

Letter of Intent

**Site Development Plan
August 18, 2021**

Rocky Top RV Park & Campground

G&D Enterprises, Corp.
10090 West Highway 24
Green Mountain Falls, Colorado 80819
Owner: Daniel P. Nieman

I. Owner/Applicant and Consultant.

G&D Enterprises, Corp. is owned by Daniel P. Nieman. The Owner/Applicant and Consultant contact information is as follows:

Applicant:

Daniel P. Nieman
P.O. Box 215
Green Mountain Falls, Colorado 80819
(989) 430-8065

Owner:

G&D Enterprises, Corp.
10090 West Highway 24
Green Mountain Falls, Colorado 80819
(719) 684-9044

Consultant:

Debra Eiland, Esq.
Law Offices of Debra Eiland, P.C.
24 S. Weber Street, Suite 300
Colorado Springs, Colorado 80903
(719) 471-1545
debra@eilandlawfirm.com

II. Site Location, Size and Zoning.

The subject property is located at 10090 West Highway 24, Green Mountain Falls, Colorado. The parcel number is: 8309200011. The property consists of approximately 9.30 acres and is zoned C-2.¹

III. Request and Justification.

Mr. Nieman purchased the property on June 23, 2017. The property has been home to a small motel since 1947, and an RV park/campground since 1950. Pursuant to the Administrative Determination dated March 5, 2019 (ADM-18-029), the motel is a legal non-conforming use.

¹The Assessor's records show the property area to be 9.21 acres, which appeared on a Survey Plat recorded on January 27, 1997, under Reception Number 97902111. That acreage was subsequently amended by a Boundary Line Agreement recorded on February 19, 2004, at Reception Number 204028584. The change to 9.30 acres, based on that Boundary Line Agreement, is reflected in a full Boundary Survey and Land Survey Plat deposited with the El Paso County Clerk & Recorder's office on December 29, 2017, at Reception Number 217900261.

On February 23, 2021, the El Paso County Board of County Commissioners approved a use variance to legalize the existing RV Park and campground. This application is made to obtain approval of the Site Development Plan pursuant to the conditions of the Use Variance approval.

IV. Existing and Proposed Facilities, Structures, Roads, etc.

Access to the property is provided from Highway 24 across a short CDOT owned gravel road via a paved driveway entrance. A copy of the Access Permit Application filed with CDOT is attached. The paved driveway entrance provides access to the motel and RV park/campground and is wide enough to accommodate large RVs and emergency vehicles.

The property currently has 60 RV and trailer sites and 8 tent campsites. The Applicant plans to add another 12 RV and trailer sites. The two small sheds and propane tank located within the northern boundary setback will be moved outside the setback area. The Applicant has designated site number 27 along the northern boundary of the property for the RV of its full-time on-site caretaker.

A 12' x 16' bathroom building will be constructed near campsite 50 to replace an old tent camper restroom building. A greenhouse will be constructed for the owner's personal use. A children's playground will be added above the dog park.

Three light poles with security cameras will be added near the tent area, the northwest corner of the property, and below campsites 9 and 10. All lights will be shielded and equipped with dusk-to-dawn sensors. Upgraded electric, water, and sewer connections will be installed at campsites 50-60, and the electric lines and connection to the well shed will also be upgraded. One sign for the motel and RV/campground business is located at the paved driveway entrance. Over the next five years, the Applicant plans to add a retaining wall below campsites 1-9 and expand those campsites, and plans to upgrade the water, sewer, and electric connections to all the other campsites. The Applicant also plans to install 16' x 30' cement pads on each of the campsites over the next several years.

V. Waiver Requests.

None.

