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MAY 18 2010

GARFIELD COUNTY
BUILDING & PLANNING

KENNETH BALCOMB
(1920-2005)

OF COUNSEL:

JOHN A. THULSON

BALCOMB & GREEN, P.C.
ATTORNEYS AT LAW

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818 COLORADO AVENUE
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CHRISTOPHER L. GEIGER
SARA M. DUNN

DANIEL C. WENNOGLE
SCOTT GROSSCUP
CHAD J. LEE

May 18, 2010

Via Hand Delivery

Tom Veljic, AICP, Senior Planner
Garfield County Building and Planning Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601

Re: Narrative Addressing Criteria for Evans Minor Subdivision Exemption

Dear Tom:

Enclosed is a minor subdivision exemption application filed on behalf of Jack T. Evans, Jr. and Billie G. Burchfield. Applicants have been ordered by the District Court to subdivide their 33.342 acre parcel ("Evans/Burchfield Property") located north of County Road 301 into two lots for single family residences. Applicants completed a Preapplication Conference with the County. The County confirmed that this is a minor subdivision exemption. This letter addresses the criteria for a minor subdivision exemption as set forth in the Garfield County Unified Land Use Resolution ("GCULUR").

A. Minor Exemption

The Evans/Burchfield Property was the subject of a previous exemption approval, Resolution No. 96-23¹ dated April 15, 1996 for three lots ("Evans Exemption"). Parcel 2 of the Evans Exemption comprises the Evans/Burchfield Property. Applicants propose to create one new parcel. This new 17.259 acre parcel is depicted as Lot 2A on the attached draft Evans Subdivision Exemption Second Plat ("Plat"). The remainder parcel will be reduced to 16.083 acres and is depicted as Lot 2B. Both lots satisfy the two acre minimum lot size for the Rural Zone District. A certificate of title for the property is also attached.

¹ Resolution No. 96-23 was recorded under Reception No. 491643 in the Records of the Garfield County Clerk and Recorder.

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Evans Minor Subdivision Exemption

May 18, 2010

B. Adequate Legal and Physical Water Supply

Lot 2A Water Supply: Lot 2A will be served by a new well drilled on March 29, 2010 under Division of Water Resources' Permit 282284 (attached). Use of water from the new well is limited to monitoring water levels and water quality sampling under the terms of Well Permit 282284, a copy of which is enclosed. Upon approval of the requested minor exemption, this well will qualify for an in-house use only exempt permit from the Division of Water Resources, similar to the permit for the well which currently serves Lot 2B.

A 24-hour pump test was performed on the well by Samuelson Pump Co., Inc. on April 2, 2010. A summary report of the well test results prepared by Raun E. Samuelson is attached hereto. Water quality samples were also collected and submitted to an independent testing laboratory as required by GCULUR § 7-104(d).

Thomas A. Zancanella, P.E., of Zancanella and Associates, Inc., analyzed the well testing results for the new Lot 2A Well and prepared a report on the adequacy of the well to supply water for the proposed uses in accordance with the requirements of GCULUR § 7-104. The Zancanella & Associates report is submitted herewith.

Remainder Parcel Water Supply: The remainder parcel is served by an existing exempt well permitted under Division of Water Resources Permit 195307-A. This well was determined to be an adequate water supply under the Evans Exemption Approval, Resolution No. 96-23 dated April 15, 1996 ("1996 Resolution," attached). The 1996 Resolution contains detailed criteria for the water supply plan of the Exemption's Lots. Since the resulting parcel (Lot 2B) had an individual well, it was only required to receive a permit from the Division of Water Resources. This permit provides in-house use water to the existing residential dwelling, which was constructed based upon the 1996 Resolution approving the parcel.²

² The Garfield County Code does not require a finding of adequacy with respect to the remainder parcel when the parcel was created as a result of a previous subdivision exemption. Once a parcel is divided through the exemption process, it is an "Exemption Lot." GCULUR § 5-202. A minor exemption consists of "one new parcel and a remainder parcel." *Id.* Since Lot 2B was created by the subdivision exemption process, it was already authorized by the County as an Exemption Lot and the County has already approved the water supply. The 1996 Resolution contains detailed criteria regarding water supply for the resulting parcels, with which Lot 2B complies. Further, since this application was court-ordered, special considerations apply. *See, e.g.,* GCULUR 5-201 (discussing treatment of "court-ordered" subdivisions).

Not only does the express wording of the Code only require a finding of water adequacy for newly-created "Exemption Lots," the County is estopped in this instance from requiring a determination of

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May 18, 2010

C. Fire Protection Requirements

Applicants will install a cistern on Lot 2A with a minimum capacity of 2,000 gallons. This cistern will meet the minimum water supply required for fire protection purposes according to the NFPA 1142 Standard on Water Supplies for Suburban and Rural Fire Fighting, 2007 Edition.³

D. Adequate Wastewater Disposal System

The nearest centralized water and/or wastewater system is located a distance of more than three miles from the Evans/Burchfield Property. Since there is no central system within 400 feet of the exemption and it is only creating one new parcel, connection to central water or wastewater distribution system is not required by the Code, nor is it physically or economically feasible. GCULUR § 7-106.

Lot 2A is well over an acre, and is therefore suitable to be served by an Individual Septic Disposal System ("ISDS") with a leach field system per the requirements of the Garfield County Code. The remainder parcel (Lot 2B) is already served by an ISDS with a leach field system. It was found to be suitable for an ISDS when its permit was issued (attached). Due to the size of Lot 2A, there is plenty of flexibility to provide a suitable treatment area. Therefore, Lot 2A meets all requirements for a private system under the Garfield County Code.

adequacy with respect to the water supply where a single family residence has been constructed and occupied relying upon the County's prior approval of a subdivision exemption lot.

Note also that an adequate water supply plan is only required for "preliminary or final approval of an application for rezoning, planned unit development, limited impact or major impact review, development or site plan, or similar application for new construction" (§ 7-105) and that the water adequacy criteria itself, it expressly applies to only development permits "which requires a water demand in an amount of at least 8 (eight) single-family equivalents." GCULUR § 5-502(13); 7-105.

The intent of the 2008 law which provided counties the discretion to determine adequacy of water supply was only intended to apply to "new developments" that created "fifty single family equivalents or greater." C.R.S. § 29-20-301; § 29-20-103. It also does not apply to subdivision exemptions. *See id.* (defining "development permit" for purposes of the water adequacy statute as any preliminary or final approval of a "subdivision...or similar application for new construction" but limiting it to a specific project that includes new water use in an amount more than that used by fifty single family equivalents...." (emphasis added).

³ NFPA Standard 1231 referenced in the GCULUC § 7-403 was renumbered as NFPA Standard 1142 in the 1999 Edition and continues under that classification in the 2007 Edition referred to herein.

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Evans Minor Subdivision Exemption

May 18, 2010

E. Adequate Access

The Code requires all lots to have access to and from a public highway. GCULUR §7-108(B). Both lots have access directly to County Road 301. Lot 2A will access County Road 301 via its own driveway, as shown on the Plat. Lot 2B will access County Road 301 via the access and utility easement also depicted on the Plat. Due to the minimal increase in traffic caused by one additional lot, this access will be safe and will not cause traffic congestion or unsafe traffic conditions. No new improvements to state or federal highways are necessary. County Road 301 has the capacity to accept the additional traffic generated by one single family dwelling.

F. Hazards

This minor subdivision exemption causes no new significant risks from natural hazards and will not exacerbate existing hazards and therefore satisfies GCULUR §7-109.

G. Compliance with Comprehensive Plan and Intergovernmental Agreements

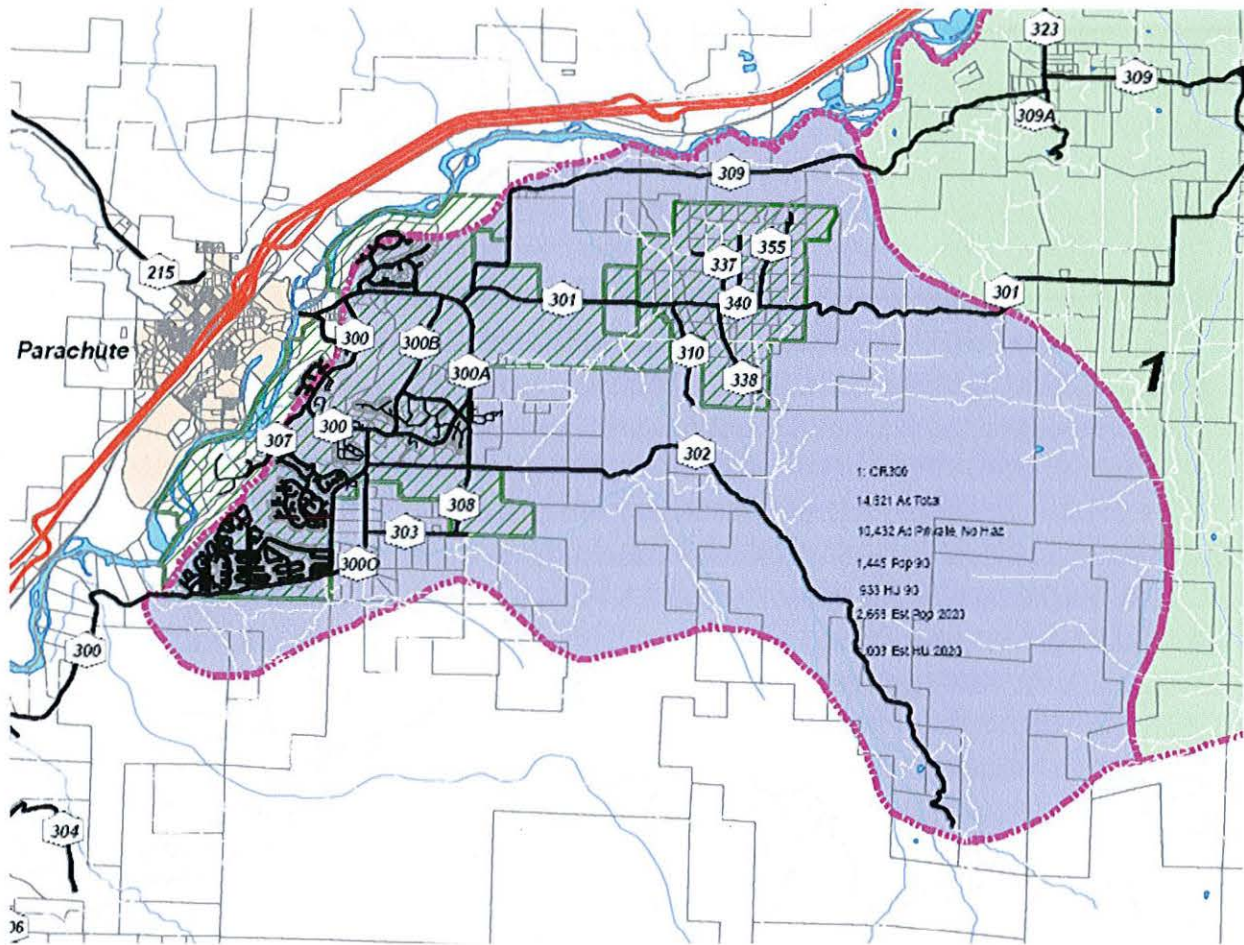
This subdivision exemption complies with the County's comprehensive plan. By preserving 16+ acre parcels, it promotes the rural character of unincorporated Garfield County. For example, the Comp. Plan recognizes that all owners have an inherent right to develop property. (See Comp. Plan § 1 "Private Property Rights"). The open spaces resulting from the limited development (one single family residence each) of these parcels will be preserved to ensure visual appeal for all residents of Garfield County. (See Comp. Plan § II (8.0)). This will present agricultural and ranching uses which preserves an important cultural component of Garfield County. (See Comp. Plan II § (9.0)). The design of this subdivision, therefore, is sensitive to the environmental constraints of the surrounding area. (Comp. Plan. § III 2.0). This subdivision exemption also complies with the County's intergovernmental agreements.

H. Exemption Map Requirement

The attached Plat, once final, will be suitable for recordation.

I. Taxes

All taxes on the property at issue have been paid.



Traffic Impact Fee Zones, Garfield County, CO

Legend

- State or Federal Highway
- County Road
- Other Local Streets
- Private Roads, Trails
- City, Town
- Subdivision



Garfield County
 If Represented:
 100 E. 3rd Street, Suite 402
 Glenwood Springs, CO 81601
 970.645.1377 x1590
 LU Road/Bridge/Impact Fee Zones #022 Revision 13: 3-11-08

IMPACT FEE ZONE SOURCE:

1. Garfield County Building and Planning Department Staff Report (2000).

BASE MAP SOURCE:

1. Garfield County Road GPS Centerlines, collected by Garfield County GIS (2002, revised 2008).
2. U. S. G. S. 1:24,000 7.5' quadrangle maps and 1:50,000 county series.
3. Colorado Department of Transportation GIS data (2007).

DISCLAIMER:

This map was produced by Garfield County Geographic Information Services utilizing the ArcInfo Geographic Information System (GIS). The GIS and its components are designed as a source of reference for answering queries, modeling, and planning. The GIS is not a substitute for official government records maintained by the Planning Department, the County Clerk and Records Office, the Assessor's Office, or for any legal description information in the chain of title. In addition, the representation of geographic locations by the GIS may not be substituted for actual legal surveys. Always refer to the sources cited for the most current legal documentation utilized in the composition of this map.

The information contained herein is believed to be accurate and suitable for the limited uses set forth above. Garfield County makes no warranty as to the accuracy or suitability of any information contained herein for any other purposes. The user shall assume all risk and responsibility for any and all damages, including consequential damages, which may propagate from the user's application of this information.

STATE OF COLORADO)
)ss
County of Garfield)

At a regular meeting of the Board of County Commissioners for Garfield County, Colorado, held in the Commissioners' Meeting Room, Garfield County Courthouse, in Glenwood Springs on Monday, the 15 day of April A.D. 19 96, there were present:

- Marian I. Smith, Commissioner Chairman
- Arnold L. Mackley, Commissioner
- Elmer "Buckey" Arbaney, Commissioner
- Don K. DeFord, County Attorney
- Mildred Alsdorf, Clerk of the Board
- Chuck Deschenes, County Administrator

when the following proceedings, among others were had and done, to-wit:

RESOLUTION NO. 96-23

A RESOLUTION CONCERNED WITH THE APPROVAL OF AN EXEMPTION FROM THE DEFINITION OF SUBDIVISION APPLICATION FOR JACK EVANS JR.

WHEREAS, the Board of County Commissioners of Garfield County, Colorado, has received application from Jack Evans Jr. for allowing an exemption from the definition of subdivision on the following described tract of land:

Located on a tract of land in a portion of Section 10, T7S, R95W of the 6th P.M.

(in the State of Colorado and the County of Garfield); and

WHEREAS, the Board held a public hearing on the 2nd day of January, 1996, upon the question of whether the above-described exemption from subdivision should be granted or denied, at which hearing the public and interested persons were given the opportunity to express their opinions regarding the issuance of said exemption; and

WHEREAS, the Board on the basis of substantial competent evidence produced at the aforementioned hearing, has made the following determination of fact:

1. That proper publication and public notice was provided as required by law for the hearing before the Board of County Commissioners.
2. That the hearing before the Board of County Commissioners was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at that hearing.
3. For the above stated and other reasons, the proposed use is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Garfield County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Garfield County, Colorado, that the exemption from the definition of subdivision be and hereby is authorized based upon the following specific conditions:

1. That all representations of the applicant, either within the application or stated at the meeting before the Board of County Commissioners, shall be considered conditions of approval.

A Final Exemption Plat shall be submitted, indicating the legal description of the property, dimension and area of the proposed lots, access to a public right-of-way, and any proposed easements for setbacks, drainage, irrigation, access or utilities.

3. That the applicant shall have 120 days to present a plat to the Commissioners for signature, from the date of approval of the exemption.
4. That the applicant shall submit \$200.00, per lot, in School Impact Fees for the creation of all exemption parcels.
5. That, if the lots are to have individual wells, the applicant receive an approved well permit from the State Engineer's Office for each lot to be created prior to the signing of an exemption plat or, if the water supply is to be shared, then the applicant shall receive an approved, domestic well permit from the State Engineer's Office and shall draft a legal water sharing agreement. Additionally, if the shared well is used, the exemption plat shall legally describe a 20 foot radial access/repair/maintenance easement around the well and a 10 foot centerline easement for the water supply line.
6. That, if the water supply is to be shared, the applicant shall demonstrate that an adequate supply in both quantity and quality exists for the lots to be created. Additionally, excavation permits from County Road and Bridge, shall be necessary if the water supply line for the shared well system will necessitate the disturbance of a County Road. Criteria for demonstrating the quality, quantity and dependability of a well or a shared well system:
 - a) A well be drilled and a 24 hour pump test shall be performed;
 - b) The applicant supply, to the Planning Department, the well completion report demonstrating the depth of the well, the characteristics of the aquifer and the static water level;
 - c) The results of the 24-hour pump test indicating the pumping rate in gallons per minute and information showing drawdown and recharge shall be submitted to the Planning Department;
 - d) A written opinion of the person conducting the well test that this well would be adequate to supply water to the number of proposed lots and be submitted to the Planning Department;
 - e) An assumption of an average of no less than 3.5 people per dwelling unit, using 100 gallons of water per person, per day;
 - f) If the well is to be shared, the provision for individual water storage tanks of no less than 1000 gallons for each proposed lot (required at time of building permit application);
 - g) A discussion of the mechanical components of the shared well system to include the pump, water supply line, storage tank and other components (for shared well systems);
 - h) A legal, well sharing agreement which discusses all easements and costs associated with the operation and maintenance of the system and who will be responsible for paying these costs and how assessments will be made (for shared well systems);
 - i) The water quality be tested by an approved testing laboratory and meet State guidelines concerning bacteria and nitrates.

7. That the following plat notes be included:

"Soil conditions on the site may require engineered septic systems and building foundations. Site specific percolation tests at the time of building permit submittal shall determine specific ISDS needs on the site."

"The minimum defensible space distance shall be 30 feet on level terrain, plus appropriate modification to recognize the increased rate of fire spread at sloped sites. The methodology described in "Determining Safety Zone Dimensions, Wildfire Safety Guidelines for Rural Homeowners," (Colorado State Forest Service) shall be used to determine defensible space

requirements for the required defensible space within building envelopes in areas exceeding five (5) percent grade."

"The shared well system approved for this exemption requires a minimum 1000 gallon water tank be installed at each lot. This shall be done at time of building permit application at the expense of the building permit applicant. If a central tank is to be used, the sizing shall be a minimum of 1000 gallons per lot created and served by the central water system"

- 8. The control of noxious weeds shall be the responsibility of the landowner.
- 9. That the applicant shall receive written approval by the Grand Valley Fire Protection District and shall adhere to the recommendations made by said district.
- 10. The applicant shall receive any necessary driveway permits from the County Road and Bridge Department, prior to signing of an exemption plat.
- 11. If/When a transportation impact fee is adopted by the Board of County Commissioners, all lots created will be subject to paying the fee, which will be paid at time of building permit application and paid by the building permit applicant. If a building permit is issued prior to the adoption of a transportation impact fee, the applicant will not be required to pay the fee.

Dated this 16 day of April, A.D. 1996

ATTEST:

GARFIELD COUNTY BOARD OF COMMISSIONERS, GARFIELD COUNTY, COLORADO

Mildred Alsdorf
Clerk of the Board

Marian I. Smith
Chairman

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

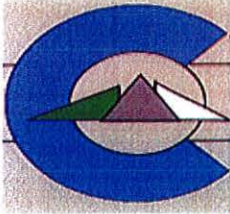
<u>Marian I. Smith</u>	, Aye
<u>Arnold L. Mackley</u>	, Aye
<u>Elmer (Buckey) Arboney</u>	, Aye

STATE OF COLORADO)
)ss
County of Garfield)

I, _____, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Resolution is truly copied from the Records of the Proceeding of the Board of County Commissioners for said Garfield County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Glenwood Springs, this ____ day of _____, A.D. 19____.

County Clerk and ex-officio Clerk of the Board of County Commissioners



GARFIELD COUNTY
 Building & Planning Department
 108 8th Street, Suite 401
 Glenwood Springs, Colorado 81601
 Telephone: 970.945.8212 Facsimile: 970.384.3470
www.garfield-county.com

5-18-2010

MIEA-0430

MINOR [2 LOT] EXEMPTION
 MAJOR [4 LOT] EXEMPTION
 FINAL EXEMPTION PLAT AMENDMENT

GENERAL INFORMATION (Please print legibly)

- Name of Property Owner: Jack T Evans Jr & Billie G Burchfield
 - Mailing Address: PO Box 695 Telephone: (970) 625-3551
 - City: Parachute State: CO Zip Code: 81635 Cell: (970) 355-4144
 - E-mail address: jterigger@hotmail.com FAX: (970) 625-8565
-
- Name of Owner's Representative, if any, (Attorney, Planner, Consultant, etc):
 - Sara Dunn & Chad Lee, Balcomb & Green, P.C.
 - Mailing Address: PO Drawer 790 Telephone: (970) 945-6546
 - City: Glenwood Springs, State: CO, Zip Code: 81602, Cell: (970) --
 - E-mail: clee@balcombgreen.com | ~~sarad@baleomgreen.com~~ FAX: (970) 945-8902
 - Street Address / General Location of Property: 2743 CR 301, Parachute, CO 81635
 - Assessor's Parcel Number: 2407 - 102 - 00 - 044
 - Size of Property (in acres) as of January 1, 1973: _43.73 acres
 - Current Size of Property to be Subdivided (in acres): 33.342
 - Number of Tracts / Lots Created Including remainder of Parent Property: 2
 - Proposed size of Tracts / Lots to be Created Including remainder of Parent Property:
 - Lot #: 2A containing 17.259 acres
 - Lot #: 2B containing 16.083 acres
 - Lot #: ____ containing _____ acres
 - Lot #: ____ containing _____ acres
 - Lot #: ____ containing _____ acres
 - Property's Zone District: Rural

B. Application Materials: The Final Exemption Plat Amendment / Corrected Plat review requires the following application materials as more fully described in Article V, Section 5-502:

1. Application Form and Fee
2. Preliminary Plan (5-501(G))
3. Final Exemption Plat, Amended Final Exemption Plat
4. Subdivision Improvement Agreement, if necessary

I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.

PROPERTY OWNER (OR AUTHORIZED REPRESENTATIVE)



Sara M. Dunn

Chad J. Lee, date: May 18, 2010

Mailing Address:

PO Drawer 790

Glenwood Springs, CO 81602

phone: (970)-945-6546

Jack T. Evans, Jr.

PO Box 695

Parachute CO 81635

GARFIELD COUNTY BUILDING AND PLANNING DEPARTMENT

PAYMENT AGREEMENT FORM

(Shall be submitted with application)

GARFIELD COUNTY (hereinafter COUNTY) and Jack T. Evans, Jr.
_____ Property Owner (hereinafter OWNER) agree as follows:

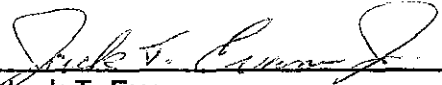
1. OWNER has submitted to COUNTY an application for Application for Subdivision
Real Property in Garfield County, located at: Parachute, Co. 81635

2. OWNER understands and agrees that Garfield County Resolution No. 98-09, as amended, establishes a fee schedule for each type of subdivision or land use review applications, and the guidelines for the administration of the fee structure.

3. OWNER and COUNTY agree that because of the size, nature or scope of the proposed project, it is not possible at this time to ascertain the full extent of the costs involved in processing the application. OWNER agrees to make payment of the Base Fee, established for the PROJECT, and to thereafter permit additional costs to be billed to OWNER. OWNER agrees to make additional payments upon notification by the COUNTY when they are necessary as costs are incurred.

4. The Base Fee shall be in addition to and exclusive of any cost for publication or cost of consulting service determined necessary by the Board of County Commissioners for the consideration of an application or additional COUNTY staff time or expense not covered by the Base Fee. If actual recorded costs exceed the initial Base Fee, OWNER shall pay additional billings to COUNTY to reimburse the COUNTY for the processing of the PROJECT mentioned above. OWNER acknowledges that all billing shall be paid prior to the final consideration by the COUNTY of any land use permit, zoning amendment, or subdivision plan.

