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Kari Parsons  
El Paso County Planning and Community Development Department  
2880 International Circle, Suite 110  
Colorado Springs, CO 80910  
kariparsons@elpasoco.com

Spencer Fane LLC  
Pat Hrbacek  
phrbacek@spencerfane.com

Re: Windermere Metropolitan District

Dear Ms. Parsons:

This firm represents the Upper Black Squirrel Creek Ground Water Management District (“the District”). Applicant, Spencer Fane LLC, provided materials in support of its application for a Preliminary Plan for the proposed Windermere Metropolitan District (“Windermere Metro”). Windermere Metro would encompass a parcel of land generally located between Antelope Ridge Drive and Marksheffel Road, and to the North of North Carefree Circle, and is estimated to include approximately 42.8165 acres of land in its initial boundaries including exclusively residential development. Windermere Metro would be located outside the District’s boundaries. The District reviewed the Applicant’s application materials and submits the following comments:

*Water Supply and Water Export*

Applicant has provided very little information for the proposed water or wastewater service Windermere Metro would procure or provide. According to Applicant’s Letter of Intent, “The Developer and [Windermere Metro] intend to work with any overlapping service providers to obtain the consents and/or approvals (as necessary) for the provision of public services to the District including, but not limited to, water, wastewater/sewer and fire protection services.” *Letter of Intent* at 1. If Applicant’s future water service is provided by Cherokee Metropolitan District or Woodmen Hills Metropolitan District, such a supply would constitute an export of water out of the District, requiring approval from the District pursuant to the District’s Rule 7. Applicant should provide information as to whether either of these water providers are potential suppliers of water service within Windermere Metro.

The District reserves the right to provide additional comments at a later date founded upon information not readily ascertainable from the above-referenced application.

Sincerely,

A handwritten signature in blue ink, appearing to read "Mirko L. Kruse".

Mirko L. Kruse  
for  
TROUT RALEY

cc: UBSCGWMD Board of Directors