

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

RECEIVED

MAR 15 2007

GARFIELD COUNTY
 BUILDING & PLANNING

Special Use Permit

GENERAL INFORMATION

(To be completed by the applicant.)

- Street Address / General Location of Property: _____
 12746 HWY 82 CARBONDALE, CO 81623
- Legal Description: _____
 PLEASE SEE ATTACHED EXHIBIT A
- Existing Use & Size of Property in acres: _____
 SINGLE-FAMILY HOME - 3.121AC.
- Description of Special Use Requested: _____
 1000 SQUARE FOOT GUEST HOUSE
- Zone District: _____
 ARRD
- Name of Property Owner (Applicant): _____
 DAVID S. EFFRESS
- Address: _____ Telephone: _____
 12746 HWY. 82 (970) 930-5055
- City: _____ State: _____ Zip Code: _____ FAX: _____
 CARBONDALE CO 81623 (310) 317-7477
- Name of Owner's Representative, if any (Attorney, Planner, etc):

 N/A
- Address: _____ Telephone: _____
- City: _____ State: _____ Zip Code: _____ FAX: _____

STAFF USE ONLY

- Doc. No.: _____ Date Submitted: _____ TC Date: _____
- Planner: _____ Hearing Date: _____

I. APPLICATION SUBMITTAL REQUIREMENTS

As a minimum, specifically respond to all the following items below and attach any additional information to be submitted with this application:

- Well Permit #7
- ✓ 1. Please submit, in narrative form, the nature and character of the Special Use requested. Submit plans and supporting information (i.e. letters from responsible agencies). Include specifications for the proposed use including, but not limited to, the hours of operation, the number and type of vehicles accessing the site on a daily, weekly and/or monthly basis, and the size and location of any existing and/or proposed structures that will be used in conjunction with the proposed use, and provisions for electric power service and any other proposed utility improvements. Be specific.
 2. If you will be using water or will be treating wastewater in conjunction with the proposed use, please detail the amount of water that would be used and the type of wastewater treatment. If you will be utilizing well water, please attach a copy of the appropriate well permit and any other legal water supply information, including a water allotment contract or an approved water augmentation plan to demonstrate that you have legal and adequate water for the proposed use.
 - ✓ 3. Submit a site plan /map drawn to scale that portrays the boundaries of the subject property, all existing and proposed structures on the property, and the County or State roadways within one (1) mile of your property. If you are proposing a new or expanded access onto a County or State roadway, submit a driveway or highway access permit.
 - ✓ 4. Submit a vicinity map showing slope / topography of your property, for which a U.S.G.S. 1:24,000 scale quadrangle map will suffice.
 - ✓ 5. Submit a copy of the appropriate portion of a Garfield County Assessor's Map showing all the subject property and public and private landowners adjacent to your property (which should be delineated). In addition, submit a list of all property owners, public and private landowners and their addresses adjacent to or within 200 ft. of the site. This information can be obtained from the Assessor's Office. We will also need the names (if applicable) of all mineral right owners of the subject property. (That information can be found in your title policy under Exceptions to Title).
 - ✓ 6. Submit a copy of the deed and a legal description of the subject property.
 7. If you are acting as an agent for the property owner, you must attach an acknowledgement from the property owner that you may act in his/her behalf.
 8. Submit an statement that specifically responds to each of the following criteria from Section 5.03 of the Zoning Regulations:
 - (1) Utilities adequate to provide water and sanitation service based on accepted engineering standards and approved by the Board of County Commissioners shall either be in place or shall be constructed in conjunction with the proposed use.
 - (2) Street improvements adequate to accommodate traffic volume generated by the proposed use and to provide safe, convenient access to the use shall either be in place or shall be constructed in conjunction with the proposed use;
 - (3) Design of the proposed use is organized to minimize impact on and from adjacent uses of land through installation of screen fences or landscape materials on the periphery

of the lot and by location of intensively utilized areas, access points, lighting and signs in such a manner as to protect established neighborhood character;

9. Depending on the type of Special Use Permit requested, you may need to respond to additional review standards in the Garfield County Zoning Resolution Section 5.00 [Supplementary Regulations]. This may include uses such industrial uses [section 5.03.07 & 5.03.08], Accessory Dwelling Units [section 5.03.21], Utility line/Utility Substations, etc. Specific sections of the Zoning Resolution which can be located on the Garfield County web site at http://www.garfield-county.com/building_and_planning/index.htm, or information can be obtained from this office
10. A \$400.00 Base Fee: Applicant shall sign the "Agreement for Payment" form and provide the fee with the application.
11. Submit 2 copies of this completed application form and all the required submittal materials to the Building and Planning Department. Staff will request additional copies once the Special Use Permit application has been deemed technically complete.

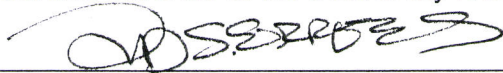
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(The following steps outline how the Special Use Permit Application review process works in Garfield County.)

1. Submit this completed application form, base fee, and all supplemental information to the Garfield County Planning Department. It will be received and given to a Staff Planner who will review the application for technical completeness.
2. Once the application is deemed technically complete, the Staff Planner will send you a letter indicating the application is complete. In addition, Staff will also send you a "Public Notice Form(s)" indicating the time and date of your hearing before the Board of County Commissioners. Prior to the public hearing, Staff will provide you with a Staff Memorandum regarding your requested Special Use. (If Staff determines you application to be deficient, a letter will be sent to you indicating that additional information is needed to deem your application complete.)
3. It is solely the Applicant's responsibility to ensure proper noticing occurs regarding the requested Special Use and the public hearing. **If proper notice has not occurred, the public hearing will not occur.** Notice requirements are as follows:
 - a. Notice by publication, including the name of the applicant, description of the subject lot, a description of the proposed special use and nature of the hearing, and the date, time and place for the hearing shall be given once in a newspaper of general circulation in that portion of the County in which the subject property is located at least thirty (30) but not more than sixty (60) days prior to the date of such hearing, and proof of publication shall be presented at hearing by the applicant.
 - b. Notice by mail, containing information as described in the paragraph above, shall be mailed to all owners of record as shown in the County Assessor's Office of lots within two hundred feet (200') of the subject lot and to all owners of mineral interest in the subject property at least thirty (30) but not more than sixty (60) days prior to such hearing time by certified return receipt mail, and receipts shall be presented at the hearing by the applicant.

- c. The site shall be posted such that the notice is clearly and conspicuously visible from a public right-of-way, with notice signs provided by the Planning Department. The posting must take place at least thirty (30) but not more than sixty (60) days prior to the hearing date and is the sole responsibility of the applicant to post the notice, and ensure that it remains posted until and during the date of the hearing.
4. The Applicant is required to appear before the Board of County Commissioners at the time and date of the public hearing at which time the Board will consider the request. In addition, the Applicant shall provide proof, at the hearing, that proper notice was provided.
5. Once the Board makes a decision regarding the Special Use request, Staff will provide the Applicant with a signed resolution memorializing the action taken by the Board. Following the Board's approval, this office will issue the Special Use Permit to the applicant. If the Board's approval includes specific conditions of approval to be met, this office will not issue the Official Special Use Permit certificate until the applicant has satisfied all conditions of approval. The Special Use Permit approval is not finalized until this office has issued the Official Special Use Permit certificate signed by the Chairman of the Board of County Commissioners.

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



(Signature of applicant/owner)

Last Revised: 02/2006

RECEIVED

MAY 31 2007

GARFIELD COUNTY
BUILDING & PLANNING

28 May 2007

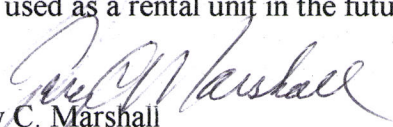
Garfield County Planning Department
108 8th Street, Ste. 401
Garfield County Plaza Building
Glenwood, Springs CO 81601

RE: David Effress application to construct a Guest House on a 3.121-acre property located at 12746 Highway 82.

I have met with David Effress and viewed the site where he proposes to construct a 1000 square foot Guest House. As a property owner near the proposed site of this Guest House, I find no objection for consideration of this construction if the unit will be used as a guest house only and not as a rental unit. Mr. Effress stated the unit could not be used for a rental unit due to Garfield County land use restrictions.

My only concern would be of future owners of this property if Mr. Effress should sell his property "sometime down the road". Would Garfield County enforce the use of this new construction as a Guest House only should a new owner wish to use the unit as a rental? All real estate agents involved in the listing of this property for sale and/or the agents representing the buyers of said property would need to be advised that the Guest House is as stated, a Guest House only and not a potential rental unit.

Therefore, I would be in favor of the construction of a Guest House by David Effress for his specific use as a guest house; however, I would find objection to construction of this unit should it be used as a rental unit in the future.


Gary C. Marshall
12748 Highway 82
Carbondale, CO 81623

xc: David Effress
Attachment

FORM NO.
8795-128
3028

STATE OF COLORADO
OFFICE OF THE STATE ENGINEER
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203
(303) 696-3581

For Office Use only

PERMIT NUMBER 164088

REGISTRATION OF DECREED EXISTING WELL
PURSUANT TO C.R.S. 37-92-304(8)

1. WELL OWNER

NAME(S) : MEADE AND VELDA F. HARKER

Mailing Address: RT 1 BOX 5A

City, St. Zip : CARBONDALE CO

Phone:

19096

2. WELL LOCATION; COUNTY: GARFIELD

OWNER'S WELL NUMBER: HARKER DOM WELL #1

(Address)

(City)

(State)

(Zip)

SW 1/4 of the SE 1/4, Sec. 27 Twp. 7 SOUTH, Rng. 88 WEST, 6 P.M.