VI. Criteria for Approval of the Site Development Plan.

A. Landscape Requirements.

1. Roadway Landscape Requirements. State Highway 24 is classified as "principal arterial" in the Major Transportation Corridor Plan ("MTCP"). The landscaping requirement for this roadway classification is 1 tree per 20 linear feet of roadway frontage. The Property is served by an adjudicated well. The

Judgment and Decree entered by the District Court (attached) provides that the well may be used for commercial, business, drinking, and sanitary facilities. The well is approved to pump up to 14 gpm of water, which is insufficient for widespread irrigation. The Applicant proposes an alternative landscaping plan that reduces the number of trees required throughout the property. Along the highway frontage the Applicant proposes to reduce the number of trees required from 29 to 13.

2. Parking Lot Landscape Requirements. The only parking lot on the property is at the motel and contains 20 parking spaces. This parking lot has two shade trees, which exceeds the landscape requirements of the LDC (1 tree per 15 spaces).

3. Buffer and Screen Areas Between Non-Residential and Residential Districts. The LDC requires 1 tree per 20' for buffer and screening along the property boundaries. The West property boundary requires 32 trees, and already contains 21 trees. To provide screening for the neighboring residences to the West, the applicant proposes adding 19 new trees, which will bring the total trees along this boundary to 40. For the North and East boundaries, which adjoin vacant land, the Applicant proposes an alternative plan with fewer trees. For the North boundary 26 trees are required, and the Applicant proposes a total of 21. For the East boundary 36 trees are required and the Applicant proposes a total of 17. To supplement this screening the Applicant will install 6' opaque privacy fencing around the West, North, and East property boundaries within the next two years.

4. Internal Landscaping. The LDC requires that a minimum of 5% of the lot or parcel be landscaped. This requirement is met by the existing native grasses and vegetation on the property. The LDC also 1 tree per 500 sf of area. To meet this requirement 40 trees are required. The 55 existing trees on the property exceeds the requirement of 40 for this area.

5. Refuse Areas Screened. Trash receptacles will be screened with an opaque fence enclosure.

B. Lighting. A lighting plan is submitted with this application. The following lighting is existing or proposed:

- Low voltage Pagoda 4 Tier (9" High, 6" diameter) black – On/Off with a Photocell – 9 Watt LED at each campsite
- Three light poles with security cameras (one near the tent area, one in the northwest corner of the property, and one below campsites 9 and 10). All will be shielded from neighboring properties and equipped with dusk-to-dawn sensors.

- Wall flood lights on the sides/entryways of the rec room/bathroom/laundry building and the proposed bathroom building (directed downward).
- An LED bar flood light over the entrance to the rec room/bathroom/laundry building.

C. Signs. A sign plan is submitted with this application. The Applicant will retain the existing sign for the motel and RV/campground business, which is located at the paved driveway entrance. This is the only sign proposed. The Applicant will be taking the lighted propane sign section down and putting an unlighted propane sign in its place. The Applicant will also change the lighting of the sign to energy saving LED.

D. Parking. The only structure onsite that requires parking is the motel building. It has a paved parking lot that accommodates 20 cars and includes ADA parking. The motel has been determined to be a legal non-conforming use and is not part of this application.

E. Access and Maintenance. Access is by a paved driveway from Highway 24, which continues to the upper level of the RV park/Campground and turns onto gravel roads for access to the individual campsites. The driveway, paved, and gravel roads are sufficiently wide and configured to safely accommodate large RVs and to provide safe access for emergency vehicles. The Applicant will perform routine road maintenance that includes grading and re-surfacing as needed. Such routine maintenance will not result in any adverse impacts.

F. Dust and Debris Control. For safety and to minimize dust, campers access their campsites via internal roads with a posted speed limit of 10 mph. Daily travel into and out of the campground is minimal, with vehicles driving to and from their specific sites. The use of ATVs and dirt bikes is prohibited on the property. The area outside the roadways is or will be landscaped, paved, or covered with vegetation.

G. Air Quality Control. Generators are prohibited and campers are not allowed to run their vehicles for long periods of time.

