

September 20, 2023

To: Colorado Division of Water Resources
Department of Natural Resources
Division 1 Main Office (Greeley; South Platte River Basin)
1809 56th Avenue
Greeley, CO 80634

ATTENTION: Corey DeAngelis, Division Engineer
Michael Hein, Lead Assistant Division Engineer

From: David Ellis
18185 Appaloosa Rd.
Monument, CO 80132

Subject: Complaint Concerning Colorado Pumpkin Patch LLC
Residential Well, No Current Permit, Well Water Used for
Large Commercial Operation, Physical Address: 18065
Saddlewood Rd., Monument, CO 80132, Location:
SE ¼ of the NW ¼ of Sec. 16, T. 11S, R.66W, 6th P.M.
UTM Coordinates (Meters, Zone: 13, NAD83)
Easting: 518455.0 Northing: 4327483.0

Dear Sirs,

In my equestrian neighborhood of 5 acre lots in northern El Paso County we get our water through individual permitted wells on each property. There is a larger 40 acre parcel in the middle of our neighborhood, zoned rural residential like all our properties, that operates a commercial amusement park whose only water well is permitted for residential use. Its well permit is not registered to the current legal owner of the property, it is registered to past owners. There is over one mile of privately maintained dirt roads on the property used for its business purposes. Up to 325 vehicles are on the property using these dirt roads at any given time. Clouds of dust coming from these dirt roads are a constant problem and the county mandated that the business water its roads to mitigate the road dust problem. The business then promised to water its dirt roads as a condition of its operation. The business apparently uses water for its employees and many hundreds of paying customers from its residential

well, and by all appearances obtains water to spread on its dirt roads from this residential well also.

Surrounding residential property owners are greatly concerned that the unlawful and extensive water use by this business, Colorado Pumpkin Patch LLC, 18065 Saddlewood Dr., Monument, CO 80132, will adversely affect their own water wells' ability to produce.

Please investigate this complaint immediately and bring this business into compliance with Colorado laws just as quickly. Imposition of monetary fines for non-compliance and requiring immediate metering of the water well on this property are two of the first steps that I would take.

Due to the nature of this business, operating an amusement park attractive to children, its operators play the sympathy card at every opportunity to avoid compliance with codified rules and avoid fines for non-compliance. "It's for the children." Its recent past failures to exercise a required duty of care are egregious: Failure to meet permit and licensing requirements of the Colorado state Amusement Rides and Devices Program for a mechanized amusement park attraction, failure to obtain a county health department permit for advertised food sales, and no apparent building permits for its commercial buildings and structures including one structure of at least 1,500 square feet in size. These failures, all safety related, lead me and others to view Colorado Pumpkin Patch LLC as a business that preys on children in pursuit of money. And now its failure to comply with well permitting and water use regulations leads us to see Colorado Pumpkin Patch LLC as preying on its neighbors' water resources.

One more piece of information is very pertinent to Colorado Pumpkin Patch LLC's non-compliance with water use regulations. Its business is normally limited to 50 vehicles on its property by the El Paso County Land Development Code. Last week the Board of County Commissioners approved issuance of a Special Use permit whereby this business may have up to 325 vehicles on its property to enable Colorado Pumpkin Patch LLC to make more profit. As previously stated, the Special Use permit is contingent on this business watering their extensive dirt roads. The Commissioners approved this despite a strong recommendation from the county's Planning Commission that the Special Use application be denied. The Special Use permit may be rescinded by the county's Planning and Community Development Director (PCD Director). Therefore, if Colorado

Pumpkin Patch LLC cannot immediately comply with the state's well permitting and water use regulations for its commercial amusement park operation, including water used by employees, water used by thousands of paying customers, water used in the operation and maintenance of commercial attractions on its property offered for the enjoyment of its paying customers, and also water used to spread over its extensive dirt roads to mitigate the almost constant blowing road dust problem inflicted on its patrons and neighbors, then it must be incumbent upon the Colorado Division of Water Resources to contact the El Paso County PCD Director and request immediate revocation of the recently issued Special Use permit for up to 325 vehicles on the property. Suspension of all commercial activities by Colorado Pumpkin Patch LLC must also be considered, and reopening contingent upon study and acceptance of a verifiable and monitored plan to supply all commercial water requirements from legal sources. The El Paso County PCD Director's basic contact information is posted on the county website at <https://planningdevelopment.elpasoco.com/> and her direct email address is megganherington@elpasoco.com.

Please contact me if you have any questions concerning the information in this complaint.

