uses, including consideration of operational factors such as storage and water system integration plans.
- (c) If nontributary groundwater in the Denver Basin is to be used from beneath land located in the Central Basin or Margin B (as such terms are defined in Section 18A of the Zoning Resolution), confirmation that such land has been zoned Open Space Conservation District, or is subject to a perpetual open space conservation easement.

2.5 With respect to any portion of the Water Supply that is provided from an existing city, incorporated town, special district, or water authority:

- (a) A copy of an effective, enforceable intergovernmental agreement between such city, incorporated town, special district or water authority and Dominion that obligates such city, town, special district or water authority to allocate such Water Supply to the Property and that contains terms and conditions upon which such allocation will be provided.
- (b) An analysis showing that the subject water agreement(s) will provide sufficient water for the proposed project based on the Retail Water Provider's Water Demand standards,

2.6 A report from the Retail Water Provider setting forth the ratio of tributary water to nontributary water used for all Development Applications previously approved by the County.

2.7 An analysis of the Water Distribution System for the subject Water Supply and a list of anticipated water infrastructure components, if applicable, necessary to serve the Development Application, as more fully set forth in Section 5.

2.8 In addition, with respect to any preliminary plan application, the Applicant must make available to the County, upon request, any additional information which is required to be provided to the State Engineer of the Colorado Division of Water Resources in order to obtain the opinion letter required pursuant to C.R.S. § 30-28-136(1)(h).

- 2.9 Any other documentation which may be reasonably required by the County in order to satisfy the documentation requirements set forth in C.R.S. § 29-20-304.
3. Approval Standards. Based upon the information provided pursuant to Section 2, the Board shall determine that the following standards have been met for the Development Application:
  - 3.1 The proposed Water Supply for the Development Application can be used for the proposed use(s).
  - 3.2 The reliability of a renewable water right has been analyzed and is deemed sufficient by the County based on its priority date within the Colorado System of Water Rights Administration.
  - 3.3 The proposed Water Supply for the Development Application is adequate and feasible to ensure that Water Supply shortages will not occur due to variations in the hydrologic cycle, taking into account the anticipated Water Demand of the Development Application, as established pursuant to Section 6 below.
  - 3.4 The proposed Water Supply for the Development Application is sufficient to meet the Water Demand standard established pursuant to Section 6 below.
4. Water Capacity Determination and Timing of Infrastructure Development.
  - 4.1 Pursuant to C.R.S. §§ 30-28-133(3)(c)(VII) and (d)(IV), and in order for the County to evaluate the “availability” (as such term is used in C.R.S. § 29-20-302(1)) of the proposed Water Supply for any Development Application, the Applicant shall cause to be submitted the estimated cost and proposed method of financing of the Water Distribution System within the Property (at the time of final plat), and evidence from Dominion of the feasibility of extending service to the property.
  - 4.2 In light of the statutory limitations set forth in C.R.S. § 29-20-203, for the purpose of ensuring that existing Dominion and Retail Water Provider ratepayers are not required to bear the cost of Water Distribution System improvements prior to the time at which such improvements are required due to the commencement or occupancy of uses within the Property, the construction and financing of the Water Distribution System shall occur only at such time and in such quantity as is necessary to serve a given use or development project within the Property, in the discretion of Dominion and the Retail Water Provider, subject to reasonable review by the County.
5. Water Demand Standards.
  - 5.1 Water Demand standards for the Property shall be established pursuant to a resolution of the governing board of the Retail Water Provider, with the written consent of Dominion, which Water Demand standards may be amended from time to time. Any such determination of Water Demand standards shall be based upon evidence supporting the proposed Water Demand standards. Any such Water

Demand standards may incorporate or account for management measures to account for hydrologic variability. The County may request additional information to evaluate the adequacy of the Water Supply for each Development Application pursuant to C.R.S. § 29-20-302(1).

5.2 To the extent a resolution establishing Water Demand standards is submitted in connection with any Development Application within the Property, and such Water Demand standard is deemed adequate by the Board, no such submittal will be required for any subsequent Development Application proposing the same land use(s) as the prior Development Application except in the event of any material change in the applicable Water Demand standards for such land use (s) or the adequacy of the Water Supply, which the Board is required to review pursuant to C.R.S. § 29-20-303.

5.3 Prior to the Board's approval of a Development Application in which a Water Demand standard is considered and approved pursuant to Section 6.1, the applicable Water Demand standard for any Development Application within the Property shall be as set forth in Table 1 below:

<b>Table 1 -- Initial Water Demand Standards</b>	
<b>Project Sector</b>	<b>Proposed Initial Water Demand Standard</b>
Single-family detached (indoor and outdoor use)	
Single-family attached (indoor and outdoor use)	0.400 acre-feet/year/unit
Multi-family (indoor and outdoor use)	
Irrigated lawn/garden/open space (not appurtenant to any dwelling unit)	2.431 acre-feet/year/irrigated acre
Commercial/Hospitality (indoor and outdoor use)	
Commercial/Retail (indoor and outdoor)	0.750 acre-feet/year per 6,695 square feet of building space
Office (indoor and outdoor use)	
Industrial (indoor and outdoor use)	

(a) For purposes hereof, the following uses shall be considered within:

(i) the Commercial/Hospitality Project Sector: (i) lodging (including, without limitation, hotels, inns, bed and breakfasts and dormitories), (ii) restaurants (including, without limitation, fast food establishments), (iii) bars/lounges, (iv) indoor theaters, other indoor entertainment facilities and hospitality facilities at which food and/or beverages are regularly served, and (v) similar uses set forth in Table 2 of the development standards within the Development Plan, or otherwise,

(ii) the Commercial/Retail Project Sector: (i) retail or service businesses at which food and/or beverages are not regularly served, and (ii) similar uses set forth in Table 2 of the development standards within the Development Plan, or otherwise,

(iii) the Office Project Sector: (i) uses set forth under the heading "Office" in the development standards within Table 2 of the development standards within the Development Plan, and (ii) uses similar thereto, and

(iv) the Industrial Project Sector: (i) uses set forth under the heading "Industrial" in Table 2 of the development standards within the Development Plan, and (ii) uses similar thereto.

(b) For purposes of determining Water Demand for any use not described above, such use shall be deemed an "Other use" under Section 1805A.02 of the Zoning Resolution, and the Water Demand therefor shall be determined in accordance with Section 1805A.02.5 of the Zoning Resolution.

5.4 At the request of the Applicant, following the Board's determination pursuant to Section 5.2 above that a Water Demand standard is adequate, such Water Demand standard will be applied to the cumulative Water Demand of all approved Development(s) in the Property.

6. Water Service Outside the Property. To the extent Dominion provides water service to any properties located outside of the Property, nothing in this Appeal is intended to modify any provision of Section 18A of the Zoning Resolution, including any obligation of an applicant for a development project, with respect to water service outside of the Property.

7. Water Beneath the Property. Unless otherwise approved by the County, water beneath the Property (whether in Margin A or Margin B, as such terms are defined in the Section 18A of the Zoning Resolution) shall not be used as the Water Supply to serve uses on the Property.

8. Ratio of Tributary and Nontributary Water Supply. It is understood that Dominion's planned service to the Property will rely on renewable water resources as the principal water source, comprising approximately 70% of supply on average over a rolling 10-year annual period at full buildout of the Property, and using nontributary ground water as the back up to the tributary supplies. As a result, Dominion's nontributary Water Supply shall comprise approximately 30% of the total Water Supply on average over a rolling 10-year annual period at full buildout of the Property.

9. Major PD Amendments. In the event a major PD amendment is proposed for any portion of the Property, the applicant for such major PD amendment shall supply the documentation set forth in Section 1806A.02.1 of the Zoning Resolution, except that the applicant may demonstrate estimated demand of the development based upon the Water Demand standards set forth in Section 5 above.

10. Rainwater Harvesting. Rainwater harvesting shall be permitted on the Property to the extent permitted by state law, and shall be considered renewable water for the purposes of Section 9 of this Appeal.
11. Colorado Water Conservation Board. The Retail Water Provider(s) serving the Property shall request the Colorado Water Conservation Board review its/their water conservation plan(s) pursuant to CRS § 37-60-126, regardless of whether or not any such Retail Water Provider is a “covered entity” as defined therein.
12. Conflicts. To the extent set forth herein, the terms of this Water Appeal shall control and prevail over any conflicting terms set forth in the Zoning Resolution, as the same may be amended from time to time. In the event of any conflict between this Water Appeal and state statutes pertaining to the County’s evaluation of Water Supply in connection with a Development Application, as the same may be amended from time to time, such state statutes will control and prevail over any conflicting terms set forth herein.

*[The remainder of this page is intentionally left blank.]*

**CAB Will Serve Letter**

**Exhibit A – 2021 Water Appeal**

*Attachment A-1 – CAB Resolution Adopting Demand Standards*

**RESOLUTION NO. 2021-10-02**  
**OF**  
**THE BOARD OF DIRECTORS OF THE STERLING RANCH COMMUNITY**  
**AUTHORITY BOARD REGARDING THE ADOPTION OF AMENDED AND**  
**RESTATE WATER DEMAND STANDARDS**

**RECITALS**

A. WHEREAS, the Sterling Ranch Community Authority Board (the “**CAB**”) is an authority and separate legal entity created pursuant to Section 29-1-203, C.R.S. and in conformity with Section 29-1-203.5, C.R.S. and that certain Second Amended and Restated Sterling Ranch Community Authority Board Establishment Agreement, (the “**CABEA**”), by and between the Sterling Ranch Colorado Metropolitan District Nos. 1-7 (collectively, the “**Sterling Ranch Districts**”); and

B. WHEREAS, the CAB provides domestic retail water and wastewater services to the Sterling Ranch community, with water provided by its wholesale water provider Dominion Water and Sanitation District (“**Dominion**”), pursuant to the terms of certain agreements between CAB and Dominion, including a Water and Wastewater Service Agreement dated January 6, 2014, and First Amended and Restated Water, Wastewater and Stormwater Operations Intergovernmental Agreement, dated October 17, 2017; and

C. WHEREAS, the CAB engaged the services of a water resources engineer and independent consultant, Element Water Consulting, Inc., to provide an analysis of water use trends and characteristics from within the Sterling Ranch residential community; and

D. WHEREAS, Element prepared and presented water use analysis reports dated June 4, 2020, based on water data taken from 2018-2019, and November 9, 2020, incorporating water use trends during the COVID-19 pandemic, both of which were accepted and approved by the CAB (the “**Prior Water Use Analysis**”); and

E. WHEREAS, on April 5, 2021, Element provided an updated report incorporating data and analysis of indoor water use trends over the prior 11 months and updated outdoor water use trends in response to the Colorado summer (the “**Updated Water Use Analysis**”); and

F. WHEREAS, CAB desires to adopt and implement appropriate water demand standards for purposes of planning for the reservation of future water and for the phasing and scaling of a new water supply system for the Sterling Ranch community in connection with the wholesale water services provided by Dominion based on the Updated Water Use Analysis; and

G. WHEREAS, in the best interest of the health and welfare of its residents and users, and to promote the efficient management of water use within the Sterling Ranch community, the CAB now desires to amend, restate and adopt certain water demand standards based on the results of the Updated Water Use Analysis, as more particularly described herein.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE STERLING RANCH COMMUNITY AUTHORITY BOARD OF THE COUNTY OF DOUGLAS, COLORADO:

Section 1. Adoption of Water Demand Standards: The CAB hereby adopts the water demand standards as presented in paragraph 1 of Appendix C of the Updated Water Use Analysis, attached to this Resolution at Exhibit A, and summarized below, in place of the water demand standards previously adopted and set forth in the Prior Water Use Analysis:

<u>Residential Water Classification</u>	<u>Acre Feet per Year</u>
Indoor-only	0.14 AFY
Single-family detached - large	0.26 AFY
Single-family detached - small	0.26 AFY
Single-family attached	0.17 AFY
Multifamily	0.14 AFY

Section 2. Re-Evaluation. The CAB shall periodically re-evaluate the metered indoor and outdoor water use based on the recommendations provided in the Updated Water Use Analysis, to determine future water demand standards as may be appropriate.

Section 3. Effective Date: The CAB's adoption of the water demand standards shall be effective as of the date of this Resolution, and shall continue until otherwise modified or amended by the CAB.

**[SIGNATURE PAGE TO FOLLOW]**

**[SIGNATURE PAGE TO AMENDED AND RESTATED RESOLUTION OF THE  
BOARD OF DIRECTORS OF THE STERLING RANCH COMMUNITY AUTHORITY  
BOARD REGARDING THE ADOPTION OF WATER DEMAND STANDARDS]**

ADOPTED AND APPROVED this 20<sup>th</sup> day of October, 2020.

STERLING RANCH COMMUNITY  
AUTHORITY BOARD

DocuSigned by:  
By:   
President

Attest:

DocuSigned by:



8D4A17D9BC55411...

Secretary or Asst. Secretary

## **Exhibit A**

### **Element Water Consulting, Inc. Water Use Analysis dated April 5, 2021**

April 5, 2021

Ms. Denise Hogenes  
General Manager  
Sterling Ranch CAB  
8155 Piney River Avenue, Suite 150  
Littleton, CO 80125

**RE: Sterling Ranch 2018 through 2020 Water Use Analysis**

Dear Denise,

The Sterling Ranch Community Authority Board (“CAB”) engaged ELEMENT Water Consulting (“ELEMENT”) to analyze water use data and characteristics in the master-planned community known as Sterling Ranch located in Douglas County, Colorado (“Sterling Ranch”). It is our understanding that this information may be used by the CAB along with other information to make policy decisions regarding water supply planning and that such policies will evolve with the phasing of a new water supply system to serve Sterling Ranch. For the purposes of this analysis, ELEMENT and the CAB looked at customer-specific information to prepare aggregated and anonymized data trends to be made available to the public via this water use analysis. To reiterate, the information made available to the public has been aggregated to remove account and personal water use information. Other key assumptions in preparing this analysis are provided at the end of this letter in Section 4, along with recommendations based on the work completed.

The information in this letter summarizes our analysis of 2018 through 2020 water use data for the residential customer classes at Sterling Ranch listed below.

- Indoor-only,
- Single-family detached-large ( $\geq$  5,000 sq-ft lot size),
- Single-family detached-small ( $<$  5,000 sq-ft lot size),
- Single-family attached, and
- Multifamily.

The information presented herein is based on an analysis of Sterling Ranch master meter and metered water use data, customer characteristic data provided by the CAB, recent water efficiency benchmark publications, and professional judgment, with the general understanding of how the CAB is likely to use this information to make policy decisions. The analysis reflects current development conditions and must be periodically reviewed to determine if an update is warranted, including but not limited to when there is a change in water use, a change in anticipated development trends, and when new information of significance becomes available. This letter should be read in its entirety and should be considered as a component of, but not the sole source of information used in the development of the CAB’s policy. The findings are based on the current development within Sterling Ranch and with the assumption that the analysis will be periodically reviewed and updated as needed.

## 1. STERLING RANCH WATER USE ANALYSIS REPORTING

ELEMENT previously prepared an analysis of 2018 – 2019 water use data<sup>1</sup> that CAB used to select the water use planning values shown in column B of **Table 1** below. ELEMENT subsequently prepared a preliminary analysis of 2020 water use, to investigate the indoor water use trends in response to the COVID-19 pandemic<sup>2</sup> and outdoor water use trends in response to relatively warm and dry conditions experienced in summer 2020.<sup>3</sup> The preliminary analysis showed higher indoor water use in response to increased home occupancy during the COVID-19 pandemic while outdoor use through August 2020 had not increased relative to water use through August of 2018 and August of 2019. The CAB updated its planning values as shown in column C of Table 1 below based on the preliminary analysis.

The CAB requested that ELEMENT update the analysis now that the full calendar year of 2020 water use data is available. The purpose of this letter is to provide a comprehensive analysis of 2020 water use compared to prior data, including updated observations related to the effects of COVID-19. Based on this analysis, the CAB has selected the revised planning values shown in column D of Table 1 below.

**Table 1. Residential Demand Planning Values (AFY/account).**

Customer Category	Based on 2018-19 Data <sup>1</sup>	Based on Preliminary 2020 Data (w/ COVID-19 Impacts) <sup>2</sup>	Current Planning Values Based on 2018-2020 Data (w/ COVID-19 Impacts) <sup>3</sup>
[A]	[B]	[C]	[D]
Indoor-only	0.117	0.14	<b>0.14</b>
Single-family detached-large	0.230	0.25	<b>0.26</b>
Single-family detached-small	0.142	0.16	<b>0.17</b>
Single-family attached	0.142	0.16	<b>0.17</b>
Multifamily	0.117	0.14	<b>0.14</b>

### Tables Notes

1. Based on 60<sup>th</sup> percentile of 2018-19 indoor and outdoor water use plus 10% factor of safety.
2. Based on annualized mean indoor use for March - August 2020, 60<sup>th</sup> percentile of 2018-19 outdoor use, plus 10% factor of safety.
3. Based on annualized mean indoor use for March - December 2020, 60<sup>th</sup> percentile of 2018-20 outdoor use, plus additional safety factor presented in Table 5.

The following tables summarize the statistical results of the updated metered water use data analysis for accounts with front and backyard landscapes installed. Some of this information is shown in histogram charts provided in Section 2 below. The “Count” statistic is the number of accounts that had either 2018, 2019, or 2020 data; the reported averages reflect all accounts with at least one year of data. Accounts included in the outdoor and total columns are those accounts that have front and backyard landscapes installed. The “COVID-19 Indoor” column is based on annualized data for March – December 2020. These data represent usage at the home and do not include non-revenue water.

<sup>1</sup> The 2018 – 2019 data analysis was summarized in a letter from ELEMENT dated November 9, 2020, which was an update to the letter from ELEMENT dated June 4, 2020.

<sup>2</sup> Colorado implemented “stay” and “safer” at home orders starting in March 2020 and Douglas County Schools implemented remote learning programs.

<sup>3</sup> The preliminary data analysis was summarized in the November 9, 2020 letter.

STERLING RANCH 2018 THROUGH 2020 WATER USE ANALYSIS  
APRIL 5, 2021

**Table 2. Average annual 2018 – 2020 and COVID-19 Indoor summary statistics for all residential accounts.**

Statistic	Metered Water Use (AFY/account)			
	Indoor	Outdoor	Total	COVID-19 Indoor
Count (#)	624	408	378	486
<b>Mean (Average)</b>	<b>0.112</b>	<b>0.090</b>	<b>0.206</b>	<b>0.123</b>
Median	0.104	0.080	0.202	0.115
Std. Dev.	0.047	0.053	0.071	0.050
Mean + 1 Std. Dev.	0.159	0.143	0.277	0.173
Median + 1 Std. Dev.	0.151	0.133	0.273	0.165
Maximum	0.383	0.366	0.467	0.388
Minimum	0.041	0.015	0.060	0.036
50 <sup>th</sup> Percentile	0.104	0.080	0.202	0.115
<b>60<sup>th</sup> Percentile</b>	<b>0.114</b>	<b>0.095</b>	<b>0.220</b>	<b>0.129</b>
70 <sup>th</sup> Percentile	0.127	0.114	0.242	0.143
80 <sup>th</sup> Percentile	0.146	0.130	0.264	0.160
90 <sup>th</sup> Percentile	0.171	0.160	0.299	0.190

**Table 3. Average annual 2018 – 2020 and COVID-19 Indoor summary statistics for single-family detached-large ( $\geq$  5,000 sq-ft) accounts.**

Statistic	Metered Water Use (AFY/account)			
	Indoor	Outdoor	Total	COVID-19 Indoor
Count (#)	518	363	338	406
<b>Mean (Average)</b>	<b>0.116</b>	<b>0.096</b>	<b>0.216</b>	<b>0.127</b>
Median	0.110	0.088	0.211	0.118
Std. Dev.	0.048	0.052	0.068	0.051
Mean + 1 Std. Dev.	0.164	0.148	0.284	0.178
Median + 1 Std. Dev.	0.157	0.141	0.279	0.169
Maximum	0.383	0.366	0.467	0.388
Minimum	0.042	0.016	0.098	0.036
50% Percentile	0.110	0.088	0.211	0.118
<b>60% Percentile</b>	<b>0.119</b>	<b>0.101</b>	<b>0.227</b>	<b>0.134</b>
70% Percentile	0.130	0.118	0.248	0.148
80% Percentile	0.153	0.133	0.268	0.164
90% Percentile	0.176	0.163	0.306	0.195

**Table 4. Average annual 2018 – 2020 and COVID-19 Indoor summary statistics for single-family detached-small (< 5,000 sq-ft) accounts.**

Statistic	Metered Water Use (AFY/account)			
	Indoor	Outdoor	Total	COVID-19 Indoor
Count (#)	106	45	40	80
<b>Mean (Average)</b>	<b>0.093</b>	<b>0.043</b>	<b>0.129</b>	<b>0.100</b>
Median	0.087	0.032	0.124	0.091
Std. Dev.	0.035	0.031	0.044	0.039
Mean + 1 Std. Dev.	0.128	0.074	0.174	0.139
Median + 1 Std. Dev.	0.122	0.063	0.169	0.130
Maximum	0.201	0.173	0.256	0.206
Minimum	0.041	0.015	0.060	0.040
50% Percentile	0.087	0.032	0.124	0.091
<b>60% Percentile</b>	<b>0.096</b>	<b>0.040</b>	<b>0.133</b>	<b>0.103</b>
70% Percentile	0.102	0.044	0.147	0.113
80% Percentile	0.113	0.057	0.168	0.133
90% Percentile	0.140	0.075	0.180	0.156

The updated water use analysis for 2018 – 2020 was used to develop revised demand planning values for each residential customer category. Indoor water use was based on the annualized average of monthly data collected from March – December 2020 to reflect impacts from COVID-19. Outdoor water use was based on the 60<sup>th</sup> percentile for 2018 – 2020 data. The final demand planning values were based on the total of indoor and outdoor water use and then further increased to provide a factor of safety ranging from 20% to 32% (Table 5).

**Table 5. Residential Demand Planning Values (AFY/account).**

Customer Category	Indoor Use <sup>1</sup>	Outdoor Use <sup>2</sup>	Total Use <sup>3</sup>	Planning Value <sup>4</sup>	Factor of Safety (%) <sup>5</sup>
Indoor-only	0.123	-	0.123	<b>0.14</b>	25%
Single-family detached-large	0.127	0.101	0.228	<b>0.26</b>	20%
Single-family detached-small	0.100	0.040	0.139	<b>0.17</b>	32%
Single-family attached	0.100	0.040	0.139	<b>0.17</b>	32%
Multifamily	0.123	-	0.123	<b>0.14</b>	25%

**Tables Notes**

1. Based on annualized mean indoor use for March - December 2020.
2. Based on 60<sup>th</sup> percentile for 2018 – 2020 outdoor use.
3. Sum of indoor and outdoor use.
4. Total use plus factor of safety.
5. Calculated relative to the mean 2018 – 2020 water use data. Includes non-revenue water.

CAB's total residential water use averaged 0.206 AFY/account for 2018 – 2020 (Table 2). For comparison, total metered residential water from 2013 – 2016 averaged 0.248 AFY/account in Castle Rock, 0.257 AFY/account in Highlands Ranch, and 0.273 AFY/account in Parker (see **Appendix A**). The neighboring community average residential demands have been steadily declining as their customer base becomes comprised of more new construction and retrofits of existing homes. CAB's lower water use is

explainable given that Sterling Ranch generally has smaller lots with less landscape area, landscape water budgets, water-efficient landscaping and irrigation system design and installation specifications, and that it is all new construction with efficient fixtures and appliances coupled with advanced technology. The CAB has invested extensive resources in home builder and customer education about water, has equipped customers with technology that provides real-time feedback about their water use, and has implemented a sophisticated water budget-based rate structure that incentivizes customers to manage their landscape irrigation use within their customized water budgets. The CAB's water use data shows a positive response to water efficiency program investment.

## 2. STERLING RANCH WATER USE ANALYSIS DETAILS

The CAB provided ELEMENT with monthly indoor and outdoor water use data summarized by customer account for the period of October 2017 through December 2020.<sup>4</sup> As would be expected with a developing community, new customer accounts have come online over time; therefore, the available period of record varies by account. The monthly data were reviewed for exceptionally high values and suspect patterns that warranted exclusion from this analysis because they could not be explained as being related to startup, ownership transitions, or missed meter reads. Residential indoor demands were evaluated for accounts with at least 6 months of water use data that had average use greater than 1,080 gallons per month.<sup>5</sup> Outdoor use was evaluated for accounts with both the front and back yards installed for the applicable analysis year,<sup>6</sup> annual use greater than 5,000 gallons, and a full irrigation season of data, which was defined as 6 months of data over the 7-month period of April through October. In addition to the period of record and minimum usage requirements, additional screening was applied to identify accounts that warranted exclusion from the analysis. Overall, the excluded accounts represent a small portion of the accounts analyzed.

The CAB also provided a tabulation of the following customer characteristics, where available, for each account: lot size area, finished interior square footage, house footprint area, # bedrooms, # bathrooms, outdoor water budget, irrigated area, and lots that had tree lawns.<sup>7</sup> This information was used to identify which accounts had full landscape installations to be included in the outdoor use analysis and to determine the outdoor water budget for each account. Water use data may be normalized and evaluated using the other account characteristics as part of future analyses when the sample size is larger.

### 2.1 Residential Indoor Water Use Analysis

The average residential indoor water use was 0.110 AFY/account in 2018, 0.104 AFY/account in 2019, and 0.118 AFY/account in 2020. The average annual indoor use across all years was 0.112 AFY/account with a median of 0.104 AFY/account (**Figure 1, Table 2**). Indoor water use from March – December 2020 had an annualized average of 0.123 AFY/account, indicating an increase due to COVID-19 response measures (**Figure 2**). Increased indoor use has yet to subside; therefore, we recommend that planning

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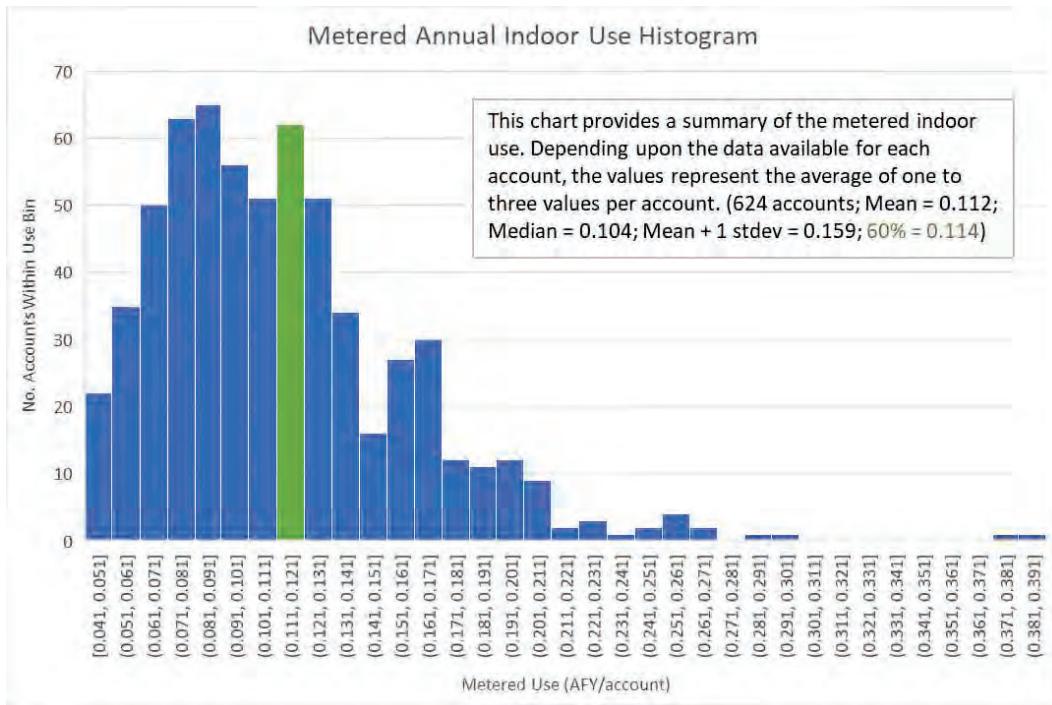
<sup>4</sup> It has been assumed that the data provided by the CAB are accurate and reliable. An independent quality control was not completed by ELEMENT.

<sup>5</sup> Threshold based on one occupant per home with indoor usage of 36 gallons per capita per day, based on data for high-efficiency new homes. See DeOreo, W. "Analysis of Water Use in New Single-Family Homes", 2011.

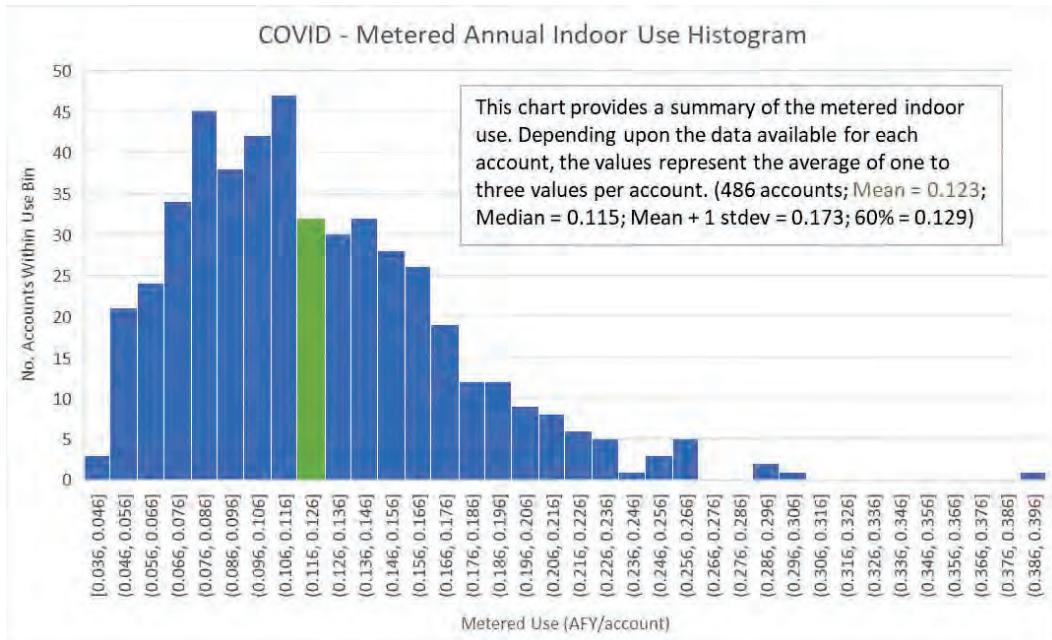
<sup>6</sup> The CAB has indicated that lots for which irrigated area values were provided represent full landscape installations.

<sup>7</sup> Interior details reflect standard base plans. Homeowner modifications are not reflected in the CAB dataset. Irrigated areas are based on landscape plans rather than as-built drawings.

values continue to be based on the annualized mean from March – December 2020 as opposed to the 60<sup>th</sup> percentile from 2018 – 2020 until the recovery from COVID-19 is reflected in the water use data. Histograms showing indoor usage for single-family detached-large versus single-family detached-small accounts are provided in **Appendix B-1 and B-2**.



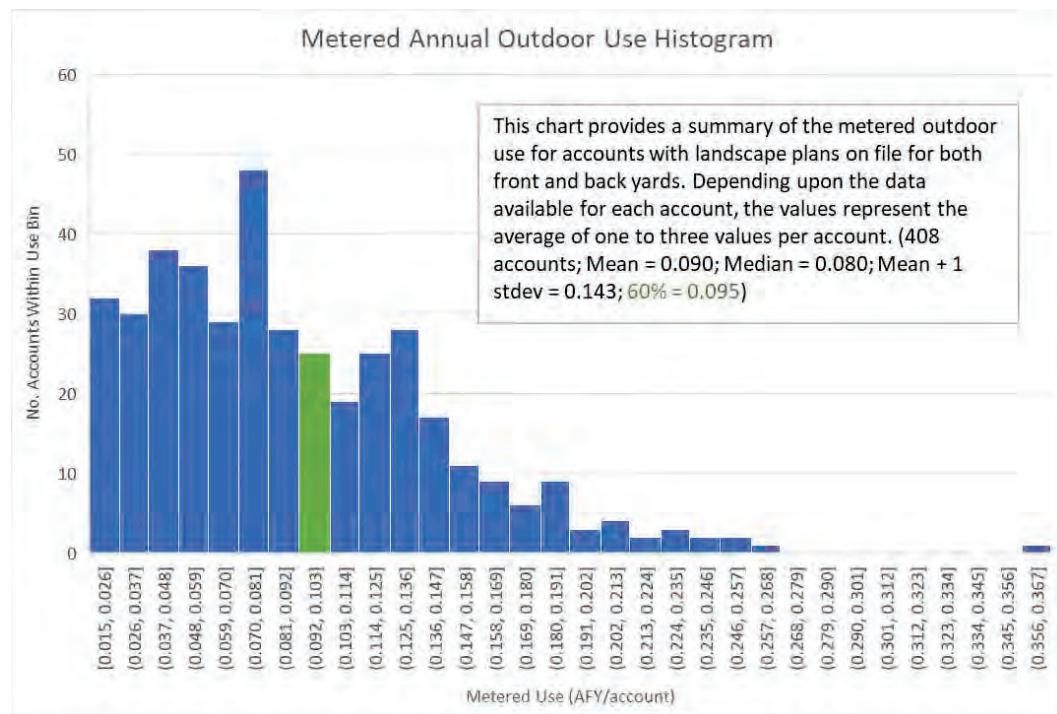
**Figure 1. Average annual residential indoor water use for 2018 - 2020.**



**Figure 2. Annualized average annual residential indoor water use, March – December 2020.**

## 2.2 Residential Outdoor Water Use Analysis

Annual outdoor water use for all lots with full landscape installations averaged 0.115 AFY/account in 2018, 0.088 AFY/account in 2019, and 0.092 AFY/account in 2020. The average annual outdoor use across all years was 0.090 AFY/account with a median of 0.080 AFY/account (**Figure 3, Table 2**).



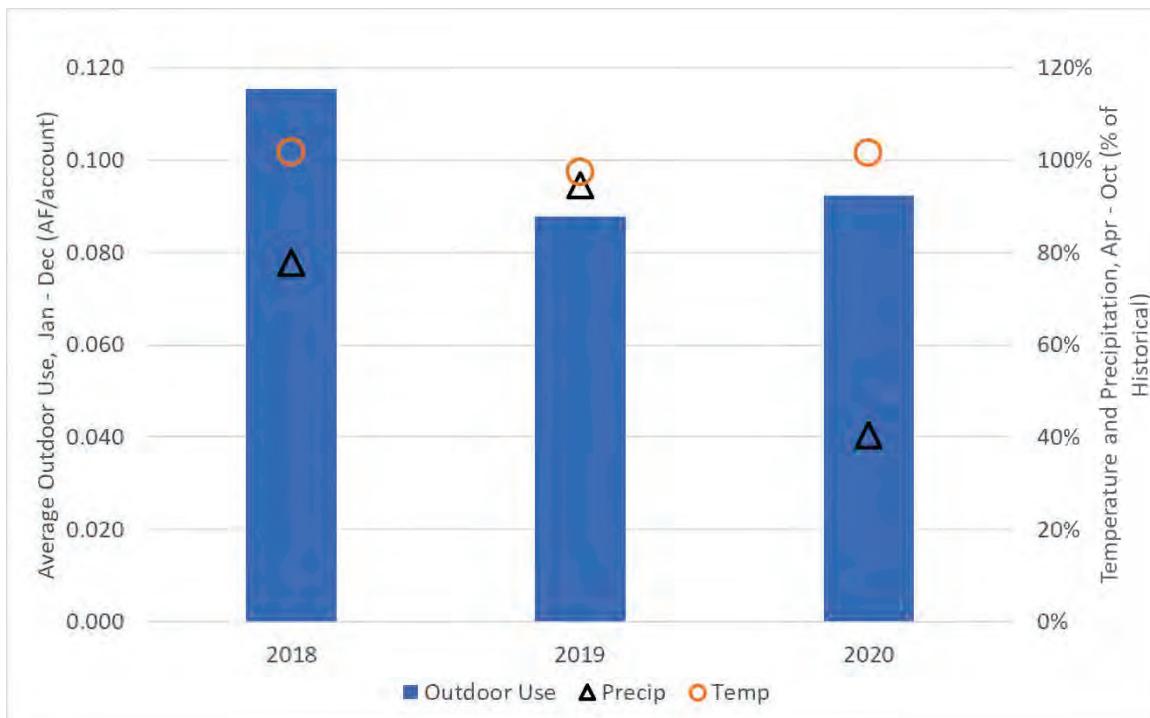
**Figure 3. Average annual residential outdoor water use for 2018 - 2020.**

### 2.2.1 Weather Data

Weather data were evaluated to determine how temperature and precipitation may have influenced outdoor water use for the period that was analyzed.<sup>8</sup> The 2018 and 2020 irrigation seasons were hotter and drier than average (**Figure 4**). Accordingly, the observed water use data could be expected to reflect relatively high usage particularly considering the effects of landscape establishment for a developing community. Monthly outdoor water use generally follows the expected trend of usage increasing from April through August. Usage from August through October in 2018 and 2019 was not as consistent with the weather pattern, but the pattern of following the weather trend improved in 2020 (**Appendix C-1, C-2, C-3, and C-4**). Monthly outdoor water use and temperature were poorly correlated in 2018 ( $R^2 = 0.14$ ) and 2019 ( $R^2 = 0.32$ ), however 2020 was strongly correlated ( $R^2 = 0.94$ ). Landscape establishment needs are likely having an impact on the outdoor usage considering the number of new homes that continue to connect to the system. The 2020 correlation may indicate that the irrigation controllers for a large number of established landscapes are being properly programmed to adjust usage throughout the season based on the changes in irrigation water demand driven by weather. These patterns should continue to be monitored over time. As needed, customer outreach and education should be used to

<sup>8</sup> For purposes of this analysis, we have only analyzed the relationship between water use, temperature, and precipitation.

encourage less water use as temperatures decrease and to encourage use of the irrigation controller technology.



**Figure 4. Comparison of average annual outdoor water use to mean monthly temperature and total precipitation for April – October, 2018 – 2020.**

## 2.2.2 Water Budgets

Residential outdoor water use was compared to water budgets that are described in the Sterling Ranch Water Demand Management Initiatives (“WDMI”) and vary by lot size. On average, the outdoor water usage for single-family detached-small accounts (< 5,000 sq-ft) exceeded the water budgets for this category while the average outdoor usage for single-family detached-large accounts ( $\geq 5,000$  sq-ft) are generally below the associated water budgets and overall the CAB customers are using less than the total water budgeted amount ([Appendix C-5](#)). We recommend that the CAB continue comparing actual outdoor use data versus the current water budgets to assess whether water budget adjustments and/or customer outreach are warranted. A voluntary audit of the top 10% water users is recommended to gain additional insight.

## 2.2.3 Single-family detached-large accounts ( $\geq 5,000$ sq-ft lot size)

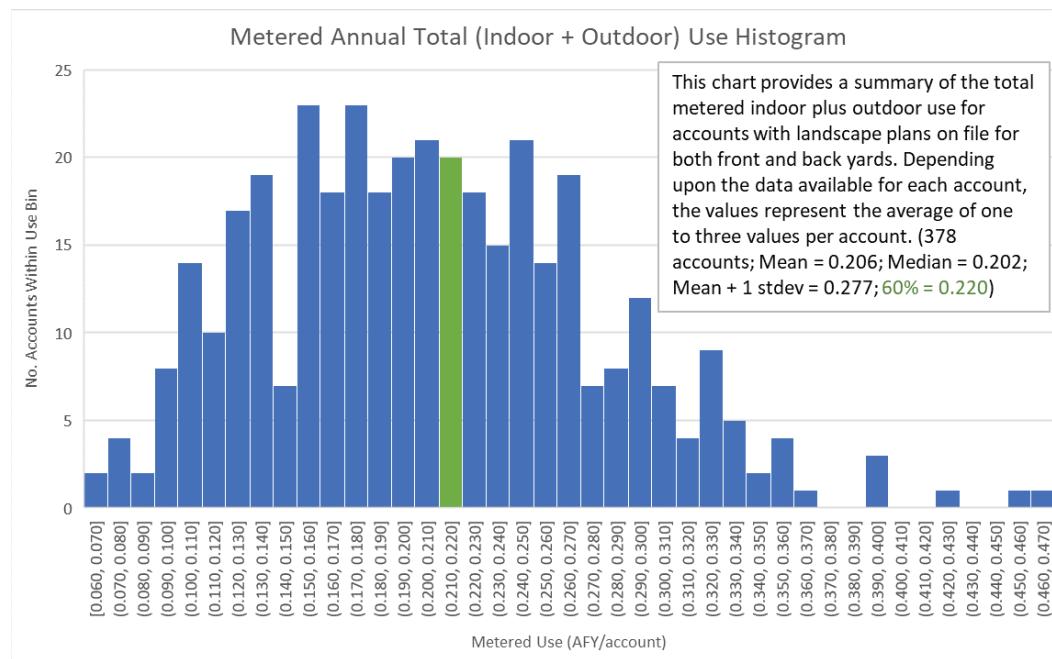
Annual outdoor water use for accounts with lot sizes larger than 5,000 sq-ft with full landscape installations averaged 0.120 AFY/account in 2018, 0.093 AFY/account in 2019, and 0.098 AFY/account in 2020. The average annual outdoor use across all years was 0.096 AFY/account with a median of 0.088 AFY/account ([Appendix C-6, Table 3](#)). The average was based on a sample size of 363 accounts.

## 2.2.4 Single-family detached-small accounts (< 5,000 sq-ft lot size)

Annual outdoor water use for accounts with lot sizes smaller than 5,000 sq-ft with full landscape installations averaged 0.030 AFY/account in 2018, 0.047 AFY/account in 2019, and 0.041 AFY/account in 2020. The average annual outdoor use across all years was 0.043 AFY/account with a median of 0.032 AFY/account (**Appendix C-7, Table 4**). The average was based on a sample size of only 45 accounts.

## 2.3 Residential Total Water Use Analysis

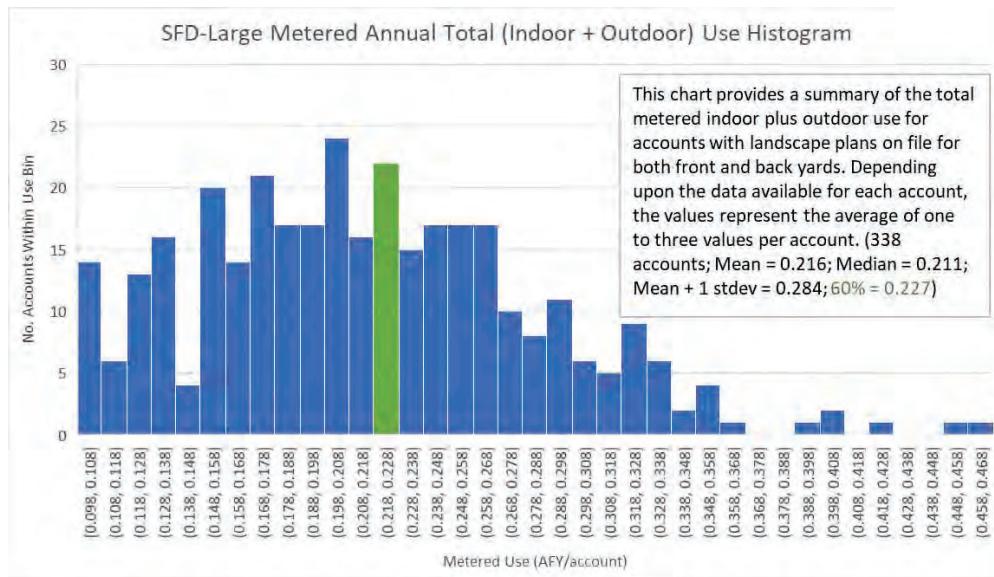
Total (indoor and outdoor) annual water use averaged 0.223 AFY/account in 2018, 0.193 AFY/account in 2019, and 0.215 AFY/account in 2020. The total average annual use across years was 0.206 AFY/account with a median of 0.202 AFY/account (**Figure 5, Table 2**).



**Figure 5. Average annual residential total water use in 2018 – 2020 for all detached lots with landscape plans on file for both front and back yards.**

## 2.3.1 Single-family detached-large ( $\geq$ 5,000 sq-ft lot size)

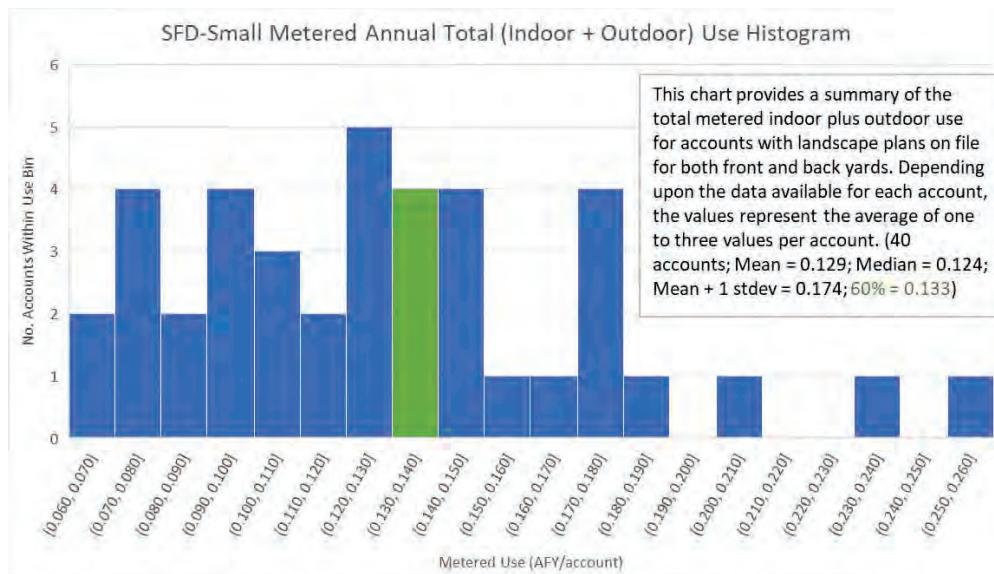
Total annual water use for accounts with lot sizes larger than 5,000 sq-ft averaged 0.228 AFY/account in 2018, 0.199 AFY/account in 2019, and 0.224 AFY/account in 2020. The total average annual use across all years was 0.216 AFY/account with a median of 0.211 AFY/account (**Figure 6, Table 3**). The overall average was based on a sample size of 338 accounts.



**Figure 6. Average annual total residential water use in 2018 – 2020 for detached-large lots with landscape plans on file for both front and back yards.**

### 2.3.2 Single-family detached-small accounts (< 5,000 sq-ft lot size)

Total annual water use for accounts with lot sizes smaller than 5,000 sq-ft averaged 0.082 AFY/account in 2018 (1 account), and 0.133 AFY/account in 2019 (16 accounts), and 0.126 AFY/account in 2020 (34 accounts). The total average annual use across all years was 0.129 AFY/account with a median of 0.124 AFY/account (**Figure 7, Table 4**). The overall average was based on a sample size of only 40 accounts which is a relatively small number of accounts and therefore this category in particular should be closely monitored. Although it is a small sample size, the average and median are substantially lower than the average and median values for the single-family detached-large accounts.



**Figure 7. Average annual total residential water use in 2018 – 2020 for detached-small lots with landscape plans on file for both front and back yards.**

### 2.3.3 Single-family attached accounts

No water use data are currently available for single-family attached accounts. Therefore, we recommend that the CAB consider including single-family attached accounts in the detached-small category until water use data for attached accounts become available. Under circumstances where an attached account will have no outdoor use because common landscape areas will be supplied with a separate outdoor irrigation tap, we recommend the CAB consider using the indoor-only category for the indoor portion of the single-family attached account.

### 2.3.4 Multifamily accounts

No water use data are currently available for multifamily accounts. Therefore, we recommend that the CAB consider including multifamily accounts in the indoor-only category until water use data for multifamily accounts become available. This is also based upon our understanding that the outdoor use appurtenant to multifamily accounts will be supplied by a separate outdoor irrigation tap where the water use will be billed under the irrigation category.

## 2.4 Non-Revenue Water

Metered water treatment plant deliveries to Sterling Ranch were compared to total metered water use to assess non-revenue water, which is the difference between the amount of water that is produced and the metered use by customers. Non-revenue water is inherent to all water delivery systems and can be real physical losses associated with system leaks or apparent losses due to metering inaccuracies, theft, or data handling errors. The calculated non-revenue water was 32.5% in 2018, 5.7% in 2019, and 8.5% in 2020, relative to the metered water treatment plant deliveries. We understand that unmetered system flushing to maintain water quality targets contributed to the calculated value in 2018, and was unique to the start-up conditions. Non-revenue water in 2019 and 2020 averaged 7.2%. It is recommended that to the extent possible, all uses including hydrant flushing be metered, and when impractical to meter, uses should be tracked and estimated. To facilitate the data management, ELEMENT has prepared a spreadsheet for the CAB to use in tracking the information necessary to conduct a baseline audit in the future using procedures from the American Water Works Association (AWWA) M36 Manual for Water Audits ("M36 Audit"), which includes data or estimates for unmetered uses, meter testing and replacement, billing data review protocols, and other data that contribute to the audit analyses. Real and apparent water losses are expected to be small given that Sterling Ranch has new infrastructure and advanced metering technology; however, losses can be expected to increase over time. CAB is taking actions to manage non-revenue water to be no more than 8% into the future.

## 3. EFFICIENCY MEASURES NECESSARY TO CONTINUE MANAGING WATER USE

It is imperative that the water use data analysis continue to be evaluated and updated as new water uses, Sterling Ranch development data, and projected future development characteristics become available, but no less frequently than every two years, which could be scheduled to coincide with rate study updates that are anticipated to be completed every other year. These biannual assessments should analyze metered indoor and outdoor water use along with the customer characteristics (e.g., lot size area, finished interior square footage, # bedrooms, # bathrooms, and outdoor water budget), and any other metrics that may be warranted.

Additional recommendations for ongoing water use management include:

- Implement a water audit and loss control program and conduct an annual water loss audit. ELEMENT has prepared a spreadsheet for the CAB to use for tracking the information necessary to conduct a baseline AWWA M36 Audit in the future.
- Prepare a drought mitigation and response plan to prepare for water shortage vulnerabilities. If necessary to meet the water demand standards, implement and enforce a staged supply shortage program with mandatory restrictions, and a tiered fee structure in order to curtail demands, including use in common areas supplied by the CAB-owned irrigation taps.
- Continue to refine and implement a water-budget based rate structure that increases fees for excessive over-budget water users. An audit of the top water using accounts would help inform this refinement.
- Continue monitoring installed landscaped areas using aerial imagery and visual inspections.

#### 4. KEY ASSUMPTIONS AND RECOMMENDATIONS

The following assumptions and recommendations were made in preparing this analysis:

- a) The data provided by the CAB for this analysis is accurate and reliable. Independent quality control was not completed by ELEMENT and daily data were not provided or reviewed.
- b) The water use data reporting is being prepared for the sole use of the CAB's Board in formulating policies that will continue to be evaluated and updated as new water use data are generated and future development characteristics become available. This reporting should not be used by other consultants or contractors for other purposes without express written consent.
- c) The water use data reporting is based on current weather conditions and may need to be updated in the future if warmer and drier weather conditions are shown to influence an increase in water use.
- d) The water use data reporting represents current demographics and development characteristics and may need to be updated if development trends change.
- e) The water use data reporting will not be used to design the internal distribution system infrastructure by the CAB; rather, on-site infrastructure has and will be sized for fire flow demands.
- f) The CAB will evaluate metered indoor and outdoor water use at least once every two years for at least the next four years, to evaluate how water use varies with occupancy, weather conditions, and other development characteristics and to verify that water budgets are set effectively to support the water demand management initiatives. It is also recommended that the water use and water budget data be reviewed commensurate with water rate study updates.
- g) The CAB will continue to refine and implement a tiered rate structure that increases fees for excessive over-budget water users.
- h) The CAB will implement a water audit and loss control program and perform an annual water loss audit. Findings from the audit will be used to implement actions to manage losses such as procedures to control apparent losses (and recover revenue) in metering and billing operations, a leakage and pressure management program to control real losses, and other programs identified through the audit.
- i) The firm or average yield of the supply at the water treatment plant was not evaluated as part of this analysis.
- j) The CAB will continue monitoring installed landscaped areas.

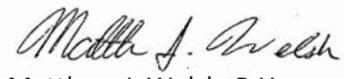
STERLING RANCH 2018 THROUGH 2020 WATER USE ANALYSIS  
APRIL 5, 2021

- k) If necessary, the CAB will implement and enforce a staged program with mandatory restrictions and a tiered fee structure in order to curtail demands, including use in common areas supplied by the CAB-owned irrigation taps. We recommend the CAB work with the DWSD to develop a drought mitigation and response program.
- l) Information is being prepared for use by the CAB. Upon approval of this letter by the CAB's Board of Directors, this document may be made public.
- m) The CAB may use this letter in communication with Douglas County and DWSD. The CAB may not use selected portions of ELEMENT's work product in these communications without prior agreement from ELEMENT.

Please do not hesitate to contact us with any questions about the information presented herein.

Sincerely,

  
Beorn A. Courtney, P.E.  
President – Water Resources Engineer  
**ELEMENT Water Consulting**

  
Matthew J. Welsh, P.H.  
Principal – Hydrologist  
**ELEMENT Water Consulting**

Attachments

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## APPENDICES

Appendix A. Summary of treated water demand and production references in the south Denver metro area.

Table 1. Treated Water Data Summary (all units in gpcd unless noted otherwise).

Water Provider	Time Period	SYSTEMWIDE							RESIDENTIAL			References & Notes	
		Metered Water Use			Production			NRW/Loss %	Metered Water Use				
		Indoor	Outdoor	Total	Indoor	Outdoor	Total		Indoor	Outdoor	Total		
Castle Rock	2000 - 2004			165								Ref A, B.	
	2010 - 2014			122				134	9%			80 Ref A, B.	
	2013 - 2016	62	46	108				NA	0%	52	27	79 Ref C.	
Centennial WSD	1998 - 2002			156								122 Ref A.	
	2010 - 2014			129								97 Ref A.	
	2013 - 2016	56	61	117				124	6%	48	34	82 Ref C.	
Parker WSD	2013 - 2016	69	59	128				168	24%	52	35	87 Ref C.	
Douglas County	2010							146				Ref D.	
	2015							130				Ref D.	

Table 2. Per capita use values in Table 1 converted to AFY/unit assuming 2.8 people per residential unit (all units in AFY/unit unless noted otherwise).

People per unit\*: 2.8

\*All of these values use an assumed number of people per unit to compare to SR data that is measured for the unit.

Water Provider	Time Period	SYSTEMWIDE							RESIDENTIAL				
		Metered Water Use			Production			NRW/Loss %	Metered Est. Water Use			Metered + NRW	
		Indoor	Outdoor	Total	Indoor	Outdoor	Total		Indoor	Outdoor	Total	Indoor	Total
Castle Rock	2000 - 2004			0.518									
	2010 - 2014			0.383				0.419	9%			0.251	
	2013 - 2016	0.194	0.144	0.339				NA	0%	0.163	0.085	0.248	
Centennial WSD	1998 - 2002			0.489								0.383	
	2010 - 2014			0.405								0.304	
	2013 - 2016	0.176	0.191	0.367				0.389	6%	0.151	0.107	0.257	0.160 0.273
Parker WSD	2013 - 2016	0.216	0.185	0.401				0.527	24%	0.163	0.110	0.273	0.214 0.358
Douglas County	2010							0.491					
	2015							0.437					

Information sources:

A: "Water Efficiency Programs & Water-Land Use Nexus" prepared by ELEMENT Water Consulting, Inc. for South Metro Water Supply Authority and Douglas County, 12/29/2015.

B: "Water Efficiency Master Plan 2015", Town of Castle Rock, revised February 2016.

C: Technical Update to the Colorado Water Plan M&I Demands Worksheet 1.

D: "Current and Projected Planning Scenario Municipal and Industrial Water Demands. Analysis and Technical Update to the Colorado Water Plan Technical Memorandum" Prepared by ELEMENT water Consulting, Inc. 7/15/2019.

Abbreviations:

AF	acre-feet
AFY	acre-feet per year
gpcd	gallons per capita per day
NRW	non-revenue water
yr	year

Assumptions & analysis:

Calculated data colored orange.

It is important to identify whether water use data is reported on a systemwide basis or for an individual customer sector such as residential.

Systemwide reporting by other water providers is not comparable to Sterling Ranch's residential water use however, systemwide reporting often includes useful information about NRW and losses.

It is important to identify whether water use data is reported at the metered end use or as production (which includes losses and NRW).

Sterling Ranch's 10% safety factor includes future NRW.

To relate reference data reported as gpcd (or AF/yr) to Sterling Ranch gallons per unit per day (or AF/unit/year), must assume number of people per unit at Sterling Ranch.

An assumed 2.8 people per unit has been used to scale gpcd data from other communities.

2.79 persons per household, 2014-2018 reported by Douglas County (<https://www.census.gov/quickfacts/douglascountycolorado>).  
2.78 persons per household as of January 1, 2020 reported by Douglas County (<https://www.douglas.co.us/documents/douglas-county-demographics-summary.pdf>).

A different number of customer accounts were included in the 2018, 2019 and 2020 analyses of indoor, outdoor, and total water use in order to include the maximum number of representative data available for each year.

Indoor water use benchmarking from the Technical Update to the Colorado Water Plan (Ref D):

58.6 gpcd – 2016 average indoor daily water use from 737 existing study homes across 9 study sites.

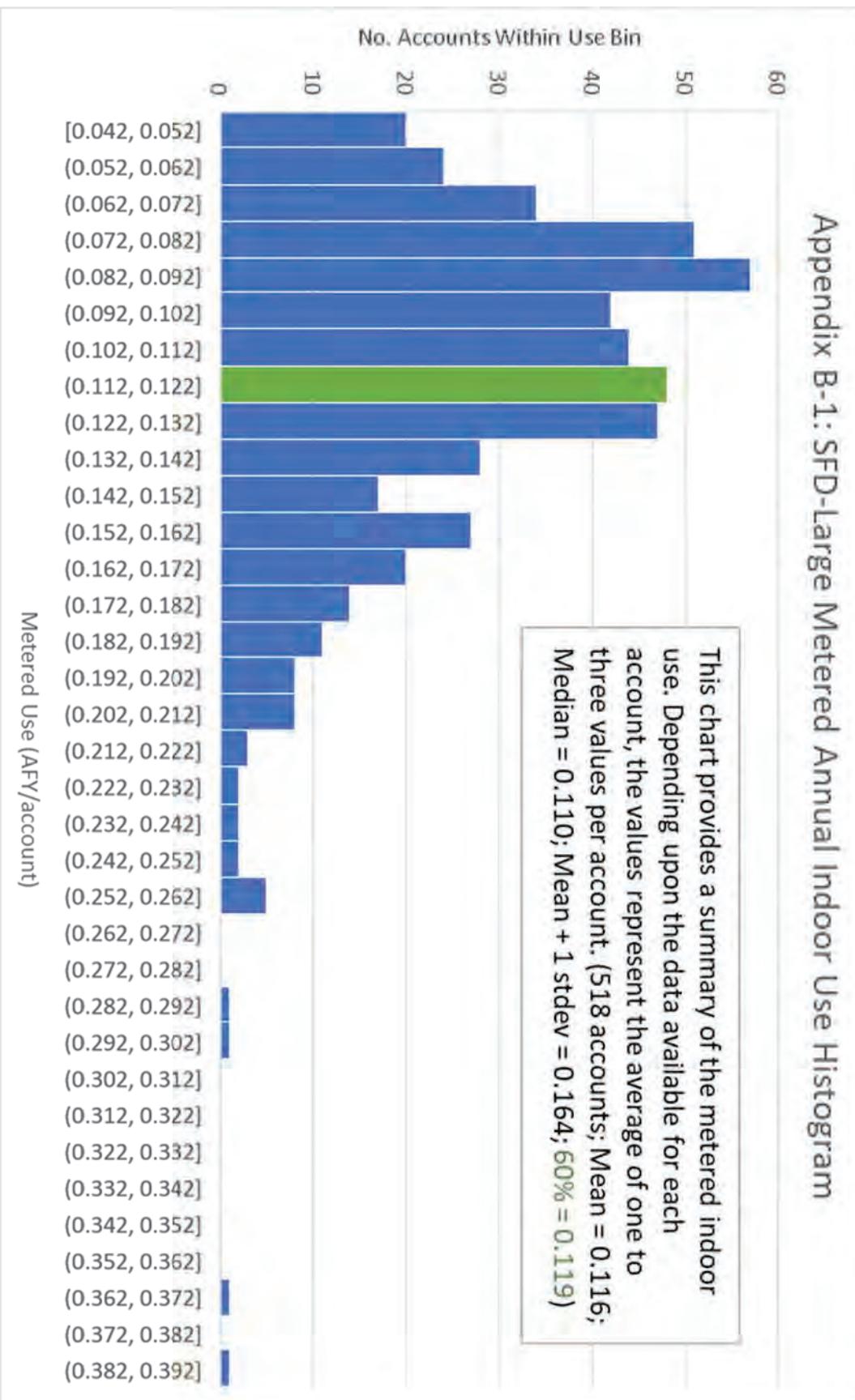
42.4 gpcd – 'current efficiency benchmark' based on 247 retrofit homes equipped with high efficiency fixtures and appliances which generally meet or exceed the WaterSense specifications; included both existing homes that were retrofit and new homes built with high efficiency devices.

40.9 gpcd – efficiency benchmark achievable in coming years with high-efficiency fixtures and appliances widely installed.

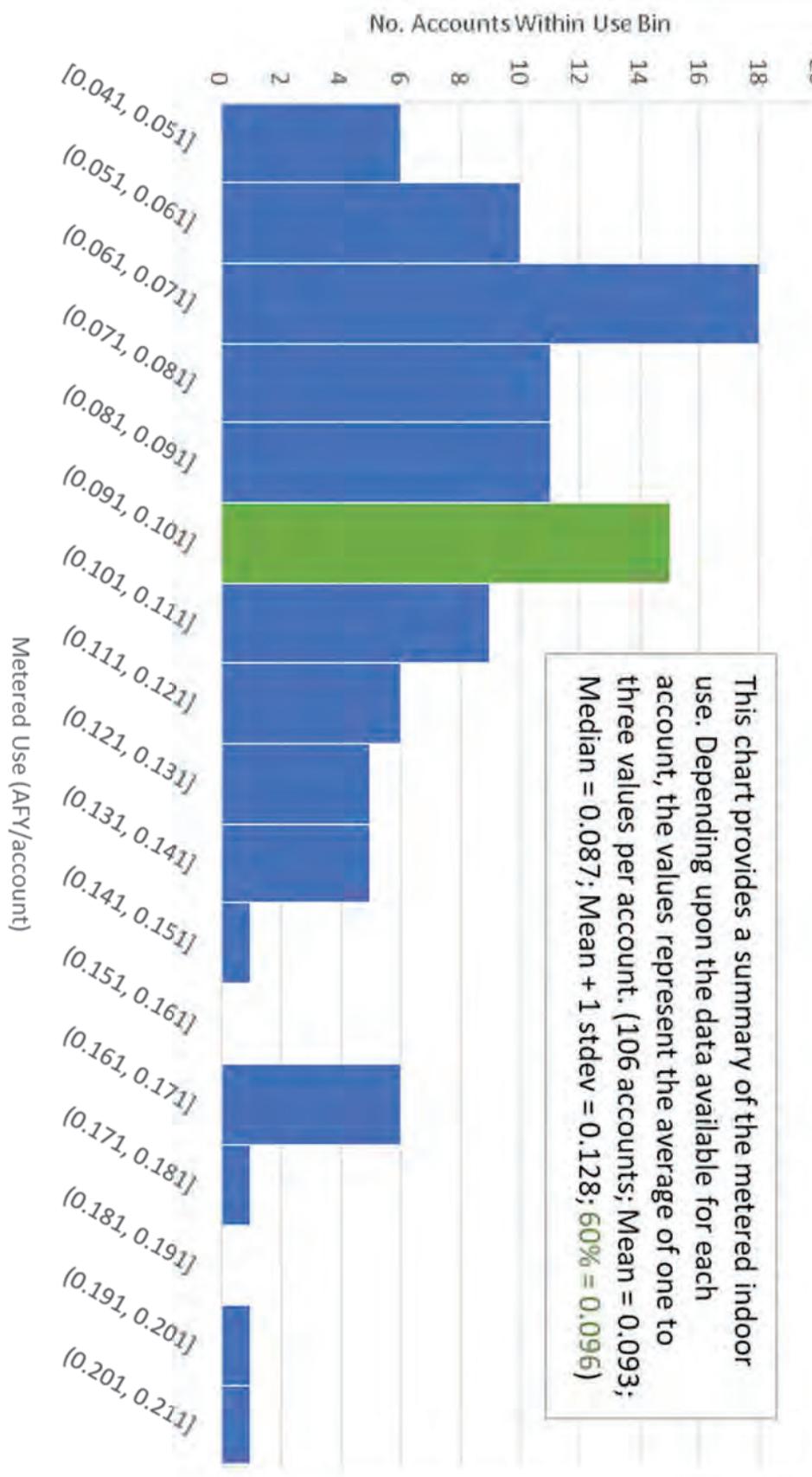
36.4 gpcd – benchmark for ultra-efficient average indoor water use in the future, as even more efficient devices are adopted.

33.3 gpcd – achievable if household leakage can be reduced.

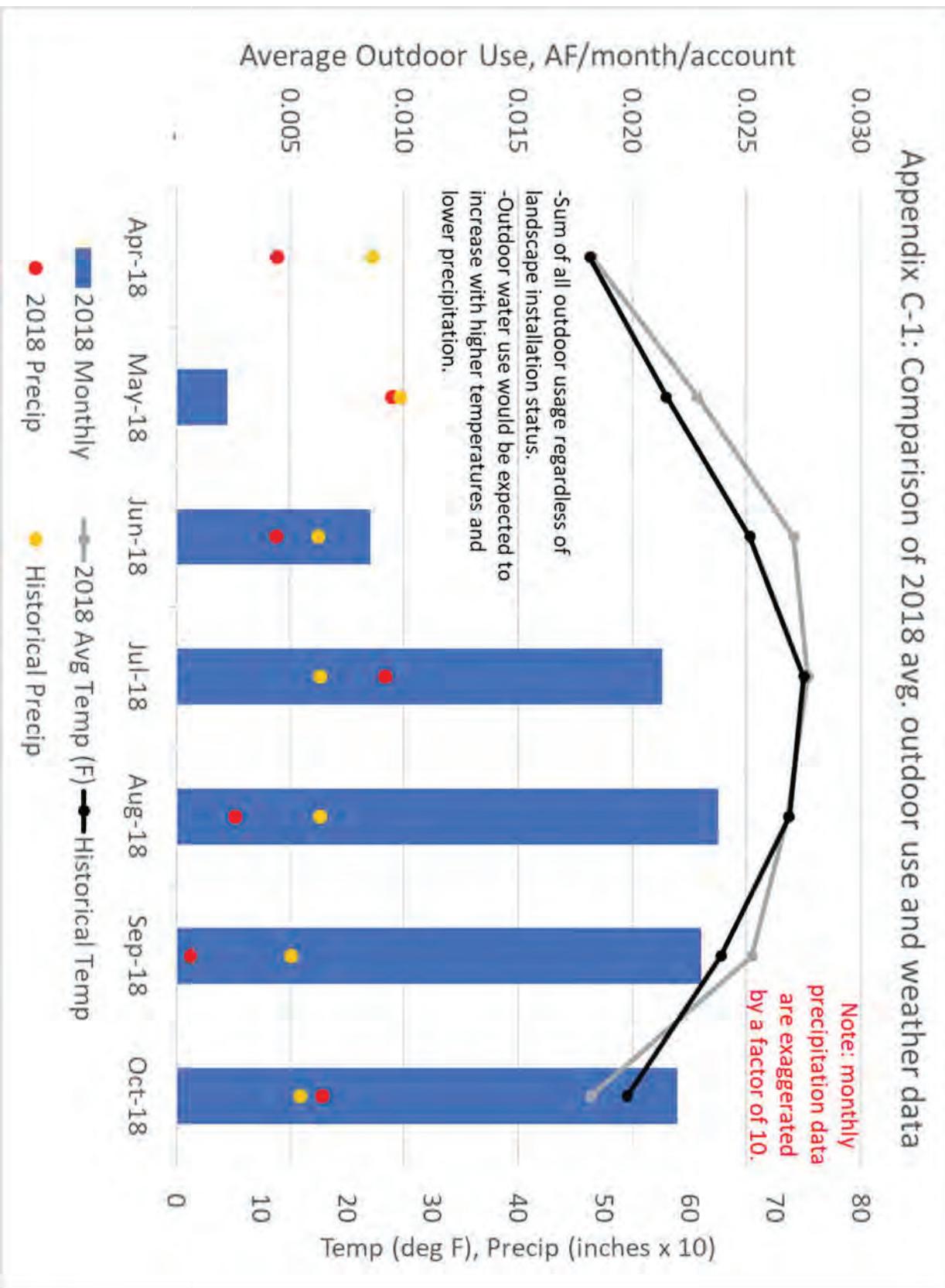
## Appendix B-1: SFD-Large Metered Annual Indoor Use Histogram



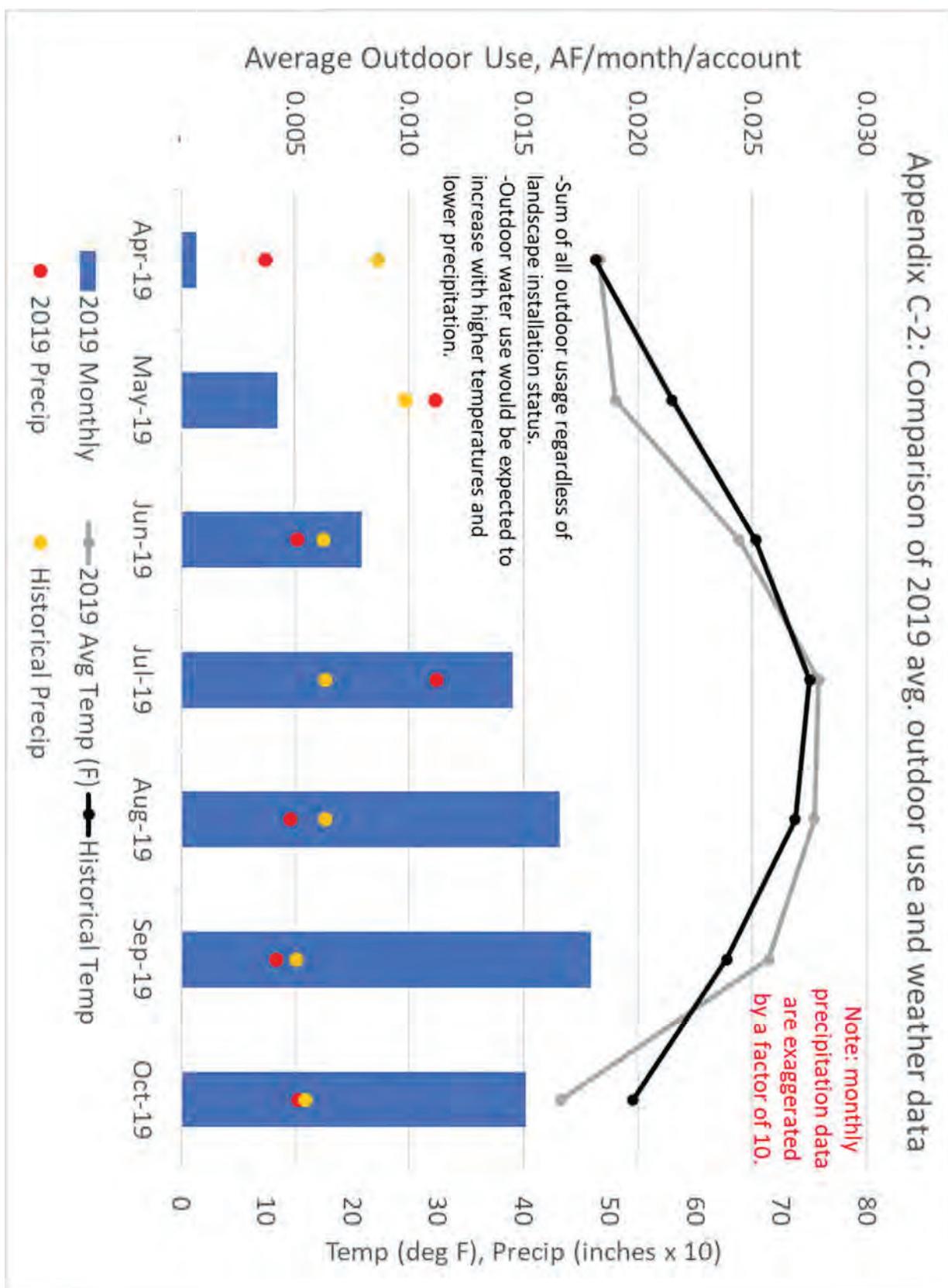
## Appendix B-2: SFD-Small Metered Annual Indoor Use Histogram



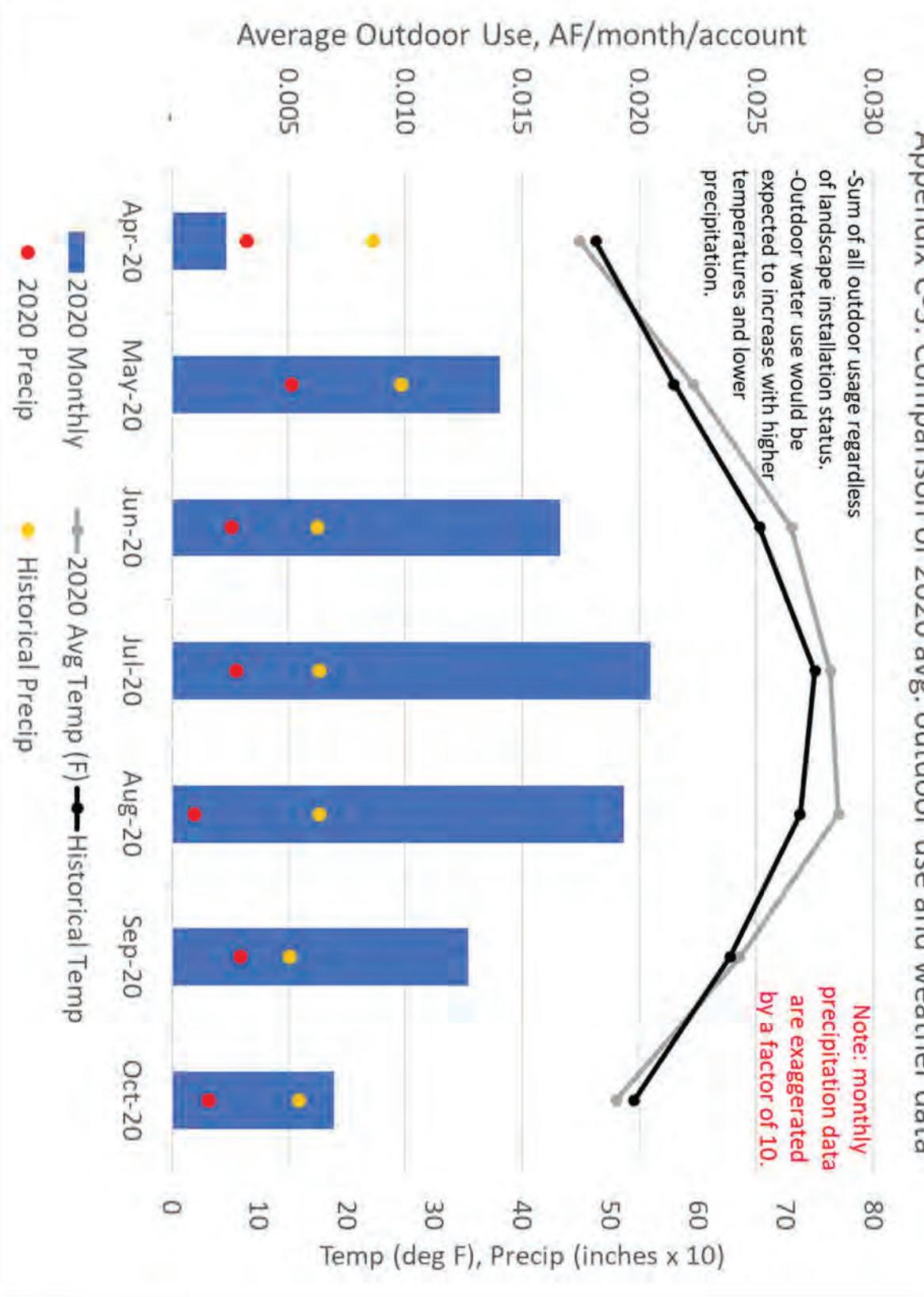
## Appendix C-1: Comparison of 2018 avg. outdoor use and weather data



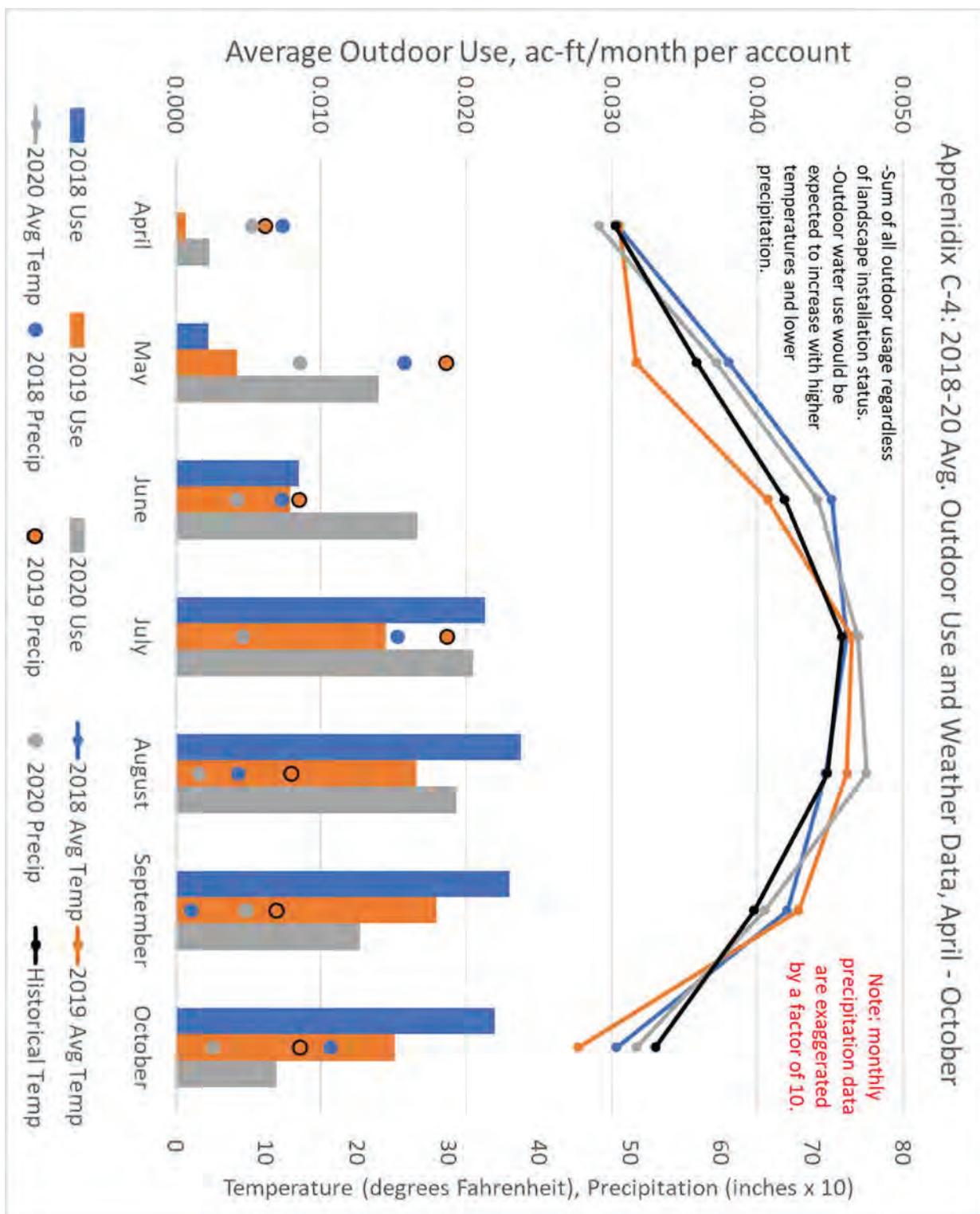
## Appendix C-2: Comparison of 2019 avg. outdoor use and weather data



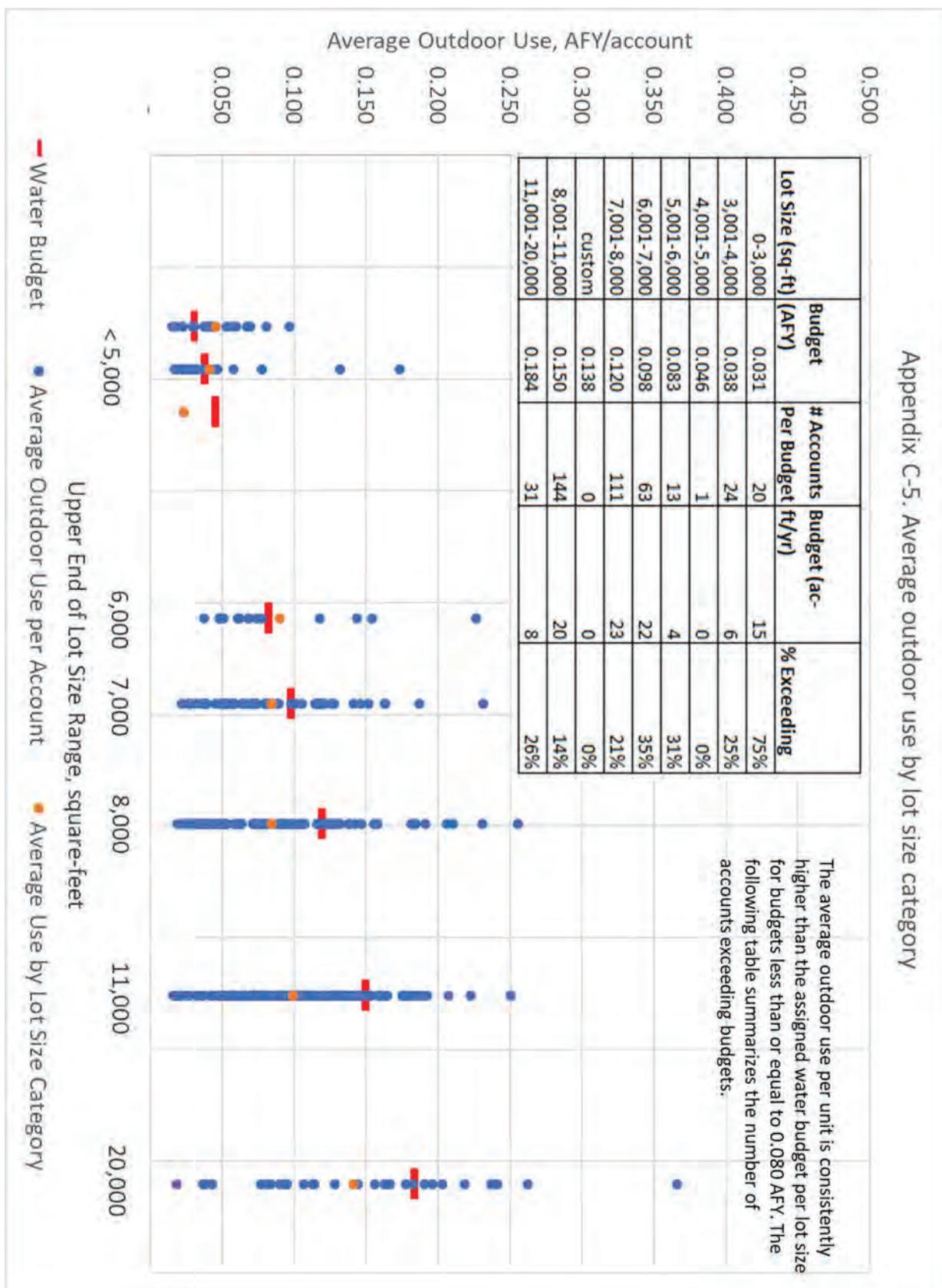
### Appendix C-3: Comparison of 2020 avg. outdoor use and weather data