Distances from Section Lines 2542.2 Feet from South Section Line, 2136.5 Feet from East Section line.

3. The well has historically been used for the following purpose(s): DOMESTIC

4. Water from the well was first used beneficially by the original owner for the above described purpose(s) on APRIL 5, 1969.

5. The total depth of this well is 180 feet.

6. The pumping rate is 15 gallons per minute.

7. The average annual amount of water diverted is _____ acre feet.

8. The land area irrigated from this well is: _____ acres described as:

FOR OFFICE USE ONLY

IN ACCORDANCE WITH THE PROVISIONS OF SECTION 37-92-304(8), CRS, THE STATE ENGINEER HAS ENTERED INTO HIS RECORDS, UNDER THE ABOVE ASSIGNED WELL PERMIT NUMBER, THE DETERMINATIONS MADE BY THE DIVISION 5 WATER COURT IN CASE NO. W-1298 FOR WELL NO. HARKER DOMESTIC WELL #1

Hal D. Simpson
Acting State Engineer

Bruce E. DeBrine
By

MAY 14 1992
Date

Court Case No. W-1298

Div. 5

Co. 23

WD 38

Basin MD

Use 8

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-14 (06/2006)

RECEIVED

FEB 28 07

WATER RESOURCES

RESIDENTIAL Note: Also use this form to apply for livestock watering
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. Applicant Information

Name of applicant

DAVID EFFRESS

Mailing address

P.O. BOX 8

City

CARBONDALE

State

CO

Zip code

81623

Telephone #

(970) 930-5055

E-mail (optional)

2. Type Of Application (check applicable boxes)

- Construct new well
 Replace existing well
 Change source (aquifer)
 Other
- Use existing well
 Change or increase use
 Reapplication (expired permit)

3. Refer To (if applicable)

Well permit #

164088

Water Court case #

W-1298

Designated Basin Determination #

Well name or #

4. Location Of Proposed Well

County

GARFIELD

3W

1/4 of the SE 1/4

Section

27

Township

N or S

7

Range

88

E or W

6 P.M.

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

2542.2

FL from

N

2136.5

FL from

E

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 in Item 1.

12746 HW#2 CARBONDALE, CO 81623

Optional: GPS well location information in UTM format. GPS unit settings are 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

Eastings:

Northings:

Remember to set Datum to NAD83

5. Parcel On Which Well Will Be Located

(PLEASE ATTACH A CURRENT DEED FOR THE SUBJECT PARCEL)

A. You must check and complete one of the following:

- Subdivision: Name _____
 Lot _____ Block _____ Filing/Unit _____
- County exemption (attach copy of county approval & survey):
 Name/# _____ Lot# _____
- Parcel less than 35 acres, not in a subdivision, attach a deed with metes and bounds description recorded prior to June 1, 1972, and a current deed
- Mining claim (attach a copy of the deed or survey): Name/# _____
- Square 40 acre parcel as described in Item 4
- Parcel of 35 or more acres (attach a metes and bounds description or survey)
- Other (attach metes & bounds description or survey and supporting documents)

B. # of acres in parcel

3.121

C. Are you the owner of this parcel?

YES NO (if no - see instructions)

D. Will this be the only well on this parcel?

YES NO (if no - list other wells)

6. Use Of Well (check applicable boxes)

See instructions to determine use(s) for which you may qualify

- A. Ordinary household use in one single-family dwelling (no outside use)
- B. Ordinary household use in 1 to 3 single-family dwellings:
 Number of dwellings: 2
- Home garden/lawn irrigation, not to exceed one acre:
 area irrigated 10,000 sq. ft. acre
- Domestic animal watering - (non-commercial)
- C. Livestock watering (on farm/ranch/range/pasture)

7. Well Data (proposed)

Maximum pumping rate 15 gpm Annual amount to be withdrawn 1.543 acre-feet

Total depth 180 feet Aquifer _____

8. Water Supplier

Is this parcel within boundaries of a water service area? YES NO
 If yes, provide name of supplier:

9. Type Of Sewage System

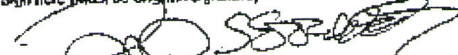
- Sptic tank / absorption leach field
- Central system: District name: _____
- Vault: Location sewage to be hauled to: _____
- Other (attach copy of engineering design and report)

10. Proposed Well Driller License #(optional):

11. Signature Of Applicant(s) 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 (1)(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

2-28-07

Print name & title

DAVID EFFRESS OWNER

Office Use Only

USGS map name

DWR map no.

Surface elev.

Receipt area only

WE

WR

CWCB

TOPO

MYLAR

SOS

DIV _____ WD _____ BA _____ MD _____

GARFIELD COUNTY BUILDING AND PLANNING DEPARTMENT

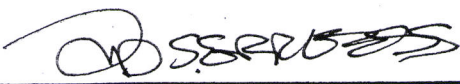
AGREEMENT FOR PAYMENT FORM

(Shall be submitted with application)

GARFIELD COUNTY (hereinafter COUNTY) and DAVID S. EFFRESS
(hereinafter APPLICANT) agree as follows:

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- GUEST HOUSE (hereinafter, THE PROJECT).
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3. APPLICANT 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. APPLICANT agrees to make payment of the Base Fee, established for the PROJECT, and to thereafter permit additional costs to be billed to APPLICANT. APPLICANT agrees to make additional payments upon notification by the COUNTY when they are necessary as costs are incurred.
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APPLICANT

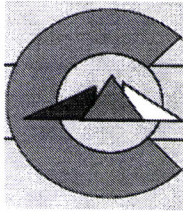

Signature

Date: 3-15-07

DAVID S. EFFRESS
Print Name

Mailing Address: P.O. BOX 8
CARBONDALE, CO 81623

10/2004



GARFIELD COUNTY
Building & Planning Department
108 8th Street, Suite 401
Glenwood Springs, Colorado 81601
Telephone: 970.945.8212 Facsimile: 970.384.3470
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Special Use Permit

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STAFF USE ONLY

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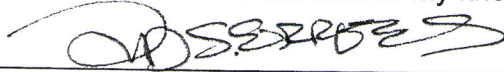
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I have read the statements above and have provided the required attached information which is correct and accurate to the best of my knowledge.



(Signature of applicant/owner)

Last Revised: 02/2006

GARFIELD COUNTY BUILDING AND PLANNING DEPARTMENT

AGREEMENT FOR PAYMENT FORM

(Shall be submitted with application)

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APPLICANT



Signature

Date: 3-15-07

DAVID S. EFFRESS

Print Name

Mailing Address: P.O. Box 8
CARBONDALE, CO 81623

10/2004

**DAVID EFFRESS
CARBONDALE**

SPECIAL USE APPLICATION NARRATIVE

The nature and the character of the special use requested is to build a 1,000 square foot guest house, in a screened area, adjacent to my existing single-family home. I plan to utilize the private road, and one of the existing driveways, for the guest house. I am planning to install a separate, private engineered septic system (please see attached exhibit D). I plan to utilize the existing electric power service at the property, provided by Holy Cross Energy. Propane gas will be provided by a separate tank, provided by Amerigas of Carbondale. Water will be supplied by the existing well, and the associated water augmentation plan and allotment contract (please see attached exhibit E).

EXHIBIT A

A TRACT OF LAND SITUATED IN LOT 9 OF SECTION 27 TOWNSHIP 7 SOUTH, RANGE 88 WEST OF THE 6TH PRINCIPAL MERIDIAN GARFIELD COUNTY COLORADO AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT WHENCE THE EAST 1/4 CORNER OF SAID SECTION 27 BEARS N 84 DEGREES 43' 35" E 1960.00 FEET; THENCE WEST 30.00 FEET THENCE SOUTH 40.00 FEET; THENCE WEST 369.99 FEET; THENCE NORTH 326.09 FEET; THENCE EAST 267.90 FEET; THENCE N 52 DEGREES 21' 53" E 166.67 FEET; THENCE SOUTH 387.86 FEET TO THE POINT OF BEGINNING.

COUNTY OF GARFIELD
STATE OF COLORADO

**BASALT WATER CONSERVANCY DISTRICT
WATER ALLOTMENT CONTRACT NO. 514
Pursuant to C.R.S. 1973, 37-45-131**

David S. Effress (hereinafter "Applicant") has applied to the Basalt Water Conservancy District (hereinafter the "District"), a political subdivision of the State of Colorado, organized pursuant to and existing by virtue of Colorado Revised Statutes, 1973, 37-45-101, et seq., for an allotment Contract for beneficial use of water rights owned, leased, or hereafter acquired by the District. By execution of this Contract, Applicant agrees to the following terms and conditions and those certain terms and conditions set forth in the attached Order, which is fully incorporated as a part of this Contract:

1. QUANTITY: In consideration of the covenants and conditions herein contained, Applicant shall be entitled to receive and apply to beneficial use 0.033 cubic feet of water per second from the District's direct flow rights and 0.8 acre feet per year of storage or other augmentation water owned or controlled by the District. Applicant shall restrict actual diversions and consumptive use under this Contract to these amounts. The Contract amount is based on the water requirements table attached hereto as Exhibit B. Any increase or change in the water requirements to be served by the District will require an amendment to the subject Contract.