You are authorized to use any of the information provided in this complaint during your investigation. This is not an anonymous complaint.



David Ellis
18185 Appaloosa Rd.
Monument, CO 80132

Attachments

1. Most current well permit for the 18065 Saddlewood Rd. Monument, CO 80132 showing names of former owners of the property and the residential nature of the permit.
2. Well drilling permits with specifications from 1979 and 1980 for 18065 Saddlewood Rd. Monument, CO 80132.

3. El Paso County Assessor's data sheet for 18065 Saddlewood Rd. Monument, CO 80132 showing current owner Colorado Pumpkin Patch LLC and also the sales history and previous owners' names.
4. Photos of Colorado Pumpkin Patch LLC property with 290 vehicles and hundreds of customers during the 2022 fall operating season.

Copy to: El Paso County PCD Director (Planning and Community Development Director)



ORIGINAL PERMIT APPLICANT(S)

SCHELLMAN G DOUGLAS

APPROVED WELL LOCATION

Water Division: 1 Water District: 8
 Designated Basin: N/A
 Management District: N/A
 County: EL PASO
 Parcel Name: N/A
 Physical Address: 18065 SADDLEWOOD RD MONUMENT, CO
 80132

SE 1/4 NW 1/4 Section 16 Township 11.0 S Range 66.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone:13, NAD83)

Easting: 518455.0 Northing: 4327483.0

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

- 1) This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of this permit does not ensure that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.
- 2) The construction of this well shall be in compliance with the Water Well Construction Rules 2 CCR 402-2, unless approval of a variance has been granted by the State Board of Examiners of Water Well Construction and Pump Installation Contractors in accordance with Rule 18.
- 3) Approved pursuant to CRS 37-92-602(3)(b)(II)(A) as the only well on a tract of land of 37.87 acre(s) described as that portion of the W 1/2 of the NE 1/4 and the E 1/2 of the NW 1/4, Sec. 16, Twp. 11 S, Rng. 66 W, 6th P.M., El Paso County, more particularly described on the attached exhibit A.
- 4) The use of ground water from this well is limited to fire protection, ordinary household purposes inside not more than three (3) single family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch and the irrigation of not more than one (1) acre of home gardens and lawns.
- 5) The total depth of the well shall not exceed 870 feet, which corresponds to the base of the Dawson 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.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) The return flow from the use of this well must be through an individual waste water disposal system of the non-evaporative type where the water is returned to the same stream system in which the well is located.
- 8) This well shall be constructed not more than 200 feet from the location specified on this permit.

NOTE: To ensure a maximum productive life of this well, perforated casing should be set through the entire producing interval of the approved zone or aquifer indicated above.

NOTE: This permit will expire on the expiration date unless the well is constructed by that date. A Well Construction and Test Report (GWS-31) must be submitted to the Division of Water Resources to verify the well has been constructed. An extension of the expiration date may be available. Contact the DWR for additional information or refer to the extension request form (GWS-64) available at: <http://www.water.state.co.us>

Date Issued: 6/16/2014

Expiration Date: 6/16/2016

Issued By _____

PERMIT HISTORY

- 05-11-2018 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO JOHN CHAPMAN
- 05-11-2018 CHANGE IN OWNER NAME/MAILING ADDRESS. CHANGED TO BENGETTA CHAPMAN

Handwritten: 2181

Handwritten: ATCH 1

THIS FORM MUST BE SUBMITTED
WITHIN 60 DAYS OF COMPLETION
OF THE WORK DESCRIBED HERE-
ON. TYPE OR PRINT IN BLACK
INK.

E

COLORADO DIVISION OF WATER RESOURCES

1313 Sherman Street - Room 818
Denver, Colorado 80203

RECEIVED
OCT 25 1979
WATER RESOURCES
DIVISION

WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 109338

WELL OWNER Stephen E. Drammer SE ¼ of the NW ¼ of Sec. 16

ADDRESS P.O. Box 345, Sierra Vista, Ariz. 85635 T. 11 S. R. 66 W. 6th P.M.

DATE COMPLETED 10/18, 19 79 HOLE DIAMETER

6 1/4 in. from 0 to 245' ft.

_____ in. from _____ to _____ ft.

_____ in. from _____ to _____ ft.

WELL LOG

From	To	Type and Color of Material	Water Loc.
0	1	Top soil	
1	118	Sand & grav. w/gray clay	
118	137	Sand & grav.	X
137	141	Sand & grav. w/gray clay	
141	149	Sandstone	
149	245	Sand & grav.	X
		TOTAL DEPTH <u>245'</u>	

Use additional pages necessary to complete log.

