



## **CHEROKEE METROPOLITAN DISTRICT**

**6250 Palmer Park Blvd., Colorado Springs, CO 80915-2842**

**Telephone: (719) 597-5080 Fax: (719) 597-5145**

August 17, 2018

Jim Boulton  
c/o Classic Homes  
6385 Corporate Drive  
Suite 200  
Colorado Springs, CO 80919

Re: Residential Development – Hannah Ridge at Feathergrass Filing #6  
Commitment Letter #2018-09

Dear Mr. Boulton,

As requested, this letter is being provided as a formal Letter of Commitment by the Cherokee Metropolitan District (District) to provide municipal water and sewer service for the above-mentioned development. This parcel of land is located within the District's service boundary and, therefore, the District stands ready and willing to provide water and sewer service for the specific property and uses detailed herein.

There was a source of water that was purchased by Sand Creek Investments North LLC specifically for the Hannah Ridge at Feathergrass Phase 2 subdivisions which includes Filings #5, #6, and #7. This source of water was purchased through a "Water and Sewer Service Agreement" between Cherokee Metropolitan District and Sand Creek Investments North LLC, dated December 4, 2006. The agreement was for a total of 76 acre feet of water which is sufficient water to serve 181 lots based on 0.42 acre feet of water per lot. According to the Water Resources Report, the development is proposing 33 lots for single family residences along with irrigation for common areas and is anticipating a total water demand of 17.68 acre feet per year which leaves 32.63 acre feet of water per year for Hannah Ridge at Feathergrass Filing #7.

Regarding the wastewater capacity, the District's Water Reclamation Facility (WRF) has the required capacity to meet the sewer demand for this development. The WRF is rated for 4.8 million gallons per day (MGD), of which 2.6 MGD is owned by the District and reserved for District's customers. The District's current contribution to the WRF is 1.560 MGD with a committed capacity of 1.617 MGD, therefore, there is an excess of 1.040 MGD of treatment capacity available and 0.983 MGD of available capacity for future commitments. Based on the information received in the Wastewater

Treatment Report, the above-mentioned development is estimated to discharge 5,395 gallons of wastewater per day which equates to 0.55% of the available capacity of the WRF leaving 0.977 MGD of capacity available for future developments.

This water commitment is hereby made exclusively for this specific development project at this site, within the District, and must achieve appropriate zoning and a final plat land use entitlement from El Paso County Development Services within 12 months from the date of this letter; otherwise, the District may use this allocation for other developments requesting a water commitment for growth that stands ready to develop.

I trust that you find this letter adequate for your needs and land use applications. If I may be of further assistance, please contact me at your convenience.

Best Regards,



Jonathon Smith  
Water & Wastewater Collections Manager

Encl: Water Resources Report for Hannah Ridge at Feathergrass Filing #5  
Wastewater Treatment Report for Hannah Ridge at Feathergrass Filing #5  
Preliminary Plan for Hannah Ridge at Feathergrass Filing #5  
Water Balance and Water Commitments

Ec: Brian Beaudette, Interim General Manager, Cherokee Metropolitan District



## **CHEROKEE METROPOLITAN DISTRICT**

**6250 Palmer Park Blvd., Colorado Springs, CO 80915-2842**

**Telephone: (719) 597-5080 Fax: (719) 597-5145**

April 10, 2019

Jim Boulton  
c/o Classic Homes  
6385 Corporate Drive  
Suite 200  
Colorado Springs, CO 80919

Re: Residential Development – Hannah Ridge at Feathergrass Filings #5, #6, #7  
Commitment Letter #2019-02 (Revision of Previous Commitment Letters)  
Hannah Ridge Filing #5 --- Commitment Letter #2018-13  
Hannah Ridge Filing #6 --- Commitment Letter #2018-09  
Hannah Ridge Filing #7 --- Commitment Letter #2018-10

Dear Mr. Boulton,

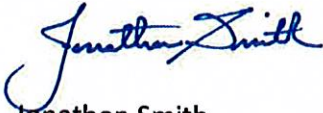
As requested, this letter is being provided as a revised Letter of Commitment by the Cherokee Metropolitan District (District) to provide municipal water and sewer service for the above-mentioned developments. These parcels of land are located within the District's service boundary and, therefore, the District stands ready and willing to provide water and sewer service for the specific properties and uses detailed herein.

