

Home Land Acres Lot 1 Minor Subdivision

PRELIMINARY WATER RESOURCES REPORT

Prepared for:

HLI Properties, LLC

April 22, 2024 (revised August 16,
2024)

Prepared By:



13511 Northgate Estates Dr., Ste. 250, Colorado Springs, Colorado 80921

Executive Summary:

Preliminary Water Resources Report – Home Land Acres Lot 1 Minor Subdivision

Chris D. Cummins of Monson, Cummins, Shohet & Farr, LLC, on behalf of the Applicant, HLI Properties, LLC, a Colorado limited liability company (“Applicant”), with the express and written consent of Integrity Bank & Trust (“Owner”), provides the following Water Resources Report in support of the Home Land Acres Lot 1 Minor Subdivision. Mr. Cummins has practiced water law almost exclusively for nearly 21 years, including extensive experience with exempt well usage, groundwater resources, augmentation plans, designated basin replacement plans, subdivision proceedings, and rural water usage. Given his experience, Mr. Cummins should be considered a “qualified professional” as concerns water resources, as discussed at Section 8.4.7(B)(1)(c) of the El Paso County Land Development Code. This Report, prepared in conjunction with other professionals, is intended to demonstrate to the El Paso County Planning Commission and the Board of County Commissioners, the sufficiency in terms of quantity and dependability, of the water rights and resources to be utilized in the proposed Home Land Acres Lot 1 Minor Subdivision (the “Subdivision”), in El Paso County, Colorado.

The Property consists of approximately 57.49 acres located at the current street addresses of 8180 Kane Road, Fountain, CO 80817, in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 4, Township 16 South, Range 65 West of the 6th P.M; El Paso County, Assessor Parcel No. 5604000044. The one (1) lot of less than 35 acres in size to be created by this Subdivision is to be provided water and wastewater through an on-site exempt well and Individual Septic Disposal System (“ISDS”), respectively. The proposed minor subdivision has one existing residence on Lot 1 containing approximately 10.43 acres, and the remaining Tract A will be approximately 47.06 acres in size, with no water or wastewater uses anticipated as part of this Subdivision.

It is expected that the existing well will remain exempt and continue to pump the permitted three (3) annual acre-foot of water for use in the existing home, for outside irrigation of a maximum of 1 acre, and for watering of domestic animals, consistent with the existing Permit No. 326135, on Lot 1 as created by the Subdivision.

The water resources to be utilized on the single residential lot in the Subdivision is typical of rural residential development in this area of El Paso County, Colorado, with the exception of the source of supply for the well permitted under Permit No. 326135 being from a renewable alluvial source, rather than the more typical finite Denver Basin aquifers. As described herein, because the uses of the existing exempt well permitted under Permit No. 326135 will not be expanded, and because such well is constructed into an alluvial groundwater formation presumed to be tributary to Jimmy Camp Creek, and therefore is pumping tributary and renewable water supplies, Applicant can demonstrate a sufficient quantity and reliability of water to support compliance with El Paso County’s 300-year water supply rules for subdivisions of this nature.

I. INTRODUCTION

The purpose of this report is to provide a preliminary outline of the water resources and associated wastewater requirements necessary for approval of the Home Land Acres Lot 1 Minor Subdivision, as proposed.

1.1 New Development Description: The Subdivision consists of 57.49 acres located at the current addresses of 8180 Kane Road, Fountain, CO 80817. The Property will be subdivided into one lot of approximately 10.43 acres ("Lot 1"), and one remaining tract of greater than 35 acres in size (47.06 acres). **Exhibit A**, attached hereto, is the plan for the Subdivision as proposed, prepared by Dakota Springs Engineering. This analysis accounts for water reserved for the existing exempt well, and the 300-year supply necessary for subdivision approval.

II. PROJECTION OF WATER NEEDS

2.1 Analysis of Water Demands: It is expected that the one residential lot in the Subdivision will utilize the existing exempt individual well constructed into the alluvium of Jimmy Camp Creek and permitted for domestic-type uses, including in-house, landscape irrigation of lawn and gardens, watering of domestic animals and stock, and fire protection. Existing well with Permit No. 326135, a copy of which is attached as **Exhibit B**, will provide water supply to lot created by the Subdivision. This is an exempt well permitted pursuant to C.R.S. §37-92-602(3)(b)(II), and pursuant to C.R.S. §37-92-602(3)(a)(IV) will remain exempt following approval of the Subdivision. Maximum demand associated with this well is 3.0 acre feet annually, as described in the Water Supply Information Summary. There are no other wells currently constructed on the Property, nor is any other water use contemplated by this Subdivision. Based on experience with the this well by Applicant, the available rate of production of 15 gallons per minute is more than sufficient to meet demand for permitted uses.

III. WATER RIGHTS AND FACILITIES

3.1 Water Rights: Applicant is entitled to the maintenance of the exempt well as permitted pursuant to C.R.S. §37-92-602(3)(b)(II), Permit No. 326135, following completion of the Subdivision, pursuant to recently enacted C.R.S. §37-92-602(3)(a)(IV), which provides:

If an existing well was permitted under the presumption set forth in subsection (3)(b)(II)(A) of this section, the presumption is not lost if: A. The land on which the well is located is divided into multiple parcels; B. The well is used on only a single parcel of the divided land and remains the only well serving that parcel; C. With respect to the parcel of the land that the well still serves, the permit holder continues to use the well in accordance with subsections (1)(b) and (3)(b)(II)(A) of this section; and D. The permit holder provides return flows in accordance with subsection (3)(b)(II)(A) of this section.

Applicant's well Permitted pursuant to Permit No. 326135 is (A) currently the only well utilized on the Property; (B) will be utilized only on Lot 1 created by the Subdivision; (C) will continue to be utilized for its permitted purposes under subsections C.R.S. §§37-92--

602(1)(b) and (3)(b)(II)(A; and (D) will continue to provide septic return flows as required by C.R.S. §37-92-602(3)(b)(II)(A). As such, Applicant is entitled to maintain the existing exempt Permit No. 326135 for continued provision of water service, without expansion, to Lot 1 of the Subdivision.

3.2 Source of Supply: The exempt well permitted under Permit No. 326135 is constructed to the presumed tributary alluvium of Jimmy Camp Creek, and thus produces renewable tributary groundwater associated therewith. By its definition, renewable tributary groundwater is of such a nature as to be replenished annually through normal precipitation, and thus available in perpetuity. This is in comparison to finite non-renewable Denver Basin groundwater supplies not materially recharged by precipitation, which require computer modeling to demonstrate sufficient quantities to last for the requisite 300 year period described by the El Paso County Land Development Code (which was clearly developed as a means to extend the production of finite Denver Basin groundwater resources). There is no evidence that shallow alluvial groundwater tributary to and connected with Jimmy Camp Creek has or will be diminished, and it is therefore the undersigned's opinion that the exempt domestic well permitted by Permit No. 326135 for withdrawal of tributary groundwater satisfies the County's 300-year rule, and is sufficient both as to quantity and dependability. Given the renewable nature of tributary alluvial groundwater, it is virtually impossible to calculate specific quantities of water available, or a finite period of time of such availability. While all wells deteriorate and require maintenance and eventual replacement, the subject well can be so maintained and eventually replaced so as to provide for a potentially perpetual operation.