H. Fire Protection and Wildfire Mitigation. The property is served by the Green Mountain Falls Fire Protection District. The response time to emergency calls is about 5 minutes. In consultation with the Fire Chief, the Applicant will prepare a Wildland Management and Evacuation Plan for the property.

I. Wetlands and Wildlife. The property is not within a designated wetland, and the use will have no impact on wildlife or wildlife habitat.

APPENDIX A

COLORADO DEPARTMENT OF TRANSPORTATION STATE HIGHWAY ACCESS PERMIT APPLICATION

Issuing authority application
acceptance date:

Instructions:

**Please print
or type**

- Contact the Colorado Department of Transportation (CDOT) or your local government to determine your issuing authority.
- Contact the issuing authority to determine what plans and other documents are required to be submitted with your application.
- Complete this form (some questions may not apply to you) and attach all necessary documents and Submit it to the issuing authority.
- Submit an application for each access affected.
- If you have any questions contact the issuing authority.
- For additional information see CDOT's Access Management website at <https://www.codot.gov/business/permits/accesspermits>

1) Property owner (Permittee) G&D Enterprises, Corp.		2) Applicant or Agent for permittee (if different from property owner) Daniel P. Nieman, President	
Street address 10090 West Highway 24		Mailing address P.O. Box 215	
City, state & zip Green Mtn Falls CO 80819	Phone # (719) 684-9044	City, state & zip Green Mtn Falls CO 80819	Phone # (required) (989) 430-8065
E-mail address Karan@rockytopco.com		E-mail address if available rocko928@hotmail.com	
3) Address of property to be served by permit (required) 10090 West Highway 24, Green Mountain Falls, CO 80819			
4) Legal description of property: If within jurisdictional limits of Municipality, city and/or County, which one? county El Paso subdivision block lot section 9 township 13 range 68			
5) What State Highway are you requesting access from? Highway 24 West		6) What side of the highway? <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W	
7) How many feet is the proposed access from the nearest mile post? 4,330 feet <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input checked="" type="checkbox"/> W from: 291		How many feet is the proposed access from the nearest cross street? 315 feet <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W from: Lucky 4 Road	
8) What is the approximate date you intend to begin construction? 3/1/2021			
9) Check here if you are requesting a: <input checked="" type="checkbox"/> new access <input type="checkbox"/> temporary access (duration anticipated:) <input checked="" type="checkbox"/> improvement to existing access <input type="checkbox"/> change in access use <input type="checkbox"/> removal of access <input type="checkbox"/> relocation of an existing access (provide detail)			
10) Provide existing property use Motel and RV Park/Campground			
11) Do you have knowledge of any State Highway access permits serving this property, or adjacent properties in which you have a property interest? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - what are the permit number(s) and provide copies: and/or, permit date: Request is to obtain permit for existing driveway access point from Hwy 24 West.			
12) Does the property owner own or have any interests in any adjacent property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - please describe:			
13) Are there other existing or dedicated public streets, roads, highways or access easements bordering or within the property? <input checked="" type="checkbox"/> no <input type="checkbox"/> yes, if yes - list them on your plans and indicate the proposed and existing access points.			
14) If you are requesting agricultural field access - how many acres will the access serve? n/a			
15) If you are requesting commercial or industrial access please indicate the types and number of businesses and provide the floor area square footage of each.			
business/land use	square footage	business	square footage
Motel & RV Park/Campground	406,002		
16) If you are requesting residential development access, what is the type (single family, apartment, townhouse) and number of units?			
type	number of units	type	number of units
n/a			
17) Provide the following vehicle count estimates for vehicles that will use the access. Leaving the property then returning is two counts.			
Indicate if your counts are <input type="checkbox"/> peak hour volumes or <input checked="" type="checkbox"/> average daily volumes.		# of passenger cars and light trucks at peak hour volumes 5	# of multi unit trucks at peak hour volumes 25
# of single unit vehicles in excess of 30 ft. 5		# of farm vehicles (field equipment) 0	Total count of all vehicles 35

18) Check with the issuing authority to determine which of the following documents are required to complete the review of your application.