PROPERTY OWNER (OR AUTHORIZED REPRESENTATIVE)


Jack T. Evans
dated December , 2009
12-15-09

Mailing address:

P.O. Box 695
Parachute, CO 81635



GARFIELD COUNTY
Building & Planning Department
108 8th Street, Suite 401
Glenwood Springs, Colorado 81601
Telephone: 970.945.8212 Facsimile: 970.384.3470
www.garfield-county.com

PRE-APPLICATION CONFERENCE SUMMARY

PLANNER: Tom Veljic

PreApp DATE: December 17, 2009

PROJECT: Minor (Two Lot) Exemption

PARCEL: 2407-102-00-044

COMPREHENSIVE PLAN: Study Area 3

ZONING: Rural

OWNER: Jack and Billy Birchfield Evans

REPRESENTATIVE: Owner

PRACTICAL LOCATION: East of Battlement Mesa on CR 301

TYPE OF APPLICATION: Minor (Two Lot) Exemption Plat

GENERAL PROJECT DESCRIPTION – The 33 acre site is located north of CR 301 and east of Battlement Mesa. Access to the site is by CR 301 and private access easement. The lot contains an existing primary residence with accessory buildings. The intent is to divide the property into two lots for single family residences based on a court ordered division. The proposed water supply is by an individual well and wastewater disposal will be via ISDS.

The Garfield County Geographic Information System Maps identify the western portion of the site containing a portion of the Parachute Creek drainage and the eastern portion of the site containing an area of farmland as "Irrigated, Inadequate Water". There is an existing well serving the home and a new well is proposed for the additional exempt lot. The applicant must submit copies of well permits and water contracts to address the ULUR requirement for adequate water for each lot. The applicant should contract with an engineer to verify that adequate water exists for domestic, irrigation, and large animal watering to serve both lots.

The site was the subject of a previous exemption approval for three lots (Evans Exemption) and one additional lot is proposed. Documentation showing the parcel history has been provided and this two lot exemption is permitted under the provisions of the Unified Land Use Resolution of 2008. Lot sizes for the proposed Minor Exemption can be no smaller than 2 acres to meet the requirements of the Rural Zoning District standards. A lot line adjustment was accomplished through Garfield County and the original lot lines for the

III. APPLICATION REVIEW

a. Review by: Staff for completeness recommendation and referral agencies for additional technical review

b. Public Hearing: Director (Administrative Decision)
 Board of County Commissioners (for signature)
 Board of Adjustment

c. Referral Agencies:

Garfield County Road and Bridge	Town of Parachute
Garfield County Attorney	School District
Garfield County Public Health	Fire District
Garfield County Vegetation Management	Local Utility Providers
Colorado Division of Water Resources	Other agencies determined by the Director

IV. APPLICATION REVIEW FEES

a. Planning Review Fees: \$ 300.00

b. Referral Agency Fees: \$ _____ (Separate Check, see attached fee schedule)

c. Total Deposit: \$ 300.00 (additional hours are billed at \$40.50 /hour)

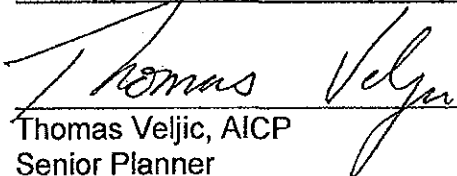
General Application Processing

Planner reviews case for completeness and sends to referral agencies for comments. Case planner contacts applicant and sets up a site visit. Staff reviews application to determine if it meets standards of review. Case planner makes a recommendation of approval, approval with conditions, or denial to the appropriate hearing body.

Disclaimer

The foregoing summary is advisory in nature only and is not binding on the County. The summary is based on current zoning, which is subject to change in the future, and upon factual representations that may or may not be accurate. This summary does not create a legal or vested right.

Pre-application Summary Prepared by:



Thomas Veljic, AICP
Senior Planner

12/30/09
Date

Attachments: *No Attachments*

A digital version of the Subdivision Application is available on-line at; <http://www.garfield-county.com/Index.aspx?page=1113>

Please refer to the sections of the Unified Land Use Resolution of 2008 noted above which is located at; <http://www.garfield-county.com/Index.aspx?page=578>

stewart title[®]

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Glenwood Springs Division
1620 Grand Avenue
Glenwood Springs, Colorado 81601
Phone: 970-945-5434
Fax: 1-800-886-2330

Date: March 25, 2010
Order Number: 17890a-C3 ◀
Buyer:
Seller: Jack T. Evans. Jr.
Property Address: 2743 County Road 301, Parachute, CO 81635

Please direct all Closing inquiries to:

Search Report

Please direct all Title inquiries to:

Susan Sarver
Phone: 970-945-5434 or 866-932-6098
Email Address: susan.sarver@stewart.com

SELLER:

Jack T. Evans. Jr.

SELLING BROKER:

Phone:

Phone:

ALTA Commitment Form

COMMITMENT FOR TITLE INSURANCE

Issued by



Stewart Title Guaranty Company, a Texas Corporation ("Company"), for a valuable consideration, commits to issue its policy or policies of title insurance, as identified in Schedule A, in favor of the Proposed Insured named in Schedule A, as owner or mortgagee of the estate or interest in the land described or referred to in Schedule A, upon payment of the premiums and charges and compliance with the Requirements; all subject to the provisions of Schedules A and B and to the Conditions of this Commitment.

This Commitment shall be effective only when the identity of the Proposed Insured and the amount of the policy or policies committed for have been inserted in Schedule A by the Company.

All liability and obligation under this Commitment shall cease and terminate six months after the Effective Date or when the policy or policies committed for shall issue, whichever first occurs, provided that the failure to issue the policy or policies is not the fault of the Company.

The Company will provide a sample of the policy form upon request.

This commitment shall not be valid or binding until countersigned by a validating officer or authorized signatory.

IN WITNESS WHEREOF, Stewart Title Guaranty Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers on the date shown in Schedule A.

Countersigned:

Authorized Countersignature



Stewart Title
Glenwood Springs Division
1620 Grand Avenue
Glenwood Springs, Colorado 81601
Phone: 970-945-5434
Fax: 1-800-886-2330

Senior Chairman of the Board

Chairman of the Board

President

**COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

1. Effective Date: **March 3, 2010, at 7:30 A.M.**

Order Number: **17890a-C3** ◀

2. Policy or Policies To Be Issued:

Amount of Insurance

(a) A.L.T.A. Owner's (Standard)
Proposed Insured:

\$ TBD

(b) A.L.T.A. Loan

3. The estate or interest in the land described or referred to in this Commitment and covered herein is:

Fee Simple

4. Title to the referenced estate or interest in said land is at the effective date hereof vested in:

**Jack T. Evans, Jr. and Billie G. Burchfield-Evans, as to Parcel A
Annie Rosella Burchfield and Billy Reed Burchfield, as to a Life Estate interest and
Jack T. Evans, Jr. and Billie G. Burchfield-Evans, as to the remainder, as to Parcel B**

5. The land referred to in this Commitment is described as follows:

See Attached Legal Description

Purported Address:
2743 County Road 301
Parachute, Colorado 81635

Statement of Charges:
These charges are due and payable before a Policy can
be issued:

SEARCH FEE \$75.00

SCHEDULE A

LEGAL DESCRIPTION

PARCEL A:

Parcel 2

A parcel of land situate in the W1/2NW1/4 Section 10, Township 7 South, Range 95 West of the Sixth Principal Meridian, County of Garfield, State of Colorado, said parcel of land being more particularly described as follows:

Beginning at the North 1/16 corner between Section 9 and Section 10, a brass cap LS No. 5933 in place; thence N00°08'23"E along the Westerly line of the NW1/4NW1/4 of said Section 10 a distance of 1323.06 feet to the Northwest corner of Section 10, a BLM aluminum cap in place;
Thence S89°19'35"E along the Northerly line of said NW1/4NW1/4 a distance of 1316.53 feet to the West 1/16 corner between Section 10 and Section 3, an aluminum cap LS No. 36572 in place;
Thence S00°02'30"W along the Easterly line of said NW1/4NW1/4 a distance of 845.81 feet;
Thence departing said Easterly line N89°57'30"W 451.02 feet;
Thence S00°00'42"E 504.67 feet to the centerline of County Road No. 301;
Thence S84°47'57"W along said centerline a distance of 122.67 feet;
Thence departing said centerline N02°57'52"E 529.86 feet;
Thence N34°03'19"W 199.55 feet;
Thence N57°18'23"W 201.94 feet;
Thence N73°09'32"W 185.99 feet;
Thence S14°05'01"W 268.86 feet;
Thence S34°10'34"E 175.90 feet;
Thence S22°46'41"E 105.03 feet;
Thence S00°33'26"W 304.36 feet to a point on the Southerly line of said NW1/4NW1/4;
Thence N89°26'34"W along said Southerly line a distance of 384.78 feet to the true point of beginning.

SUBJECT to a Well Easement for the purpose of Access, Maintenance and Repair, said Easement being 10 feet in width, 5 feet on each side of the following described centerline:

Commencing at the Southeast corner Lot 2; thence along the Southerly line of Parcel 2 N89°57'30"W 97.69 feet to the true point of beginning; thence departing said Southerly line N07°16'40"E 225.95 feet; thence N13°11'12"W 138.64 feet; thence N02°36'16"W 304.38 feet to the center point of a Well as constructed in place the point of terminus (whence the W1/6 corner between Section 10 and Section 3, an aluminum cap LS No. 36572 set in place, bears N32°14'24"E 215.83 feet) (to include a 10 foot radius Easement from the center of said Well for the purpose of Access, Repair and Maintenance).

Also Known as

Parcel 2

Evans Subdivision Exemption

According to the Plat recorded April 19, 1996 as Reception No. 491782 and the Evans Lot Line Adjustment Plat recorded August 15, 2008 as Reception No. 754138.

PARCEL B:

5.001 acres, being the undivided Southeast end of Evans Subdivision Exemption Parcel No. 2.

County of Garfield, State of Colorado

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B – Section 1 REQUIREMENTS

Order Number: 17890a-C3

The following are the requirements to be complied with:

1. Payment to or for the account of the grantor(s) or mortgagor(s) of the full consideration for the estate or interest to be insured.
2. Proper instrument(s) creating the estate or interest to be insured must be executed and duly filed for record.
3. NONE

NOTE: This product is for informational purposes only. It is not a title insurance product and does not provide any form of coverage. This product is not a guarantee or assurance and does not warrant, or otherwise insure any condition, fact or circumstance. This product does not obligate this Company to issue any policies of title insurance for any subsequent transaction based on the information provided or involving the property described herein. This Company's sole liability for any error(s) relating to this product is limited to the amount that was paid for this product.

COMMITMENT FOR TITLE INSURANCE

SCHEDULE B – Section 2 EXCEPTIONS

Order Number: 17890a-C3

The policy or policies to be issued will contain exceptions to the following unless the same are disposed of to the satisfaction of the Company:

1. Rights or claims of parties in possession, not shown by the public records.
2. Easements, or claims of easements, not shown by the public records.
3. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land and not shown by the public records.
4. Any lien, or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing the public records or attaching subsequent to the effective date hereof, but prior to the date the proposed insured acquires of record for value the estate or interest or mortgage thereon covered by this commitment.
6. Unpatented mining claims, reservations or exceptions in patents, or in acts authorizing the issuance thereof.
7. Water rights, claims or title to water.
8. Any and all unpaid taxes and assessments and any unredeemed tax sales.
9. The effect of inclusions in any general or specific water conservancy, fire protection, soil conservation or other district or inclusion in any water service or street improvement area.
10. Right of way for ditches or canals constructed by the authority of the United States, as reserved in United States Patent recorded May 2, 1911 in Book 71 at Page 474 as Reception No. 41827.
11. Location Certificate of Last Chance No. 6 Placer Mining Claim recorded October 26, 1916 in Book 104 at Page 10 as Reception No. 55225, and any and all assignments of record, or otherwise, thereof, or interests therein.
12. Matters disclosed in Warranty Deeds recorded November 19, 1943 in Book 208 at Page 504 as Reception No. 150357; recorded July 22, 1954 in Book 277 at Page 417 as Reception No. 186486; and recorded December 29, 1956 in Book 297 at Page 28 as Reception No. 196288, and for all the

above recited Deeds any and all assignments of record, or otherwise, thereof, or interests therein.

13. Easement and Right of Way for County Road 301.
14. Easement Agreement recorded January 6, 1996 in Book 963 at Page 529 as Reception No. 487407.
15. Easement Agreement recorded January 8, 1996 in Book 963 at Page 532 as Reception No. 487408.
16. Assignment of Easement Agreements recorded January 15, 1996 in Book 964 at Page 28 as Reception No. 487616.
17. Partial Assignment of Easement Agreements recorded January 15, 1996 in Book 964 at Page 35 as Reception No. 487620.
18. Resolution No. 96-23 recorded April 17, 1996 in Book 974 at Page 344 as Reception No. 491643.
19. Matters disclosed on the Evans Subdivision Exemption Plat recorded April 19, 1996 as Reception No. 491782, Lot Line Adjustment Plat recorded August 15, 2008 as Reception No. 754138.
20. Resolution No. 29 recorded May 21, 1996 in Book 978 at Page 798 as Reception No. 493290.
21. Holy Cross Electric Association, Inc. Contract for Electric Service (Individuals) recorded June 3, 1996 in Book 980 at Page 347 as Reception No. 493932.
22. Holy Cross Electric Association, Inc. Right-of-Way Easement recorded June 3, 1996 in Book 980 at Page 348 as Reception No. 493933.
23. Oil and Gas Lease recorded June 13, 1997 in Book 1022 at Page 107 as Reception No. 509541, and any and all assignments of record, or otherwise, thereof, or interests therein; Oil and Gas Lease recorded June 13, 1997 in Book 1022 at Page 110 as Reception No. 509542, and any and all assignments of record, or otherwise, thereof, or interests therein; Oil and Gas Lease recorded June 13, 1997 in Book 1022 at Page 113 as Reception No. 509543, and any and all assignments of record, or otherwise, thereof, or interests therein; and other Oil and Gas Leases of record, and any and all assignments of record, or otherwise, thereof, or interests therein.
- ✓ 24. Easement Agreement recorded February 18, 2003 in Book 1437 at Page 588 as Reception No. 621022.
25. Acknowledgement and Ratification of Easement Agreement recorded February 18, 2003 in Book 1437 at Page 595 as Reception No. 621023.
- ✓ 26. Grant of Easement recorded April 10, 2008 as Reception No. 746309.
27. Affidavit RE: Boundary Line Adjustment recorded August 15, 2008 as Reception No. 754137.

28. Matters disclosed on the Evans Lot Line Adjustment Plat recorded August 15, 2008 as Reception No. 754138.
29. Water Rights and Easement Agreement, recorded September 10, 2008 as Reception No. 755457.
- ✓ 30. Holy Cross Energy Right-of-Way Easement, recorded October 21, 2008 as Reception No. 757581.
31. **[Intentionally deleted.]** this Deed of Trust was for Parcel 1 ◀

DISCLOSURES

Order Number: 17890a-C3

Note: Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- A. The subject real property may be located in a special taxing district;
- B. A certificate of taxes due listing each taxing jurisdiction shall be obtained from the county treasurer or the county treasurer's authorized agent;
- C. Information regarding special districts and the boundaries of such districts may be obtained from the board of county commissioners, the county clerk and recorder, or the county assessor.

Note: Colorado Division of Insurance Regulations 3-5-1, Subparagraph (7) (E) requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that Stewart Title conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 5 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

Note: Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfiled mechanic's and Materialmen's Liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

Note: Pursuant to C.R.S. 10-11-123, notice is hereby given:

- A. That there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- B. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

Stewart Title DISCLOSURE

The title company, Stewart Title - Glenwood Springs Division in its capacity as escrow agent, has been authorized to receive funds and disburse them when all funds received are either: (a) available for immediate withdrawal as a matter of right from the financial institution in which the funds are deposited, or (b) are available for immediate withdrawal as a consequence of an agreement of a financial institution in which the funds are to be deposited or a financial institution upon which the funds are to be drawn.

The title company is disclosing to you that the financial institution may provide the title company with computer accounting or auditing services, or other bank services, either directly or through a separate entity which may or may not be affiliated with the title company. This separate entity may charge the financial institution reasonable and proper compensation for these services and retain any profits there from.

The title company may also receive benefits from the financial institution in the form of advantageous interest rates on loans, sometimes referred to as preferred rate loan programs, relating to loans the title company has with the financial institution. The title company shall not be liable for any interest or other charges on the earnest money and shall be under no duty to invest or reinvest funds held by it at any time. In the event that the parties to this transaction have agreed to have interest on earnest money deposit transferred to a fund established for the purpose of providing affordable housing to Colorado residents, then the earnest money shall remain in an account designated for such purpose, and the interest money shall be delivered to the title company at closing.

CONDITIONS

1. The term mortgage, when used herein, shall include deed of trust, trust deed, or other security instrument.
2. If the proposed Insured has or acquired actual knowledge of any defect, lien, encumbrance, adverse claim or other matter affecting the estate or interest or mortgage thereon covered by this Commitment other than those shown in Schedule B hereof, and shall fail to disclose such knowledge to the Company in writing, the Company shall be relieved from liability for any loss or damage resulting from any act of reliance hereon to the extent the Company is prejudiced by failure to so disclose such knowledge. If the proposed Insured shall disclose such knowledge to the Company, or if the Company otherwise acquires actual knowledge of any such defect, lien, encumbrance, adverse claim or other matter, the Company at its option may amend Schedule B of this Commitment accordingly, but such amendment shall not relieve the Company from liability previously incurred pursuant to paragraph 3 of these Conditions and Stipulations.
3. Liability of the Company under this Commitment shall be only to the named proposed Insured and such parties included under the definition of Insured in the form of policy or policies committed for and only for actual loss incurred in reliance hereon in undertaking in good faith (a) to comply with the requirements hereof, or (b) to eliminate exceptions shown in Schedule B, or (c) to acquire or create the estate or interest or mortgage thereon covered by this Commitment. In no event shall such liability exceed the amount stated in Schedule A for the policy or policies committed for and such liability is subject to the insuring provisions and Conditions and Stipulations and the Exclusions from Coverage of the form of policy or policies committed for in favor of the proposed Insured which are hereby incorporated by reference and are made a part of this Commitment except as expressly modified herein.
4. This Commitment is a contract to issue one or more title insurance policies and is not an abstract of title or a report of the condition of title. Any action or actions or rights of action that the proposed Insured may have or may bring against the Company arising out of the status of the title to the estate or interest or the status of the mortgage thereon covered by this Commitment must be based on and are subject to the provisions of this Commitment.
5. The policy to be issued contains an arbitration clause. All arbitrable matters when the Amount of Insurance is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Insured as the exclusive remedy of the parties. You may review a copy of the arbitration rules at <http://www.alta.org>.



All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252.

STG Privacy Notice 1 (Rev 01/26/09) Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the Stewart Title Guaranty Company and its affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes— to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes— to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes— information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and nonfinancial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes— information about your creditworthiness.	No	We don't share
For our affiliates to market to you	Yes	No
For non-affiliates to market to you. Non-affiliates are companies not related by common ownership or control. They can be financial and nonfinancial companies.	No	We don't share

We may disclose your personal information to our affiliates or to non-affiliates as permitted by law. If you request a transaction with a non-affiliate, such as a third party insurance company, we will disclose your personal information to that non-affiliate. [We do not control their subsequent use of information, and suggest you refer to their privacy notices.]

Sharing practices	
How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> • request insurance-related services • provide such information to us <p>We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</p>
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us	If you have any questions about this privacy notice, please contact us at: Stewart Title Guaranty Company, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056
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April 7, 2010

Jack Evans
P.O. Box 695
Parachute, CO 81635

ATTN: Jack

On 4/5/10, a well test was conducted on a well at 2693 CR 301, Parachute, CO. The following information was obtained;

Well Depth----- 190'
 Casing Size----- 7"
 Standing water level----- 109' - 3"
 Total test time----- 24 Hours
 Drawdown to ----- 169' - 6"
 Production is ----- 5 GPM

This test was conducted with a 1 Hp test pump. The well water level recovered back to 112' - 10 3/4" in 180 Minutes. If you have any questions please call me, Raun Samuelson at 970-945-6309.

Sincerely;

Raun E Samuelson
Samuelson Pump Co.

P.O. Box 1908
1011 Grand Avenue
Glenwood Springs,
CO 81602



(970) 945-5700
(970) 945-1253 Fax

May 17, 2010

Jack Evans
P. O. Box 695
Parachute, CO 81635

Dear Jack:

Samuelson Pump Co. conducted a pump test on your well April 5-6, 2010. We have summarized the pump test data and water quality results below. In the Samuelson Pump Co. well test report, it is reported that the well pumped continuously at a rate of 5 gpm for a 24 hour period.

The well is situated in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 10, Township 7 South, Range 95 West of the 6th P.M. The well coordinates are Easting 242538 and Northing 4371905. Refer to Figure 1 to see the approximate location of the well.

A copy of the monitoring well permit, no. 282284, is attached. The permanent well permit will be an exempt in-house use only well permit. The permit will be available once the lot has created by the Garfield County exemption process.

Well Drilling

The well was completed March 29, 2010 at a total depth of 190 feet by Shelton Drilling Corporation. The well was drilled through clays, cinders, and volcanic materials. Refer to Figure 2 for a detailed diagram of the well. The Evans Well was drilled with 7 inch O.D. (outer diameter) casing to a total of 42 feet and 5.5 inch PVC from 33 to 150 feet. The perforated well casings that prevents debris from entering the well casing was set from 150 feet to 190 feet.

Pump Test

The static water level prior to the pump test was approximately 109.4 feet below the top of the well casing. The test pump was set at 180 feet. This set up allowed for a maximum drawdown of approximately 70.6 feet (180 minus 109.4).

The pump test began at 11:50 am on April 5, 2010 and pumping ended at 11:50 am on April 6, 2010 to complete the 24 hour pump period. The test was started at a pumping rate of 12 gallons per minute (gpm). After 40 minutes, the pumping rate was decreased to 7.5 gpm, and was decreased to a pumping rate of 5.0 gpm 85 minutes after the start of the test. The well continued to pump at the 5 gpm rate until it was shut off at 1440 minute (24 hours).

Before the test began, a pressure transducer was placed in the Evans Well. The transducer measured the water level in the well every minute for the duration of the test. The well was tested manually using well sounding equipment to verify the electronic data. According to the Samuelson Pump Co. manual measurements, the water level drew down near the pump intake below the level of the data logger but continued to pump 5 gpm through the pumping test. The draw down curve is shown in figure 3.

After 24 hours of continuous pumping, the pump was shut off and the well was allowed time to recover. During the recovery period, water levels were monitored by the transducer placed in the well. The recovery is shown in Figure 4. The plots of the recovery data show that the water level returned to near static levels within 24 hours. Based on these plots, it can be determined that the water level in the well recovered fully. The rate at which recovery took place is normal.

We believe that the long term yield of the well is likely less than the 5 gpm pumped during the 24 hour pumping test, and as such recommend that a 2500 gallon storage tank be installed outside or in the basement of the proposed residence. The tank could also be available to meet residential sprinkler demands and be available for peak domestic demands of the proposed single family residence. We believe that the well is physically adequate for the above purposes.

Water Quality

During the pump test, water samples were collected and sent to ACZ Analytical Laboratory in Steamboat Spring, Colorado. The results of the analysis are attached. None of the parameters required by the Garfield County Subdivision regulations exceeded the EPA's Primary or Secondary Maximum Contaminant Levels (MCLs). A copy of the negative (passed) bacteriological test has also been included.

If you have any questions with regard to this matter, please contact our office at (970) 945-5700.

Very truly yours,

Zancanella & Associates, Inc.

Thomas A Zancanella

Thomas A. Zancanella P.E.

Zancanella & Associates Inc.