3.3 Pumping Rates for Service: The tributary alluvial aquifer to which Permit No. 326135 is constructed is known to have reliably produced approximately 15 gallons per minute, more than sufficient for single family residential and accessory uses, as evidenced by the Pump Installation and Testing Report included in the **Exhibit B** permit file for Well Permit No. 326135.

3.4 Ownership: The Property is currently owned by Integrity Bank & Trust, as evidenced by the deed attached hereto as **Exhibit C**. Integrity Bank & Trust has expressly consented to Applicant's subdivision of the Property, as evidenced by the Letter of Consent attached hereto as **Exhibit D**.

IV. WASTEWATER AND WASTEWATER TREATMENT – While soils, geology and geotechnical analysis will be provided by other of Owners' consultants, the Owners provide a summary of ISDS to be utilized herein, as relates to water usage and resulting return flows, consistent with C.R.S. §§37-92-602(3)(b)(II)(A) and 37-92-602(3)(a)(IV).

4.1 Septic/Wastewater Loads: Septic projections are based on similar residential uses on rural residential lots. Average daily wastewater loads are expected to be approximately 160 gallons per day per single-family residence. Maximum daily wastewater loads are expected to be roughly 210 gallons per day per single-family residence based on the El Paso County Land Development Code residential demand standard of 0.26 acre-feet per year.

4.2 On-Site Wastewater Treatment Systems: The single residential lot within

the Subdivision will be served by an individual on-site wastewater treatment system. The on-site wastewater treatment system has been installed according to El Paso County Guidelines and properly maintained to prevent contamination of surface and subsurface water resources.

Respectfully submitted this ____ day of April, 2024.

MONSON, CUMMINS, SHOHET & FARR, LLC

/s/ Chris D. Cummins

Chris D. Cummins

Exhibits:

A – Plat of the Property

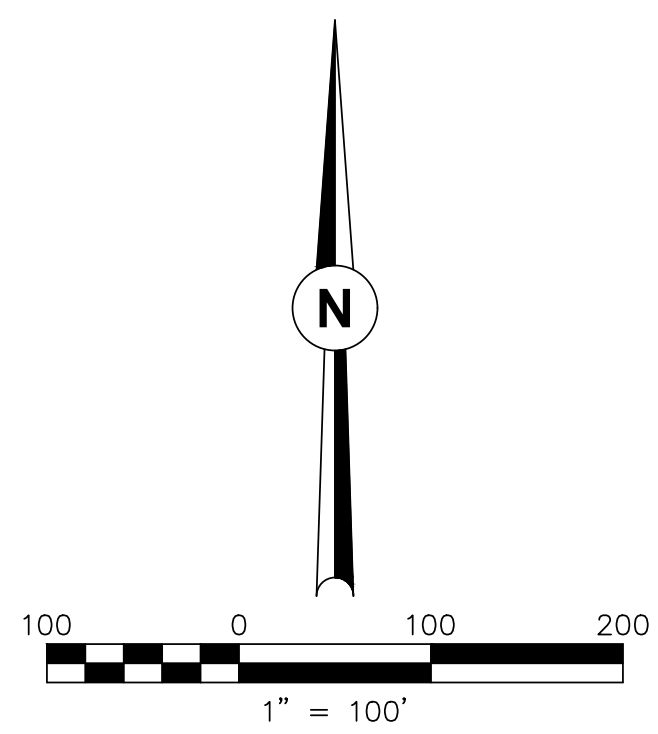
B – Well Permit File

C – Integrity Bank & Trust Deed

D – Integrity Bank & Trust Letter of Consent

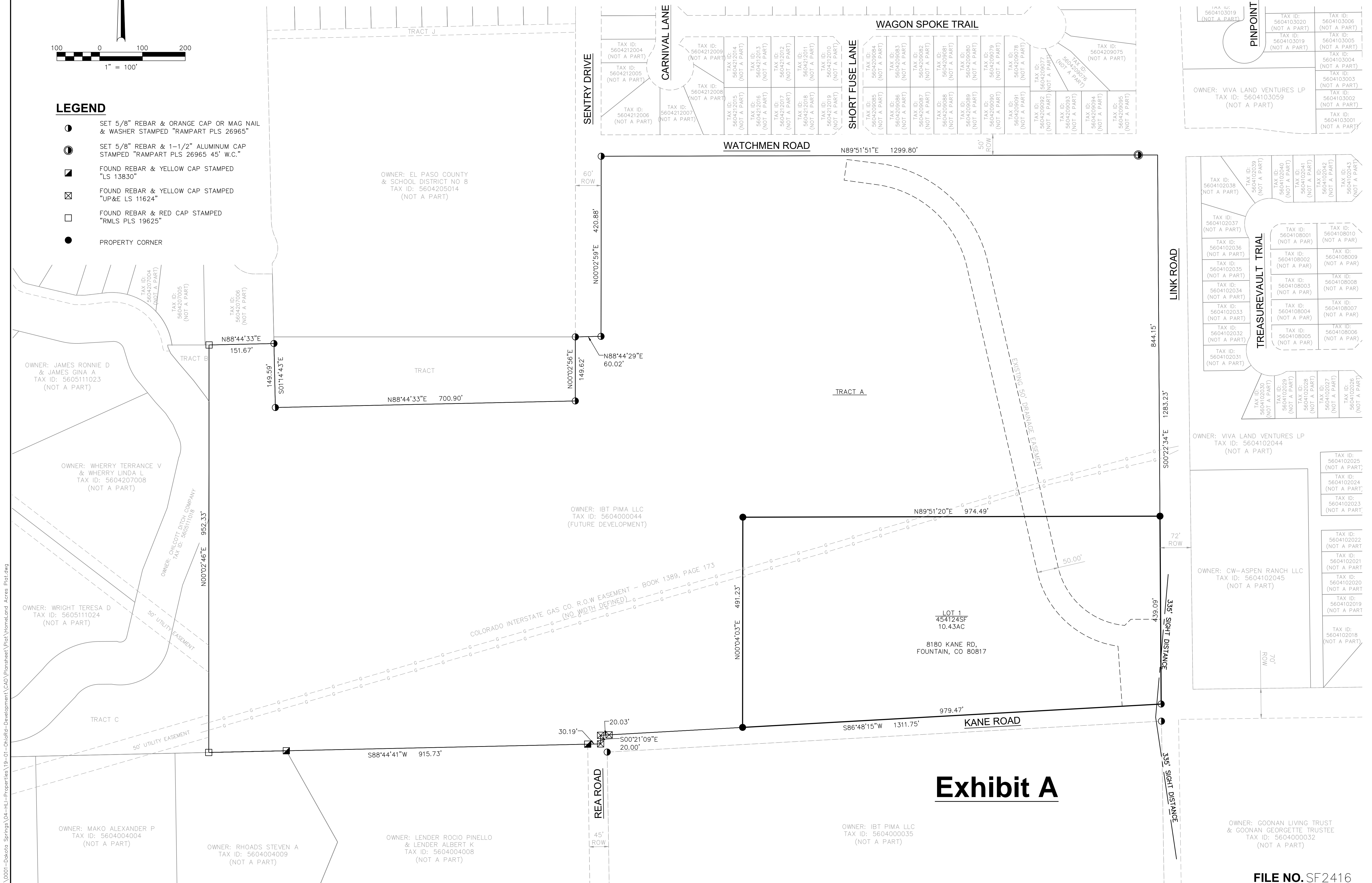
HOMELAND ACRES

A SUBDIVISION OF A PORTION OF PORTION OF SECTION 4,
TOWNSHIP 16 SOUTH, RANGE 65 WEST, OF THE 6TH P.M.,
THE CITY OF FOUNTAIN, EL PASO COUNTY COUNTY, STATE OF COLORADO
SHEET 2 OF 2



LEGEND

- SET 5/8" REBAR & ORANGE CAP OR MAG NAIL & WASHER STAMPED "RAMPART PLS 26965"
- SET 5/8" REBAR & 1-1/2" ALUMINUM CAP STAMPED "RAMPART PLS 26965 45" W.C."
- FOUND REBAR & YELLOW CAP STAMPED "LS 13830"
- ⊠ FOUND REBAR & YELLOW CAP STAMPED "UP&E LS 11624"
- FOUND REBAR & RED CAP STAMPED "RMLS PLS 19625"
- PROPERTY CORNER



TAX ID: 5604103019 (NOT A PART)	TAX ID: 5604103020 (NOT A PART)	TAX ID: 5604103006 (NOT A PART)
TAX ID: 5604103019 (NOT A PART)	TAX ID: 5604103005 (NOT A PART)	TAX ID: 5604103004 (NOT A PART)
TAX ID: 5604103019 (NOT A PART)	TAX ID: 5604103003 (NOT A PART)	TAX ID: 5604103002 (NOT A PART)
TAX ID: 5604103019 (NOT A PART)	TAX ID: 5604103001 (NOT A PART)	TAX ID: 5604103001 (NOT A PART)

OWNER: VIVA LAND VENTURES LP
TAX ID: 5604103059 (NOT A PART)

TAX ID: 5604102038 (NOT A PART)	TAX ID: 5604102037 (NOT A PART)	TAX ID: 5604102036 (NOT A PART)	TAX ID: 5604102035 (NOT A PART)	TAX ID: 5604102034 (NOT A PART)	TAX ID: 5604102033 (NOT A PART)	TAX ID: 5604102032 (NOT A PART)	TAX ID: 5604102031 (NOT A PART)
TAX ID: 5604102038 (NOT A PART)	TAX ID: 5604102037 (NOT A PART)	TAX ID: 5604102036 (NOT A PART)	TAX ID: 5604102035 (NOT A PART)	TAX ID: 5604102034 (NOT A PART)	TAX ID: 5604102033 (NOT A PART)	TAX ID: 5604102032 (NOT A PART)	TAX ID: 5604102031 (NOT A PART)
TAX ID: 5604102038 (NOT A PART)	TAX ID: 5604102037 (NOT A PART)	TAX ID: 5604102036 (NOT A PART)	TAX ID: 5604102035 (NOT A PART)	TAX ID: 5604102034 (NOT A PART)	TAX ID: 5604102033 (NOT A PART)	TAX ID: 5604102032 (NOT A PART)	TAX ID: 5604102031 (NOT A PART)

OWNER: VIVA LAND VENTURES LP
TAX ID: 5604102044 (NOT A PART)

TAX ID: 5604102025 (NOT A PART)	TAX ID: 5604102024 (NOT A PART)	TAX ID: 5604102023 (NOT A PART)
TAX ID: 5604102022 (NOT A PART)	TAX ID: 5604102021 (NOT A PART)	TAX ID: 5604102020 (NOT A PART)
TAX ID: 5604102019 (NOT A PART)	TAX ID: 5604102018 (NOT A PART)	TAX ID: 5604102017 (NOT A PART)

OWNER: CW-ASPEN RANCH LLC
TAX ID: 5604102045 (NOT A PART)

TAX ID: 5604102025 (NOT A PART)	TAX ID: 5604102024 (NOT A PART)	TAX ID: 5604102023 (NOT A PART)
TAX ID: 5604102022 (NOT A PART)	TAX ID: 5604102021 (NOT A PART)	TAX ID: 5604102020 (NOT A PART)
TAX ID: 5604102019 (NOT A PART)	TAX ID: 5604102018 (NOT A PART)	TAX ID: 5604102017 (NOT A PART)

OWNER: GOONAN LIVING TRUST & GOONAN GEORGETTE TRUSTEE
TAX ID: 5604000032 (NOT A PART)

Dakota Springs Engineering
Engineering Consultants
31 N. TEJON ST. SUITE 518
COLORADO SPRINGS, CO 80903
P: (719) 227-7388 F: (719) 227-7392

811
Know what's below.
Call 811 before you dig.

SCALE: VERT: STATION: FROM: TO:
JCAD
719-377-0002

DESIGNED BY:	DATE:
DRAWN BY:	DATE:
CHECKED BY:	DATE:

PROJECT NUMBER:	0419-01
SHEET	2 OF 2

REVISIONS:	DATE
NO. DESCRIPTION	

Z:\0001-Dakota Springs\04-HL-Properties\19-01-Chicago-Development\Cad\PlanSheet\Plan\Homeland Acres Plat.dwg

FILE NO. SF2416

RESIDENTIAL Note: Also use this form to apply for **livestock watering**
Water Well Permit Application
 Review form instructions prior to completing form.
 Hand completed forms must be completed in black or blue ink or typed.