DRILLING METHOD Rotary

CASING RECORD: Plain Casing

Size 6" & kind Steel from 0 to 20 ft.

Size 4" & kind PVC from 6 to 185 ft.

Size 4" & kind PVC from 235 to 245 ft.

Perforated Casing

Size 4" & kind PVC from 185 to 235 ft.

Size _____ & kind _____ from _____ to _____ ft.

Size _____ & kind _____ from _____ to _____ ft.

GROUTING RECORD

Material Sand, gravel, cement

Intervals 0' - 19' Neat cement @ 150'

Placement Method Manual

GRAVEL PACK: Size 3/8" Pea

Interval 19' - 245'

TEST DATA

Date Tested 10/18, 19 79

Static Water Level Prior to Test 59' ft.

Type of Test Pump Blown by Air

Length of Test 4 Hours

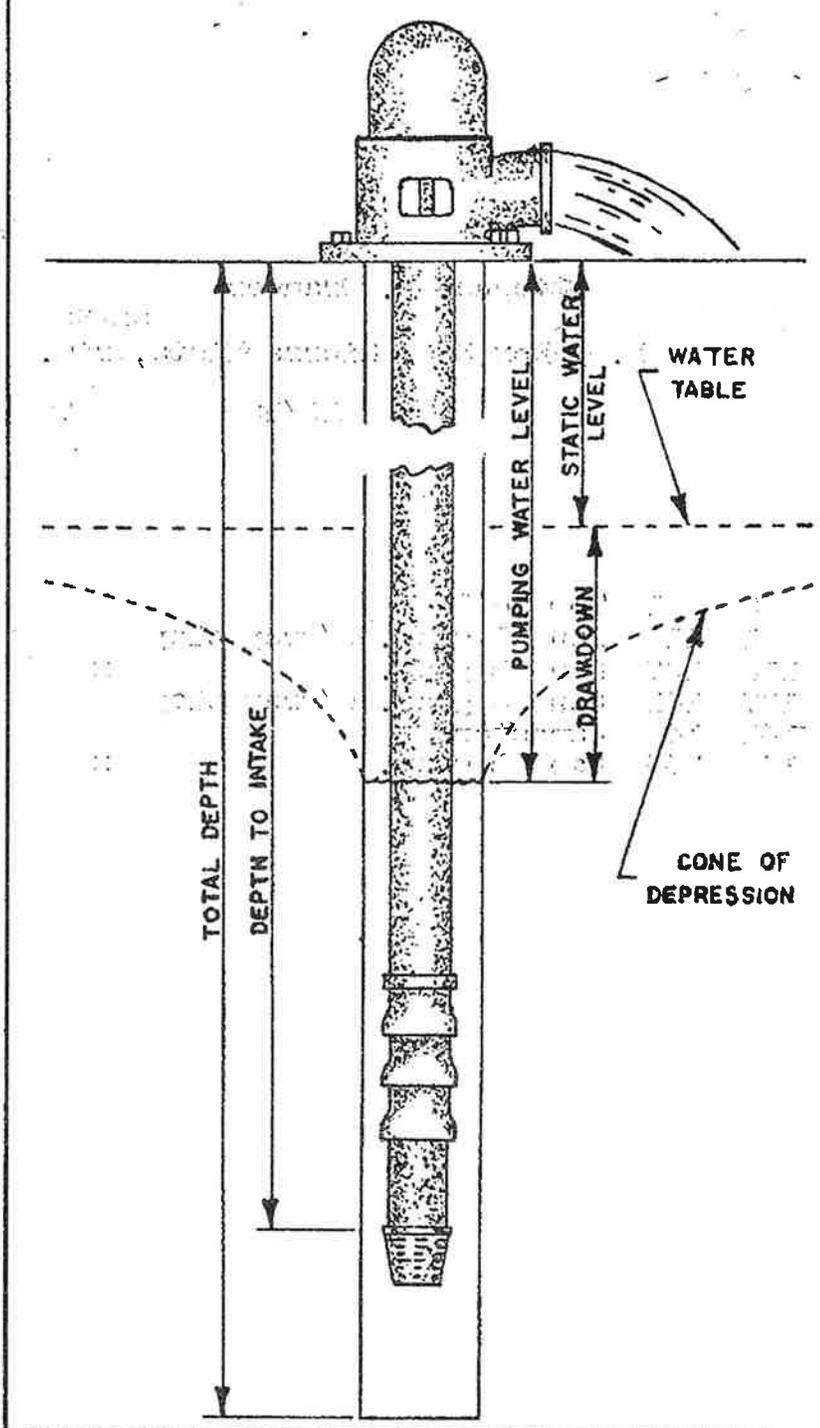
Sustained Yield (Metered) 15 GPM

Final Pumping Water Level 110

PUMP INSTALLATION REPORT

Pump Make _____
 Type _____
 Powered by _____ HP _____
 Pump Serial No. _____
 Motor Serial No. _____
 Date Installed _____
 Pump Intake Depth _____
 Remarks _____

WELL TEST DATA WITH PERMANENT PUMP
 Date Tested _____
 Static Water Level Prior to Test _____
 Length of Test _____ Hours
 Sustained yield (Metered) _____ GPM
 Pumping Water Level _____
 Remarks _____



CONTRACTORS STATEMENT.

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature Robert D. Fletcher License No. 797
 State of Colorado, County of El Paso SS
 Subscribed and sworn to before me this 23 day of October, 19 79.
 My Commission expires: Jan. 12, 19 80.
 Notary Public Marion Fletcher

FORM TO BE MADE OUT IN QUADRUPPLICATE: WHITE FORM must be an original copy on both sides and signed. WHITE AND GREEN copies must be filed with the State Engineer. PINK COPY is for the Owner and YELLOW COPY is for the Driller.

D. Z. 6

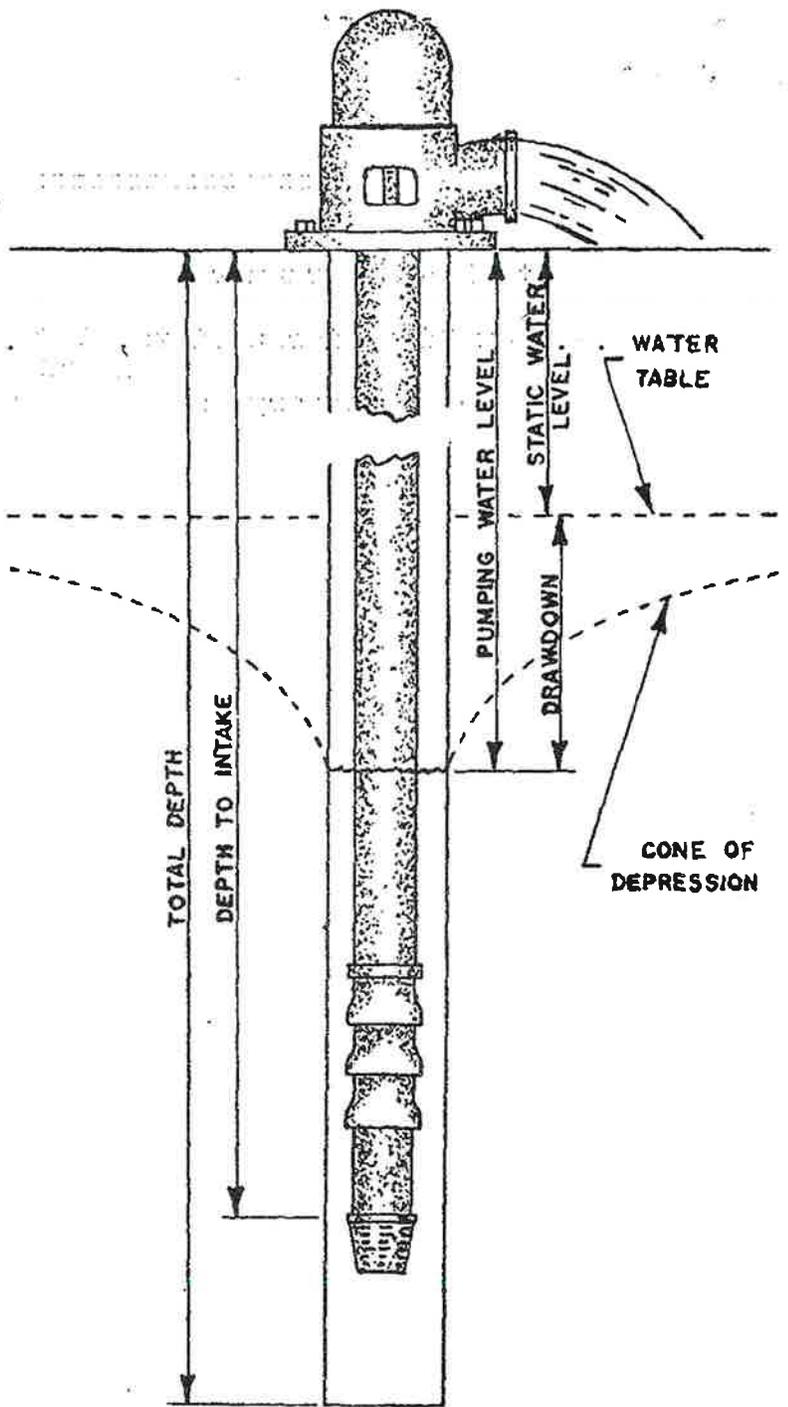
ATCH # 2

PUMP INSTALLATION REPORT

Pump Make Webtrol
 Type Submersible
 Powered by Electric HP 3/4
 Pump Serial No. 52S711B 9/79
 Motor Serial No. _____
 Date Installed January 9, 1980
 Pump Intake Depth 235'
 Remarks _____

WELL TEST DATA WITH PERMANENT PUMP

Date Tested January 9, 1980
 Static Water Level Prior to Test 59'
 Length of Test 4 Hours
 Sustained yield (Metered) 15 GPM
 Pumping Water Level 110
 Remarks _____



CONTRACTORS STATEMENT

The undersigned, being duly sworn upon oath, deposes and says that he is the contractor of the well or pump installation described hereon; that he has read the statement made hereon; knows the content thereof, and that the same is true of his own knowledge.

Signature Robert D. Fletcher License No. 797
 State of Colorado, County of El Paso SS
 Subscribed and sworn to before me this 10 day of January, 1980.
 My Commission expires: Jan. 12, 1980.
 Notary Public Marion Fletcher

FORM TO BE MADE OUT IN QUADRUPLICATE: WHITE FORM must be an original copy on both sides and signed. WHITE AND GREEN copies must be filed with the State Engineer. PINK COPY is for the Owner and YELLOW COPY is for the Driller.

COLORADO DIVISION OF WATER RESOURCES
818 Centennial Bldg., 1313 Sherman St., Denver, Colorado 80203

PERMIT APPLICATION FORM

RECEIVED
JUN 05 1979

WATER RESOURCES
STATE ENGINEER
CDD

Application must be complete where applicable. Type or print in **BLACK INK**. No overstrikes or erasures unless initialed.

- (x) A PERMIT TO USE GROUND WATER
- (x) A PERMIT TO CONSTRUCT A WELL
- FOR: (x) A PERMIT TO INSTALL A PUMP

- () REPLACEMENT FOR NO. _____
- () OTHER _____
- WATER COURT CASE NO. _____

(1) APPLICANT - mailing address

NAME Stephen E. Drammer
 STREET P.O. Box 345
 CITY Sierra Vista ARIZ. 85635
(State) (Zip)
 TELEPHONE NO. 602 378-2009

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 109554
 Basin _____ Dist. _____

CONDITIONS OF APPROVAL

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.

Install plain (non-perforated) casings from ground surface down to a minimum depth of 150 feet and properly sealed to prevent the pumping or appropriation of tributary waters.

(2) LOCATION OF PROPOSED WELL

County El Paso
SE ¼ of the NW ¼, Section 16
 Twp. 11 S, Rng. 66 W, 6th P.M.
(N.S) (E.W)

(3) WATER USE AND WELL DATA

Proposed maximum pumping rate (gpm) 15
 Average annual amount of ground water to be appropriated (acre-feet): 1
 Number of acres to be irrigated: 0
 Proposed total depth (feet): 250
 Aquifer ground water is to be obtained from:
Sand & gravel

Owner's well designation -----

GROUND WATER TO BE USED FOR:

- () HOUSEHOLD USE ONLY - no irrigation (0)
- (x) DOMESTIC (1) () INDUSTRIAL (5)
- () LIVESTOCK (2) () IRRIGATION (6)
- () COMMERCIAL (4) () MUNICIPAL (8)

() OTHER (9) _____

DETAIL THE USE ON BACK IN (11)

(4) DRILLER

Name PAUL FLETCHER & SONS, INC.
 Street R #1
 City PALMER LAKE CO 80133
(State) (Zip)
 Telephone No. 481-3589 Lic. No. 797

APPLICATION APPROVED

PERMIT NUMBER 109338

DATE ISSUED AUG 08 1979

EXPIRATION DATE AUG 08 1981

Bruce E. DeBiana
 DEPUTY (STATE ENGINEER)

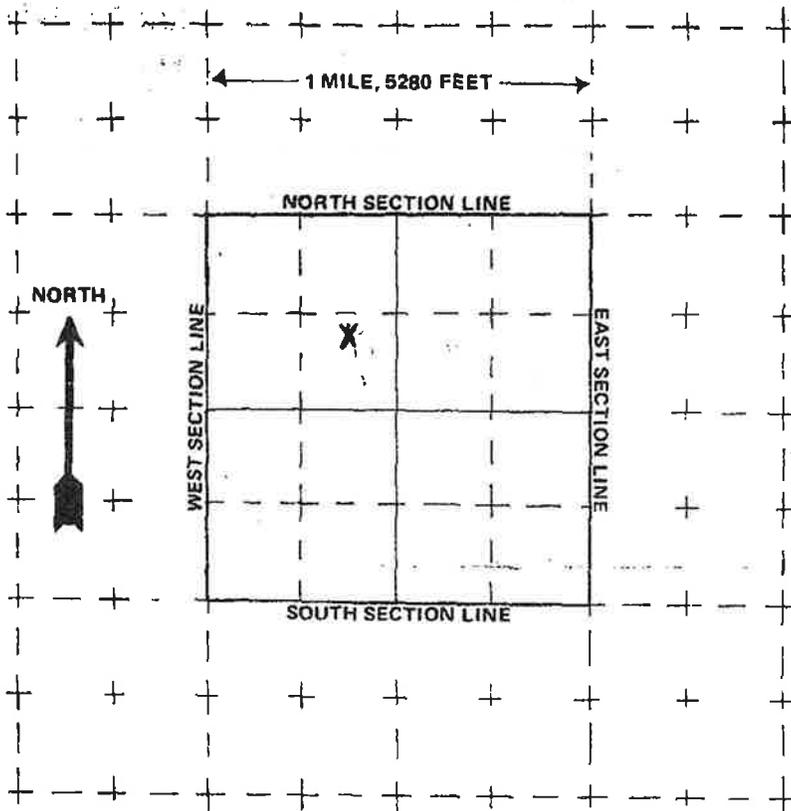
BY PHaubold

I.D. 12-108 COUNTY 21

Pg 5 of 6

ATCH 2

(5) **THE LOCATION OF THE PROPOSED WELL** and the area on which the water will be used must be indicated on the diagram below. Use the **CENTER SECTION** (1 section, 640 acres) for the well location.



The scale of the diagram is 2 inches = 1 mile
Each small square represents 40 acres.

WATER EQUIVALENTS TABLE (Rounded Figures)

An acre-foot covers 1 acre of land 1 foot deep
1 cubic foot per second (cfs) . . . 449 gallons per minute (gpm)
A family of 5 will require approximately 1 acre-foot of water per year.
1 acre-foot . . . 43,560 cubic feet . . . 325,900 gallons.
1,000 gpm pumped continuously for one day produces 4.42 acre-feet.

(6) **THE WELL MUST BE LOCATED BELOW** by distances from section lines.

1650 ft. from North sec. line
(north or south)
1890 ft. from West sec. line
(east or west)
LOT 34 BLOCK _____ FILING # _____
SUBDIVISION Canterbury West

(7) **TRACT ON WHICH WELL WILL BE LOCATED** Owner: Stephen E. Drammer
No. of acres 7. Will this be the only well on this tract? Yes

(8) **PROPOSED CASING PROGRAM**

Plain Casing
4 in. from 0 ft. to 130 ft.
4 in. from 240 ft. to 250 ft.
Perforated casing
4 in. from 130 ft. to 240 ft.
_____ in. from _____ ft. to _____ ft.

(9) **FOR REPLACEMENT WELLS** give distance and direction from old well and plans for plugging it:

(10) **LAND ON WHICH GROUND WATER WILL BE USED:**

Owner(s): Stephen E. Drammer No. of acres: 7
Legal description: SE 1/4, NW 1/4, Sec 16, T 11 S, R 66 W 6th PM

(11) **DETAILED DESCRIPTION** of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.
Family use and small garden and watering lawn. Will have closed septic tank and underground leach field.

(12) **OTHER WATER RIGHTS** used on this land, including wells. Give Registration and Water Court Case Numbers.