This revised commitment letter addresses the revised water demand calculations and statements of water sufficiency determined by the State Engineer's Office in a letter dated February 13, 2019. Regarding the wastewater capacity, all previously committed capacity of the District's Water Reclamation Facility (WRF) for Hannah Ridge Filings #5, #6, and #7 remain in full effect as the WRF has the available capacity for such commitments.

This commitment letter is hereby made exclusively for these specific development projects at this site, within the District, and must achieve appropriate zoning and a final plat land use entitlement from El Paso County Development Services within 12 months from the date of this letter; otherwise, the District may use this allocation for other developments requesting a water commitment for growth that stands ready to develop.

I trust that you find this letter adequate for your needs and land use applications. If I may be of further assistance, please contact me at your convenience.

Best Regards,



Jonathon Smith

Water & Wastewater Collections Manager

Encl: Water Sufficiency Letter from State Engineer's Office  
Commitment Letter #2018-09 --- Hannah Ridge Filing #5  
Commitment Letter #2018-10 --- Hannah Ridge Filing #6  
Commitment Letter #2018-13 --- Hannah Ridge Filing #7

Ec: Amy Lathen, General Manager, Cherokee Metropolitan District  
Jeff Munger, Water Resource Engineer, Cherokee Metropolitan District  
Cole Emmons, Senior Assistant County Attorney, El Paso County Attorney's Office  
Edith Anderson, Paralegal, El Paso County Attorney's Office



February 13, 2019

El Paso County Development Services Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910-3127

RE: Hannah Ridge at Feathergrass Filing Nos. 1-7 and Shops  
Final Plat  
Sec. 32, Twp. 13S, Rng. 65W, 6th P.M.  
Water Division 2, Water District 10  
CDWR Assigned Subdivision No. 21286

To Whom It May Concern:

We received your revised submittal dated January 12, 2019 concerning the Final Plat for Hannah Ridge at Feathergrass Filing Nos. 1-7 and Shops. Our office previously provided comments for the Hannah Ridge at Feathergrass on the following dates:

Hannah Ridge at Feathergrass Preliminary Plan Amendment on May 13, 2013  
Filing No. 1 on September 19, 2013  
Shops on January 21, 2014  
Filing No. 2 on August 10, 2015  
Filing No. 3 (replat of Tract FF) on May 31, 2017  
Filing No. 4 (replat of Tract GG) on June 14, 2017  
Filing No. 5 (replat of Tracts HH and JJ; Phases 5 and 6 in the preliminary plat) on November 19, 2018  
Filing No. 6 (replat of Tract KK; Phase 7 in the preliminary plat; Phase 8 in subsequent correspondence) on November 19, 2018  
Filing No. 7 (replat of Tract LL; Phase 8 in the preliminary plat; Phase 7 in subsequent correspondence) on November 19, 2018

The proposed supply of water and wastewater disposal is to be served by the Cherokee Metropolitan District ("Cherokee").

### **Water Supply Demand**

The Water Supply Information Summary, Form No. GWS-76, included with the previous submittals provided an estimated water demand of 0.42 acre-feet/year per lot for 344 lots, 11.03 acre-feet/year for irrigation of 4.59 acres, and 1.68 acre-feet/year for shops for a total estimated water demand of 156.97 acre-feet/year. Per correspondence with Jonathon Smith, Water and Wastewater Collections Manager for Cherokee, more recent engineering reports support a conservative estimate of water use for single family homes to be 0.31 acre-feet per year. This is consistent with standard water use rate, as found in the Guide to Colorado Well Permits, Water Rights, and Water Administration. The estimated water demand for



the subdivision has been amended to 119.35 acre-feet/year, as shown in the following table:

Phase	Single Family Residential			Park/Open Space		Filing Total Demand (AF)		Running Total Demand (AF)	
	No. Lots	Demand, Initial (AF)	Demand, Revised (AF)	No. Acres	Demand (AF)	Initial	Revised	Initial	Revised
1	45	18.90	13.95	0.5	1.05	19.95	15.00	19.95	15.00
2	39	16.38	12.09	0	0	16.38	12.09	36.33	27.09
3	39	21.84	12.09	1.3	2.73	19.11	14.82	55.44	41.94
4	52	22.88	16.12	0	0	21.84	16.12	77.28	58.03
5	55	13.86	17.05	1.32	3.43	26.31	20.48	103.59	78.51
6	33	13.86	10.23	1.47	3.82	17.68	14.05	121.27	92.56
7	81	34.02	25.11	0	0	34.02	25.11	155.29	117.67
Shops	1	1.68	1.68	0	0	1.68	1.68	156.97	119.35

**Source of Water Supply**

The proposed source of water is to be served by Cherokee, and an August 17, 2018 letter of commitment was included with the most recent submittal. According to the letter, a 76 acre-feet per year source of water was purchased by Sand Creek Investments North, LLC for Hannah Ridge at Feathergrass subdivisions.

The first source of water is 60.5 acre-feet per year of the Kane Water Right, as documented by the October 11, 2006 "Water and Sewer Service Agreement" between Cherokee and Sand Creek Investments North, LLC. The Kane Water Right is not a separate water right, but rather a contractual water right for a portion of water removed under contract from the Sweetwater Well Field operated by Cherokee. The Kane Water Right is not viewed by this office as a commitment from Cherokee, but a pre-existing "first-in-line" delivery that Cherokee accepted upon assuming control of the Sweetwater Well Field. Since Sweetwater Nos. 1-3, 5, 8-9, 11, 13 and 15-16 are currently the only wells that may legally be used to supply water outside of the Designated Basin, the State Engineer's Office based its opinion on the understanding that the 200 acre-feet would come from Sweetwater Nos. 1-3, 5, 8-9, 11, 13 and 15-16.

The second source of water is 76 acre-feet per year of Tipton Water, as documented by the December 4, 2006 "Water and Sewer Service Agreement" between Cherokee and Sand Creek Investments North, LLC. The 76 acre-feet is part of 225 acre-feet of fully consumable and exportable water adjudicated to the Tipton Well in Colorado Ground Water Commission Case No. 91GW01, for use and export outside of the Upper Black Squirrel Creek Designated Ground Water Basin.

An October 15, 2018 letter of commitment dedicates an additional 0.62 acre-feet/year to Hannah Ridge at Feathergrass subdivision, for a total of 137.12 acre-feet per year.

**Additional Comments**

Should the development include construction and/or modification of any storm water structures, the Applicant should be aware that, unless the storm water

structure(s) can meet the requirements of a "storm water detention and infiltration facility" as defined in section 37-92-602(8), Colorado Revised Statutes, the structure may be subject to administration by this office. The applicant should review DWR's Administrative Statement Regarding the Management of Storm Water Detention Facilities and Post-Wildland Fire Facilities in Colorado, available on the Colorado Division of Water Resources website at: <http://water.state.co.us/DWRIPub/Documents/DWR%20Storm%20Water%20Statement.pdf>, to ensure that the notice, construction and operation of the proposed structure meets statutory and administrative requirements.


**State Engineer's Office Opinion**

Pursuant to Section 30-28-136(1)(h)(II), C.R.S., it is the opinion of this office that the proposed water supply for Filing Nos. 1-7 and Shops of Hannah Ridge at Feathergrass can be provided without causing injury to decreed water rights and is expected to be adequate.

The Sweetwater Wells (from which the Kane Water Right is withdrawn from) and the Tipton Well (from which the Tipton Water is withdrawn from) are constructed into the Quaternary alluvium, which is considered to be annually renewable with no administrative life span. The long term adequacy of any ground water source may be subject to fluctuations due to hydrological and climatic trends.

Should you have any questions concerning this matter, please feel free to contact me directly.

Sincerely,



Kate Fuller, P.E.  
Water Resources Engineer

ec: Bill Tyner, Division 2 Engineer  
Doug Hollister, District 10 Water Commissioner  
Jonathon Smith, Cherokee Metropolitan District

KFF:kff