RECEIVED
 02/22/2022
 Water Resources
 State Engineer
 COLO

1. Applicant Information

Name(s)
 Integrity Bank and Trust,
 Mailing address
 c/o Brett Wyss, 13540 Meadowgrass Dr. #100
 City State Zip code
 Colorado Springs CO 80921
 Telephone (w/area code) E-mail
 719-955-4801 bwyss@integritybankandtrust.com

2. Type Of Application (check applicable boxes)

Construct new well Change source (aquifer)
 Replace existing well Reapplication (expired permit)
 Use existing well Rooftop precip. collection
 Change or increase use Other: _____

3. Refer To (if applicable)

Well permit # Water Court case #
 n/a
 Designated Basin Determination # Well name or #

4. Location Of Proposed Well (Important! See Instructions)

County
 El Paso SW 1/4 of the NW 1/4
 Section Township N or S Range E or W Principal Meridian
 4 16 65 6th
 Distance of well from section lines (section lines are typically not property lines)
 Ft. from N S Ft. from E W
 For replacement wells only – distance and direction from old well to new well
 feet Direction
 Well location address (Include City, State, Zip) Check if well address is same as in Item 1.
 8180 Kane Road, Fountain, Colorado 80817

Optional: GPS well location information in UTM format. GPS unit settings are as follows:
 Format must be UTM
 Zone 12 or Zone 13
 Units must be Meters
Datum must be NAD83
 Unit must be set to true north
 Was GPS unit checked for above? YES
 Easting: 528188
 Northing: 4282084
 Remember to set Datum to NAD83

5. Parcel On Which Well Will Be Located
 (You must attach a current deed for the subject parcel)

A. You must check and complete *one* of the following:
 Subdivision: Name _____
 Lot _____ Block _____ Filing/Unit _____
 County exemption (attach copy of county approval & survey)
 Name/# _____ Lot # _____
 Parcel less than 35 acres, not in a subdivision attach a deed with metes & bounds description recorded prior to June 1, 1972, and current deed
 Mining claim (attach copy of deed or survey) Name/#: _____
 Square 40 acre parcel as described in Item 4
 Parcel of 35 or more acres (attach metes & bounds description or survey)
 Other: (attach metes & bounds description or survey)
 B. # of acres in parcel C. Are you the owner of this parcel?
 57.49 YES NO
 D. Will this be the only well on this parcel? YES NO (if no – list other wells)
 E. State Parcel ID# (optional):

6. Use Of Well (check applicable boxes)

See instructions to determine use(s) for which you may qualify
 A. Ordinary household use in one single-family dwelling (no outside use)
 B. Ordinary household use in 1 to 3 single-family dwellings:
 Number of dwellings: 3
 Home garden/lawn irrigation, not to exceed one acre:
 area irrigated 1 _____ sq. ft. acre
 Domestic animal watering – (non-commercial)
 C. Livestock watering (on farm/ranch/range/pasture)

7. Well Data (proposed)

Maximum pumping rate Annual amount to be withdrawn
 15 gpm 3 acre-feet
 Total depth Aquifer
 250 feet Alluvial

8. Water Supplier

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

9. Type Of Sewage System

Septic tank / absorption leach field
 Central system: District name: _____
 Vault: Location sewage to be hauled to: _____
 Other (explain) _____

10. Proposed Well Driller License #(optional):

11. Sign or Enter Name 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.
 Sign or enter name(s) of person(s) submitting application Date (mm/dd/yyyy)
 Chris D. Cummins, agent, on behalf of: 02/21/2022
 If signing print name and title
 Brett Wyss, President/CEO of Integrity Bank & Trust

Office Use Only

USGS map name DWR map no. Surface elev.
 Receipt area only
 10019140
 AQUAMAP
 WE
 WR
 CWCB
 TOPO
 MYLAR
 SB5 DIV _____ WD _____ BA _____ MD _____

EL PASO COUNTY - COLORADO5604000044
8180 KANE RDTotal Market Value
\$689,113**OVERVIEW**

Owner:	INTEGRITY BANK & TRUST
Mailing Address:	1275 VILLAGE RIDGE PT MONUMENT CO, 80132-8996
Location:	8180 KANE RD
Tax Status:	Taxable
Zoning:	A-5 CAD-O
Plat No:	679
Legal Description:	TRACT IN SW4NW4 SEC 4-16-65 AS FOLS: BEG AT SE COR OF SW4NW4, TH W 915.75 FT, N 952.05 FT, E 915.75 FT, S 952.05 FT TO POB TRACT 36 FOUNTAIN VALLEY LAND + IRRIGATION CO SUB 1, EX STRIP 20 FT WIDE OFF W SIDE FOR RD IN NW4, EX THAT PT CONV BY REC #207021428

MARKET & ASSESSMENT DETAILS

	Market Value	Assessed Value
Land	\$451,297	\$31,370
Improvement	\$237,816	\$16,530
Total	\$689,113	\$47,900

1.5 STORY (1)

Market Value \$232,671

Assessment Rate	6.95	Above Grade Area	2,732
Bldg #	1	First Floor Area	1,664
Style Description	1.5 STORY	Above First Floor Area	1,068
Property Description	FRAME AVERAGE QUALITY	Lower Level Living Area	0
Year Built	1915	Total Basement Area	587
Dwelling Units	1	Finished Basement Area	
Number of Rooms	6	Garage Description	Detached
Number of Bedrooms	4	Garage Area	180
Number of Baths	1.00	Carpport Area	-

SHEDS/MISCL (2)

Market Value \$5,145

Assessment Rate	6.95	Sprinkler	N
Bldg #	2	Elevator	N
Use	Sheds/Miscl	Occup 1	102
Year Built	1910	Occup 2	
Area	1200	HVA 1	
Class	D	HVA 2	
Quality	1.0	Wall Height	12
Stories	1	Land Size	2504264
Perimeter	140	Neigh #	5
# Units			

LAND DETAILS

Sequence Number	Land Use	Assessment Rate	Area	Market Value
1	SINGLE FAMILY RES.	6.950	57.49 Acres	\$451,297