2. SOURCE OF ALLOTTED WATER: Water rights allotted pursuant to this Contract shall be from the District's water rights decreed to the Basalt Conduit, Landis Canal, Stockman's Ditch Extension, Troy and Edith Ditch, Robinson Ditch, or other water rights hereafter acquired by the District, including the District's right to receive storage water from Ruedi Reservoir and Green Mountain Reservoir. The District shall have the right to designate the water right or Decree of the District from which the Applicant's allotted rights shall be obtained. The Applicant's use of any of the District's water rights shall be subject to any and all terms and conditions imposed by the Water Court on the use of the District's said rights. Exchange or augmentation releases made from the District's storage rights in Ruedi or Green Mountain Reservoirs or other works and facilities of the District shall be delivered to the Applicant at the outlet works of said storage facility and release of water at such outlet works shall constitute full performance of the District's delivery obligation. Delivery of water from the District's storage rights in Ruedi or Green Mountain Reservoir shall be subject to the District's lease contract with the United States Bureau of Reclamation and any rules and regulations promulgated pursuant thereto. Releases from other facilities available to the District shall be subject to the contracts, laws, rules, and regulations governing releases therefrom. Furthermore, the District hereby expressly reserves the right to store water and to make exchange releases from structures that may be built or controlled by the District in the future, so long as the water service to the Applicant pursuant to this agreement is not impaired by said action.

3. PURPOSE AND LOCATION OF USE: Applicant will use the water rights allotted pursuant to this Contract for beneficial purposes by diversion at Applicant's point of diversion under the District's direct flow water rights and/or for use by augmentation or exchange. Applicant will use the water allotted by the District within or through facilities or upon lands owned, operated, or served by Applicant, which lands are described on Exhibit A attached hereto; provided that the location and purpose of Applicant's use of said water shall be legally recognized and permitted by the applicable governmental authority having jurisdiction over the property served. Applicant's contemplated usage for the water allotted hereunder is for the following use or uses:

Domestic/Municipal Industrial Commercial Agricultural Other

It is acknowledged that certain locations within the District may not be susceptible to service solely by the District's water rights allotted hereunder or the District's said water rights may not satisfy Applicant's needs and purposes. To the extent that service cannot be achieved by use of the District's allotted water rights, or in the event said service is inadequate, Applicant may utilize such other water rights, by way of supplementing the District's water rights, or otherwise, as is necessary to assure water service sufficiently reliable for Applicant's intended purpose or purposes.

All lands, facilities and areas served by water rights allotted hereunder shall be situated within the boundaries of the District.

Any quantity of the Applicant's allocation not delivered to or used by Applicant by the end of each water year shall revert to the water supplies of the District. Such reversion shall not entitle Applicant to any refund of payment made for such water.

Water service provided by the District shall be limited to the amount of water available in priority at the original point of diversion of the District's applicable water right and neither the District, nor those entitled to utilize the District's decrees, may call on any greater amount at new or alternate points of diversion. The District shall request the Colorado State Engineer to estimate any conveyance losses between the original point and any alternate point and such estimate shall be deducted from this amount in each case. The District, or anyone using the District's decrees, may call on any additional sources of supply that may be available at an alternate point of diversion, but not at the original point of diversion, only as against water rights which are junior to the date of application for the alternate point of diversion.

In the event the Applicant intends to institute any legal proceedings for the approval of an augmentation plan and/or any change to an alternate point of diversion of the District's water right to allow the Applicant to utilize the water allotted hereunder, the Applicant shall give the District written notice of such intent. In the event the Applicant develops and adjudicates an alternate point of diversion and/or an augmentation plan to

utilize the water allotted hereunder, Applicant shall not be obligated to bear or defray any legal or engineering expense of the District incurred by the District for the purpose of developing and adjudicating a plan of augmentation for the District. In any event, the District shall have the right to approve the Applicant's application for change of water right, and/or augmentation plan or other water supply plan involving the District's rights, and the Applicant shall provide the District copies of such application and of all pleadings and other papers filed with the Water Court in the adjudication thereof.

The District reserves the exclusive right to review and approve any conditions which may be attached to judicial approval of Applicant's use of the District's water rights allotted hereunder. Applicant agrees to defray any out-of-pocket expenses incurred by the District in connection with the allotment of water rights hereunder, including, but not limited to, reimbursement of legal and engineering costs incurred in connection with any water rights adjudication necessary to allow Applicant's use of such allotted water rights; provided, however, in the event any such adjudication involves more of the District's water rights than are allotted pursuant to this Contract, Applicant shall bear only a pro-rata portion of such expenses. Applicant shall be solely responsible for providing the structures, works and facilities, if any, necessary to utilize the District's water rights allotted hereunder for Applicant's beneficial use.

4. PAYMENT: Applicant shall pay annually for the water service described herein at a price to be fixed annually by the Board of Directors of the District for such service. Payment of the annual fee shall be made, in full, within fifteen (15) days after the date of a notice from the District that the payment is due. Said notice will advise the Applicant, among other things, of the water delivery year to which the payment shall apply and the price which is applicable to that year. If a payment is not made by the due date, a late fee of \$50 (or such other amount as the Board may set from time to time) will be assessed and final written notice of the delinquent account and late fee assessment will be sent by the District to the Applicant at Applicant's address set forth below. If payment is not made within thirty (30) days after said final written notice, the District may, at its option, elect to terminate all of the Applicant's right, title, or interest under this Contract, in which event the water right allotted hereunder may be transferred, leased or otherwise disposed of by the District at the discretion of its Board of Directors.

In the event water deliveries hereunder are made by or pursuant to agreement with some other person, corporation, quasi-municipal entity, or governmental entity, and in the event the Applicant fails to make payments as required hereunder, the District may, at its sole option and request, authorize said person or entity to curtail the Applicant's water service pursuant to this Contract, and in such event neither the District nor such persons or entity shall be liable for such curtailment.

5. APPROPRIATION OF FUNDS: The Applicant agrees that so long as this Contract is valid and in force, Applicant will budget and appropriate from such sources of

revenues as may be legally available to the Applicant the funds necessary to make the annual payments in advance of water delivery pursuant to this Contract. The Applicant will hold harmless the District and any person or entity involved in the delivery of water pursuant to this Contract, for discontinuance in service due to the failure of Applicant to maintain the payments herein required on a current basis.

6. BENEFIT OF CONTRACT: The water right allotted hereunder shall be beneficially used for the purposes and in the manner specified herein and this Contract is for the exclusive benefit of the Applicant and shall not inure to the benefit of any successor, assign, or lessee of said Applicant without the prior written approval of the Board of Directors of the District.

Upon the sale of the real property to which this Contract pertains, Applicant has a duty to make the buyer aware of this Contract and the need to assign the Contract to the buyer. However, prior written approval of the Board of Directors of the District is required before the assignment is effective. Payment of an assignment fee in an amount determined by the Board shall be required as a prerequisite to approval of the assignment.

In the event the water right allotted hereunder is to be used for the benefit of land which is now or will hereafter be subdivided or otherwise held or owned in separate ownership interest, the Applicant may assign the Applicant's rights hereunder only to a homeowners association, water district, water and sanitation district or other special district, or other entity properly organized and existing under and by virtue of the laws of the State of Colorado, and then only if such association, entity or special district establishes to the satisfaction of the Basalt Water Conservancy District that it has the ability and authority to assure its performance of the Applicant's obligations under this Contract. In no event shall the owner of a portion, but less than all, of the Applicant's property to be served under this Contract have any rights hereunder, except as such rights may exist through a homeowners association or special district as above provided.

Any assignment of the Applicant's rights under this Contract shall be subject to and must comply with such requirements as the District has adopted or may hereafter adopt regarding assignment of Contract rights and the assumption of Contract obligations by assignees and successors, provided that such requirements shall uniformly apply to all allottees receiving District service. The restrictions on assignment as herein contained shall not preclude the District from holding the Applicant, or any successor to the Applicant, responsible for the performance of all or any part of the Applicant's covenants and agreements herein contained.

7. OTHER RULES: Applicant's rights under this Contract shall be subject to the Water Service Plan as adopted by the District and amended from time to time; provided that such Water Service Plan shall apply uniformly throughout the District among water users receiving the same service from the District. Applicant shall also be bound by all

applicable law, including, for example, the provisions of the Water Conservancy Act of the State of Colorado, the Rules and Regulations of the Board of Directors of the District, the plumbing advisory, water conservation, and staged curtailment regulations, if any, applicable within the County in which the water allotted hereunder is to be used, together with all amendments of and supplements to any of the foregoing.

8. CURTAILMENT OF USE: The water service provided hereunder is expressly subject to the provisions of that certain Stipulation in Case No. 81CW253 on file in the District Court in Water Division 5 of the State of Colorado, which Stipulation provides, in part, for the possible curtailment of out-of-house municipal and domestic water demands upon the occurrence of certain events and upon the District giving notice of such curtailment, all as more fully set forth in said Stipulation.

9. OPERATION AND MAINTENANCE AGREEMENT: Applicant shall enter into an "Operation and Maintenance Agreement" with the District if and when the Board of Directors finds and determines that such an agreement is required by reason of additional or special services requested by the Applicant and provided by the District or by reason of the delivery or use of water by the Applicant for more than one of the classes of service which are defined in the Rules and Regulations of the Board of Directors of said District. Said agreement may contain, but not be limited to, provision for water delivery at times or by means not provided within the terms of standard allotment contracts of the District and additional annual monetary consideration for extension of District services and for additional administration, operation and maintenance costs, or for other costs to the District which may arise through services made available to the Applicant.