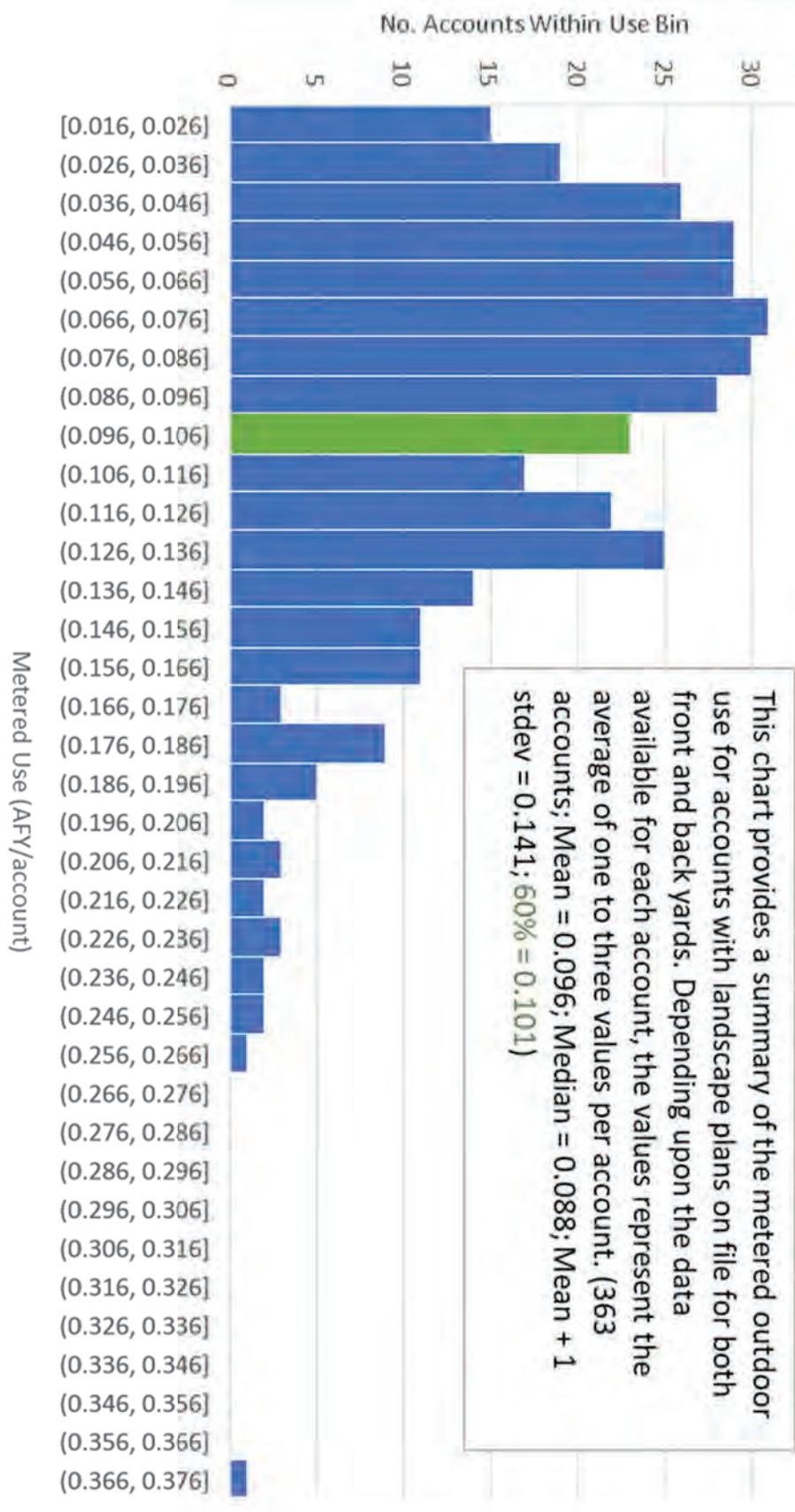
## Appendix C-4: 2018-20 Avg. Outdoor Use and Weather Data, April - October



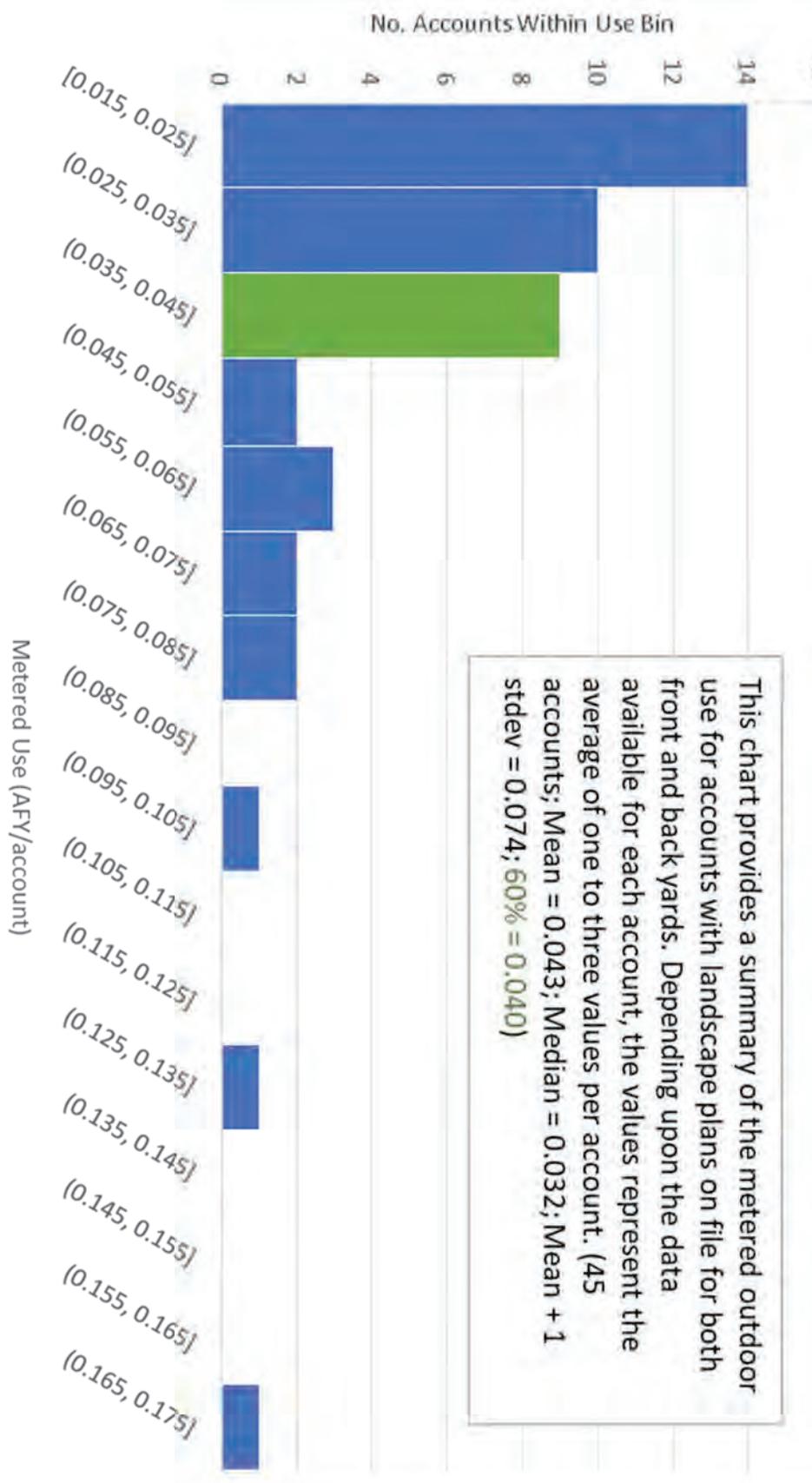
### Appendix C-5. Average outdoor use by lot size category



## Appendix C-6: SFD-Large Metered Annual Outdoor Use Histogram



## Appendix C-7: SFD-Small Metered Annual Outdoor Use Histogram



## CAB Will Serve Letter

Exhibit B – Dominion Service Commitment Letter to CAB



April 15, 2022

Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

Re: Wholesale Water and Wastewater Cumulative Service Commitment

To Whom It May Concern:

Pursuant to the 2021 Sterling Ranch Water Appeal, Dominion Water & Sanitation District (“Dominion”) acknowledges its intent and ability to provide wholesale water and wastewater services to approximately 446.7 acres proposed to be developed within Preliminary Plan No. 7 (“PP7”) of the Sterling Ranch Planned Development (the “Property”), located within the Dominion service area boundary.

**Commitment to Serve:**

Dominion is committed to providing wholesale service to the Property based upon the water supply sources so identified, upon payment of the requisite fees and charges and compliance with Dominion’s rules, regulations and resolutions, as now or hereinafter constituted.

**Water Demand:**

The initial site plan for Sterling Ranch PP7 was projected to need 727.8 AF/yr of water based on the existing 2013 water demand standard. Sterling Ranch is in the process of modifying the initial site plan for PP7 to adapt to market variability and to meet its goals of attainable housing. As a result, it is anticipated that there will be a need for additional water, up to a total demand of 751 AF/yr. Dominion has evaluated its existing water supply portfolio and with a total reliable yield of 2,457 AF/yr, Dominion has the available supply to meet the updated PP7 demands and has determined PP7 could include up to an additional 247 residential single family detached units at the existing 2013 water demand standard. Further details regarding demand standards for PP7 can be found in the Will Serve Letter provided by the Sterling Ranch Community Authority Board.

Dominion has built its water supply portfolio and water delivery system to efficiently meet average and peak water demands as a whole system. Dominion’s cumulative water supply commitments, to date, include 2,457 AF/yr to Sterling Ranch, including PP7, and 0.0 AF/yr to other retail customers, totaling 2,457 AF/yr, based on the Initial Water Demand Standards. Using a 2.3 multiplier for all commitments, the projected peak day demand is 4.84 million gallons per day (mgd). Dominion has adequate infrastructure and contractual water deliveries in place to meet the projected peak day demands for all commitments. Dominion will expand infrastructure capacity incrementally to meet peak demands as needed in conjunction with its other supplies to meet the cumulative demands for Sterling Ranch and other retail customers using its conjunctive use water supply portfolio and system infrastructure.

Dominion's treated water deliveries to meet Sterling Ranch's municipal demands during the 2021 calendar year totaled 392.0 AF.

**Water Supply:**

In any given year, Dominion can utilize a total average water supply of 3,186 AF/yr, and can utilize a total dependable water supply of 2,457 AF/yr. In addition, Dominion owns water rights associated with the Hock Hocking Mine, reusable return flows, and Denver Basin groundwater supplies that are not presently being utilized (see Dominion's Statement of Water Availability provided as Attachment B-2). At this time, Dominion has a water supply yield of 2,457 AF/yr available to meet customer demands. This is sufficient to meet 2,457 AF/yr, or the cumulative demands Dominion has committed to serve to its retail customers to date, including the demands projected for Sterling Ranch PP7. All decreed and contracted water supplies can be used for the proposed uses for this application. Dominion will manage their water systems such that deliveries to Sterling Ranch are comprised of approximately 70% renewable supplies on a rolling 10-year annual average upon the full build-out of Sterling Ranch. To date all water deliveries to Sterling Ranch have been 100% renewable.

**Water Quality:**

The District's contracted operators are in compliance with the Colorado Department of Public Health and Environment testing and quality requirements.

**Sanitary Sewer Service:**

Dominion's current sanitary sewer service infrastructure is depicted in the map titled, "Figure A, Dominion Water & Sanitation District Wastewater System," attached in the Appendices. Dominion's wastewater system includes two lift stations as well as force mains used to collect wastewater from Sterling Ranch. Additionally, Dominion owns the inactive Chatfield Basin Water Reclamation Facility (CBWRF) which will be utilized for future wastewater treatment. The "O-line" connects Dominion's force main directing wastewater flows to the Roxborough Water and Sanitation District (Roxborough or RWSD) line that is used to convey flows to the South Platte Renew Facility, formerly the Littleton/Englewood Wastewater Treatment Facility, (WWTF). On October 1, 2020, Dominion and Roxborough extended their Intergovernmental Agreement for Temporary Lease of and Acquisition of Capacity in the Roxborough Wastewater Conveyance System. Pursuant to this agreement to share infrastructure capacity, Dominion has flow capacity for 4,000 RWSD equivalent residential units (EQR's) measured by certificate of occupancy, and a maximum flow rate of 0.6 mgd. Per the Intergovernmental Agreement between Roxborough Water and Sanitation District and Dominion Water and Sanitation District (Wastewater Conveyance IGA) in no event shall Dominion's wastewater flows exceed 0.6 mgd. To date Dominion has conveyed 0.15 mgd leaving 0.45 mgd capacity within the Roxborough Wastewater Conveyance System. Dominion currently utilizes this agreement to convey wastewater flows to the WWTF for treatment and has sufficient capacity to continue to utilize this conveyance through the extended agreement.

Dominion is in the process of designing a new wastewater treatment plant at the CBWRF site that will treat all anticipated flows from Sterling Ranch. Dominion's total commitment for wastewater treatment at build out is for an estimated 0.68 mgd based on daily flows of 125 gallons per day per

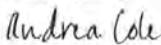
LQR. Dominion in collaboration with Roxborough continues to monitor total flow through the Roxborough Wastewater Conveyance System and based on the observed flows to-date of 100 gallons per day per LQR, wastewater flows will not exceed 0.6 mgd until 2031. The new CBWRF will be designed and constructed to treat wastewater as demands warrant. The CBWRF will be phased based on actual wastewater flows seen and monitored through the conveyance system. When measured flow reaches 80% of the treatment capacity, per CDPHII requirements, Dominion will commence design of the CBWRF expansion with construction commencing when measured flow reaches 95% of the treatment capacity.

**Feasibility of Service:**

Dominion acknowledges the feasibility of developing and funding the infrastructure necessary to provide the requisite capacity to serve development within its service area. It is physically and economically feasible for Dominion to extend service to the proposed development under Dominion's approved service plan for projected demands under both the Initial and 2021 water demand standards.

**Dominion Water & Sanitation District**

DocuSigned by:



24537A883118D4BE

By: Andrea R. Cole  
General Manager

cc: DWSD Board of Directors

Table 1

Dominion's Total Water Supply Service Commitments				
Filing ("F") or Preliminary Plan ("PP") No.	Original 2013 Demand Standard	Water Demand Required per DWSD Water Supply Commitments	Water Demand Required per 2021 CAB Demand Standard*	Water Supply Required per 2021 CAB Demand Standard
[A] Total Dependable Yield	-	2,457.0	-	2,457.0
[B] F1	387.9	387.9	275.7	275.7
[C] F2	76.5	76.5	39.7	39.7
[D] F3A – F3B	403.5	403.5	194.1	194.1
[E] F4A – F4C	260.0	260.0	157.3	157.3
[F] F5A – F5B	158.3	158.3	107.8	107.8
[G] PP6	320.7	320.7	212.5	212.5
[H] PP7	751.0	751.0	520.1	520.1
[I] Reserved for future Sterling Ranch Filings	0.0	0.0	849.9	849.9
[J] Total	2,358.1	2,358.1	2,358.1	2,358.1
[K] Remaining Available to Entitle for Current Commitments	98.9	-	-	98.9

## Notes

[A] Total Dependable Yield is the total supplies available to meet the demands as defined by Dominion Statement of Water Availability (11/03/2021)

[B] Filing 1 (F1) original demands based on service commitment dated 9/18/2019.

[C] Filing 2 (F2) original demands based on service commitment dated 9/18/2019.

[D] Filing 3 (F3A - F3B) original demands based on service commitment dated 5/3/2021.

[E] Filing 4 (F4A - F4C) original demands based on service commitment dated 4/23/2019.

[F] Filing 5 (F5A - F5B) original demands based on service commitment dated 11/7/07/2020.

[G] Filing 6 (PP6) original demands based on service commitment dated 4/9/2021.

[H] Filing 7 (PP7) original demands based on service commitment now available to meet future Sterling Ranch demands.

[I] Reserved for future Sterling Ranch Filings = Portion of Dominion's original water supply commitment associated with Filing 1 through PP7 and reserved for future Sterling Ranch commitments.

[J] Total = Sum of supply and demands associated with Filing 1 through PP7 and reserved for future Sterling Ranch, Chatfield Valley Framework, and Louviers Remaining Available to Entitle = Total at WRP - Total. Current commitments include Sterling Ranch, Chatfield Valley Framework, and Louviers.

\* Demands based on Sterling Ranch 2021 Water Appeal

## CAB Will Serve Letter

Exhibit B – Dominion Service Commitment Letter to CAB

*Attachment B-1 – Sterling Ranch Service Commitment Application*

DOMINION WATER AND SANITATION DISTRICT  
 9250 E. Costilla Avenue, Suite 315, Greenwood Village, CO 80112  
 Email: angie.brown@dominionwsd.com

APPLICATION - WATER/WASTEWATER SERVICE FOR STERLING RANCH CAB

TABLE 1. APPLICANT INFORMATION (OWNER OR AUTHORIZED AGENT MUST COMPLETE)		
PROJECT NAME: Sterling Ranch Filing Preliminary Plan 7		
APPLICANT NAME: Sterling Ranch Development Company		APPLICATION DATE: 4-4-22
PHONE: 303-736-2800		EMAIL: brocks@sterlingranchcolorado.com
REQUEST: <input checked="" type="checkbox"/> Potable Water <input type="checkbox"/> Non-Potable Water for Irrigation <input type="checkbox"/> Wastewater		

TABLE 2. PROJECT INFORMATION FOR DOUGLAS COUNTY LAND USE APPLICATION SUBMITTALS		
FILING NO.: Preliminary Plan 7		
PROJECT NO.: To be determined		
TITLE: Preliminary Plan 7		
PURPOSE: Mixed-Use Single Family Detached and Townhome Development, with future Commercial, Multi-Family and School		

With each Application, Dominion will compute the estimated water demand for the subject Application and the total water demand including all prior and pending Applications. Applicant is responsible for providing descriptions of any unique water demand features in the subject Application, as well as land use categories included in the subject Application that replace those included in a prior application, etc. Areas that can be served by non-potable water must be specified in Table 4 and must be clearly specified on the land use plan attached with this application.

(1) (2) (3)

TABLE 3. LAND USE CHARACTERISTICS (INCLUDE ALL WATER SERVICE REQUESTED)					
	LAND USE CATEGORY	SUBJECT APPLICATION	PRIOR APPLICATIONS	TOTAL	NOTES
RESIDENTIAL* (#)	Single Family Detached	1090			Single-Family Detached Lots
	Single Family Attached	582			Attached Townhomes
	Multi-Family				
	Superblock**	3			Future Multifamily Superlot
RESIDENTIAL (average irrigated sq-ft/unit)	Single Family Detached	1450			Single-Family Detached Lots
	Single Family Attached	1265			Attached Townhomes
	Multi-Family				
	Commercial/Hospitality				
NON-RESIDENTIAL (sq-ft developed building space)	Commercial/Retail		6		4 Future Commercial/Residential Superlots, 1 Future Commercial Superlot, 1 Tract for a Future Recreation Center
	Office				
	Industrial				
	Other				
SCHOOLS (# students)	Elementary	1			Superlot for future School Site - ±12 acres (Tract)
	Middle				
	High				
NON-RES IRRIGATION (irrigated acres)	Parks				
	Medians				
	Open Space		32.17		

Table 3 Notes: (1) To be completed by developer's representative or CAB. Only includes subject/current application.

(2) To be completed by CAB based on the cumulative total for all prior filings. Should be based on "Total" from most recent prior Application. Cumulative irrigated area tracking is completed using Attachment A.

(3) To be completed by CAB. Col (1) + Col (2). Cumulative irrigated area tracking is completed using Attachment A.

\*"Detached" means not attached to any other dwelling units, however may have a detached or attached garage. "Attached" means shares at least one wall with another unit (e.g. duplex, row house, townhome). "Multi-family" means multiple separate housing units within one building or several buildings within one complex (e.g. apartments).

\*\*Superblock lots are not proposed for development at this time. Each superblock lot is assigned an amount of water that is equivalent to one residential unit using the Initial Water Demand Standards. The appropriate water supply will be evaluated and fully committed at the time the development of the superblock is proposed.

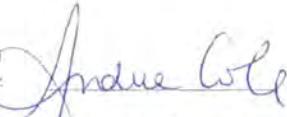
TABLE 4. NON-POTABLE WATER SUPPLY POTENTIAL (IRRIGATED AREAS SHOULD BE A SUBSET OF AREAS LISTED IN TABLE 3)					
	LAND USE CATEGORY	SUBJECT APPLICATION	PRIOR APPLICATIONS	TOTAL	NOTES
NON-POTABLE IRRIGATION (irrigated acres)	Single Family Attached				
	Multi-Family				
	Parks				
	Medians				
	Open Space				
	Schools				

By signing this Application, the applicant agrees to abide by the Intergovernmental Agreement between Dominion and Sterling Ranch, in particular the provisions governing the terms, conditions, fees and charges relating to water service which include the water demand management provisions described under the Sterling Ranch Water Appeal.

APPLICANT'S  
SIGNATURE:



DOMINION  
APPROVAL:



DATE  
APPROVED:

04/04/2022

Please notify Angie Brown if any of the above conditions change.  
Return to: Dominion Water and Sanitation District, Email: angie.brown@dominionwsd.com

(following section to be completed by Dominion Water and Sanitation District)

TABLE 5. SERVICE INFORMATION: (TO BE COMPLETED BY DOMINION WATER AND SANITATION DISTRICT) Staff Initials.

SUBJECT	PRIOR APPLICATION	APPLICATIONS	TOTAL	NOTES
Avg. annual potable demand (acre-feet)	111.51	1,236.11	2,347.62	
Peak day potable demand (acre-feet)	0.21	1.64	1.85	
Avg. annual non-potable demand (acre-feet)	0.4	5.21	5.61	
Avg. irrigated area (acres)	145.01		145.01	

\* Dominion Water and Sanitation District currently is assessing a water demand requirement as a demand under the Sterling Ranch Water Appeal.

**CAB Will Serve Letter**

**Exhibit B – Dominion Service Commitment Letter to CAB**

*Attachment B-2 – Statement of Water Availability*



November 11, 2021

Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

**Re: Statement of Water Availability**

To Whom It May Concern:

Dominion Water and Sanitation District (“Dominion”) is a wholesale water and wastewater provider created in response to Douglas County’s vision to reduce the reliance on non-renewable groundwater in Northwest Douglas County. For more than a decade, Dominion has been assembling the critical supplies, infrastructure and partnerships to bring and make accessible a dependable water supply that is based primarily on renewable water to Northwest Douglas County. As presented in this letter report, Dominion is developing a flexible and robust conjunctive use system to sustainably, and responsibly, manage our portfolio of renewable and groundwater supplies. Dominion has structured agreements with the Town of Castle Rock to ensure groundwater supplies within the County are secured for future benefit to Douglas County residents. These agreements enable Dominion to manage its financial resources by purchasing water only when needed based on demand.

This letter report summarizes Dominion’s water supply portfolio and the current yield<sup>1</sup> available to its customers (**Table 1**), as retail water providers within Dominion’s service area. Dominion will periodically update this letter as its water supply portfolio and/or yield changes. The average annual water supply available to be utilized by Dominion is 3,186 acre-feet per year (AF/yr), and 2,457 AF/yr is the dependable yield available to meet the demands of its customers<sup>2</sup>.

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<sup>1</sup> “Yield” refers to the water supply less system transmission and storage losses.

<sup>2</sup> Dominion’s current water supply portfolio is committed to Sterling Ranch, the Chatfield Valley Framework, and Louviers.

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

<b>Renewable and Groundwater Sources</b>	<b>Bedrock Aquifer</b>	<b>(1) Available Supply (AF/yr)</b>	<b>(2) Utilized Supply (AF/yr)</b>	<b>(3) Current Yield (AF/yr)</b>
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**
<b>Total Renewable Water Supply</b>		<b>1867.5</b>	<b>1805.0</b>	<b>1738.8</b>
Cherokee Ranch (98CW219/03CW117)	Arapahoe Not-Nontributary Denver Laramie -Fox Hills	1074.0 1614.0 381.0	1074.0** 307.0** 0.0***	1020.3** 291.7** 0.0***
<b>Total Groundwater Supply</b>		<b>3069.0</b>	<b>1381.0</b>	<b>1312.0</b>
<b>Total Supply</b>		<b>4936.5</b>	<b>3186.0</b>	<b>2457.0**</b>
<b>Reusable Supply****</b>		<b>1007.4</b>	<b>0</b>	<b>0.0</b>

(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<sup>B</sup> 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.

### *1. Prior Water Supplies Approved by County*

Dominion's water supplies previously approved by Douglas County total 2,080 AF/yr. This includes: two existing City of Aurora contracts totaling 480 AF/yr; a contract with the Town of Castle Rock for 700 AF/yr through the Firming Service Commitment IGA (the "FSC IGA"); 625 AF/yr of Dominion's WISE subscription; and 900 AF/yr of Cherokee Ranch Denver Basin groundwater (Cherokee GW) from the Denver and Arapahoe aquifers.

### *2. New Water Supplies for County Approval*

Dominion is requesting that Douglas County acknowledge a 481.0 AF/yr increase in its water supply portfolio, reflecting 481.0 AF/yr of additional Cherokee Ranch GW. The current dependable delivery yield of these additional supplies is at least 457.0 AF/yr as further described below in Section 6.

#### **Town of Castle Rock – Cherokee Ranch Groundwater (Cherokee GW)**

Dominion has a signed Intergovernmental Agreement for the Option to Purchase and Right of First Refusal Regarding Ground Water Rights, Easements, and Related Improvements with the Town of Castle Rock ("Cherokee Agreement") securing Dominion's purchase of up to 3,569 AF/yr of Central Basin groundwater rights associated with Cherokee Ranch (the "Cherokee GW"). Below is a summary of Dominion's Cherokee Ranch transactions to date:

- August 3, 2019, Dominion completed its first transaction, purchasing 300 AF/yr of non-tributary Arapahoe aquifer groundwater.
- October 6, 2020, Dominion completed its second transaction with the Town of Castle Rock, exchanging a portion of Dominion's excess capacity in WISE infrastructure for 620 AF/yr of

Cherokee GW (400 AF/yr Nontributary Arapahoe, 200 AF/yr Not-Nontributary Denver, and 20 AF/yr Laramie-Fox Hills<sup>3</sup>).

- May 4, 2021, Dominion completed its third transaction with the Town of Castle Rock, exchanging a portion of Dominion's excess capacity in WISE infrastructure for 534 AF/yr of Cherokee GW (374 AF/yr Nontributary Arapahoe, 107 AF/yr Not Nontributary Denver, and 53 AF/yr Laramie-Fox Hills).

The Special Warranty Deeds by which Castle Rock conveyed Cherokee groundwater rights are provided in Appendix C. The Cherokee GW water rights have a decreed yield of 3,569 AF/yr and include a banking provision for annual amounts not pumped since 1998. Currently, Dominion owns 1,454 AF/yr of Cherokee GW water rights with 1,307 AF/yr Not-Nontributary Denver and 308 AF/yr Laramie-Fox Hills remaining at Cherokee Ranch. An additional 500 AF/yr in the Arapahoe aquifer at Cherokee Ranch was retained under first option by the Cherokee Ranch & Castle Foundation, which may also be available as a future supply.

This water is fully consumable and reusable (less 2% or 4% for relinquishment back to the stream<sup>4</sup>) and the rights purchased are under conservation easements (see *Appendix C*) allowing them to be transferred and used within Douglas County. All Cherokee Ranch Not Nontributary and Nontributary groundwater will be operated subject to the terms and conditions defined in the Cherokee Ranch Decree (Case No. 03CW117), including the augmentation plan decreed therein. See Table 2 for further detail. As described further below in Sections 5 and 6, the Cherokee GW

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<sup>3</sup> Dominion's Laramie-Fox Hills is not a supply that is used to meet the demands of its customers, it's a replacement supply to cover NNT Denver aquifer post pumping stream depletions. The amount of Cherokee Ranch Laramie-Fox Hills replacement supply required is 23.54% of Cherokee Denver Aquifer pumping based on the ratio (380 AF LFH/1,614 AF Denver) required in Case No. 03CW117.

<sup>4</sup> The groundwater supply of 400.0 AF/yr currently under review is from the Nontributary Arapahoe aquifer and subject to 2% relinquishment. The groundwater supply of 200.0 AF/yr currently under review is from the Not - Nontributary Denver aquifer and subject to 4% relinquishment.

will be delivered through the Eastside Water System, with a 5% reduction to account for stream relinquishments of Nontributary groundwater and conveyance losses.

**Table 2 – Summary of Dominion's NTGW Rights Associated with Cherokee Ranch, Colorado.**

<b>Water Court Case 03CW117</b>		
	Totals	Units
Denver (NNT)	307	AF/yr
Arapahoe (NT)	1,074	AF/yr
LFH (NT)	73	AF/yr
<b>Total Dominion Ownership</b>	<b>1,454</b>	<b>AF/yr</b>
WISE Firming	625	AF/yr
Reserved NNT Augmentation Water	84	AF
<b>Remaining Available for New Demands</b>	<b>745</b>	<b>AF/yr</b>

\*73 AF (LFH) for Post-Pumping + 11 AF (Arapahoe) for augmentation while pumping the Denver aquifer  
 \*\*500 AF of Arapahoe reserved for the Cherokee Foundation (First Right of Refusal)

**South Metro WISE Authority (SMWA) - 2013 Formation Agreement; SMWA, Denver Water, and Aurora Water – Water Delivery Agreement (WDA)**

Dominion previously utilized 700 AF/yr of its WISE subscription (the “WISE 700”) out of its total WISE subscription of 1,325 AF/yr (the “WISE 1,325”) as part of the FSC IGA with the Town of Castle Rock. In the coming years, Dominion will utilize the remaining 625 AF/yr of its WISE subscription (the “WISE 625”) as Full Deliveries come online as discussed in the WDA and its related agreements. While the WISE 1,325 provides fully consumable, renewable treated water to Dominion over a 10-year block, the WISE 625 is currently being firmed with a maximum of 625 AF/yr of Cherokee GW. As described further below in Sections 5 and 6, the WISE 625 will be delivered through Dominion’s Eastside Water System. Accordingly, with the current infrastructure and operation, together, the combination of up to 625 AF/yr of Cherokee Denver Basin groundwater and WISE 625 AF/yr result in a dependable delivery yield of at least 593.8 AF/yr after required relinquishments and conveyance losses (~5%). The WISE 625, as firmed with the Cherokee GW, is dependable with respect to water rights administration and the terms of the WDA.

### ***3. Additional Water Supplies (Not Requested for County Approval at this Time)***

Dominion's water supply portfolio also includes water associated with the Hock Hocking Mine, South Platte Water Rights, and reusable return flows ("Reusable Supplies"). These sources are included as part of the Owned/Contract Supply shown in Table 1 and will be incorporated into Dominion's available yield as infrastructure and customer demands warrant.

#### **Hock Hocking Mine (Hock Hocking)**

The Hock Hocking Mine water right (the "Hock Hocking") was purchased by Dominion from the Hock Hocking Mineral Company in March 2017. Following a partial dedication to Aurora, Dominion has retained its ownership of the remaining 62.5 AF/yr of Hock Hocking (see Table 1) providing an estimated average annual delivery yield after stream losses of 53 AF/yr of fully consumable, developed Nontributary renewable raw water at Dominion's proposed South Platte River diversion point near the Chatfield Basin Water Reclamation Facility.

#### **South Platte Conditional Water Rights (South Platte Water Rights)**

Dominion's recent water court filing 18CW3039 was decreed on June 16, 2021, for direct diversion, storage, and appropriative exchange allowing Dominion access to physically and legally available water supplies from the South Platte, Plum Creek, Indian Creek, Willow Creek, and Sterling Gulch (the "South Platte Water Rights"). The availability and yields of these water rights is dependent on the configuration and development of facilities and infrastructure, availability of physical supplies, and administration of these water rights. Potential yield estimates for each water right are summarized in the Engineering Report. Dominion is actively working towards the development infrastructure in support of these water rights as a future supply.

### Reusable Return Flows (Reusable Supplies)

All of Dominion's water supplies described above are fully consumable and reusable to extinction<sup>5</sup>. After the first use, Reusable Supplies are available for re-diversion and subsequent use from the wastewater treatment plant. Dominion's available Reusable Supplies are a function system yield and water deliveries to meet indoor demands. As indoor demands increase, available Reusable Supplies increase. Dominion's current system yield of 2,457 AF/yr would result in an estimated 1,007.4 AF/yr (41%) of Reusable Supplies. In the future, when facilities and infrastructure are in place for Dominion to capture, reusable supplies will be available to meet demands.

Dominion is actively developing additional Renewable Supplies that will be used to meet demands in the future and remains committed the development of Renewable Supplies, regional sustainability, and meeting the 70% renewable requirement at buildout.

#### *4. Dominion's Water Supply Portfolio*

Water demands within Dominion's service area are met by a robust conjunctive use system that includes both renewable water and Denver Basin groundwater. Dominion's renewable water supplies are from several decreed and contract sources on the South Platte River and its tributaries. Furthermore, Dominion's renewable water supplies are supplemented with Denver Basin groundwater to ensure a dependable water supply for the future of Northwest Douglas County. Dominion recognizes that Denver Basin groundwater is a finite resource that is to be used carefully and responsibly. Dominion is committed to maximizing renewable and reusable resources and the deliberate use of Denver Basin groundwater as warranted by its customer demands.

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<sup>5</sup> Excludes Laramie-Fox Hill aquifer supplies. Nontributary Arapahoe aquifer supplies are subject to 2% relinquishment and Not -Nontributary Denver aquifer supplies are subject to 4% relinquishment.

Table 1 summarizes Dominion's renewable and non-renewable water supplies that are currently available and utilized. As described in Table 1, Dominion's average annual available supply totals 4,936.5 AF/yr. This supply consists of 1,867.5 AF/yr of Dominion's renewable water rights and contracts, as well as 3,069.0 Af/yr of Denver Basin groundwater rights in the Arapahoe and Denver aquifers. Dominion's utilized supplies, subject to current and prior review by Douglas County, consists of 1,805.0 AF/yr of renewable water rights and 1,381 AF/yr of Denver Basin water in the Arapahoe and Denver aquifers associated with Cherokee Ranch which, in part, is currently being used to firm the WISE 625. Currently Dominion has 62.5 AF/yr of unutilized renewable water supplies available and 1,615.0 AF/yr of Denver Basin groundwater in the Denver and Laramie-Fox Hills aquifers secured through agreements. Dominion is committed to meet 70% renewable requirement at buildout, based upon a ten-year rolling average requirement. However, Dominion will only acquire these resources and bring projects online as customer demands warrant.

In an average year, Dominion's currently utilized water supply totals 3,186.0 AF/yr including 1,805.0 AF/yr of renewable water supplies and 1,381 AF/yr of Denver Basin groundwater supplies. This does not include Dominion's ability to develop additional renewable water supplies, reuse municipal return flows, or the acquisition of additional Denver Basin groundwater supplies in the future. The development of these additional water supplies is part of Dominion's water supply plan and will be included in the future as customer demand grows and as infrastructure is developed.

In addition to these water rights, 1) Dominion is a participant in the Chatfield Reallocation Project with a storage subscription of 500 AF (yield will be determined at a later date), 2) Dominion has a decree for new direct flow, storage, and exchange rights in Case No. 18CW3039, and 3) The right to use and reuse all sources to extinction all increase Dominion's renewable water supplies.

## *5. Dominion's Water Delivery and Wastewater Systems*

Dominion's Westside Water System utilizes the existing Aurora Water System to deliver the 230 IGA and 250 IGA water supplies. Additionally, Dominion is developing an Eastside Water

System including infrastructure to convey WISE 700, WISE 625, and Cherokee GW. Key elements of Dominion's Westside and Eastside Water Systems are depicted in the map titled, "Figure 1, Dominion Water & Sanitation District Water Delivery System and Water Supplies," provided in the Appendices ("Figure 1").

**Aurora/ Water Systems (aka Dominion's Westside Water System)** – Aurora contract supplies continue to be taken through the existing Aurora Water Systems and delivered to a Master Meter at the Roxborough (a/k/a Larry D. Moore) water treatment plant (*Figure 1*). Alternative future delivery system may include a new Dominion diversion from the South Platte River or delivery through the WISE infrastructure as negotiated with Aurora per the existing intergovernmental agreements.

**Dominion's Eastside Water System** – Dominion's Eastside Water System is currently under construction with the majority of the Eastern Regional Pipeline from Castle Rock to Sterling Ranch complete. The pipeline will deliver Dominion's WISE 700, WISE 625, and Cherokee GW, the latter for which infrastructure, treatment, and connections to the Eastern Regional Pipeline will occur as required to meet demands. Dominion will obtain all required state well permits and local Douglas County permits required for the development of Cherokee Ranch water supplies. The delivery point for Dominion's Eastside Water System is the High Zone Tank (*Figure 1*).

## *6. Dominion's Current Water Supply Yield*

Currently, Dominion has 2,457 AF/yr of dependable delivery yield available to its customers for entitlement purposes as shown in Table 1. Dominion's Westside Water System utilizes the existing Aurora Water System to deliver the 230 IGA and 250 IGA water supplies providing a dependable yield of 480 AF/yr at the Larry D. Moore water treatment plant. Dominion's Eastside Water System can convey up to 2,706 AF/yr of utilized WISE 700, WISE 625, and Cherokee GW supplies with a dependable supply of 2,081 AF/yr. Deliveries through the Eastside Water System incur a 5% conveyance loss resulting in dependable delivery yield of 1,977 AF/yr available at

Dominion's High Zone Tank. Therefore, Dominion's current net dependable yield available to its customers from the Westside (480 AF/yr) and Eastside (1,977 AF/yr) Systems totals 2,457 AF/yr.

Dominion will responsibly invest in additional supplies and develop additional yield as required by new development applications or as Dominion contracts with other retail water district customers in its service area. Individual customer water service agreements define the water supplies that are committed to meet demands and specific local or county provisions or requirements of its use.

## 7. *Summary and Conclusions*

At this time, Dominion has 2,457 AF/yr of dependable yield available to meet the demands of its customers; Dominion's current water supply portfolio is committed to serving Sterling Ranch, the Chatfield Valley Framework, and Louviers. The supplies, as described herein, meet the requirements of Section 29-20-304(1) C.R.S. This statute describes an adequate water supply as *"a water supply that will be sufficient for build-out of the proposed development in terms of quality, quantity, dependability, and availability to provide a supply of water for the type of development proposed, and may include reasonable conservation measures and water demand management measures to account for hydrologic variability."*

**Sincerely,**

 Digitally signed by Andrea Cole  
Andrea Cole  
Date: 2021.11.11  
17:30:59 -07'00'

**Dominion Water & Sanitation District**

By: Andrea Cole  
General Manager

cc: Dominion Board of Directors

WATER AND SANITARY SEWER SERVICE FOR STERLING RANCH PRELIMINARY PLAN NO. 7

## APPENDICES

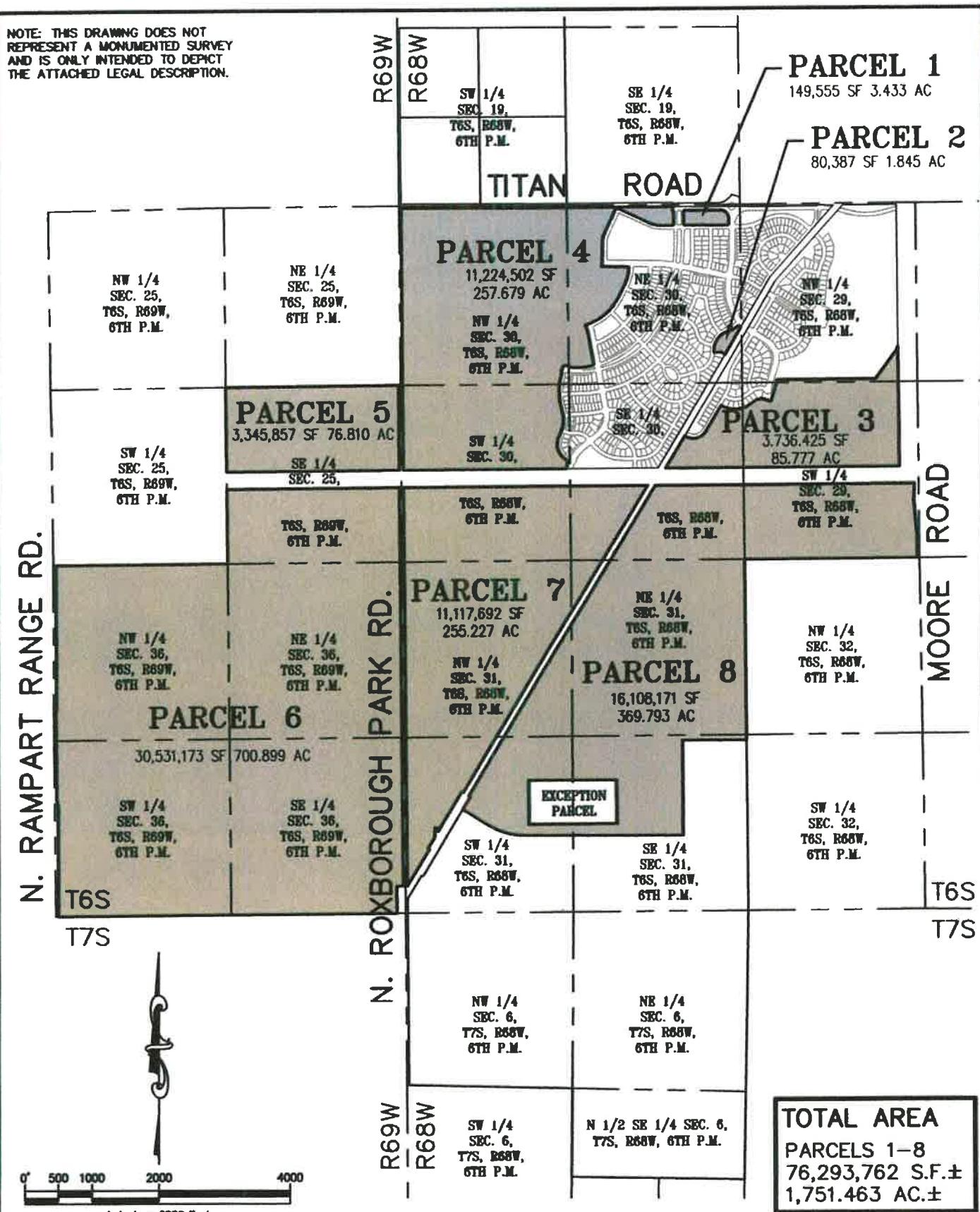
## APPENDIX A – Sterling Ranch Service Area

## APPENDIX A – Sterling Ranch Service Area

### Attachment A-1 – Legal Description of Property to be Served

# ILLUSTRATION TO EXHIBIT A

NOTE: THIS DRAWING DOES NOT  
REPRESENT A MONUMENTED SURVEY  
AND IS ONLY INTENDED TO DEPICT  
THE ATTACHED LEGAL DESCRIPTION.



PATH: Q:\54814-35\DWG  
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DWG: TP CHK: DS8  
DATE: 2016-11-11  
SCALE: 1" = 2000'

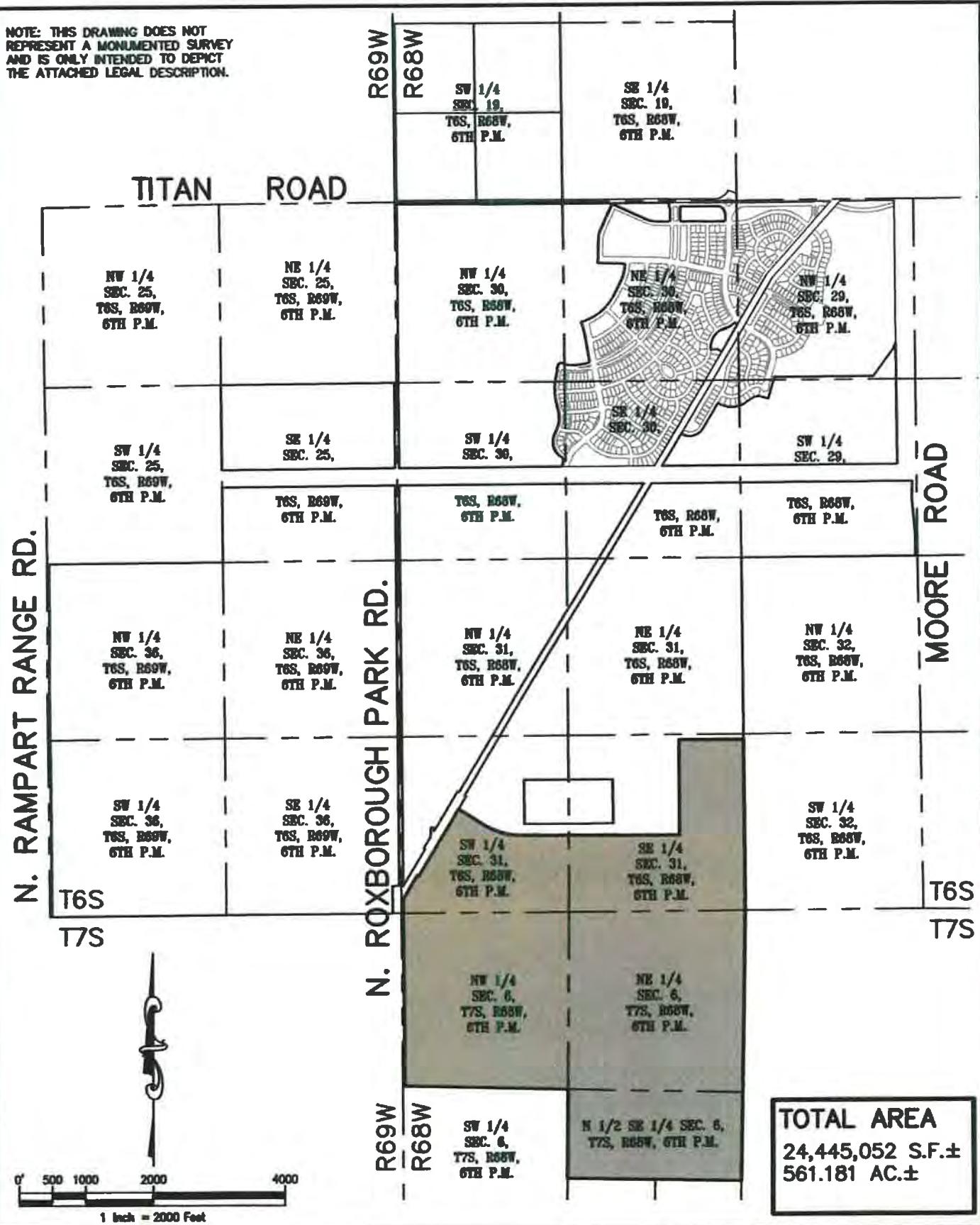


8888 SOUTH LINCOLN ST.  
SUITE 201  
Littleton, Colorado 80120  
Phone: (303)713-1898  
Fax: (303)713-1897  
[www.azteconsultants.com](http://www.azteconsultants.com)

**STERLING RANCH**  
LENDER LEGAL BOUNDARIES-NORTH  
DOUGLAS COUNTY, COLORADO  
JOB NUMBER 54814-35

# ILLUSTRATION TO EXHIBIT A

NOTE: THIS DRAWING DOES NOT  
REPRESENT A MONUMENTED SURVEY  
AND IS ONLY INTENDED TO DEPICT  
THE ATTACHED LEGAL DESCRIPTION.



PATH: C:\54814-35\DWG\  
DWG NAME: 2016 LENDER LEGALS-SOUTH.DWG  
DWG: TP: CMC: DSB  
DATE: 2016-11-11  
SCALE: 1" = 2000'



9000 SOUTH LINCOLN ST.  
SUITE 200  
Littleton, Colorado 80122  
Phone: (303)713-1299  
Fax: (303)713-1897  
[www.aztecconsultants.com](http://www.aztecconsultants.com)

**STERLING RANCH**  
LENDER LEGAL BOUNDARIES-SOUTH  
DOUGLAS COUNTY, COLORADO  
JOB NUMBER 54814-35

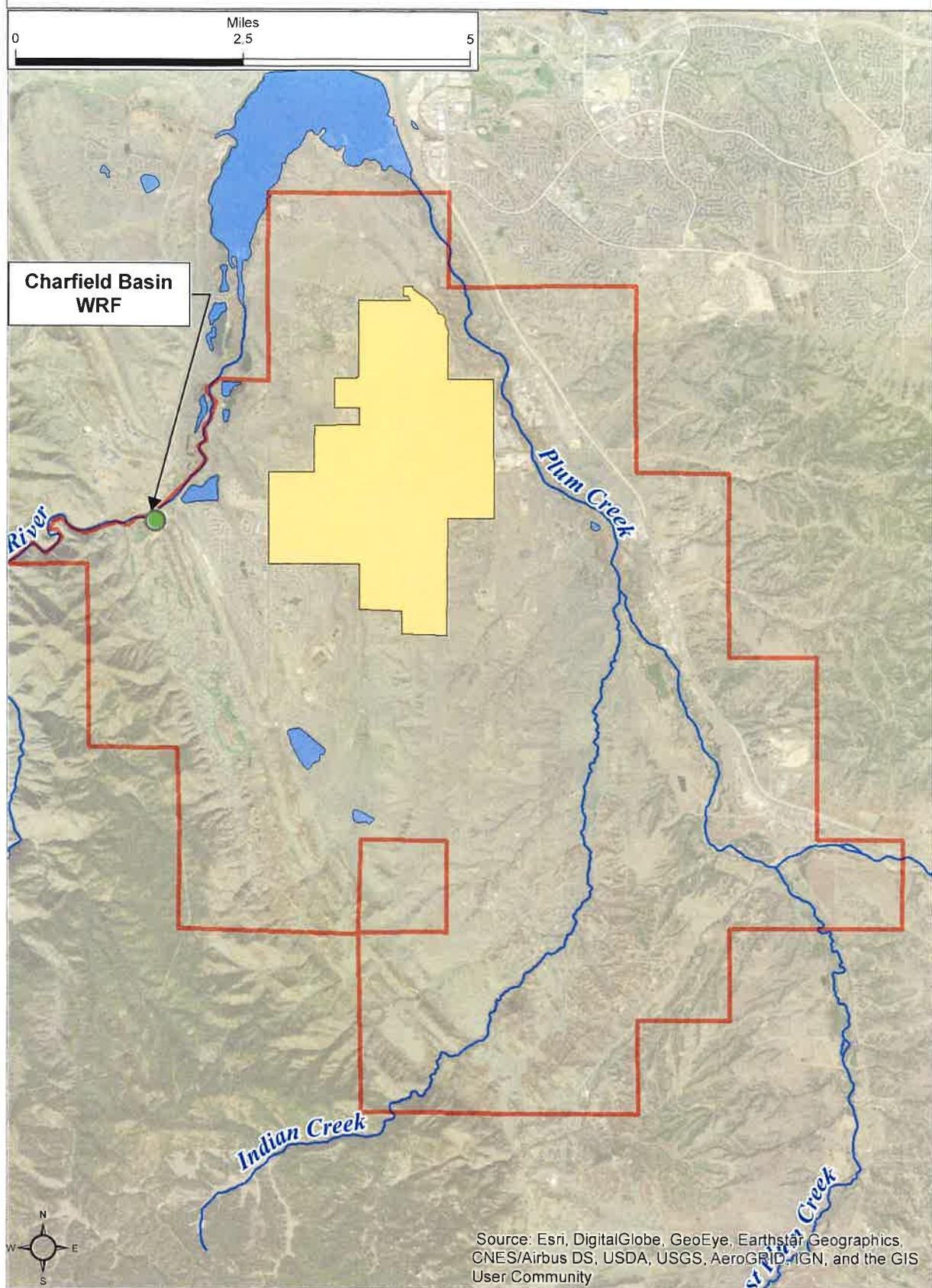
3 OF 3 SHEETS

## APPENDIX A – Sterling Ranch Service Area

Attachment A-2 – CAB Service Area Map

# DWSD SERVICE AREA CHATFIELD BASIN WATER RECLAMATION FACILITY

Path: C:\Users\Hope Adams\Dropbox (Dominion)\Dominion Team Folder\Dominion\Maps and Photos\Maps\GIS Maps\District Maps and Photos\WSD\District Maps and Photos\WSD\Dominion\Maps\Area\_CBWRF Location\_10-23-2018.mxd



## LEGEND

- Chatfield Basin WRF
- Dominion WSD Service Area
- Sterling Ranch
- Major Rivers
- Major Lakes

10/30/2018



This product is for reference only and is not to be used as a legal document or survey instrument.

Sterling Ranch Filing No. 7B

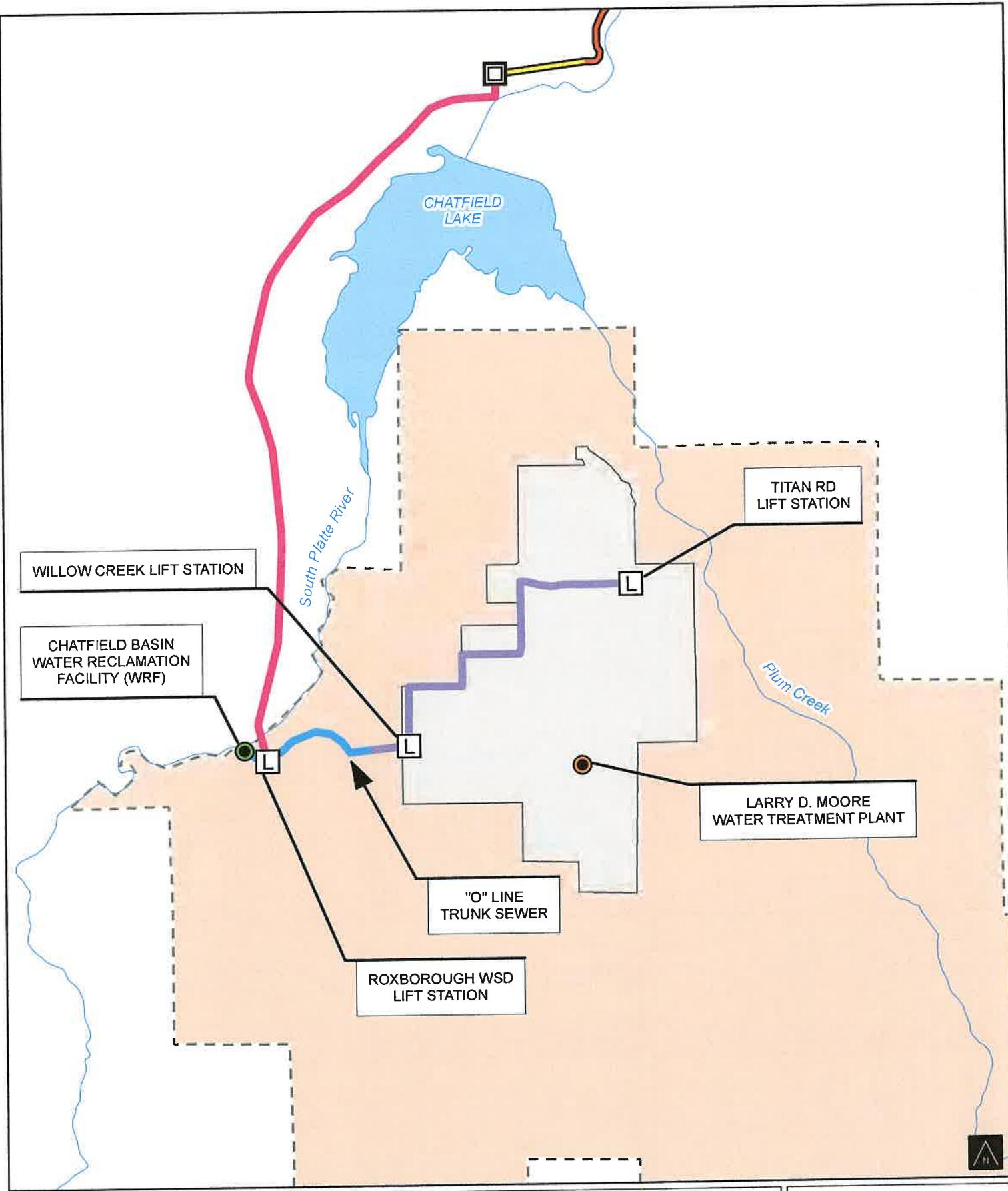
Project File SB2024-052, Final Plat

Board of County Commissioners Staff Report - Page 164 of 239

## APPENDIX B – Dominion Water System

## APPENDIX B – Dominion Water System

Figure A – Dominion Water & Sanitation District Wastewater System



**FIGURE A**  
**DOMINION WATER**  
**&**  
**SANITATION DISTRICT**  
**WASTEWATER SYSTEM**

Sterling Ranch Filing No. 7B

Project File SB2024-052, Final Plat

Board of County Commissioners Staff Report - Page 167 of 239

**Leonard Rice**  
**ENGINEERS, INC.**

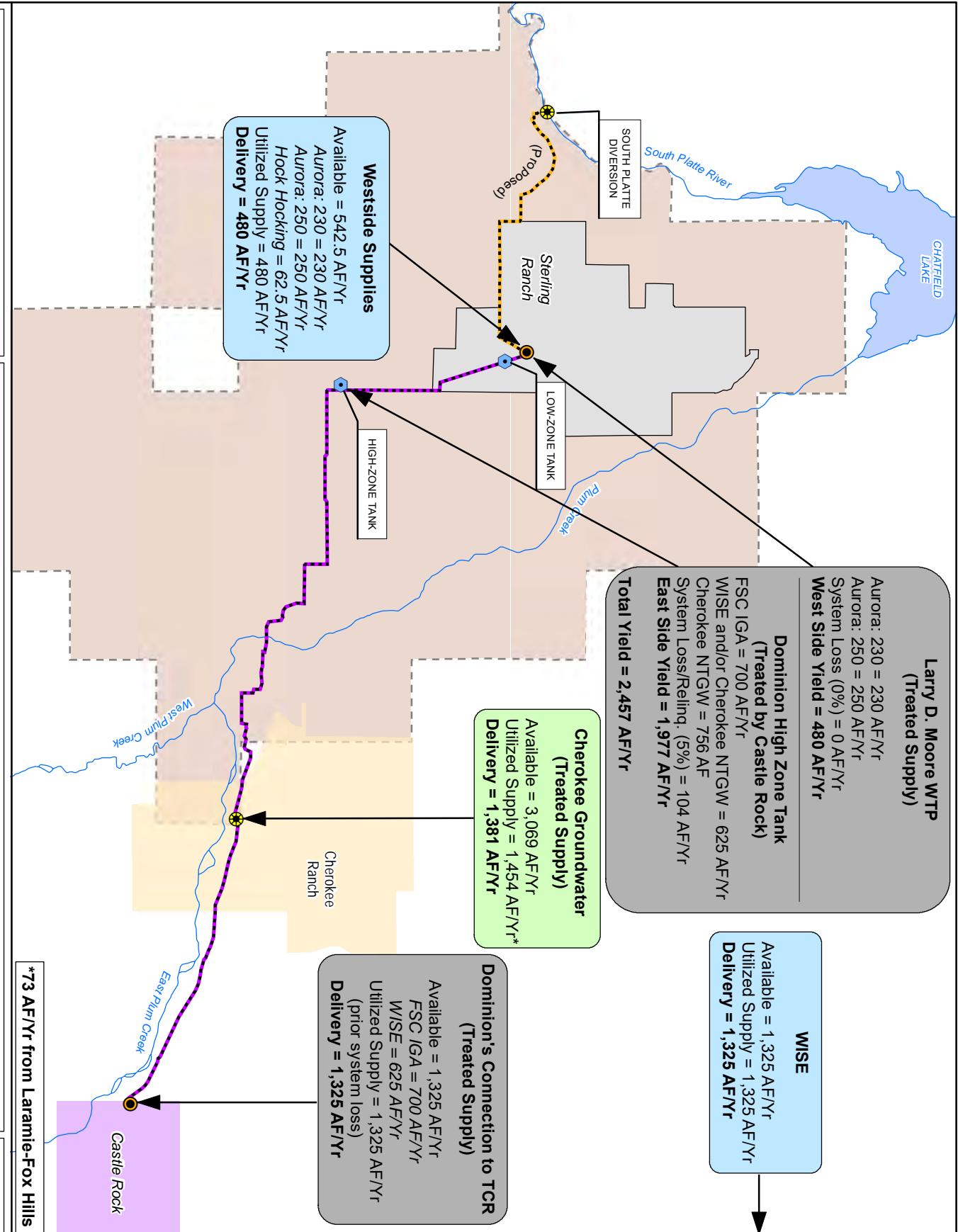
1207DOM05  
OCTOBER

This product is for reference purposes only and is not to be construed as a legal document or survey instrument.

## APPENDIX B – Dominion Water System

Figure 1 – Dominion Water & Sanitation District Water Delivery System & Water Supplies

FIGURE 1  
DOMINION WATER  
&  
SANITATION DISTRICT  
WATER DELIVERY SYSTEM  
&  
WATER SUPPLIES



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NOVEMBER 2020  
1207DOM06

Sterling Ranch Filing No. 7B  
Project File SB2024-052, Final Plat

## APPENDIX C – Dominion Water Right Documentation

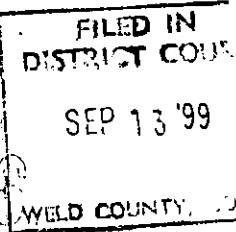
## APPENDIX C – Dominion Water Right Documentation

Decree Case Number (98CW219)

# CENTRAL FILES

DISTRICT COURT, WATER DIVISION 1, COLORADO

Case No. 98CW219



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## FINDINGS OF FACT, CONCLUSIONS OF LAW, RULING OF THE REFEREE, JUDGMENT AND DECREE

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CONCERNING THE APPLICATIONS FOR WATER RIGHTS OF CHEROKEE  
RANCH, INC. AND CHEROKEE RANCH AND CASTLE FOUNDATION,  
IN THE NONTRIBUTARY ARAPAHOE AND LARAMIE-FOX HILLS AND THE NOT  
NONTRIBUTARY DENVER AQUIFERS,  
IN DOUGLAS COUNTY.

---

This claim for nontributary and not nontributary ground water and approval of plan for augmentation, having been filed on February 27, 1998, and all matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Ruling of the Referee:

### FINDINGS OF FACT

1. Name and address of Applicants:

Cherokee Ranch, Inc., a Colorado corporation  
6113 N. Daniels Park Road  
Sedalia, Colorado 80135

Cherokee Ranch and Castle Foundation,  
a Colorado non-profit corporation  
P.O. Box 472  
Sedalia, Colorado 80135

2. Objections: Statements of opposition were filed to the application by the State and Division Engineers, the City of Englewood, the Town of Castle Rock, the City of Thornton, and Centennial Water and Sanitation District, and Castle Pines Metropolitan District. No other statements of opposition were filed and the time for filing of such statements has expired.

3. Subject matter jurisdiction: Timely and adequate notice of the application was published as required by statute, and the Court has jurisdiction over the subject matter of this proceeding and over the parties affected hereby, whether they have appeared or not.

#### APPROVAL OF GROUND WATER RIGHTS

4. Aquifers and location of ground water: Applicants seek a decree for rights to all ground water recoverable from the not nontributary Denver and nontributary Arapahoe and Laramie-Fox Hills aquifers underlying approximately 4,057 acres of land located in all or parts of Sections 7, 8, 17, 18, 19 and 30, T7S, R67W, and Sections 12, 13, 14, 24, and 25, T7S R68W, both of the 6th P.M. ("Subject Property"), as more particularly described and shown on Attachment A hereto. Applicant Cherokee Ranch and Castle Foundation is the owner of all the groundwater underlying and associated with that part of the Subject Property, lying north of the right of way of the Atchison, Topeka and Santa Fe Railroad as shown on Attachment A hereto, and estimated to be approximately 3058 acres. Applicant Cherokee Ranch, Inc. is the owner of all the groundwater underlying and associated with that part of the Subject Property, lying south of the right of way of the Atchison, Topeka and Santa Fe Railroad as shown on Attachment A hereto, and estimated to be approximately 999 acres. The land is not located within the boundaries of a designated ground water basin.

5. Well locations, pumping rates and annual amounts: The ground water may be withdrawn at rates of flow necessary to efficiently withdraw the amounts decreed herein. The ground water will be withdrawn through any number of wells necessary, to be located at any location on the Subject Property, in the following annual amounts. Applicants hereby waive any 600 foot spacing rule for wells located on the Subject Property, but must satisfy the requirements of Section 37-90-137(2), C.R.S. for wells located on adjacent properties. Applicants are not quantifying the amounts available in the Lower Dawson aquifer:

<u>Aquifer</u>	<u>Annual Amount</u>
Denver	2320 acre-feet(NNT)
Arapahoe	2301 acre-feet(NT)
Laramie-Fox Hills	1009 acre-feet(NT)

The amounts conform with the values and amounts referenced in the State Engineer's Determination of Facts dated June 16, 1998.

6. Proposed use: The water withdrawn from the subject aquifers will be used, reused, successively used, leased, sold, or otherwise disposed of for the following beneficial purposes: municipal, domestic, industrial, commercial, irrigation, stock watering, recreational, and fish and wildlife, both on and off the Subject Property. Said water will be produced for immediate application to said uses, for storage and subsequent application to said uses, for exchange purposes, for replacement of depletions resulting from the use of water from other sources, and for augmentation purposes.

7. Final average annual amounts of withdrawal:

A. Final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicants will be made pursuant to the retained jurisdiction of this Court, as described in paragraph 24 below. The Court shall use the acre-foot amounts in paragraph 5 herein in the interim period, until a final determination of water rights is made.

B. The allowed annual amount of ground water which may be withdrawn through the wells specified above and any additional wells, pursuant to Section 37-90-137(10), C.R.S., may exceed the average annual amount of withdrawal, as long as the total volume of water withdrawn through such wells and any additional wells therefor subsequent to the date of this decree does not exceed the product of the number of years since the date of the issuance of any well permits or the date of this decree, whichever is earliest in time, multiplied by the average annual amount of withdrawal, as specified above or as determined pursuant to the retained jurisdiction of the Court.

8. Source of ground water and limitations on consumption:

A. The ground water to be withdrawn from the Arapahoe and Laramie-Fox Hills aquifer is "nontributary ground water" as defined in Section 37-90-103(10.5), C.R.S., and in the Denver Basin Rules, the withdrawal of which will not, within 100 years, deplete the flow of a natural stream, including a natural stream as defined in Section 37-82-101(2) and Section 37-92-102(1)(b), C.R.S., at an annual rate greater than 1/10 of 1% of the annual rate of withdrawal. The ground water to be withdrawn from the Denver aquifer is "not nontributary" as defined in Sections 37-90-103(10.7) and 37-90-137(9)(c), C.R.S., and part of the Denver aquifer groundwater decreed herein may be withdrawn pursuant to the augmentation plan decreed herein.

B. Applicants may not consume more than 98% of the annual quantity of water withdrawn from the nontributary Arapahoe and Laramie-Fox Hills aquifers. The relinquishment of 2% of the annual amount of water withdrawn to the stream system, as required by the Denver Basin Rules effective January 1, 1986, may be satisfied by any method selected by the Applicants and satisfactory to the State Engineer, so long as Applicants can demonstrate that an amount equal to 2% of such withdrawals (by volume) has been relinquished to the stream system.

C. There is unappropriated ground water available for withdrawal from the subject aquifers beneath the Subject Property, and the vested water rights of others will not be materially injured by such withdrawals as described herein. Withdrawals hereunder are allowed on the basis of an aquifer life of 100 years, assuming no substantial artificial recharge within 100 years. No material injury to vested water rights of others will result from the issuance of permits for wells which will withdraw nontributary ground water or the exercise of the rights and limitations specified in this decree.

9. Additional wells and well fields:

A. Applicants may construct additional and replacement wells in order to maintain levels of production, to meet water supply demands or to recover the entire amount of groundwater in the subject aquifers underlying the Subject Property. As additional wells are planned, permit applications shall be filed in accordance with Section 37-90-137(10), C.R.S.

B. Two or more wells constructed into a given aquifer shall be considered a well field. In effecting production of water from such well field, Applicants may produce the entire amount which may be produced from the given aquifer through any combination of wells within the well field.

C. In considering applications for permits for wells or additional wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with provisions of Section 37-90-137(4) and (10), C.R.S.

D. In the event that the allowed average annual amounts decreed herein are adjusted pursuant to the retained jurisdiction of the Court, the State Engineer shall issue, following the receipt of a proper application, an amended well permit to reflect such adjusted average annual amounts. New permits for any wells herein shall likewise reflect any such adjustment of the average annual amounts decreed herein.

E. The water in the Denver aquifer is not nontributary and up to 1009 acre-feet per year and no more than 100,900 acre-feet total of water from the Denver aquifer may be withdrawn pursuant to the augmentation plan decreed herein.

APPROVAL OF PLAN FOR AUGMENTATION

10. Approval of plan for augmentation:

A. Structures to be augmented: Denver aquifer wells withdrawing up to 1009 acre-feet per year of not nontributary Denver aquifer groundwater decreed herein.

B. Water to be used for augmentation: Return flows associated with use of the not nontributary groundwater and return flows or direct discharge of nontributary groundwater decreed herein.

C. Development and Consumptive Use: The subject Denver aquifer ground water will be used for all decreed uses. For purposes of this decree, consumptive use from domestic and commercial uses utilizing nonevaporative septic systems will be considered to be 10% of that use and utilizing central sewer will be considered to be 5% of that use, and consumptive use from irrigation use will be approximately 90% of that use.

D. Replacement during pumping: For purposes of this decree, 500 acre-feet per year of the Denver aquifer to be withdrawn pursuant to this plan for augmentation is located in an area which requires replacement in an amount equal to 4% of the amount withdrawn as shown on Attachment B hereto (4% area). Also, for purposes of this decree, 509 acre-feet per year of the Denver aquifer to be withdrawn pursuant to this plan for augmentation is located in an area which requires replacement of actual depletions to the affected stream system as shown on Attachment B (actual replacement area). In the 100th year, the total depletion to the South Platte River stream system from the pumping of 509 acre-feet of Denver aquifer groundwater located in the actual replacement area is approximately 2.286% of the amount withdrawn. Return flows from use of the water on the Subject Property accrue to the South Platte River stream system via Plum Creek, and those return flows are sufficient to replace the combined amount of (1) 4% of 500 acre-feet per year withdrawn from the 4% area, and (2) the actual depletions resulting from withdrawals of 509 acre-feet per year from the actual replacement area, while the wells are being pumped. Prior to obtaining credit for return flows from use through nonevaporative septic systems or irrigation use, the Applicants shall establish, to the satisfaction of the State Engineer, the timing, location and amount of such return flows reaching a surface stream or its saturated alluvium and shall show that such return flows are adequate to meet the augmentation obligations herein. At a minimum, the Applicants shall provide evidence to the State Engineer that said return flows occur over a saturated alluvium or a continuous shallow water table in hydraulic connection with a surface stream or its saturated alluvium. Objectors Centennial and Thornton shall receive notice of and be entitled to participate in the proceedings related to obtaining credit for such return flows and either party can reopen this decree if unsatisfied with the determinations made by the State Engineer. Prior to obtaining credit for return flows from a central sewer system, Applicants shall provide resume notice to other water users in Division 1 of the location of the central sewer system treatment plant. Applicants shall have the burden of proving in the water court that they are entitled to claim such return flows, that such return flows meet the requirements of downstream senior appropriators and that such return flows are adequate to meet the augmentation obligations set forth herein.

E. Post-pumping Depletion Augmentation: The total maximum depletion to the South Platte River stream system from pumping of 1009 acre-feet is approximately 3.147% or 31.75 acre-feet which occurs in the 194th year. It is Applicants' position that depletions which occur after pumping ceases are not injurious. The Office of the State Engineer does not agree with this position. Nevertheless, in order to reach settlement with the Office of the State Engineer, Applicants will reserve 1009 acre-feet per year and 100,900 acre-feet total of the nontributary Laramie-Fox Hills water decreed herein for use in this plan. Applicants shall take whatever measures are necessary to insure that such reserved water is replaced to Plum Creek in the appropriate amount at the appropriate time, consistent with paragraph 12.D below. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate. The court also retains jurisdiction to decrease the amount of Denver aquifer water which may be withdrawn pursuant to this plan for augmentation to make amounts of Laramie-Fox Hills aquifer water available for

other uses, if necessary.

F. Applicants shall replace post-pumping depletions for the shortest of the following periods: the period provided by Section 37-90-137(9)(c), C.R.S.; the expressed period specified by the Colorado Legislature, should it specify one and providing the Applicants obtain Water Court approval for such modification; the period determined by the State Engineer, should he or she choose to set such a period and have jurisdiction to do so; the period established through rulings of the Colorado Supreme Court on relevant cases, or until Applicants petition the Water Court and after notice to parties in the case and the State Engineer's Office prove that they have complied with any statutory requirement.

11. Applicants or successors in interest shall pay the cost imposed by operation of this augmentation plan and shall reserve the Laramie-Fox Hills aquifer groundwater decreed herein for use in this augmentation plan. Failure of the Applicants or successors in interest to comply with the terms of this decree may result in an order of the Division Engineer's office to curtail or eliminate pumping of the subject groundwater. This decree shall be recorded in the real property records of Douglas County and the requirements of the decree shall be a covenant running with the Subject Property and shall be binding on the Applicants, their successors and assigns.

12. Administration of plan for augmentation:

A. Applicants shall report to the Division Engineer for Water Division 1 upon request, a summary of the withdrawals made pursuant to this decree and a summary of water uses on an accounting form acceptable to the Division Engineer.

B. All withdrawals which are the subject of this decree will be metered.

C. Pursuant to Section 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. The Applicants at the direction of the Division Engineer, shall make post-pumping replacements to the South Platte River stream system via Plum Creek pursuant to the amounts referenced on the depletion curve attached as Attachment C hereto for the Denver aquifer water in both the 4% area and the actual replacement area.

13. Retained jurisdiction for plan for augmentation:

A. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish *prima facie* facts alleged in the petition. If the Court finds those facts to be established, Applicants shall thereupon have the burden of proof to show: (1) that any modification sought by Applicants will avoid injury to other appropriators, or (2) that any modification sought by Objector is not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicants in response to the Objector's petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary water for use on the property is required. After notice to the State Engineer's Office and Objectors Centennial and Thornton, if Applicants can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary water must be reserved.

### CONCLUSIONS OF LAW

14. The Water Court has jurisdiction over this proceeding pursuant to Section 37-90-137(6), C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law. Section 37-90-137(4), C.R.S. The application for a decree confirming Applicants right to withdraw and use all unappropriated ground water from the nontributary Arapahoe and Laramie-Fox Hills aquifers beneath the property as described herein pursuant to Section 37-90-137(4), C.R.S., should be granted, subject to the provisions of this decree. The application for a decree confirming Applicants right to withdraw and use all ground water decreed herein from the Denver aquifer should be granted pursuant to Section 37-90-137(4) and (9)(c), C.R.S., subject to the provisions of this decree. The withdrawal of up to 1009 acre-feet per year and no more than 100,900 acre-feet total of the Denver aquifer in accordance with the terms of this decree will not result in material injury to vested water rights of others.

15. This plan for augmentation satisfies the requirements of Section 37-90-137(9)(c), C.R.S., for replacement of an amount equal to 4% of the amount of 500 acre-feet per year and for replacement of actual depletions from withdrawals of 509 acre-feet per year of Denver aquifer groundwater.

16. The rights to ground water determined herein shall not be administered in accordance with priority of appropriation. Such rights are not "conditional water rights" as defined by Section 37-92-103(6), C.R.S., requiring findings of reasonable diligence. Therefore, diligence requirements are not applicable to the ground water rights determined herein. The determination of ground water rights herein need not include a date of initiation of the withdrawal project. See Section 37-92-305(11), C.R.S.

JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Judgment and Decree as if the same were fully set forth herein.

17. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.

18. The Applicants may withdraw the subject ground water herein through wells to be located anywhere on the property, in the average annual amounts and at the estimated average rates of flow specified herein, subject to the limitations herein and the retained jurisdiction by this Court.

19. Applicants may withdraw up to 1009 acre-feet per year and no more than 100,900 acre-feet total of not nontributary ground water from the Denver aquifer under the plan for augmentation decreed herein pursuant to Section 37-90-137(9)(c), C.R.S. The remaining amount of Denver aquifer groundwater decreed herein will not be withdrawn until such time as the court has approved a plan of augmentation for withdrawal of that water in a separate water court case.

20. Applicants have complied with all requirements and met all standards and burdens of proof, including but not limited to Sections 37-90-137(9)(c), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1),(2),(3),(4),(6),(8),(9), C.R.S., to adjudicate their plan for augmentation and are therefor entitled to a decree confirming and approving their plan for augmentation as described in the findings of fact.

21. Pursuant to Section 37-92-305(5), C.R.S., the replacement water herein shall be of a quality and quantity so as to meet the requirements for which the water of the senior appropriator has normally been used.

22. The proposed plan for augmentation as described in the findings of fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

23. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the operation of the plan for augmentation as decreed herein.

24. Retained Jurisdiction:

A. The Court retains jurisdiction as necessary to adjust the average annual amounts of ground water available under the property to conform to actual local aquifer characteristics as determined from adequate information obtained from wells, pursuant to

Section 37-92-305(11), C.R.S. Within 60 days after completion of any well decreed herein or any test hole(s), Applicants or any successor in interest to these water rights shall serve copies of such log(s) upon the State Engineer.

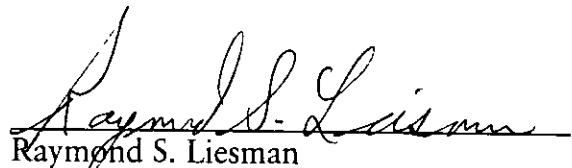
B. At such time as adequate data is available, any person, including the State Engineer, may invoke the Court's retained jurisdiction to make a Final Determination of Water Right. Within four months of notice that the retained jurisdiction for such purpose has been invoked, the State Engineer shall use the information available to him to make a final determination of water rights findings. The State Engineer shall submit such finding to the Water Court, Applicants, and parties herein.

C. If no protest to such finding is made within 60 days, the Final Determination of Water Rights shall be incorporated into the decree by the Water Court. In the event of a protest, or in the event the State Engineer makes no determination within four months, such final determination shall be made by the Water Court after notice and hearing.

25. Continuing Jurisdiction:

Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction over the plan for augmentation decreed herein for reconsideration of the question of whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also retains continuing jurisdiction for the purpose of determining compliance with the terms of the augmentation plan, for the purpose of determining the amount, location, timing and suitability of replacement sources claimed herein or for the purpose of amending this decree to reduce the amount of Denver aquifer groundwater which may be withdrawn pursuant to the plan for augmentation herein.

ENTERED this 13 day of September, 1999.



Raymond S. Liesman  
Water Referee  
Water Division 1

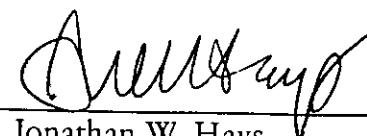
20001 PWS

Ruling and Decree 98CW219

Page 10

THE COURT DOTH FIND THAT NO PROTEST WAS FILED IN THIS MATTER, THEREFOR THE FOREGOING RULING IS CONFIRMED AND APPROVED, AND IS HEREBY MADE THE JUDGMENT AND DECREE OF THIS COURT.

Dated: OCT 08 1999



RECEIVED

Jonathan W. Hays  
Water Judge  
Water Division 1

OCT 13 1999

WATER RESOURCES  
STATE ENGINEER  
COLO.

## APPENDIX C – Dominion Water Right Documentation

Decree Case Number (03CW117)

DISTRICT COURT, WATER DIVISION 1,  
COLORADO

Court Address:  
901 9<sup>th</sup> Street  
Greeley, CO 80632

Concerning the Application for water rights of:

CHEROKEE RANCH AND CASTLE FOUNDATION,  
a Colorado non-profit corporation,

IN DOUGLAS COUNTY.

**Δ COURT USE ONLY Δ**

Case No.: 03CW117

**FINDINGS OF FACT, CONCLUSIONS OF LAW  
JUDGMENT AND DECREE**

This claim for approval of change of water right and plan for augmentation, having been filed in February, 2003, and all matters contained in the application having been reviewed, and testimony having been taken where such testimony is necessary, and such corrections made as are indicated by the evidence presented herein, the following is hereby the Judgment and Decree of the Court:

**FINDINGS OF FACT**

1. Name and address of Applicant:

Cherokee Ranch and Castle Foundation, a Colorado non-profit corporation.  
P.O. Box 472  
Sedalia, CO 80135

2. Objections: Statements of Opposition were filed by Centennial Water and Sanitation District, Sedalia Water and Sanitation District, and Castle Pines Metropolitan District. No other statements of opposition were filed and the time for filing such statements has expired.

3. Description of Water Rights being Changed: Terms and conditions of Denver aquifer augmentation plan as decreed in Case No. 98CW219, District Court, Water Division 1, on October 8, 1998. The 98CW219 Decree allows withdrawal of 761 acre-feet per year of not nontributary Denver aquifer groundwater associated with approximately 3058 acres of land located in all or parts of Sections 7, 8, 17, 18, and 19, T7S, R67W, and Sections 12, 13, 14, and 24, T7S, R68W of the 6<sup>th</sup> P.M., lying north of the Atchison, Topeka and Santa Fe Railroad, as shown on Attachment A hereto (Subject Property). (The 98CW219 Decree allows withdrawal of

a total of 1009 acre-feet per year of Denver aquifer groundwater. This decree only affects and changes the terms and conditions of 761 acre-feet per year of that amount and does not affect the withdrawal of the remaining amount in any way).

4. Change of Water Rights: By this decree the following changes to the terms and conditions of the Denver aquifer plan for augmentation as decreed in Case No. 98CW219, District Court, Water Division 1:

A. Pursuant to the 98CW219 Decree, 500 acre-feet per year of the Denver aquifer groundwater was expected to be withdrawn from an area which requires replacement of an amount which is equal to 4% of the annual amount withdrawn. The remaining 261 acre-feet per year of the Denver aquifer groundwater was expected to be withdrawn from an area which requires replacement of actual depletions. The total 761 acre-feet per year of Denver aquifer groundwater will now be withdrawn through wells to be located in the actual depletion area as also shown on Attachment A hereto. Applicant will replace actual depletions associated with withdrawals of the 261 acre-feet per year of Denver aquifer groundwater during pumping pursuant to the depletion curve and chart attached as Attachment B hereto and pursuant to the terms and conditions of paragraph 7.A below. Applicant will replace 4% of the total amount of the 500 acre-feet per year of Denver aquifer groundwater withdrawn annually pursuant to § 37-90-137(9)(c), C.R.S. and the terms and conditions of paragraph 7.A below.

B. Pursuant to the 98CW219 Decree, Applicant can use the Denver aquifer water for all decreed uses, including but not limited to municipal, domestic, industrial, commercial, irrigation, and for exchange and augmentation purposes, both on and off the Subject Property. To allow use of the water off the Subject Property, Applicant will replace total actual depletions associated with withdrawals of the 261 acre-feet per year and 4% of the total annual withdrawals associated with the 500 acre-feet per year during pumping by direct discharge into Plum Creek of Arapahoe aquifer groundwater as also decreed in Case No. 98CW219. Well Permits for Denver aquifer wells will not be issued until Applicant or any successor in interest has shown the ability to pump nontributary Arapahoe aquifer groundwater decreed in Case No. 98CW219 into East Plum Creek. Timing of replacements under the plan for augmentation decreed herein will be made according to Paragraph 7.A below.

C. The 761 acre-feet per year of Denver aquifer groundwater which is the subject of this change, can be withdrawn in combination with the 853 acre-feet per year of Denver aquifer groundwater to be withdrawn pursuant to the augmentation plan described below, for a total withdrawal of 1614 acre-feet per year and no more than 161,400 acre-feet total. The wells to withdraw the Denver aquifer groundwater will be located on the Subject Property in the actual depletion area as shown on Attachment A.

5. Description of plan for augmentation:

A. Groundwater to be augmented: In Case No. 98CW219, 853 acre-feet per year of not nontributary Denver aquifer groundwater was decreed but not included within the plan for augmentation approved in the 98CW219 Decree. Of the total 853 acre-feet per year, 665 acre-feet per year was expected to be withdrawn from an area which requires replacement of an amount which is equal to 4% of the annual amount withdrawn. The remaining 188 acre-feet per year was expected to be withdrawn from an area which requires replacement of actual depletions. Said 853 acre-feet per year will be withdrawn in combination with the 761 acre-feet per year of not nontributary Denver aquifer groundwater described above for a total withdrawal of 1614 acre-feet per year and no more than 161,400 acre-feet total. For the 1614 acre-feet per year of Denver aquifer groundwater, final determination of the applicable average saturated sand thicknesses and resulting average annual amounts available to Applicant or successors in interest will be made pursuant to the retained jurisdiction of the Court in Case No. 98CW219. The Court shall use the amount of Denver aquifer groundwater identified in Paragraph 5 of the decree in Case No. 98CW219 until a final determination of water rights is made.