SALES HISTORY

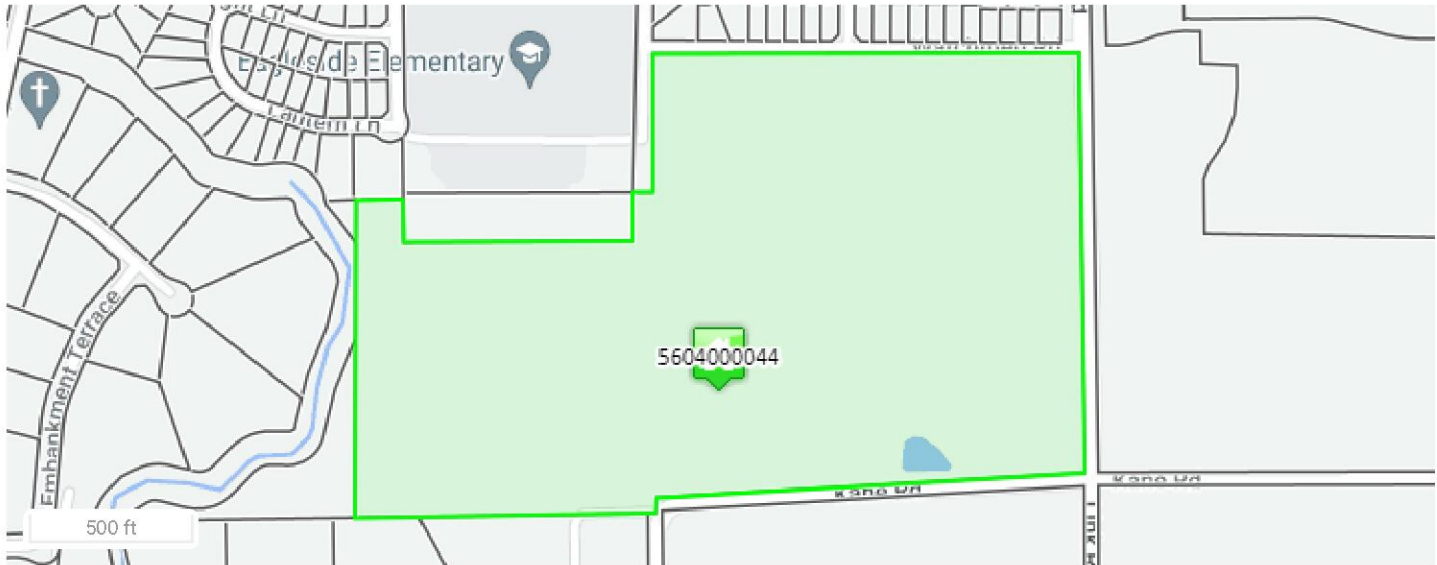
	Sale Date	Sale Price	Sale Type	Reception
+	11/08/2012	\$0	REO or sale after foreclosure	212133232

TAX ENTITY AND LEVY INFORMATION

County Treasurer Tax Information

Tax Area Code: **EBY** Levy Year: **2021** Mill Levy: **37.483**

Taxing Entity	Levy	Contact Name/Organization	Contact Phone
EL PASO COUNTY	7.120	FINANCIAL SERVICES	(719) 520-6400
EPC ROAD & BRIDGE (UNSHARED)	0.330	-	(719) 520-6498
FTN/FT CARSON SCHOOL NO 8	25.704	DR KEITH OWEN	(719) 382-1300
PIKES PEAK LIBRARY	3.490	MIKE VARNET	(719) 531-6333
SOUTHEASTERN COLO WATER CONSERVANCY	0.839	JAMES BRODERICK	(719) 948-2400
EL PASO COUNTY CONSERVATION	0.000	PAMELA DAVISON	(719) 632-9598



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.

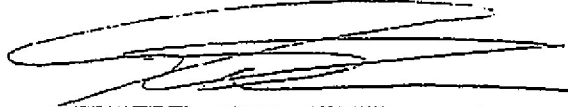
WARRANTY DEED
(IN LIEU OF FORECLOSURE)

Ohio Road, LLC, whose address is 407 S. Tejon Street, Colorado Springs, CO 80903 ("Grantor"), for the consideration of Ten Dollars and other good and valuable consideration, in hand paid, hereby sells and conveys to Integrity Bank & Trust, whose address is 1275 Village Ridge Point, Monument, CO 80132 ("Grantee"), the real property and improvements in the County of El Paso, State of Colorado, described on Exhibit A attached hereto, incorporated herein by this reference together with all water, water rights, water permits and ditch rights appurtenant to the land conveyed (the "Property"), with all its appurtenances, and warrants the title to the same.

This conveyance is subject to the following provisions:

1. This Deed is an absolute conveyance, Grantor having sold the Property to Grantee for a fair and adequate consideration.
2. Grantor declares that this conveyance is freely and fairly made between Grantor and Grantee with respect to the Property.
3. This conveyance is subject to that certain deed of trust from Ohio Road, LLC to the Public Trustee of El Paso County, Colorado, for the use of Integrity Bank & Trust, dated November 27, 2007, recorded on November 27, 2007 at Reception No. 207150697 in the real estate records in the Office of the Clerk and Recorder of the County of El Paso, State of Colorado, encumbering the property situate in the County of El Paso, State of Colorado, as more fully described therein; Modification of Deed of Trust recorded on December 22, 2009 at Reception No. 209148516 and Modification of Deed of Trust recorded on January 11, 2011 at Reception NO. 211004117 (the "Deed of Trust"). Grantor and Grantee intend that the Deed of Trust shall remain in full force and effect. The interest of Grantee through this conveyance shall not merge with the interest of the beneficiary of the Deed of trust, but shall at all times be separate and distinct, and the lien created by the Deed of Trust shall continue in full force and effect as a first lien. That certain promissory note dated November 14, 2007, in the stated principal amount of \$1,615,641.21, secured by the Deed of Trust, shall also remain in full force and effect.

SIGNED this 10 day of SEPT, 2012.


GRANTOR:

212133232

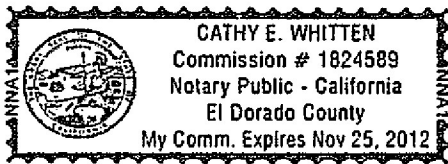
THIS WARRANTY DEED
IS BEING RE-RECORDED TO
CORRECT THE LEGAL
DESCRIPTION.

California
STATE OF COLORADO }
El Dorado } ss.
COUNTY OF EL PASO }

The foregoing was acknowledged before me this 10 ^{September} day of ~~July~~, 2012 by Ohio Road, LLC by George Kramer, its _____.

Witness my hand and official seal. My commission expires Nov. 25, 2012.

Witness my hand and official seal.
My commission expires: _____



Cathy E. Whitten

EXHIBIT A

PARCEL A:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 IN TOWNSHIP 16 SOUTH, RANGE 65 WEST OF THE SIXTH P.M.; THENCE RUNNING WEST 55 1/2 RODS, THENCE NORTH 57 21/30 RODS; THENCE EAST 55 1/2 RODS; THENCE SOUTH 57 21/30 RODS TO THE PLACE OF BEGINNING, AND TRACT NO. 36 AS SHOWN ON THE PLAT OF THE FOUNTAIN VALLEY LAND AND IRRIGATION COMPANY'S SUBDIVISION NO. 1 RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER IN EL PASO COUNTY, COLORADO, EXCEPT A STRIP 20 FEET OFF OF THE WEST SIDE THEREOF RESERVED FOR ROADWAY AND EXCEPT THAT PORTION CONVEYED TO EL PASO COUNTY SCHOOL DISTRICT #8 IN WARRANTY DEED RECORDED FEBRUARY 14, 2007 UNDER RECEPTION NO. 207021428.