1011 Grand Avenue

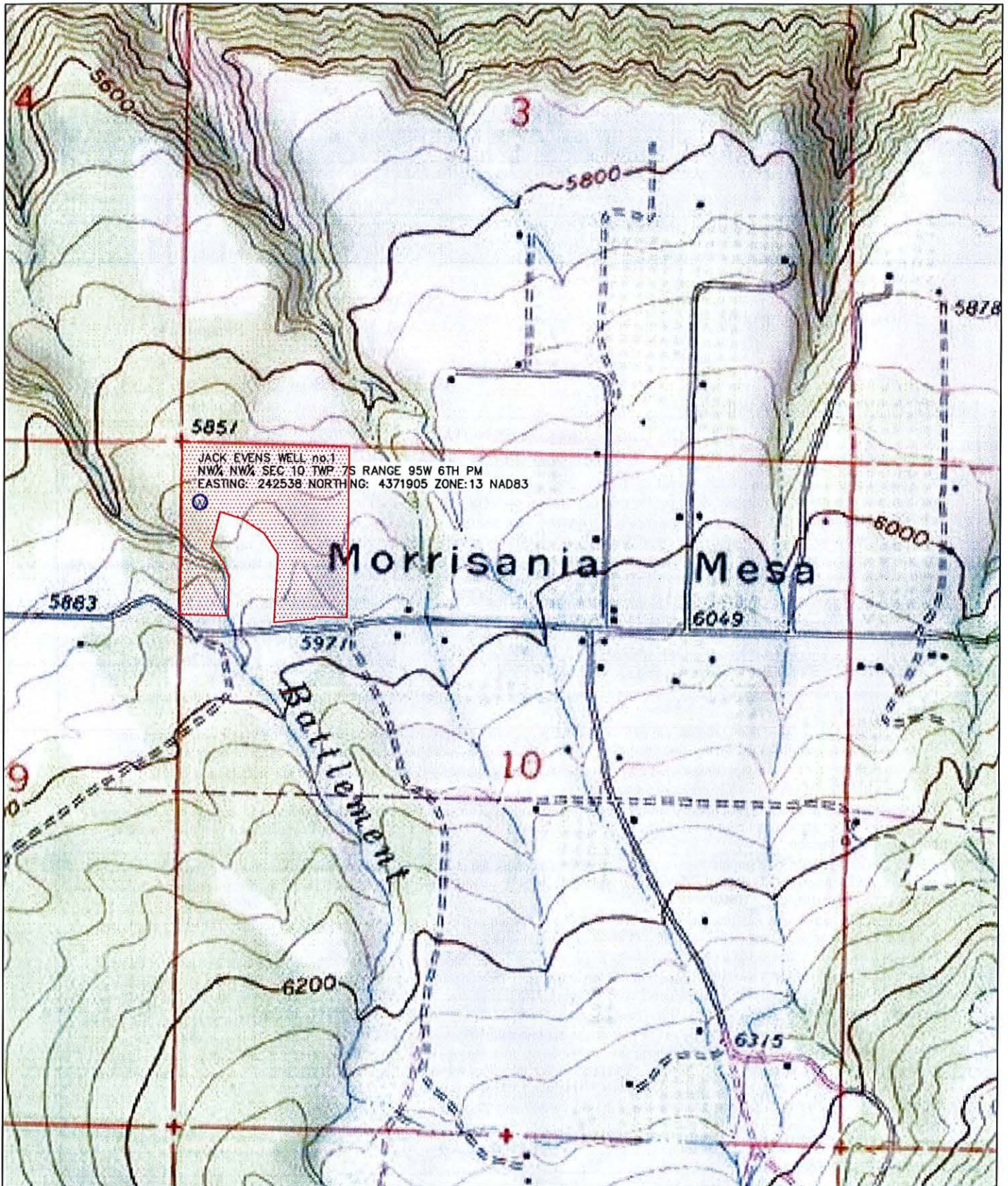
PO BOX 1908

Glenwood Springs, CO 81602

(970) 945-5700 Telephone

(970) 945-1253 Fax

TZancanella@ZA-Engineering.com



WELL LOCATION MAP

JACK EVENS

FIGURE NO.

1

SCALE: 1" = 1000"	DATE: May 13, 2010	SHEET: 1 OF 2
DRAWN BY: RVFG	CHKD BY: TAZ	APPD BY: TAZ
DRAWING: SEE FOOTER		



ZANCANELLA AND ASSOCIATES, INC.
ENGINEERING CONSULTANTS
POST OFFICE BOX 1908 - 1011 GRAND AVENUE
GLENWOOD SPRINGS, COLORADO 81602 (970) 945-5700

PROJECT: 10803

Form No. GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

WELL PERMIT NUMBER 282284
DIV. 5 WD 45 DES. BASIN MD

APPLICANT

JACK T EVANS JR
PO BOX 695
PARACHUTE, CO 81635-

(970) 355-4144

Lot: 2 Block: Filing: Subdiv: EVANS EXEMPTION

APPROVED WELL LOCATION
GARFIELD COUNTY
NW 1/4 NW 1/4 Section 10
Township 7 S Range 95 W Sixth P.M.

DISTANCES FROM SECTION LINES
Ft. from Section Line
Ft. from Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)
Easting: Northing:

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
3) Approved pursuant to CRS 37-92-602(3)(b)(I) for uses as described in CRS 37-92-602(1)(f). Use of this well is limited to monitoring water levels and/or water quality sampling. This well is known as Evans Monitoring/Observation Well no. 1.
4) Approved as well on a residential site of 33.342 acre(s) described as parcel 2, Evans Exemption and as that portion of the NW 1/4 of the NW 1/4, Sec. 10, Twp. 7 South, Rng. 95 West, 6th P.M., Garfield County, more particularly described in Evans lot line adjustment plat and boundary line adjustment affidavit. Further identified as 2743 County Road 301, Parachute, CO 81635.
5) This well must be equipped with a locking cap or seal to prevent well contamination or possible hazards as an open well. The well must be kept capped and locked at all times except during sampling or measuring.
6) Records of water level measurements and water quality analyses shall be maintained by the well owner and submitted to the Division of Water Resources upon request.
7) Upon conclusion of the monitoring program the well owner shall plug this well in accordance with Rule 16 of the Water Well Construction Rules. A Well Abandonment Report must be completed and submitted to the Division of Water Resources within 60 days of plugging.
8) The owner shall mark the well in a conspicuous place with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
9) This well must be constructed by or under the supervision of a licensed well driller or other authorized individual according to the Water Well Construction Rules. If non-standard construction is anticipated, a variance request must be submitted in accordance with Rule 18 and approved prior to well construction.
10) A Well Construction and Test Report (Form GWS-31), including lithologic log must be submitted by the individual authorized to construct the well. For non-standard construction, the report must include an as-built drawing showing details such as depth, casing, perforated zones, and a description of the grouting type and interval.
11) Issuance of this permit does not guarantee that this well can be converted to a production well under a future permit. The ability of this well to be converted to a production well is limited by all governing statutes, rules, regulations, orders, and/or decrees.
12) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.
NOTICE: This permit has been approved for the location as noted above. The original proposed well location did identify footage distance from the section lines which were amended. The permit was approved pursuant to State Board of Examiners of Water Well Construction and Pump Installation Contractors Rule 6.2.3, allowing flexibility when determining well location. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.)
NOTE: Monitoring hole notice MH-27342 and permit nos. 195307 and 195307-A were previously issued for this parcel.
NOTE: Parcel Identification Number (PIN): 23-2407-102-00-044 Assessor Tax Schedule Number: R270498 (totaling 33.342 acres)

DMW 12/28/2009

APPROVED DMW

State Engineer (Signature: Dick Wolfe)

By (Signature: D. J. White)

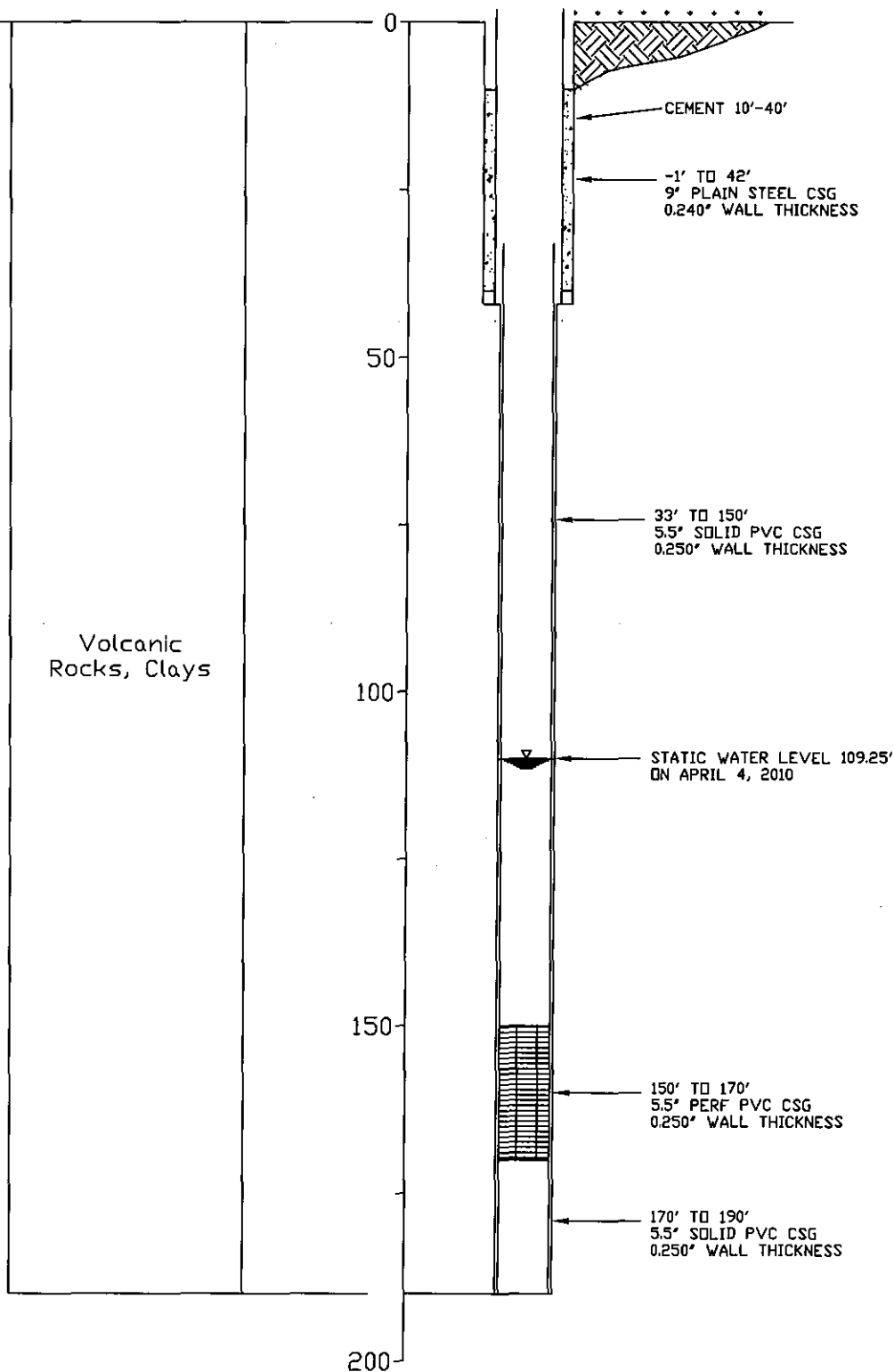
Receipt No. 9503342

DATE ISSUED 12-28-2009

EXPIRATION DATE 12-28-2011

JACK EVENS WELL 1
 PERMIT 282284
 NW ¼ NW ¼ SECTION 10
 T7S, R95W, 6TH PM
 EASTING: 242538 NORTHING: 4371905
 ZONE: 13 NAD83
 COMPLETED 3/29/2010

GROUND
 LEVEL



JACK EVENS WELL NO.1

JACK EVENS

FIGURE NO.

2

SCALE:
 NOT TO SCALE

DATE:
 May 13, 2009

SHEET
 1 OF 1

DRAWN BY:
 RVFG

CHKD BY:
 TPB

APPD BY:
 TAZ

PLAN NO.
 SEE FOOTER

ZANCANELLA AND ASSOCIATES, INC.
 ENGINEERING CONSULTANTS

1011 Grand Avenue
 GLENWOOD SPRINGS, COLORADO 81602 (970) 945-5700

PROJECT: 10800

WELL CONSTRUCTION AND TEST REPORT						FOR OFFICE USE ONLY											
STATE OF COLORADO, OFFICE OF THE STATE ENGINEER																	
1.	WELL PERMIT NUMBER						282284										
2.	Owner Name(s): Jack Evans Mailing Address: P.O. Box 695 City, State, Zip : Parachute, Co 81635 Phone # :																
APPROVAL # GWS31-91-03																	
3.	WELL LOCATION AS DRILLED DISTANCES FROM SEC. LINES NW 1/4 NW 1/4 Sec: 10 Twp: 7 S Range: 95 W 6th PM ft. from Sec. line and ft. from Sec. line OR Easting: 2 42 538 Northing: 43 71 905 SUBDIVISION: Evans Exemption LOT: 2 BLOCK: FILING (UNIT): STREET ADDRESS AT LOCATION																
4.	GROUND SURFACE ELEVATION ft.						DRILLING METHOD Air Rotary										
DATE COMPLETED: 3/29/2010						TOTAL DEPTH: 190						DEPTH COMPLETION: 190					
5.	GEOLOGIC LOG						6. HOLE DIAMETER (in)		FROM (ft)		TO (ft)						
Depth	Type of Material (Size, Color, and Type)						9.0		0		42						
000-190	Volcanic Rocks, Clays						6.5		42		190						
7.	PLAIN CASING																
OD (in)	Kind	Wall Size	From (ft)	To (ft)													
7.0	Steel	0.240	-1	42													
5.5	PVC	0.250	33	150													
5.5	PC	0.250	170	190													
PERF. CASING :	Screen Slot Size																
5.5	PVC	0.250	150	170													
8. Filter Pack						9. Packer Placement											
Material :						Type :											
Size :						Depth :											
Interval :																	
10.	GROUTING RECORD																
Material	Amount	Density	Interval	Placement													
Cement	7 sks	6 gal/sk	10-40	poured													
11. DISINFECTION :						Type :						HTH					
						Amt. Used :						3 oz.					
12.	WELL TEST DATA : () Check Box If Test Data Is Submitted On Supplemental																
TESTING METHOD : Air Compressor																	
Static Level : 120 ft.				Date/Time Measured 3/29/2010				Production Rate 10 gpm									
Pumping Level: Total ft.				Date/Time Measured 3/29/2010				Test Length : 2 hours									
Test Remarks :																	
13.	I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. (Pursuant to Section 24-4-1-4 (13)(a) CRS, the making of false statements constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.) CONTRACTOR : Shelton Drilling Corp. Mailing Address : P.O. Box 1059 Basalt, Co. 81621 Phone : (970) 927-4182 Lic. No. 1095																
Name / Title (Please Type or Print)						Signature						Date					
Wayne Shelton / President												3/30/2010					

Figure 3- Jack Evens Pump Test
Water Levels and Pumping Rates

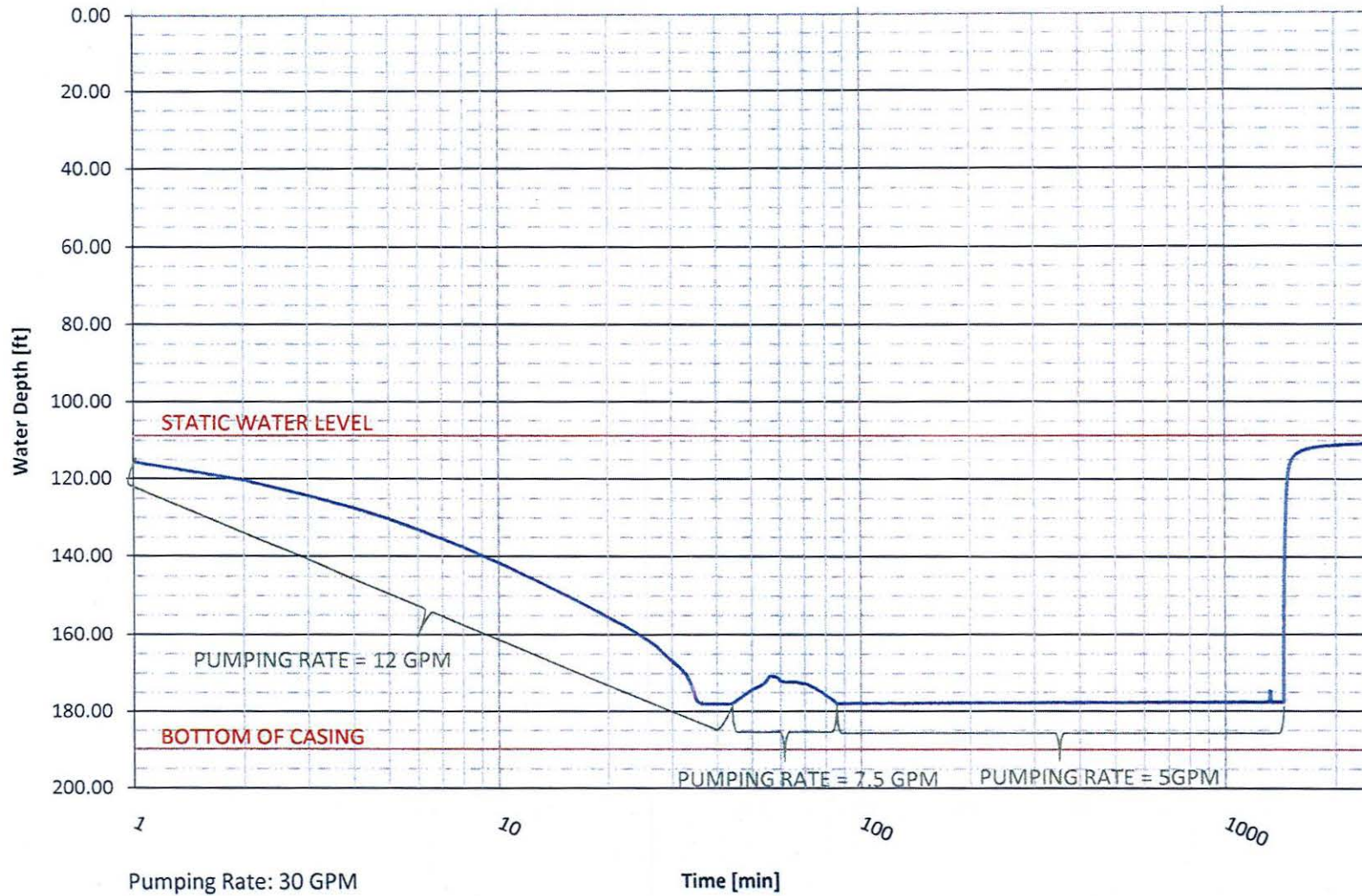
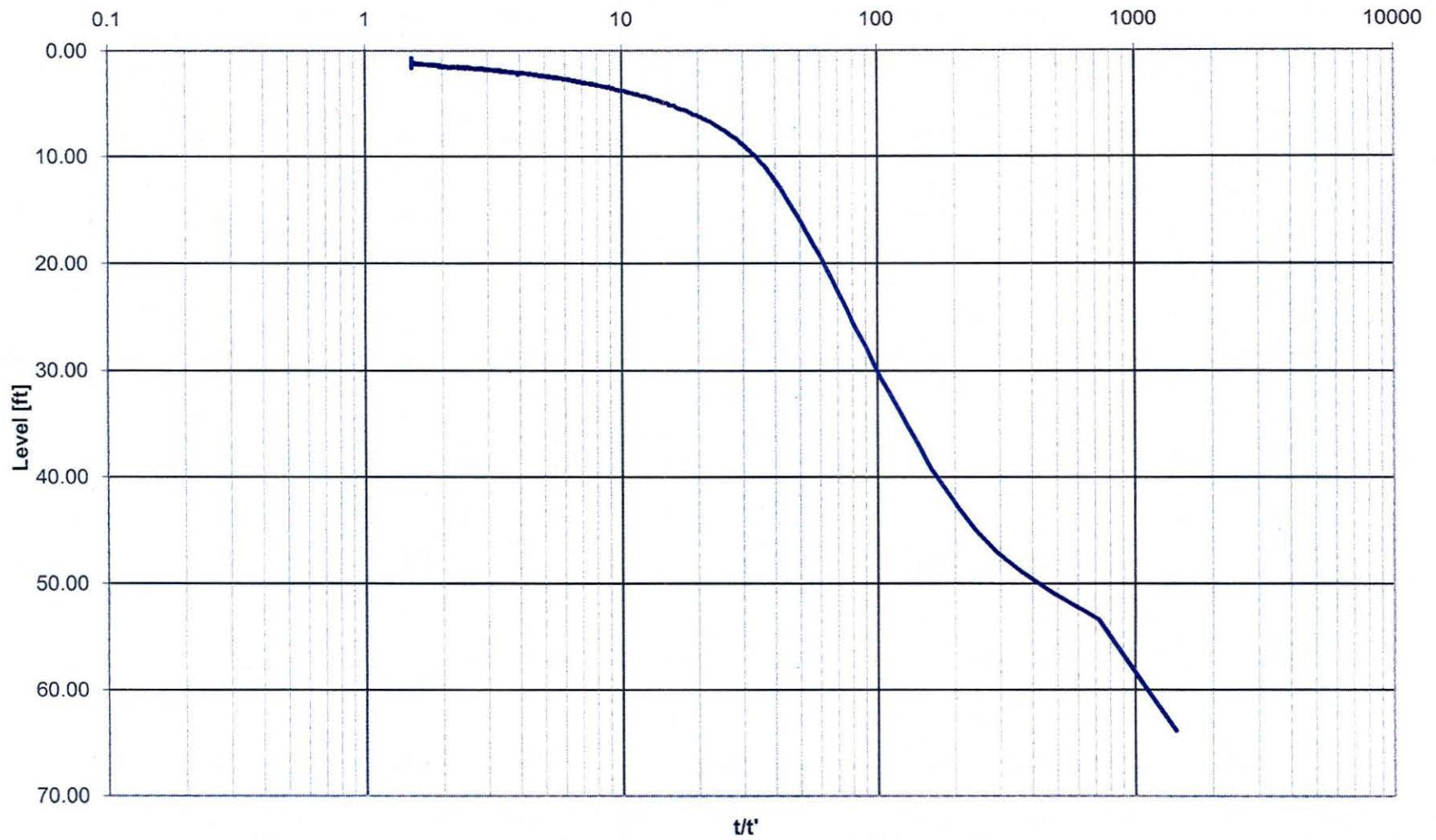


Figure 4- Jack Evens Pump Test
Water Level Recovery [Water Level vs. t/t']



**Raw Water Quality Analysis
Evans Well, April 8, 2010**

Test No.	Analyte	Category	Classification	Regulation	Units	Detection Level	Result	Standard	Status
1	Aluminum	Metal	Inorganic	Secondary	mg/L	0.003	Below DL	0.20	Pass
2	Antimony	Metal	Inorganic	Primary	mg/L	0.002	Below DL	0.0060	Pass
3	Arsenic	Metal	Inorganic	Primary	mg/L	0.004	0.0056	0.010	Pass
4	Barium	Metal	Inorganic	Primary	mg/L	0.01	0.22	2.0	Pass
5	Beryllium	Metal	Inorganic	Primary	mg/L	0.001	Below DL	0.0040	Pass
6	Cadmium	Metal	Inorganic	Primary	mg/L	0.0005	Below DL	0.0050	Pass
7	Calcium	Metal	Inorganic	None	mg/L	0.41	37.9	N/A	N/A
8	Chromium	Metal	Inorganic	Primary	mg/L	0.01	Below DL	0.1000	Pass
9	Copper	Metal	Inorganic	Primary	mg/L	0.01	Below DL	1.3000	Pass
10	Iron	Metal	Inorganic	Secondary	mg/L	0.2	0.16	0.30	Pass
11	Lead	Metal	Inorganic	Primary	mg/L	0.0025	Below DL	0.0150	Pass
12	Magnesium	Metal	Inorganic	None	mg/L	0.5	38.0	N/A	N/A
13	Manganese	Metal	Inorganic	Secondary	mg/L	0.005	Below DL	0.050	Pass
14	Mercury	Metal	Inorganic	Primary	mg/L	0.001	Below DL	0.0020	Pass
15	Nickel	Metal	Inorganic	Informal	mg/L	0.01	Below DL	0.10	Pass
16	Silver	Metal	Inorganic	Secondary	mg/L	0.0005	Below DL	0.10	Pass
17	Sodium	Metal	Inorganic	None	mg/L	2.5	58.5	N/A	N/A
18	Thallium	Metal	Inorganic	Primary	mg/L	0.001	Below DL	0.0020	Pass
19	Zinc	Metal	Inorganic	Secondary	mg/L	0.05	Below DL	5.0	Pass
20	Chloride	Nonmetal	Inorganic	Secondary	mg/L	0.5	5	250	Pass
21	Cyanide	Nonmetal	Inorganic	Primary	mg/L as CN ⁻	0.005	Below DL	0.20	Pass
22	Fluoride	Nonmetal	Inorganic	Primary	mg/L	0.2	Below DL	4.0	Pass
23	Selenium	Nonmetal	Inorganic	Primary	mg/L	0.002	0.0014	0.050	Pass
24	Sulfate	Nonmetal	Inorganic	Secondary	mg/L	0.5	Below DL	250	Pass
25	Nitrate	Oxidized Ammonia	Inorganic	Primary	mg/L as N	0.01	1.86	10.0 (Category Total)	Pass
26	Nitrite	Oxidized Ammonia	Inorganic	Primary	mg/L as N	0.004	Below DL	1.0	Pass
27	Alkalinity, Bicarbonate	Wet Chemistry	Inorganic	None	mg/L as CaCO ₃	5	329	N/A	N/A
28	Alkalinity, Total	Wet Chemistry	Inorganic	None	mg/L as CaCO ₃	5	329	N/A	N/A
29	Calcium Carbonate	Wet Chemistry	Inorganic	None	mg/L	1	Below DL	N/A	N/A
30	Conductivity, @ 25°C	Wet Chemistry	Inorganic	None	µS/cm	1	667	N/A	N/A
31	Hardness	Wet Chemistry	Inorganic	Informal	mg/L as CaCO ₃	1	251	300	Pass
32	Langelier Index	Wet Chemistry	Inorganic	None	Standard Units	0.1	0.1	N/A	N/A
33	pH	Wet Chemistry	Inorganic	Secondary	Standard Units	0.01	7.1	6.5 < pH < 8.5	Pass
34	Temperature, Test	Wet Chemistry	Inorganic	None	°C	0.1	13.3	N/A	N/A
35	Total Dissolved Solids	Wet Chemistry	Inorganic	Secondary	mg/L	10	410	500	Pass
36	Asbestos	Mineral Fibers	Inorganic	Primary	MF/L	0.06	Not tested	7.00	
37	Coliforms, Total (MPN)	Bacterium	Microorganism	Primary	MPN/100mL	1	0	0	Pass
38	Escherichia Coli (MPN)	Bacterium	Microorganism	Primary	MPN/100mL	1	0	0	Pass
39	Gross Alpha Activity	Particle	Radionuclide	Primary	pCi/L	1.2	6.2	15.0	Pass
40	Gross Beta Activity	Particle	Radionuclide	Primary	pCi/L	2.0	3.7	50.0 (Trigger Level)	Pass
41	Radium 226	Radium	Radionuclide	Primary	pCi/L	0.1	0.09	5.0 (Category Total)	Pass
42	Radium 228	Radium	Radionuclide	Primary	pCi/L	0.7	0.66	5.0 (Category Total)	Pass
43	Radon	Radon	Radionuclide	None	pCi/L	13	Not tested	N/A	
44	Uranium	Uranium	Radionuclide	Primary	mg/L	0.0007	12.6	30.000	Pass

Zancanella & Associates, Inc.