10. CHANGE OF USE: The District reserves the exclusive right to review and approve or disapprove any proposed change in use of the water right allotted hereunder. Any use other than that set forth herein or any lease or sale of the water or water rights allotted hereunder without the prior written approval of the District shall be deemed to be a material breach of this Contract.

11. PRIOR RESOLUTION: The water service provided hereunder is expressly subject to that certain Resolution passed by the Board of Directors of the District on September 25, 1979, and all amendments thereto, as the same exists upon the date of this application and allotment Contract.

12. NO FEE TITLE: It is understood and agreed that nothing herein shall give the Applicant any equitable or legal fee title interest or ownership in or to any of the water or water rights of the District, but that Applicant is entitled to the right to use the water right allotted hereunder, subject to the limitations, obligations and conditions of this Contract.

13. COMPLIANCE WITH SECTION 404 OF THE CLEAN WATER ACT. Applicant shall comply with Section 404 of the Clean Water Act and consult with the Army Corps of Engineers to complete any Section 404 compliance that may be required as a result of the construction of any facilities necessary to use contract water.

14. CONSERVATION PRACTICES: Applicant shall implement and use commonly accepted conservation practices with respect to the water and water rights allotted hereunder and shall be bound by any conservation plan hereafter adopted by the District, as the same may be amended from time to time.

15. WELL PERMIT: If Applicant intends to divert through a well, then Applicant must provide to District a copy of Applicant's valid well permit before the District is obligated to deliver any water hereunder, and it is the Applicant's continuous duty to maintain a valid well permit. Applicant shall also comply with all restrictions and limitations set forth in the well permit obtained from the Colorado Division of Water Resources. Applicant must comply with the well-spacing requirements set forth in C.R.S. §37-90-137, as amended, if applicable. Compliance with said statutory well-spacing criteria shall be an express condition of the extension of service hereunder, and the District shall in no way be liable for an Applicant's failure to comply. Applicant agrees to mark the well in a conspicuous place with the permit number.

16. MEASURING DEVICE OR METER: Applicant agrees to provide, at its own expense, a totalizing flow meter with remote readout to continuously and accurately measure at all times all water diverted pursuant to the terms of Applicant's water right and the terms of this Contract. On or before November 15 of each year, will provide accurate readings from such device or meter (recorded on a monthly basis for the period November 1 through October 30 of each year) to District, the Division Engineer and Water Commissioner. Applicant acknowledges that failure to comply with this paragraph could result in legal action to terminate Applicant's diversion of water by the State of Colorado Division of Water Resources. By signing this Contract, Applicant hereby specifically allows District, through its authorized agent, to enter upon Applicant's property during ordinary business hours for the purposes of determining Applicant's actual use of water.

17. CONTRACT TERMINATION:

A. Termination by District:

1. The District may terminate this Contract for any violation or breach of the terms of this Contract by Applicant, or Applicant's breach of any other contract with the District.
2. The District may terminate this Contract if, in its discretion, any judicial or administrative proceedings initiated by Applicant threaten

EXHIBIT A

A tract of land situated in Lot 9 of Section 27 Township 7 South, Range 88 West of the 6th P.M., Garfield County, Colorado, and being more particularly described as follows:

Beginning at a point whence the East 1/4 corner of said Section 27 bears N. 84 degrees 43' 35" E. 1960.00 feet; thence West 30.00 feet thence South 40.00 feet; thence West 369.99 feet; thence North 326.09 feet; thence East 267.90 feet; thence N. 52 degrees 21' 53" E. 166.67 feet; thence South 387.76 feet to the point of beginning.

County of Garfield
State of Colorado

Water User :	David Effress
Analysis Date :	January 30, 2007
District Area:	A
Source Series:	4
Maximum Demand:	15 0.033
	(GPM) (CFS)

**BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS**
(acre feet)

Month	Total Demand				Consumptive Use						(13) Source of Aug/Replace		
	(1) Domestic In-house	(2) Commercial or Other	(3) Lawn Irrigation	(4) Crop Irrigation	(5) Livestock	(6)* TOTAL	(7) Domestic In-house	(8) Commercial or Other	(9) Lawn Irrigation	(10) Crop Irrigation		(11) Livestock	(12)* TOTAL
January	0.067	0.000	0.000	0.000	0.008	0.079	0.010	0.000	0.000	0.000	0.008	0.020	GNM
February	0.060	0.000	0.000	0.000	0.008	0.071	0.009	0.000	0.000	0.000	0.008	0.018	GNM
March	0.067	0.000	0.000	0.000	0.008	0.079	0.010	0.000	0.000	0.000	0.008	0.020	GNM
April	0.064	0.000	0.023	0.000	0.008	0.100	0.010	0.000	0.000	0.000	0.008	0.039	GNM
May	0.067	0.000	0.112	0.000	0.008	0.196	0.010	0.000	0.000	0.000	0.008	0.119	GNM
June	0.064	0.000	0.139	0.000	0.008	0.222	0.010	0.000	0.000	0.000	0.008	0.142	GNM
July	0.067	0.000	0.133	0.000	0.008	0.218	0.010	0.000	0.000	0.000	0.008	0.137	GNM
August	0.067	0.000	0.081	0.000	0.008	0.164	0.010	0.000	0.000	0.000	0.008	0.091	GNM
September	0.064	0.000	0.074	0.000	0.008	0.154	0.010	0.000	0.000	0.000	0.008	0.084	GNM
October	0.067	0.000	0.027	0.000	0.008	0.107	0.010	0.000	0.000	0.000	0.008	0.044	GNM
November	0.064	0.000	0.000	0.000	0.008	0.076	0.010	0.000	0.000	0.000	0.008	0.020	GNM
December	0.067	0.000	0.000	0.000	0.008	0.079	0.010	0.000	0.000	0.000	0.008	0.020	GNM
TOTALS -->	0.784	0.000	0.587	0.000	0.099	1.543	0.118	0.000	0.470	0.000	0.099	0.754	

Assumptions

(1)	NUMBER OF RESIDENCES	2	(5)	# of Livestock @ 11 gals/day	8
	# persons/residence	3.5			
	# gallons/person/day	100	(7)	% CU for Domestic/Commercial	15
(2)	Commercial/Other Demand (af)	0.000	(9)	% Lawn Irrig. Efficiency	80
	Pond Evaporation	0		Consumption of Irrig. (af/ac)	2.074
(3)	Sq. Ft. of Lawn Irrigated	10000	(10)	% Crop Irrig. Efficiency	80
	Lawn Application Rate (af/ac)	2.593		Consumption of Irrig. (af/ac)	0.000
(4)	Acres of Crop Irrigated	0.00	(9-10)	Elevation (feet)	6240
	Crop Application Rate (af/ac)	0.000			

* (6) (12) Total Includes 5% Transit Loss

**Exhibit
B**

**ORDER GRANTING APPLICATION FOR ALLOTMENT CONTRACT
CONTRACT NO. 514**

Application having been made by or on behalf of **David S. Effress** and hearing on said Application having been duly held, it is hereby ordered that said Application be granted and that the attached Water Allotment Contract for **0.033** cubic feet of water per second from the District's direct flow rights and **0.8** acre feet per year of storage/augmentation water owned or controlled by the District is hereby approved and executed by and on behalf of the Basalt Water Conservancy District, for the beneficial use of the water allotted in the attached Contract, upon the terms, conditions and manner of payment as therein specified and subject to the following specific conditions:

1. The Applicant has acknowledged that the land to be benefitted by the attached Contract is described on Exhibit A attached hereto and incorporated herein by this reference.

2. In the event of the division of the property served by this Contract into two or more parcels owned by different persons, the Applicant shall establish a Homeowners Association or other entity acceptable to the District for the ongoing payment of charges due under the approved Contract following subdivision of the property. The Applicant shall give notice to purchasers of all or any part of the subject property of the obligation of this Contract, and shall record such notice in the records of the Clerk and Recorder of Garfield County, Colorado. Applicant and his successors and assigns shall comply with all rules and regulations now existing or hereafter adopted by the District, including to enforce payment of charges due under the approved Contract by present and future owners of all or any part of the real property served under this Contract.

3. Any allotment of less than 1.0 acre foot of storage water in Paragraph 1 of the attached Contract shall be deemed 1.0 acre foot for purposes of establishing the annual water service charge for such water allotment.

4. The Applicant shall provide the District proof that the proposed land use of the land to be benefitted by the water allotted hereunder has been approved by the applicable governmental authorities having jurisdiction over such land use, including evidence satisfactory to the District that each lot or parcel to be benefitted hereunder is legally subdivided.

5. Any well permits issued on the basis of this Allotment Contract shall be applied for and issued in the name of the Applicant.

6. By acceptance of this Contract, Applicant acknowledges that within two years of the date hereof or such later date as the District may approve, the Applicant shall file

with the Water Court of Water Division No. 5 a water rights plan of augmentation for utilization of water allotted hereunder at the location and for the purposes hereinabove set forth, or the Applicant's water allotment as provided in this Contract may be included in a water rights plan of augmentation to be filed by the District with the expenses thereof to be shared prorata by the Contract holders included in such plan; provided that inclusion of the Applicant's water allotment in the District's plan of augmentation shall be at the District's sole discretion.