PARCEL B:

TRACT 35 IN THE FOUNTAIN VALLEY LAND & IRRIGATION CO.'S SUBDIVISION #1, BEING A PART OF SECTIONS 3, 4, 5, 9 AND 10 IN TOWNSHIP 16 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN AND A PART OF SECTIONS 33 AND 34 IN TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPTING FROM SAID TRACT 35, A 5.0 ACRE TRACT DESCRIBED AS FOLLOWS:

FROM THE SOUTHWESTERLY CORNER OF SAID TRACT 35, RUN EAST ON THE SOUTH LINE THEREOF, A DISTANCE OF 387.0 FEET TO THE POINT OF BEGINNING OF THE 5.0 ACRE TRACT HEREBY DESCRIBED; THENCE CONTINUE EAST ON SAID SOUTH LINE OF TRACT 35, A DISTANCE OF 466.6 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES AND RUN NORTHERLY, A DISTANCE OF 466.6 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES AND RUN WESTERLY, 466.6 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES AND RUN SOUTHERLY, 466.6 FEET TO THE POINT OF BEGINNING, AND EXCEPT THAT PORTION CONVEYED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC., BY DEED RECORDED IN BOOK 1368 AT PAGE 141, AND EXCEPT THAT PORTION CONVEYED IN BOOK 2215 AT PAGE 487.



STATE OF COLORADO

DWR - DNR, Permitsonline <dnr_dwrpermitsonline@state.co.us>

Residential Well Permit Application - Integrity Bank and Trust

Maria Gray <mcg@cowaterlaw.com>

Mon, Feb 21, 2022 at 10:08 AM

To: "dwrpermitsonline@state.co.us" <dwrpermitsonline@state.co.us>

Cc: Chris Cummins <cdc@cowaterlaw.com>

Good morning,

Attached is a Residential Well Permit application on behalf of Integrity Bank and Trust, together with an Exhibit A Warranty Deed.

I will await your email confirming receipt of this filing. Thank you.

Maria

Maria C. Gray

Legal Assistant

MONSON, CUMMINS, SHOHET & FARR, LLC

13511 Northgate Estates Drive, Suite 250

Colorado Springs, Colorado 80921

(719) 471-1212

mcg@cowaterlaw.com



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2 attachments



Ex A to Well Permit App - Deed.pdf

85K



GWS-44 Pak Fountain Prop (final).pdf

244K

Form No. GW-31 02,2017	WELL CONSTRUCTION AND YIELD ESTIMATE REPORT State of Colorado, Office of the State Engineer 1313 Sherman St. Room 821, Denver, CO 80203 303.866.3581 www.water.state.co.us and dwrpermitsonline@state.co.us	For Office Use Only																																																																									
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7. Ground Surface Elevation: Feet Date Completed: 4/4/2022 Drilling Method: Rotary Mud																																																																											
8. Completed Aquifer Name: ALLVIUM Total Depth: 100 Feet Depth Completed: 100 Feet																																																																											
9. Notification: Was Notification Required Prior to Construction? No Date Notification Given:																																																																											
10. Aquifer Type: Type III (Unconsolidated/alluvial)																																																																											
11. Geologic Log: <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Depth</th> <th>Type</th> <th>Grain Size</th> <th>Color</th> <th>Water Loc.</th> </tr> </thead> <tbody> <tr><td>0 - 1</td><td>Topsoil</td><td></td><td></td><td></td></tr> <tr><td>1 - 36</td><td>Sand & Clay</td><td></td><td></td><td></td></tr> <tr><td>36 - 55</td><td>Clay</td><td></td><td></td><td></td></tr> <tr><td>55 - 72</td><td>Sand & Gravel</td><td></td><td></td><td></td></tr> <tr><td>72 - 85</td><td>Clay</td><td></td><td></td><td></td></tr> <tr><td>85 - 100</td><td>Shale</td><td></td><td></td><td></td></tr> </tbody> </table>	Depth	Type	Grain Size	Color	Water Loc.	0 - 1	Topsoil				1 - 36	Sand & Clay				36 - 55	Clay				55 - 72	Sand & Gravel				72 - 85	Clay				85 - 100	Shale				12. Hole Diameter (in.) <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>From (Ft)</th> <th>To (ft)</th> </tr> </thead> <tbody> <tr><td>9</td><td>0</td><td>20</td></tr> <tr><td>6.5</td><td>20</td><td>100</td></tr> </tbody> </table> 13. Plain Casing <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>OD (in)</th> <th>Kind</th> <th>Wall Size (in)</th> <th>From (ft)</th> <th>To (ft)</th> </tr> </thead> <tbody> <tr><td>7</td><td>Steel</td><td>.188 +1</td><td>20</td><td></td></tr> <tr><td>4.5</td><td>PVC</td><td>.237 15</td><td>55</td><td></td></tr> <tr><td>4.5</td><td>PVC</td><td>.237 95</td><td>100</td><td></td></tr> </tbody> </table> Perforated Casing Screen Slot Size 0.03 <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>OD (in)</th> <th>Kind</th> <th>Wall Size (in)</th> <th>From (ft)</th> <th>To (ft)</th> </tr> </thead> <tbody> <tr><td>4.5</td><td>PVC</td><td>.237</td><td>55</td><td>95</td></tr> </tbody> </table> 14. Filter Pack 15. Packer Placement: Material Gravel Material Size COARSE#1 Depth Interval 20 - 100		From (Ft)	To (ft)	9	0	20	6.5	20	100	OD (in)	Kind	Wall Size (in)	From (ft)	To (ft)	7	Steel	.188 +1	20		4.5	PVC	.237 15	55		4.5	PVC	.237 95	100		OD (in)	Kind	Wall Size (in)	From (ft)	To (ft)	4.5	PVC	.237	55	95
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17. Disinfection: Type HTH Amt. Used 1 CUP																																																																											
18. Well Yield Estimate Data: Well Yield Estimate Method: Aired & Bailed Pumping Level 90 Static Level: 55 Estimated Production Rate 15 Date/Time measured: 4/4/2022 2:00 pm Estimate Length (hrs) 4																																																																											
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19. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402.2. The filing of a document that contains false statements is a violation of section 37 91 108(1)(e), C.R.S., and is punishable by fines up to \$1000 and/or revocation of the contracting license. If filing online the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.																																																																											
Company Name: Hamacher Well Works, Inc	Email: info@hamacherwellworksinc.com	Phone: (719) 541-2460																																																																									
		License Number 71																																																																									
Mailing Address: 81800 Hwy 24, P.O. Box 86 Simla, CO 80835																																																																											
Sign: <i>Alan Hamacher</i>	Print Name and Title: ALAN Hamacher	Date: 4/5/2022																																																																									