- | | |
|--|---|
| a) Property map indicating other access, bordering roads and streets. | e) Subdivision, zoning, or development plan. |
| b) Highway and driveway plan profile. | f) Proposed access design. |
| c) Drainage plan showing impact to the highway right-of-way. | g) Parcel and ownership maps including easements. |
| d) Map and letters detailing utility locations before and after development in and along the right-of-way. | h) Traffic studies. |
| | i) Proof of ownership. |

1- It is the applicant's responsibility to contact appropriate agencies and obtain all environmental clearances that apply to their activities. Such clearances may include Corps of Engineers 404 Permits or Colorado Discharge Permit System permits, or ecological, archeological, historical or cultural resource clearances. The CDOT Environmental Clearances Information Summary presents contact information for agencies administering certain clearances, information about prohibited discharges, and may be obtained from Regional CDOT Utility/Special Use Permit offices or accessed via the CDOT Planning/Construction-Environmental-Guidance webpage: <https://www.codot.gov/programs/environmental/resources/guidance-standards/environmental-clearances-info-summary-august-2017/view>

2- All workers within the State Highway right of way shall comply with their employer's safety and health policies/procedures, and all applicable U.S. Occupational Safety and Health Administration (OSHA) regulations - including, but not limited to the applicable sections of 29 CFR Part 1910 - Occupational Safety and Health Standards and 29 CFR Part 1926 - Safety and Health Regulations for Construction.

Personal protective equipment (e.g. head protection, footwear, high visibility apparel, safety glasses, hearing protection, respirators, gloves, etc.) shall be worn as appropriate for the work being performed, and as specified in regulation. At a minimum, all workers in the State Highway right of way, except when in their vehicles, shall wear the following personal protective equipment: High visibility apparel as specified in the Traffic Control provisions of the documentation accompanying the Notice to Proceed related to this permit (at a minimum, ANSI/ISEA 107-1999, class 2); head protection that complies with the ANSI Z89.1-1997 standard; and at all construction sites or whenever there is danger of injury to feet, workers shall comply with OSHA's PPE requirements for foot protection per 29 CFR 1910.136, 1926.95, and 1926.96. If required, such footwear shall meet the requirements of ANSI Z41-1999.

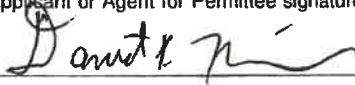
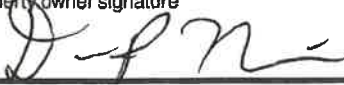
Where any of the above-referenced ANSI standards have been revised, the most recent version of the standard shall apply.

3- The Permittee is responsible for complying with the Revised Guidelines that have been adopted by the Access Board under the American Disabilities Act (ADA). These guidelines define traversable slope requirements and prescribe the use of a defined pattern of truncated domes as detectable warnings at street crossings. The new Standards Plans and can be found on the Design and Construction Project Support web page at: <https://www.codot.gov/business/civilrights/ada/resources-engineers>

If an access permit is issued to you, it will state the terms and conditions for its use. Any changes in the use of the permitted access not consistent with the terms and conditions listed on the permit may be considered a violation of the permit.

The applicant declares under penalty of perjury in the second degree, and any other applicable state or federal laws, that all information provided on this form and submitted attachments are to the best of their knowledge true and complete.

I understand receipt of an access permit does not constitute permission to start access construction work.

Applicant or Agent for Permittee signature 	Print name Daniel P. Nieman	Date Jan. 29, 2021
If the applicant is not the owner of the property, we require this application also to be signed by the property owner or their legally authorized representative (or other acceptable written evidence). This signature shall constitute agreement with this application by all owners-of-interest unless stated in writing. If a permit is issued, the property owner, in most cases, will be listed as the permittee.		
Property owner signature 	Print name Daniel P. Nieman, President	Date Jan. 29, 2021

APPENDIX B

Filed in the office of the
Clerk, District Court Water
Division No. 2, State of
Colorado

DISTRICT COURT, WATER DIVISION 2, COLORADO

CASE NO. 82CW5

JUN 1 1982

JUDGMENT AND DECREE

Priscilla S. Lucero
Clerk

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER in EL PASO County.