Type or right	Used for (purpose)	Description of land on which used
None		

(13) **THE APPLICANT(S) STATE(S) THAT THE INFORMATION SET FORTH HEREON IS TRUE TO THE BEST OF HIS KNOWLEDGE.**

Stephen E. Drammer
SIGNATURE OF APPLICANT(S)

EL PASO COUNTY - COLORADO

611600001
18065 SADDLEWOOD RD

Total Market Value
\$1,028,727

OVERVIEW

Owner:	COLORADO PUMPKIN PATCH LLC
Mailing Address:	18065 SADDLEWOOD RD MONUMENT CO, 80132-8324
Location:	18065 SADDLEWOOD RD
Tax Status:	Taxable
Zoning:	RR-5
Plat No:	-
Legal Description:	THAT PART OF N2 OF SEC LY E OF CANTERBURY WEST, N OF SADDLEWOOD RD + W OF CANTERBURY EAST SEC 16-11-66 L/MR

MARKET & ASSESSMENT DETAILS

	Market Value	Assessed Value
Land	\$182,683	\$30,860
Improvement	\$846,044	\$57,230
Total	\$1,028,727	\$88,090

TWO STORY (1)

Market Value \$822,681

Assessment Rate	6.765	Above Grade Area	2,655
Bldg #	2	First Floor Area	1,648
Style Description	TWO STORY	Above First Floor Area	1,007
Property Description	FRAME AVERAGE QUALITY	Lower Level Living Area	0
Year Built	1914	Total Basement Area	-
Dwelling Units	1	Finished Basement Area	-
Number of Rooms	7	Garage Description	Detached
Number of Bedrooms	1	Garage Area	510
Number of Baths	3.00	Carport Area	-

MOBILE HOME (6)

Market Value \$0

Assessment Rate	6.765	Above Grade Area	-
Bldg #	-	First Floor Area	-
Style Description	MOBILE HOME	Above First Floor Area	0
Property Description	MOBILE HOME	Lower Level Living Area	0
Year Built	1973	Total Basement Area	-
Dwelling Units	1	Finished Basement Area	-
Number of Rooms	-	Garage Description	-
Number of Bedrooms	-	Garage Area	-
Number of Baths	-	Carport Area	-

FARM STRUCTURES (BARN) (1)

Market Value \$6,132

Assessment Rate	6.765	Sprinkler	N
Bldg #	1	Elevator	N
Use	FARM STRUCTURES (BARN)	Occup 1	102
Year Built	1940	Occup 2	-
Area	1600	HVA 1	-
Class	D	HVA 2	-
Quality	1.4	Wall Height	10
Stories	1	Land Size	1765051
Perimeter	160	Neigh #	94
# Units	-		

SHEDS/MISCL (2)

Market value **\$380**

Assessment Rate	6.765	Sprinkler	N
Bldg #	2	Elevator	N
Use	Sheds/Miscl	Occup 1	477
Year Built	1960	Occup 2	
Area	194	HVA 1	
Class	D	HVA 2	
Quality	1.5	Wall Height	7
Stories	1	Land Size	1765051
Perimeter	58	Neigh #	94
# Units			

SHEDS/MISCL (3)

Market Value **\$355**

Assessment Rate	6.765	Sprinkler	N
Bldg #	3	Elevator	N
Use	Sheds/Miscl	Occup 1	477
Year Built	1980	Occup 2	
Area	236	HVA 1	
Class	D	HVA 2	
Quality	1.0	Wall Height	6
Stories	1	Land Size	1765051
Perimeter	75	Neigh #	94
# Units			

SHEDS/MISCL (4)

Market Value **\$16,496**

Assessment Rate	6.765	Sprinkler	N
Bldg #	4	Elevator	N
Use	Sheds/Miscl	Occup 1	428
Year Built	1984	Occup 2	
Area	8939	HVA 1	
Class	S	HVA 2	
Quality	1.0	Wall Height	16
Stories	1	Land Size	1765051
Perimeter	421	Neigh #	94
# Units			

LAND DETAILS

Sequence Number	Land Use	Assessment Rate	Area	Market Value
1	SINGLE FAMILY RES.	6.765	10.52 Acres	\$90,004
2	WELL AND SEPTIC	6.765	0	\$5,000
3	SPECIAL PURPOSE	27.900	10 Acres	\$85,442
4	MEADOW HAY LAND	26.400	20 Acres	\$2,237

SALES HISTORY

	Sale Date	Sale Price	Sale Type	Reception
+	05/11/2018	\$0	-	218054085
+	05/08/2018	\$870,000	Good sale	218052216
+	06/07/1972	\$0	-	891194
+	08/02/1974	\$0	-	91454
+	08/29/1980	\$0	Other	697382