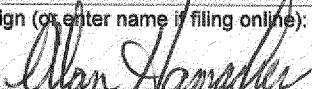
Form No. GWS-32 10/2016	PUMP INSTALLATION AND PRODUCTION EQUIPMENT TEST REPORT State of Colorado, Office of the State Engineer 1313 Sherman St. Room 821, Denver, CO 80203 303.866.3581 www.water.state.co.us and dwrpermitsonline@state.co.us		For Office Use Only	
1. Well Permit Number: 326135		Receipt Number: 10019140		
2. Owner's Well Designation: ROAMING				
3. Well Owner Name: INTEGRITY BANK & TRUST				
4. well Location Street Address: 8180 KANE RD FOUNTAIN 80817				
5. GPS Well Location: Zone 13 Easting 528153 Northing 4282064 County EL PASO - 0206				
6. Legal Well Location: SE 1/4 NW 1/4 Sec. 4 Twp 16S Range 65W				
Distances from Section Lines ft. from Section Line and ft. from section line				
Subdivision: Lot: Block: Filing (Unit:)				
7. Check Installation Type: Initial Pump Installation				
8. Pump Data: Type Submersible Date Installed: 4/20/2022				
Pump Manufacturer: FRANKLIN Pump Model No. 10FA1S43W230				
Design GPM: 10 At RPM 3450 HP 1.00 Volts 230 Full Load Amps 9.8				
Pump Intake Depth: 85 Feet, Drop/Column Pipe Size Inches, 1 Kind of Drop Pipe Sch 80 PVC				
Additional Information for Pumps Greater Than 50 GPM: Turbine Driver Type:				
Design Head: Feet, Number of Stages Shaft Size: Inches				
9. Other Equipment:				
Airline Installed: No Orifice Depth ft. Monitor Tube Installed. No Depth ft.				
Flow Meter Mfg Meter Serial No.				
Meter Readout Beginning Reading :				
10. Cistern Information: Material: Capacity Gallons				
11: Production Equipment Test Data: Check if data is submitted on Form Number GWS-39 Well Yield Test Report.				
Date: 4/20/22				
Total Well Depth 100 Time: 3:30 PM				
Static Level: 55 Rate: 15				
Date Measured: 4/20/2022 Pumping Level (ft): 85				
12. Dinsinfection: Type: HTH Amt Used: 1 CUP				
13. Notification: Was Notification Required Prior to Construction? <input checked="" type="checkbox"/> Date Notification Given:				
14. Water Quality analysis available? <input checked="" type="checkbox"/> If yes, please submit with this report.				
15. Remarks:				
16. I have read the statements made herein and know the contents thereof, and they are true to my knowledge. This document is signed (or name entered if filing online) and certified in accordance with Rule 17.4 of the Water Well Construction Rules, 2 CCR 402-2. The filing of a document that contains false statements is a violation of section 37-91-108(1)(e), C.R.S., and is punishable by fines up to \$1,000 and/or revocation of the contracting license. If filing online, the State Engineer considers the entry of the licensed contractor's name to be compliance with Rule 17.4.				
Company Name:		Email:		Phone w/ area code:
Hamacher Well Works, Inc		info@hamacherwellworksinc.com		(719) 541-2460
Mailing Address:		License Number:		
31800 Hwy 24, P.O. Box 86		71		
Simla, CO 80835		Mailing Address:		
Sign (or enter name if filing online):		Print Name and Title		Date:
		ALAN Hamacher		4/20/2022

Exhibit C

WARRANTY DEED (IN LIEU OF FORECLOSURE)

Ohio Road, LLC, whose address is 407 S. Tejon Street, Colorado Springs, CO 80903 ("Grantor"), for the consideration of Ten Dollars and other good and valuable consideration, in hand paid, hereby sells and conveys to Integrity Bank & Trust, whose address is 1275 Village Ridge Point, Monument, CO 80132 ("Grantee"), the real property and improvements in the County of El Paso, State of Colorado, described on Exhibit A attached hereto, incorporated herein by this reference together with all water, water rights, water permits and ditch rights appurtenant to the land conveyed (the "Property"), with all its appurtenances, and warrants the title to the same.

This conveyance is subject to the following provisions:

1. This Deed is an absolute conveyance, Grantor having sold the Property to Grantee for a fair and adequate consideration.
2. Grantor declares that this conveyance is freely and fairly made between Grantor and Grantee with respect to the Property.
3. This conveyance is subject to that certain deed of trust from Ohio Road, LLC to the Public Trustee of El Paso County, Colorado, for the use of Integrity Bank & Trust, dated November 27, 2007, recorded on November 27, 2007 at Reception No. 207150697 in the real estate records in the Office of the Clerk and Recorder of the County of El Paso, State of Colorado, encumbering the property situate in the County of El Paso, State of Colorado, as more fully described therein; Modification of Deed of Trust recorded on December 22, 2009 at Reception No. 209148516 and Modification of Deed of Trust recorded on January 11, 2011 at Reception NO. 211004117 (the "Deed of Trust"). Grantor and Grantee intend that the Deed of Trust shall remain in full force and effect. The interest of Grantee through this conveyance shall not merge with the interest of the beneficiary of the Deed of trust, but shall at all times be separate and distinct, and the lien created by the Deed of Trust shall continue in full force and effect as a first lien. That certain promissory note dated November 14, 2007, in the stated principal amount of \$1,615,641.21, secured by the Deed of Trust, shall also remain in full force and effect.

SIGNED this 10 day of SEPT, 2012.


GRANTOR:

212133232

THIS WARRANTY DEED
IS BEING RE-RECORDED TO
CORRECT THE LEGAL
DESCRIPTION.

California
STATE OF COLORADO }
El Dorado } ss.
COUNTY OF EL PASO }

The foregoing was acknowledged before me this 10 ^{September} day of July, 2012 by Ohio Road, LLC by George Kramer, its _____.

Witness my hand and official seal. My commission expires Nov. 25, 2012.

Witness my hand and official seal.
My commission expires: _____



Cathy E. Whitten

EXHIBIT A

PARCEL A:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 4 IN TOWNSHIP 16 SOUTH, RANGE 65 WEST OF THE SIXTH P.M.; THENCE RUNNING WEST 55 1/2 RODS, THENCE NORTH 57 21/30 RODS; THENCE EAST 55 1/2 RODS; THENCE SOUTH 57 21/30 RODS TO THE PLACE OF BEGINNING, AND TRACT NO. 36 AS SHOWN ON THE PLAT OF THE FOUNTAIN VALLEY LAND AND IRRIGATION COMPANY'S SUBDIVISION NO. 1 RECORDED IN THE OFFICE OF THE COUNTY CLERK AND RECORDER IN EL PASO COUNTY, COLORADO, EXCEPT A STRIP 20 FEET OFF OF THE WEST SIDE THEREOF RESERVED FOR ROADWAY AND EXCEPT THAT PORTION CONVEYED TO EL PASO COUNTY SCHOOL DISTRICT #8 IN WARRANTY DEED RECORDED FEBRUARY 14, 2007 UNDER RECEPTION NO. 207021428.