In the event the District includes the Applicant's water allotment in the District's Application for a plan of augmentation, the Applicant acknowledges that execution of the subject contract constitutes waiver of any notice of the application for the plan for augmentation by the Water Referee or the Water Clerk under C.R.S. § 37-92-302(3)(c)(I). Applicant will provide such information and assistance, including testimony, as may be needed for judicial approval of the plan. The District makes no warranty that it will secure approval of the plan. The District may establish an augmentation plan fee to be paid by the holder of any Contract or amended Contract to be included within a plan of augmentation to be filed by the District, which fee shall be payable in advance of the inclusion of such Contract in a District plan of augmentation and may be based on the District's good faith estimate of the anticipated expense of such plan of augmentation. If such augmentation plan fee paid by a Contract holder exceeds the Contract holder's prorata portion of the actual expenses incurred by the District in completing said plan of augmentation, the District shall refund such excess to the Contract holder. Conversely, if such augmentation plan fee paid by the Contract holder does not cover the Contract holder's prorata portion of the actual expenses incurred by the District in completing said plan of augmentation, then Applicant shall pay the remaining balance of its portion of the actual expenses upon the District's providing the holder with a statement for the same. To the extent that the District is caused additional costs because of objections filed specifically due to the inclusion of Applicant's Contract in the filing, such additional costs may be charged specifically to Applicant and not shared on a prorata basis by all Contractees.

7. Any and all conditions imposed upon the release and diversion of water allotted hereunder in any water rights plan of augmentation or other water rights decree of the Water Court for Water Division No. 5 shall be incorporated herein as a condition of approval of this contract. Granting of this allotment contract does not constitute the District's representation that the Applicant will receive a well permit or water rights decree for the land to be benefitted hereby.

8. If Applicant intends to divert water through a well or wells, Applicant shall provide the District a copy of Applicant's valid well permit for each such well before the District is obligated to deliver water for the benefit of Applicant hereunder. Applicant must comply with the well-spacing requirements set forth in C.R.S. §37-90-137, as amended, if applicable. Compliance with said statutory well-spacing criteria shall be an express condition of the extension of service hereunder, and the District shall in no way be liable for an Applicant's failure to comply.

9. The District may establish an augmentation plan fee to be paid by the holder of any contract to be benefitted by a plan for augmentation filed by the District, which fee shall be payable within thirty (30) days following the District's statement(s) to the Applicant and may be based on the District's good faith estimate of the anticipated expense of such plan of augmentation. If such augmentation plan fee paid by a Contract holder exceeds the Contract holder's prorata portion of the actual expenses incurred by the District in completing said plan of augmentation, the District shall refund such excess to the Contract holder.

Approved this 13th day of February, 2007.

BASALT WATER CONSERVANCY DISTRICT

Attest:

By: Barbara Mick
Barbara Mick, Secretary

By: Arthur Bowles
Arthur Bowles, Vice President



PO Box 2844
Glenwood Springs, CO 81602
Ph 970-618-5033
Fax 303-216-2796

March 5, 2007

Project No. 1297

David Effress
PO Box 8
Carbondale, CO 81623

Subsurface Investigation and Revised Onsite Wastewater System Design, Proposed 2-Bedroom Guest House
12746 State Highway 82
Garfield County, Colorado

David,

ALL SERVICE septic, LLC conducted a subsurface investigation and prepared a revised onsite wastewater system (OWS) design for the subject residence. The property is located in a rural residential area where OWS and wells are necessary. The revision is based on a change in the guesthouse footprint.

SITE CONDITIONS

The site has a main residence utilizing its own OWS. A 2-bedroom guest house is proposed as indicated on Figure 1. Vegetation consists of juniper and pinon trees with sagebrush. The slope in the area of the proposed drain field is 20% to the east.

SUBSURFACE

The subsurface conditions were investigated by our firm on February 7, 2007 by observing a soils profile and by digging three percolation holes, near the proposed drain field location as shown on Figure 1. Subsurface materials consisted of a 6-inch topsoil layer, underlain sandy clay with scattered rocks and boulders to 8 feet, the maximum depth explored. Groundwater or bedrock was not observed. Percolation rates ranged from 20 to 40 minutes per inch (MPI). The average percolation rate of 27 MPI will be used to design the OWS.

DESIGN SPECIFICATIONS

The OWS design is based on 2-bedrooms and an average sewage load of 300 GPD. The installation must include a 1000-gallon, two-compartment, precast concrete septic tank, with a Biotube pump vault in the second compartment. **As an alternative, a 1000-gallon, two-compartment septic tank, with an effluent filter on the outlet, followed by a 500-gallon lift station may be used. If plastic**

tanks are used our office should be contacted for details. If gravity discharge can be achieved our office should be contacted to provide details. Two gravelless chamber trenches must be installed as indicated on plans provided. Two rows of 13 'Quick 4' chambers, for a total of 26 chambers, and 257 square feet (SF) of infiltrative area, is required. **If standard chambers are preferred we should be notified.** Serial distribution should be used to distribute effluent. A shallow installation is preferred due to the presence of rocks and boulders. **If a boulder is encountered during construction, the boulder should be removed, and concrete sand should be placed in void.** The sand should be adequately compacted to minimize settling. Construction must be according to the county ISDS regulations, the septic permit provided by Garfield County Environmental Health Department, and this design.

OPERATION INFORMATION AND MAINTENANCE

The surface of the drain field should be seeded upon completion. Vegetation is an important factor in drain field performance. Erosion control should be practiced during and after construction of OWS. Geo-fabrics or plastics should not be used over the drain field. Livestock should not graze on the drain field. Plumbing fixtures should be checked to ensure that no additional water is being discharged to OWS. For Example, a running toilet or leaky faucet can discharge hundreds of gallons of water a day and harm a drain field.

The homeowner should pump the septic tank every two years and clean the effluent filter as needed. Garbage disposal use should be minimized, and non-biodegradable materials should not be placed into the OWS. Grease should not be placed in household drains. Loading from a water softener should not be discharged into the OWS. No hazardous wastes should be directed into the OWS. Mechanical room drains should not discharge into the OWS. The OWS is engineered for domestic waste only.

ADDITIONAL CONSTRUCTION NOTES

If applicable, air release valves and weep holes should be installed to allow pumping systems to drain and minimize risk of freezing. Extensions should be placed on all septic tank components to allow access to them from existing grade. Precast concrete tanks and distribution boxes should be used, unless plastic or fiberglass is required. Access to all tank compartments and distribution devices is optimal.

INSTALLATION OBSERVATIONS

ALL SERVICE septic, LLC, and the county must view the OWS during construction. The OWS observation should be performed before backfill, after placement of chambers and distribution pipes. Septic tanks, distribution devices, pumps, dosing siphons, and other plumbing, as applicable, must also be observed. ALL SERVICE septic, LLC should be notified 48 hours in advance to observe the installation.

The design is based on information submitted. If soil conditions encountered are different from conditions described in report, ALL SERVICE septic, LLC should be notified. All OWS construction must be according to the county regulations. Requirements not specified in this report must follow county regulations. The installer should have documented and demonstrated knowledge of the requirements and regulations of the county in which they are working.

LIMITS:

Results are based on field investigations and data provided by the client. If soil, or any other conditions, encountered are different from conditions described in report, ALL SERVICE septic, LLC should be notified

Please call with questions.

Sincerely,

ALL SERVICE septic, LLC



Timothy R. Petz
3 copies

Reviewed By:

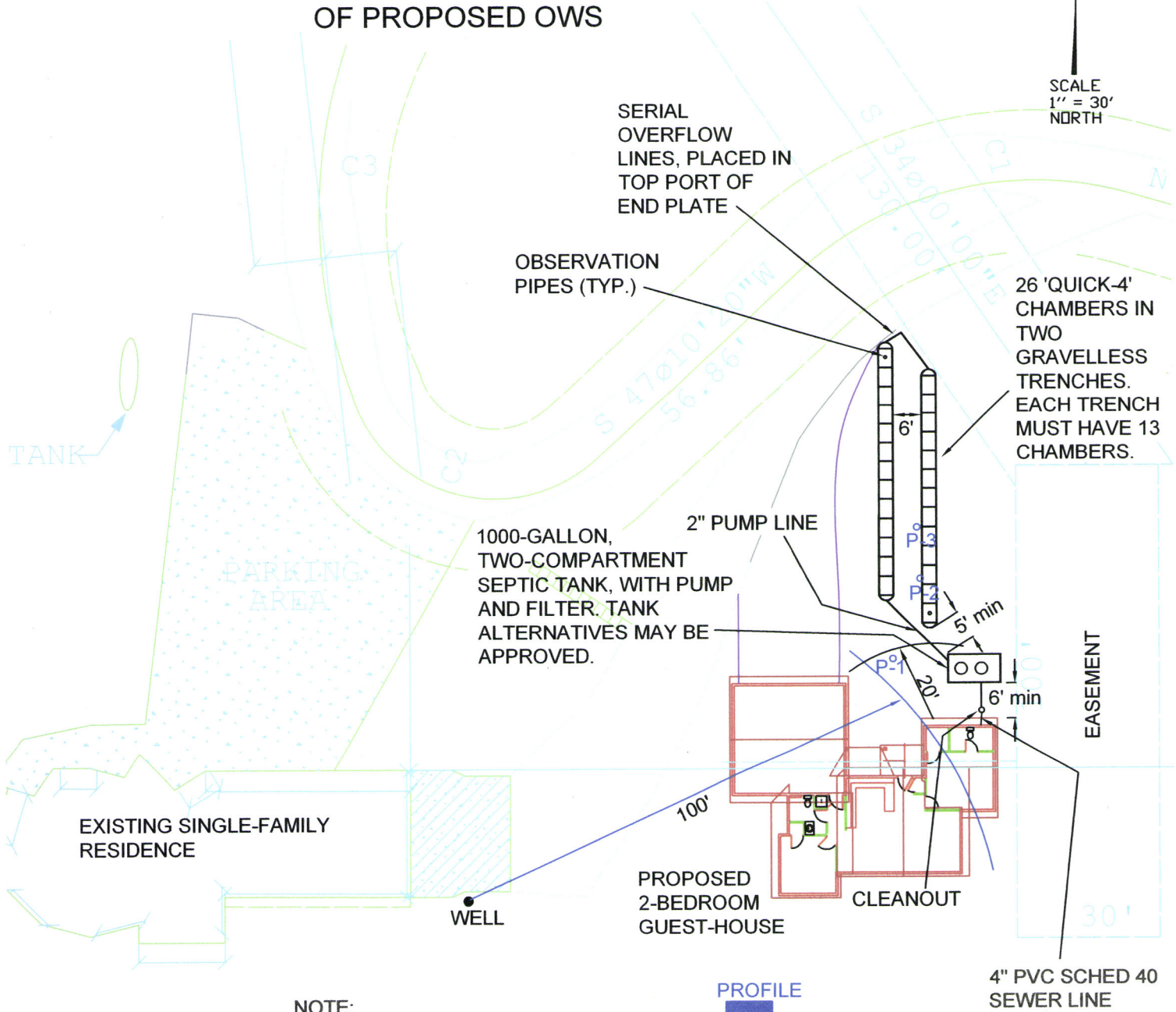


Richard H. Petz, P.E.



SITE PLAN, LOCATION OF PERCOLATION HOLES, AND LOCATION OF PROPOSED OWS

SCALE
1" = 30'
NORTH



NOTE:
SEPTIC TANK MUST BE 6 FEET FROM HOUSE FOUNDATION, AND 5 FEET FROM DRAIN FIELD.
DRAIN FIELD MUST BE 20' FROM HOUSE FOUNDATION, AND 100' FROM WELL

THE LOCATION OF EXISTING AND PROPOSED IMPROVEMENTS SHOWN ARE NOT THE RESULT OF A PROPERTY SURVEY. THE LOCATIONS ARE APPROXIMATE. IT IS THE HOMEOWNERS DUTY TO ENSURE ALL CONSTRUCTION AND IMPROVEMENTS LOCATIONS ARE ACCURATE. ALL SETBACK DISTANCES SHOULD BE CONFIRMED PRIOR TO EXCAVATION.

12746 STATE HIGHWAY 82
GARFIELD COUNTY, COLORADO

ALL
SERVICE SEPTIC, LLC
970-618-5033

PRO. NO. 1297
REV. FIGURE 1

DESIGN

2-BEDROOM GUEST HOUSE
 LOADING = $q = 300$ GALLONS PER DAY
 PERCOLATION RATE = $t = 27$ MINUTES PER INCH (MPI)

CALCULATED AREA = $((1.5 \times q \times \text{sqrt } t) / 5) = 468$ SF

PROPOSED AREA = 468 SF X 50% REDUCTION = 234 SF

TRENCH SPECIFICATIONS

WIDTH OF TRENCHES = 3 FEET = 1 CHAMBERS

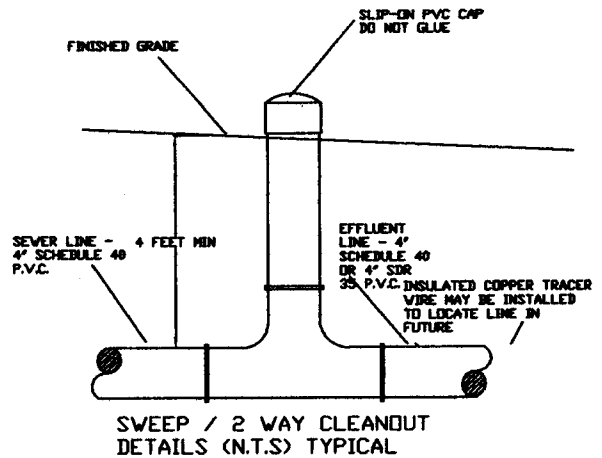
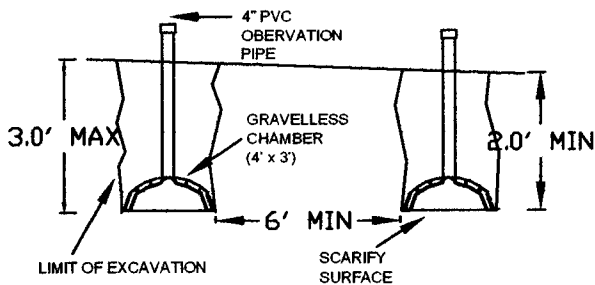
LENGTH OF TRENCHES = 52 FEET = 13 CHAMBERS

TOTAL NUMBER OF 'QUICK-4' CHAMBERS = 26

TOTAL INFILTRATIVE AREA = 257 SF

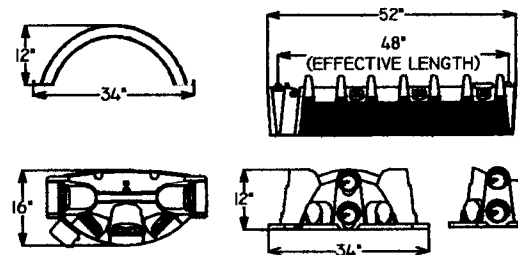
TWO TOTAL TRENCHES

DRAIN FIELD CROSS SECTION - TYP.



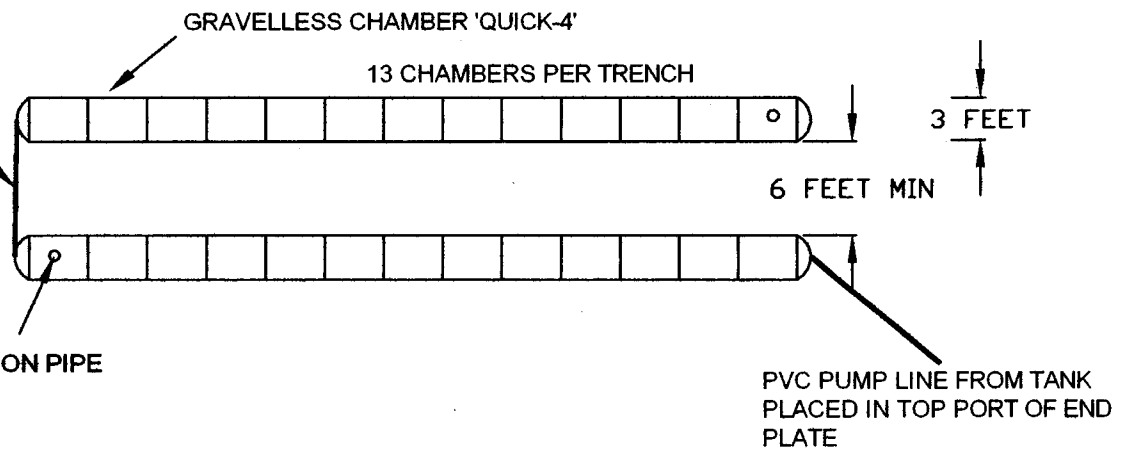
SWEEP / 2 WAY CLEANOUT
 DETAILS (N.T.S) TYPICAL

INFILTRATOR(R) QUICK4(TM) CUT SHEET

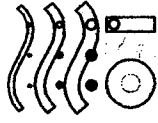


PLAN VIEW - TYP.

SERIAL
 OVERFLOW
 LINES TO BE
 INSTALLED IN
 'HIGH' PORTS
 ON END
 PLATES.