THE COURT FINDS That no protest has been filed to the
Ruling of the Water Referee within the time provided by law,
and that said Ruling should be confirmed, approved and adopted,

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED That the
Ruling of Referee entered on April 28, 1982, be and
is incorporated herein by reference and is confirmed, approved
and adopted as the judgment of this Court.

Dated: June 1, 1982.

BY THE COURT:

John C. Statler

JOHN C. STATLER, WATER JUDGE

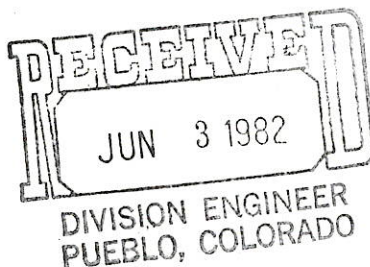
xc: Glenn T. and Mary J. Wagoner
10090 W. Hwy. 24, P. O. Box 215
Green Mountain Falls, Colorado 80819

Robert W. Jesse
Division Engineer

Jeris A. Danielson
State Engineer

DISTRICT COURT
WATER DIVISION NO. 2
STATE OF COLORADO
Certified to be a full, true
and correct copy of original
on file: JUN - 1 1982
Date: _____

PRISCILLA S. LUCERO, CLERK
By: *Priscilla S. Lucero*
Deputy Clerk



COPY

Filed in the office of the
Clerk, District Court Water
Division No. 2, State of
Colorado

DISTRICT COURT, WATER DIVISION NO. 2, COLORADO
Case No. 82CW5

APR 28 1982

RULING OF REFEREE

Riscella Lopez

Clerk

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER

IN EL PASO COUNTY.

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2/15/89
B*

Pursuant to Order of Referral filed and entered in the above case on January 26, 1982, and a subsequent Order Transferring case to the undersigned Water Referee filed and entered on April 27, 1982, the undersigned having investigated the matter of the application on file herein, hereby makes the following findings and ruling thereon:

FINDINGS OF FACT

1. That the said Application was filed on January 26, 1982.

2. That the Water Clerk caused publication of such filing as provided by statute; that the time for filing Statements of Opposition expired on the last day of March, 1982, and that none has been filed.

3. That the said Application concerns one well located in El Paso County, Colorado, and use is claimed for commercial business; drinking and sanitary facilities.

4. That the said well is an exempt well as defined in C.R.S. 1973, 37-92-602(1)(c).

5. That Applicants have furnished acceptable proof as to claims made.

IT IS, THEREFORE, ORDERED AS FOLLOWS: That Applicants be, and are hereby, awarded an absolute underground water right, to-wit:

NAME AND ADDRESS: Glenn T. and Mary J. Wagoner
10090 W. Hwy. 24
P.O. Box 215
Green Mtn. Falls, Colorado 80819

UNDERGROUND WATER RIGHT

NAME OF WELL: Motel X Well #1. *ID 5698*

LOCATION OF WELL: SW1/4 of the NW1/4 of Section 9, Township 13 South, Range 68 West of the 6th P.M., in El Paso County, Colorado, being 1,650 feet from the north line and 990 feet from the west line of said Section 9.

DEPTH: 140 feet.

PRIORITY DATE: July 15, 1953

AMOUNT OF WATER: 0.031 c.f.s., or 14 g.p.m.

USE OF WATER: Commercial-Business; Drinking and Sanitary Facilities.

STATE ENGINEER'S WELL NUMBER: Not registered.

MEANS OF DIVERSION: Well and pump.