Colorado Department of Public Health and Environment Compliance Assurance & Data Management Unit

REPORTING FORM FOR INORGANIC CONTAMINANTS ANALYSES

Colorado Department
of Public Health
and Environment

SAMPLER: FILL OUT ONE FORM FOR EACH SAMPLE

Are these results to be used to fulfill compliance monitoring requirements? YES or NO
Is this a check or confirmation sample? YES NO

PWSID CO0 NA COUNTY: Garfield DATE COLLECTED: 4 / 6 / 2010

SYSTEMS NAME: Jack Evans c/o Zancanella & Associates

SYSTEM MAILING ADDRESS: 1011 Grand Ave. Glenwood Springs CO 81601
Street address/PO Box CITY STATE ZIP

CONTACT PERSON: Cathy Queen PHONE: (970) 945-5700

SAMPLE COLLECTED BY: Wes TIME COLLECTED: 10:00 am/pm

ENTRY POINT (Finished Water) SAMPLE SOURCE WATER SAMPLE
FOR ENTRY POINT SAMPLE PLEASE INDICATE: Chlorinated Other Treatment
Finished—Not Treated (No chlorine or other treatment)
STATE ENTRY POINT CODE: EP _____ SOURCE(S) REPRESENTED: Evans Well X

DO SAMPLES NEED TO BE COMPOSITED BY THE LABORATORY? YES NO

NOTE: CHECK OR CONFIRMATION SAMPLES CANNOT BE COMPOSITED

For Laboratory Use Only Below This Line

LABORATORY SAMPLE #: L81445-01 CLIENT NAME or ID# Zancanella & Associates

LABORATORY NAME ACZ Laboratories

LAB PHONE #: (970) 879-6590 DATE RECEIVED IN LABORATORY 4 / 7 / 2010

COMMENTS: The client did not provide information for spaces that were left blank.

PARAMETER	RESULT in (mg/L)	MCL in (mg/L)	STANDARD METHOD	Lab Report Limit (mg/L)	Lab MDL in (mg/L)	Date Analyzed
Antimony	BDL	0.006	M200.8	0.002		4/22/2010
Arsenic	0.0056	0.010	M200.8	0.002		4/22/2010
Barium	0.220	2	M200.7	0.02		4/21/2010
Beryllium	BDL	0.004	M200.7	0.01		4/21/2010
Cadmium	BDL	0.005	M200.7	0.02		4/21/2010
Chromium	BDL	0.1	M200.7	0.05		4/21/2010
Cyanide	BDL	0.2	M335.4	0.01		4/16/2010
Fluoride	BDL	4.0	SM4500F-C	0.5		4/13/2010
Mercury	BDL	0.002	M245.1	0.001		4/21/2010
Nickel	BDL	**	M200.7	0.05		4/21/2010
Selenium	0.0014	0.05	M200.8	0.0005		4/22/2010
Sodium	58.5	**	M200.7	2		4/09/2010
Thallium	BDL	0.002	M200.8	0.0005		4/22/2010

** Monitoring is required, but there is no MCL for this contaminant

Codes used:

NT = Not tested for compound mg/L = Milligrams per liter MCL = Maximum Contaminant Level
Lab MDL = Laboratory Method Detection Level BDL = Indicates that the compound was analyzed for, but was below the Lab MDL.
Lab Report Limit = Level of Quantitation (LOQ).

Sue Webber
Sue Webber has reviewed and approved this report

Project Manager _____

4 / 27 / 2010

Reviewed & Approved by _____ Title _____

Date

MAIL RESULTS TO: CDPHE, WQCD-CADM
4300 Cherry Creek Drive South
Denver, CO 80246-1530

FAX: 303-782-0390



**Colorado Department of Public Health and Environment
Compliance Assurance & Data Management Unit**

Colorado Department
of Public Health
and Environment

REPORTING FORM FOR NITRATE OR NITRITE AS NITROGEN ANALYSES

SAMPLER: FILL OUT ONE FORM - FOR EACH INDIVIDUAL SAMPLING POINT

Are these results to be used to fulfill compliance monitoring requirements? YES or NO

Is this a check or confirmation sample? YES NO

PWSID CO0 N/A COUNTY: Garfield DATE COLLECTED: 04 / 06 / 2010

SYSTEMS NAME: Jack Evans c/o Zancanella & Associates

SYSTEM MAILING ADDRESS: 1011 Grand Ave. Glenwood Springs CO 81601
Street address/PO Box CITY STATE ZIP

CONTACT PERSON: Cathy Queen PHONE: (970) 945-5700

SAMPLE COLLECTED BY: Wes TIME COLLECTED: 10:00 am/pm

ENTRY POINT (Finished Water) SAMPLE SOURCE WATER SAMPLE

FOR ENTRY POINT SAMPLES PLEASE INDICATE: Chlorinated Other Treatment
Finished—Not Treated (No chlorine or other treatment)

STATE ENTRY POINT CODE: EP _____ SOURCE(S) REPRESENTED: Evans Well

For Laboratory Use Only Below This Line

LABORATORY SAMPLE # L81445-01 CLIENT NAME or ID# Zancanella & Associates

LABORATORY NAME ACZ Laboratories, Inc.

LAB PHONE # (970) 879-6590 DATE RECEIVED IN LABORATORY 4 / 7 / 2010

COMMENTS: The client did not provide information for spaces that were left blank.

PARAMETER	RESULT	UNITS	MCL	STANDARD METHOD	LAB MDL	DATE ANALYZED
NITRATE as N	1.86	mg/L	10.0 mg/L	M353.2	0.1 mg/L	CALC
NITRITE as N	BDL	mg/L	1.0 mg/L	M353.2	0.05 mg/L	4/7/10

Sue Webber

Sue Webber has reviewed and approved this report.

Reviewed & Approved by _____ Title Project Manager Date 04 / 27 / 2010

MAIL RESULTS TO: CDPHE, WQCD-CADM
4300 Cherry Creek Drive South
Denver, CO 80246-1530

FAX: 303-782-0390



Colorado Department
of Public Health
and Environment

Colorado Department of Public Health and Environment
Compliance Assurance & Data Management Section

REPORTING FORM FOR RADIONUCLIDE ANALYSIS

PWSID CO NA

SYSTEMS NAME: Jack Evans c/o Zancanella & Associates

SYSTEM MAILING ADDRESS: P.O. Box 1908 Glenwood Springs CO 81602

CONTACT PERSON: Cathy Queen Street address/PO Box PHONE: (970) 945-5700 CITY STATE ZIP

LABORATORY SAMPLE #: L81445-01

Is this a composite sample? YES NO (Only samples composited BY THE LABORATORY may be used for compliance.)

DATE COLLECTED: 4 / 6 / 2010 TIME COLLECTED: 10:00 am/pm

DATE COLLECTED: / / TIME COLLECTED: am/pm

STATE SAMPLING POINT CODE: EP SOURCE(S) REPRESENTED: Evans Well

- Entry Point to the Distribution System (Finished Water) Sample
- Source Water Sample (Raw Water samples cannot be used for compliance)

LABORATORY NAME ACZ Laboratories, Inc.

LAB PHONE #: (970) 879-6590 DATE RECEIVED IN LABORATORY 4 / 7 / 2010

CLIENT NAME or ID# Evans

SAMPLE COLLECTED BY: Wes

COMMENTS: The client did not provide information for spaces that were left blank.

[Highlighted rows are for state use only]

PARAMETER	RESULT	UNITS	MCL	STANDARD METHOD	LAB MDL	REGULATORY MDL	DATE ANALYZED
(4000)		pCi/L	15 pCi/L				
Gross Alpha (4002)	6.2	pCi/L	15 pCi/L	M900.0	1.6 pCi/L	3 pCi/L	4/20/2010
Uranium (4006)	12.6	µg/L	30 µg/L	M200.8	0.5 µg/L	1 µg/L	4/22/2010
Radium 226 (4020)	0.09	pCi/L	5 pCi/L	M903.0	0.2 pCi/L	1 pCi/L	4/20/2010
Radium 228 (4030)	0.66	pCi/L	5 pCi/L	M904.0	0.63 pCi/L	1 pCi/L	4/21/2010
(4010)		pCi/L	5 pCi/L				
Gross Beta (4100)	3.7	pCi/L	4 mrem/yr	M900.0	2.8 pCi/L	4 pCi/L	4/20/2010
Total Dissolved Solids (1930)	410	mg/L	SMCL* = 500 mg/L	SM2540C	20 mg/L	N/A	4/8/2010

* Secondary Maximum Contaminant Level—Non-Enforceable Standard

Sue Webber

Sue Webber has reviewed and approved this report.

Project Manager

4/27/2010

Laboratory Results Reviewed & Approved by

Title

Date

MAIL RESULTS TO: CDPHE, WQCD
ATTN: CADM
4300 Cherry Creek Drive South
Denver, CO 80246-1530

OR

FAX RESULTS TO: 303-758-1398



Mesa County Health Department Regional Laboratory
 510 29.5 Rd, Grand Junction, CO 81504
 US Mail: PO Box 20,000, Grand Junction, CO 81502-5033
 (970) 248-6999 fax (970) 683-6608
<http://health.mesacounty.us/lab>

Customer
 Zancanella & Associates
 1011 Grand Ave
 Glenwood Springs, CO 81601

Sample

<u>Invoice #</u> 1198-10	<u>Date</u>	<u>Time</u>	<u>Collected By</u>
	<u>Collected</u> 04/06/2010	10:00 AM	Wes
<u>System</u> Evans Well	<u>Received</u> 04/07/2010	11:27 AM	
	<u>Matrix</u> Raw Water		
<u>Location</u> Parachute CO 81635	<u>Purpose</u> Special Purpose	<u>Chlorine</u>	
<u>Location</u> Parachute	<u>Comments</u>		

<u>Test Name</u>	<u>Result</u>
Total coliforms PA	ABSENT Coliform/ABSENT E. coli or less than one (<1), indicates a microbiologically safe sample

04/08/2010 8:30:41 AM

Invoice for Water Sampling Services

Detach and mail this portion with payment

<u>Date Received</u>	<u>Payment Type</u>	<u>Due Date</u>	<u>Amount Paid</u>	<u>Balance</u>	<u>Invoice #</u>
04/07/2010	Bill	05/07/2010	\$0.00	\$20.00	1198-10

If paying for multiple samples, write Invoice #'s below:

Customer: (95) Zancanella & Associates

Amount Enclosed

\$.

MCHD Regional Lab
 PO Box 20,000
 Grand Junction, CO 81502-5033

Check (Payable to MCHD)

Credit Card: Visa Mastercard

Name on Card: _____

Billing Address: _____

Credit Card #: _____

Expiration Date: _____

Security Code: _____

STATE OF COLORADO)
)ss
County of Garfield)

At a regular meeting of the Board of County Commissioners for Garfield County, Colorado, held in the Commissioners' Meeting Room, Garfield County Courthouse, in Glenwood Springs on Monday, the 15 day of April A.D. 19 96, there were present:

- Marian I. Smith, Commissioner Chairman
- Arnold L. Mackley, Commissioner
- Elmer "Buckey" Arbaney, Commissioner
- Don K. DeFord, County Attorney
- Mildred Alsdorf, Clerk of the Board
- Chuck Deschenes, County Administrator

when the following proceedings, among others were had and done, to-wit:

RESOLUTION NO. 96-23

A RESOLUTION CONCERNED WITH THE APPROVAL OF AN EXEMPTION FROM THE DEFINITION OF SUBDIVISION APPLICATION FOR JACK EVANS JR.

WHEREAS, the Board of County Commissioners of Garfield County, Colorado, has received application from Jack Evans Jr. for allowing an exemption from the definition of subdivision on the following described tract of land:

Located on a tract of land in a portion of Section 10, T7S, R95W of the 6th P.M.

(in the State of Colorado and the County of Garfield); and

WHEREAS, the Board held a public hearing on the 2nd day of January, 1996, upon the question of whether the above-described exemption from subdivision should be granted or denied, at which hearing the public and interested persons were given the opportunity to express their opinions regarding the issuance of said exemption; and

WHEREAS, the Board on the basis of substantial competent evidence produced at the aforementioned hearing, has made the following determination of fact:

1. That proper publication and public notice was provided as required by law for the hearing before the Board of County Commissioners.
2. That the hearing before the Board of County Commissioners was extensive and complete, that all pertinent facts, matters and issues were submitted and that all interested parties were heard at that hearing.
3. For the above stated and other reasons, the proposed use is in the best interest of the health, safety, morals, convenience, order, prosperity and welfare of the citizens of Garfield County.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Garfield County, Colorado, that the exemption from the definition of subdivision be and hereby is authorized based upon the following specific conditions:

1. That all representations of the applicant, either within the application or stated at the meeting before the Board of County Commissioners, shall be considered conditions of approval.

A Final Exemption Plat shall be submitted, indicating the legal description of the property, dimension and area of the proposed lots, access to a public right-of-way, and any proposed easements for setbacks, drainage, irrigation, access or utilities.

3. That the applicant shall have 120 days to present a plat to the Commissioners for signature, from the date of approval of the exemption.
4. That the applicant shall submit \$200.00, per lot, in School Impact Fees for the creation of all exemption parcels.
5. That, if the lots are to have individual wells, the applicant receive an approved well permit from the State Engineer's Office for each lot to be created prior to the signing of an exemption plat or, if the water supply is to be shared, then the applicant shall receive an approved, domestic well permit from the State Engineer's Office and shall draft a legal water sharing agreement. Additionally, if the shared well is used, the exemption plat shall legally describe a 20 foot radial access/repair/maintenance easement around the well and a 10 foot centerline easement for the water supply line.
6. That, if the water supply is to be shared, the applicant shall demonstrate that an adequate supply in both quantity and quality exists for the lots to be created. Additionally, excavation permits from County Road and Bridge, shall be necessary if the water supply line for the shared well system will necessitate the disturbance of a County Road. Criteria for demonstrating the quality, quantity and dependability of a well or a shared well system:
 - a) A well be drilled and a 24 hour pump test shall be performed;
 - b) The applicant supply, to the Planning Department, the well completion report demonstrating the depth of the well, the characteristics of the aquifer and the static water level;
 - c) The results of the 24 hour pump test indicating the pumping rate in gallons per minute and information showing drawdown and recharge shall be submitted to the Planning Department;
 - d) A written opinion of the person conducting the well test that this well would be adequate to supply water to the number of proposed lots and be submitted to the Planning Department;
 - e) An assumption of an average of no less than 3.5 people per dwelling unit, using 100 gallons of water per person, per day;
 - f) If the well is to be shared, the provision for individual water storage tanks of no less than 1000 gallons for each proposed lot (required at time of building permit application);
 - g) A discussion of the mechanical components of the shared well system to include the pump, water supply line, storage tank and other components (for shared well systems);
 - h) A legal, well sharing agreement which discusses all easements and costs associated with the operation and maintenance of the system and who will be responsible for paying these costs and how assessments will be made (for shared well systems);
 - i) The water quality be tested by an approved testing laboratory and meet State guidelines concerning bacteria and nitrates.

7. That the following plat notes be included:

"Soil conditions on the site may require engineered septic systems and building foundations. Site specific percolation tests at the time of building permit submittal shall determine specific ISDS needs on the site."

"The minimum defensible space distance shall be 30 feet on level terrain, plus appropriate modification to recognize the increased rate of fire spread at sloped sites. The methodology described in "Determining Safety Zone Dimensions, Wildfire Safety Guidelines for Rural Homeowners," (Colorado State Forest Service) shall be used to determine defensible space

requirements for the required defensible space within building envelopes in areas exceeding five (5) percent grade."

"The shared well system approved for this exemption requires a minimum 1000 gallon water tank be installed at each lot. This shall be done at time of building permit application at the expense of the building permit applicant. If a central tank is to be used, the sizing shall be a minimum of 1000 gallons per lot created and served by the central water system"

- 8. The control of noxious weeds shall be the responsibility of the landowner.
- 9. That the applicant shall receive written approval by the Grand Valley Fire Protection District and shall adhere to the recommendations made by said district.
- 10. The applicant shall receive any necessary driveway permits from the County Road and Bridge Department, prior to signing of an exemption plat.
- 11. If/When a transportation impact fee is adopted by the Board of County Commissioners, all lots created will be subject to paying the fee, which will be paid at time of building permit application and paid by the building permit applicant. If a building permit is issued prior to the adoption of a transportation impact fee, the applicant will not be required to pay the fee.

Dated this 16 day of April, A.D. 1996

ATTEST:

GARFIELD COUNTY BOARD OF COMMISSIONERS, GARFIELD COUNTY, COLORADO

Mildred Alsdorf
Clerk of the Board

Marian I. Smith
Chairman

Upon motion duly made and seconded the foregoing Resolution was adopted by the following vote:

<u>Marian I. Smith</u>	, Aye
<u>Arnold L. Mackley</u>	, Aye
<u>Elmer (Buckey) Arboney</u>	, Aye

STATE OF COLORADO)
)ss
County of Garfield)

I, _____, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Resolution is truly copied from the Records of the Proceeding of the Board of County Commissioners for said Garfield County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at Glenwood Springs, this _____ day of _____, A.D. 19_____.

County Clerk and ex-officio Clerk of the Board of County Commissioners

GARFIELD COUNTY BUILDING AND SANITATION DEPARTMENT

109 8th Street Suite 303
Glenwood Springs, Colorado 81601
Phone (303) 945-8212

Permit **2611**
Assessor's Parcel No.

This does not constitute
a building or use permit.

INDIVIDUAL SEWAGE DISPOSAL PERMIT

PROPERTY

Owner's Name Jack T. Evans Present Address 48 Morning Star, Parachute Phone 285-9104

System Location 2643 County Road 301, Parachute

Legal Description of Assessor's Parcel No. _____

SYSTEM DESIGN

*598th ROCK & LEACH BDA ADD 20% GARAGE DISPOSAL 119+598=717
717th INFILTRATORS 25 UNITS
717th BIO DIFFUSERS 25 UNITS*

1000 Septic Tank Capacity (gallon) _____ Other _____
1" IN 10 MIN Percolation Rate (minutes/inch) Number of Bedrooms (or other) 3

Required Absorption Area - See Attached

Special Setback Requirements:

Date 10-8-96 Inspector Ken Longene

FINAL SYSTEM INSPECTION AND APPROVAL (as installed)

Call for Inspection (24 hours notice) Before Covering Installation

System Installer JACK EVANS

Septic Tank Capacity 1850

Septic Tank Manufacturer or Trade Name GRJET APE

Septic Tank Access within 8" of surface YES

Absorption Area 717th

Absorption Area Type and/or Manufacturer or Trade Name 717th 25 UNITS INFILTRATOR

Adequate compliance with County and State regulations/requirements YES

Other _____

Date 11-8-96 Inspector Ken Longene

RETAIN WITH RECEIPT RECORDS AT CONSTRUCTION SITE

***CONDITIONS:**

1. All installation must comply with all requirements of the Colorado State Board of Health Individual Sewage Disposal Systems Chapter 25, Article 10 C.R.S. 1973, Revised 1984.
2. This permit is valid only for connection to structures which have fully complied with County zoning and building requirements. Connection to or use with any dwelling or structures not approved by the Building and Zoning office shall automatically be a violation or a requirement of the permit and cause for both legal action and revocation of the permit.
3. Any person who constructs, alters, or installs an individual sewage disposal system in a manner which involves a knowing and material violation from the terms or specifications contained in the application of permit commits a Class I, Petty Offense (\$500.00 fine - 6 months in jail or both).

BALCOMB & GREEN, P.C.
ATTORNEYS AT LAW

P. O. DRAWER 790
818 COLORADO AVENUE
GLENWOOD SPRINGS, COLORADO 81602

TELEPHONE: 970.945.6546
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www.balcombgreen.com

EDWARD MULHALL, JR.

SCOTT BALCOMB
LAWRENCE R. GREEN
TIMOTHY A. THULSON
DAVID C. HALLFORD
CHRISTOPHER L. COYLE
THOMAS J. HARTERT
CHRISTOPHER L. GEIGER
SARA M. DUNN

DANIEL C. WENNOGLE
SCOTT GROSSCUP
CHAD J. LEE

RECEIVED

MAY 21 2010

GARFIELD COUNTY
BUILDING & PLANNING
KENNETH BALCOMB
(1920-2005)

OF COUNSEL:

JOHN A. THULSON

May 18, 2010

Tom Veljic, AICP, Senior Planner
Garfield County Building and Planning Department
108 8th Street, Suite 401
Glenwood Springs, CO 81601

Via Hand Delivery

Re: Supplement to Application of Jack T. Evans, Jr. | Evans Minor Subdivision
Exemption, Parachute, Colorado

Dear Tom:

Please accept the attached supplement to Jack Evans' application:

- Deed dated September 28, 1995 and recorded in the Garfield County Clerk & Recorder's records at Reception No. 483717.
- Garfield County Assessor's Map showing the subject property and all public and private landowners adjacent to the subject property.
- A list of property owners, private and public, including addresses adjacent to or within 200 feet of the subject property.
- A list of the owners of mineral interests identified pursuant to C.R.S. § 24-65.5-101.