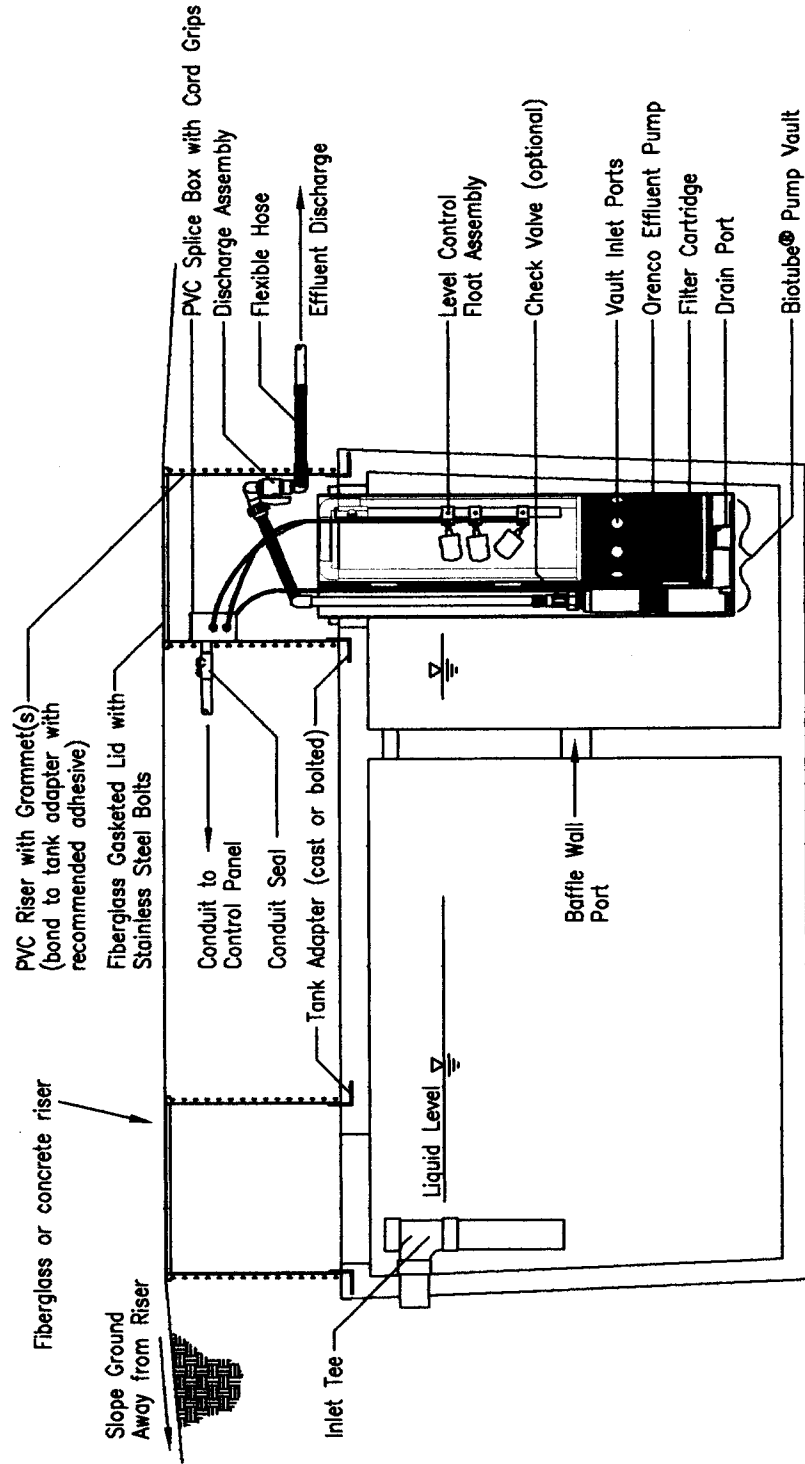
Effluent Pumping System - 2-Compartment



Orengo Systems®
Incorporated

814 AIRWAY AVENUE
SUTHERLIN, OREGON
97479-9012

TELEPHONE:
(541) 459-4449
FACSIMILE:
(541) 459-2884



Patents # 4,439,323 & 5,492,635
Foreign Patents Pending
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Project No. 1297

**GARFIELD COUNTY ENVIRONMENTAL HEALTH DEPARTMENT
Percolation Test and Soils Data Form - TABLE 1 - PROJECT 1297**

PROFILE PIT

Date of Test: 2-07-07

0 - 6" Topsoil, Root Zone, Clayey

6" - 8' Sandy Clay, Very Stiff, Moist, Tan/Brown to Light Brown

Scattered Rocks and Boulders

No Groundwater or Bedrock was Observed

Hole No.	Hole Depth (in.)	Interval (min.)	Measurement at Start of Interval (in.)	Measurement at End of Interval (in.)	Change (in.)	Percolation Rate (min./in.) MPI
1	11	10	4.50	6.00	1.50	20
		10	6.00	7.00	1.00	
		10	7.00	8.25	1.25	
		10	8.25	9.00	0.75	
		10	9.00	9.50	0.50	
	fill	10	3.50	4.00	0.50	
2	26	10	12.25	13.75	1.50	20
		10	13.75	14.50	0.75	
		10	14.50	15.00	0.50	
		10	15.00	15.75	0.75	
		10	15.75	16.50	0.75	
		10	16.50	17.00	0.50	
3	14	10	4.75	7.00	2.25	40
		10	7.00	8.25	1.25	
	fill	10	4.25	5.00	0.75	
		10	5.00	5.25	0.25	
		10	5.25	5.50	0.25	
		10	5.50	6.00	0.50	

AVERAGE = 27 MPI

PROPERTY PROFILE

Account: R011613
 Tax Year: 2007
 Parcel: 239327400022
 Mill Levy: 63.103000
 Estimated Tax: 2,735.52

Account Type:
 Version: 20070101004
 Area ID: 011
 APR District: JACK
 Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

EFFRESS, DAVID S
 12746 HIGHWAY 82
 CARBONDALE, CO 81623

Legal Description

SECT,TWN,RNG:27-7-88 DESC: A TR IN LOT 9 CONT 3.121
 AC. BK:1090 PG:0675 BK:1046 PG:0568 BK:1046 PG:0567
 BK:0572 PG:0359 BK:0540 PG:0656 BK:0538 PG:0013 BK:0536
 PG:0186 BK:0535 PG:0099 BK:0334 PG:0169 BK:1743 PG:553
 RECPT:685997 BK:1636 PG:136 RECPT:662751 BK:1553
 PG:161 RECPT:644309 BK:1392 PG:97 RECPT:611775 BK:1392
 PG:93 RECPT:611774 BK:1392 PG:90 RECPT:611773 BK:1392
 PG:87 RECPT:611772 BK:1392 PG:86 RECPT:611771 BK:1392
 PG:85 RECPT:611770 BK:1223 PG:248 RECPT:573927 BK:1090
 PG:0672 BK:0762 PG:0474 BK:0744 PG:0684 BK:0727 PG:0010
 BK:0704 PG:0051 BK:0638 PG:0388

Property Location

012746 HIGHWAY 82
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	145,000	11,540	0	3.121	
Improvements	399,680	31,810	0		
Exempt					
Total	544,680	43,350			43,350
Tax Year: 2006					
Land	145,000	11,540	0	3.121	
Improvements	399,680	31,810	0		
Exempt					
Total	544,680	43,350			43,350

GARFIELD

PROPERTY PROFILE

Account: R112092
Tax Year: 2007
Parcel: 239327401002
Mill Levy: 63.103000
Estimated Tax: 2,561.98

Account Type:
Version: 20070101000
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

DIVIDE CREEK LAND & CATTLE CO
 12744 HIGHWAY 82
 CARBONDALE, CO 81623-9506

Property Location

CARBONDALE, CO 81623

Legal Description

SECT,TWN,RNG:27-7-88 SUB:DIXON SUB AMD PLAT LOT:D
 DESC: AKA: PARCEL D PRE:R112059 BK:0831 PG:0106
 BK:0810 PG:0788 BK:0678 PG:0770 BK:0382 PG:0060 BK:1591
 PG:356 RECPT:652874 BK:1587 PG:772 RECPT:652144
 BK:1577 PG:45 RECPT:650019 BK:1577 PG:44 RECPT:650018
 BK:1034 PG:0233 BK:0675 PG:0324

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	140,000	40,600	0	2.303	
Improvements	0	0	0		
Exempt					
Total	140,000	40,600			40,600
Tax Year: 2006					
Land	140,000	40,600	0	2.303	
Improvements	0	0	0		
Exempt					
Total	140,000	40,600			40,600

GARFIELD

PROPERTY PROFILE

Account: R112091
Tax Year: 2007
Parcel: 239327401004
Mill Levy: 63.103000
Estimated Tax: 6,404.95

Account Type:
Version: 20070101000
Area ID: 011
APR District:
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

DIVIDE CREEK LAND & CATTLE
 12744 HIGHWAY 82
 CARBONDALE, CO 81623-9506

Legal Description

SECT,TWN,RNG:27-7-88 SUB:DIXON SUB AMD PLAT LOT:C
 DESC: EXCEPT A TR CONT 5689 SF AS DESC IN QUIET
 TITLE BK 1501 PG 322. PRE:R112060 BK:0831 PG:0106
 BK:0810 PG:0795 BK:0678 PG:0770 BK:0629 PG:0647 BK:0488
 PG:0704 BK:0408 PG:0426 BK:1501 PG:322 RECPT:633266
 BK:0978 PG:0739

Property Location

HIGHWAY 82
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	350,000	101,500	121,637	0	
Improvements	0	0	0		
Exempt					
Total	350,000	101,500			101,500
Tax Year: 2006					
Land	350,000	101,500	121,637	0	
Improvements	0	0	0		
Exempt					
Total	350,000	101,500			101,500

GARFIELD

PROPERTY PROFILE

Account: R112089
Tax Year: 2007
Parcel: 239327401003
Mill Levy: 63.103000
Estimated Tax: 10,357.73

Account Type:
Version: 20070100000
Area ID: 011
APR District:
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

DIVIDE CREEK LAND & CATTLE CO
 12744 HIGHWAY 82
 CARBONDALE, CO 81623-9506

Legal Description

SECT,TWN,RNG:27-7-88 SUB:DIXON SUB AMD PLAT LOT:A
 DESC: ALSO, A TR OF LAND CONT .865 AC AS DESC IN
 BNDY LINE ADJ BK 1553 PG 161. PRE:R112060 BK:0831
 PG:0106 BK:0810 PG:0795 BK:0678 PG:0770 BK:0629 PG:0647
 BK:0488 PG:0704 BK:0408 PG:0426 BK:1554 PG:483
 RECPT:644560 BK:1553 PG:161 RECPT:644309 BK:0978
 PG:0739