B. The wells to withdraw the 1614 acre-feet per year will be located on the Subject Property in the actual depletion area as shown on Attachment A. Even though all of the Denver aquifer wells will be located on land which requires replacement of actual depletions, the total amount of Denver aquifer groundwater withdrawn from these wells shall be divided proportionally between those portions of land located in areas which require replacement of actual depletions and those portions located in areas which require replacement equal to 4% of the annual amount withdrawn pursuant to § 37-90-137(9)(c), C.R.S. Of the total 1614 acre-feet per year, Applicant will replace actual depletions associated with 449 acre-feet withdrawn annually, which is 27.819% of the total amount pumped. Applicant will replace 4% of the total annual withdrawals associated with pumping 1165 acre-feet per year, which is 72.181% of the total amount pumped.

C. Water rights to be used for augmentation: Direct discharge of nontributary Arapahoe and Laramie-Fox Hills aquifer groundwater which was decreed in Case No. 98CW219. Applicant will reserve 380 acre-feet per year and 38,000 acre-feet total of nontributary Laramie-Fox Hills aquifer groundwater for use in this plan. Applicant will reserve 57.83 acre-feet per year and 5,783 acre-feet total of nontributary Arapahoe aquifer groundwater for use in this plan. Pursuant to the decree in Case No. 98CW219, Applicant may not consume more than 98% of the annual quantity of water withdrawn from the nontributary Arapahoe and Laramie-Fox Hills aquifers and the relinquishment of 2% of the annual amount of water withdrawn to the stream system as required by the Denver Basin Rules effective January 1, 1986 may be satisfied by any method selected by Applicant or successors in interest so long as Applicant or successors in interest can demonstrate that an amount equal to 2% of such withdrawals (by volume) has been relinquished to the stream system.

D. The Denver aquifer groundwater will be used for all purposes decreed in Case No. 98CW219, including but not limited to municipal, domestic, industrial, commercial, irrigation, and for exchange and augmentation purposes, both on and off the Subject Property.

E. Replacement during pumping: During pumping of the Denver aquifer groundwater, Applicant will replace the actual depletions associated with 449 acre-feet per year to the East Plum Creek stream system pursuant to §37-90-137(9)(c), C.R.S. The actual depletion at 100 years from pumping of the Denver aquifer groundwater is 2.501% of the annual amount withdrawn. The actual depletion during pumping of 27.819% of Denver aquifer groundwater will be calculated using the percentage of depletion as shown on the depletion curve and chart attached as Attachment B hereto. Pursuant to §37-90-137(9)(c), C.R.S., Applicant will replace 4% of 72.181% of the total annual withdrawals from Denver Aquifer groundwater pumping. The required amount of replacement water will be pumped directly into East Plum Creek from Arapahoe aquifer groundwater as decreed in Case No. 98CW219. Well Permits for Denver aquifer wells will not be issued until Applicant or successors in interest have shown the ability to pump nontributary Arapahoe aquifer groundwater decreed in Case No. 98CW219 into East Plum Creek. Objector Centennial shall be provided notice of issuance of such well permits for the Denver aquifer wells. Timing of replacements will be made according to Paragraph 7.A below.

F. Post-pumping Depletion Augmentation: Assuming maximum pumping from the Denver aquifer for the groundwater which is the subject of this case (853 acre-feet per year) and which is the subject of Case No. 98CW219 (1614 acre-feet per year total), the maximum total depletion to all stream systems is approximately 3.147% in the 194<sup>th</sup> year. It is Applicant's position that depletions which occur after pumping ceases are not injurious. The Office of the State Engineer and Objectors do not agree with this position. Therefore, Applicant will reserve 380 acre-feet per year and 38,000 acre-feet total of nontributary Laramie-Fox Hills aquifer groundwater decreed in Case No. 98CW219 for use in this plan. The Court finds that this amount is sufficient to replace projected total actual depletions as shown on the depletion curve and chart attached as Attachment C, for at least 1000 years after the projected cessation of pumping of the Denver aquifer groundwater. Said reserved Laramie-Fox Hills aquifer groundwater will be diverted into East Plum Creek in the vicinity of the Subject Property at the direction of the Division Engineer. The Court retains continuing jurisdiction in this matter to determine if the supply is adequate. The Applicant or successors shall fully replace all post-pumping depletions unless Applicant or successors can demonstrate such depletions have already been fully replaced as contemplated by Paragraph 8(C) of this Decree.

G. Applicant or successors in interest will replace post-pumping depletions for the shortest of the following periods: the period provided by Section 37-90-137(9)(c), C.R.S.; the express period specified by the Colorado Legislature, should it specify one and providing the Applicant obtains Water Court approval for such modification; the period determined by the State Engineer, should he choose to set such a period and have jurisdiction to do so; the period established through rulings of the Colorado Supreme Court on relevant cases, or until Applicant petitions the Water Court and after notice to parties in the case and the State Engineer's Office and prove that they have complied with any statutory requirements.

6. Failure of the Applicant or successors in interest to comply with the terms of the decree shall result in an order of the Division Engineer's office to curtail or eliminate pumping of the subject groundwater. This decree shall be recorded in the real property records of Douglas County.

7. Administration of plan for augmentation:

A. Applicant or successors in interest to the water shall report to the Division Engineer for Water Division 1, a summary of the annual metered withdrawals of the Denver aquifer groundwater to be withdrawn pursuant to the terms and conditions of this case and in Case No. 98CW219, on an accounting form acceptable to the Division Engineer pursuant to the terms of this decree. The accounting form is attached hereto as Attachment D. Such an accounting form will be filed by February 28 and report the prior calendar year withdrawals on a monthly basis. Upon written request and subject to reasonable reimbursement for any copying costs, Applicant shall provide copies of such accounting information to any requesting Objector. The accounting form is not decreed herein and may be changed from time to time so long as the information required by this decree is included in the forms and such changes are approved by the Division Engineer or Water Commissioner. The form will include a calculation of the actual depletions associated with the withdrawals of 27.819% of water withdrawn during the calendar year using the depletion curve and chart on Attachment B hereto. The form will also include a calculation of 4% of 72.181% of the total annual withdrawals withdrawn during the calendar year. Such replacement amount will be made from Arapahoe aquifer groundwater decreed in Case No. 98CW219 pursuant to the following schedule:

A.1. During the period of November 1 through March 31 of each water year, Applicant shall release replacement water to East Plum Creek once each month as close to the last day of the month as practical. The downstream water right(s) deprived of water during the immediately preceding 30 days shall be allowed to divert the water so released regardless of the river call in effect on the day of the release.

A.2. During the period of April 1 through October 31 of each water year, Applicant shall release replacement water to East Plum Creek once each week as close to the same day of each week as practical. The downstream water right(s) deprived of water during the immediately preceding seven (7) days shall be allowed to divert the water so released regardless of the river call in effect on the day of the release.

B. The Applicant or successors shall install, monitor and maintain at their own expense totalizing flow meters on all wells operating under this decree.

C. Pursuant to Section 37-92-305(8), C.R.S., the State Engineer shall curtail all out-of-priority diversions, the depletions from which are not so replaced as to prevent injury to vested water rights.

D. This decree is administrable by the water officials of the State of Colorado provided that Applicant furnishes to the Division Engineer or his representative upon request, appropriate accounting records.

8. Retained jurisdiction for plan for augmentation:

A. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction, for a period of five (5) years from the date of commencement of operations pursuant to the plan for augmentation decreed herein, over the plan for augmentation decreed herein for reconsideration of the question whether the provisions of this decree are necessary and/or sufficient to prevent injury to vested water rights of others. The Court also has jurisdiction for the purposes of determining compliance with the terms of the augmentation plan.

B. Any person seeking to invoke the retained jurisdiction of the Court shall file a verified petition with the Court. The petition to invoke retained jurisdiction or to modify the Decree shall set forth with particularity the factual basis and the requested decretal language to effect the petition. The party lodging the petition shall have the burden of going forward to establish *prima facie* facts alleged in the petition. If the Court finds those facts to be established, Applicant or successors in interest shall thereupon have the burden of proof to show: (1) that any modification sought by Applicant will avoid injury to other appropriators, or (2) that any modification sought by Objectors are not required to avoid injury to other appropriators, or (3) that any term or condition proposed by Applicant in response to the Objector's petition does avoid injury to other appropriators.

C. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary Laramie-Fox Hills aquifer groundwater for use in this augmentation plan is required. After notice to the State Engineer's Office and Objectors, if Applicant can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary water must be reserved.

CONCLUSIONS OF LAW

9. The Water Court has jurisdiction over this subject matter and proceeding and over all who may be affected thereby, whether they have chosen to appear or not, pursuant to Section 37-90-137(6), C.R.S. and Section 37-92-302, 304 and 305, C.R.S. This Court concludes as a matter of law that the application herein is one contemplated by law. Sections 37-90-137(4) and (9)(c). The withdrawal of the Denver aquifer water pursuant to the plan for augmentation herein and in accordance with the terms of this decree will not result in material injury to vested water rights of others subject to the provisions of this decree.

10. This plan for augmentation satisfies the requirements of Section 37-90-137(9)(c), C.R.S.

## JUDGMENT AND DECREE

The Findings of Fact and Conclusions of Law set forth above are hereby incorporated into the terms of this Ruling and Decree as if the same were fully set forth herein.

11. Full and adequate notice of the application was given, and the Court has jurisdiction over the subject matter and over the parties whether they have appeared or not.

12. Applicant has complied with all requirements and met all standards and burdens of proof, including but not limited to Sections 37-90-137(9)(c), 37-92-103(9), 37-92-302, 37-92-304(6), 37-92-305(1), (2), (3), (4), (6), (8), (9), C.R.S., to adjudicate its plan for augmentation and is therefor entitled to a decree confirming and approving its plan for augmentation as described in the findings of fact.

13. The proposed plan for augmentation as described in the findings of fact is hereby approved, confirmed, and adjudicated, including and subject to the terms and conditions specified herein.

14. No owners of or person entitled to use water under a vested water right or decreed conditional water right will be injured or injuriously affected by the change of water rights or operation of the plan for augmentation as decreed herein. The above-described substituted water to be used for augmentation pursuant to this plan is of a quality so as to meet the requirements for which the water of senior appropriators has normally been put and such substituted supply shall be accepted by senior appropriators in substitution for water derived by the exercise of their decreed rights.

15. In considering applications for permits for wells to withdraw the groundwater which is the subject of this decree, the State Engineer shall be bound by this decree and shall issue said permits in accordance with terms of this decree.

16. No Precedent: The terms and conditions of this decree are a product of the unique circumstances of this case only, as well as a negotiated settlement between the parties and the Applicant, and shall not bind, prejudice or set a precedent for or against any party in any other case other than the current matter and any subsequent proceeding involving the plan for augmentation decreed herein.

17. Continuing Jurisdiction:

A. Pursuant to Section 37-92-304(6), C.R.S., the Court retains continuing jurisdiction, for a period of five (5) years from the date of commencement of operations pursuant to the plan for augmentation decreed herein, over the change of water rights and plan for augmentation decreed herein for reconsideration of the question of whether the provisions of this

decree are necessary and/or sufficient to prevent injury to vested water rights of others and for determining compliance with the term of the plan for augmentation.

B. The Court retains jurisdiction for the purpose of determining whether the continued reservation of the nontributary Laramie-Fox Hills aquifer groundwater for use in this augmentation plan is required. After notice to the State Engineer's Office and Objectors, if Applicant can demonstrate to the Court that post-pumping depletions need no longer be replaced, the Court may remove the requirement that the nontributary Laramie-Fox Hills aquifer groundwater must be reserved.

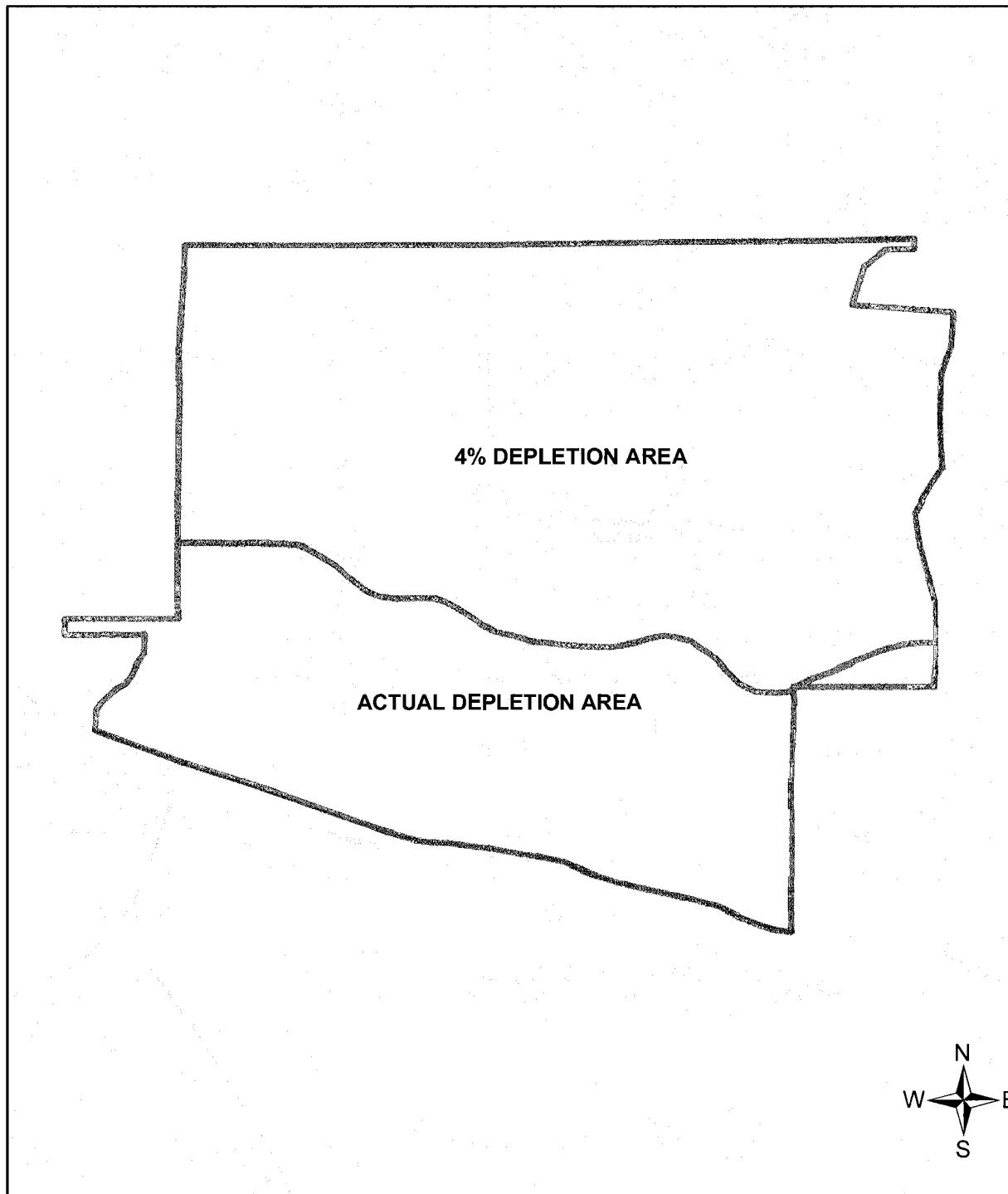
Dated: April 16, 2007.

By the court:



Roger A. Klein  
Water Judge  
Water Division No. 1

*This document was filed pursuant to C.R.C.P. 121, § 1-26. A printable version of the electronically signed order is available in the Court's electronic file.*



Topographical Map by TOPO!  
© 2004 National Geographic Holdings, Inc.

— Site Boundary

0 1,000 2,000 4,000 6,000 8,000 Feet

Job No.: 438.7  
Date: 08/18/06  
Drawn: CRR  
Checked: PLM

Cherokee Ranch and  
Castle Foundation  
2003CW117

Depletion Areas  
Attachment A



602 Park Point Dr., Suite 275  
Golden, CO 80401  
Phone: (303) 526-2600  
Fax: (303) 526-2624  
mw@martinandwood.com

S:\438 - Bromley Companies\438.7 - Cherokee Ranch Foundation\GIS\Site Map.mxd

## APPENDIX C – Dominion Water Right Documentation

### Special Warranty Deed to PSA Fifth Amendment

**Exhibit C to Fifth Amendment to Intergovernmental Agreement  
For the Option to Purchase and Right of First Refusal Regarding  
Ground Water Rights, Easements and Related Improvements**

**SPECIAL WARRANTY DEED  
WATER RIGHTS**

THIS DEED is made to be effective as of this 4<sup>th</sup> day of May, 2021, by the TOWN OF CASTLE ROCK, a Colorado home rule municipality, acting by and through the CASTLE ROCK WATER ENTERPRISE ("Grantor") for the benefit of DOMINION WATER AND SANITATION DISTRICT acting in its capacity as a Water Activity Enterprise ("Grantee").

WITNESSETH, that the Grantor, in consideration of Ten Dollars and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed and by the presents does grant, bargain, sell, convey and confirm unto the Grantee, its successors and assigns forever, all of Grantor's right, title and interest in and to the following water, water rights, and rights to water in the County of Douglas, State of Colorado:

- A. 374 acre feet per year of the non-tributary groundwater originally decreed by the Division No. 1 Water Court in Case No. 98CW219, as modified by Case No. 03CW117, in the Arapahoe formation, including banked water as determined on a pro rata basis pursuant to the water banking provision of the 98CW219 decree, all of which groundwater underlies that real property more particularly described in **Exhibit A** attached to this Deed, EXCEPT FOR:
  1. One hundred (100) acre feet per year of Arapahoe formation non-tributary groundwater, which was reserved to the Cherokee Ranch and Castle Foundation by Special Warranty Deed recorded on November 21, 2002 at Reception No. 2002126810, Douglas County Clerk and Recorder;
  2. Sixty (60) acre feet per year of Arapahoe formation non-tributary groundwater, which was conveyed to the Cherokee Ranch and Castle Foundation by Special Warranty Deed for Water Rights recorded March 10, 2008 at Reception No. 2008016986, Douglas County Clerk and Recorder;
  3. Any right, title, interest or claim to use the underground storage capacity resulting from withdrawal of any water described herein, which was reserved to the Cherokee Ranch and Castle Foundation by Special Warranty Deed recorded November 21, 2002 at Reception No. 2002126810; Special Warranty Deed for Water Rights recorded on March 10, 2008 at Reception No. 2008016984 and by Special Warranty Deed for Water Rights recorded on March 10, 2008 at Reception No. 2008016985, Douglas County Clerk and Recorder.
- B. 107 acre feet per year of the not non-tributary ground water originally decreed by the Division No. 1 Water Court in Case NO. 98CW219, as modified by Case No. 03CW117, in the Denver formation, including banked water as determined on a pro rata basis pursuant to the water banking provision of the 98CW219 decree, all of which ground water

{00657136.4}

underlies that real property more particularly described in **Exhibit A** attached to this Deed; and

C. 53 acre feet per year of the non-tributary ground water originally decreed by the Division No. 1 Water Court in Case NO. 98CW219, as modified by Case No. 03CW117, in the Laramie Fox Hills formation, including banked water as determined on a pro rata basis pursuant to the water banking provision of the 98CW219 decree, all of which ground water underlies that real property more particularly described in **Exhibit A** attached to this Deed

The above-described decreed non-tributary and not non-tributary and ground water rights are conveyed together with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the Grantor, either in law or equity, of, in and to the above bargained water, water rights, and rights to water with the hereditaments and appurtenances thereto.

TO HAVE AND TO HOLD the said water, water rights, and rights to water with the hereditaments and appurtenances thereto, unto the Grantee, its successors and assigns forever. The Grantor, for itself, its successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained and described water, water rights, and rights to water, with the hereditaments and appurtenances thereto, in the quiet and peaceable possession of the Grantee, its successors and assigns, against all and every person and persons claiming the whole or any part thereof, by, through or under the Grantor.

IN WITNESS WHEREOF, Grantor has executed this Deed to be effective on the date set forth above.

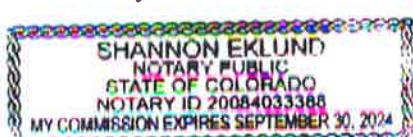
GRANTOR: **TOWN OF CASTLE ROCK,**  
acting by and through the **CASTLE**  
**ROCK WATER ENTERPRISE**

\_\_\_\_\_  
Jason Gray, Mayor

STATE OF COLORADO )  
 ) ss  
COUNTY OF **DOUGLAS** )

The above and foregoing Deed was acknowledged before me this 4<sup>th</sup> day of **MAY**, 2021, by Jason Gray, as Mayor of the **TOWN OF CASTLE ROCK**, acting by and through the **CASTLE ROCK WATER ENTERPRISE**.

My commission expires: 9/30/2024  
Witness my hand and official seal.



*Shannon Eklund*  
Notary Public

## EXHIBIT A to Special Warranty Deed

A parcel of land located in Sections 5, 6, 7, 8, 17, 18, & 19 of Township 7 South, Range 67 West and in Sections 12, 13, 14 & 24 of Township 7 South, Range 68 West of the Sixth Principal Meridian, County of Douglas, State of Colorado, and being more particularly described as follows:

BEGINNING at the NE corner of Section 19, Township 7 South, Range 67 West of the Sixth Principal Meridian;

THENCE along the East line of the NE $\frac{1}{4}$  of said Section 19, S 00°23'17" W, a distance of 1612.27 feet to the Northerly right of way line of State Highway No. 85;

THENCE along said Northerly right of way line the following fifteen (15) courses:

- 1) N 74°01'07" W, a distance of 442.12 feet;
- 2) N 70°56'17" W, a distance of 269.96 feet;
- 3) N 66°37'01" W, a distance of 813.47 feet;
- 4) N 78°26'56" W, a distance of 1581.82 feet;
- 5) N 73°42'23" W, a distance of 211.93 feet;
- 6) N 71°13'27" W, a distance of 281.07 feet;
- 7) N 67°40'00" W, a distance of 562.02 feet;
- 8) N 75°53'08" W, a distance of 346.26 feet;
- 9) N 80°38'47" W, a distance of 969.60 feet to a point from which the NW corner of said Section 19 bears N 05°30'46" W, a distance of 28.00 feet;

- 10) N 82°57'44" W, a distance of 1053.89 feet;
- 11) N 80°27'38" W, a distance of 584.58 feet;
- 12) N 71°01'17" W, a distance of 471.19 feet;
- 13) N 70°58'10" W, a distance of 2093.66 feet;
- 14) N 71°05'24" W, a distance of 1147.32 feet;
- 15) N 69°36'49" W, a distance of 2074.89 feet to the Southeasterly corner of a parcel of land described in deed recorded in the land records of Douglas County in Book 358 at Page 833;

THENCE along the Easterly line of said parcel the following seven (7) courses:

- 1) N 08°37'34" E, a distance of 172.03 feet;
- 2) N 31°37'52" E, a distance of 442.82 feet;
- 3) N 53°35'59" E, a distance of 194.24 feet;
- 4) N 73°28'44" E, a distance of 264.63 feet;
- 5) N 51°18'55" E, a distance of 177.71 feet;
- 6) N 38°08'20" E, a distance of 487.64 feet;
- 7) N 00°26'53" E, a distance of 391.26 feet to the Northeasterly corner of said parcel;

THENCE along the Northerly line of said parcel, S 89°41'36" W, a distance of 1438.25 feet to the Northwesterly corner of said parcel;

THENCE along the Westerly line extended of said parcel, N 00°01'02" E, a distance of 213.47 feet;

THENCE N 89°41'57" E, a distance of 1979.77 feet to the North 1/16 corner between Sections 13 and 14 of T7S, R68W;

THENCE along the West line of the NW $\frac{1}{4}$  of said Section 13, N 00°11'10" W, a distance of 1319.99 feet to the SW corner of said Section 12;

THENCE along the West line of the SW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 12, N 00°09'51" W, a distance of 1309.82 feet to the South 1/16 corner of Sections 11 & 12;

THENCE along the W line of the NW $\frac{1}{4}$  of the SW $\frac{1}{4}$  of said Section 12, N 00°13'35" W, a distance of 1310.61 feet to the W $\frac{1}{4}$  corner of said Section 12;

THENCE along the West line of the SW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 12, N 00°09'43" W, a distance of 1309.48 feet to the N 1/16 corner of Sections 11 & 12;

THENCE along the West line of the NW $\frac{1}{4}$  of the NW $\frac{1}{4}$  of said Section 12, N 00° 13'44" W, a distance of 1310.95 feet to the NW corner of said Section 12;

THENCE along the North line of the NW $\frac{1}{4}$  of said Section 12, N 89°58'04" E, a distance of 2683.10 feet to the N $\frac{1}{4}$  corner of said Section 12;

THENCE along the North line of the NE $\frac{1}{4}$  of said Section 12, N 89°49'52" E, a distance of 2752.86 feet to the NE corner of said Section 12, also being the NW corner of Section 7, T7S, R67W;

THENCE along the North line of the NW $\frac{1}{4}$  of said Section 7, N 89°55'53" E, a distance of 2633.78 feet to the N $\frac{1}{4}$  corner of said Section 7;

THENCE N 00°05'26" W, a distance of 43.58 feet to an existing fence corner;

THENCE along an existing fence line as described in a boundary agreement between Cherokee Ranch and Castle Foundation, Sanctuary, Inc. and Paul V. and Bonnie G. Grenney, recorded in the land records of Douglas County on Nov. 3, 1997 at Reception No. 9761904 the following five (5) courses:

- 1) N 89°06'35" E, a distance of 2599.66 feet to a point at an existing fence corner from which the NE corner of said Section 7 bears S 08°34'17" W, a distance of 41.11 feet;
- 2) N 00°03'38" W, a distance of 1256.34 feet;
- 3) N 89°59'09" E, a distance of 588.75 feet;
- 4) N 87°01'25" E, a distance of 1332.82 feet;
- 5) N 85°17'08" E, a distance of 767.69 feet to a point on the Westerly right of way line of Daniels Park Road;

THENCE along said right of way line as described in Deed recorded in the land records of Douglas County in Book 541 at Page 29 the following four (4) courses:

- 1) S 11°05'24" E, a distance of 306.86 feet;
- 2) Along the arc of a curve to the right 280.45 feet, having a radius of 598.90 feet, a central angle of 26°49'49" and a chord bearing and distance of S 02°19'30" W, 277.90 feet;
- 3) S 15°44'25" W, a distance of 418.21 feet;
- 4) Along the arc of a curve to the left 307.26 feet, having a radius of 362.65 feet, a central angle of 48°32'39" and a chord bearing and distance of S 08°31'55" E, 298.15 feet to the Northeasterly corner of a parcel of land described in deed recorded in the land records of Douglas County in Book 1073 at Page 260;

THENCE along the boundary of said parcel the following seven (7) courses:

- 1) S 88°46'02" W, a distance of 399.06 feet;
- 2) N 51°04'40" W, a distance of 243.10 feet;
- 3) S 30°09'50" W, a distance of 399.37 feet;
- 4) S 87°35'11" W, a distance of 559.55 feet;
- 5) S 51°13'16" W, a distance of 336.12 feet;
- 6) S 14°44'13" W, a distance of 1028.18 feet;
- 7) N 89°40'54" E, a distance of 2019.95 feet to a point on the Westerly right of way line of Daniels Park Road, (determined to be 60 feet Westerly from the monumented Easterly right of way line shown on the plat of Castle Pines Village Filing 8-A, at Reception #9211515);

THENCE along said Westerly right of way line the following nineteen (19) courses:

- 1) S 01°18'44" E, a distance of 440.02 feet;
- 2) Along the arc of a curve to the right 183.64 feet, having a radius of 419.04 feet, a central angle of 25°06'33" and a chord bearing and distance of S 11°14'32" W, 182.17 feet;
- 3) S 23°47'49" W, a distance of 205.18 feet;
- 4) Along the arc of a curve to the left 327.65 feet, having a radius of 836.68 feet, a central

angle of 22°26'14" and a chord bearing and distance of S 12°34'42" W, 325.56 feet;

5) S 01°21'31" W, a distance of 185.15 feet;

6) S 01°16'36" W, a distance of 657.56 feet;

7) Along the arc of a curve to the left 76.61 feet, having a radius of 1378.34 feet, a central angle of 03°11'05" and a chord bearing and distance of S 00°12'27" E, 76.60 feet;

8) S 01°48'06" E, a distance of 349.28 feet;

9) Along the arc of a curve to the right 253.68 feet, having a radius of 1711.45 feet, a central angle of 08°29'34" and a chord bearing and distance of S 02°26'41" W, 253.45 feet;

10) Along the arc of a compound curve to the right 167.76 feet, having a radius of 345.00 feet, a central angle of 27°51'39" and a chord bearing and distance of S 20°37'18" W, 166.11 feet;

11) S 34°31'24" W, a distance of 576.43 feet;

12) Along the arc of a curve to the left 272.42 feet, having a radius of 390.00 feet, a central angle of 40°01'18" and a chord bearing and distance of S 14°31'00" W, 266.91 feet;

13) S 05°31'06" E, a distance of 168.88 feet;

14) Along the arc of a curve to the left 177.15 feet, having a radius of 998.35 feet, a central angle of 10°10'01" and a chord bearing and distance of S 10°34'30" E, 176.92 feet;

15) S 15°39'30" E, a distance of 621.49 feet;

16) Along the arc of a curve to the left 139.59 feet, having a radius of 871.13 feet, a central angle of 09°10'51" and a chord bearing and distance of S 20°13'15" E, 139.44 feet;

17) S 24°48'40" E, a distance of 236.86 feet;

18) Along the arc of a curve to the right 345.51 feet, having a radius of 770.23 feet, a central angle of 25°42'05" and a chord bearing and distance of S 11°57'38" E, 342.62 feet;

19) S 00°51'27" W, a distance of 1342.16 feet to the Northeasterly corner of Lot 1, Block One of Hockaday Heights Subdivision, recorded in the land records of Douglas County at Reception #139949;

THENCE along the Northerly line of Hockaday Heights Subdivision, also being the South line of the NW $\frac{1}{4}$  of said Section 17, S 87°46'51" W, a distance of 2513.82 feet to the W $\frac{1}{4}$  corner of said Section 17;

THENCE along the Westerly line of Hockaday Heights Subdivision, also being the East line of the SE $\frac{1}{4}$  of said Section 18, S 00°21'26" W, a distance of 2595.77 feet to the POINT OF BEGINNING; CONTAINING 3,140.54 acres of land, more or less.

## APPENDIX C – Dominion Water Right Documentation

### Cherokee Ranch Conservation Easement Deed

14 P  
 DF  
 to  
 no fee

### DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT is made this 10th day of December, 1996, by CHEROKEE RANCH AND CASTLE FOUNDATION, a Colorado non-profit corporation, whose address is P O Box 472, Sedalia, Colorado 80135 ("Grantor"), in favor of THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF DOUGLAS, STATE OF COLORADO, whose legal address is 101 Third Street, Castle Rock, Colorado 80104 ("Grantee").

#### RECITALS:

A. Grantor is the sole owner in fee simple of certain real property in Douglas County, Colorado, more particularly described in Exhibit A attached hereto and incorporated herein by this reference. The property described on Exhibit A, exclusive of (1) any access roads leading up to the building envelopes depicted on Exhibit A, attached hereto and incorporated herein by this reference (the "Building Envelopes"), and (2) the building envelopes, will be referenced to herein as the "Property".

B. The Property possesses land, water and airspace containing natural, scenic, open space, historical, educational, agricultural, horticultural, forest, architectural, archeological, cultural and recreational values (collectively, the "Conservation Values") of great importance to Grantor, the people of Douglas County and the people of the State of Colorado.

C. The specific Conservation Values of the Property are documented in an inventory of relevant features of the Property ("Baseline Documentation") prepared by Grantor and Grantee, which consists of reports, maps, photographs, and other documentation that presents an accurate representation of the Property at the time of this grant and which is intended to serve as an objective information baseline for monitoring compliance with the terms of this grant. Duplicate copies of the Baseline Documentation are now in the possession of both Grantor and Grantee.

D. The State of Colorado, acting through its General Assembly, has declared, as its continuing policy, that (1) "the wildlife and their environment are to be protected, preserved, enhanced, and managed for the use, benefit, and enjoyment of the people of this state and its visitors" (C.R.S. §33-1-101); and (2) the state shall "conserve, protect, and encourage the development and improvement of its agricultural land for the production of food and other agricultural products" (C.R.S. §35-3.5-101).

E. Colorado statute allows and encourages the establishment of conservation easements to maintain land "predominantly in a natural, scenic, or open condition, or for wildlife habitat, or for agricultural, horticultural, recreational, forest, or other use or

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condition consistent with the protection of open land having wholesome environmental quality or life-sustaining ecological diversity" (C.R.S. §38-30.5-102).

F. Grantor intends to create a conservation easement under Article 30.5 of Title 38, C.R.S., and to convey same to Grantee for the exclusive purpose of assuring that the Conservation Values of the Property will be preserved and maintained forever as provided in this Deed.

G. Grantor further intends that the Conservation Values of the Property be preserved and maintained by the continuation of land use patterns, including, without limitation, those relating to farming, ranching and wildlife preservation that exist at the time of this grant, which do not significantly impair or interfere with the Conservation Values.

H. Grantee agrees by accepting this grant to honor the intentions of Grantor stated herein and to preserve and protect in perpetuity the Conservation Values of the Property for the benefit of this generation and the generations to come.

NOW, THEREFORE, in consideration of the above recitals and the mutual covenants, terms, conditions and restrictions contained herein, and pursuant to the laws of the State of Colorado, and in particular C.R.S. §§38-30.5-101, et seq., Grantor hereby voluntarily grants and conveys to Grantee a conservation easement (the "Easement") in perpetuity over the Property of the nature and character and to the extent hereinafter set forth.

1. Purpose. It is the purpose of this Easement to assure that the Property will be retained forever in its natural, scenic, historic, agricultural, forested, and/or open space condition and to prevent any use of the Property that will significantly impair or interfere with the Conservation Values of the Property (the "Purpose"). Further, Grantee understands that Grantor intends to open the Property to the public for supervised tours, educational purposes and museum purposes (including a gift shop, food service and related amenities), and Grantor intends to host educational, recreational or other special events on the Property (collectively, the "Special Uses"). Grantor believes that the Special Uses will allow others to experience the beauty of the Property and its special attributes. Any such uses must comply with applicable statutes and County regulations. Subject to the foregoing, Grantor intends that this Easement will confine the use of the Property to such activities as are consistent with the Purpose of this Easement and the Special Uses.

2. Rights of Grantee. To accomplish the Purpose of this Easement the following rights are conveyed to Grantee by this Easement:

- (a) To preserve and protect the Conservation Values of the Property;
- (b) To enter upon the Property at reasonable times in order to monitor Grantor's compliance with and otherwise enforce the terms of this Easement; provided that such entry shall be upon prior reasonable notice to Grantor, and

Grantee shall not unreasonably interfere with Grantor's use and quiet enjoyment of the Property; and

(c) To prevent any activity on or use of the Property that is inconsistent with the Purpose of this Easement and to require the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

3. Prohibited and Permitted Uses. Except as expressly permitted by this Deed, any activity on or use of the Property inconsistent with the Purpose of this Easement is prohibited. Without limiting the generality of the foregoing, the following activities and uses on the Property are expressly prohibited or permitted as stated below:

(a) Construction of Buildings and Other Structures. Grantor may maintain, repair and restore any existing buildings, roads or other improvements on the Property (including the right to pave and widen access roads, and the right to construct new roads which shall not be wider than two lanes, that provide more practical access, with due regard to the surrounding terrain, wildlife and the natural environment). The construction of any new roads shall be subject to any applicable County regulations. The construction or reconstruction of any new building or other new structure or new improvement, except those existing on the date of this Deed or as set forth in the immediately preceding sentence or as permitted by subparagraph (b) below, is prohibited.

(b) Fences, Irrigation Facilities and Agricultural Improvements. Grantor may maintain, repair, restore or replace existing fences, irrigation facilities and any other agricultural improvements. New fences, irrigation facilities and agricultural improvements may be built for purposes of reasonable and customary farm and ranch uses, such as irrigation, management and shelter of livestock and wildlife, security and separation of uses.

(c) New Structures and Improvements. Other than as stated in subparagraphs (a) and (b) above, new buildings, new structures and new improvements are prohibited.

(d) Subdivision. Any division or subdivision of title to the Property, whether by physical or legal process, is prohibited.

(e) Land Management. The Property shall be managed by the Grantor, and at Grantor's option, continue to be operated and managed as an agricultural unit for ranching, farming and/or wildlife preservation. Grantor will submit an initial land management plan to Grantee on or before November 30, 1997, and each five years thereafter, for Grantee's information and suggestions, but not approval.

(f) Timber Harvesting. Trees may be cut to control insects and disease, for wildfire control, to control invasive non-native species, to prevent personal injury and property damage and for use on the Property or on adjoining lands owned by Grantor. Dead trees may be cut for firewood. Commercial timber harvesting that diminishes the stands of timber on the Property shall be prohibited, but a timber nursery operation for the sole purpose of reforesting the Property is expressly permitted.

(g) Mining. The mining or extraction of soil, sand, gravel, rock, oil, natural gas, fuel, or any other mineral substance is prohibited except, with the prior notice to Grantee, for use upon the Property. Any such mining shall be subject to applicable statutes and Douglas County regulations.

(h) Trash. The dumping or uncontained accumulation of any kind of trash, hazardous materials or refuse on the Property is prohibited.

(i) Special Uses. Subject to compliance with applicable zoning and building regulations, Grantor may use the Property for the Special Uses, and Grantor may make such alterations, renovations, additions and improvements to existing buildings to accommodate and effectuate the Special Uses. Grantor may charge reasonable fees or compensation in connection with the Special Uses.

(j) Water Rights. Grantor shall retain and reserve all water rights that Grantor now owns and which have been customarily used on or with the Property. No water rights are conveyed or transferred by this Deed or subject in any way to the terms of this Deed. Grantor retains all rights relating to the water rights. Grantor agrees to make available sufficient water to provide for the continuation of Grantor's existing agricultural and wildlife management operations on the Property. Grantor may sell or lease the excess water rights at its discretion. The drilling of water wells and extraction of water is expressly permitted; however, the placement of well fields, pumping facilities and pipelines shall be subject to Grantee's prior approval, which will not be unreasonably withheld or delayed.

(k) Commercial or Industrial Activity. No commercial or industrial uses shall be allowed on the Property. Use of the Property for agriculture, horticulture and Special Uses, including but not limited to livestock production, shall not be considered a commercial or industrial activity.

(l) Other Prohibited Uses. The following uses are strictly prohibited on the Property: golf courses, airstrips and landing fields, helicopter pads and commercial feed lots. For purposes of this Deed, "commercial feed lot" is defined as a permanently constructed confined area or facility which is not cropped or grazed annually, and which is used and maintained for purposes of engaging in the business of the reception and feeding of livestock. Nothing in this Section shall prohibit

Grantor from seasonally confining Grantor's own livestock into an area for feeding and nothing in this Section shall prevent Grantor from leasing pasture for the seasonal grazing of livestock owned by others.

4. **Grantor's Reserved Rights.** Grantor reserves to itself, and to its successors and assigns, all rights accruing from its ownership of the Property, including the right to engage in or to permit or invite others to engage in all uses of the Property that are not expressly prohibited or limited herein and are not inconsistent with the Purpose of this Easement. Without limiting the generality of the foregoing, the following rights are expressly reserved: farming, ranching and any other agricultural and horticultural activities; public recreation and education; archeological activities; wildlife preservation, management and sanctuary; the Special Uses; and such other activities as may be approved in advance by Grantee.

5. **Notice of Intention to Undertake Certain Actions.** The purpose of requiring Grantor to notify Grantee prior to undertaking certain activities is to afford Grantee an opportunity to ensure that the activities in question are designed and carried out in a manner consistent with the Purpose of this Easement. Whenever notice to Grantee is required, as specifically set forth herein, Grantor shall notify Grantee in writing not less than forty (40) days prior to the date Grantor intends to undertake the activity in question. The notice shall describe the nature, scope, location, approximate timetable, and other material aspects of the proposed activity in sufficient detail to permit Grantee to make an informed judgment as to its consistency with the Purpose of this Easement.

6. **Grantee's Approval.** Where Grantee's approval is required, Grantee shall grant or withhold its approval in writing within 30 days of receipt of Grantor's written request therefor. Grantee's approval may be withheld only upon a reasonable determination by Grantee that the action as proposed would be inconsistent with the Purpose of this Easement. A failure to respond within 30 days shall be deemed approval. Any disapproval must be accompanied by an explanation setting forth the reasons for the disapproval.

7. **Enforcement.** Grantee shall have the right to prevent and correct or require correction of violations of the terms and Purpose of this Easement. If Grantee finds what it reasonably believes is a violation, Grantee shall immediately notify Grantor in writing of the nature of the alleged violation. Upon receipt of this written notice, Grantor shall either (a) restore the Property to its condition prior to the violation or (b) provide a written explanation to Grantee of the reasons why the alleged violation should be permitted or is not a violation. If the action described in clause (b) above occurs, Grantor and Grantee agree to meet as soon as possible to resolve any differences. If a resolution of such differences cannot be achieved at the meeting, Grantee may obtain specific performance and/or an injunction and/or compensatory damages. Grantee may not recover exemplary, punitive, consequential or indirect damages upon Grantor's default hereunder. Grantor may pursue any remedy available to it at law or equity. In the event of any dispute involving

legal action, the prevailing party will be entitled to recover all costs and attorneys' and legal assistants' fees from the non-prevailing party. If a court with jurisdiction determines that a violation is imminent, exists, or has occurred, Grantee may seek an injunction to stop it, temporarily or permanently. A court may also issue an injunction to require Grantor to restore the Property to its condition prior to the violation.

8. **Costs of Enforcement.** Any costs incurred by either party relating to enforcing the terms of this Easement, including, without limitation, costs of suit and attorneys' fees, shall be borne by the non-prevailing party, and any costs of restoration necessitated by Grantor's violation of the terms of this Easement shall be borne by Grantor.

9. **Discretion.** Enforcement of the terms of this Easement shall be at the discretion of Grantee and Grantor, respectively, and any forbearance by either party to exercise its rights under this Easement in the event of any breach of any term of this Easement by the other party shall not be deemed or construed to be a waiver by such party of such terms or of any subsequent breach of the same or any other term of this Easement or of any of such party's rights under this Easement. No delay or omission by either party in the exercise of any right or remedy upon any breach by the other party shall impair such right or remedy or be construed as a waiver.

10. **Acts Beyond Grantor's Control.** Nothing contained in this Deed shall be construed to entitle Grantee to bring any action against Grantor for any injury to or change in the Property resulting from causes beyond Grantor's control, including, without limitation, fire, flood, storm, and earth movement, or from any prudent action taken by Grantor under emergency conditions to prevent, abate, or mitigate significant injury to the Property resulting from such causes.