Please let me know if you need anything further. We look forward to hearing from the County soon.

Very truly yours,
BALCOMB & GREEN, P.C.

By:



Sara M. Dunn
Chad J. Lee

Enclosures

cc: Mr. Jack T. Evans, Jr.
Billie Burchfield, Esq. c/o Ira M. Karet, Esq.

465

FILING STAMP

THIS DEED, Made this day of September 28, 1995

between
HUGH PFOST AND JENNIE E. PFOST ESTATE TRUST

of the County of and State of

Colorado, of the first part, and

JACK T. EVANS, JR. AND BILLIE G. BURCHFIELD-EVANS

whose legal address is 48 MORNING STAR DRIVE
PARACHUTE, CO 81635

of the County of GARFIELD and State of Colorado, of the second part:
WITNESSETH, That the said party of the first part, for and in consideration of the sum of (****\$70,000.00)

SEVENTY THOUSAND DOLLARS AND 00/100THS

and other good and valuable consideration to the said party of the first part in hand paid by the said parties of the second part, the receipt whereof is hereby confessed and acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, their heirs and assigns forever, not in tenancy in common but in joint tenancy, all the following described lot or parcel of land, lying and being in the County of GARFIELD and State of Colorado, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF:

also known as street number VACANT LAND

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 said party of the first part, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the said parties of the second part, their heirs and assigns forever. And the said party of the first part, for himself, his heirs, executors, and administrators, does covenant, grant, bargain and agree to and with the said parties of the second part, their heirs and assigns, that at the time of the enrolling and delivery of these presents, he is well seized of the premises above conveyed, as of good, sure, perfect, absolute and indefeasible estate of inheritance, in law, in fee simple, and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid, and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments and encumbrances of whatever kind or nature soever;

EXCEPT GENERAL TAXES AND ASSESSMENTS FOR THE YEAR 1995 AND SUBSEQUENT YEARS, AND SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS, COVENANTS AND RIGHTS OF WAY OF RECORD, IF ANY;

and the above bargained premises in the quiet and peaceable possession of said parties of the second part, the survivor of them, their assigns and the heirs and assigns of such survivor, against all and every person or persons lawfully claiming or to claim the whole or any part thereof, the said party of the first part shall and will WARRANT AND FOREVER DEFEND. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in the Presence of

HUGH PFOST AND JENNIE E. PFOST ESTATE TRUST (SEAL)

Glenn Allen Pfost, Trustee (SEAL)
BY: GLENN ALLEN PFOST, TRUSTEE

STATE OF COLORADO
County of GARFIELD ss.

(SEAL)

The foregoing instrument was acknowledged before me this day of September 28, 1995

by GLENN ALLEN PFOST, TRUSTEE FOR HUGH PFOST AND JENNIE E. PFOST ESTATE TRUST

My commission expires 12/23/96
Witness my hand and official seal.

Margaret E. Jay
Notary Public

11 00
7 12

EXHIBIT A

ALL OF THE NW1/4 OF THE NW1/4 OF SECTION 10 AND A PORTION OF THE SW1/4 OF THE NW1/4 OF SECTION 10, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A BRASS CAP MONUMENT FOUND AND PROPERLY MARKED FOR THE SECTION CORNER OF SECTIONS 3, 4, 9 AND 10;
THENCE 1316.52 FEET BEARING S. 89 DEGREES 19' 35" E. TO A BROKEN, CHISELED LAVA STONE WITH A SCRIBED "X" ON THE NORTH SIDE AND "1/16" SCRIBED ON THE SOUTH SIDE, AS DEPICTED ON THE MORRISANIA MESA MAP AND ACCEPTED AS THE NE CORNER OF THE NW1/4 OF THE NW1/4 OF SECTION 10;
THENCE 1320.42 FEET BEARING S. 00 DEGREES 02' 30" W. TO THE SOUTHEAST CORNER OF THE NW1/4 OF THE NW1/4 OF SECTION 10;
THENCE 250.00 FEET BEARING N. 89 DEGREES 26' 34" W. TO A REBAR AND CAP L.S. 5933;
THENCE 456.00 FEET BEARING S. 00 DEGREES 02' 30" W. TO A REBAR AND CAP L.S. 5933;
THENCE 169.00 FEET BEARING N. 89 DEGREES 26' 34" W. TO A REBAR AND CAP L.S. 5933;
THENCE 360.71 FEET BEARING N. 47 DEGREES 56' 42" W. TO A REBAR AND CAP L.S. 5933;
THENCE 217.00 FEET BEARING N. 00 DEGREES 02' 30" E. TO A REBAR AND CAP L.S. 5933;
THENCE 631.76 FEET BEARING N. 89 DEGREES 26' 34" W. TO A BRASS CAP FOUND WITH NO INSCRIPTION--ASSUMED TO BE THE SW CORNER OF THE NW1/4 OF THE NW1/4 OF SECTION 10;
THENCE 1323.07 FEET BEARING N. 00 DEGREES 08' 23" E. TO THE POINT OF BEGINNING, ALL IN SECTION 10, TOWNSHIP 7 SOUTH, RANGE 95 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

TOGETHER WITH:

THE NE1/4 OF THE SE1/4 OF SECTION 4, TOWNSHIP 7 SOUTH, RANGE 95 WEST OF THE SIXTH PRINCIPAL MERIDIAN.

ALSO TOGETHER WITH:

THE WEST HALF OF THE NW1/4 OF THE SW1/4 OF SECTION 3, TOWNSHIP 7 SOUTH, RANGE 95 WEST OF THE SIXTH PRINCIPAL MERIDIAN, EXCEPT 9 ACRES, MORE OR LESS, CONVEYED TO WILLARD EAMES BY DEED DATED SEPTEMBER 6, 1941, (SHERIFF'S DEED FILED FOR RECORD SEPTEMBER 6, 1963 IN BOOK 352 AT PAGE 524 AS RECEPTION NO. 222695) AND SAID PROPERTY MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A BRASS CAP MONUMENT FOUND AND PROPERLY MARKED FOR THE SECTION CORNER OF SECTIONS 3, 4, 9 AND 10;
THENCE 1279.77 FEET BEARING N. 00 DEGREES 13' 33" W. TO A BRASS CAP MONUMENT FOUND AND PROPERLY MARKED AS THE SW CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 3, BEING THE POINT OF BEGINNING;

THENCE 1280.84 FEET BEARING N. 89 DEGREES 25' 16" W. TO THE SW CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4;
THENCE 1292.10 FEET BEARING N. 00 DEGREES 11' 05" W. TO THE NW CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4;
THENCE 1290.37 FEET BEARING S. 88 DEGREES 53' 12" E. TO A BRASS CAP MONUMENT FOUND AND PROPERLY MARKED AS THE NW CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 3;
THENCE 76.46 FEET BEARING S. 88 DEGREES 53' 12" E. TO A REBAR AND CAP L.S. 5933;
THENCE DUE SOUTH 75.00 FEET;
THENCE 1338.98 FEET BEARING S. 25 DEGREES 20' 47" E. ALONG THE WESTERLY LINE OF SAID 9 ACRES CONVEYED TO WILLARD EAMES TO A REBAR AND CAP L.S. 5933;
THENCE 658.25 FEET BEARING N. 89 DEGREES 25' 16" W. TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO ===

**PROPERTY OWNERS WITHIN 200 FEET
OF JACK T. EVANS, JR. AND BILLIE G. BIRCHFIELD
PARCEL NO. 2407-102-00-044**

#2407-102-00-043

Foran D. and Willa K. Stark
2643 County Road 301
Parachute, CO 81635-9156

#2407-102-00-045

Richard D. Nipper
P.O. Box 6002
Parachute, CO 81635

#2407-102-00-048

David S. Moore
0075 County Road 310
Parachute, CO 81635

#2407-102-00-049

Donald R. Moore, Jr.
Linda L. Moore
2880 County Road 301
Parachute, CO 81635

#2407-102-00-050

Bonnie J. Palmer
2962 County Road 301
Parachute, CO 81635

#2407-102-00-014

Guy R. and Roberta J. Botkin
2943 County Road 301
Parachute, CO 81635-9117

#2407-102-00-018

Patrick W. and Kathryn L. McCarty
3000 County Road 301
Parachute, CO 81635

#2407-102-00-013

Ivette S. Gudahl
Teresa F. Burdick
28692 County Road 310
Parachute, CO 81635

#2407-033-00-007

Richard K. and Geraldine L. Libby, Trustees
The Richard & Geraldine Libby Trust
Louis M. and Sandra R. Thorpe, Trustees
The Louis M. & Sandra R. Thorpe Family Trust
272 Santa Cruz Drive
Fairfield, CA 94533

#2407-033-00-013

Gaylord J. Henry Family Trust
c/o Phyllis L. Henry, Trustee
1472 Fir Court
Rifle, CO 81650

#2407-081-00-152

Battlement Mesa Land Investments
73 G. Sipprelle Drive
Battlement Mesa, CO 81636

#2407-091-00-086

Nathan A. and Becky Schaeffer
0244 Burthard Lane
Parachute, CO 81635

#2407-043-00-064

John W. and Roy E. Savage
Marshall T. and Daniel W. Savage
P.O. Box 1926
Rifle, CO 81650

#2407-043-00-064

Savage Limited Partnership I
P.O. Box 1926
Rifle, CO 81650

**PARTIES WHO MAY OWN MINERAL INTERESTS IN THE
SUBJECT PROPERTY¹**

#0000-000-00-000
OldCastle SW Group, Inc.
PO Box 3609
Grand Junction, CO 81502
Garfield County Assessor's Acct: N001012

¹Based on inquiry to Garfield County Assessor May 6, 2010.

RECEIVED

AUG 04 2010

GARFIELD COUNTY
BUILDING & PLANNING

KENNETH BALCOMB
(1920-2005)

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SARA M. DUNN

DANIEL C. WENNOGLE
SCOTT GROSSCUP
CHAD J. LEE

OF COUNSEL:

JOHN A. THULSON

August 4, 2010

Tom Veljic, Sr. Planner
Garfield County Building and Planning
108 8th Street, Suite 401
Glenwood Springs, CO 81601

Via Hand Delivery

Re: Evans Subdivision Exemption | Supplemental Application

Dear Tom:

Enclosed is the supplemental information to the Subdivision Application submitted by Jack Evans on May 18, 2010.


- ✓ 1. Enclosed is a revised draft plat prepared by Bookcliff Survey Services, Inc. Per your request, we have noted the life estate in a plat note and the title certificate. We have also included a separate vicinity map. The plat depicts all valid easements affecting the property. It also contains the standard plat notes and the plat notes from Resolution 96-23. ✓
- ✓ 2. Enclosed is an updated list of mineral owners of record available upon review the Garfield County Assessor's records. Per our discussion, it is not necessary to include the names of the mineral owners on the plat. As discussed, we have also included a plat note regarding the possibility of a split estate. Also included is an updated and revised list of property owners within 200 feet of the subject property.
3. Enclosed is updated well permit information for the Evans Subdivision Exemption, including the results of the four hour pump test performed by J&M Pump Company relied upon by the County during its 1996 approval. We have submitted this information at your request. Also attached are copies of the Well Permits and all other records available at the Division Engineer's Office relating to the wells associated with the subject property. } wells? ✓
4. Finally, we are in the process of attempting to receive authorization from Annie Rosella Burchfield, Billie Burchfield's mother and beneficiary of the life estate. We believe she may be out of town for the next couple weeks. We will supplement our application when this becomes available. Please note, Billie Burchfield, has already executed the authorization form.

These items should address all of your concerns in you May 27, 2010 letter. We look forward to hearing from you soon.

BALCOMB & GREEN, P.C.
ATTORNEYS AT LAW

August 4, 2010
Page 2

Very truly yours,
BALCOMB & GREEN, P.C.

By: 

Sara M. Dunn
Chad J. Lee

cc: Mr. Jack T. Evans, Jr.
Ira M. Karet, Esq.
Fred Jarmin

**PARTIES WHO MAY OWN MINERAL INTERESTS IN THE
SUBJECT PROPERTYⁱ**

#0000-000-00-000
OldCastle SW Group, Inc.
PO Box 3609
Grand Junction, CO 81502
Garfield County Assessor's Acct: N001012

ⁱ Based on inquiry to Garfield County Assessor records 7/21/10.

**PROPERTY OWNERS WITHIN 200 FEET
OF JACK T. EVANS, JR. AND BILLIE G. BIRCHFIELD
PARCEL NO. 2407-102-00-044**

Updated 7/21/10

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Parachute, CO 81635-9156

#2407-102-00-045

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#2407-043-00-064

Savage Limited Partnership I
P.O. Box 1926
Rifle, CO 81650



Billie G. Burchfield

Attorney at Law

*Colorado National Bank Building
802 Grand Avenue, Suite 306
Glenwood Springs, CO 81601*

Telephone: (970) 945-8818

Fax: (970) 945-8957

June 24, 1996

Garfield County Planning
Att: Eric D. McCafferty
109 Eighth Street, Suite 303
Glenwood Springs, CO 81602

RE: Burchfield\ Subdivision Exemption

Dear Eric:

On January 2, 1996, the Garfield County Board of Commissioners approved the Burchfield\Evans Subdivision Exemption and the conditions of approval were set out in a January 3, 1996, letter. An extension of time for compliance with the conditions was granted to July 1, 1996. The conditions have been met as follows:

A) With regard to paragraph 1 of the January 3rd letter, applicant agrees that all representations in the application have been completed.

B) With regard to paragraphs 2 and 3, a final plat is submitted herewith setting forth the items identified in paragraph 2, and a check for \$40.00 is enclosed for the fee for review of the plat.

C) With regard to paragraph 4, a check in the amount of \$600.00 is enclosed for the school impact fee on each of the 3 lots.

D) With regard to paragraph 5, an approved domestic well permit and well sharing agreement are enclosed. The final plat contains the easement provisions for a pipeline and radial access around the well.

E) With regard to paragraph 6; well completion reports have been supplied to the Planning Department; a pump test has been conducted and the report and opinion of J & M Pump is enclosed herewith; and, well quality test reports from Grand Junction Lab are enclosed showing compliance with State guidelines concerning bacteria and nitrates.

June 24, 1996
Ltr. Garfield Planning
Page Two

F) With regard to paragraph 7, the first, second, fourth and fifth plat notes are contained on the plat. As previously discussed with the County Attorney and yourself, the third plat note would prevent my being able to obtain household permits for each of the three lots since this requires that applicant relinquish the domestic permit. We have drilled and completed all three wells and have provided the well completion reports for each well. All three wells are in the same aquifer. Accordingly, by completion of the test wells, as well as the domestic well, applicant has provided information on which a determination that the household use only wells will be a dependable and adequate water supply. The third plat note has been amended on the submitted plat and should be stated in the Resolution as follows:

"In the event that a shared well system is used for this exemption, a minimum 1000 gallon water tank shall be installed at each lot. This shall be done at time of building permit application at the expense of the building permit applicant. If a central tank is to be used, the sizing shall be a minimum of 1000 gallons per lot created and served by the central water system."

G) Applicant has received written approval from the Grand Valley Fire Protection District pursuant to Paragraph 9 and the necessary driveway permit from the county Road and Bridge Department pursuant to Paragraph 10.

H) Paragraph 8 is accepted and Paragraph 11 only applies at time of building permit application.

I) Enclosed herewith are the recorded easements providing for access to the lots created by this exemption.

Applicant has satisfied all condition of approval of the subdivision exemption and respectfully requests that the exemption plat and resolution be signed making the subdivision exemption final. Also, please include the following language in the resolution approving the exemption so that we do not have problems with obtaining the household use only well permits for each of the three wells.

"WHEREAS, the applicant has drilled three wells on each parcel on the described tract of land and provided well completion reports and test information for these wells to the Board of County Commissioner."

June 24, 1996
Ltr. Garfield Planning
Page Three

"That the well sharing agreement approved for this exemption provides that the applicant may apply to the State Engineer's Office for approval for in-house domestic use only of Evans-Rill Well (Permit No. 192777), Evans-Rill Well No. 2 (Test Well Permit No. MH-27262-A), and Evans-Rill Well No. 3 (Test Well Permit No. MH-27262-B). In the event that applicant obtains approval of the three permits for household use only on each of the three

parcels created by this exemption, applicant may, as owner of all parcels, repeal the well sharing agreement. In approving this exemption, the Garfield County Commissioners have made no determination as to material injury to vested water rights; nor taken any action that usurps the right or duty of the State Engineer's office to make determinations of injury to vested water rights; nor limits the State Engineer's consideration of any well permit applications for lots created by this exemption."

Should you have any questions or comments, feel free to call me at the number shown above.

Very truly yours,


Billie G. Burchfield

JOHN C. KEPHART & CO.
GRAND JUNCTION LABORATORIES

435 NORTH AVENUE

PHONE 242-7618

GRAND JUNCTION, COLORADO 81501

ANALYTICAL REPORT

Received from:

Foot Support Group
Bill Gerhard 242-3881
2020 North 12th St.
Grand Jct., CO 81501

Customer No.

Laboratory No.

0969

Sample

water

Date Received

2/29/96

Date Reported

3/4/96

Sample

0969

Raw Water 2/28/96 12:00
Morrisanna Mesa
J&M Pump Co.

✓ Total Coliform Bacteria

0 colonies/100ml sample
(safe for drinking)

✓ Nitrate(N)

4.62 mg/l

✓ Nitrite(N)

<0.01 mg/l
(none detected)

NOTES: Limits for public drinking waters are:

Total Col. Bacteria: must be less than one colony per 100ml

Nitrates: limit is 10 mg/l

Nitrites: limit is 1 mg/l

Director: E. Bauer

J & M PUMP COMPANY

0241 COUNTY ROAD 167
GLENWOOD SPRINGS, CO 81601
(303) 945-6159

February 28, 1996

Garhart Rill
Box 98
Parachute Co 81635

RE: #1 Well Test


Attn: Garhart,


A four hour graduated well test was performed by J & M Pump Co. on property located on Morrisannia Mesa. The following results were obtained:

Well:	205'
Water Level:	147'2"
Drawdown:	23'6"
Sustained Yeild:	15 GPM
Water Clarity:	Clear
Pump Used:	1½ HP 13 GPM
Recovery:	95% Within 20 Minutes

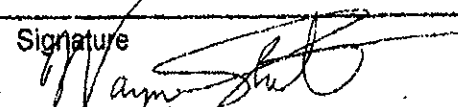
This test was performed in graduated steps of 5 GPM increments. Water level stabalized and cleared up prior to next step. A bacteria sample was taken at the end of the test and sent to Grand Junction Lab. A \$200 rebate is offered to you providing this company installs new permanent pumping system. If you have any questions, please feel free to call, 945-6159. Thank You.

J & M Pump Co.


Richard A Holub
Lic. No 1196

WELL COMPLETION AND TEST REPORT				FOR OFFICE USE ONLY	
STATE OF COLORADO, DEPARTMENT OF STATE MINING					
1. WELL PERMIT NUMBER: MH-27263				APPROVAL # 011531-91-02	
2. OWNER'S NAME(S): Gerhard Rill Mailing Address: P.O. Box 98 City, St, Zip: Basalt, CO. 81621 Phone: (970) 285-9816					
3. WELL LOCATION AS DRILLED: NW 1/4 SW 1/4 Sec. 3 Twp. 7S Range 95W DISTANCE FROM SECTION LINE: FT FROM Sec. Line And FT FROM Sec. Line Or SUBDIVISION: LOT: BLOCK: FILING (UNIT): STREET ADDRESS AT WELL LOCATION:					
4. GROUND SURFACE ELEVATION ft.			DRILLING METHOD: Air Rotary		
DATE COMPLETED: 01/19/96			TOTAL DEPTH: 215 ft. COMPLETED DEPTH: 213 ft.		
5. GEOLOGIC LOG:		6. HOLE DIAM. (in)	FROM (ft)	TO (ft)	
Depth	Type of Material (Firm, Color, and Type)	9.0	0.0	25	
000-040	Volcanic Rocks, Flows	6.5	25	213	
040-213	Clays, Volcanic Rocks				
7. PLAIN CASING					
		OD (in)	Kind	Wall Size	From (ft) To (ft)
		7.0	Steel	0.240	0.0 25
		5.5	PVC	.250	20 180
PERF. CASING: Screen Slot Size:					
		5.5	PVC	.250	180 210
WATER LOCATED: 180 - 205		8. Filter Pack		9. Packer Placement	
		Material:		Type:	
REMARKS:		Size:		Depth:	
		Interval:			
10. GROUTING RECORD:					
	Material	Amount	Density	Interval	Placement
	cement	3 sks	6 g/sk	5-25	poured
11. DISINFECTION: Type: HTH Amt. Used: 2 oz.					
12. WELL TEST DATA: [] Check Box If Test Data Is Submitted On Supplemental Form. TESTING METHOD: Air Compressor Static Level: 148 ft. Date/Time Measured: 01/19/96 Production Rate: 15 gpm. Pumping Level: Total ft. Date/Time Measured: 01/19/96 Test Length: 2 hrs Remarks:					
<small>I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. (Pursuant to Section 24-4-104 (13)(e) CRS, the making of false statements constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.)</small>					
CONTRACTOR: Shelton Drilling Corp. Mailing Address: P.O. Box 1059 Basalt, Co. 81621			Phone (970) 927-4182 Lic. No. 1095		
Name / Title (Please Type or Print) Wayne Shelton / President		Signature 		Date 01/26/96	

FILE COPY

WELL COMPLETION AND TEST REPORT STATE OF COLORADO, OFFICE OF STATE ENGINEER				FOR OFFICE USE ONLY	
1. WELL PERMIT NUMBER : MH-27262-B		APPROVAL # GWS31-91-03			
2. OWNER'S NAME (S) : Gerhard Rill Mailing Address : P. O. Box 98 City, St., Zip : Parachute, Co. 81635 Phone : (970) 285-9816					
3. WELL LOCATION AS DRILLED : NE 1/4 SE 1/4 Sec. 4 Twp. 7S Range 95W DISTANCE FROM SECTION LINES : Ft. From Sec. Line. And Ft. From Sec. Line. Or SUBDIVISION : LOT : BLOCK : FILING (UNIT) : STREET ADDRESS AT WELL LOCATION :					
4. GROUND SURFACE ELEVATION ft. DRILLING METHOD : Air Rotary DATE COMPLETED : 01/25/96 TOTAL DEPTH : 235 ft. COMPLETED DEPTH : 235 ft.					
5. GEOLOGIC LOG:			6. HOLE DIAM. (in)		
Depth	Type of Material (Size, Color, and Type)		FROM (ft)	TO (ft)	
000-060	Volcanic Rocks, Flows	9.0	0.0	24	
060-235	Clays, Volcanic Rocks	6.5	24	235	
7. PLAIN CASING					
		OD (in)	Kind	Wall Size	From (ft) To (ft)
		7.0	Steel	0.240	0.0 24
		5.5	PVC	.250	20 190
PERF. CASING : Screen Slot Size :					
		5.5	PVC	.250	190 230
WATER LOCATED : 190 - 230 REMARKS :			8. Filter Pack		9. Packer Placement
			Material :		Type :
			Size :		Depth :
			Interval :		
10. GROUTING RECORD :					
	Material	Amount	Density	Interval	Placement
	cement	3 sks	6 g/sk	5-24	poured
11. DISINFECTION : Type : HTH Amt. Used : 2 oz.					
12. WELL TEST DATA : <input type="checkbox"/> Check Box if Test Data is Submitted On Supplemental Form. TESTING METHOD : Air Compressor Static Level : 165 ft. Date/Time Measured : 01/25/96 Production Rate : 15 gpm. Pumping Level : Total ft. Date/Time Measured : 01/25/96 Test Length : 2 hrs. Remarks :					
<small>I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. (Pursuant to Section 24-4-104 (13)(a) CRS the making of false statements constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.)</small>					
CONTRACTOR : Shelton Drilling Corp. Mailing Address : P.O. Box 1059 Basalt, Co. 81621			Phone (970) 927-4182 Lic. No. 1095		
Name / Title (Please Type or Print) Wayne Shelton / President		Signature 		Date 01/26/96	

FILE COPY

FOR OFFICE USE ONLY

WELL COMPLETION AND TEST REPORT
STATE OF COLORADO, OFFICE OF STATE ENGINEER

1. WELL PERMIT NUMBER : **MH-27262-A**

2. OWNER'S NAME(S) : **Gerhard Rill**
 Mailing Address : **P. O. Box 98**
 City, St, Zip : **Parachute, Co. 81635**
 Phone : **(970) 285-9816**

APPROVAL # GWS31-91-03

3. WELL LOCATION AS DRILLED : **NE 1/4 SE 1/4 Sec. 4 Twp. 7S Range 95W**
 DISTANCE FROM SECTION LINES : **Ft. From Sec. Line And Ft. From Sec. Line. Or**
 SUBDIVISION : **LOT : BLOCK : FILING (UNIT) :**
 STREET ADDRESS AT WELL LOCATION :

4. GROUND SURFACE ELEVATION **ft.** DRILLING METHOD : **Air Rotary**
 DATE COMPLETED : **01/23/96** TOTAL DEPTH : **240 ft.** COMPLETED DEPTH : **240 ft.**

5. GEOLOGIC LOG:

Depth	Type of Material (Size, Color, and Type)
000-060	Volcanic Rocks, Flows
060-230	Clays, Volcanic Rocks
230-240	Water

8. HOLE DIAM. (in)	FROM (ft)	TO (ft)
9.0	0.0	24
6.5	24	240

7. PLAIN CASING

OD (in)	Kind	Wall Size	From (ft)	To (ft)
7.0	Steel	0.240	0.0	24
5.5	PVC	.250	20	180

PERF. CASING, Screen Slot Size :

OD (in)	Kind	Wall Size	From (ft)	To (ft)
5.5	PVC	.250	180	225

WATER LOCATED : **180, 225**

REMARKS :

8. Filter Pack
 Material :
 Size :
 Interval :

9. Packer Placement
 Type :
 Depth :

10. GROUTING RECORD:


Material	Amount	Density	Interval	Placement
Cement	3 sks	6 g/sk	5-24	poured

11. DISINFECTION : Type : **HTH** Amt. Used : **2 oz.**

12. WELL TEST DATA : Check Box if Test Data is Submitted On Supplemental Form.
 TESTING METHOD : **Air Compressor**
 Static Level : **160 ft.** Date/Time Measured : **01/23/96** Production Rate : **10 gpm.**
 Pumping Level : **Total ft.** Date/Time Measured : **01/23/96** Test Length : **2 hrs.**
 Remarks :

I have read the statements made herein and know the contents thereof, and that they are true to my knowledge. (Pursuant to Section 24-4-104(13)(a) CRS, the making of false statements constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.)

CONTRACTOR : **Shelton Drilling Corp.** Phone **(970) 927-4182**
 Mailing Address : **P.O. Box 1059 Basalt, Co. 81621** Lic. No. **1095**

Name / Title (Please Type or Print) **Wayne Shelton / President** Signature  Date **01/26/96**

FILE COPY

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

APPLICANT

Conceded
282284

WELL PERMIT NUMBER 192777
DIV. 5 CNTY. 23 WD 45 DES. BASIN MD

Lot: Block: Filing: Subdiv:

JACK T EVANS JR
48 MORNING STAR DR
PARACHUTE CO 81635-

(970)285-9104

APPROVED WELL LOCATION
GARFIELD COUNTY

NE 1/4 SE 1/4 Section 4
Twp 7 S RANGE 95 W 6th P.M.

DISTANCES FROM SECTION LINES

1900 Ft. from South Section Line
650 Ft. from East Section Line

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a tract of land of 48.25 acres described as that portion of the SE 1/4 of Sec. 4, and that portion of the SW 1/4 of Sec. 3, all in Twp. 7 South, Rng. 95 West, 6th P.M., Garfield County, more particularly described on the attached exhibit A.
- 4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside up to 3 single family dwellings, the irrigation of not more than one (1) acre of home gardens and lawns and the watering of domestic animals.
- 5) The maximum pumping rate shall not exceed 15 GPM.
- 6) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 7) This well shall be constructed not more than 200 feet from the location specified on this permit.

NOTE: Monitoring and observation hole notice no. MH-27262, was acknowledged on January 16, 1996.

JD2-7-96

OWNER'S COPY

APPROVED
JD2

Hal D. Simpson

State Engineer

Jeff Deather

By

Receipt No. 0394690

DATE ISSUED FEB 08 1996

EXPIRATION DATE FEB 08 1998

DECLARATION OF EASEMENTS AND COVENANTS

Garfield County, Colorado

The undersigned, Jack T. Evans, Jr., Billie G. Burchfield-Evans, and Foot Support Group Profit Sharing Plan (hereinafter "Declarants"), being the sole owners of certain real property located in Garfield County, Colorado, described on Exhibit A, attached hereto and incorporated herein by this reference, having caused the same to be divided into three (3) parcels, as described in Garfield County Resolution No. _____ (hereinafter the "Subdivision") recorded the _____ day of _____, 1996, in Book _____ at Page _____ as Reception No. _____, Garfield County Records, hereby declare and acknowledge that all property within the Subdivision is and shall be subject to the following Easements and Covenants:

**ARTICLE I
WATER SUPPLY AND RESTRICTIONS**

1. Domestic Water Supply: Domestic water supply for all parcels shall be derived from the Evans-Rill Well, which is the subject to Well Permit No. 192777, issued by the State Engineer pursuant to C.R.S. § 37-92-602(3)(b)(II)(A). The rate of withdrawal from the Evans-Rill Well may not exceed 15 gallons per minute, and the water produced therefrom may be used only for ordinary household purposes inside three (3) single family dwellings, fire protection, watering of domestic animals, and the irrigation of not over one (1) acre of home gardens and lawns.

2. Conveyance and Assignments: Evans-Rill Well and appurtenant facilities are currently owned by the declarants, and the permit for Evans-Rill Well is currently in the name of the Declarants. At the time of conveyance by Declarants of Parcel 1, 2, and 3, the Declarants shall quit claim and assign to the purchasers of each such parcel an undivided one-third interest in the Evans-Rill Well, the well permit therefor, the pump and appurtenant facilities. The permit shall remain in the name of the owner of Parcel 2, as they may appear from time to time, and such owners shall be responsible for subsequent assignments and amendments to reflect ownership. The owner of Parcel 2 shall be the owner designated to receive correspondence related to such well permit.

DECLARATION OF EASEMENTS/COVENANTS

3. Ownership and Maintenance of Evans-Rill Well and Water Facilities: Each parcel owner shall be the sole owner of water facilities which are used solely by that parcel. Pursuant to the conveyances made as set forth in paragraph 2 above, the lot owners shall be the joint owners, each with an undivided one-third interest in the Evans-Rill Well, the pump, and any appurtenant facilities which are used in common by the parcels. Each parcel owner's one-third interest shall be appurtenant to such parcel, and may not be transferred apart from the parcel. The parcel owners shall be responsible for operation, maintenance, repair, replacement, and improvement of the Evans-Rill Well, the pump and any other appurtenant common facilities.

4. Costs of Water Facilities: The owners of each of parcels 1, 2 and 3 shall be entitled to one-third of the withdrawal of the Evans-Rill Well, for individual use, and shall be responsible for paying one-third of the costs of maintenance, operation, repair, replacement and improvement of the Evans-Rill Well, the pump, and appurtenant facilities. The costs of common water lines or other common water facilities shall be borne equally by the owners of the lots using such facilities. The parcel owners shall cooperate to enter into mutual agreements for the completion and payment of the costs of any maintenance, operation, repair, replacement, or improvement of common facilities. In the event the parcel owners are unable to agree upon any required maintenance, repair, replacement, or improvement, any parcel owner shall be entitled to undertake the minimal work necessary and essential for proper functioning of the common facilities. In the event a parcel owner determines to undertake such work, he shall first notify the other parcel owners in writing. The parcel owner undertaking the work shall upon completion provide the other parcel owners with a written statement of the work performed and the other parcel owners proportionate share of the costs.

5. Payment of Common Expense: Each parcel owner shall pay its proportionate share of common expenses within 30 days from the time a statement of expenses is presented for payment. In the event a parcel owner fails to pay its share within 60 days of presentment, interest on the unpaid amount shall accrue at 12 percent per annum, beginning 60 days from presentment. In the event a parcel owner fails to pay any amounts due with interest thereon, within six months from the date of presentment for payment, water service to the delinquent parcel shall be discontinued. Further, the parcel owner which has paid such

DECLARATION OF EASEMENTS/COVENANTS

costs and expenses shall be entitled to pursue any remedy available at law or in equity for a breach of this Covenant, and shall be entitled to reasonable attorney's fees incurred to obtain and execute on any judgment for collection.

6. Easement: Each parcel is and shall be subject to perpetual and nonexclusive easements as set out in the subdivision plat, sufficient to give force to the provisions of this Article, including a ten foot centerline easement for the water supply pipeline and a 20 foot radial easement around the Evans-Rill Well for the construction, operation, maintenance, repair, replacement and improvement of the Evans-Rill Well, the pump, and any appurtenant common facilities and water lines.

7. Use of Water, No Waste: Domestic, in-house use shall take precedence over irrigation use and no outside use shall be allowed if any in-house domestic needs are not met. The Evans-Rill Well shall be used in accordance with the well permit and any lawful orders of the Water Commissioner, division or state engineer. No parcel owner shall waste water, and each owner shall exercise prudence and conservation in the use of water in order to allow for the efficient and beneficial use of the Evans-Rill Well. Unless otherwise agreed, no lot shall use more than one-third of the water physically available from the Evans-Rill Well.

8. Construction Requirements: Each parcel owner shall install and pay for a minimum 1000 gallon storage tank, or larger as may hereafter be designated by Garfield County, for service to each single family dwelling. Each parcel owner will have a licensed engineer design necessary elements of each parcels addition to the common water supply facilities.

9. Individual Wells: Declarants may, at Declarant's option, apply to the State Engineer's office for approval for in-house domestic use only of Evans-Rill Well (Permit No. 192777); Evans-Rill Well No. 2 (Test Well Permit No. MH-27262-A); and Evans-Rill Well No. 3 (Test Well Permit No. MH-27262-B). In the event that Declarants obtain approval of the three permits for household use only on each of the three parcels in the Subdivision, Declarants may, as owners of all parcels, repeal this Declaration in total, and convey to each parcel owner the permitted well located on each parcel.

DECLARATION OF EASEMENTS/COVENANTS

ARTICLE II
GENERAL PROVISIONS

1. Covenants to Run: The Covenants herein shall run with the property constituting the Subdivision, and shall bind the Declarants, their successors, and assigns. All parties claiming by, through, or under the Declarants shall be taken to hold, agree, and covenant with each owner of each lot in the Subdivision, their heirs, successors, or assigns, to conform to and observe said restrictions, but no restriction herein shall be personally binding on the Declarant or any other persons except in respect to breaches committed during his or their ownership of said land.

2. Enforcement: The Covenants may be enforced by any parcel owner by an action for damages or for injunctive relief to restrain or mandate any action required by these Covenants. The prevailing party in such action shall be entitled to reasonable attorney's fees and costs.

3. Terms/Amendment of Covenants: These Covenants shall remain in effect for a period of twenty-five years, and automatically shall be continued thereafter for successive periods of ten years each, unless all three parcel owners in the Subdivision affirmatively vote to repeal or amend, all or any portion, of these Covenants at any time prior to the expiration hereof; provided, however, that no repeal or amendment shall be effective until an instrument setting forth such action, signed by all parcel owners, is recorded in the Office of the Garfield County Clerk and Recorder.

4. Severability: Should any provision of these Covenants be declared invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of any other provisions, which shall remain in full force and effect.

DECLARATION OF EASEMENTS/COVENANTS

IN WITNESS WHEREOF, the Declarants, as the owners of all lands described, has executed this ___ day of _____, 1996.

Jack T. Evans, Jr.
JACK T. EVANS, JR., DECLARANT

Billie G. Burchfield-Evans
BILLIE G. BURCHFIELD, DECLARANT

Gerhard Rill
GERHARD RILL, Trustee for
FOOT SUPPORT GROUP PROFIT
SHARING PLAN

Diane Dill
DIANE DILL, Trustee for
FOOT SUPPORT GROUP PROFIT
SHARING PLAN

STATE OF COLORADO §
 § ss.
COUNTY OF GARFIELD §

Subscribed and sworn to before me this 26 day of June 1996, by Gerhard Rill and Diane Dill, Trustees for the Foot Support Group Profit Sharing Plan.

Witness my hand and official seal.

Rose M. Magee
Notary Public

My Commission Expires: 2-10-2000

STATE OF COLORADO §
 § ss.
COUNTY OF GARFIELD §

Subscribed and sworn to before me this 26 day of June 1996, by Jack T. Evans, Jr., and Billie G. Burchfield-Evans.

Witness my hand and official seal.

Rose M. Magee
Notary Public

My Commission Expires: 2-10-2000

DECLARATION OF EASEMENTS/COVENANTS

PROPERTY DESCRIPTION

BOUNDARY DESCRIPTION

A PARCEL OF LAND SITUATED IN SECTIONS 3 AND 4, TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., BEING A PORTION OF THE NW1/4SW1/4 OF SECTION 3 AND THE NE1/4SE1/4 OF SECTION 4, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 3 (ALSO THE SOUTHEAST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4), TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., THENCE ALONG THE SOUTHERLY LINE OF SAID NW1/4 OF THE SW1/4 S89°26'16"E 658.25 FEET; THENCE LEAVING SAID SOUTHERLY LINE N25°20'47"W 1338.98 FEET; THENCE N00°00'00"E 75.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID NW1/4 OF THE SW1/4; THENCE ALONG SAID NORTHERLY LINE N88°53'12"W 76.48 FEET TO THE NORTHWEST CORNER OF SAID NW1/4 OF THE SW1/4 (ALSO THE NORTHEAST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4); THENCE ALONG THE NORTHERLY LINE OF SAID NE1/4 OF THE SE1/4 OF N88°53'12"W 1292.37 FEET TO THE NORTHWEST CORNER OF SAID NE1/4 OF THE SE1/4; THENCE ALONG THE WESTERLY LINE OF SAID NE1/4 OF THE SE1/4 S00°01'37"E 1292.81 FEET TO THE SOUTHWEST CORNER OF SAID NE1/4 OF THE SE1/4; THENCE LEAVING SAID WESTERLY LINE ALONG THE SOUTHERLY LINE OF SAID NE1/4 OF THE SE1/4 S89°27'17"E 1281.01 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINING 48.27 ACRES AS DESCRIBED

COUNTY OF GARFIELD
STATE OF COLORADO

PARCEL #1

A PARCEL OF LAND SITUATED IN SECTION 3, TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., BEING A PORTION OF THE NW1/4SW1/4, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 3 (ALSO THE SOUTHEAST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4), TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., THENCE ALONG THE SOUTHERLY LINE OF SAID NW1/4 OF THE SW1/4 S89°26'16"E 658.25 FEET; THENCE LEAVING SAID SOUTHERLY LINE N25°20'47"W 1338.98 FEET; THENCE N00°00'00"E 75.00 FEET TO A POINT ON THE NORTHERLY LINE OF SAID NW1/4 OF THE SW1/4; THENCE ALONG SAID NORTHERLY LINE N88°53'12"W 76.48 FEET TO THE NORTHWEST CORNER OF SAID NW1/4 OF THE SW1/4 (ALSO THE NORTHEAST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4); THENCE ALONG THE WESTERLY LINE OF SAID NW1/4 OF THE SW1/4 (ALSO THE EASTERLY LINE OF THE NE1/4 OF THE SE1/4 OF SECTION 4) S00°23'00"W 1279.96 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINING 10.30 ACRES AS DESCRIBED.

COUNTY OF GARFIELD
STATE OF COLORADO

PARCEL #2

A PARCEL OF LAND SITUATED IN SECTION 4, TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., BEING THE E1/2NE1/4SE1/4, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 3 (ALSO THE SOUTHEAST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4), TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., THENCE ALONG THE EASTERLY LINE OF SAID NE1/4 OF THE SE1/4 N00°23'00"E 1279.96 FEET TO THE NORTHEAST CORNER OF SAID NE1/4 OF THE SE1/4; THENCE LEAVING SAID EASTERLY LINE ALONG THE NORTHERLY LINE OF SAID NE1/4 OF THE SE1/4 N88°53'12"W 645.19 FEET; THENCE LEAVING SAID NORTHERLY LINE S00°10'36"W 1288.38 FEET TO A POINT ON THE SOUTHERLY LINE OF SAID NE1/4 OF THE SE1/4; THENCE ALONG SAID SOUTHERLY LINE S89°27'17"E 640.50 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINING 18.94 ACRES AS DESCRIBED.

COUNTY OF GARFIELD
STATE OF COLORADO

PARCEL #3

A PARCEL OF LAND SITUATED IN SECTION 4, TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M., BEING THE W1/2NE1/4SE1/4, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE SOUTHWEST CORNER OF THE NW1/4 OF THE SW1/4 OF SECTION 3 (ALSO THE SOUTHEAST CORNER OF THE NE1/4 OF THE SE1/4 OF SECTION 4), TOWNSHIP 7 SOUTH, RANGE 96 WEST OF THE 6TH P.M. BEARS S89°27'17"E 640.50 FEET; THENCE ALONG THE NORTHERLY LINE OF THE NE1/4 OF THE SE1/4 N88°53'12"W 645.18 FEET TO THE NORTHWEST CORNER OF SAID NE1/4 OF THE SE1/4; THENCE LEAVING SAID NORTHERLY LINE ALONG THE WESTERLY LINE OF SAID NE1/4 OF THE SE1/4 S00°01'37"E 1292.81 FEET; THENCE LEAVING SAID WESTERLY LINE ALONG THE SOUTHERLY LINE OF SAID NE1/4 OF THE SE1/4 S89°27'17"E 640.51 FEET TO THE POINT OF BEGINNING.

SAID PROPERTY CONTAINING 18.03 ACRES AS DESCRIBED.

COUNTY OF GARFIELD
STATE OF GARFIELD

date name

no. description of revisions

sheet no

job number 95 217
drawing number 95217EP2

GRAND VALLEY
FIRE PROTECTION DISTRICT
P. O. Box 295
Parachute, Colorado 81635
(303) 285-7630

December 28, 1995

Garfield County Planning Department
109 8th Street, Suite 300
Glenwood Springs, CO 81601

RE: The Jack Evans Exemption

To Whom It May Concern:

Per a request of Debby Sanderson of the Law Office of Walter Brown, the Grand Valley Fire Protection District has reviewed the Jack Evans Exemption.

It is our understanding two parcels of land will be subdivided. Approximately 52 acres will be subdivided into four lots and 43 3/4 acres into three lots.

The Grand Valley Fire Protection District requests that all structures be separated from native trees (pinyon/juniper) by a distance of four times the height of the surrounding native trees or 100 feet. Also a source of water for fire trucks (to pump from) is helpful. We understand a pond is planned on proposed subdivision. Access to all structures should be sufficient for a 45 foot truck to turn around.

If there are any questions please contact me.

Sincerely,



Ed Baker
Asst. Fire Chief

cc: G. Mahaffey, Chief

District:	III
Road:	301
Permit #:	007-96 D

GARFIELD COUNTY
APPLICATION FOR DRIVEWAY PERMIT

Application Date 02-23-1998

I, EVANS, JACK (herein called "Applicant"), hereby requests permission and authority from the Board of County Commissioners to construct a driveway approach(es) on the right-of-way of Garfield County Road Number 301 adjacent to Applicant's property located on the NORTH side of the road, a distance of 900FT mile(s) from CO RD 301 & CO RD 310 INT for the purpose of obtaining access to PRIVATE RESIDENCE

Applicant submits herewith for the consideration and approval of the Board of County Commissioners, a sketch of the proposed installation showing all necessary-specification detail including (1) frontage of lot along road, (2) distance from centerline of road to property line, (3) number of driveways requested, (4) width of proposed driveway(s) and angle of approach, (5) distance from driveway to road intersection, if any, (6) size and shape of area separating driveways if more than one approach, and (7) setback distance of building(s) and other structures or improvements.

GENERAL PROVISIONS

FIRST: The Applicant represents all parties in interest, and affirms that the driveway approach(es) is to be constructed by him for the bona fide purpose of securing access to his property and not for the purpose of doing business or servicing vehicles on the road right-of-way.

SECOND: The Applicant shall furnish all labor and materials, perform all work, and pay all costs in connection with the construction of the driveway(s) and its appurtenances on the right-of-way. All work shall be completed within 30 days of the Permit date.

THIRD: The type of construction shall be as designated and/or approved by the Board of County Commissioners or their representative, and all materials used shall be of satisfactory quality and subject to inspection and approval of the Board of County Commissioners or their representative.

FOURTH: The traveling public shall be protected during the installation with proper warning signs and signals and the Board of County Commissioners and their duly appointed agents and employees shall be held harmless against any action for personal injury or property damage sustained by reason of the exercise of the Permit.

FIFTH: The Applicant shall assume responsibility for the removal or clearance of snow, ice or sleet upon any portion of the driveway approach(es) even though deposited on the driveway(s) in the course of the County snow removal operations.

SIXTH: In the event it becomes necessary to remove any right-of-way fence, the posts on either side of the entrance shall be securely braced before the fence is cut to prevent any slacking of the remaining fence, and all posts and wire removed shall be turned over to the District Road Supervisor of the Board of County Commissioners.

SEVENTH: No revisions or additions shall be made to the driveway(s) or its appurtenances on the right-of-way without the written permission of the Board of County Commissioners.

EIGHTH: Provisions and specifications outlined herein shall apply on all roads under the jurisdiction of the Board of County Commissioners of Garfield County, Colorado, and the Specifications, set forth on the attached hereof and incorporated herein as conditions hereof.

SPECIAL CONDITIONS

15" CULVERT REQUIRED
MUST GRAVEL AT LEAST 100FT FROM COUNTY ROAD
RESPONSIBLE FOR TWO YEARS FROM DATE OF COMPLETION

In signing this application and upon receiving authorization and permission to install the driveway approach(es) described herein the Applicant signifies that he has read, understands and accepts the foregoing provisions and conditions and agrees to construct the driveway(s) in accordance with the accompanying specification plan reviewed and approved by the Board of County Commissioners.

Witness: _____

Signed: Billy McLean
(Signature of Applicant)

(Address)

(Telephone Number)

PERMIT GRANTED THIS 23rd DAY OF February 19 96, SUBJECT TO THE PROVISIONS, SPECIFICATIONS, AND CONDITIONS STIPULATED HEREIN.

For Board of County Commissioners of Garfield County, Colorado

BY: [Signature]

BASELINE AGREEMENT

THIS AGREEMENT made and entered into as of the 9th day of Sept 1998 by and between Glenn Pfost as trustee under the Trust Agreement of High Trust, and Janice E. Pfost, dated August 22, 1970, hereinafter referred to as "Pfost" and Barton E. Libby, Byron E. Libby, Wynne M. Libby (now Wynne M. Nixon), Evelyn O. Edwards, Leslie P. Libby and Olive J. Libby, trustees of the Leslie R. and Jewell P. Libby Family Trust, by Leslie R. Libby, thereunto duly authorized, and as attorney-in-fact for the foregoing, hereinafter collectively referred to as "Libby."

WITNESSETH

Pfost is the owner of the NW1/4 of NW1/4 of Section 10, and a portion of the NW1/4 of SW1/4 of Sec. 3, and Libby is the owner of a three-fourths interest in the SW1/4 of the NW1/4 of Sec. 1, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado. See Exhibit A hereto and by this reference made a part hereof.

Pfost desires easements, and Libby desires easements across Pfost's above described property, for water and utilities.

Libby also desires the right to change the easement granted to Pfost for road purposes in the future at Libby's discretion.