Property Location

012744 HIGHWAY 82
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	402,580	116,750	0	4.621	
Improvements	163,420	47,390	0		
Exempt					
Total	566,000	164,140			164,140
Tax Year: 2006					
Land	402,580	116,750	0	4.621	
Improvements	163,420	47,390	0		
Exempt					
Total	566,000	164,140			164,140

GARFIELD

PROPERTY PROFILE

Account: R011544
Tax Year: 2007
Parcel: 239327400007
Mill Levy: 63.103000
Estimated Tax: 1,846.39

Account Type:
Version: 20070101001
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

TUNNICLIFFE, BARBARA MARY LIVING TRUST
 12694 HIGHWAY 82
 CARBONDALE, CO 81623-9506

Legal Description

SECT,TWN,RNG:27-7-88 DESC: TR IN LOT 9 DESC: ALSO A TR. CONT. .12 AC. BK:0528 PG:0074 BK:0508 PG:0366 BK:1405 PG:810 RECPT:614451 BK:1405 PG:809 RECPT:614450 BK:0744 PG:0455 BK:0744 PG:0453

Property Location

012694 HIGHWAY 82
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	130,000	10,350	0	0.910	
Improvements	237,580	18,910	0		
Exempt					
Total	367,580	29,260			29,260
Tax Year: 2006					
Land	130,000	10,350	0	0.910	
Improvements	237,580	18,910	0		
Exempt					
Total	367,580	29,260			29,260

GARFIELD

PROPERTY PROFILE

Account: R112090
Tax Year: 2007
Parcel: 239327401001
Mill Levy: 63.103000
Estimated Tax: 1,250.07

Account Type:
Version: 20070100000
Area ID: 011
APR District: ROBIN
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

BOLLOCK, KATHRYN ANN & WILLIAM J.
 12752 HIGHWAY 82
 CARBONDALE, CO 81623-9506

Property Location

012752 HIGHWAY 82
 CARBONDALE, CO 81623

Legal Description

SECT,TWN,RNG:27-7-88 SUB:DIXON SUB AMD PLAT LOT:B
 DESC: AKA: PARCEL B PRE:R112059 BK:1034 PG:0233
 BK:0831 PG:0106 BK:0810 PG:0788 BK:0678 PG:0770 BK:0382
 PG:0060 BK:1259 PG:410 RECPT:582288 BK:1259 PG:407
 RECPT:582287 BK:1258 PG:909 RECPT:582167 BK:1258
 PG:907 RECPT:582166 BK:1258 PG:902 RECPT:582165
 BK:1258 PG:899 RECPT:582164 BK:0675 PG:0324

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	140,000	11,140	0	2.209	
Improvements	108,900	8,670	0		
Exempt					
Total	248,900	19,810			19,810
Tax Year: 2006					
Land	140,000	11,140	0	2.209	
Improvements	108,900	8,670	0		
Exempt					
Total	248,900	19,810			19,810

GARFIELD

PROPERTY PROFILE

Account: R011351
Tax Year: 2007
Parcel: 239327400006
Mill Levy: 63.103000
Estimated Tax: 1,800.96

Account Type:
Version: 20070101001
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

TRIBBLE, YASUKUNI C & SUSAN J
 12644 HIGHWAY 82
 CARBONDALE, CO 81623

Property Location

012644 HIGHWAY 82
 CARBONDALE, CO 81623

Legal Description

SECT,TWN,RNG:27-7-88 DESC: TR IN LOT 9 BK:0464 PG:0205
 BK:1610 PG:406 RECPT:657167 BK:1571 PG:482
 RECPT:648886 BK:1561 PG:653 RECPT:646717 BK:1397
 PG:240 RECPT:612785 BK:1396 PG:848 RECPT:612717
 BK:1170 PG:550-551 RECPT:558566 BK:1083 PG:0545 BK:0815
 PG:0996 BK:0747 PG:0785

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	125,000	9,950	0	0.690	
Improvements	233,500	18,590	0		
Exempt					
Total	358,500	28,540			28,540
Tax Year: 2006					
Land	125,000	9,950	0	0.690	
Improvements	233,500	18,590	0		
Exempt					
Total	358,500	28,540			28,540

GARFIELD

PROPERTY PROFILE

Account: R011137
Tax Year: 2007
Parcel: 239327100017
Mill Levy: 63.103000
Estimated Tax: 2,110.16

Account Type:
Version: 20070101001
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

MARSHALL, GARY CLYDE & CATHERINE L.
 12748 HIGHWAY 82
 CARBONDALE, CO 81623-9506

Legal Description

SECT,TWN,RNG:27-7-88 DESC: TR OF LAND BK:0551 PG:0064
 BK:0382 PG:0060 BK:0857 PG:0963 BK:0739 PG:0461 BK:0701
 PG:0457 BK:0698 PG:0293 BK:0691 PG:0823 BK:0685 PG:0493
 BK:0677 PG:0019

Property Location

012748 HIGHWAY 82
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	150,000	11,940	0	4.000	
Improvements	270,150	21,500	0		
Exempt					
Total	420,150	33,440			33,440
Tax Year: 2006					
Land	150,000	11,940	0	4.000	
Improvements	270,150	21,500	0		
Exempt					
Total	420,150	33,440			33,440

GARFIELD

PROPERTY PROFILE

Account: R011612
Tax Year: 2007
Parcel: 239327100021
Mill Levy: 63.103000
Estimated Tax: 2,497.62

Account Type:
Version: 20070101001
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

EVANS, ARTHUR F. & MARY ELLA BEE
 1713 LEISURE LANE
 LINDALE, TX 75771-5326

Legal Description

SECT,TWN,RNG:27-7-88 DESC: A TR IN LOT 6 CONT. 3.12 AC
 ALSO A TR CONT. .34 AC BK:0572 PG:0359 BK:0571 PG:0372
 BK:0932 PG:0852 BK:0730 PG:0548 BK:0704 PG:0050 BK:0646
 PG:0152 BK:0638 PG:0388

Property Location

012750 HIGHWAY 82
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	150,000	11,940	0	3.420	
Improvements	347,200	27,640	0		
Exempt					
Total	497,200	39,580			39,580
Tax Year: 2006					
Land	150,000	11,940	0	3.420	
Improvements	347,200	27,640	0		
Exempt					
Total	497,200	39,580			39,580

GARFIELD

PROPERTY PROFILE

Account: R111877
Tax Year: 2007
Parcel: 239327202001
Mill Levy: 63.103000
Estimated Tax: 2,538.00

Account Type:
Version: 20070111000
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

MURPHY, SUSAN M & FLETCHER, PAMELA
 L
 0018 LOS ADOBES DRIVE
 CARBONDALE, CO 81623

Legal Description

SECT,TWN,RNG:27-7-88 SUB:LOS ADOBES SUB. LOT:1
 PRE:R011193 BK:1592 PG:968 RECPT:653273 BK:1173
 PG:322-323 RECPT:559448 BK:1173 PG:321 RECPT:559447
 BK:0919 PG:0863 BK:0785 PG:0364

Property Location

000018 LOS ADOBES DR
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	155,000	12,340	0	2.300	
Improvements	350,290	27,880	0		
Exempt					
Total	505,290	40,220			40,220
Tax Year: 2006					
Land	155,000	12,340	0	2.300	
Improvements	350,290	27,880	0		
Exempt					
Total	505,290	40,220			40,220

GARFIELD

PROPERTY PROFILE

Account: R111878
Tax Year: 2007
Parcel: 239327202002
Mill Levy: 63.103000
Estimated Tax: 5,756.26

Account Type:
Version: 20070111000
Area ID: 011
APR District: JACK
Status: A

* This Mill Levy is from the most recent tax roll

Name and Address Information

LUSHAN, SYLVIA LEON
 324 LOS ADOBES DRIVE
 CARBONDALE, CO 81623

Legal Description

SECT,TWN,RNG:27-7-88 SUB:LOS ADOBES SUB. LOT:2
 PRE:R011194 BK:1251 PG:58 RECPT:580439 BK:1108 PG:0502
 BK:0868 PG:0295 BK:0859 PG:0808

Property Location

000324 LOS ADOBES DR
 CARBONDALE, CO 81623

Assessment Information

	Actual	Assessed	SQUARE FEET	Acres	Taxable
Tax Year: 2007					
Land	170,000	13,530	0	2.190	
Improvements	975,960	77,690	0		
Exempt					
Total	1,145,960	91,220			91,220
Tax Year: 2006					
Land	170,000	13,530	0	2.190	
Improvements	975,960	77,690	0		
Exempt					
Total	1,145,960	91,220			91,220

GARFIELD

EXHIBIT A

A tract of land situated in Lot 9 of Section 27 Township 7 South, Range 88 West of the 6th P.M., Garfield County, Colorado, and being more particularly described as follows:

Beginning at a point whence the East 1/4 corner of said Section 27 bears N. 84 degrees 43' 35" E. 1960.00 feet; thence West 30.00 feet thence South 40.00 feet; thence West 369.99 feet; thence North 326.09 feet; thence East 267.90 feet; thence N. 52 degrees 21' 53" E. 166.67 feet; thence South 387.76 feet to the point of beginning.

County of Garfield
State of Colorado