11. **Access and Building Envelopes.** No right of access by the general public to any portion of the Property is conveyed by this Easement. Nothing herein shall be interpreted to prohibit, impede or detract from Grantor's absolute right of access over and across the Property for roads, trails and utilities to and from the Building Envelopes, which Building Envelopes and the existing access roads leading up to such Building Envelopes are not part of the Property and are not subject to the Easement. Prior to July 1, 1997, Grantor, at Grantor's expense, will obtain the survey referred to in Exhibit A. The total acreage of the Building Envelopes shall not exceed 75 acres.

12. **Grantor's Obligations.** Grantor shall retain all responsibilities and shall bear all costs and liabilities of any kind related to the ownership, operation, upkeep, and maintenance of the Property, including the timely payment of all taxes and assessments and the maintenance of comprehensive general liability insurance coverage in reasonable amounts. Grantor shall keep the Property free of any mechanics' or materialmen's liens arising out of any work performed for, or materials furnished to, Grantor. Grantor shall maintain the Property and the improvements thereon in good condition, consistent with the

Purpose of this Easement, ordinary wear and tear and damage by fire, casualty and the natural elements excepted. Specifically, Grantor shall make reasonable efforts to control the spread of noxious weeds and other undesirable plants on the Property.

13. **Consideration.** In consideration of Grantor's grant of the Easement to Grantee, Grantee agrees to pay Grantor the sum of \$2,000,000, of which \$200,000 has been paid to Grantor on the date hereof, the receipt whereof is hereby acknowledged. The balance shall be paid in nine equal annual cash installments of \$200,000 each, without interest, the first such installment to be due December 1, 1997, and like installments to be due on the same day of each year thereafter until the entire sum has been paid. In the event that any installment due hereunder is not paid to Grantor when due, Grantor shall notify Grantee in writing that such installment is delinquent, and Grantee shall have 30 days following Grantee's receipt of such notice within which to pay such installment. If Grantee fails to pay such installment within 30 days after such notice, Grantor may, at its sole option, elect to revoke and terminate this agreement and this Easement, whereupon all of Grantee's rights, title and interest in and to the Property and the Easement shall immediately terminate. If such termination occurs, Grantee shall, without delay, relinquish its rights by assignment thereof pursuant to Paragraph 14 below or by conveyance thereof to Grantor, as Grantor shall direct in its absolute discretion. Within 30 days of the date of the execution of this Easement by both parties hereto, Grantor, Grantee, and a title insurance company acceptable to Grantor and Grantee shall enter into an escrow agreement providing that the title company shall hold a quitclaim deed executed by Grantee and conveying all of its right, title, and interest to the Property to the Grantor. The deed will be held by the title company pursuant to escrow instructions that would provide that the deed will be delivered to Grantor in the event Grantee fails to quit claim or otherwise timely relinquish its rights in the Property upon Grantee's failure to pay any of the installments described above. The escrow agreement would also provide that the quit claim deed would be delivered to the Grantee upon payment in full of all the installments described above. No provision of this Easement shall be construed or interpreted as creating indebtedness or a multiple-fiscal year, direct or indirect debt or other financial obligation whatsoever of Douglas County within the meaning of any constitutional or statutory debt limitation, including without limitation, Article XI, Sections 1, 2 and 6, and Article X, Section 20, of the Colorado Constitution. This Deed shall not directly or indirectly obligate the Grantee to make any payments beyond the funds budgeted, appropriated, and legally available to it for its then current fiscal year. No provision of this Deed shall be construed to pledge or create a lien on any class or source of monies of Douglas County, nor shall any provision of this Deed restrict or limit the discretion of the Grantee in the budgeting and appropriation of its funds.

14. **Assignment.** This Easement is transferable, but Grantee may assign its rights and obligations under this Easement only to an organization that is (a) authorized to acquire and hold conservation easements under Colorado law, and (b) approved as a transferee by the Grantor. As a condition of such transfer, Grantee shall require that the conservation Purpose that this grant is intended to advance continue to be carried out.

15. Subsequent Transfers. Grantor agrees to reference this Easement in any deed or other legal instrument by which it divests itself of any interest in the Property, including, without limitation, a leasehold interest. Grantor further agrees to give written notice to Grantee of the transfer of any interest at least 20 days prior to the date of such transfer. The failure of Grantor to perform any act required by this Paragraph shall not impair the validity of this Easement or limit its enforceability in any way or the validity of Grantor's conveyance.

16. Notices. Any act notice, demand, request, consent, approval, or communication that either party desires or is required to give to the other shall be in writing and either served personally or sent by certified or registered mail, return receipt requested, postage prepaid, addressed as follows:

To Grantor: Cherokee Ranch and Castle Foundation  
P O Box 472  
Sedalia, Colorado 80135

with a copy to: Ms. Tweet Kimball  
Cherokee Ranch, Inc.  
P O Box 207  
Sedalia, Colorado 80135

and to: Sherman & Howard LLC  
633 Seventeenth Street  
Suite 3000  
Denver, Colorado 80202  
Attn: Douglas M. Cain, Esq.

To Grantee: The Board of County Commissioners of Douglas  
County, Colorado  
101 Third Street  
Castle Rock, Colorado 80104

with a copy to: Douglas County Attorney  
101 Third Street  
Castle Rock, Colorado 80104

or to such other address as either party from time to time shall designate by written notice to the other. Delivery shall be presumed to occur no more than two days after the date of mailing.

17. Recordation. Grantee shall record this instrument in a timely fashion in the real estate records in the office of the Clerk and Recorder of Douglas County, Colorado.

18. General Provisions:

(a) Controlling Law. The interpretation and performance of this Easement shall be governed by the laws of the State of Colorado.

(b) Liberal Construction. Any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the purpose of this Easement and the policy and purposes of C.R.S. §§38-30.5-101, et seq. If any provision in this instrument is found to be ambiguous, an interpretation consistent with the purpose of this Easement that would render the provision valid shall be favored over any interpretation that would render it invalid.

(c) Severability. If any provision of this Easement, or the application thereof to any person or circumstance, is found to be invalid, the remainder of the provisions of this Easement, or the application of such provision to persons or circumstances other than those as to which it is found to be invalid, as the case may be, shall not be affected thereby.

(d) Entire Agreement. This instrument sets forth the entire agreement of the parties with respect to the Easement and supersedes all prior discussions, negotiations, understandings, or agreements relating to the Easement, all of which are merged herein.

(e) No Forfeiture. Nothing contained herein will result in a forfeiture or reversion of Grantor's title in any respect.

(f) Successors. The covenants, terms, conditions, and restrictions of this Easement shall be binding upon, and shall inure to the benefit of, the parties hereto and their respective successors and assigns and shall continue as a servitude running with the Property so long as Grantee timely performs its obligations set forth in Paragraph 13 above, and this Easement is expressly subject to Grantor's termination rights set forth in Paragraph 13 above.

(g) Termination of Rights and Obligations. A party's rights and obligations under this Easement terminate upon transfer of the party's interest in the Easement or Property, except that liability for acts or omissions occurring prior to transfer shall survive transfer.

(h) Captions. The captions in this instrument have been inserted solely for convenience of reference and are not a part of this instrument and shall have no effect upon construction or interpretation.

(i) Amendment. If the circumstances arise under which an amendment to or modification of this instrument would be appropriate, Grantor and Grantee are free jointly to amend this instrument; provided that no amendment shall be allowed that will affect the qualification of this instrument under any applicable laws. Any amendment must be consistent with the conservation purpose of this instrument and may not affect its perpetual duration, subject to Paragraph 13 above. Any amendment must be in writing, signed by both parties and recorded in the real estate records in the office of the Clerk and Recorder of Douglas County, Colorado.

TO HAVE AND TO HOLD unto Grantee, its successors, and assigns forever, subject to the provisions of Paragraph 13 above.

IN WITNESS WHEREOF, Grantor and Grantee have executed this Deed of Conservation Easement as of the day and year first above written.

ATTEST:

CHEROKEE RANCH AND CASTLE  
FOUNDATION, a Colorado nonprofit  
corporation

ATTEST:

THE BOARD OF COUNTY  
COMMISSIONERS OF THE COUNTY OF  
DOUGLAS, STATE OF COLORADO

By Ward W. Kirby, Jr.  
County Clerk and Recorder

By Charles Fullerton Chairman

A:CHEROKEE:CON 12/10/96

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SKLD, Inc. NA SKL13812 DS 9669947-1996.010

STATE OF COLORADO )  
 ) ss.  
COUNTY OF DOUGLAS )

The foregoing instrument was acknowledged before me this 11<sup>th</sup> day of December, 1996, by Tweet Kimball as President of Cherokee Ranch and Castle Foundation, a Colorado non-profit corporation.

Witness my hand and official seal.

My commission expires: 2-5-91

Cynthia A. Percy  
Notary Public

STATE OF COLORADO )  
COUNTY OF DOUGLAS ) ss.

The foregoing instrument was acknowledged before me this 10th day of December, 1996, by James R. Sullivan as Chairman of The Board of County Commissioners of the County of Douglas, State of Colorado.

Witness my hand and official seal.

My commission expires: April 1, 1998.

Patrick D Fidler  
Notary Public  
101 Third Street  
Castle Rock, Colorado 80104

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EXHIBIT A  
TO  
DEED OF CONSERVATION EASEMENT

Legal Description of the Property:

**PARCEL A:**

ALL OF SECTION 7 EXCEPT THE SOUTH 1/2 SOUTH 1/2, ALL OF SECTION 8 LYING WEST OF DANIELS PARK ROAD EXCEPT THAT PORTION DESCRIBED IN BOOK 1073 AT PAGE 260 AND ALL OF THE NORTHWEST 1/4 OF SECTION 17 LYING WEST OF DANIELS PARK ROAD ALL THAT PORTION OF THE SOUTH 1/2 OF SECTION 5 DESCRIBED IN BOOK 541 AT PAGE 29 ALL IN TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO

ALL OF SECTION 12 AND THE NORTH 1/2 OF SECTION 13 AND ALL OF THE SOUTHWEST 1/4 OF SECTION 13 LYING NORTH OF STATE HIGHWAY 85, THAT PORTION OF SECTION 14 DESCRIBED AS FOLLOWS: BEGINNING AT A POINT WHENCE THE NORTHEAST CORNER OF SECTION 14, TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN BEARS NORTH 1320 FEET, THENCE WEST 1980 FEET, THENCE SOUTH 1777 FEET THENCE SOUTH 67 DEGREES 40 MINUTES EAST 2100 FEET THENCE NORTH 1320 FEET THENCE EAST 33 FEET THENCE NORTH 1258 FEET TO PLACE OF BEGINNING. EXCEPTING THEREFROM ANY PORTION WITHIN STATE HIGHWAY 85 RIGHT OF WAY AND EXCEPT ANY PORTION CONVEYED IN DEED RECORDED OCTOBER 25, 1978 IN BOOK 345 AT PAGE 135 AND CORRECTED IN DEED RECORDED APRIL 23, 1979 IN BOOK 358 AT PAGE 833 ALL IN TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.

**PARCEL B:**

ALL OF SECTION 18, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN

ALL OF THE SOUTHEAST 1/4 OF SECTION 13 LYING NORTH OF STATE HIGHWAY 85 IN TOWNSHIP 7 SOUTH, RANGE 68 WEST OF THE 6TH PRINCIPAL MERIDIAN. THE SOUTH 1/2 SOUTH 1/2 OF SECTION 7, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN  
ALL THAT PORTION OF SECTION 19, TOWNSHIP 7 SOUTH, RANGE 67 WEST OF THE 6TH PRINCIPAL MERIDIAN LYING NORTH OF HIGHWAY 85, ALL IN THE COUNTY OF DOUGLAS, STATE OF COLORADO.

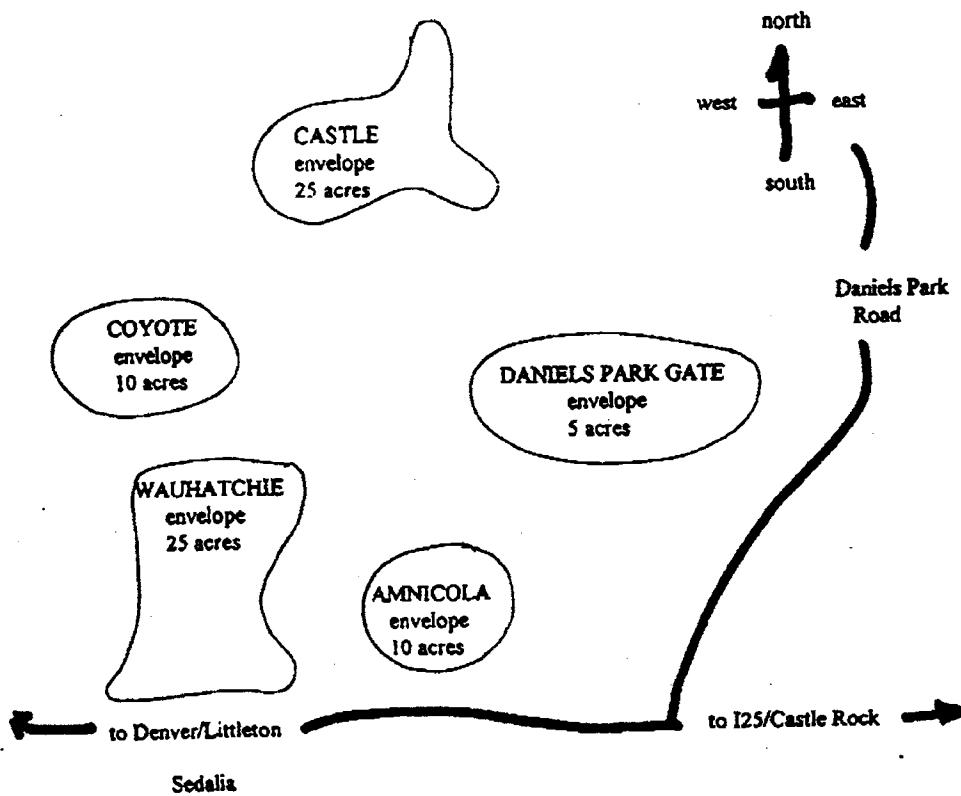
EXCEPTING THEREFROM THE FOLLOWING BUILDING ENVELOPES:  
AMNICOLA HEADQUARTERS, MAWHATCHIE, COYOTE, CASTLE AND DANIELS PARK GATE,  
AS ILLUSTRATED ON PAGE 2 AND MORE PARTICULARLY DESCRIBED ON PAGE 3  
OF THIS EXHIBIT A, TO BE DESCRIBED LEGALLY BY SURVEY WHICH WILL BE MADE  
A PART HEREOF BY AMENDMENT AT A LATER DATE.

Page 1 of 3

9669947 - 12/12/96 13:39 - RETA A CRAIN DOUGLAS CO. COLO. CLERK & RECORDER  
B1394 - P0049 - \$0.00 - 12/ 14

Cherokee Ranch & Castle Foundation

Building Envelopes Exempt from Douglas County Conservation Easement  
October 29, 1996



9669947 - 12/12/96 13:39 - RETA A CRAIN DOUGLAS CO. COLO. CLERK & RECORDER  
B1394 - P0050 - \$0.00 - 13/ 14

Page 2 of 3

**Exhibit A, continued**

Location	Buildings	Approximate Acreage
<b>AMNICOLA Envelope</b>		
<b>HEADQUARTERS</b>	barns, animal shelters, maintenance and storage buildings	10 acres
<b>WAUHATCHIE Envelope</b>	Includes homestead house with outhouses and barn. Additionally, this site is the target for the Santa Fe Gate, the public entrance with gates, a gate house, parking and a reception building for the public and meeting rooms	25 acres
<b>COYOTE Envelope</b>	Site for a future conference center, probably on the west side of the road from Santa Fe to the Castle	10 acres
<b>CASTLE Envelope</b>	Includes Kimball Castle and related buildings, the Picnic house with tennis court, the Memorial Garden (where Mrs. Kimball is to be buried) Chickamanga homestead house with barn and related buildings, and the land connecting all these buildings	25 acres
<b>DANIELS PARK GATE Envelope</b>	Includes the current gate and animal shelters plus future gate house	5 acre

Total building envelope with current and planned buildings equal 75 acres

9669947 - 12/12/96 13:39 - RETA A CRAIN DOUGLAS CO. COLO. CLERK & RECORDER  
 B1394 - P0051 - \$0.00 - 14/ 14

Page 3 of 3

ATTACHMENT B

WHOLESALE WATER AND WASTEWATER CUMULATIVE SERVICE COMMITMENT LETTER



August 5, 2024

Douglas County Planning Services  
100 Third Street  
Castle Rock, CO 80104

Re: Wholesale Water and Wastewater Cumulative Service Commitment

To Whom It May Concern:

Pursuant to the Amended and Reinstated 2021 Sterling Ranch Water Appeal, Dominion Water & Sanitation District (“Dominion”) acknowledges its intent and ability to provide wholesale water and wastewater services to Filing 7B (“7B”). The proposed 7B development totals approximately 43.39 acres within Preliminary Plan No. 7 (“PP7”) of the Sterling Ranch Planned Development (the “Property”), located within the Dominion service area boundary.

**Commitment to Serve:**

Dominion is committed to providing wholesale service to the Property based upon the water supply sources, upon payment of the requisite fees and charges and compliance with Dominion’s rules, regulations and resolutions, as now or hereinafter promulgated.

**Water Demand:**

The site plan for Sterling Ranch 7B is projected to need 43.5 AF/yr of water based on the revised and County approved 2021 Community Authority Board (CAB) water demand standards<sup>1</sup>. Dominion has evaluated its existing water supply portfolio, with a total reliable yield of 2,457AF/yr, has the available supply to meet the updated 7B demands. Further details regarding the 2021 CAB demand standards for 7B can be found in the Will Serve Letter provided by the Sterling Ranch Community Authority Board (CAB).

**Water Supply:**

Dominion’s water supply portfolio, as previously reviewed and approved by Douglas County associated with the Preliminary Plat Filing 7 Project File SB2021-057 for Sterling Ranch LLC. (date of approval was October 11, 2022) remains the same. No new water supply review is needed for 7B.

**Water Quality:**

The District’s contracted operators are in compliance with the Colorado Department of Public Health and Environment testing and quality requirements.

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<sup>1</sup> CAB approved Resolution No. 2021-10-02 adopting amended and restated water demand standards on October 20, 2021

### **Sanitary Sewer Service:**

Dominion acquired the Roxborough Wastewater Treatment Plant which has been renamed the Chatfield Basin Water Reclamation Facility (CBWRF) from Roxborough Water and Sanitation District (RWSD) including approximately 1,200 pounds of phosphorous allocation for discharges into the South Platte River and the discharge permit (CO 0041645). To serve our retail customer(s) as cost-effectively as possible wastewater is currently conveyed through the Roxborough lift station and force main located on the CBWRF site to the South Platte Renew (SPR) Facility for treatment and discharge to the South Platte River. Until such time as Dominion determines it is in the best interests of its rate payers or is contractually obligated to do so, Dominion will continue to use the RWSD and Littleton systems for wastewater conveyance and treatment. At any time, Dominion may choose to activate its discharge permit at the CBWRF. At that time a renewal permit and/or certification will be issued allowing Dominion to discharge to the South Platte River. The decision to activate the permitting process, financing, and construction is dependent on the growth rate within Dominion's service area as is standard per CDPHE guidelines. Dominion intends to construct a state-of-the-art wastewater treatment facility at the existing CBWRF location and discharge to the South Platte River using Dominion's discharge permit and phosphorus credits, to meet Dominion's Retail Customer(s) needs, to include the full build-out of Sterling Ranch CAB.

### **Feasibility of Service:**

Dominion acknowledges the feasibility of developing and funding the infrastructure necessary to provide the requisite capacity to serve development within its service area. It is physically and economically feasible for Dominion to extend service to the proposed development under Dominion's approved service plan for projected demands under the 2021 water demand standards.

## **Dominion Water & Sanitation District**

DocuSigned by:



24537AB811BD46E...

By: Andrea R. Cole  
General Manager

cc: DWSD Board of Directors

ATTACHMENT C

APPLICATION FOR WATER/WASTEWATER SERVICE FOR STERLING RANCH CAB



APPLICATION - WATER/WASTEWATER SERVICE FOR STERLING RANCH CAB

**TABLE 1. APPLICANT INFORMATION (OWNER OR AUTHORIZED AGENT MUST COMPLETE)**

PROJECT NAME: Sterling Ranch Minor Development for Multi-Family Development and Superblock within Filing No. 7B		
APPLICANT NAME: Sterling Ranch Development Company	APPLICATION DATE: 7-19-2024	
PHONE: 303-736-2800	EMAIL: susanb@sterlingranchcolorado.com	
REQUEST: <input checked="" type="checkbox"/> Potable Water <input type="checkbox"/> Non-Potable Water for Irrigation <input type="checkbox"/> Wastewater		

**TABLE 2. PROJECT INFORMATION FOR DOUGLAS COUNTY LAND USE APPLICATION SUBMITTALS**

FILING NO.: 7B
PROJECT NO.: To be determined
TITLE:
PURPOSE: Single-Family Detached, Single-Family Attached, (1) Multi Family Superblock Lot, (1) Commercial Superblock Lot

Dominion will compute the estimated water demand for each Application. Applicant is responsible for providing descriptions of any unique water demand features in the subject Application. Areas that can be served by non-potable water must be specified in Table 4 and must be clearly specified on the land use plan attached with this application.

**TABLE 3. LAND USE CHARACTERISTICS (INCLUDE ALL WATER SERVICE REQUESTED)**

LAND USE CATEGORY	SUBJECT APPLICATION <sup>(1)</sup>	NOTES
RESIDENTIAL <sup>(2)</sup> (#)	Single Family Detached - Large	0
	Single Family Detached - Small	75
	Single Family Attached	72
	Multi-Family	0
	Indoor-Only	0
	Superblock <sup>(3)</sup>	2
		1 for Future Multi-Family and Commercial, 1 for Future Commercial and Multi Family
SCHOOLS (# students)	Elementary	0
	Middle	0
	High	0
NON-RESIDENTIAL (sq-ft developed building space)	Commercial/Hospitality	0
	Commercial/Retail	0
	Office	0
	Industrial	0
	Other	0
	Pools	0
NON-RESIDENTIAL IRRIGATION (irrigated acres)	Splash Pads	0
	Parks, Medians, Open Space, and Schools	4.62

Table 3 Notes:

(1) To be completed by developer's representative or CAB.

(2) "Detached" means not attached to any other dwelling units, however may have a detached or attached garage. "Attached" means shares at least one wall with another unit (e.g., duplex, row-house, townhome). "Multi-family" means multiple separate housing units within one building or several buildings within one complex (e.g., apartments).

(3) Superblock lots are not proposed for development at this time. Each superblock lot is assigned an amount of water that is equivalent to one Single Family Detached - Large residential unit for the purpose of water demand and supply until superblock lots are proposed for development. The appropriate water demand and supply will be evaluated and fully committed at the time the development of the superblock is proposed.

**TABLE 4. NON-POTABLE WATER SUPPLY POTENTIAL (IRRIGATED AREAS SHOULD BE A SUBSET OF AREAS LISTED IN TABLE 3)**

LAND USE CATEGORY	TOTAL	NOTES
NON-POTABLE IRRIGATION (irrigated acres)	Single Family Attached	
	Multi-Family	
	Non-Residential (Parks, Medians, Open Space, and Schools)	

Plan showing the land use characteristics for the subject application is attached.

By signing this Application, the applicant agrees to abide by the Intergovernmental Agreement between Dominion and Sterling Ranch, in particular the provisions governing the terms, conditions, fees and charges relating to water service which include the water demand management provisions described under the Amended and Restated Sterling Ranch Water Appeal.

APPLICANT'S  
SIGNATURE:

DOMINION  
APPROVAL:

DocuSigned by:

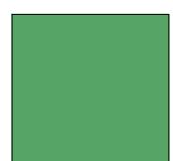
24537AB811BD46E...

DATE  
APPROVED:

Please notify Andrea Cole if any of the above conditions change.  
 Return to: Dominion Water and Sanitation District, Email: andrea.cole@dominionwsd.com

# STERLING RANCH FILING NO.7B NON-RESIDENTIAL IRRIGATION EXHIBIT

## IRRIGATED AREA LEGEND

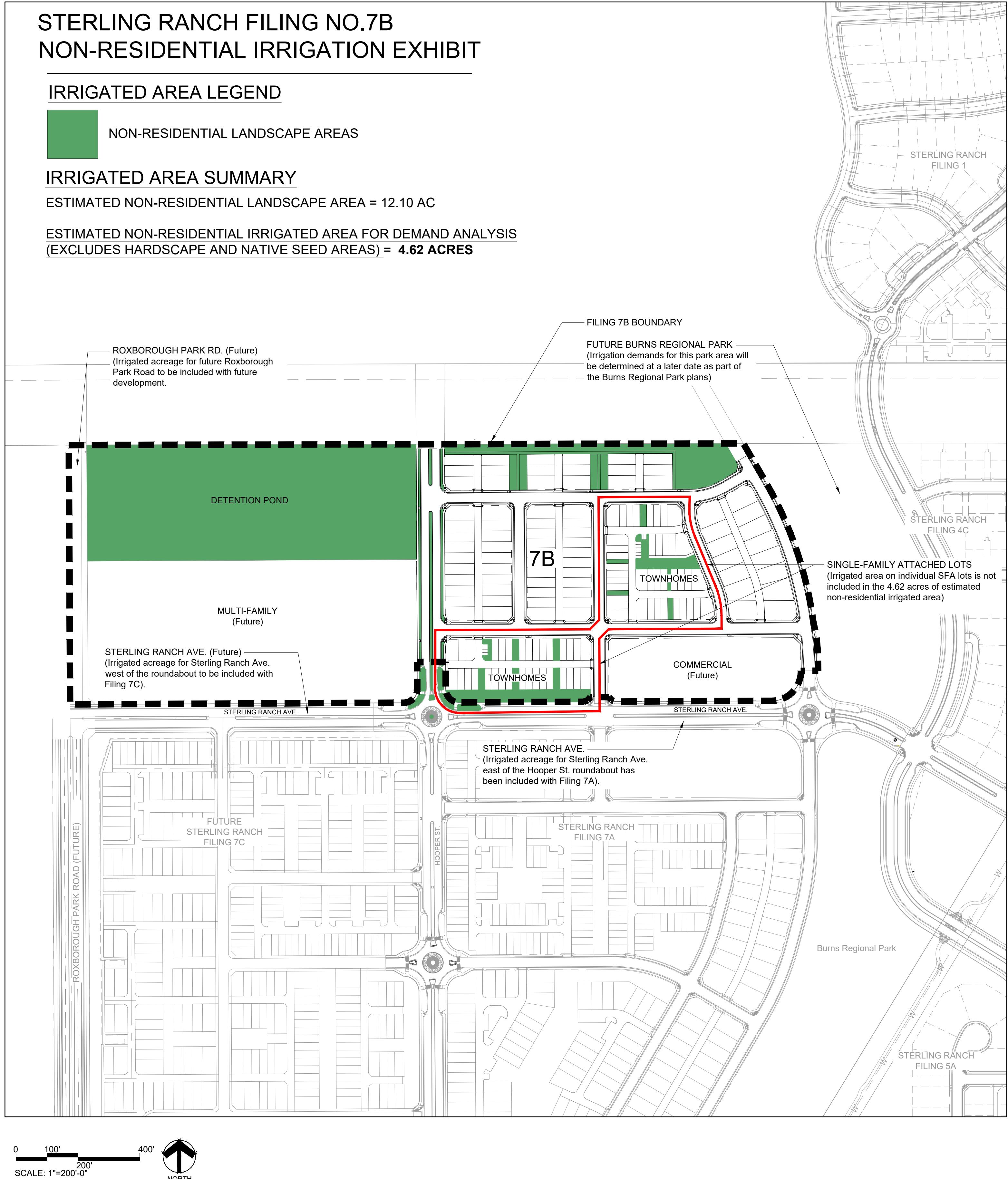


NON-RESIDENTIAL LANDSCAPE AREAS

## IRRIGATED AREA SUMMARY

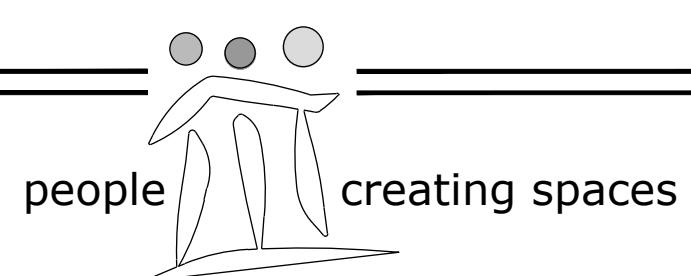
ESTIMATED NON-RESIDENTIAL LANDSCAPE AREA = 12.10 AC

ESTIMATED NON-RESIDENTIAL IRRIGATED AREA FOR DEMAND ANALYSIS  
(EXCLUDES HARDCAPE AND NATIVE SEED AREAS) = **4.62 ACRES**



**LEGENDS VILLAGE (Filing No. 7B) 7-19-2024**

STERLING RANCH  
DOUGLAS COUNTY, COLORADO



**pcs group inc.** [www.pcsgroupco.com](http://www.pcsgroupco.com)  
#3, B-180 Independence plaza  
1001 16th street . denver co 80265  
t 303.531.4905

## MEMORANDUM

**To:** Douglas County, Development Review  
**From:** Cassie Slade, PE, PTOE  
**Date:** August 22, 2024  
**Project:** Sterling Ranch Filing No. 7B  
**Subject:** Traffic Analysis

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The Fox Tuttle Transportation Group has prepared this traffic impact analysis for the proposed second phase of the Sterling Ranch Preliminary Plan 7 (PP7) development project in Douglas County. Filing 7B is the east portion of Preliminary Plan 7, located west of the future Burns Park, north of Sterling Ranch Avenue, and east of the future Hooper Street. A vicinity map and site plan is shown on **Figure 1**, as well as the proposed access. The County has requested a supplemental traffic analysis for each filing to understand the internal traffic operations and monitor the traffic on Waterton Road, Moore Road, and Avenue roadways. This memorandum addresses the traffic analysis associated within Filing 7B.

### Dwelling Units and Trips

The latest site plan includes 75 single-family detached homes and 72 townhomes, this is a total of 147 dwelling units. It should be noted that the latest property boundary for Filing 7B is different than the previously proposed boundary for Phase 7B in the Preliminary Plan 7 Traffic Impact Analysis (August 2022). The new boundary is located within the previous Filing 7A property that is in the northwest corner of Sterling Ranch Avenue and Ordway Drive. Phase 7B in the Preliminary Plan 7 Traffic Impact Analysis was previously located in the southeast quadrant of Roxborough Park Road and future Sterling Ranch Avenue, which is now referred to as Filing 7C (future submittal). The differences in boundaries are shown on **Figure 2**.

August 22, 2024

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Applying the new Filing 7B boundary, the Preliminary Plan 7 traffic study includes 97 single-family homes and 43 townhomes (a total of 140 dwelling units). The current Filing 7B project has seven (7) more homes than the Preliminary Plan for the same property.

It was estimated that Filing 7B will generate 1,164 weekday daily trips, 83 AM peak hour trips, and 106 PM peak hour trips at buildout (refer to **Table 1**, attached). It should be noted that the number of external trips is anticipated to be reduced when the commercial and civic amenities are constructed within Sterling Ranch, especially in Preliminary Plan 7, as evaluated in the full traffic study (3% internal capture in AM peak hour and 11% in the PM peak hour). The updated estimated trip generation for Filing 7B is similar to the trip estimate in Preliminary Plan 7 for the comparable boundary. It was calculated that there will be approximately one (1) more daily trip, two (2) fewer trips in the AM peak hour, and four (4) fewer trips in the PM peak hour.

Within the context of the entire PP7 development, the Filing 7B trips represent 6% of the total estimated new trip volume. Refer to the *Preliminary Plan 7 Traffic Impact Analysis* for full buildout conditions with the proposed roadway network and intersection volumes.

It should be noted that the second phase in the *Preliminary Plan 7 Traffic Impact Analysis* included 232 single-family detached homes, and it was estimated that there were 1,850 daily trips with 150 vph in the AM peak hour and 184 vph in the PM peak hour. The current plan for the second phase of Preliminary Plan 7 has a reduced property, number of units, and vehicle trips.

## **Proposed Roadway Network**

Filing 7B will have extend two (2) primary roadways that will provide access from the existing and future Sterling Ranch streets to the new neighborhood: (1) Ordway Drive and (2) Hooper Street. With the completion of Filing 5C North Lot 1, Ordway Drive will be extended west of Middle Fork Street to the property boundary. Filing 7A plans to extend Ordway Drive from the Filing 5C dead end to the north to intersect with Sterling Ranch Avenue. Filing 7B will extend Ordway Drive north of Sterling Ranch Avenue to the northern boundary of Preliminary Plan 7. Ordway Drive is classified as "Street" and will include one lane per direction, on-street parking, and sidewalks.

Hooper Avenue will be extended north as well from Sterling Ranch Avenue to the northern boundary of Preliminary Plan 7. Filing 7A plans to construct Hooper Avenue from Sterling Ranch Avenue south to the end of the filing boundary. Hooper Avenue is classified as "Avenue" and will include one lane per direction with a center median, bike lanes, on-street parking, and sidewalks.

Sterling Ranch Avenue is planned to be constructed with Filing 7A, extending west from the current end point to the future Hooper Avenue (previously referred to as Avenue B), which is

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approximately 1,730 feet (1/3 mile). Sterling Ranch Avenue will include one lane per direction with a center median, bike lanes, on-street parking, and sidewalks.

Sterling Ranch Avenue and Hooper Avenue will not connect to Roxborough Park Road at this time but will be connected with a future filing.

Refer to **Figure 3** for the anticipated daily roadway volume compared to the capacity as set forth by the *Sterling Ranch Roadway Design Standards*. It was determined that the existing and proposed roadway network can accommodate the trips of Filing 7B.

## Roadway Volume Monitoring

### ***Waterton Road and Moore Road***

Waterton Road will service a portion of Filing 7B site traffic. The *Preliminary Plan 7 Traffic Impact Study* evaluated the capacity of study area intersections to support the buildup of Preliminary Plan 7 with the full extension of Waterton Road. The study also provided the details on volumes and operations for each anticipated phase.

Waterton Road was opened for travel in October 2022 and some traffic on Titan Road has shifted to the new arterial roadway to connect to communities throughout the Chatfield Basin. Daily count data was collected (March 2023) on Moore Road south of Titan Road and on Waterton Road west of the Southern Connector. When the counts were taken, several filings were completely or partially occupied and generating traffic, therefore, the counts include some Sterling Ranch traffic that has redirected from Titan Road. It should be noted that the previous predictions for volumes on Waterton Road and Moore Road were conservative and the recent count data indicated that there is half of the total roadway volume assumed to travel on the alternate route by March 2023.

The following complete percentages were provided by Sterling Ranch and is based on actual home occupancy for each filing:

- Filing 1 – 100% complete
- Filing 2 – 100% complete
- Preliminary Plan 4 – 100% complete
- Filing 3A – 100% complete
- Filing 3B – 53% complete
- Filing 3 Superblock – 100% complete
- Filing 5A – 53% complete
- Filing 5B – 30% complete
- Filing 5C Lot 325 – 0% complete
- Filing 6A – 27% complete
- Filing 6B – 26% complete
- Filing 6C – 22% complete

**Sterling Ranch Filing No. 7B**  
**Traffic Analysis Study**

August 22, 2024

Volumes for the Sterling Ranch filings that are not complete were estimated based on the assumptions presented in the *Preliminary Plan 7 Traffic Impact Study* and previous traffic studies. **Table 2** provides the anticipated completion of homes and associated daily traffic volumes on Waterton Road and Moore Road prior to March 2025. Filing 7B will not be completed before March 2025, but the table provides the information on the total daily trips anticipated to travel along each segment of the arterials.

**Table 2 – Estimated Daily Volume on Waterton Road and Moore Road (March 2025)**

	Percent Completion by March 2025	Waterton Rd s/o Southern Connector	Waterton Rd w/o Middle Fork St	Moore Rd s/o Titan Rd
Existing		6,200	6,200	5,250
Preliminary Plan 4*	100%	115	55	110
Filing 3A*	100%	1,310	1,310	955
Filing 3B*	53%	865	865	630
Filing 3A Multi-Family*	100%	1,365	1,365	995
Filing 5A*	53%	465	195	345
Filing 5B	30%	180	75	135
Filing 5 Superblock	0%	0	0	0
Filing 6A	27%	390	130	310
Filing 6B (SFD & SFA)	26%	115	75	170
Filing 6B (Townhomes)	26%	70	45	110
Filing 6C (Duplex)	22%	145	90	220
Filing 7A	0%	0	0	0
<b>Total <u>before</u> Filing 7B</b>		<b>11,220</b>	<b>10,405</b>	<b>9,230</b>
Filing 7B		580	315	405
<b>Total <u>with</u> Filing 7A</b>		<b>11,800</b>	<b>10,720</b>	<b>9,635</b>

\* Existing traffic counts include a portion of the traffic related to this filing or preliminary plan. Added traffic is only for the portion of the area that has not been completed and will be completed by March 2025.

Table 2 indicates that the anticipated traffic volumes on the two-lane segments of Moore Road and Waterton Road will be below the roadway capacity of Douglas County of 12,000 vpd to widen to four lanes. Waterton Road south of the Southern Connector is already four lanes wide and well below the County's capacity threshold of 40,000 vpd.

### ***Avenues and Ordway Drive***

Three Avenues will serve as primary routes for Filing 7B traffic into Sterling Ranch and to external roadways, including Sterling Ranch Avenue, Middle Fork Street, and Taylor River Street. Additionally, Ordway Drive will also provide connections to Sterling Ranch Avenue and Middle Fork Street.

As previously discussed, the volumes for the Sterling Ranch filings that are not complete were estimated based on the assumptions presented in the *Preliminary Plan 7 Traffic Impact Study* and previous traffic studies and listed on the previous page. Table 3 provides the anticipated completion and associated daily traffic volumes on specific roadways by Fall/Winter 2025.

***Table 3 – Estimated Daily Volume on Avenues and Ordway Drive (Fall 2025)***

	Percent Completion by March 2025	Sterling Ranch Avenue		Middle Fork Street		Taylor River St. South of Titan Rd.	Ordway Dr.	
		East of Middle Fork St.	West of Waterton Rd.	North of Waterton Rd.	North of Sterling Ranch Ave.		West of Middle Fork St.	South of Sterling Ranch Ave.
Existing		0	0	0	0	3,100	0	0
Preliminary Plan 4*	100%	1,000	825	360	1,750	45	0	0
Preliminary Plan 3*	100%	0	0	0	0	0	0	0
Filing 5A*	53%	0	0	775	775	100	0	0
Filing 5B	30%	0	0	210	210	40	190	0
Filing 5 Superblock	50%	0	0	625	625	120	390	0
Preliminary Plan 6	22-27%	0	40	65	65	65	0	0
Filing 7A	25%	125	60	570	630	230	140	140
<b><i>Total before Filing 7B</i></b>		<b><i>1,125</i></b>	<b><i>925</i></b>	<b><i>2,605</i></b>	<b><i>4,055</i></b>	<b><i>3,700</i></b>	<b><i>720</i></b>	<b><i>140</i></b>
Filing 7B	25%	60	15	165	70	70	45	45
<b><i>Total with Filing 7B</i></b>		<b><i>1,185</i></b>	<b><i>940</i></b>	<b><i>2,770</i></b>	<b><i>4,125</i></b>	<b><i>3,770</i></b>	<b><i>765</i></b>	<b><i>185</i></b>
<b><i>Roadway Capacity per RDS</i></b>		<b><i>7,500</i></b>	<b><i>7,500</i></b>	<b><i>7,500</i></b>	<b><i>7,500</i></b>	<b><i>7,500</i></b>	<b><i>2,500</i></b>	<b><i>2,500</i></b>

\* Existing traffic counts include a portion of the traffic related to this filing or preliminary plan. Added traffic is only for the portion of the area that has not been completed and will be completed by March 2025.

## Access and Internal Circulation

The internal roads in this proposed plan for Filing 7B will be constructed using the complete street standards found in the *Sterling Ranch Roadway Design Standards* (most current version). The internal network is a small grid that provides multiple options to access each home and to reduce the traffic volumes on each roadway. Access to Filing 7B is proposed as follows:

1. **Middle Fork Street at Sterling Ranch Avenue:** Full movement, all-way stop-controlled intersection. This future intersection includes one lane per direction on all approaches. No auxiliary lanes are warranted.
2. **Sterling Ranch Avenue at Ordway Drive:** Single-lane roundabout intersection. It is proposed that both roadways provide one lane per direction.
3. **Sterling Ranch Avenue at Hooper Avenue:** Single-lane roundabout intersection. It is proposed that both roadways provide one lane per direction.
4. **Other local accesses on Sterling Ranch Avenue, Ordway Drive, and Hooper Avenue:** Local streets from the neighborhood will link to the Collector and Avenue roadways with full movement access and side-street stop-control. It is proposed that the local roadways include one inbound lane and one outbound lane. No auxiliary lanes are warranted.

Refer to **Figure 1** for the access locations and refer to **Figure 3** for the internal volumes for Filing 7B.

## Status of Improvements

Per Section 4.2 of the Preliminary Plan 7 Traffic Impact Study, there were a few improvements that were triggered by Year 2025. Since the current Filing 7B is within the previous boundary for Filing 7A, the status of transportation improvements are being compared to the first phase. Below is a list of anticipated improvements and the current status of completion:

- **Titan Parkway at the US 85 (Santa Fe Drive) Interchange restriping:** Completed.
- **Waterton Road Extension:** Completed.
- **Waterton Road at Moore Road intersection:** Completed. Signalization to be installed in the future when warranted. This is a Douglas County project and the schedule for installation is unknown.

- **Titan Road & Moore Road, restripe to provide the second westbound left-turn lane:** This will occur when Moore Road is widened in Year 2025 (timeline is based on IGA between Sterling Ranch and Douglas County).
- **Moore Road Widening:** This will occur in Year 2025 (timeline is based on IGA between Sterling Ranch and Douglas County).
- **Waterton Road at Middle Fork Street, Signalize:** To be determined. Preliminary Plan 5 and previous/subsequent filings that were assumed to be completed in the Preliminary Plan 7 traffic study have not been completed and are not generating the anticipated traffic to warrant a signal. Traffic counts will be collected as traffic increases on Middle Fork Street to monitor the need for a signal to be installed.
- **Waterton Road at Eagle River Street, Signalize:** To be determined. Traffic counts were collected in November 2023 (schools were in session and weather was good) for peak hours and 24-hours. Signal warrants were not met. This intersection will continue to be monitored for the installation of a signal.
- **Waterton Rd at Rampart Range Road, restripe to provide second westbound left-turn lane:** To be determined. Preliminary Plan 3 and previous/subsequent filings that were assumed to be completed in the Preliminary Plan 7 traffic study have not been completed and are not generating the anticipated traffic to warrant the second left-turn lane at this time. This intersection will continue to be monitored and traffic counts will be collected to determine an appropriate timeline.