NOW THEREFORE, in consideration of this agreement and the granting of the easements hereinafter set forth, it is agreed as follows:

1. Pfost hereby grants and conveys to Libby non-exclusive easements for utilities and for a road as follows:

a. Utility easement. A 25 foot-wide easement situate on the Morrisonia Mesa, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado, being more particularly described as follows:

Commencing at the SE corner of the NW1/4 of the NW1/4 of Sec. 10, said point of beginning being situate at the intersection of Garfield County roads 301 and 310; thence easterly along the east line of said parcel to the NE corner of the NW1/4 of the NW1/4 of Sec. 10.

b. Road easement. A 25 foot-wide easement situate on the Morrisonia Mesa, Township 7 South, Range 95 West, of the 6th Principal Meridian, Garfield County, Colorado, being more particularly described as follows:

Commencing at the SE corner of the NW1/4 of the NW1/4 of Sec. 10, said point of beginning being situate at the intersection of Garfield County roads 301 and 310; thence easterly along the east line of said parcel to a curve of convenience (Chord Length 59.24 feet, Bearing N44° 18' 31" W, Radius 42.12 feet, Delta Angle 89° 22' 05"); thence along the curve left 65.70 feet; thence westerly along and with the north line of said parcel a distance of 402.23 feet;

2. Libby hereby grants and conveys to Pfost non-exclusive easements for utilities and for a road, as follows:

a. Utility easement. A 25 foot-wide easement situate on the Morrisonia Mesa, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado, being more particularly described as follows:

Commencing at the SE corner of the SW1/4 of the SW1/4 of Sec. 3, the easterly line of this portion of said easement running thence northeasterly along and with the east line of said parcel to the NE corner of said parcel; thence west with the northerly line of this portion of said easement along and with the north line of said parcel; thence westerly 110 feet to where said easement intersects with the dirt extant road on said parcel.

b. Road easement. A 25 foot-wide easement situate on the Morrisonia Mesa, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado, being more particularly described as follows:

Following an extant dirt road through a portion of the Libby property, which is the SW1/4 of the SW1/4 of Sec. 3, to a portion of the Pfost property, which is that part of the west half of the NW1/4 of the SW1/4 that was not previously conveyed to Willard James, said property all lying in Sec. 3. The aforementioned extant dirt road is more particularly described as follows:

Beginning at the intersection of said road with the north line of the NW1/4 of the NW1/4 of Sec. 10, about 520 feet from the NE corner of said parcel, and being the PC of a curve; the easterly line of said easement running thence along the curve right 257.93 feet (Chord Length 233.27 feet, Bearing N45° 17' 31" W, Radius 167.80 feet, Delta Angle 80° 04' 09"); thence N1° 15' 26" W 213.01 feet to the PC of a curve; thence along the curve left 188.98 feet (Chord Length 187.15 feet, Bearing N15° 24' 35" W, Radius 391.76 feet, Delta Angle 27° 38' 17"); thence N28°

487407 B-963 P-529 01/08/98 03:49P PG 1 OF 3 REC 16:00 DCC NOT

51' 4" W 373.77 feet to the PC of a curve; thence along the curve left 526.37 feet (Chord Length 525.59 feet, Bearing N34° 19' 03" W, Radius 2781.11 feet, Delta Angle 10° 50' 39") to the above mentioned west half of the NW1/4 of the SW1/4 of Sec. 3, a total distance of 1550.06 feet.

3. It is understood and agreed that Libby has the right to change the road easement granted to Pfost to correspond with the utility easements granted to Libby in paragraph 1.a and granted to Pfost in paragraph 2.a, hereinafter referred to as the "alternate road easement." It is agreed that the road easement granted to Pfost in paragraph 2.b shall be deemed terminated at such time as Libby has completed a road of equal or better quality on the alternate road easement.

4. The easements granted and conveyed herein shall survive forever to the respective grantees their assigns, heirs and successors, in accordance with the above provisions.

5. Libby and Pfost respectively, for themselves, their heirs, successors and assigns represent and warrant at the time of the granting of the above easements that they were the owners in fee simple (Libby's ownership is an undivided 3/4 interest) of the respective properties conveyed and have the right to grant, bargain, sell and convey said easements, and that the same are free and clear of liens and encumbrances of every kind and nature.

6. The parties hereto recognize that the 1/4 interest in the Libby property previously held by Leona Marshall Libby, deceased, now appears of record as being owned by John Marshall and Peter Marshall, as Executors of the estate of Leona Marshall Libby. The whereabouts of the owner(s) of said one-fourth interest is not known. Libby agrees to diligently attempt to locate the owner(s) of said 1/4 interest and to obtain said owners signature approving and agreeing to be bound by the terms, agreements and provisions of this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Easement Agreement effective as of the date and year first above written.

Glenn Pfost, as Trustee of
the Hugh and Jennie E. Pfost
Trust

Leslie R. Libby
Leslie R. Libby for Barton R.
Libby, Byron E. Libby, Gwynne
M. Libby (now Gwynne M. Nixon),
Evelyn O. Edwards, as their
attorney-in-fact, and as the
Trustee of the Leslie R. and
Jewell P. Libby Family Trust

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

487407 B-963 P-531 01/08/96 03:49P PG 3 OF 3

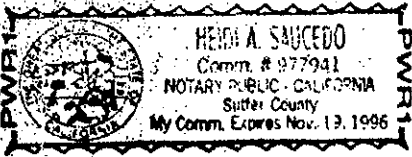
State of California

County of Sutter

On Sept 25, 1995 before me, HEIDI A. SAUCEDO, NOTARY PUBLIC

personally appeared LESLIE R. LIBBY

personally known to me - OR proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted executed the instrument.



WITNESS my hand and official seal.

Heidi A. Saucedo
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: lease agreement

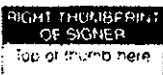
Document Date: 9-23-95 Number of Pages: 4

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

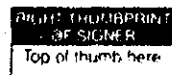
- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

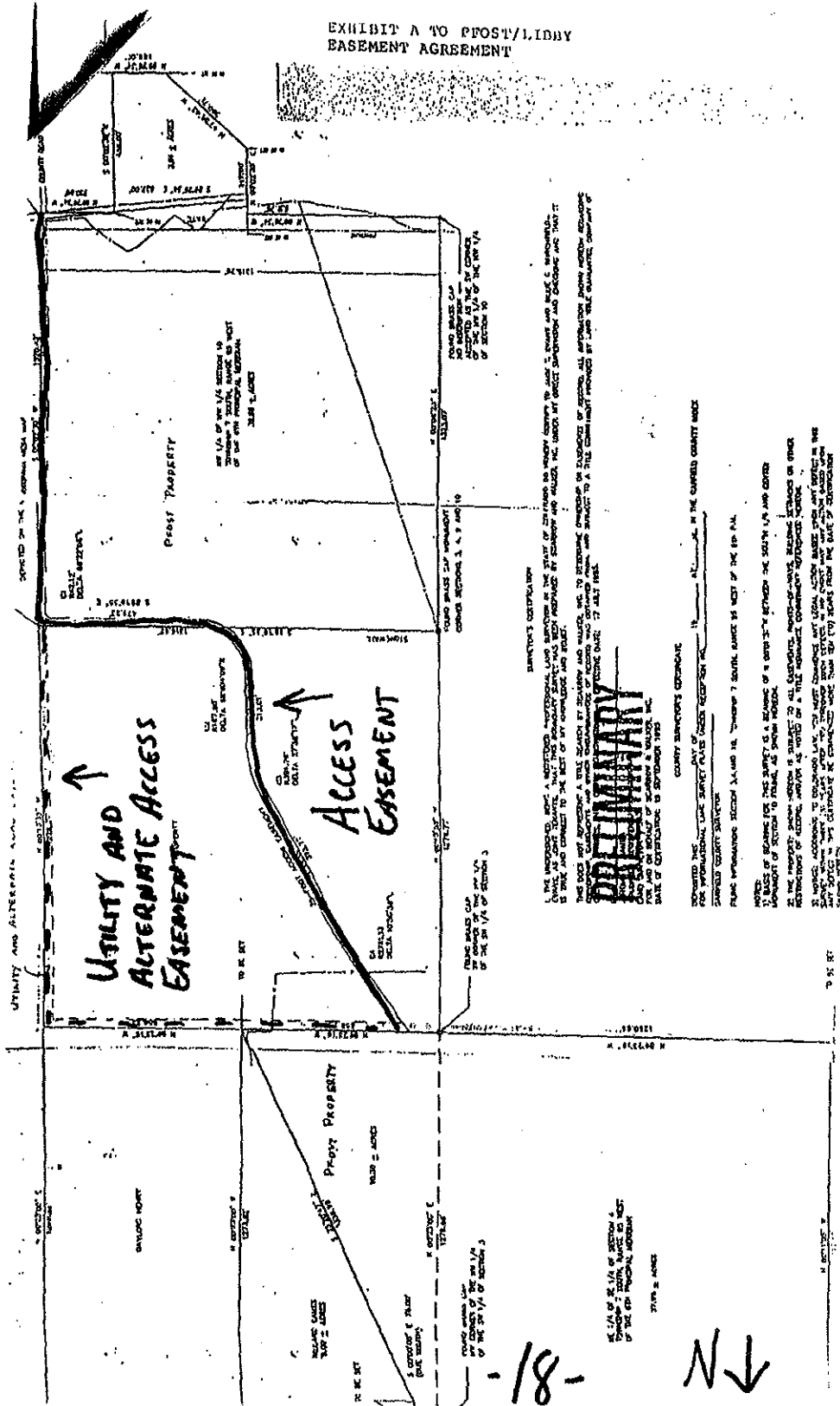
Signer's Name: _____

- Individual
- Corporate Officer
- Title(s): _____
- Partner — Limited General
- Attorney-in-Fact
- Trustee
- Guardian or Conservator
- Other: _____



Signer Is Representing: _____

EXHIBIT A TO PFOST/LIDBY
EASEMENT AGREEMENT



THE UNDERSIGNED, JOHN A. PFOST, COUNTY SURVEYOR OF GARFIELD COUNTY, COLORADO, HAS BEEN DULY SWORN TO AND HAS DEPOSED THAT HE IS THE COUNTY SURVEYOR OF GARFIELD COUNTY, COLORADO, AND THAT HE HAS PERSONALLY EXAMINED THE SURVEY AND RECORDS OF THE COUNTY SURVEYOR'S OFFICE AND HAS FOUND THAT THE SURVEY IS CORRECT AND ACCURATE AND THAT THE EASEMENTS SHOWN THEREON ARE VALID AND LEGAL.

THIS DOES NOT GUARANTEE A TITLE SEARCH BY SURVEYOR AND WARRANTS, NOR DOES IT GUARANTEE THE ACCURACY OF THE SURVEY OR THE VALIDITY OF THE EASEMENTS SHOWN THEREON. THE SURVEYOR'S LIABILITY IS LIMITED TO THE SURVEY AND RECORDS OF THE COUNTY SURVEYOR'S OFFICE.

DATE OF SURVEY: 12-15-1988

COUNTY SURVEYOR'S OFFICE
GARFIELD COUNTY, COLORADO

APPROVED AND FORWARDED: JOHN A. PFOST, COUNTY SURVEYOR

PLANS INFORMATION: SECTION 34 AND 35, TOWNSHIP 7 SOUTH, RANGE 65 WEST OF THE 10th P.M.

NOTES: THIS EASEMENT IS A GRANT OF A 20' WIDE STRIP BETWEEN THE SECTORS 34 AND 35, AND OTHER ADJACENT SECTIONS TO TRAIL, AS SHOWN HEREON.

IN THE EVENT OF ANY DISPUTE BETWEEN THE PARTIES TO THIS EASEMENT, THE PARTIES SHALL REFER ANY SUCH DISPUTE TO AN ARBITRATOR TO BE NAMED BY THE PARTIES TO THIS EASEMENT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND SEAL OF OFFICE AT GARFIELD COUNTY, COLORADO, THIS 15th DAY OF DECEMBER, 1988.

8

EASEMENT AGREEMENT

THIS AGREEMENT made and entered into as of the 9th day of September, 1995 by and between Glenn Pfof, as Trustee under the Trust Agreement of Hugh Pfof and Jennie E. Pfof, dated August 22, 1970, hereinafter referred to as "Pfof" and John Marshall III, hereinafter referred to as "Marshall".

WITNESSETH

Pfof and Leslie R. Libby ("Libby") for Barton R. Libby, Byron E. Libby, Gwynne M. Libby (now Gwynne M. Hixon), Evelyn O. Edwards, as their attorney-in-fact, and as the Trustee of the Leslie R. and Jewell P. Libby Family Trust, entered into an Easement Agreement as of the 9th day of September, 1995 relating to easements granted by Pfof to Libby across the NW 1/4 of the NW 1/4 of Section 10, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado and to easements granted by Libby to Pfof across the SW 1/4 of the SW 1/4 of Section 3, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado. Reference is hereby made to said September 9, 1995 Easement Agreement for its terms and conditions.

Marshall is the owner of a one-fourth interest in the SW 1/4 of the SW 1/4 of Section 3, Township 7 South, Range 95 West of the 6th Principal Meridian, Garfield County, Colorado.

Pfof desires to have Marshall approve and confirm the easements granted by Libby to Pfof and to have Marshall grant Pfof similar easements with respect to his one-fourth interest.

Marshall desires to have Pfof approve and confirm the easements to Libby and to have Pfof grant similar easement to him.

NOW THEREFORE, in consideration of this agreement and of the easements granted hereby the parties agree as follows:

1. Pfof hereby approves and confirms the easements granted to Libby by said September 9, 1995 Easement Agreement and grants and conveys the same non-exclusive easements to Marshall.
2. Marshall hereby approves and confirms the easements granted by Libby to Pfof by said September 9, 1995 Easement Agreement and grants and conveys the same non-exclusive easements to Pfof.
3. Both parties hereby agree to the provisions of paragraphs 3. and 4. of said September 9, 1995 Easement Agreement.
4. Pfof for himself, his heirs, successors and assigns represents and warrants that as of September 9, 1995 and Marshall for himself, his heirs, successors and assigns represents and warrants that as of the date hereof, that they respectively were the owners in fee simple (Marshall's ownership is an undivided 1/4

EARTHSTONE DEVELOPMENT
1014 N. 5th ST.
GRAND JUNCTION, CO 81501

112

interest) of the respective properties noted above as being owned by them and have the right to grant, bargain, sell and convey said easement.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement effective as of the day and year first above written.

Glenn Pfo
Glenn Pfo, as Trustee of the
Hugh and Jennie E. Pfo Trust

John Marshall III
John Marshall III

STATE OF COLORADO)
) ss:
COUNTY OF MESA)

Acknowledged before me this 27th day of December, 1995,
by Glenn Pfo.

WITNESS my hand and official seal.

My commission expires: 5/30/99

[Signature]
Notary Public

STATE OF COLORADO)
) ss:
COUNTY OF Boulder)

Acknowledged before me this 3 day of January, 1996,
by John Marshall III.

WITNESS my hand and official seal.

My commission expires: My Commission Expires 8-14-1999

[Signature]
Notary Public

28

487616 B-964 P-28 01/15/96 03:32P PG 1 OF 1 REC DOC NOT
 MILDRED ALSDORF GARFIELD COUNTY CLERK AND RECORDER 6.00

ASSIGNMENT OF EASEMENT AGREEMENTS

Glenn Pfost, a Trustee under the Trust Agreement of Hugh Pfost, and Jennie E. Pfost, dated August 22, 1970; Assignor, hereinafter referred to as "Pfost", for and in consideration of the sum of One Dollar and other good consideration paid to him by Jack T. Evans Jr. and Billie G. Burchfield Evans, whose address is 48 Morning Star, Parachute, Colorado hereby assigns and conveys unto Jack T. Evans Jr. and Billie G. Burchfield Evans, Assignees, their successors, heirs and assigns, all of the Hugh and Jennie E. Pfost Trust interest in and to the following Easement Agreements:

"Pfost" interest in and to that certain Easment Agreement dated the 9th day of September, 1995, recorded the 8th day of January 1996, by the Garfield County Clerk and Recorder in Book 963 at Page 529, by and between "Pfost" and Barton R. Libby, Byron E. Libby, Gwynne M. Libby (n/k/a Gwynne M. Hixon), Evelyn G. Edwards, Leslie R. Libby and Olive J. Libby, Trustees of the Leslie R. and Jewell P. Libby Family Trust;

AND

"Pfost" interest in and to that certain Easment Agreement dated the 9th day of September, 1995, recorded the 8th day of January 1996, by the Garfield County Clerk and Recorder in Book 962 at Page 532, by and between "Pfost" and John Marshall III.

IN WITNESS WHEREOF, the Assignor has executed this Assignment of Easement Agreements, this 9th day of January, 1996.

GW 220362

By: *Glenn Pfost*
 Glenn Pfost, as Trustee of the
 Hugh and Jennie Pfost Family Trust

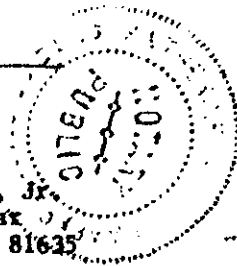
STATE OF COLORADO)
) ss.
 COUNTY OF)

The foregoing instrument was subscribed and sworn to before me this 10 day of January, 1996, by Glenn Pfost, as Trustee of the Hugh and Jennie E. Pfost Family Trust.
 Witness my hand and official seal.

My Commission expires: 3/11/96

Katherine [Signature]
 Notary Public

RETURN TO: Jack T. Evans, Jr.
 48 Morning Star
 Parachute, CO 81635



602

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES

818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

EXST

RECEIVED

WELL PERMIT NUMBER 284697
DIV. 5 WD 45 DES. BASIN MD

APPLICANT

DEC 17 2010

GARFIELD COUNTY
BUILDING & PLANNING

BILLIE G BURCHFIELD
PO BOX 475
PARACHUTE, CO 81635-

(970) 270-8447

Lot: 2B Block: Filing: Subdiv: EVANS EXEMPTION NO. 2

APPROVED WELL LOCATION
GARFIELD COUNTY
NW 1/4 NW 1/4 Section 10
Township 7 S Range 95 W Sixth P.M.

DISTANCES FROM SECTION LINES
188 Ft. from North Section Line
1202 Ft. from West Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)
Easting: Northing:

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a residential site of 16.060 acre(s) described as parcel no. 2B, Evans Exemption No. 2 (A Replat of Parcel 2 of the Evans Lot Line Adjustment Plat, Reception no. 754138), Garfield County. This well is known as Evans Well no. 2 (aka Evans Well, Lot 2B).
- 4) Approved for the installation of a pump in, and the use of, an existing well, constructed on January 26, 1996, to a depth of 158 feet, under monitoring hole notice MH-27342 and later permitted for use of an existing well, under permit no. 195307 (canceled) and later deepened on June 24, 2002, to a depth of 219 feet, under permit no. 195307-A (canceled). Issuance of this permit hereby cancel permit nos. 195307 and 195307-A.
- 5) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling. The ground water shall not be used for irrigation or other purposes.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 8) This well shall be located not more than 200 feet from the location specified on this permit.

NOTE: Monitoring hole notice MH-27342 and canceled permit nos. 195307 and 195307-A were previously issued for this well.

NOTE: Parcel Identification Number (PIN): 23-2407-102-00-044

NOTE: Assessor Tax Schedule Number: R270498 (totaling 33.342 acres)

J m z
12/16/2010

APPROVED
DMW

D. Wolfe
State Engineer

Light M. Whitehead
By
EXPIRATION DATE

Receipt No. 9503423C

DATE ISSUED 12-16-2010

Form No.
GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

EXST

WELL PERMIT NUMBER		<u>284696</u>		-	-
DIV. 5	WD 45	DES. BASIN	MD		

APPLICANT

JACK T EVANS JR
PO BOX 695
PARACHUTE, CO 81635-

(970) 355-4144

Lot: 2A Block: Filing: Subdiv: EVANS EXEMPTION NO. 2

APPROVED WELL LOCATION

GARFIELD COUNTY
NW 1/4 NW 1/4 Section 10
Township 7 S Range 95 W Sixth P.M.

DISTANCES FROM SECTION LINES

495 Ft. from North Section Line
326 Ft. from West Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: Northing:

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a residential site of 17.282 acre(s) described as parcel no. 2A, Evans Exemption No. 2 (A Replat of Parcel 2 of the Evans Lot Line Adjustment Plat, Reception no. 754138), Garfield County. This well is known as Evans Well, Lot 2A.
- 4) Approved for the installation of a pump in, and the use of, an existing well, constructed on March 29, 2010, to a depth of 190 feet, under permit no. 282284 (canceled). Issuance of this permit hereby cancel permit no. 282284.
- 5) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling. The ground water shall not be used for irrigation or other purposes.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 8) This well shall be located not more than 200 feet from the location specified on this permit.

NOTE: Canceled permit no. 282284 was previously issued for this well.

NOTE: Parcel Identification Number (PIN): 23-2407-102-00-044

NOTE: Assessor Tax Schedule Number: R270498 (totaling 33.342 acres)

P m n
12/12/2010

APPROVED
DMW

Dirk Wolfe
State Engineer

Dirk M. W. Mitchell
By

Receipt No. 9503423B

DATE ISSUED 12-16-2010

EXPIRATION DATE

Form No.
GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

EXST

WELL PERMIT NUMBER 284695 - -
DIV. 5 WD 45 DES. BASIN MD

APPLICANT

Lot: 1 Block: Filing: Subdiv: EVANS EXEMPTION (LOT LINE ADJUSTMENT)

FORAN D & WILLA K STARK
2643 COUNTY ROAD 301
PARACHUTE, CO 81635-

(970) 945-7872

APPROVED WELL LOCATION

GARFIELD COUNTY
NW 1/4 NW 1/4 Section 10
Township 7 S Range 95 W Sixth P.M.

DISTANCES FROM SECTION LINES

566 Ft. from North Section Line
369 Ft. from West Section Line

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: Northing:

PERMIT TO USE AN EXISTING WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a residential site of 6.998 acre(s) described as parcel no. 1, Evans Exemption (Lot Line Adjustment Plat, Reception no. 754138), Garfield County. Further identified as 2643 County Road 301, Parachute, CO 81635. This well is known as Evans Well no. 1.
- 4) Approved for the installation of a pump in, and the use of, an existing well, constructed on October 17, 1995, to a depth of 150 feet, under monitoring hole notice MH-26743 and later permitted for use under permit no. 191825 (canceled). Additionally this well was re-permitted for a change in legal description and use of an existing well, under permit no. 195305 (canceled) and later deepened on May 23, 2003, to a depth of 220 feet, under permit no. 195305-A (canceled). Issuance of this permit hereby cancel permit nos. 195305 and 195305-A.
- 5) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling. The ground water shall not be used for irrigation or other purposes.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 8) This well shall be located not more than 200 feet from the location specified on this permit.

NOTE: Monitoring hole notice MH-26743 and canceled permit nos. 191825, 195305 and 195305-A were previously issued for this well.

NOTE: Parcel Identification Number (PIN): 23-2407-102-00-043

NOTE: Assessor Tax Schedule Number: R270497 (totaling 6.998 acres)

J M N
12/16/2010

APPROVED
DMW

Dirk Wolfe

State Engineer

J M N
12/16/2010

By
EXPIRATION DATE

Receipt No. 9503423A

DATE ISSUED 12-16-2010

Form No. GWS-25

OFFICE OF THE STATE ENGINEER
COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 866-3581

LIC

WELL PERMIT NUMBER 282284
DIV. 5 WD 45 DES. BASIN MD

APPLICANT

JACK T EVANS JR
PO BOX 695
PARACHUTE, CO 81635-

Lot: 2 Block: Filing: Subdiv: EVANS EXEMPTION

APPROVED WELL LOCATION
GARFIELD COUNTY
NW 1/4 NW 1/4 Section 10
Township 7 S Range 95 W Sixth P.M.

