STATE OF COLORADO

Bill Ritter, Jr., Governor
James B. Martin, Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

4300 Cherry Creek Dr. S.
Denver, Colorado 80246-1530
Phone (303) 692-2000
TDD Line (303) 691-7700
Located in Glendale, Colorado

http://www.cdphe.state.co.us

Laboratory Services Division
8100 Lowry Blvd.
Denver, Colorado 80230-6928
(303) 692-3090

Colorado Department
of Public Health
and Environment

Mr. Leonard Wiest
Windsor Southgate Development, LLC
1625 Pelican Lakes Pt., Suite 201
Windsor, Colorado 80550

June 27, 2008

Certified Mail Number: 7005 1820 0000 3208 1876

RE: Order for Civil Penalty, Number: SP-080627-3

Dear Mr. Wiest:

Windsor Southgate Development, LLC is hereby served with the enclosed Order for Civil Penalty ("Penalty Order"). This Penalty Order is issued by the Colorado Department of Public Health and Environment's Water Quality Control Division (the "Division") pursuant to the authority given to the Division by §25-8-608(2) of the *Colorado Revised Statutes*. Payment of the imposed civil penalty should be made in accordance with the methods referenced in the Penalty Order and Compliance Order on Consent Number: SC-080331-1.

If you or other representatives of Windsor Southgate Development, LLC have any questions regarding the Penalty Order or the payment method, please do not hesitate to contact Mike Harris of this office at (303) 692-3598 or by electronic mail at michael.harris@state.co.us.

Sincerely,

Scott Klarich, Unit Manager
Enforcement & Clean Water Compliance Assurance Unit
Compliance Assurance and Data Management Section
WATER QUALITY CONTROL DIVISION

cc: Weld County Department of Public Health and Environment, Storm Water Program

ec: Aaron Urdiales, EPA Region VIII
Doug Camrud, Engineering Section, CDPHE
Kathy Dolan, Permits Section, CDPHE
Dick Parachini, Outreach and Assistance Unit, CDPHE

MS-3 File

Enclosure(s)

COLORADO DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

DIVISION OF ADMINISTRATION

WATER QUALITY CONTROL DIVISION

ORDER FOR CIVIL PENALTY **NUMBER: SP-080627-3**

IN THE MATTER OF: **WINDSOR SOUTHGATE DEVELOPMENT, LLC**
CDPS PERMIT NO. COR-030000
CERTIFICATION NO. COR-039282
WELD COUNTY, COLORADO

This matter having come to my attention as the Designee of the Executive Director of the Colorado Department of Public Health and Environment, upon petition for imposition of a civil penalty by the Water Quality Control Division's Compliance Assurance and Data Management Section, I hereby impose a civil penalty in the amount of Fifteen Thousand Eight Hundred Dollars ($15,800.00) against Windsor Southgate Development, LLC for the violations cited in the Compliance Order on Consent between Windsor Southgate Development, LLC and the Division, executed on March 31, 2008 (the "Consent Order"). A copy of the Consent Order is attached hereto as Exhibit A and is incorporated herein by reference. The civil penalty shall be paid within thirty (30) calendar days of the date of this Order for Civil Penalty as set forth in the Consent Order.

"Method of payment shall be by certified or cashier's check drawn to the order of the 'Colorado Department of Public Health and Environment,' and delivered to:

Michael Harris
Colorado Department of Public Health and Environment
Water Quality Control Division
Mail Code: WQCD-CADM-B2
4300 Cherry Creek Drive South
Denver, Colorado 80246-1530"

Dated this 27th day of June, 2008.

Steven H. Gunderson, Director
Water Quality Control Division
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT