

Harry Thomas  
24355 Palomino Pl.  
Calhan, CO 80808  
5/7/20

Stephen J. Lebel  
Anderson, Dude, & Lebel, P.C.  
PO Box 1206  
Colorado Springs, CO 80901-1206

Dear Stephen J. Lebel:

This letter is in response to the correspondence received from your office via email and US mail. Like your client, I wish to resolve this matter as neighbors. This letter is for settlement purposes only, and is addressed to you since you represent Mrs. McNelly. I am sorry this letter is so long, but it was necessary to include all the pertinent information. In the spirit of open communication between neighbors I am freely sharing all of our research. My son-in-law has spent many hours compiling this information and making site maps in an attempt to make things easier to visualize. I hope this letter is received in the spirit it was intended, as an honest attempt to address all of Mrs. McNelly's concerns in a sincere and reasonable manner.

From the beginning it has been my intention to get to know the neighbors and to work out any issues they may have with the proposed project. Everyone else I have spoken with has been positive towards this project. One neighbor said "God bless you for cleaning up that eyesore!" Of course that doesn't mean Mrs. McNelly has to feel the same way, I only mention it to show that I am trying to improve the neighborhood by cleaning up a property that has been the cause of many issues over the years. I truly feel that if the lines of communication had been open between Mrs. McNelly and me, we could have worked out the issues mentioned in your letter without her having to hire a lawyer and threaten civil action. Based upon the problems with previous owners of my property I can understand why she chose this route. However, I am not those previous owners. I am not a drug dealer and there will be no marijuana, or any other drugs, on the property. Like your client I am a hardworking person, and I am only trying to set up a property so that my needs and the needs of my wife can be met by my daughter and son-in-law. I have always viewed myself as a steward of the land I live on, and I have always left a property in better shape than when I found it.

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With all that being said I will be trying to address your client's concerns in this letter in an attempt to come to an agreement with her. While I have retained legal counsel, currently his role is to review documents, especially any settlement agreement, so that I understand what I am reading and agreeing to. When neighbors go to court nobody truly "wins." Both parties have to deal with the anxiety, stress, and a large financial burden; leaving soured relationships between neighbors that usually cannot be repaired. It is my hope that this can be avoided and that Mrs. McNelly and I can have a friendly relationship as neighbors.

The first thing I want to address is how my proposed project is different than a "second dwelling." I am seeking approval for accessory living quarters (ALQ). This is the term used by El Paso County and it is important to know that they do not consider this a second dwelling. Accessory Living Quarters have the following restrictions which do not apply to a true second dwelling:

1. It cannot be leased or rented
2. It can only be used to house family members
3. All utilities must be interconnected with no separate billing. (In regards to this point, the County has already required me to change the electrical so that both the dwelling and the ALQ are powered from the same electrical meter.)
4. The ALQ "shall be removed within 3 months after the need no longer exists unless an application to legalize this use is submitted or an application to subdivide the property is submitted." **Please see the signed and recorded affidavit on pages 9-10** of this letter. (In regards to this point, it is my understanding that current zoning and water use laws would not allow any subdivision of this property and I have no wish to do so. My family and I have the understanding that the ALQ will need to be removed when no longer needed.)
5. Failure to abide by County regulations regarding the ALQ can result in enforcement action that could result in the County requiring the ALQ to be removed from the property. **Please see the signed and recorded affidavit on pages 9-10** of this letter.

I hope this shows that the ALQ is not the same as a second dwelling, and I will be abiding by all County land use codes and regulations.

Next I would like to respond to the issues your client has with the assertions made in the Letter of Intent to the County. Sometime things make sense in your mind but do not correctly express the intended thought. This is true regarding the sentence that "the property was originally developed for two dwellings." I didn't mean it was set up that way since the 1970's. What I was

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trying to express is that from the time this property went from vacant land to being used it was set up for two dwellings. That is an assumption I made based upon the fact that both septic systems were installed about the same time and that the well permit was for two dwellings. Perhaps I am wrong about that, and I can see your client's point that this sentence paints a different picture. It was never my intention to mislead, therefore I will gladly submit a new Letter of Intent to the County with the wording changed so that it does not give the wrong impression.

Mrs. McNelly also disagreed with our use of the term "legally non-conforming" and that any of the property development done in the 1990's was permitted. I can confirm that both septic systems were permitted and approved. **Please see the permits for both systems on pages 11-18 of this document.** The well was also permitted to allow for 2 dwellings. **Please see pages 19-21 of this document.** It is also important for Mrs. McNelly to know that prior to 3/25/1999 there was no zoning in this part of El Paso County. This fact was confirmed by Ryan Howser in the Planning Department. **Please see the email to my son-in-law on page 22 of this document.** This is why the County did nothing to stop the second dwelling as the time it was placed. There were no County regulations in place to prohibit a second dwelling at the time. For the above reasons I used the term "legally non-conforming property" in my letter to the County. That is the terminology they use, instead of saying a property is grandfathered. Since the property development to have two dwellings was permitted by the appropriate government agencies at the time and was done prior to 3/25/1999 I believe the term "legally non-conforming" is accurate. This is how El Paso County views properties like this, and that is the agency I was addressing in the Letter of Intent.

I also want to respond to the concern that my property is setting a precedent and that it is the only one in the neighborhood that has two dwellings. This assertion by your client truly took me by surprise since there are at least 10 properties in the subdivision that have multiple dwellings. One of these properties is that of an adjoining neighbor who has a 400 square foot cottage with water, sewer, electric, a kitchen, and bathroom, all easily seen from Mrs. McNelly's property. My son-in-law has made a map showing these properties and he is willing to take you, or someone from your office, on a tour of the neighborhood to see these properties. As a reference this map also shows the 3 properties that are exempt from the covenants. These 3 properties are free to do as they wish, including adding an ALQ at any time. **Please see map on page 23 of this document.** I do not know which property was the first to have a second dwelling, and it may be impossible to know at this point. Regardless, a little over 14% of the 71 properties subject to the covenants have a second dwelling. I do not know what the law allows,

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but it seems unfair if I am singled out as the only property owner subjected to legal action when there are so many other property owners with multiple dwellings.

Next, I want to address the concern about water. This is a concern I share. I have spent decades living on properties that relied on a well for water. In fact I served as a Board Member of the Newell Warnock Water Association for Pinewood Reservoir, west of Loveland, CO from 2009-2014. I am in full agreement that the well closest to your client's property should be properly capped and plugged. When purchasing this property I was told this well was abandoned and that is why I did not mention it in the Letter of Intent. I was not trying to hide anything, rather I didn't see the need to mention a well that is not in use and as far as I knew was abandoned. Since I was not the property owner at the time I don't know why this well was not capped when the second well was drilled. Currently the lower well supplies water to both home sites. I would be happy to meet a representative of Mrs. McNelly at the property to confirm this fact. I understand your client's concern about the proximity to her well and any potential negative impact on her water. Since the upper well is not in use and will be properly abandoned, the well providing water to my property is not the closest well to Mrs. McNelly's well. The wells on the properties owned by Mr. Rios and Mr. Hall are both closer than our well. In addition the well for Mr. Whitley is approximately the same distance as mine. [Please see the well map on page 24 of this document.](#) Regarding this map, the well location for Mr. Hall is an approximation, since I have not walked his property. I am assuming it is relatively close to his home. However, I have confirmed the well locations of Mr. Rios and Mr. Whitley. While I understand her concern about my well, it seems that the water usage of the two wells closer to her would have a greater effect on her water than my well, which is either the 3<sup>rd</sup> or 4<sup>th</sup> closest well to her.

In regards to the concern about the extra water usage from the ALQ, I refer to the well permit information [on pages 19-21 of this document.](#) I am also including the Pump Installation Report with shows a total well depth of 520 feet and a pump depth of 500 feet. [See page 25 of this document.](#) The well permit clearly allows for a second dwelling, and the additional water usage has already been taken into account. In researching the other wells in the area I found that, while there is some variation, the norm is for each property with one dwelling to be allowed 1 entire acre of irrigation. As an example [please see the well permit on page 26 of this document.](#) This well was permitted in 2001 and allows irrigation of 1 acre. As you can see on the first page of the permit for my well there was a trade-off made to allow for a second dwelling, with the allowed area of irrigation being reduced. Furthermore since my daughter and son-in-law have no children there will only be 4 people living on the property. I also freely share the flow test conducted on the lower well from when I purchased the property. [See pages 27-28 of this document.](#) In consultation with the well company that performed the test I believe the well is

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producing enough water for my needs. I also want to remind you that the well has been providing water to 2 dwellings since the 1990's, therefore putting an ALQ on my property will not cause any more water usage than what has already been happening for the last 24 years. To summarize:

1. My well is not the closest well to your client's.
2. My well was approved to support 2 dwellings by the Office of The State Engineer, Colorado Division of Water Resources on October 17<sup>th</sup>, 1996.
3. The additional water usage was taken into account by reducing the allowed area of irrigation to  $\frac{1}{4}$  acre.
4. My well is producing enough water to provide for my needs.