DISTANCES FROM SECTION LINES
Ft. from Section Line
Ft. from Section Line

UTM COORDINATES (Meters Zone: 13 NAD83)
Easting: Northing:

(970) 355-4144

PERMIT TO CONSTRUCT A WELL

ISSUANCE OF THIS PERMIT DOES NOT CONFER A WATER RIGHT
CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights.
2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
3) Approved pursuant to CRS 37-92-602(3)(b)(I) for uses as described in CRS 37-92-602(1)(f). Use of this well is limited to monitoring water levels and/or water quality sampling. This well is known as Evans Monitoring/Observation Well no. 1.
4) Approved as well on a residential site of 33.342 acre(s) described as parcel 2, Evans Exemption and as that portion of the NW 1/4 of the NW 1/4, Sec. 10, Twp. 7 South, Rng. 95 West, 6th P.M., Garfield County, more particularly described in Evans lot line adjustment plat and boundary line adjustment affidavit. Further identified as 2743 County Road 301, Parachute, CO 81635.
5) This well must be equipped with a locking cap or seal to prevent well contamination or possible hazards as an open well. The well must be kept capped and locked at all times except during sampling or measuring.
6) Records of water level measurements and water quality analyses shall be maintained by the well owner and submitted to the Division of Water Resources upon request.
7) Upon conclusion of the monitoring program the well owner shall plug this well in accordance with Rule 16 of the Water Well Construction Rules. A Well Abandonment Report must be completed and submitted to the Division of Water Resources within 60 days of plugging.
8) The owner shall mark the well in a conspicuous place with the well permit number and name of aquifer as appropriate, and shall take necessary means and precautions to preserve these markings.
9) This well must be constructed by or under the supervision of a licensed well driller or other authorized individual according to the Water Well Construction Rules. If non-standard construction is anticipated, a variance request must be submitted in accordance with Rule 18 and approved prior to well construction.
10) A Well Construction and Test Report (Form GWS-31), including lithologic log must be submitted by the individual authorized to construct the well. For non-standard construction, the report must include an as-built drawing showing details such as depth, casing, perforated zones, and a description of the grouting type and interval.
11) Issuance of this permit does not guarantee that this well can be converted to a production well under a future permit. The ability of this well to be converted to a production well is limited by all governing statutes, rules, regulations, orders, and/or decrees.
12) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.

NOTICE: This permit has been approved for the location as noted above. The original proposed well location did identify footage distance from the section lines which were amended. The permit was approved pursuant to State Board of Examiners of Water Well Construction and Pump Installation Contractors Rule 6.2.3, allowing flexibility when determining well location. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.)
NOTE: Monitoring hole notice MH-27342 and permit nos. 195307 and 195307-A were previously issued for this parcel.
NOTE: Parcel Identification Number (PIN): 23-2407-102-00-044 Assessor Tax Schedule Number: R270498 (totaling 33.342 acres)

DM 2 12/28/2009

APPROVED DMW

State Engineer (Signature: Dick Wolfe)

By (Signature: D. J. White)

Receipt No. 9503342

DATE ISSUED 12-28-2009

EXPIRATION DATE 12-28-2011

COLORADO DIVISION OF WATER RESOURCES
 DEPARTMENT OF NATURAL RESOURCES
 1313 SHERMAN ST., RM 818, DENVER CO 80203
 phone - info: (303) 866-3587 main: (303) 866-3581
 Fax: (303) 866-3589 http://www.water.state.co.us

Office Use Only

Form GWS-46 (12/2007)

RECEIVED

RECEIVED

DEC 22 '09

DEC 30 2009

WATER RESOURCES
 STATE ENGINEER
 GLENWOOD

WATER RESOURCES
 STATE ENGINEER
 COLO

RECEIPT # 9503342

**MONITORING/OBSERVATION
 Water Well Permit Application**

Review instructions on reverse side prior to completing form.
 The form must be completed in black or blue ink or typed.

1. Well Owner Information

Name of well owner

JACK T. EVANS JR.

Mailing address

P.O. Box ~~695~~ 695

City State Zip code

PARACHUTE CO 81635

Telephone # E-Mail (Optional)

(970) 355-4144

2. Type Of Application (check applicable boxes)

- Use existing well Replacement for existing monitoring well:
 Construct new well Permit no.:
 Other:

3. Refer To (if applicable)

Monitoring hole acknowledgment

Well name or #

MH-

4. Location Of Proposed Well

County

GARFIELD

NW 1/4 of the NW 1/4

Section

10

Township N or S

7

Range E or W

95

Principal Meridian

6TH

Distance of well from section lines (section lines are typically not property lines)

400 ft. from N S 500 ft. from E W

For replacement wells only - distance and direction from old well to new well

feet direction

Well location address (include City, State, Zip) Check if well address is same as item 1.

Optional: GPS well location information in UTM format
 You must check GPS unit for required settings as follows:

Format must be UTM

Zone 12 or Zone 13

Units must be Meters

Datum must be NAD83

Unit must be set to true north

Was GPS unit checked for above? YES

Remember to set Datum to NAD83

5. Property Owner Information

Name of property owner

JACK T. EVANS JR. & BURCHELDE EVANS

Mailing address

P.O. Box ~~695~~ 695

City State Zip Code

PARACHUTE CO 81635

Telephone #

(970) 355-4144

6. Use Of Well

Use of this well is limited to monitoring water levels
 and/or water quality sampling

7. Well Data (proposed)

Total depth

175 feet

Aquifer

WASATCH FORMATION

8. Consultant Information (if applicable)

Name of contact person

Company name

Mailing address

City

State

Zip Code

Telephone #

9. Proposed Well Driller License #(optional):

10. Signature Of Well Owner, Consultant Or Authorized Agent

The making of false statements herein constitutes perjury in the second degree, which is punishable as a class 1 misdemeanor pursuant to C.R.S. 24-4-104 (13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Sign here (Must be original signature)

Date

Jack T. Evans Jr.

12-15-09

Print name & title

JACK T. EVANS JR.

Office Use Only

USGS map name

DWR map no.

Surface elev.

Utility Location

Footage in
 ERROR
 is Rack
 6.2.3
 Notice

Receipt area only

↑ N

Trans Number: 3643919
 12/30/2009 3:15:18 PM
 Mike Corrigan (15)
 Total Trans Amt: \$100.00

PERMIT AS CHECK
 2 Check Number: 45078
 Check Amount: \$100.00

PEN: 23-2407-102-00-044
 Tax # R 270498 (totaling 33.342 Acres)

DIV 5 WD 45 BA MD

Account: **R270498**

Location

Owner Name EVANS, JACK T., JR. &
Parcel Number 2407-102-00-044
Tax Area 047 - 16-DHFZ - 047
Situs Address 002743 301 COUNTY RD

Owner Information

Owner Name EVANS, JACK T., JR. &
Owner Address BIRCHFIELD-EVANS, BILLIE G.
PO BOX 475
PARACHUTE, CO 81635-0475

Assessment History

Actual (2009) \$190,000
Primary Taxable \$15,120
Tax Area: 047 Mill Levy:
34.2340

Sibling Account No

Legal Summary Section: 10 Township: 7 Range: 95 A TR
IN THE E1/2NWNW AND THE NESWNW. AKA
PARCEL 2 EVANS EXEMPTION. ALSO A TR OF
LAND CONT 13.172 AC +/- AS DESC. IN EVANS
LOT LINE ADJ. PLAT #754138 & BNDY LINE ADJ
AFFIDAVIT
REC #754137 & QCD REC # 754139

RECEIVED

Type Actual Assessed Acres
Land \$190,000 \$15,120 33.342

DEC 30 2009

WATER RESOURCES
STATE ENGINEER
COLO

Transfers

Sale Price	Sale Date	Doc Type	Book Page
	09/22/2008	EAS	
	08/09/2008	QCD	
	08/15/2008	BLA	
	12/16/2002	EAS	B: 1437 P: 588

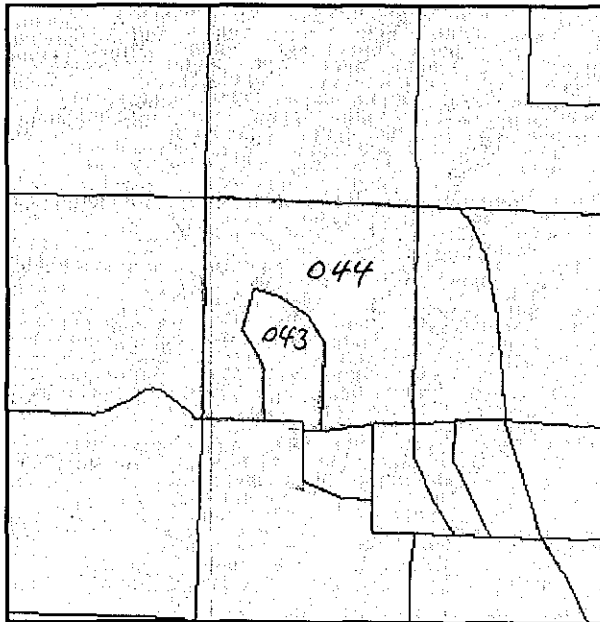
Tax History

Images

Tax Year	Taxes
*2009	\$517.60
2008	\$380.84

• GIS

* Estimated



Account: R270498 Land

#282284

• Attributes

Property Code Override
MANUFCTD.HOUSING-LAND

Acres SQFT Units
33.342 0 0

Econ Area AG
6

Zoning
ARRD

Frontage Depth

Neighborhood
MOBILES IN TRACTS SAME OWNER

Land Size Use Code
RESIDENTIAL

Unit Type

Character 2 Character 3 Characteristics

Land Code
MFTD HOUSNG

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DEC 30 2009

WATER RESOURCES
STATE ENGINEER
COLO

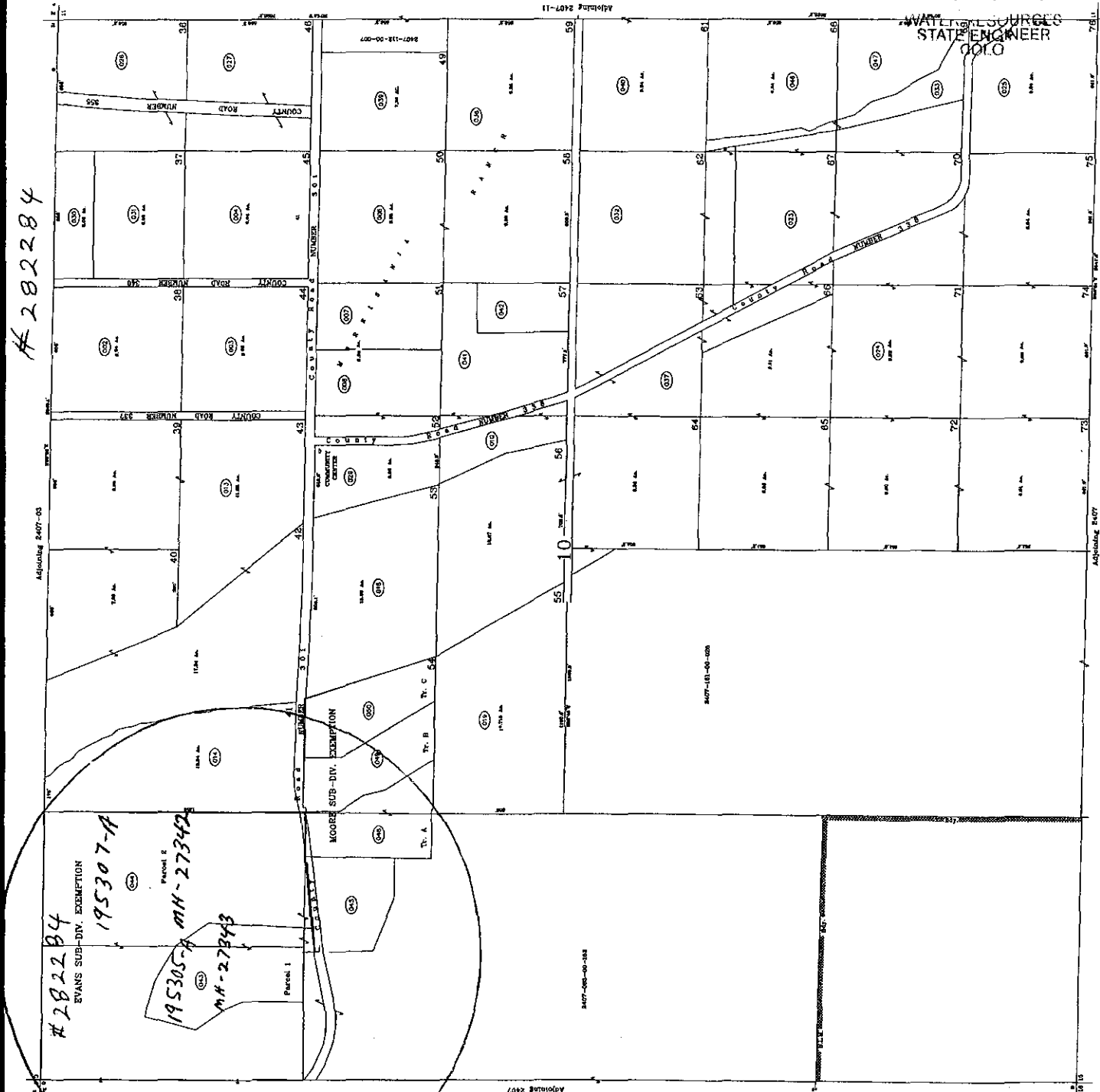
RECEIVED

DEC 30 2009

WATER RESOURCES
STATE ENGINEER
G.O.G.

2407-10
T.7S.-R.90W. SEC. 10

282284



282284
EVANS SUB-DIV. EXEMPTION
195307-A

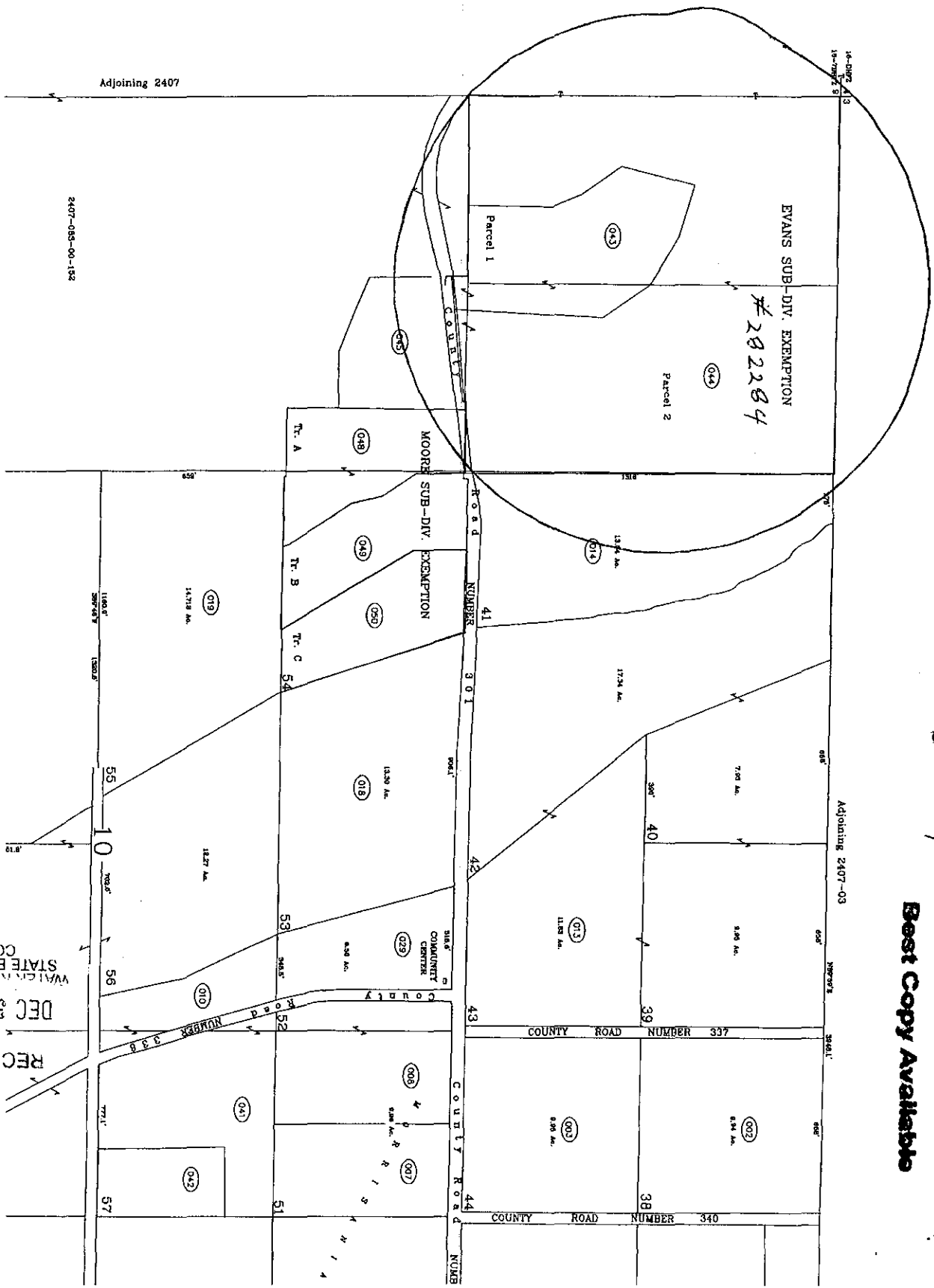
Parcel 5
MH-27342
Parcel 1
MH-27843

MOORE SUB-DIV. EXEMPTION

TY. B
TY. C

Best Copy Available

APPROVED



Adjoining 2407

2407-083-00-133

EVANS SUB-DIV. EXEMPTION
#282284

Parcel 1

Parcel 2

MOORE SUB-DIV. EXEMPTION

Tr. A

Tr. B

Tr. C

ROAD NUMBER 41

ROAD NUMBER 301

ROAD NUMBER 42

ROAD NUMBER 43

ROAD NUMBER 44

Adjoining 2407-03

COUNTY ROAD NUMBER 337

COUNTY ROAD NUMBER 340

#282284

Best Copy Available

RECEIVED
DEC 30 2009
WATER RESOURCES
STATE ENGINEERS
COLO

Permit Application Change Form

*To be used when issuing well permits based upon information other than as received.
Please file with final Permit*

Receipt No: 9503342

Permit No: 282284

Name of Applicant: EVANS, Jack T Jr.

NW ¼ NW ¼ Sec 10, Twp 7 South, Rng 95 West, 6th P.M.,
(Parcel no. 2, Evans Exemption), Garfield County

Summary of changes(s):

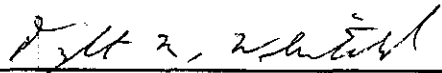
Item no. 4, Location of Proposed Well, was amended. The original proposed well location did identify footage distance from the section lines which were amended. The permit was approved pursuant to State Board of Examiners of Water Well Construction and Pump Installation Contractors Rule 6.2.3, allowing flexibility when determining well location.

The change did not affect the ¼ ¼ section.

The proposed well location was verified by review of Garfield County Assessor plat maps and DWR Aqua Map.

Date: December 28, 2009

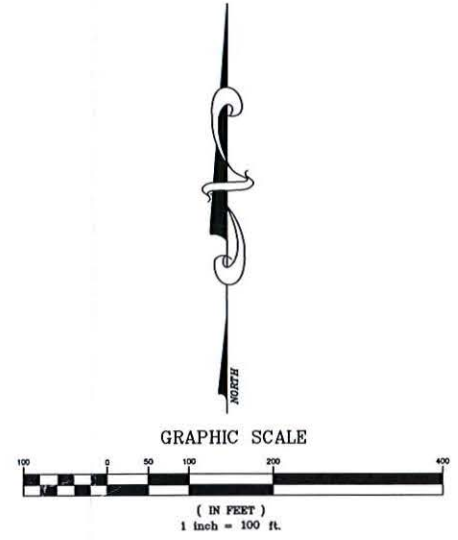
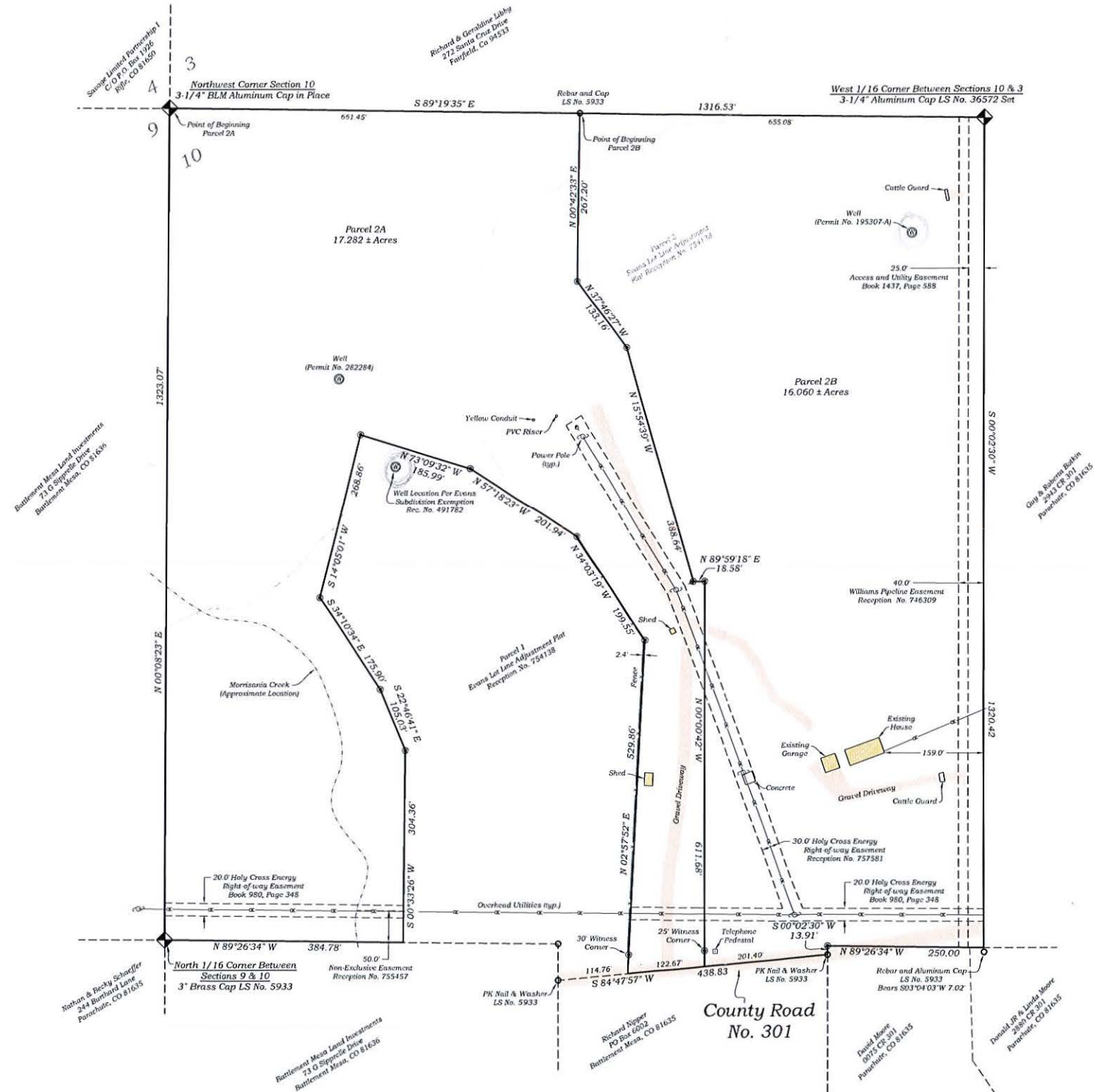
Signed:



Print Name: Dwight M. Whitehead

EVANS SUBDIVISION EXEMPTION

A Replat of Parcel 2 of the Evans Lot Line Adjustment Plat, Reception No. 754138
 Parcels of Land Situate in the W1/2NW1/4 Section 10, Township 7 South, Range 95 West of the 6th P.M.,
 County of Garfield, State of Colorado



LEGEND

●	Rebar and 1-1/4" Plastic Cap LS No. 36572
○	Rebar and 1-1/4" Plastic Cap LS No. 5933

	REVISION	DESCRIPTION	
9/30/10	REVISE	PARCEL LINE	



BOOKCLIFF
Survey Services, Inc.

1300 East 1st Street
P.O. Box 11700
Durango, CO 81301
Phone: (970) 245-2770

EVANS SUBDIVISION EXEMPTION

JACK EVANS
P.O. BOX 475
PARACHUTE, CO 81635

FILE:	07155-01
DFT.	SRB
CK.	M.J.L.
DATE:	1/11/10
PROJECT NO.	07155-01
SHEET	2
OF	2