IT IS FURTHER ORDERED That Applicants shall install and maintain such water measurement devices, recording devices, content gauges and inlet and outlet measurement and recording devices, as the case may be, as are deemed essential by the Office of the State Engineer, and the same shall be installed and operated in accordance with instructions from said Office.

IT IS FURTHER ORDERED That copies of this ruling shall be mailed as provided by statute.

Dated and filed with the Water Clerk this 28th day of April, A. D. 1982.

BY THE REFEREE:

DISTRICT COURT
WATER DIVISION NO. 2
STATE OF COLORADO
Certified to be a full, true
and correct copy of original
on file.
Date: APR 28 1982

IRENE C. S. LUCERO, CLERK

By: *[Signature]*

Deputy Clerk

Clyde B. Young, Jr.
Clyde B. Young, Jr., Water Referee
Water Division No. 2
State of Colorado

COPY

DISTRICT COURT WATER DIVISION 2, COLORADO

CASE NO. 82CW5

Filed in the office of the
Clerk, District Court Water
Division No. 2, State of
Colorado

APR 27 1982

ORDER TRANSFERRING CASE

Priscilla L. Lyness
Clerk

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER,

IN EL PASO COUNTY.

At the request of the Applicants that this case be accelerated and the Water Referee to whom the case has been assigned just having undergone surgery and being presently hospitalized and recuperation period being unknown at this time, it is

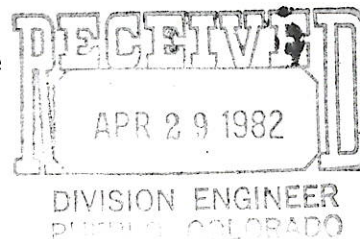
ORDERED that the above case be and is hereby transferred from Wallace A. Doe, Water Referee, to Clyde B. Young, Jr. Water Referee for investigation and ruling thereon. The time within which to render said ruling shall remain the same as set by statute unless otherwise extended by the Court.

Done this 27th day of April, 1982.

BY THE COURT:

John C. Statler
John C. Statler, Water Judge

c: Glenn T. Wagoner and
Mary J. Wagoner
Clyde B. Young, Jr., Water Referee
Wallace A. Doe, Water Referee
Division Engineer
/State Engineer



OFFICE OF THE DIVISION ENGINEER

CASE NO. 82CW5

CONSULTATION RESPONSE

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

GLENN T. and MARY J. WAGONER in El Paso County.

In compliance with C.R.S. 1973, 37-92-302, the undersigned submits the following:

1. ☐ Proof of claimed date of initiation of appropriation is inadequate.
2. ☐ Proof of amount of water claimed is inadequate.
3. ☐ No proof of use of water.
4. ☐ No legal description of irrigated land.
5. ☐ Amount claimed for proposed use is excessive.
6. ☐ Application does not include claim for storage rights.

RECOMMENDATIONS

1. ☐ Application should be denied by Water Referee.
2. ☐ Application should be amended.
3. ☐ Applicant should furnish the required information.
4. ☐ None.

ADDITIONAL COMMENTS

Should be decreed Exempt Commercial.

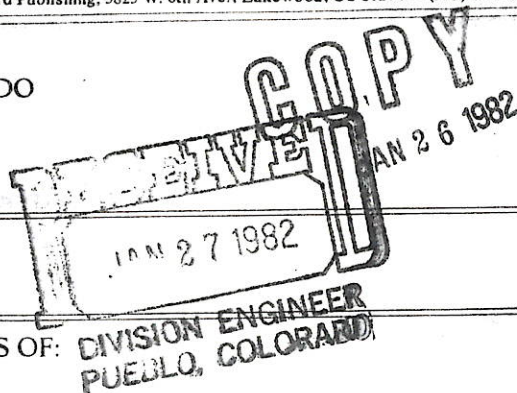
Dated: April 7, 1982

Robert W. Jesse

Division Engineer Div. 2

DISTRICT COURT, WATER DIVISION 2, COLORADO

Case No. **82CW5**



APPLICATION FOR UNDERGROUND WATER RIGHT

CONCERNING THE APPLICATION FOR WATER RIGHTS OF:

Glenn T. and Mary J. Wagoner, in El Paso County

1. Name, address, telephone number(s) (residence and business) of applicant(s)

Glenn T. and Mary J. Wagoner

10090 W. Hwy. 24 P.O. Box 215

Green Mtn. Falls, Co., 80819 684-9044 684-2100

2. Name of well and registration number (as registered in State Engineer's office, or, if a new well, the number on the permit):

Motel X Well #1 Not registered

3. Legal description of well: (include feet from Section Line, $\frac{1}{4}$ $\frac{1}{4}$, Section, Township, Range and County)

SW $\frac{1}{4}$ of NW $\frac{1}{4}$ Section 9, Township 13S, Range 68 W 6th Pm, El Paso County

1650 feet from North section line & 990 feet from West section line

4. Source: Underground

A. Depth: 140 Feet

5. A. Date of appropriation: July 15, 1953

B. Date water applied to beneficial use: July 15, 1953

C. How appropriation was initiated: Roy & Laura Jones had well drilled and pump installed
See attached affidavit

6. Amount claimed in gpm: 14 gpm (X) Absolute () Conditional

7. Use or proposed use: Commercial-Business: Drinking and Sanitary Facilities

WOODLAND PUMP & SUPPLY

Company, Inc.
Wholesale Distributors

Plumbing - Electrical - Pumps - Well Supplies

Phone 687-9364

P. O. Box ~~35~~ 69
WOODLAND PARK, COLO. 80863

January 22, 1982

Glenn Wagoner
P.O. Box 215
Green Mountain Falls, Colorado

Re: Well located at
Motel X
El Paso County, Colorado

To Whom It May Concern:

A pump down test was performed on the well at the above location on January 18, 1982. During the two hours of the test the well produced fourteen (14) gallons per minute. If you have further questions feel free to contact me.

Sincerely,



George M. Hemming
State License #1079

Stat of Colorado, County of Teller

Subscribed and sworn to before me this 22nd day of January 1982.

My commission expires: My Commission Expires Aug. 21, 1985

Notary Public Raven Sue Hemming
P.O. Box 1004, Woodland Park, CO 80863

For use by Property owner or any one having personal knowledge.

STATE OF COLORADO

COUNTY OF EL. PASO.

AFFIDAVIT

COMES NOW the undersigned Laura B. Jones,
and being first duly sworn states as follows.

1 That she has been a resident of Ute pass area El. Paso C.O. for 31 years.

2 That she is well acquainted with that certain well ,on property legally described as follows:
That portion of the N.W.1/4 of section 9 in Township 13 South, Range 68 west of the 6th P.M. described as follows, Beginning at a point on the easterly R.O.W. line of U.S. 24 whence the S.W. corner of the N.W. 1/4 of section 9 bears southwest 635 ft. thence southeast 605.3 ft. thence northeast 722 ft. thence northwest 513.6 ft thence 723 ft. to the P.O.B.

3 That she states , of her own personal knowledge, that said well was drilled and put to beneficial use on or about the 15th day of July 1953.

Signature

Laura B Jones

subscribed and sworn to before me this 25th day of January 19 52

Witness my hand and official seal.

My commission expires 12/22/84

Conrad Y. Lindon

notary Public

To whom it may concern:

Roy and Laura Jones owned and operated Motel X from 1950 to 1965, and drilled the well in 1953.
Roy Jones is now deceased.

David Hansen

David and Vivian Hansen owned business from 1965 to Feb. 1978.

Glenn and Mary Wagoner owned business from Feb. 1978 to present.

Glenn Wagoner 1-25-82

1-25-82

My commission expires My Commission Expires Sept. 23, 1982

Judith K Wood
Notary