Taking the above into consideration, I do not believe that having an ALQ on my property will have an adverse effect on Mrs. McNelly's water. With so many private wells in the area it seems impossible to know or prove that any one well is directly affecting another. The water usage of every owner affects the neighborhood as a whole, and I will do my part to protect and conserve this precious resource for the good of the neighborhood.

Finally I will address the issue of proximity of the primary dwelling and the ALQ to the property boundary. As your client is aware my property has two relatively flat areas, one on each end, and a large sloped area in the middle. Trying to build on the slope would add considerable difficulty and expense to the project and is not a good solution. I can certainly understand Mrs. McNelly's desire to have all of the buildings on my property moved to the lower terrace. I myself was drawn to the mountains of Colorado well over 40 years ago and I love sitting out and looking at them. In my time in Colorado I have learned that everyone must share the view and no one person should claim it as their own. I plan on this being my last home and the lovely view from the upper terrace is one of the main reasons I bought the property.

I have no desire to block Mrs. McNelly's view, and unbeknownst to her I have been trying to take her view into account all along. For example, my preference would be to add an agricultural building on the upper terrace, just south of the main dwelling. When we walked the property and saw how doing so would negatively affect the view of our neighbor to the east, whoever that may be, my family and I decided to adjust our planned location of the ag building to the northwest corner of the property. I also believe that by fixing up the property, removing the dilapidated trailers, and installing a new modular home I will be greatly improving the view from Mrs. McNelly's property and the property values of the surrounding area.

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I want to work with Mrs. McNelly on the placement of the principal dwelling. My motivation is purely to be a good neighbor. The special use application for the ALQ is not tied to the County approval of the principal dwelling. Installing the modular home and the garage are a separate project and does not require adjoining neighbor notification or approval. Regardless of what happens with the special use application for the ALQ I will be moving forward with the principal dwelling and the garage on the upper terrace. Moving everything to the lower terrace would also do more to ruin the look of a single family property. With the current separation between the two sites an average person driving into the neighborhood would not even realize the main dwelling and the ALQ are on the same property, thereby protecting the single family appearance of the neighborhood. Or at least as much as possible, considering the other properties with multiple dwellings.

My son-in-law made a map showing the upper terrace and the view of the mountains from Mrs. McNelly's mobile home. [Please see page 29 of this document.](#) The white shape shows the direction of the mountain views from your client's mobile home. As you can see putting my home in the same approximate location as the previous mobile home does not block Mrs. McNelly's line of sight of the mountains. This map also illustrates the limitations I have on the upper terrace. Even if I were to abandon the existing septic system and install a new system on the sloped area, which would be a very costly change, I cannot build a house on top of the old septic tank and leach field. Any significant move to the west would also require sliding the building to the south to avoid building on top of the old system. Doing so would do more to block your client's view than leaving it where it is currently planned.

As I said earlier I want to work with Mrs. McNelly and I would be happy to adjust the angle of the garage and home to face more due west and to move it as far west as I can while still remaining on the east side of the upper septic system. In addition I can slide the home and garage further north, which would move the building further away from her view of the mountains. I am also offering to meet with a representative of Mrs. McNelly at the property to discuss these changes and any other suggestions she may have to maximize the distance between our dwellings and to improve her view without moving my home to the lower terrace. My son-in-law will make a new site plan for County approval with any agreed upon changes. I will also move the small red stable from its current location to a new location somewhere along the north property line. By making these changes I believe we can increase the distance of the nearest building on my property to the property line from 90 feet to around 125 feet, which is many times over that required by the County setbacks in the A-5 zoning area and those required in the covenants.

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I would prefer to have more separation between my home and that of Mrs. McNelly, just as she does. But the decisions made decades ago when choosing home sites, both on my property and hers, limit what is feasible. Those decisions made many years ago compel me to use the existing upper terrace home site as opposed to spending tens of thousands of dollars to move utilities/septic systems and jamming everything together on the lower terrace, thereby losing the view that played a large part in my choosing and buying this property.

In regards to the covenants, my attorney has advised me about *Nelson v. Farr*, a Colorado case that commented on the policy of the State of Colorado being that all doubts when considering a covenant that restricts building must be resolved in favor of the free and unrestricted use of property. There were no accessory living quarters when the Covenants were adopted and there would be an issue as to whether or not an ALQ is to be considered a "single detached building". Apparently the County considers it as such. Given the fact that there are numerous other multi-building properties in the community, coupled with the fact that there is no architectural control committee and no enforcement mechanism in the covenants, an uphill battle would exist should anyone attempt to enforce the covenants at this time.

I again want to apologize for writing such a long letter, but it was necessary to attempt to address Mrs. McNelly's concerns. I also want to express that I would have gladly shared all of this information directly with Mrs. McNelly and done my best to address her concerns, had she been open to direct communication. As I said at the outset, I would like to settle this as neighbors and to have a friendly relationship with Mrs. McNelly. Therefore, my proposal for settlement is as follows:

1. I will have the upper well properly capped and plugged. I will pay for this myself. I will notify you when the work is scheduled and, if she wishes, Mrs. McNelly can send a representative to be on site to confirm this is completed. I will also send a copy of the paid invoice as proof this has been accomplished.
2. I will move my home as far to the west and to the north of the upper terrace as possible, while still being able to use the existing septic system and other utilities that are in place. A new site plan will be prepared to illustrate the changes.
3. After my death and the death of my wife the accessory living quarters will be removed from the property by my heirs.
4. Mrs. McNelly will write an email to Ryan Howser at the El Paso County Planning and Community Development Department withdrawing her opposition to the accessory living quarters and stating that she now approves of the project.

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If your client is agreeable to this proposal you can send us a written agreement which I will have my attorney review before having it signed and recorded, as per her wishes. Since the project is underway and moving forward a prompt response to our proposal would be appreciated. I would like to thank you and Mrs. McNelly in advance for your kind consideration of this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry Thomas", with a long horizontal flourish extending to the right.

Harry Thomas

**DETACHED ACCESSORY LIVING QUARTERS FOR PERMANENT OCCUPANCY COMPLIANCE  
AFFIDAVIT**

I, Harry V. Thomas, owner (or owner's agent for \_\_\_\_\_,)

have applied for approval of Detached Accessory Living Quarters for Permanent Occupancy for the purposes of housing  
(description of family circumstances)  
my daughter & son in law to provide care for ageing parents being duly sworn on oath,

deposes and says:

I, as applicant, own and hold title to the following described real property (hereinafter referred to as "the PROPERTY"), or have been given authority to represent the owner by an Owner's Affidavit of the PROPERTY for purposes of the above referenced applications:

24355 Palomino Place Calhan Co. 80808 Street Address  
Lot 7, Block 2, Equestrian Country, City of El Paso, Colo Legal Description  
2207001005 Assessors Tax Schedule Number

El Paso County, Colorado

**I hereby acknowledge and agree to the following:**

"Pursuant to Chapter 5 of the El Paso County Land Development Code, I understand that Detached Accessory Living Quarters for Permanent Occupancy is not allowed resulting in more than one house on a parcel of land unless an affidavit is signed and recorded in the Office of the El Paso County Clerk and Recorder whereby I as Owner acknowledge and agree that the Detached Accessory Living Quarters for Permanent Occupancy proposed as part of this development application and to be located on the above non- permanent living arrangements to house immediate family members whom are elderly, disabled, or demonstrate a family need.

I hereby acknowledge that I have read, understand, and will abide by the provisions of the El Paso County Land Development Code, agree with the limitations contained in the County approval of my permit, and understand that failure to comply with the El Paso County Land Development Code or the conditions of my permit may result in enforcement actions which can result in enforcement actions which can result in the necessity to secure additional approvals or the requirement to remove the Detached Accessory Living Quarters for Permanent Occupancy accessory dwelling housing. I understand that it is my obligation to advise El Paso County, through the Planning and Community Development Department, of any change in family circumstances rendering the Detached Accessory Living Quarters for Permanent Occupancy unnecessary.

I understand that as owner I am responsible for maintaining compliance with all well permit or water use conditions or restrictions.

Chuck Broerman	El Paso County, CO
03/24/2020 02:18:43 PM	
Doc \$0.00	2
Rec \$18.00	Pages
	<b>220041039</b>

I understand the following definition applicable to Detached Accessory Living Quarters for Permanent Occupancy from the El Paso County Land Development Code:

**Guest House**

Lodging attached to the principal dwelling or located within a garage or accessory structure which may be occupied only by occasional, non-paying guests or visitors of the family residing in the principal dwelling. A guest house is not considered a dwelling unit. Detached Accessory Living Quarters for Permanent Occupancy is a form of guest house utilized on a non-permanent basis to house immediate family members that require housing due to age, disability, or family need. A family member shall be related by blood, half blood or at law, and which term "at law" also includes in-law relationships arising for a deceased or former spouse.

The Detached Accessory Living Quarters for Permanent Occupancy shall be removed within 3 months after the need no longer exists or 3 months after the date of the expiration of the permit, if one is specified, unless an application to legalize this use is submitted or an application to subdivide the property is submitted.

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seal this 19<sup>th</sup> day of March, 2020.

OWNER STATE OF Colorado

COUNTY OF El Paso

*[Handwritten Signature]*  
Owner Signature

Harry W. Thomas 29355 Palomira Dr. Del Mar CO 80908 970-946-0502  
Print Name, Mailing Address and Phone Number

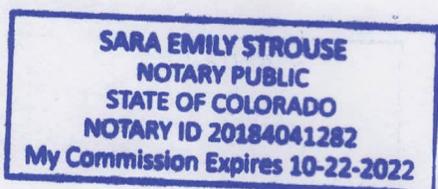
The foregoing instrument was acknowledged before me this 19<sup>th</sup> day of March 2020

By Sara Strouse, COUNTY OF El Paso

My Commission expires 10/22/2022

*[Handwritten Signature]*  
(Notary Public)

IN WITNESS WHEREOF, the parties hereto have hereunder set their hands and seal this 19<sup>th</sup> day of March, 2020.



✓ 0N0035995

2207001005

P

EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT  
INDIVIDUAL SEWAGE DISPOSAL SYSTEM INSPECTION FORM

Permit: # 010359

Date 7/11/96

APPROVED: YES  NO

ENVIRONMENTALIST Larry Schaad

Address 24335 Palomina Place System A

Owner AWPA Field Trust

Legal Description Lot 7, Block 2, Equestrian Country

Residence , # of bedrooms 2; Commercial ; System Installer KYRON DALLY

683-3720

**SEPTIC TANK:**

Commercial ; Noncommercial ; L         , W         , WD           
Construction Material Precast concrete, capacity 1250 gallons.

**DISPOSAL FIELD:**

**Rock Systems:**

Trench: depth         , width         , total length         , sq. feet         

Bed: depth         , length         , width         , sq. feet         

Rock type         , depth         , under PVC         , over PVC         

Seepage Pits: # of pits         , total # of rings         , working depth(s)         

size of pit(s) L X W         , lining material         , total sq. feet         

**Rockless Systems:**

Chamber: Type in silbator, number of chambers 14, bed         , trench

sq. ft./section 18, reduction allowed 50%, sq. ft. required 360

total sq. ft. installed 504, depth of installation 24-27"

Engineer Design Y or (N), Designing Engineer         

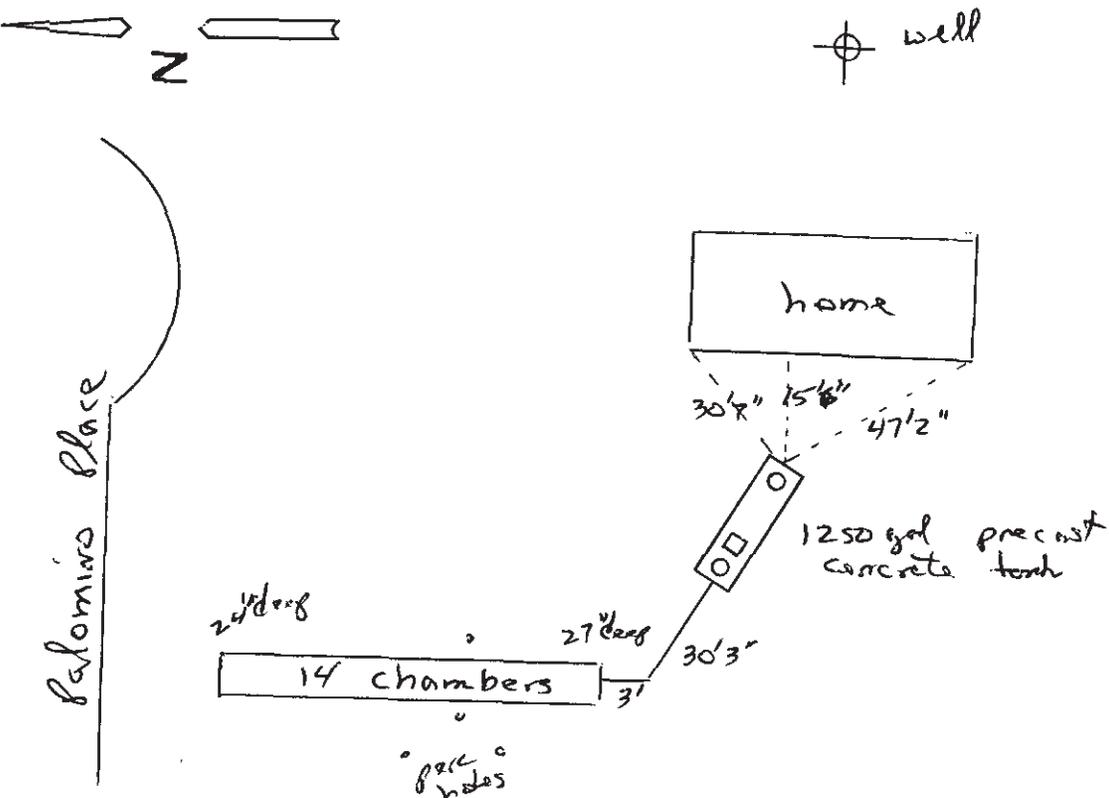
Approval letter provided? Y or N

Well 50 feet from tank (Y) or N 100 feet from leach field (Y) or N

Well installed at time of septic system inspection (Y) or N Public Water         

\*Approval will be revoked if in the future the well is found to be within 50 feet of the septic tank and/or 100 feet of the disposal field.

NOTES: Pipes SDR 35  
Septic system not connected to home



Acres 5 EL PASO COUNTY • DEPARTMENT OF HEALTH AND ENVIRONMENT  
301 South Union Blvd. • Colorado Springs, Colorado • 578-3125

Permit 010359

Water Supply WELL

TO CONSTRUCT, ALTER, REPAIR OR MODIFY ANY INDIVIDUAL SEWAGE DISPOSAL SYSTEM

**PERMIT**

Receipt No. [Signature]  
Date 7-2-96

Issued to AWPA FIELD TRUST

Address of Property 24335 PALOMINO PLACE, LOT 7, BLOCK 2, EQUESIRIAN COUNTRY  
Phone 578-2234

(Permit valid at this address only)

TIM KUNAU

Phone 683-3720

Sewage-Disposal System work to be performed by \_\_\_\_\_  
This Permit is issued in accordance with 25-10-106 Colorado Revised Statutes 1973, as amended. PERMIT EXPIRES upon completion-  
installation of sewage-disposal system or at the end of twelve (12) months from date of issue--whichever occurs first-(unless work is in progress).  
This permit is revokable if all stated requirements are not met.

**- THIS PERMIT DOES NOT DENOTE APPROVAL OF ZONING AND ACREAGE REQUIREMENTS -**

**\$150.00**

PERMIT FEE (NOT REFUNDABLE)

**7-2-97**

DATE OF EXPIRATION

NOTE: LEAVE ENTIRE SEWAGE-DISPOSAL SYSTEM UNCOVERED FOR FINAL INSPECTION. 48 HOUR ADVANCE NOTICE REQUIRED.

SEPTIC TANK: TRENCH SYSTEM:

total square feet 360 inches wide \_\_\_\_\_  
\_\_\_\_\_ ft. of trench \_\_\_\_\_ inches wide \_\_\_\_\_  
1000 gallons \_\_\_\_\_ ft. of trench \_\_\_\_\_ total square feet \_\_\_\_\_ diam.x \_\_\_\_\_ w/d

BED SYSTEM: SEEPAGE PIT SYSTEM:  
total square feet \_\_\_\_\_

NOTES: **INSTALL LEACH FIELD IN AREA AND DEPTH (34 INCHES) OF PERC. TEST. RECOMMEND AN INCREASE OF 40 PER CENT IN LEACH FIELD AREA (TO 504 SQ. FT.) (OR NOT TAKING THE REDUCTION IF CHAMBERS ARE USED) BECAUSE OF THE CLOTHES WASHER BEING INSTALLED IN THE HOME.**

The Health Office shall assume no responsibility in case of failure or inadequacy of a sewage-disposal system, beyond consulting in good faith with the property owner or representative. Free access to the property shall be authorized at reasonable time for the purpose of making such inspections as are necessary to determine compliance with requirements of this law.

*[Signature]*  
DIRECTOR, DEPARTMENT OF HEALTH AND ENVIRONMENT  
*Jerry School* 575-8638  
ENVIRONMENTALIST

APPLICATION FOR A NEW, REMODEL, REPAIR, OR ADDITION  
TO AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM *Wayne*

Owner AWPA Field Trust Phone 598-2234  
Address of Property 24335 Palomho Place Legal Description Lot 7, B1K2, Equestrian Count.  
Tax Schedule Number 22070-01-005 Lot Size 5A Source of Water Supply well  
Type of Building by Use residential Septic Contractor and Phone # Kunau  
Owner's Mailing Address P O Box 1247, Colorado Springs, CO. 80933 MAXIMUM POTENTIAL BEDROOMS 2  
Basement Y  Percolation Test Attached Y  Garbage Disposal Y  Clothes Washer Y

I have supplied a plot plan as described on the back of this form. I acknowledge the completeness of the application is conditional upon such further mandatory and additional tests and reports as may be required by the Department to be made and furnished by a applicant for purposes of evaluating the application, and issuance of the permit is subject to such terms and conditions as deemed necessary to ensure compliance with rules and regulations adopted pursuant to C.R.S. 10-25-101 et. seq. I hereby certify all represented to be true and correct to the best of my knowledge and belief, and are designed to be relied on by the El Paso County Department of Health and Environment in evaluating the same for purposes of issuing the permit applied for herein. I further understand any falsification or misrepresentation may result in the denial of the application or revocation of any permit granted based upon said application and in legal action for perjury as provided by law.

OWNER'S SIGNATURE A Wayne Field, Trustee Date 6/24/96

DEPARTMENT OF HEALTH USE ONLY

Absorption Area	Tank Capacity	Date of Site Inspection
<u>360 ft<sup>2</sup></u>	<u>1000 gal</u>	<u>6/25/96</u>
REMARKS: <u>Install leach field in area and depth (34") of perc test. Recommend an increase of 40% in leach field area (to 504 ft<sup>2</sup>) or NOT taking the reduction of chambers are well because of the clothes washer being installed in the home</u>		
EHS INSPECTOR <u>Jerry Schaal</u> Date <u>6/25/96</u> <input checked="" type="radio"/> APPROVED <input checked="" type="radio"/> DENIED		
PERMIT # <u>10357</u>	FEE <u>NO FEE</u>	DATE TO EPC PLANNING DEPT <u>6/25/96</u>

We require the ORIGINAL of your percolation (**PERC**) **TEST**.

The following information must be on your PLOT PLAN.

Property lines

Proposed septic system site

Well(s)

Building(s)

Water line

Subsoil drain(s)

Property dimensions

Designated alternate septic system site

Adjacent property well(s)

Proposed building(s)

Cistern

If any of these are within 100 feet of your proposed septic system  
include on your plot plan

Spring(s)

Pond(s)

Dry Gulch(s)

Lake(s)

Stream(s)

Natural drainage course(s)

PROPERTY AND PERC HOLES MUST BE CLEARLY MARKED OR POSTED

GIVE COMPLETE DIRECTIONS TO THE PROPERTY FROM A MAIN HIGHWAY



OS Hwy 24 East past Peyton,  
South on Palomino Drive  
First ~~left~~ left is Palomino Place

West PSDS

2207001005

EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT  
INDIVIDUAL SEWAGE DISPOSAL SYSTEM INSPECTION FORM

Permit # 010726  
Date 11-14-96

APPROVED: YES  NO  System B

ONCO 35996  
ENVIRONMENTALIST Larry Schaad

Address 13345 Palomino Drive Owner AWA Field Trust

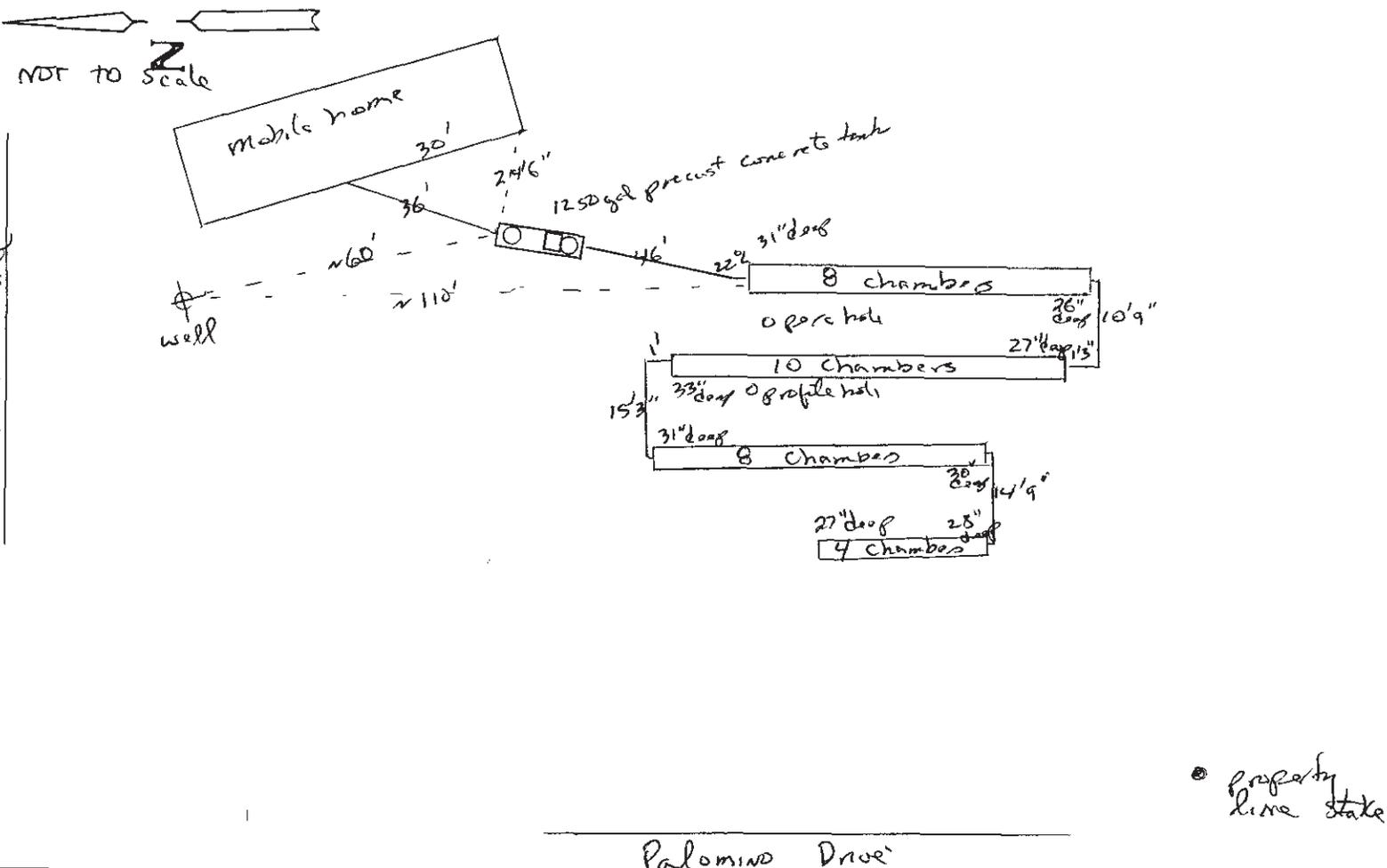
Legal Description Lot 7, Block 2, Equestrian County Sub.  
Residence , # of bedrooms 3; Commercial \_\_\_\_\_; System Installer Kurran

SEPTIC TANK:  
Commercial ; Noncommercial \_\_\_\_\_, L \_\_\_\_\_, W \_\_\_\_\_, WD \_\_\_\_\_  
Construction Material Precast concrete, capacity 1250 gallons.

DISPOSAL FIELD:  
Rock Systems:  
Trench: depth \_\_\_\_\_, width \_\_\_\_\_, total length \_\_\_\_\_, sq. feet \_\_\_\_\_  
Bed: depth \_\_\_\_\_, length \_\_\_\_\_, width \_\_\_\_\_, sq. feet \_\_\_\_\_  
Rock type \_\_\_\_\_, depth \_\_\_\_\_, under PVC \_\_\_\_\_, over PVC \_\_\_\_\_  
Seepage Pits: # of pits \_\_\_\_\_, total # of rings \_\_\_\_\_, working depth(s) \_\_\_\_\_  
size of pit(s) L X W \_\_\_\_\_, lining material \_\_\_\_\_, total sq. feet \_\_\_\_\_

Rockless Systems:  
Chamber: Type in filter \_\_\_\_\_, number of chambers 30, bed \_\_\_\_\_, trench   
sq. ft./section 15.5, reduction allowed 40%, sq. ft. required 756\*  
total sq. ft. installed 775, depth of installation 26-33"  
Engineer Design Y or (N), Designing Engineer \_\_\_\_\_  
Approval letter provided? Y or N  
Well 50 feet from tank (Y) or N 100 feet from leach field (Y) or N  
Well installed at time of septic system inspection (Y) or N Public Water \_\_\_\_\_  
\*Approval will be revoked if in the future the well is found to be within 50 feet of the septic tank and/or 100 feet of the disposal field.

NOTES: \* See Lori's note on 11/7/96 inspection report.  
Figas SDR 35



Acres 5 **EL PASO COUNTY • DEPARTMENT OF HEALTH AND ENVIRONMENT**  
301 South Union Blvd. • Colorado Springs, Colorado • 578-3125  
Water Supply well Permit 010726

**PERMIT**  
TO CONSTRUCT, ALTER, REPAIR OR MODIFY ANY INDIVIDUAL SEWAGE DISPOSAL SYSTEM  
Issued to AWPA FIELD TRUST (WEST ISDS) Receipt No. 5  
Date 10-24-97

Address of Property 13395 PALOMINO, LOT 7, BLOCK 2, EQUESTRIAN COUNTRY SUBD. Phone 598-2234  
(Permit valid at this address only)

Sewage-Disposal System work to be performed by KUNAU DRILLING & EXCAVATING Phone 683-3720  
This Permit is issued in accordance with 25-10-106 Colorado Revised Statutes 1973, as amended. PERMIT EXPIRES upon completion-  
installation of sewage-disposal system or at the end of twelve (12) months from date of issue--whichever occurs first-(unless work is in progress).  
This permit is revokable if all stated requirements are not met.

**- THIS PERMIT DOES NOT DENOTE APPROVAL OF ZONING AND ACREAGE REQUIREMENTS -**

\$150.00  
PERMIT FEE (NOT REFUNDABLE)  
10-24-97  
DATE OF EXPIRATION

**NOTE: LEAVE ENTIRE SEWAGE-DISPOSAL SYSTEM UNCOVERED FOR FINAL INSPECTION. 48 HOUR ADVANCE NOTICE REQUIRED.**  
SEPTIC TANK: TRENCH SYSTEM: BED SYSTEM: SEEPAGE PIT SYSTEM:  
total square feet 864 total square feet \_\_\_\_\_  
\_\_\_\_\_ ft. of trench \_\_\_\_\_ inches wide \_\_\_\_\_ rings or \_\_\_\_\_ diam. x \_\_\_\_\_ w/d  
\_\_\_\_\_ ft. of trench \_\_\_\_\_ inches wide \_\_\_\_\_

**NOTES: INSTALL LEVEL LEACH FIELD IN AREA AND DEPTH (34 INCHES) OF PERC. TEST.**

The Health Office shall assume no responsibility in case of failure or inadequacy of a sewage-disposal system, beyond consulting in good faith with the property owner or representative. Free access to the property shall be authorized at reasonable time for the purpose of making such inspections as are necessary to determine compliance with requirements of this law.

*John B. ...*  
DIRECTOR, DEPARTMENT OF HEALTH AND ENVIRONMENT  
ENVIRONMENTALIST

2nd House on 5A

EL PASO COUNTY DEPARTMENT OF HEALTH AND ENVIRONMENT  
301 South Union Boulevard  
Colorado Springs, CO 80910-3123

ASAP

16  
34

APPLICATION FOR A PERMIT TO CONSTRUCT, REMODEL, OR INSTALL  
A SEWAGE DISPOSAL SYSTEM

Name of Owner AWPA Field Trust Daytime Phone (Wayne) 598-2234  
Address of Property 13395 Palomino Dr, Calhan, CO 80808 Date 10/17/96  
Legal Description of Property Lot 7, Block 2, Equestrian Country Subdivision  
Tax Schedule Number 22070-01-005 Septic Contractor/Phone Kunou 683-3720  
Type of House Construction Mobile Home Source of Water Well  
Size of Lot 5A Basement (Y or  N) Percolation Test Attached ( Y or N)  
MAXIMUM POTENTIAL NUMBER OF BEDROOMS 3 W 10/17/96

I have supplied a plot plan as described on the back of this form. I acknowledge the completeness of the application is conditional upon such further mandatory & additional tests & reports as may be required by the Department to be made & furnished by the applicant for purposes of evaluating the application, & issuance of the permit is subject to such terms & conditions as deemed necessary to ensure compliance with rules & regulations adopted pursuant to C.R.S. 1973, 10-25-101 et. seq. I hereby certify all statements made, information and reports submitted by me are or will be represented to be true & correct to the best of my knowledge & belief, & are designed to be relied on by the El Paso County Department of Health in evaluating the same for purposes of issuing the permit applied for herein. I further understand any falsification or misrepresentation may result in the denial of the application or revocation of any permit granted based upon said application & in legal action for perjury as provided by law.

OWNER'S SIGNATURE AWPA Field Trust, Wayne Field, Trustee

\*\*\*\*\*  
DEPARTMENT OF HEALTH USE ONLY

Absorption Area 864/ft<sup>2</sup> Tank Capacity 1250gal Date/Site Inspection 10/21/96

Remarks: Install leach field in area and length (34') of perc test.

Handy receipt of permit & approved OK  
Application is ( approved) ( denied)  
Environmentalist Jerry Schaal Date 10/21/96

Permit # 10726 Receipt # paid Date to Planning Dept 10-18-96  
attached OK

**PROPERTY AND PERC HOLES MUST BE CLEARLY MARKED/POSTED**

The following information must be on your plot plan.  
Please check ( ) the items that apply.

- (x) Property Lines
- (x) Property Dimensions
- (x) Proposed Septic System Site
- (x) Well(s)
- ( ) Adjacent Well(s)
- (x) Building(s)
- ( ) Proposed Building(s)
- ( ) Water Line
- ( ) Cistern
- ( ) Subsoil Drain(s)

Are any of these within 100 feet of your proposed septic system (including adjoining property)? Also draw on the plot plan.

Spring(s) \_\_\_\_\_  
Lake(s) \_\_\_\_\_  
Pond(s) \_\_\_\_\_  
Stream(s) \_\_\_\_\_  
Dry Gulch(s) \_\_\_\_\_  
Natural Drainage Course(s) \_\_\_\_\_

② 900' South of US Hwy 24, on Palomino Drive  
Give complete directions to the property from a main highway.

①  $\frac{1}{4}$  mi East of Elicott Hwy on US 24

east on Hwy 24 to Elicott Hwy - Cross  
intersection  $\frac{1}{4}$  mile - south on Palomino str.  
900' corner SE.

EXEMPT WELL DATA SHEET - DENVER BASIN, COLORADO

APPLICANT: FIELD RECEIPT NO. 406955  
 LOCATION: NW1/4 OF NE1/4 OF SEC. 7, T.12S., R.62W. (1080 NSL, 2250 ESL) *OK*  
 LOCATION IS WITHIN THE UPPER BLACK SQUIRREL DESIGNATED GROUND WATER BASIN

PROPOSED AQUIFER:  
 SURFACE ELEVATION: 6680 NUMBER OF ACRES IN TRACT: 5

IS PROPERTY WITHIN SERVICE BOUNDARIES OF MUNICIPALITY S.B.5 CONSENT MAPS? NO  YES   
 IF SUBDIVISION IS UNDER AUGMENTATION PLAN, CASE NO. IS \_\_\_\_\_, DIV. \_\_\_\_\_  
 IF SUBDIVISION WAS RECOMMENDED FOR APPROVAL BY THE WATER MANAGEMENT BRANCH, DATE OF LETTER IS \_\_\_\_\_  
 INFORMATION ON SUBDIVISION OR TRACT OF LAND/SPECIAL RESTRICTIONS:

evaluated by JWB on OCTOBER 16, 1996

AQUIFER	ELEVATION		NET SAND	DEPTH TO		ANNUAL APPROP A-F	STATUS
	BOT.	TOP		BOT.	TOP		
UPPER DAWSON	----	----	----	----	----	----	---
LOWER DAWSON	----	----	----	----	----	----	---
<u>DENVER</u>	5956	6545	251	<u>724</u>	<u>135</u>	2.133	NNT
UPPER ARAPAHOE	5378	5907	202	1302	773	1.708	NT
LOWER ARAPAHOE	----	----	----	----	----	----	---
LARAMIE-FOX HILLS	4786	5157	251	1894	1523	1.875	NT

*limit to 1.25 AF to allow for 1/4 ac. in.*

note: E indicates location is at aquifer boundary and values may be more approximate.  
 \* indicates the proposed aquifer.

All values are interpolated from the S.B.5 data base assembled in November of 1986.

1.25 AF/YR

2 dwellings — 0.6 AF  
 8 animals — 0.1 AF  
 lawn/garden in. — 0.55 AF @ 0.05/1000 $\bar{B}$  = 11,000 $\bar{B}$  → limit to 10,890 $\bar{B}$  (1/4 ac.) per app. request.

Best Copy Available

12  
 199034

RECEIVED  
 SEP 30 1996

WATER RESOURCES  
 STATE ENGINEER  
 COLO. SAM

**RESIDENTIAL** \* (Note: You may also use this form to apply for livestock watering) **Water Well Permit Application**  
 Review instructions prior to completing form **Must be completed in black ink or typed**

**1. APPLICANT INFORMATION**

Name of applicant: A Wayne Field

Mailing Address: P O Box 7247

City: Colorado Springs, CO State: CO Zip code: 80933-7247

Telephone Number (include area code): (719) 598-2234

**2. TYPE OF APPLICATION (check applicable box(es))**

Construct new well  Use existing well  
 Replace existing well  Change / Increase Use  
 Change (source) aquifer  Reapplication (expired permit)  
 Other:

**3. REFER TO (if applicable)**

Water court case #: \_\_\_\_\_ Permit #: 195823

Verbal #: -VE- Monitoring hole acknowledgment #: MH-

Well name or #: \_\_\_\_\_

**4. LOCATION OF WELL**

County: E1 Paso Quarter/quarter: NW 1/4 NE 1/4

Section: 7 Township N or S: 12 Range E or W: 62 Principal Meridian: 6th

Distance of well from section lines: 1080 ft. from  N  S 2250 ft. from  E  W

Well location address, if different from applicant address (if applicable): 13395 Palomino Dr, Calhan, CO 80808

For replacement wells only - distance and direction from old well to new well: \_\_\_\_\_ feet \_\_\_\_\_ direction

**5. TRACT ON WHICH WELL WILL BE LOCATED**

A. You must check **one** of the following - see instructions

Subdivision: Name Equestrian Country  
 Lot no. 7 Block no. 2 Filing/Unit \_\_\_\_\_

County exemption (attach copy of county approval & survey)  
 Name/no. \_\_\_\_\_ Tract no. \_\_\_\_\_

Mining claim (attach copy of deed or survey)  
 Name/no. \_\_\_\_\_

Other (attach legal description to application)

B. STATE PARCEL ID# (optional): 2707-01-005

C. # acres in tract: 5 D. Are you the owner of this property?  
 YES  NO (if no - see instructions)

E. Will this be the only well on this tract?  
 YES  NO (if other wells are on this tract- see instructions)

**6. USE OF WELL (check appropriate entry or entries)**

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 1 acre: area irrigated 1/4 if allowable  sq. ft.  acre

Domestic animal watering -- (non-commercial)

C. Livestock watering (on farm/ranch/range/pasture)

**7. WELL DATA**

Maximum pumping rate <u>7.5</u> gpm	Annual amount to be withdrawn <u>1</u> acre-feet
Total depth <u>500</u> feet	Aquifer <u>Denver</u>

**8. TYPE OF RESIDENTIAL SEWAGE SYSTEM**

Septic tank / absorption leach field

Central system  
 District name: \_\_\_\_\_

Vault  
 Location sewage to be hauled to: \_\_\_\_\_

Other (attach copy of engineering design)

**9. PROPOSED WELL DRILLER (optional)**

Name: \_\_\_\_\_ License number: \_\_\_\_\_

**10. 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(13)(a). I have read the statements herein, know the contents thereof and state that they are true to my knowledge.

Must be original signature: A Wayne Field

Title: owner Date: 9/26/96

**OPTIONAL INFORMATION**

USGS map name	DWR map no.	Surface elev. <u>6680</u>
---------------	-------------	------------------------------

Office Use Only: 96VE 459 DIV 8-2 de

WL ✓ sub plat recorded 5/17/71 CO 21

CHECKS: TRN406955 093096 WDR

7.5 GPM DIV OF WATER RESOURCES 10

1.25 AF de BA 04

1/4 AC (10,890 B) IRR RAN MD 12

USE \_\_\_\_\_

C, D (2 dwellings), J1, K6, R, K5, KB of 9 w. Form GWS-44 (11/95)  
 Special Cond.: Approved for use extended out from that approved  
 The amount of water per acre is \_\_\_\_\_

OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES

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

LIC

WELL PERMIT NUMBER <b>199034</b>	
DIV. 8	CNTY. 21 WD 10 DES. BASIN 4 MD 12

APPLICANT

A WAYNE FIELD  
BOX 7247  
COLO SPRINGS CO 80933-7247

(719)598-2234

Lot: 7 Block: 2 Filing: Subdiv: EQUESTRIAN COUNTRY

APPROVED WELL LOCATION  
EL PASO COUNTY

NW 1/4 NE 1/4 Section 7  
Twp 12 S RANGE 62 W 6th P.M.

DISTANCES FROM SECTION LINES

1080 Ft. from North Section Line  
\* ~~2250~~ Ft. from East Section Line  
2600

**PERMIT TO CONSTRUCT A WELL**

CONDITIONS OF APPROVAL

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-105 for the replacement of an existing well, permit no. 195823. The original well must be plugged according to the Water Well Construction Rules. The enclosed Well Abandonment Report form must be completed within sixty (60) days of construction of the new well affirming that the original well was plugged.
- 4) Approved for an extended use of ground water from that approved under permit no. 195823. The issuance of this permit cancels permit no. 195823.
- 5) Water from this well may be used for domestic purposes inside two (2) single family dwellings.
- 6) The maximum pumping rate shall not exceed 7.5 GPM.
- 7) The annual withdrawal of ground water from this well shall not exceed 1.25 acre-feet.
- 8) The irrigated area shall not exceed 1/4 acre (10,890 square feet) of lawn and garden.
- 9) Production is limited to the Denver aquifer. Plain casing must be installed and grouted from ground surface to a minimum depth of 120 feet to prevent diversion of water from other zones. The depth of the well shall not exceed 725 feet, which is the estimated base of the Denver aquifer.
- 10) This well must be constructed within 300 feet of the location specified on this permit.
- 11) This permit has been approved with a change to the permit application form from that applied for by the applicant. You are hereby notified that you have the right to appeal the issuance of this permit, by filing a written request with this office within sixty (60) days of the date of issuance, pursuant to the State Administrative Procedures Act. (See Section 24-4-104 through 106, C.R.S.).

Note: Construction of this well was authorized on September 17, 1996, by verbal authorization number 96VE459. This verbal authorization was given to Kunau Drilling & Excavating, license no. 1148.

Note: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

\* The distance from the East section line is amended to 2,600 feet based on the approved "Application for Well Location Amendment". *WB. 10/17/96* *WB. 2/4/97*

APPROVED  
JWB

*Hal D. Simpson*  
\_\_\_\_\_  
State Engineer

*John F. Bittely*  
\_\_\_\_\_  
By

Receipt No. 0406955

DATE ISSUED **OCT 17 1996**

EXPIRATION DATE **OCT 17 1998**



Seth Blacksten <sethablacksten@gmail.com>

---

## Quick Zoning Question

2 messages

---

**Seth Blacksten** <sethablacksten@gmail.com>  
To: Ryan Howser <ryanhowser@elpasoco.com>

Fri, May 1, 2020 at 7:26 AM

Hello Ryan,

We are discussing things with the neighbor and I just wanted to fact check myself, with your assistance. It is my understanding that this part of El Paso County didn't have the same regulations until the year 2000. Is that correct? Does that mean there was no zoning at all, or that the number of homes was not limited at the time?

I know you are busy, but I would really appreciate if you had a moment to give a short answer. We are explaining that things are different now and there are more rules in place that we must follow and that the current zoning regulations, that we will be following, are more restrictive than what was in place in the 1990's.

Thanks in advance for any assistance you may be able to offer.

*Seth Blacksten*

970-946-6312

---

**Ryan Howser** <RyanHowser@elpasoco.com>  
To: Seth Blacksten <sethablacksten@gmail.com>

Fri, May 1, 2020 at 9:43 AM

Seth,

This area of the County was zoned on 3/25/1999. What this means is that there were no zoning restrictions prior to that date for this portion of the County. So, you are correct in your assessment that today, by virtue of the zoning regulations existing, you have a greater standard to meet than before zoning was implemented, when no regulations were in place.

**From:** Seth Blacksten <sethablacksten@gmail.com>  
**Sent:** Friday, May 1, 2020 7:26 AM  
**To:** Ryan Howser <RyanHowser@elpasoco.com>  
**Subject:** Quick Zoning Question

**CAUTION: This email originated from outside the El Paso County technology network. Do not click links or open attachments unless you recognize the sender and know the content is safe. Please call IT Customer Support at 520-6355 if you are unsure of the integrity of this message.**

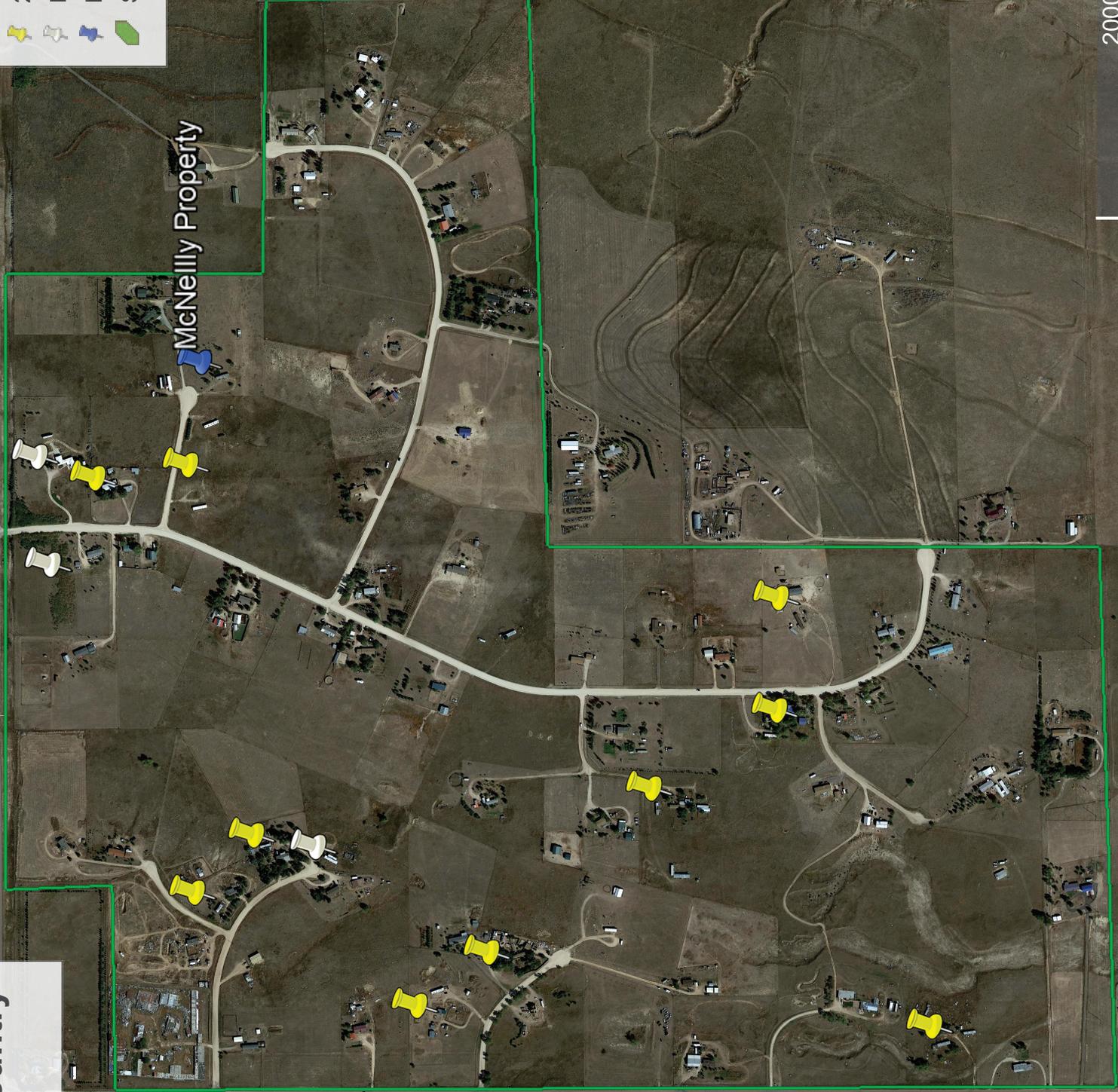
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[Quoted text hidden]

# Equestrian Country

## Legend

- 2 Dwellings
- Exempt Property
- McNeilly Property
- Subdivision

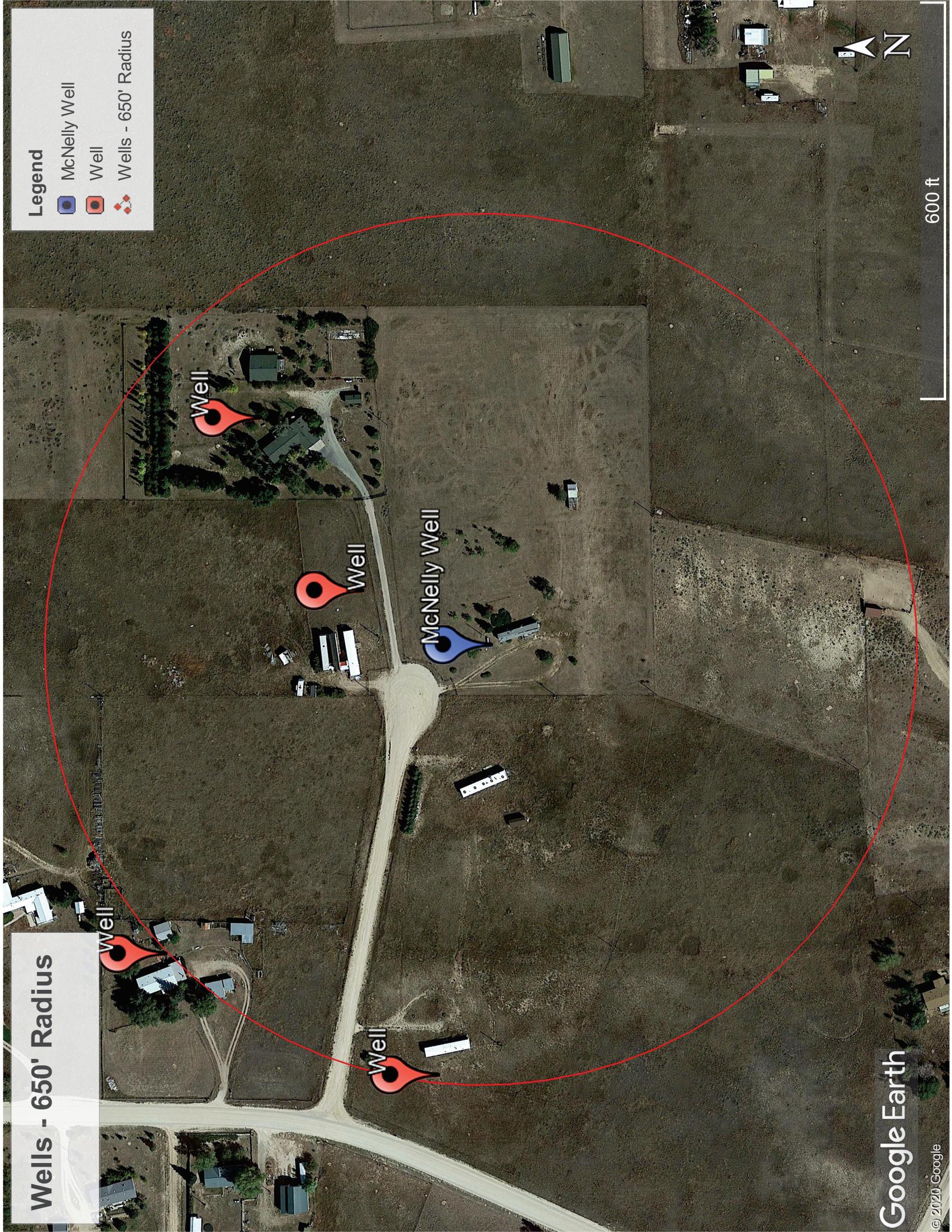


2000 ft

Wells - 650' Radius

Legend

- McNelly Well
- Well
- Wells - 650' Radius



600 ft

FORM NO. GWS-32 10/94

PUMP INSTALLATION AND TEST REPORT

STATE OF COLORADO, OFFICE OF THE STATE ENGINEER

For Office Use only

RECEIVED

NOV 12 1996

WATER RESOURCES STATE ENGINEER COLO.

1. WELL PERMIT NUMBER 915-VE-459 199034

2. OWNER NAME(S) A. WAYNE FIELD
Mailing Address P O Box 7247
City, St. Zip Colo Spgs Co 80933
Phone (719) 598-2234

3. WELL LOCATION AS DRILLED: NW 1/4 NE 1/4, Sec. 7 Twp. 12 S, Range 62 W
DISTANCES FROM SEC. LINES:
1080 ft. from North Sec. line. and 2600 ft. from East Sec. line.
SUBDIVISION: EQUESTRIAN COUNTRY LOT 7 BLOCK 2 FILING(UNIT)
STREET ADDRESS AT WELL LOCATION: 13395 PALOMINO

4. PUMP DATA: Type SUBMERSIBLE Installation Completed 11-4-96
Pump Manufacturer GOWDS Pump Model No. 76515412
Design GPM 7 at RPM 3450, HP 1.5, Volts 230, Full Load Amps 11.6
Pump Intake Depth 500 Feet, Drop/Column Pipe Size 1 inch, Kind PVC

ADDITIONAL INFORMATION FOR PUMPS GREATER THAT 50 GPM:

TURBINE DRIVER TYPE: [ ] Electric [ ] Engine [ ] Other
Design Head \_\_\_\_\_ feet, Number of Stages \_\_\_\_\_, Shaft size \_\_\_\_\_ inches.