## Conclusion

The findings and proposed improvements of the original traffic analysis for Preliminary Plan 7 (August 2022) remain the same with this updated analysis for Filing 7B. The boundaries and density have changed for Filing 7B, which was previously a part of the Filing 7A area. The first phase of the proposed phasing of transportation infrastructure is unchanged. This current phase of Preliminary Plan 7 will include the extension of Ordway Drive and Hooper Avenue north of Sterling Ranch Avenue. Each of these roadways will operate acceptably with one lane per direction and serve the full buildout of Sterling Ranch. Filing 7B does not need connectivity to Roxborough Park Road since there is available capacity on existing roadways within and near Sterling Ranch.

Filing 7B will provide one access on Sterling Ranch Avenue, several on Ordway Drive, and several on Hooper Avenue for internal connectivity and circulation. The majority of the access intersections will be full-movement and side-street stop-control. With Filing 7A, two (2) of the

intersections on Sterling Ranch Avenue that provide access to Filing 7B, will be constructed as single-lane roundabouts (at Hooper Avenue and at Ordway Drive). Daily roadway volumes were reviewed and compared to capacity guidelines; it was determined the existing and proposed roadway network can accommodate the traffic associated with Filing 7B without the need for additional improvements.

/CRS 

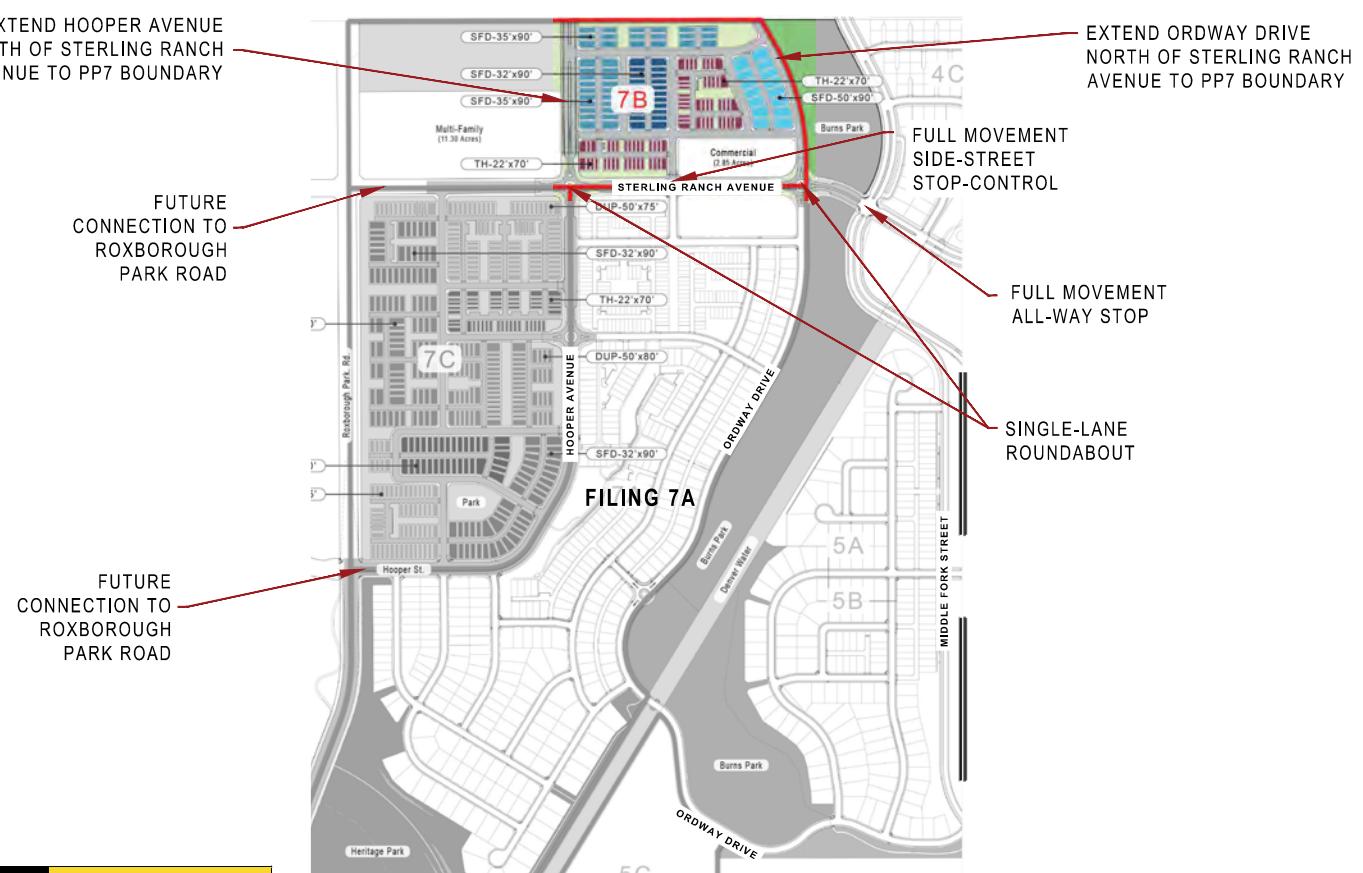
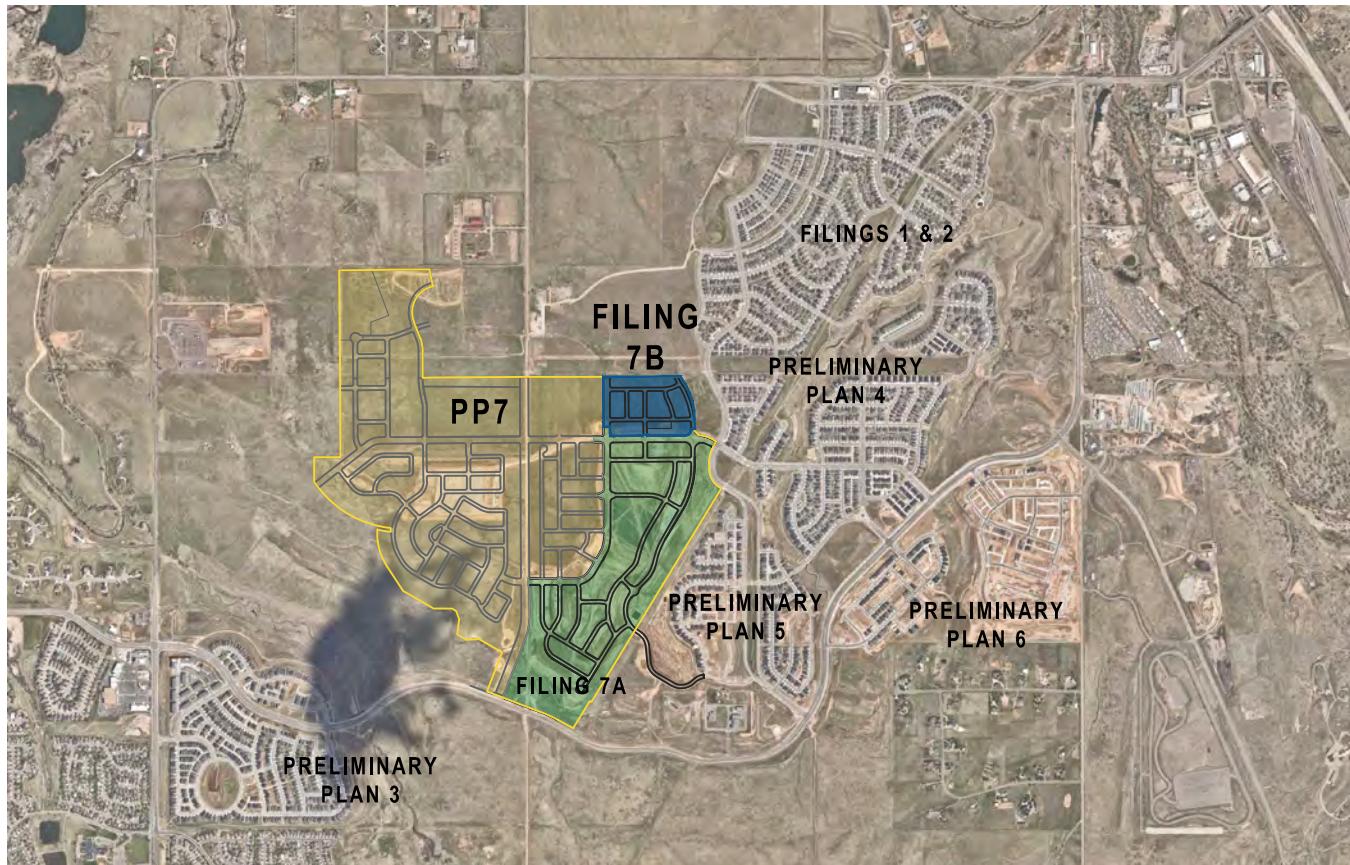
**Attachments:**

Figure 1 – Vicinity Map and Site Plan

Table 1 – Trip Generation

Figure 2 – Proposed Change in Filing 7B Boundary

Figure 3 – Year 2025 – Estimated Daily Roadway Volume



# FOX TUTTLE

# STERLING RANCH FILING 7B TRAFFIC ANALYSIS VICINITY MAP AND SITE PLAN

FT Project # 13022 Original Scale NTS Date 8/22/2024 Drawn by CRS Figure # 1  
Sterling, PA 22inch Filing No. 7B

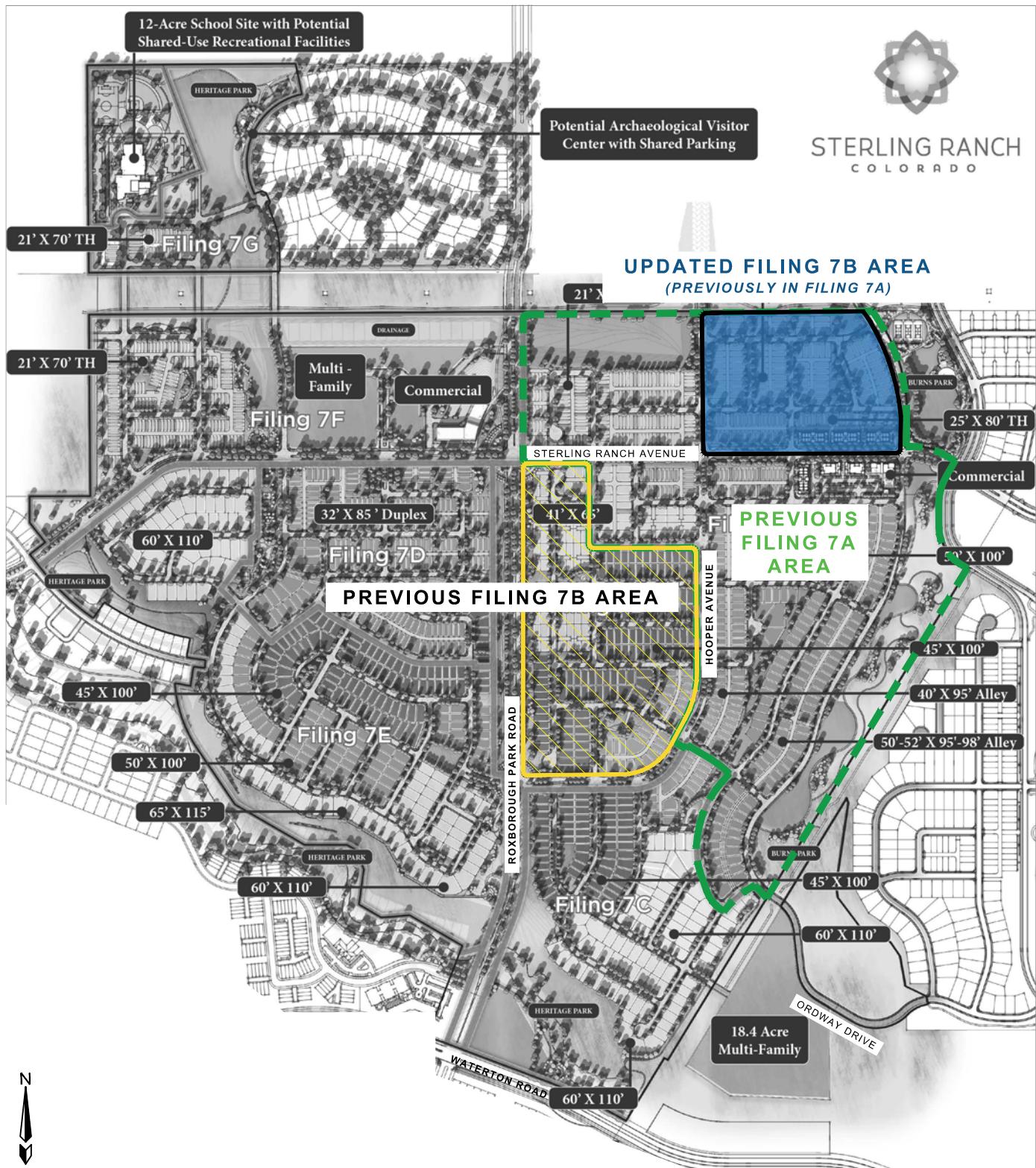
**Table 1 - Trip Generation Summary and Comparison**

Land Use	Size	Unit	Non-Auto Factor <sup>(1)</sup>	Average Daily Trips				AM Peak Hour Trips				PM Peak Hour Trips			
				Rate	Total	In	Out	Rate	Total	In	Out	Rate	Total	In	Out
<b>Filing 7A - Updated Boundary</b>															
ITE 210 - Single-Family Detached Housing	75	Dwelling Units	0.95	9.43	672	336	336	0.70	50	13	37	0.94	67	42	25
ITE 215 - Single-Family Attached Housing (TH/Duplex)	72	Dwelling Units	0.95	7.20	492	246	246	0.48	33	8	25	0.57	39	25	14
<b>Preliminary Plan 7 - With Updated Boundary</b>															
ITE 210 - Single-Family Detached Housing	97	Dwelling Units	0.95	9.43	869	435	434	0.70	65	17	48	0.94	87	55	32
ITE 215 - Single-Family Attached Housing (TH/Duplex)	43	Dwelling Units	0.95	7.20	294	147	147	0.48	20	5	15	0.57	23	14	9
<i>Total New Trips for Filing 7B:</i>				1,164	582	582		AM >	83	21	62	PM >	106	67	39
<i>Total from Preliminary Plan 7 (new boundary):</i>				1,163	582	581		AM >	85	22	63	PM >	110	69	41
<i>Difference:</i>				1	0	1		AM >	-2	-1	-1	PM >	-4	-2	-2

Source : ITE Trip Generation 11th Edition, 2021.

<sup>(1)</sup> Non-Auto Use Factor applies a trip reduction to account for TDM, transit trips, pedestrian trips, and bicycle trips that will occur that are not represented in the ITE rates. Sterling Ranch is built next to several recreational amenities and near multi-modal facilities that encourage non-auto travel. The design of Sterling Ranch is to be inclusive of people powered transportation with roadway and intersection designs facilitating and protecting those users. Based on this, it is assumed there will be 5% non-auto trips for PP7 which is consistent

Note: The Preliminary Plan 7 trip generation included Internal capture, diverted trips, and pass-by trips. These were not applied to the Filing 7A study since there will not be commercial space in this area.



# FOX TUTTLE

STERLING RANCH FILING 7B TRAFFIC ANALYSIS  
**PROPOSED CHANGE IN FILING 7B BOUNDARY**

FT Project # 13022 Original Scale NTS Date 8/22/2024 Drawn by CRS Figure # 2



### KEY

XX,XXX DAILY TRAFFIC VOLUME

Note: Assumes 100% completion of previous  
Sterling Ranch Filings and completion of Filing 7B

# STERLING RANCH FILING NO. 7B

A PORTION OF PLANNING AREA D2

A FINAL PLAT, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO. 43.385 ACRES - 147 RESIDENTIAL LOTS - 2 SUPERBLOCK LOTS - 14 TRACTS - SB2024-052

**SHEET INDEX**

SHEET 1 GENERAL NOTES, DEDICATION, SIGNATURE BLOCKS, VICINITY MAPS  
 SHEET 2 LEGAL DESCRIPTION, LAND USE TABLES  
 SHEET 3 OVERALL PLAT BOUNDARY AND SECTION INFORMATION  
 SHEETS 4-7 LOT, TRACT, EASEMENT AND RIGHTS-OF-WAY INFORMATION  
 SHEET 8 PUBLIC PEDESTRIAN ACCESS EASEMENT DETAILS  
 SHEET 9 EXISTING COMMUNICATION EASEMENT, LOCATIONS & RECORDING INFORMATION

THE DEDICATION OF THE TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V AND DRAINAGE EASEMENTS AS SHOWN HEREON ARE HEREBY ACCEPTED FOR OWNERSHIP AND MAINTENANCE BY THE STERLING RANCH COMMUNITY AUTHORITY BOARD.

STERLING RANCH COMMUNITY AUTHORITY BOARD A POLITICAL SUBDIVISION AND PUBLIC CORPORATION OF THE STATE OF COLORADO FORMED PURSUANT TO C.R.S. §29-1-203.5

BY: HAROLD R. SMETHILLS, JR., PRESIDENT

STATE OF COLORADO )  
 COUNTY OF DOUGLAS )  
 ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_

BY HAROLD R. SMETHILLS, JR., PRESIDENT OF STERLING RANCH COMMUNITY AUTHORITY BOARD A POLITICAL SUBDIVISION AND PUBLIC CORPORATION OF THE STATE OF COLORADO FORMED PURSUANT TO C.R.S. §29-1-203.5

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC: \_\_\_\_\_

## SURVEYOR'S CERTIFICATE

I, ANTHONY K. PEALL, A DULY LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY CERTIFY THAT THIS PLAT TRULY AND CORRECTLY REPRESENTS THE RESULTS OF A SURVEY MADE ON AUGUST 24, 2023, BY ME OR UNDER MY DIRECT SUPERVISION AND THAT ALL MONUMENTS EXIST AS SHOWN HEREON; THAT MATHEMATICAL CLOSURE ERRORS ARE LESS THAN 1:50,000 (SECOND ORDER) AND THAT SAID PLAT HAS BEEN PREPARED IN FULL COMPLIANCE WITH ALL APPLICABLE LAWS OF THE STATE OF COLORADO DEALING WITH MONUMENTS, SUBDIVISIONS OR SURVEYING OF LAND AND ALL APPLICABLE PROVISIONS OF THE DOUGLAS COUNTY SUBDIVISION RESOLUTION. THIS CERTIFICATION IS BASED ON MY KNOWLEDGE, INFORMATION, AND BELIEF AND IS NOT A GUARANTY OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

I ATTEST THE ABOVE ON THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_

FOR REVIEW  
DO NOT RECORD

ANTHONY K. PEALL, LICENSED PROFESSIONAL LAND SURVEYOR COLORADO P.L.S. NO. 38636  
FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.

NOTICE: ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVERED SUCH DEFECT. IN NO EVENT MAY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF THE CERTIFICATION SHOWN HEREON.

## TITLE VERIFICATION

WE, LAND TITLE GUARANTEE COMPANY, DO HEREBY CERTIFY THAT WE HAVE EXAMINED THE TITLE OF ALL LAND PLATTED HEREON AND THAT TITLE TO SUCH LAND IS IN THE DEDICATOR(S) FREE AND CLEAR OF ALL LIENS, MONUMENTS AND OTHER ENCUMBRANCES.

LAND TITLE GUARANTEE COMPANY

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

DATE: \_\_\_\_\_

STATE OF COLORADO )  
 COUNTY OF \_\_\_\_\_ )  
 JSS )

ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_

BY \_\_\_\_\_ AS \_\_\_\_\_

OF LAND TITLE GUARANTEE COMPANY

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

## PLANNING COMMISSIONERS CERTIFICATE

THE PRELIMINARY PLAN (SB2021-057) FOR THIS FINAL PLAT WAS REVIEWED BY THE PLANNING COMMISSION ON OCTOBER 11, 2022.

DIRECTOR OF COMMUNITY DEVELOPMENT \_\_\_\_\_ DATE \_\_\_\_\_

## BOARD OF COUNTY COMMISSIONERS CERTIFICATE

THIS PLAT WAS APPROVED FOR FILING BY THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY, COLORADO, ON THE \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_, SUBJECT TO ANY CONDITIONS SPECIFIED HEREON. THE DEDICATIONS OF HOOVER STREET, ORWDAY DRIVE, VIREO STREET, ROCK SPIREA AVENUE, LACE CACTUS STREET, AROMATIC STREET AND LACE CACTUS AVENUE, UTILITY EASEMENTS, DRAINAGE AND BLANKET ACCESS EASEMENTS, SIGHT DISTANCE EASEMENTS, PUBLIC PEDESTRIAN ACCESS EASEMENTS ARE ACCEPTED.

ALL EXPENSES INCURRED WITH RESPECT TO IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING, LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROAD SIGNS, FLOOD PROTECTION DEVICES, DRAINAGE STRUCTURES, AND ALL OTHER IMPROVEMENTS THAT MAY BE REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT DOUGLAS COUNTY.

THIS ACCEPTANCE DOES NOT GUARANTEE THAT SOIL CONDITIONS, SUBSURFACE GEOLOGY, GROUNDWATER CONDITIONS OR FLOODING CONDITIONS OF ANY LOTS SHOWN HEREON ARE SUCH THAT A BUILDING PERMIT, WELL PERMIT OR SEWAGE DISPOSAL PERMIT WILL BE ISSUED.

CHAIR, BOARD OF COUNTY COMMISSIONERS

## CLERK AND RECORDER'S CERTIFICATE

STATE OF COLORADO )  
 COUNTY OF DOUGLAS )  
 JSS )

I HEREBY CERTIFY THAT THIS PLAT WAS FILED IN MY OFFICE ON THIS \_\_\_\_ DAY OF \_\_\_\_ 20\_\_\_\_

A.D., AT \_\_\_\_\_ A.M./P.M. AND WAS RECORDED AT RECEPTION NO. \_\_\_\_\_

BY: \_\_\_\_\_

AS \_\_\_\_\_ OF

FLAGSTAR BANK, FSB, A FEDERALLY CHARTERED

SAVINGS BANK

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION

EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

LAST REVISED: 1/15/2025

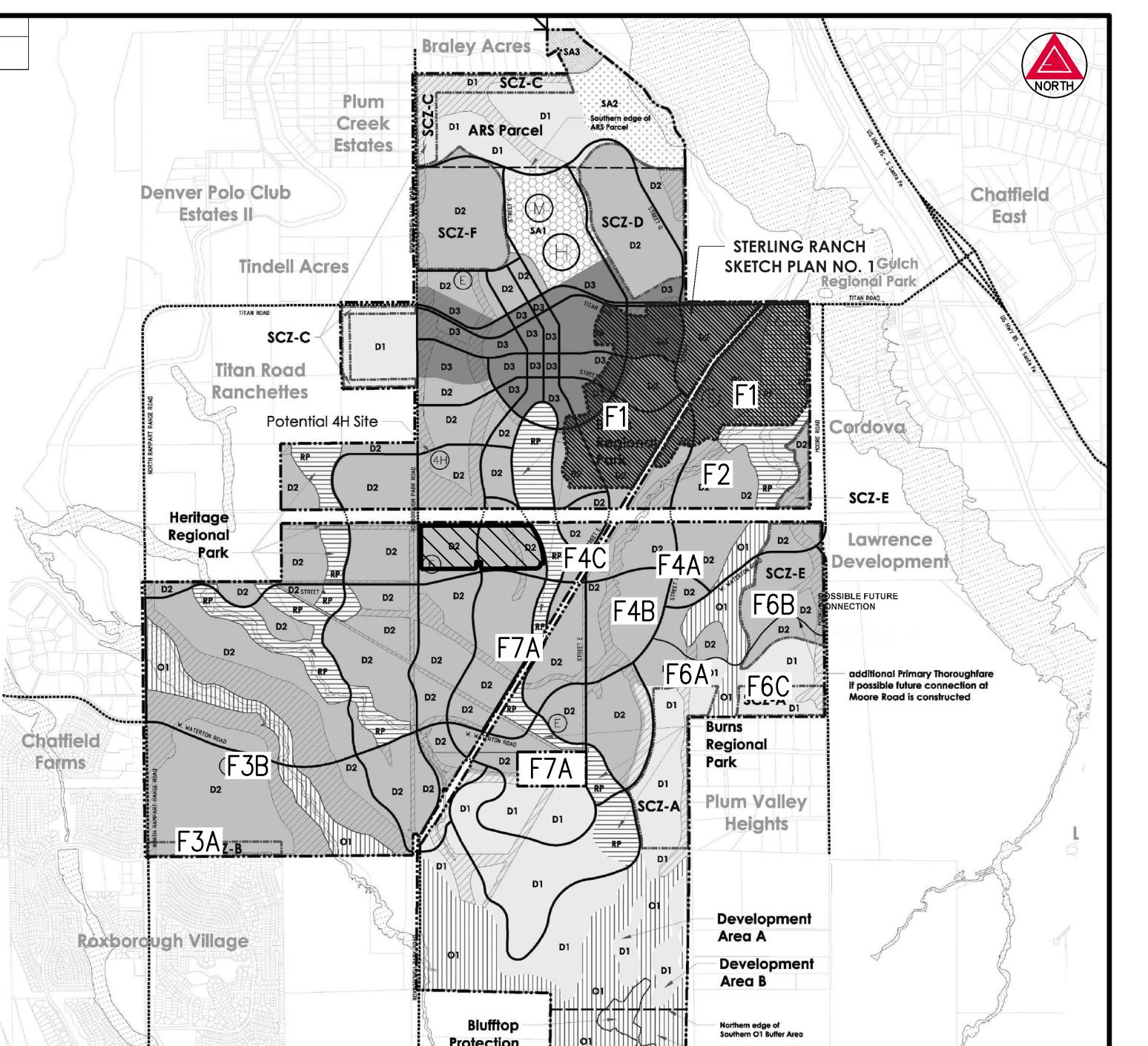
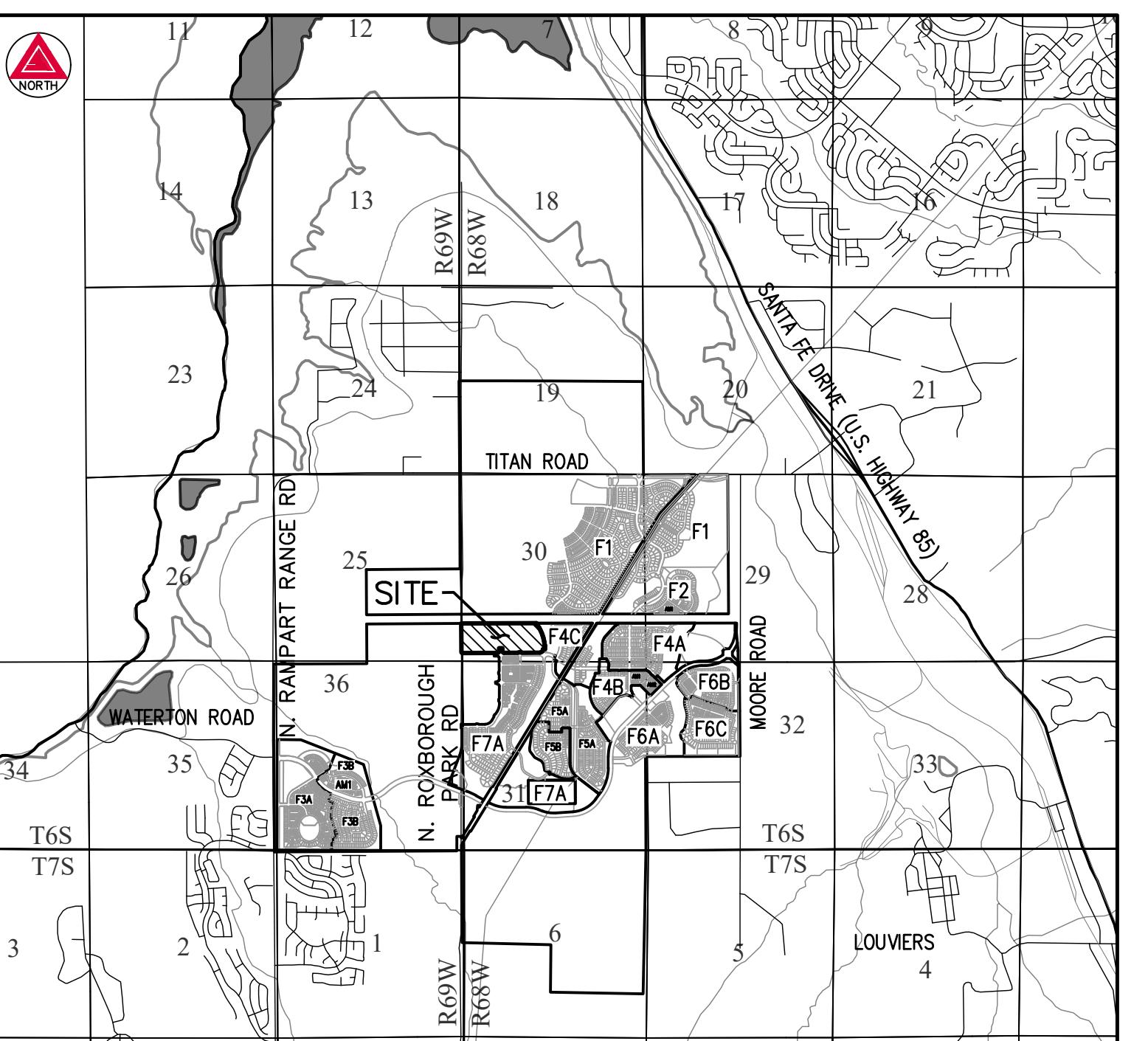
**AZTEC**  
CONSULTANTS, INC.

AzTec Proj. No.: 124022-01

300 East Mineral Ave., Suite 1  
Littleton, Colorado 80122  
Phone: (303) 713-1898  
Fax: (303) 713-1899  
www.azteconsultants.com

D E V E L O P E R  
STERLING RANCH  
DEVELOPMENT COMPANY  
8155 PINEY RIVER AVENUE, SUITE 200  
LITTLETON, CO 80125  
303.202.6800

DATE OF  
PREPARATION: 07-30-2024  
SCALE: N/A  
S H E E T 1 O F 9



## LEGAL DESCRIPTION

SEE SHEET 2

## DEDICATION STATEMENT

THE UNDERSIGNED BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN LAND, DEPONED HEREON, HAVE SUBDIVIDED AND PLATTED SAID LAND INTO LOTS, TRACTS, STRIPS AND EASEMENTS AS SHOWN HEREON UNDER THE NAME AND SUBDIVISION OF STERLING RANCH FILING NO. 7B. THE UTILITY EASEMENTS SHOWN HEREON ARE HEREBY DEDICATED FOR PUBLIC UTILITIES AND CABLE COMMUNICATION SYSTEMS AND OTHER PURPOSES AS SHOWN HEREON. THE ENTITIES RESPONSIBLE FOR PROVIDING THE SERVICES FOR WHICH THE EASEMENTS ARE ESTABLISHED ARE HEREBY GRANTED THE PERPETUAL RIGHTS OF INGRESS AND EGRESS FROM AND TO ADJACENT PROPERTIES FOR INSTALLATION, MAINTENANCE AND OPERATION OF UTILITY LINES AND RELATED FACILITIES. HOOVER STREET, ORWDAY DRIVE, VIREO STREET, ROCK SPIREA AVENUE, LACE CACTUS STREET, AROMATIC STREET AND LACE CACTUS AVENUE, UTILITY EASEMENTS, DRAINAGE AND BLANKET ACCESS EASEMENTS, SIGHT DISTANCE EASEMENTS, AND PUBLIC PEDESTRIAN ACCESS EASEMENTS SHOWN HEREON ARE DEDICATED AND CONVEYED TO DOUGLAS COUNTY, COLORADO, FOR PUBLIC USES AND PURPOSES.

## OWNER

STERLING RANCH, LLC  
A DELAWARE LIMITED LIABILITY COMPANY

BY: STERLING RANCH DEVELOPMENT COMPANY,  
A COLORADO CORPORATION  
ITS MANAGER

BROCK SMETHILLS, PRESIDENT

DIANE SMETHILLS, SECRETARY

STATE OF COLORADO )  
 )  
 COUNTY OF DOUGLAS )  
 )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_ DAY OF \_\_\_\_  
 BROCK SMETHILLS AND DIANE SMETHILLS, AS PRESIDENT AND SECRETARY  
 RESPECTIVELY, OF STERLING RANCH DEVELOPMENT COMPANY, A COLORADO  
 CORPORATION AS MANAGER OF STERLING RANCH, LLC, A DELAWARE LIMITED  
 LIABILITY COMPANY.

WITNESS MY HAND  
 AND OFFICIAL SEAL

MY COMMISSION

EXPIRES: \_\_\_\_\_

NOTARY PUBLIC

## GENERAL NOTES

- ANY PERSON WHO KNOWINGLY REMOVES, ALTERS OR DEFACES ANY PUBLIC LAND SURVEY MONUMENT OR LAND BOUNDARY MONUMENT OR ACCESSORY COMMITS A CLASS TWO (2) MISDEMEANOR PURSUANT TO STATE STATUTE 18-4-508, COLORADO REVISED STATUTE.
- PER C.R.S. 38-51-106, "ALL LINEAL UNITS DEPICTED ON THIS LAND SURVEY PLAT ARE U.S. SURVEY FEET. ONE METER EQUALS 39.37/12 U.S. SURVEY FEET, EXACTLY ACCORDING TO THE NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY."
- THE FIELD WORK FOR THIS SURVEY WAS PERFORMED BY AN AZTEC CONSULTANTS, INC. SURVEY CREW AND COMPLETED ON AUGUST 24, 2023.
- BASIS OF BEARINGS: BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN WHICH IS ASSUMED TO BEAR NORTH 89°45'49" EAST AND IS MONUMENTED AS SHOWN HEREON.
- COMMITMENT NO. \_\_\_\_\_, EFFECTIVE \_\_\_\_\_ AT \_\_\_\_\_ A.M./P.M. WAS RELIED UPON FOR RECORD INFORMATION REGARDING RIGHTS-OF-WAY, EASEMENTS AND ENCUMBRANCES. THIS SURVEY DOES NOT REPRESENT A TITLE SEARCH BY AZTEC CONSULTANTS INC. TO DETERMINE OWNERSHIP, RIGHTS-OF-WAY, EASEMENTS OR OTHER MATTERS OF PUBLIC RECORD.
- BASED ON A GRAPHICAL REPRESENTATION OF FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP(S) (FIRM) NO. 08035C00131F, ALL WITH AN EFFECTIVE DATE OF SEPTEMBER 30, 2005, THE SUBJECT PROPERTY LIES WITHIN OTHER AREAS - ZONE "X", WITH "ZONE X" BEING DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD PLAIN".
- TRACTS A, B, C, D, E, F, G, H, I, J, K, L, M AND N SHALL BE OWNED AND MAINTAINED BY STERLING RANCH COMMUNITY AUTHORITY BOARD, ITS SUCCESSORS AND ASSIGNS, FOR ACCESS, UTILITIES, DRAINAGE, AND LANDSCAPING. UTILITY EASEMENTS ARE SHOWN HEREON OR AS DEFINED BY SEPARATE INSTRUMENT.
- TRACTS O, P, Q, R, S, T, U AND V SHALL BE OWNED AND MAINTAINED BY STERLING RANCH COMMUNITY AUTHORITY BOARD, ITS SUCCESSORS AND ASSIGNS, FOR UTILITIES, DRAINAGE AND PUBLIC ACCESS. (THE "USE" LISTED FOR UTILITIES IS NOT A GRANT OF BLANKET EASEMENT OVER THE TRACTS. UTILITY EASEMENTS ARE SHOWN HEREON OR AS DEFINED BY SEPARATE INSTRUMENT).
- ALL LOT LINES ARE TO BE CONSIDERED RADIAL UNLESS OTHERWISE NOTED.
- DWELLING UNITS AND COMMERCIAL UNITS SHALL BE CONSTRUCTED IN A MANNER WHICH WILL ACCOMMODATE CONNECTION TO A UTILITY MONITORING AND TELECOMMUNICATION SYSTEM FOR CENTRAL SERVICE UNDER A MASTER SERVICE CONTRACT OR CENTRAL COMPUTER CONTROLLED MONITORING PROGRAM. THE OWNERS OF EACH LOT SHALL FULLY PARTICIPATE IN AND BE PART OF THE UTILITY MONITORING AND TELECOMMUNICATIONS SYSTEM OR SYSTEMS.
- THE STERLING RANCH COMMUNITY AUTHORITY BOARD HAS ADOPTED THE ARCHAEOLOGICAL RESOURCES POLICY, RESOLUTION NO. 2014-12-01, FOR THE TREATMENT OF ARCHAEOLOGICAL, PALEONTOLOGICAL AND HISTORIC RESOURCES DISCOVERED DURING CONSTRUCTION OF STERLING RANCH FILING NO. 7B. THE PROTOCOL ADOPTED MEETS THE MINIMUM REQUIRED DISCOVERY PROTOCOL OUTLINED IN THE STERLING RANCH PLANNED DEVELOPMENT, SECTION S-7.7, RECORDED ON DECEMBER 10, 2013, RECEPTION NUMBER 2013095325.
- ALL LOTS FOR SALE DWELLING UNITS WITHIN THIS PLAT ARE CONSIDERED A "LEVIED UNIT" AND ARE SUBJECT TO THE WATERTON FEE, AS DEFINED IN THE AMENDED AND RESTATED WATERTON BOULEVARD INFRASTRUCTURE DEVELOPMENT AGREEMENT, DATED SEPTEMBER 2, 2020, AS MAY BE AMENDED FROM TIME TO TIME.
- DRAINAGE EASEMENTS ARE HEREBY DEDICATED TO DOUGLAS COUNTY ACROSS TRACTS A, B, C, D, E, F, AND G FOR THE PURPOSE OF ACCESSING, MAINTAINING, AND REPAIRING STORM WATER MANAGEMENT IMPROVEMENTS, INCLUDING, BUT NOT LIMITED TO INLETS, PIPES, CULVERTS, CHANNELS, HYDRAULIC STRUCTURES, RIPRAP, RETENTION BANKS, FOREBAYS, MICRO-POOLS, AND OTHER QUALITY FACILITIES, LOCATED ON THE FACILITIES. THE STERLING RANCH COMMUNITY AUTHORITY BOARD, ITS SUCCESSORS AND ASSIGNS ("SYSTEM OWNER") FAILS TO SATISFACTORILY MAINTAIN OR REPAIR SAID FACILITIES, A BLANKET ACCESS EASEMENT OVER THE SUBDIVISION IS ALSO GRANTED TO DOUGLAS COUNTY, BUT ONLY FOR THE PURPOSE OF ACCESSING THE FACILITIES IN THE EVENT THAT THE DRAINAGE EASEMENTS DO NOT PROVIDE ADEQUATE ACCESS, THE MAINTENANCE AND REPAIR OF THE FACILITIES LOCATED IN THE SUBDIVISION, AS SHOWN ON THE CONSTRUCTION PLANS ACCEPTED BY DOUGLAS COUNTY OR ON THE PLAT FOR THE SUBDIVISION, SHALL BE THE RESPONSIBILITY OF THE SYSTEM OWNER IN THE EVENT SUCH MAINTENANCE AND REPAIR ARE NOT PERFORMED BY THE SYSTEM OWNER TO THE SATISFACTION OF DOUGLAS COUNTY, THEN DOUGLAS COUNTY SHALL HAVE THE RIGHT, BUT NOT THE OBLIGATION, TO ENTER SAID SUBDIVISION, AFTER TEN (10) DAYS PRIOR WRITTEN NOTICE TO THE SYSTEM OWNER, UNLESS THERE IS AN EMERGENCY, IN WHICH CASE DOUGLAS COUNTY SHALL GIVE NOTICE AS SOON AS PRACTICABLE, TO PERFORM ALL NECESSARY WORK, THE COST OF WHICH SHALL BE PAID BY THE SYSTEM OWNER UPON BILLING. IN THE EVENT THE SYSTEM OWNER FAILS TO REIMBURSE DOUGLAS COUNTY WITHIN THIRTY (30) DAYS AFTER SUBMISSION OF THE BILL FOR THE COSTS INCURRED, DOUGLAS COUNTY SHALL HAVE THE RIGHT TO ENFORCE SUCH OBLIGATIONS BY APPROPRIATE LEGAL ACTION. IT IS THE SYSTEM OWNER RESPONSIBILITY TO CONSTRUCT, MAINTAIN, AND REPAIR THE FACILITIES IN A MANNER CONSISTENT WITH ALL APPLICABLE PLANS APPROVED OR ACCEPTED BY DOUGLAS COUNTY.
- LOTS 148 AND 149 IN THIS PLAT ARE FOR DESIGN PURPOSES ONLY. THESE LOTS SHALL REQUIRE ADDITIONAL SUBDIVISION APPROVALS, INCLUDING A DETERMINATION OF WATER SUPPLY ADEQUACY AND REQUIRED TRANSPORTATION IMPROVEMENTS, PRIOR TO ISSUANCE OF ANY BUILDING PERMIT FOR OCCUPYABLE STRUCTURES WITHIN THESE LOTS. FOR SINGLE-FAMILY DETACHED RESIDENTIAL USES, A PRELIMINARY PLAN AND FINAL PLAT PROCESS SHALL BE REQUIRED. FOR MULTI-FAMILY OR NON-RESIDENTIAL USES, A MINOR DEVELOPMENT FINAL PLAT AND SITE IMPROVEMENT PLAN PROCESS SHALL BE REQUIRED.
- THIS PLAT IS SUBJECT TO EXISTING COMMUNICATION EASEMENTS AS SHOWN AND IDENTIFIED ON SHEET 9 HEREON.
- PER THE STATE OF COLORADO BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS RULE 1.6.B.2 THE WORD "CERTIFY" AS USED HEREON MEANS AN EXPRESSION OF PROFESSIONAL OPINION AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED. THE SURVEY REPRESENTED HEREON HAS BEEN PERFORMED BY ME OR UNDER MY DIRECT SUPERVISION IN ACCORDANCE WITH APPLICABLE STANDARDS OF PRACTICE AND IS BASED UPON MY KNOWLEDGE, INFORMATION AND BELIEF.
- THE PUBLIC PEDESTRIAN ACCESS EASEMENTS AS SHOWN ON SHEET 8 ARE HEREBY GRANTED TO DOUGLAS COUNTY FOR SIDEWALK IMPROVEMENTS, INCLUDING BUT NOT LIMITED TO, PAVING, CURB, GUTTER AND SIGNAGE. NO UTILITIES SHALL BE INSTALLED WITHIN THE PUBLIC PEDESTRIAN ACCESS EASEMENT. ANY ABOVE GROUND APPURTENANCES ASSOCIATED WITH DRY UTILITIES MUST BE A MINIMUM OF 18" BEHIND THE BACK OF WALK AND NOT BE LOCATED WITHIN THE PUBLIC PEDESTRIAN ACCESS EASEMENTS.
- SIGHT DISTANCE EASEMENTS AS SHOWN HEREON ARE FOR SIGHT DISTANCE PURPOSES TOGETHER WITH THE FOLLOWING RESTRICTIONS OVER SAID EASEMENT: NO OBJECT WITHIN THE SIGHT DISTANCE EASEMENT SHALL BE MORE THAN TWENTY-FOUR (24) INCHES ABOVE THE FLOWLINE OF THE ADJACENT STREET. SUCH OBJECTS SHALL BUT ARE NOT LIMITED TO BUILDINGS, LANDSCAPING AND UTILITY CABINETS. PARKING IS ALSO PROHIBITED WITHIN THE EASEMENT.
- THE 23 FOOT DRAINAGE EASEMENT IS HEREBY DEDICATED TO STERLING RANCH COMMUNITY AUTHORITY BOARD, ITS SUCCESSORS AND ASSIGNS ACROSS TRACT F FOR THE PURPOSE OF ACCESSING, MAINTAINING, AND REPAIRING STORM WATER MANAGEMENT IMPROVEMENTS.
- PERMANENT STRUCTURES, IMPROVEMENTS, OBJECTS, BUILDINGS, WELLS, WATER METERS AND OTHER OBJECTS THAT MAY INTERFERE WITH THE UTILITY FACILITIES OR USE THEREOF (INTERFERING OBJECTS) SHALL NOT BE PERMITTED WITHIN SAID UTILITY EASEMENTS AND THE UTILITY PROVIDERS, AS GRANTEES, MAY REMOVE ANY INTERFERING OBJECTS AT NO COST TO SUCH GRANTEES, INCLUDING, WITHOUT LIMITATION, VEGETATION. PUBLIC SERVICE COMPANY OF COLORADO (PSCO) AND ITS SUCCESSORS RESERVE THE RIGHT TO REQUIRE ADDITIONAL EASEMENTS AND TO REQUIRE THE PROPERTY OWNER TO GRANT PSCO AN EASEMENT ON ITS STANDARD FORM.