TAX ENTITY AND LEVY INFORMATION

County Treasurer Tax Information

Tax Area Code: PFL Levy Year: 2022 Mill Levy: 70.904

Taxing Entity	Levy	Contact Name/Organization	Contact Phone
EL PASO COUNTY	7.732	FINANCIAL SERVICES	(719) 520-6400
EPC ROAD & BRIDGE (UNSHARED)	0.330	-	(719) 520-6498
LEWIS-PALMER SCHOOL NO 38	40.500	BRETT RIDGWAY	(719) 488-4705
PIKES PEAK LIBRARY	3.512	RANDALL A GREEN	(719) 531-6333
TRI-LAKES MONUMENT FIRE PROTECTION	18.830	ANDY KOVACS	(719) 484-0911
EL PASO COUNTY CONSERVATION	0.000	MARIAH HUDSON	(719) 600-4706



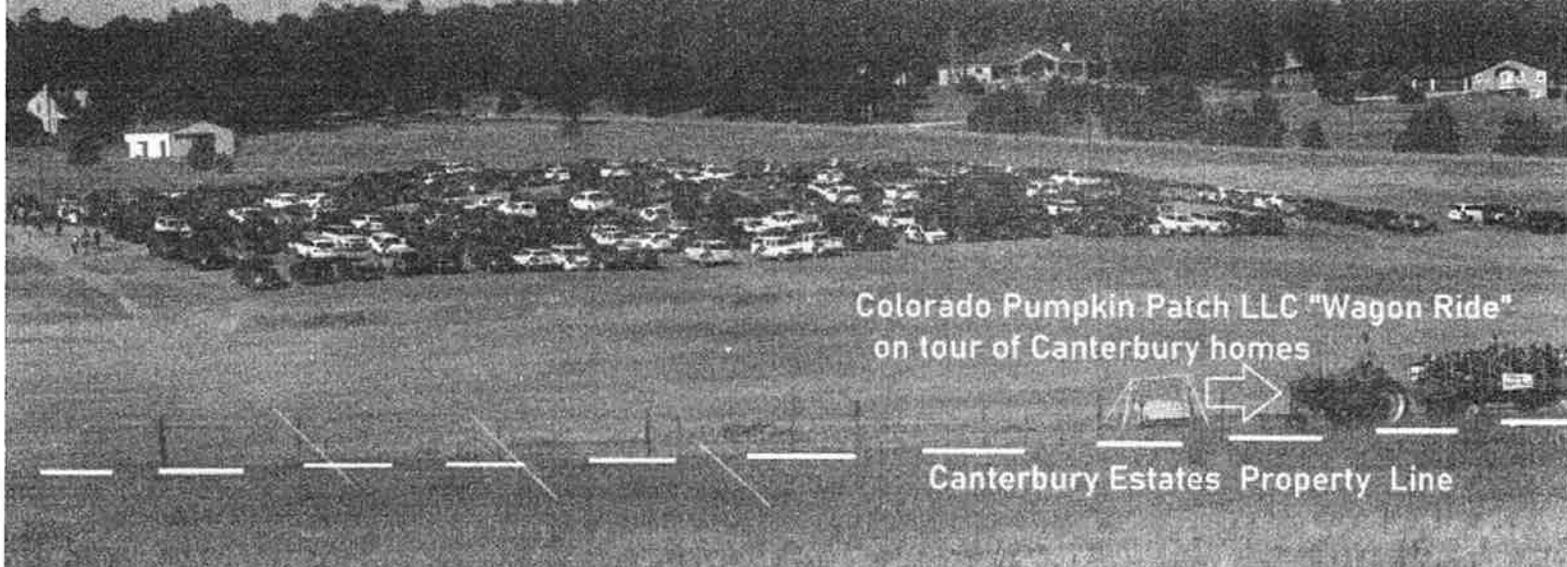
No Photo Available



Disclaimer

We have made a good-faith effort to provide you with the most recent and most accurate information available. However, if you need to use this information in any legal or official venue, you will need to obtain official copies from the Assessor's Office. Do be aware that this data is subject to change on a daily basis. If you believe that any of this information is incorrect, please call us at (719) 520-6600.

Saturday October 22, 2022 11:18 a.m. Colorado Pumpkin Patch LLC
268 Vehicles in Parking Area
4 Vehicles in Middle Area
18 Vehicles in South Area
290 Vehicles Total on Property



Saturday October 22, 2022 11:19 a.m.
Colorado Pumpkin Patch LLC Mid Area
4 Vehicles



Saturday October 22, 2022 11:20 a.m.
Colorado Pumpkin Patch LLC South Area
18 Vehicles