5. OTHER EQUIPMENT:
Airline Installed [ ] Yes [ ] No, Orifice Depth ft. \_\_\_\_\_ Monitor Tube Installed [ ] Yes [ ] No, Depth ft. \_\_\_\_\_
Flow Meter Mfg. \_\_\_\_\_ Meter Serial No. \_\_\_\_\_
Meter Readout [ ] Gallons, [ ] Thousand Gallons, [ ] Acre feet, [ ] Beginning Reading \_\_\_\_\_

6. TEST DATA: [ ] Check box if Test data is submitted on Supplemental Form.
Date 11-4-96
Total Well Depth 522 Time \_\_\_\_\_
Static Level 124 Rate (GPM) 7
Date Measured 9-19-96 Pumping Lvl. 500

7. DISINFECTION: Type H+H Amt. Used 6 oz.

8. Water Quality analysis available. [ ] Yes [X] No

9. Remarks

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

CONTRACTOR KUNAU Drilling & Exc Phone (719) 683-3720 Lic. No. 1148
Mailing Address 23945 LUCKY LANE CALHAN CO 80808

Name/Title (Please type or print) Signature Date
TIM KUNAU-DOWNER Tim Kunau 10-7-96

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

<b>WELL PERMIT NUMBER</b> <u>235684</u>			
DIV. 8	WD 10	DES. BASIN 4	MD 12

APPLICANT

Lot: 3 Block: 2 Filing: Subdiv: EQUESTRIAN COUNTRY

RODNEY P & PATTY B SORRELL  
24716 PERCHERON WAY  
CALHAN, CO 80808-

(719) 347-2691

APPROVED WELL LOCATION

EL PASO COUNTY  
SW 1/4 NE 1/4 Section 7  
Township 12 S Range 62 W Sixth P.M.

DISTANCES FROM SECTION LINES

1693 Ft. from North Section Line  
1547 Ft. from East Section Line

UTM COORDINATES

Northing: Easting:

**PERMIT TO CONSTRUCT A WELL**

**CONDITIONS OF APPROVAL**

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-90-105.
- 4) Water from this well may be used for domestic purposes inside 1 single family dwelling(s), and the watering of the owner's own large non-commercial domestic animals.
- 5) The maximum pumping rate of this well shall not exceed 15 GPM.
- 6) The annual withdrawal of ground water from this well shall not exceed 1 acre-foot.
- 7) The irrigated area shall not exceed 1 acre of lawn and garden.
- 8) The total depth of the well shall not exceed 735 feet, which corresponds to the base of the Denver aquifer. At a minimum, plain casing shall be installed and grouted through all unconsolidated materials and shall extend a minimum of ten feet into the bedrock formation to prevent production from other zones.
- 9) This well must be constructed within 300 feet of the location specified on this permit within lot 3, block 2 of Equestrian Country Subdivision, El Paso County.

NOTE: The ability of this well to withdraw its authorized amount of water from this non-renewable aquifer may be less than the 100 years upon which the amount of water in the aquifer is allocated, due to anticipated water level declines.

APPROVED  
SMJ

*Hal D. Simpson*  
\_\_\_\_\_  
State Engineer

*Sandy Johnson*  
\_\_\_\_\_  
By

Receipt No. 0481016

DATE ISSUED **AUG 23 2001**

EXPIRATION DATE **AUG 23 2003**

Office Use Only

- Flow Test
- Inspection
- Potability Test

**Can-America Drilling, Inc.**  
d.b.a Can-Am Pump Company

**WELL INSPECTION AND FLOW TEST REPORT**

Customer: Blackston, Seth Telephone #: 970-946-6312  
 Job Address: 24355 Palomino Place City: Colhan Co, 80808 County: El Paso  
 Billing Information: \_\_\_\_\_  
 Date of Flow Test/ Inspection: 01/07/2020 Service Techs: Cody + Jon

SYSTEM INFORMATION
Permit #: _____
DWR File Attached <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Well Location: <u>West corner of house</u>
Pump Size: <u>1.5</u> HP <u>7</u> GPM
Pump Deadhead: _____ Control Box: <u>1.5</u> HP
Drop Pipe Size: <u>1" PVC</u> Wire Size: <u>8in well</u>
Pressure Tank Type & Size: <u>WellX Troll U-200</u>
Pressure Tank PSI: _____
Location: <input type="checkbox"/> Basement <input type="checkbox"/> Crawl Space <input checked="" type="checkbox"/> Well Pit
Flow Meter: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Whole House Filter: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Cistern: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
WATER POTABILITY TEST
Potability Test Taken: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Date Taken: _____
Where Sampled: _____

FLOW TEST			
TIME	GPM	AMPS	STATIC LEVEL
11:30	8	10.4	126' in <del>1946</del>
11:40	8	11.8	
11:50	7.5	11.7	
12:00	7	11.6	
12:10	6	11.5	
12:20	6	11.5	
12:30	5	11.5	
12:40	5	11.5	
12:50	5	11.5	
1:00	5	11.4	

Static level is not a standard reading, due to the possibility of the indicator becoming stuck in well during testing. Static level can be provided at written request of the owner. Any cost to retrieve indicator and/or any damage done to the pump system due to the retrieval of the static indicator will be at the cost of the owner.

(continued on back )

RECOMMENDATIONS
Well Head: <u>Ok condition, good height.</u>
Pump: <u>No shorts, pulling good amps.</u>
Pressure Tank: <u>WellX Troll U-200 good condition, air okay</u>
Other: <u>Good motor windings, no shorts, control box in good condition.</u>

Bid requested for recommendations:  Yes Email address: \_\_\_\_\_  No

I, \_\_\_\_\_, as the paying party for this report, hereby authorize Can-America Drilling, Inc dba Can-Am Pump Company to release the information contained in this report to a requesting third party.

\_\_\_\_\_ - Signature

**Can-Am Pump cannot be responsible for, nor make any guarantees as to the length of the life of the water system or its individual components after completion of the inspection. Flow tests represent the production of the well with the installed equipment on the day of the test was conducted.**

QB Invoice #: \_\_\_\_\_  
Date: \_\_\_\_\_

**CAN-AMERICA DRILLING, INC. D.B.A CAN-AM PUMP**

708 Cheyenne Ave ~ PO Box 397 ~ Simla, CO 80835  
Office: 719-541-2912 Fax: 719-541-9545

Customer Name: Blackston, Seth

Job Address: 24355 Palomino Place, Calhan Co, 80808

Mailing Address: \_\_\_\_\_

Phone No.: 970-946-6312  H/W  Cell Phone No.:  H/W  Cell

Email Address: \_\_\_\_\_

Description of Service: Well Inspection + Flow test

SERVICE	MATERIALS	QTY	UNIT PRICE	TOTAL
Date: <u>01/07/2020</u>	/			
Techs: <u>Cody + Jon</u>				
Start Job:				
Stop Job:				
Date:				
Techs:				
Start Job:				
Stop Job:				
Date:				
Techs:				
Start Job:				
Stop Job:				
Date:				
Techs:				
Start Job:				
Stop Job:				
<b>THANK YOU FOR YOUR BUSINESS!!</b>	<b>LABOR</b>	<b>QTY</b>	<b>UNIT PRICE</b>	<b>TOTAL</b>
	TRIP CHARGE	.5	160.00	80.00
	INSTALL/SERVICE LABOR	1	175.00	175.00
	BACK - HOE LABOR			<del>255.00</del>

Well Depth: <u>520'</u>	Pump Make:	TOTAL LABOR	<u>255.00</u>
Pump Depth: <u>500'</u>	Pump Model: <u>7 gpm</u> HP: <u>1.5</u>	TOTAL MATERIAL	
Static:	Pump Serial #:	INSURANCE	
Drop Pipe: <u>1" PVC</u>	Motor Serial #:	MISC	
Tank: <u>V-700</u>	Flow Meter Make: <u>N/A</u>	TAX	
Wire: Sub: <u>#8</u> UF: <u>#10</u>	Flow Meter Serial #:	<b>TOTAL BILLING</b>	<u>255.00</u>

**PAYMENT**

Cash:  Check:  Credit Card:

Check/CC #: 4147202423277480

Exp: 04/24 s/c: 554 Card Billing Zip Code: 80935

**TERMS**

Total amount billed due upon completion of service. Interest charged at 1.5% monthly for any invoice not paid within 30 days of completion of service. After 60 days past due account will be sent to collections. Customer will be charged for all fees associated with collections process.

SIGNATURE: Seth Ball