BY: \_\_\_\_\_ AS \_\_\_\_\_ OF

FLAGSTAR BANK, FSB, A FEDERALLY CHARTERED

SAVINGS BANK

WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION

EXPIRES: \_\_\_\_\_

# STERLING RANCH FILING NO. 7B

A PORTION OF PLANNING AREA D2

A FINAL PLAT, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.  
43.385 ACRES - 147 RESIDENTIAL LOTS - 2 SUPERBLOCK LOTS - 14 TRACTS - SB2024-052

## LEGAL DESCRIPTION

A PARCEL OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF STERLING RANCH FILING NO. 7A, RECORDED UNDER RECEPTION NO.

IN THE OFFICIAL RECORDS OF THE DOUGLAS COUNTY, COLORADO CLERK AND RECORDER'S OFFICE;

THENCE ALONG THE WESTERLY BOUNDARY OF SAID STERLING RANCH FILING NO. 7A, THE FOLLOWING TWENTY-ONE (21) COURSES:

1. SOUTH 30°03'47" EAST, A DISTANCE OF 143.65 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,225.00 FEET;
2. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 22°28'10", AN ARC LENGTH OF 480.41 FEET;
3. SOUTH 11°53'37" EAST, A DISTANCE OF 52.06 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 1,230.03 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 84°49'33" WEST;
4. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 00°33'50", AN ARC LENGTH OF 12.10 FEET;
5. SOUTH 00°00'00" EAST, A DISTANCE OF 95.62 FEET;
6. SOUTH 89°42'18" WEST, A DISTANCE OF 51.52 FEET TO THE BEGINNING OF A NON-TANGENT CURVE CONCAVE WESTERLY HAVING A RADIUS OF 99.00 FEET, THE RADIUS POINT OF SAID CURVE BEARS SOUTH 89°42'19" WEST;
7. SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 33°33'26", AN ARC LENGTH OF 57.98 FEET TO THE BEGINNING OF A COMPOUND CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 93.00 FEET;
8. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 56°26'34", AN ARC LENGTH OF 91.62 FEET;
9. SOUTH 89°42'19" WEST, A DISTANCE OF 506.11 FEET;
10. NORTH 70°24'15" WEST, A DISTANCE OF 13.59 FEET;
11. NORTH 39°42'28" WEST, A DISTANCE OF 13.30 FEET;
12. SOUTH 89°42'19" WEST, A DISTANCE OF 60.00 FEET;
13. SOUTH 39°07'07" WEST, A DISTANCE OF 13.30 FEET;
14. SOUTH 69°48'54" WEST, A DISTANCE OF 13.59 FEET;
15. SOUTH 89°42'19" WEST, A DISTANCE OF 402.99 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 43.00 FEET;
16. NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 67.54 FEET;
17. NORTH 00°17'41" WEST, A DISTANCE OF 88.22 FEET;
18. SOUTH 89°42'19" WEST, A DISTANCE OF 92.00 FEET;
19. SOUTH 00°17'41" EAST, A DISTANCE OF 88.22 FEET TO THE BEGINNING OF A TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 43.00 FEET;
20. SOUTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'00", AN ARC LENGTH OF 67.54 FEET;
21. ALONG THE WESTERLY PROLATION OF SAID WESTERLY BOUNDARY, SOUTH 89°42'19" WEST, A DISTANCE OF 999.40 FEET;

THENCE NORTH 46°04'23" WEST, A DISTANCE OF 30.53 FEET;

THENCE NORTH 00°17'41" WEST, A DISTANCE OF 464.92 FEET;

THENCE NORTH 00°28'39" WEST, A DISTANCE OF 352.18 FEET;

THENCE NORTH 89°52'23" EAST, A DISTANCE OF 1,065.41 FEET;

THENCE NORTH 89°52'02" EAST, A DISTANCE OF 1,058.09 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 43.385 ACRES, (1,889,844 SQUARE FEET), MORE OR LESS.

TRACTS SUMMARY CHART					
TRACT	AREA (SF)	AREA (AC)	OWNERSHIP	MAINTENANCE	USE
A	373,347	8.571	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
B	63,737	1.463	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
C	1,562	0.036	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
D	946	0.022	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
E	1,035	0.024	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
F	10,989	0.252	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
G	1,190	0.027	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
H	1,415	0.032	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
I	1,540	0.035	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
J	1,540	0.035	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
K	1,540	0.035	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
L	1,540	0.035	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
M	1,540	0.035	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
N	18,180	0.417	S.R.C.A.B.	S.R.C.A.B.	ACCESS/UTILITIES/DRAINAGE/LANDSCAPE
TOTAL	480,101	11.019			

THIS SUBDIVISION PLAT CONTAINS 147 RESIDENTIAL LOTS, 2 SUPERBLOCK LOTS AND 14 TRACTS  
S.R.C.A.B. = THE STERLING RANCH COMMUNITY AUTHORITY BOARD, A POLITICAL  
SUBDIVISION AND PUBLIC CORPORATION OF THE STATE OF COLORADO FORMED  
PURSUANT TO C.R.S. §29-1-203.5

\* THE "USE" LISTED FOR UTILITIES IS NOT A GRANT OF BLANKET EASEMENT OVER THE  
TRACTS, BOUNDARIES OF ANY UTILITY EASEMENTS ARE SHOWN HEREON OR AS DEFINED BY  
SEPARATE INSTRUMENT)

PRIVATE DRIVES SUMMARY CHART					
PRIVATE DRIVES	AREA (SF)	AREA (AC)	OWNERSHIP	MAINTENANCE	USE
O	2,760	0.063	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
P	2,760	0.063	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
Q	2,760	0.063	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
R	8,929	0.205	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
S	8,929	0.205	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
T	19,932	0.458	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
U	10,003	0.230	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
V	13,642	0.313	S.R.C.A.B.	S.R.C.A.B.	UTILITIES/DRAINAGE/PUBLIC ACCESS
TOTAL	69,715	1.600			

CHARACTER ZONE DESIGNATION CHART - LOTS			
CHARACTER ZONE C1	CHARACTER ZONE C3	CHARACTER ZONE C4	CHARACTER ZONE C5
LOTS	LOTS	LOTS	LOTS
---	---	---	1-147 148-149
0.000 ACRES	0.000 ACRES	0.000 ACRES	24.019 ACRES
C1 TOTAL=0	C3 TOTAL=0	C4 TOTAL=0	C5 TOTAL=149
TOTAL=149			

CHARACTER ZONE DESIGNATION CHART - TRACTS/(PRIVATE DRIVES)				
CHARACTER ZONE C1	CHARACTER ZONE C3	CHARACTER ZONE C4	CHARACTER ZONE C5	BURNS REGIONAL PARK
TRACTS	TRACTS	TRACTS	TRACTS	TRACTS
A, B	---	---	C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V	---
10.034 ACRES	0.000 ACRES	0.000 ACRES	2.585 ACRES	0.000 ACRES
C1 TOTAL=2	C3 TOTAL=0	C4 TOTAL=0	C5 TOTAL=20	BRP TOTAL=0
TOTAL=22				

CHARACTER ZONE DESIGNATION CHART - ROW			
CHARACTER ZONE C1	CHARACTER ZONE C3	CHARACTER ZONE C4	CHARACTER ZONE C5
			ROW
0.000 ACRES	0.000 ACRES	0.000 ACRES	6.713 ACRES

LAND SUMMARY CHART				
TYPE	AREA (SF)	AREA (AC)	% OF TOTAL AREA	
RESIDENTIAL LOTS (147)	406,440	9.334	21.51	
SUPERBLOCK LOTS (2)	641,176	14.719	33.93	
TRACTS (14)	480,101	11.019	25.40	
PRIVATE DRIVES (8)	69,715	1.600	3.69	
ROW	292,411	6.713	15.47	
TOTALS	1,889,844	43.385	100.00	

**AZTEC**  
CONSULTANTS, INC.  
300 East Mineral Ave., Suite 1  
Littleton, Colorado 80122  
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Fax: (303) 713-1899  
www.aztecconsultants.com  
AzTec Proj. No: 124022-01  
Drawn By: BAM

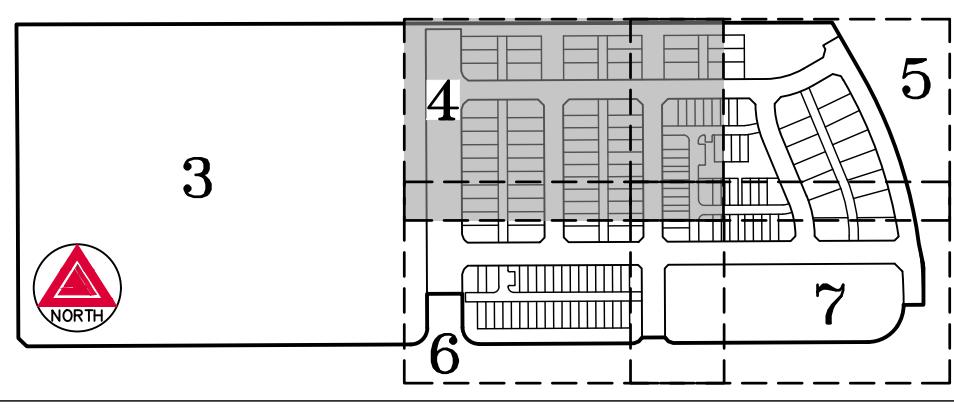
DEVELOPER  
STERLING RANCH  
DEVELOPMENT COMPANY  
8155 PINEY RIVER AVENUE, SUITE 200  
LITTLETON, CO 80125  
303.202.6800  
DATE OF PREPARATION: 07-30-2024  
SCALE: N/A  
SHEET 2 OF 9

FOR REVIEW  
DO NOT RECORD  
FOR AND ON BEHALF OF  
AZTEC CONSULTANTS, INC.



# STERLING RANCH FILING NO. 7B

A PORTION OF PLANNING AREA D2  
A FINAL PLAT, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH,  
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.  
43.385 ACRES - 147 RESIDENTIAL LOTS - 2 SUPERBLOCK LOTS - 14 TRACTS - SB2024-052



## KEY MAP

SCALE: 1" = 500'

### SEE SHEET 3

TRACT A 373,347 SF 8.571 AC  
LOT 148 516,835 SF 11.865 AC

## SEE SHEET 5

SEE SHEET 3

## SEE SHEET 6

## SEE SHEET 6



AzTec Proj. No.: 124022-01

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**DEVELOPER**  
**STERLING RANCH**  
**DEVELOPMENT COMPANY**

8155 PINEY RIVER AVENUE, SUITE 200  
LITTLETON, CO 80125  
303.202.6800

FOR AND ON BEHALF OF  
AZTEC CONSULTANTS, INC

Table 1: Summary of the main results of the simulation study.

SHEET 4 OF 9

CURVE TABLE			
CURVE	DELTA	RADIUS	LENGTH
C7	90°00'00"	15.00'	23.56'
C8	90°00'00"	3.00'	4.71'
C9	90°00'00"	3.00'	4.71'
C10	90°00'00"	15.00'	23.56'
C11	90°00'00"	3.00'	4.71'
C12	90°00'00"	3.00'	4.71'
C13	90°00'00"	15.00'	23.56'
C14	90°00'00"	15.00'	23.56'

LINE TABLE		
LINE	BEARING	LENGTH
L21	N20°17'41" W	12.91'
L22	N41°13'11" W	5.32'
L23	N50°17'41" W	13.29'
L24	N49°42'19" E	13.29'
L25	N40°37'50" E	5.32'
L26	N19°42'19" E	12.91'
L27	S45°17'41" E	21.80'
L28	S44°42'19" W	21.80'
L29	N45°17'41" W	21.80'
L30	S44°42'19" W	21.80'
L31	S00°17'41" E	6.00'
L32	N89°42'19" E	15.00'
L33	S89°42'19" W	15.00'
L34	N00°17'41" W	15.00'
L35	S89°42'19" W	18.00'
L36	S00°17'41" E	15.00'

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AZTEC CONSULTANTS, INC

DATE OF

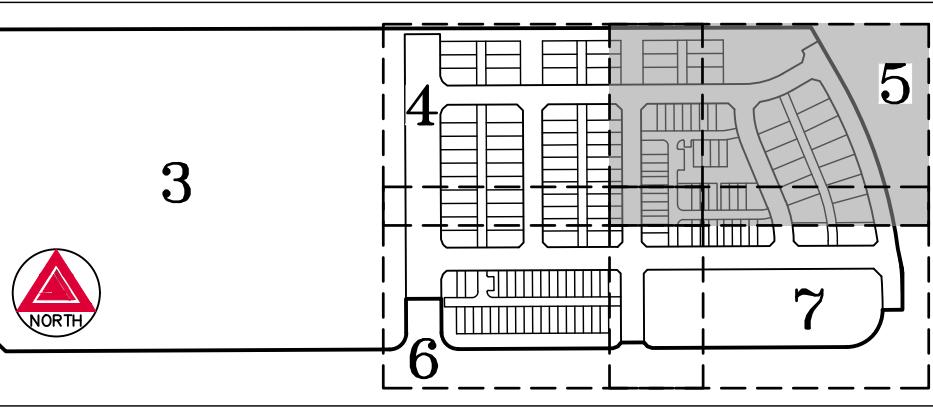
SHEET 4 OF 9

# STERLING RANCH FILING NO. 7B

## A PORTION OF PLANNING AREA D2

A FINAL PLAT, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH,  
RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.  
43.385 ACRES - 147 RESIDENTIAL LOTS - 2 SUPERBLOCK LOTS - 14 TRACTS - SB2024-052

85 ACRES - 147 RESIDENTIAL LOTS - 2 SUPERBLOCK LOTS - 14 TRACTS - SB2024-052



## KEY MAP

SCALE: 1" = 500'

## SEE SHEET 4



## SEE SHEET 7



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LITTLETON, CO 80125  
303.202.6800

FOR AND ON BEHALF OF  
AZTEC CONSULTANTS, INC

11. **What is the primary purpose of the *Journal of Clinical Endocrinology and Metabolism*?**

DATE OF  
PREPARATION: 07-30-2024

SCALE: 1" = 30'

SCALE: 1:50

S H E E T 5 O F 9

Sterling Ranch Filing No. 7B  
Project File SB2024-052, Final Plat  
Board of County Commissioners Staff Report - Page 235 of 239

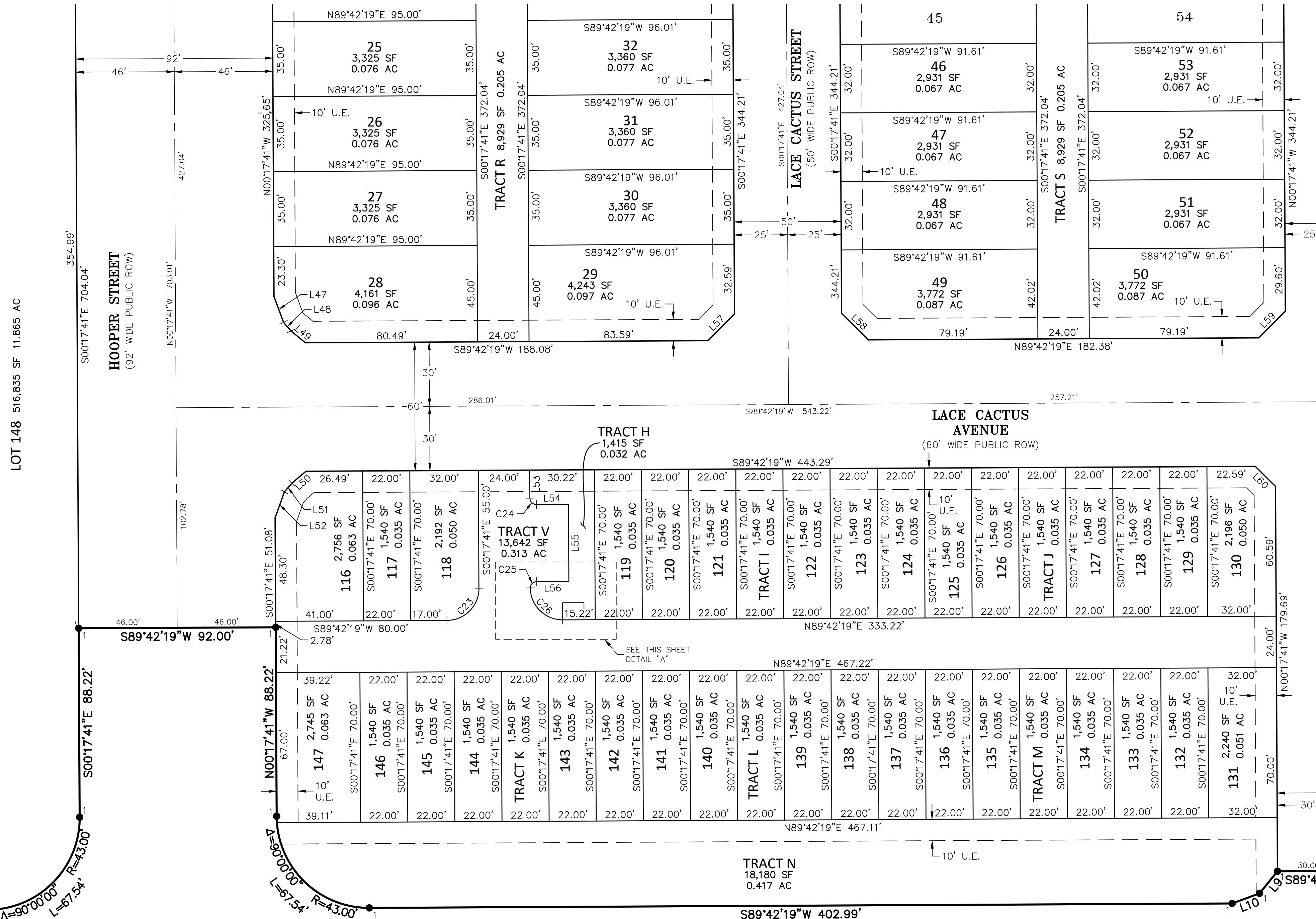
Sterling Ranch Filing No. 7B  
Project File SB2024-052, Final Plat

Project File SB2024-052, Final Plat  
Board of County Commissioners Staff Report - Page 235 of 239

# STERLING RANCH FILING NO. 7B

A FINAL PLAT, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.  
43.385 ACRES - 147 RESIDENTIAL LOTS - 2 SUPERBLOCK LOTS - 14 TRACTS - SB2024-052

SEE SHEET 4

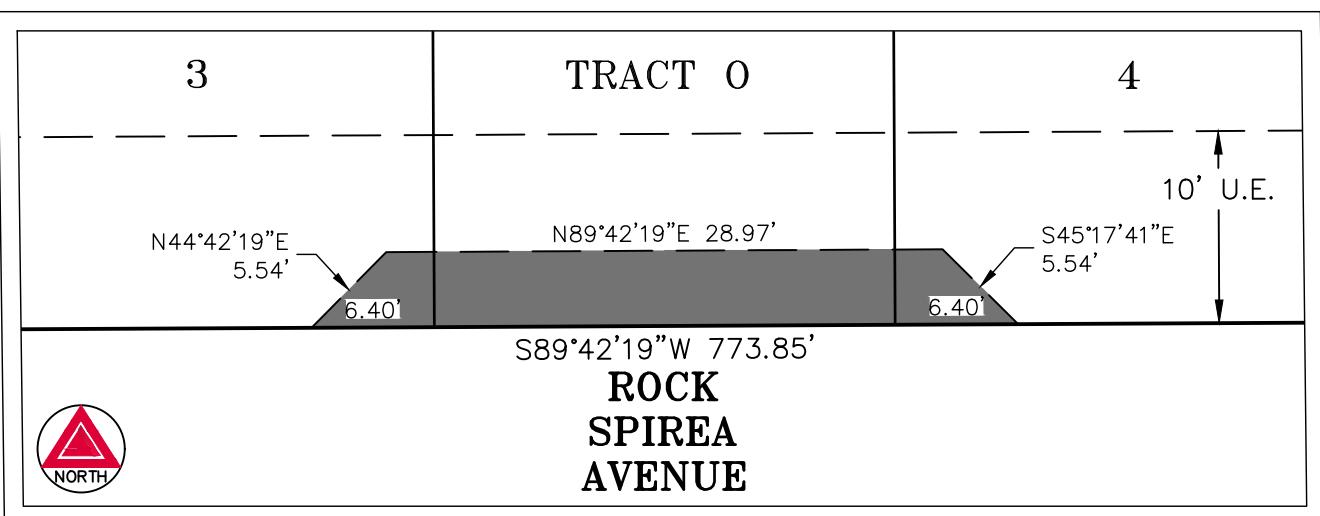




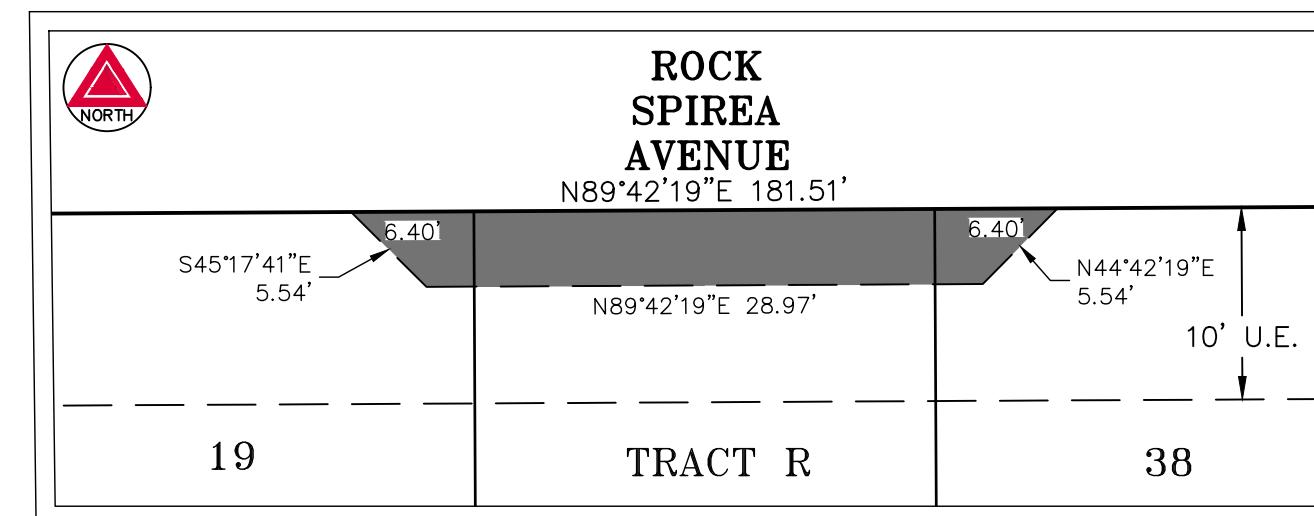
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A PORTION OF PLANNING AREA D2

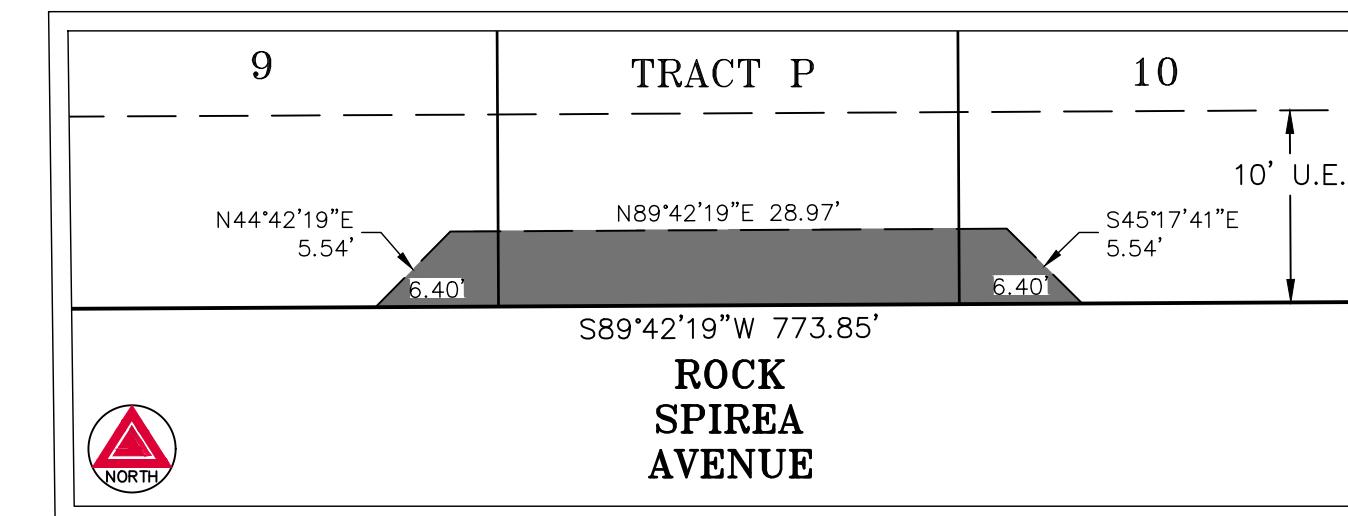
A FINAL PLAT, SITUATED IN THE SOUTHWEST QUARTER OF SECTION 30, TOWNSHIP 6 SOUTH, RANGE 68 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COUNTY OF DOUGLAS, STATE OF COLORADO.  
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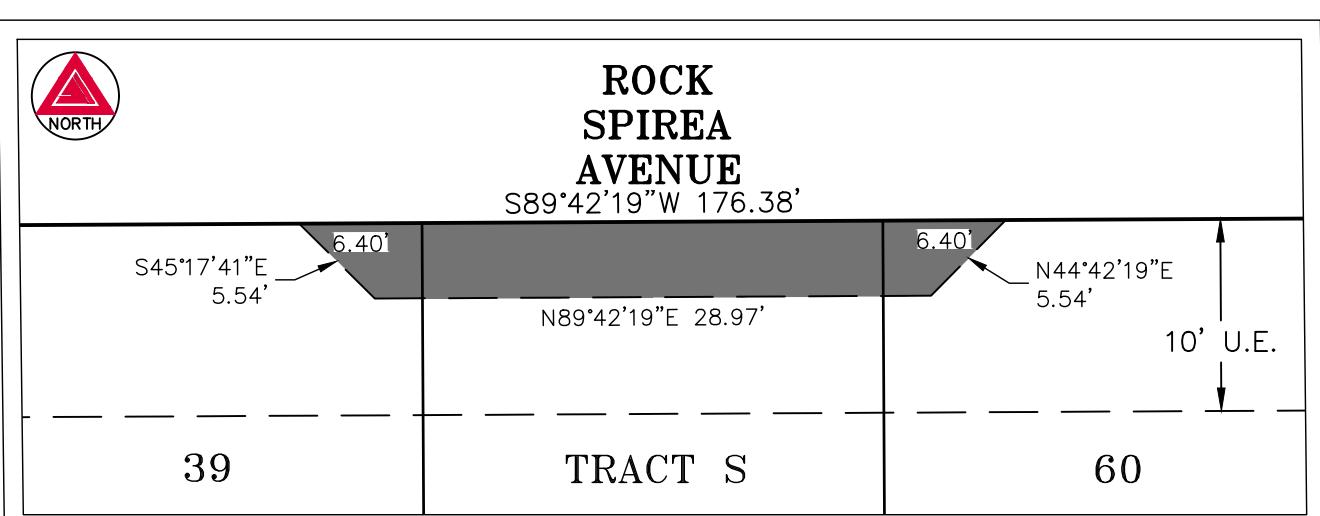
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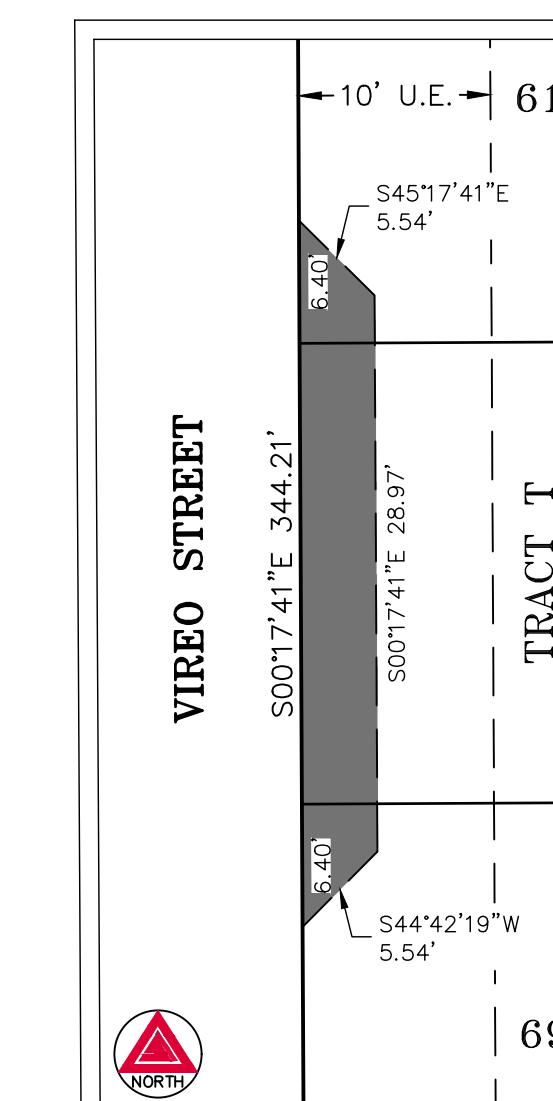
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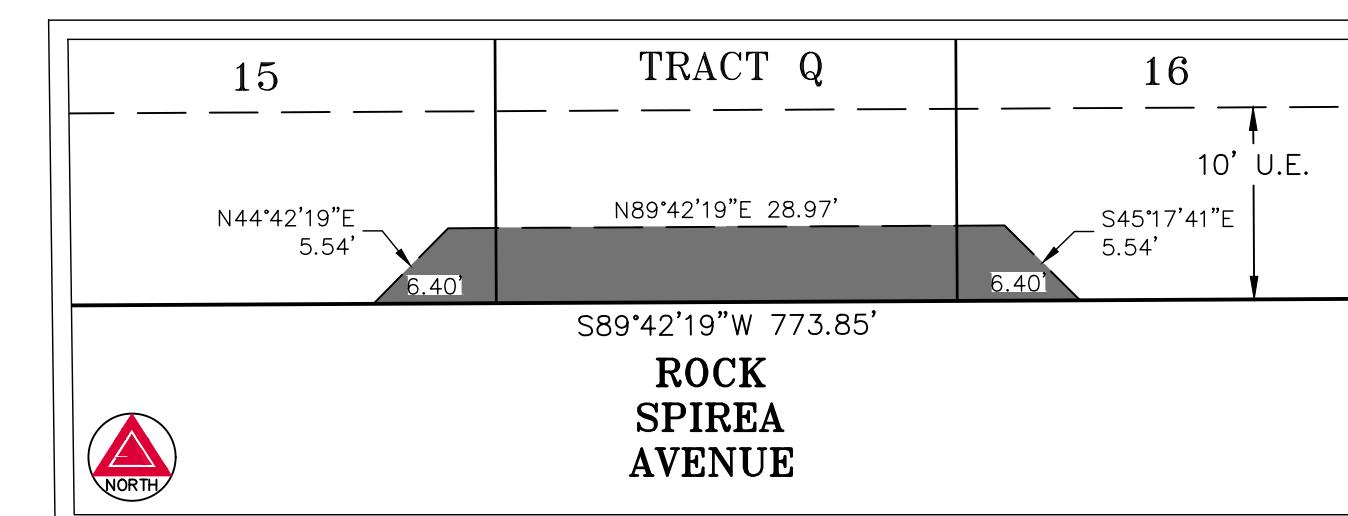
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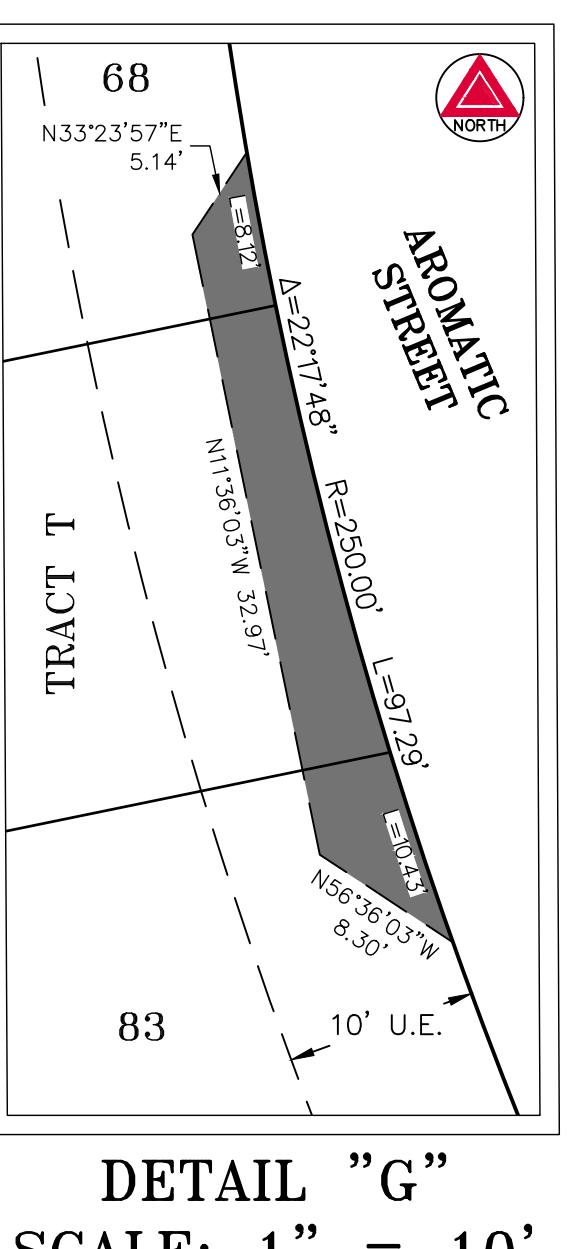
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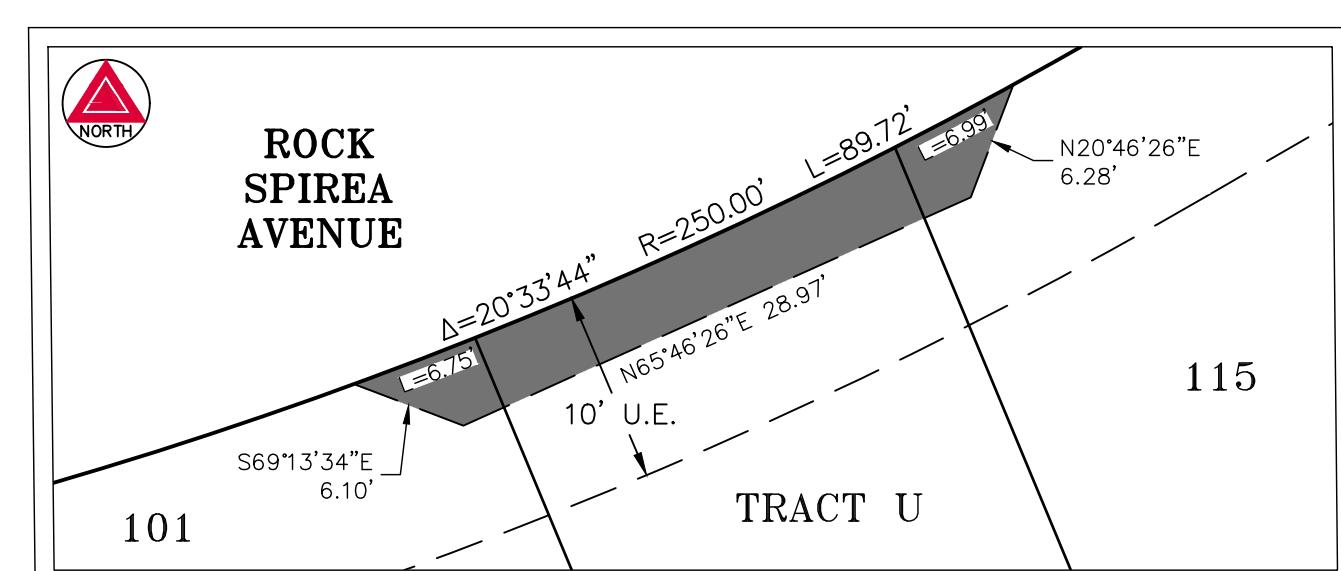
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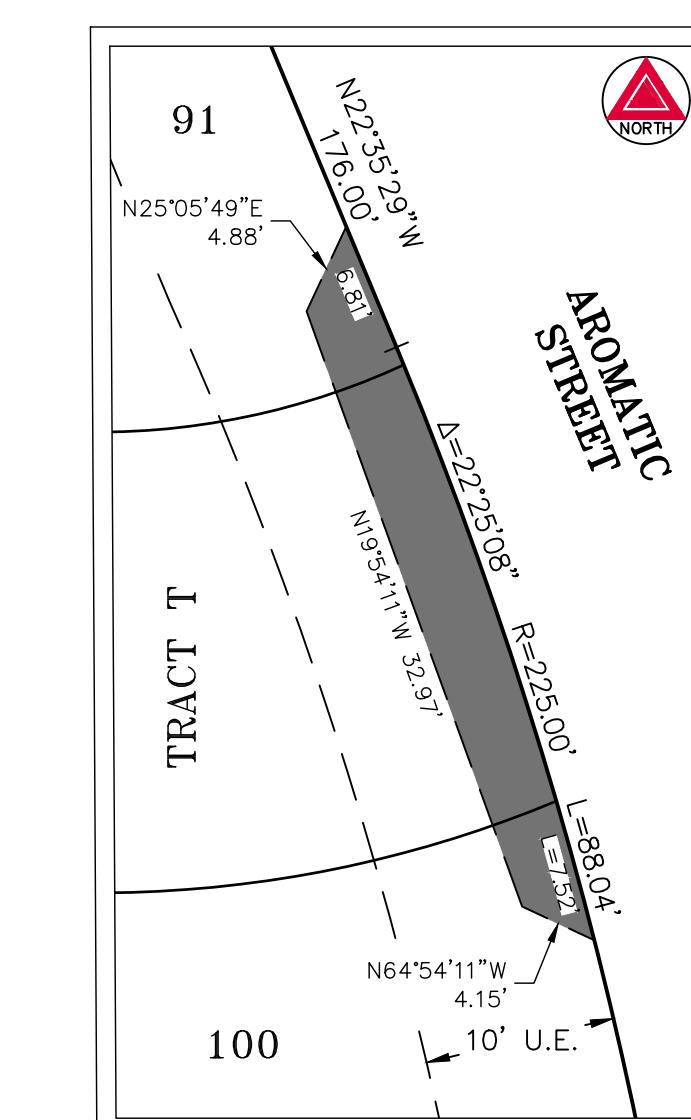
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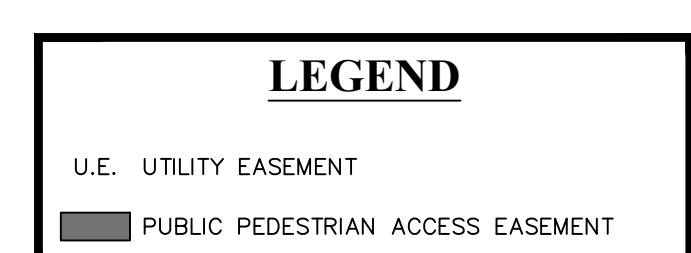
DETAIL "G"  
SCALE: 1" = 10'



DETAIL "H"  
SCALE: 1" = 10'



DETAIL "I"  
SCALE: 1" = 10'



FOR REVIEW  
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FOR AND ON BEHALF OF AZTEC CONSULTANTS, INC.		DATE OF PREPARATION: 07-30-2024
AZTEC CONSULTANTS, INC.	DEVELOPER STERLING RANCH DEVELOPMENT COMPANY 8155 PINEY RIVER AVENUE, SUITE 200 LITTLETON, CO 80125 303.202.6800	SCALE: 1" = 10'
AzTec Proj. No.: 124022-01	Drawn By: BAM	SHEET 8 OF 9

# STERLING RANCH FILING NO. 7B

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