PARCEL B:

TRACT 35 IN THE FOUNTAIN VALLEY LAND & IRRIGATION CO.'S SUBDIVISION #1, BEING A PART OF SECTIONS 3, 4, 5, 9 AND 10 IN TOWNSHIP 16 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN AND A PART OF SECTIONS 33 AND 34 IN TOWNSHIP 15 SOUTH, RANGE 65 WEST OF THE 6TH PRINCIPAL MERIDIAN, EXCEPTING FROM SAID TRACT 35, A 5.0 ACRE TRACT DESCRIBED AS FOLLOWS:

FROM THE SOUTHWESTERLY CORNER OF SAID TRACT 35, RUN EAST ON THE SOUTH LINE THEREOF, A DISTANCE OF 387.0 FEET TO THE POINT OF BEGINNING OF THE 5.0 ACRE TRACT HEREBY DESCRIBED; THENCE CONTINUE EAST ON SAID SOUTH LINE OF TRACT 35, A DISTANCE OF 466.6 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES AND RUN NORTHERLY, A DISTANCE OF 466.6 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES AND RUN WESTERLY, 466.6 FEET; THENCE ANGLE LEFT 90 DEGREES 00 MINUTES AND RUN SOUTHERLY, 466.6 FEET TO THE POINT OF BEGINNING, AND EXCEPT THAT PORTION CONVEYED TO MOUNTAIN VIEW ELECTRIC ASSOCIATION, INC., BY DEED RECORDED IN BOOK 1368 AT PAGE 141, AND EXCEPT THAT PORTION CONVEYED IN BOOK 2215 AT PAGE 487.



Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | www.elpasoco.com

EXHIBIT D

Application Form

Please check the applicable application type (Note: each request requires completion of a separate application form):

- Administrative Determination
- Administrative Relief
- Appeal
- Approval of Location
- Billboard Credit
- Board of Adjustment – Dimensional Variance
- Certificate of Designation
- Combination of Contiguous Parcels by Boundary Line Adjustment
- Construction Drawings
- Condominium Plat
- Crystal Park Plat
- Development Agreement
- Early Grading Request
- Final Plat
- Maintenance Agreement
- Merger by Contiguity
- Townhome Plat
- Planned Unit Development
- Preliminary Plan
- Rezoning
- Road Disclaimer
- Road or Facility Acceptance
- Site Development Plan
- Sketch Plan
- Solid Waste Disposal Site/Facility
- Special District
- Special Use
- Subdivision Exemption
- Subdivision Improvement Agreement
- Variance of Use
- WSEO
- Other: _____

This application form shall be accompanied by all required support materials.

PROPERTY INFORMATION: Provide information to identify properties and the proposed development. Attach additional sheets if necessary.

Property Address(es): 8180 Kane Rd, Fountain CO 80817	
Tax ID/Parcel Numbers(s) 5604000044	Parcel size(s) in Acres: 57.09
Existing Land Use/Development: Single Family Residential	
Existing Zoning District: A-5	Proposed Zoning District (if applicable): A-5

PROPERTY OWNER INFORMATION: Indicate the person(s) or organization(s) who own the property proposed for development. Attach additional sheets if there are multiple property owners.

Name (Individual or Organization): IBT PIMA LLC
Mailing Address: 1275 VILLAGE RIDGE PT MONUMENT CO, 80132-8996
Daytime Telephone: (719) 495-3700
Email or Alternative Contact Information: bwys@integritybankandtrust.com

DESCRIPTION OF THE REQUEST: (attach additional sheets if necessary):

We would like to create a subdivision plat of Parcel A Tract 36 (Plat book L page 42). Platting a single +-10 acres lot (Lot 1) which will include the existing house, well, and septic. The remaining +-47 acres will be a tract (Tract A).



Planning and Community Development Department

2880 International Circle, Colorado Springs, CO 80910

Phone 719.520.6300 | Fax 719.520.6695 | www.elpasoco.com

APPLICANT(S): Indicate person(s) submitting the application if different than the property owner(s) (attach additional sheets if necessary).

Name (Individual or Organization): Dakota Springs Eningeering, LLC	
Mailing Address: 31 N Tejon St Suite 514, Colorado Springs, CO. 80903	
Daytime Telephone: 719-377-0244	Email or Alternative Contact Information: dse.pak7@gmail.com

AUTHORIZED REPRESENTATIVE(S): Indicate the person(s) authorized to represent the property owner and/or applicants (attach additional sheets if necessary).

Name (Individual or Organization): Dakota Springs Eningeering, LLC	
Mailing Address: 31 N Tejon St Suite 514, Colorado Springs, CO. 80903	
Daytime Telephone: 719-377-0244	Email or Alternative Contact Information: dse.pak7@gmail.com

AUTHORIZATION FOR OWNER'S APPLICANT(S)/REPRESENTATIVE(S):

An owner's signature may only be executed by the owner or an authorized representative where the application is accompanied by a completed Authority to Represent/Owner's Affidavit naming the person as the owner's agent.

OWNER/APPLICANT AUTHORIZATION:

To the best of my knowledge, the information on this application and all additional or supplemental documentation is true, factual and complete. I am fully aware that any misrepresentation of any information on this application may be grounds for denial or revocation. I have familiarized myself with the rules, regulations and procedures with respect to preparing and filing this application. I also understand that an incorrect submittal may delay review, and that any approval of this application is based on the representations made in the application and may be revoked on any breach of representation or condition(s) of approval. I verify that I am submitting all of the required materials as part of this application and as appropriate to this project, and I acknowledge that failure to submit all of the necessary materials to allow a complete review and reasonable determination of conformance with the County's rules, regulations and ordinances may result in my application not being accepted or may extend the length of time needed to review the project. I hereby agree to abide by all conditions of any approvals granted by El Paso County. I understand that such conditions shall apply to the subject property only and are a right or obligation transferable by sale. I acknowledge that I understand the implications of use or development restrictions that are a result of subdivision plat notes, deed restrictions, or restrictive covenants. I agree that if a conflict should result from the request I am submitting to El Paso County due to subdivision plat notes, deed restrictions, or restrictive covenants, it will be my responsibility to resolve any conflict. I hereby give permission to El Paso County, and applicable review agencies, to enter on the above described property with or without notice for the purposes of reviewing this development application and enforcing the provisions of the LDC. I agree to at all times maintain proper facilities and safe access for inspection of the property by El Paso County while this application is pending.

Owner (s) Signature: _____

Date: 7/30/24

Owner (s) Signature: _____

Date: _____

Applicant (s) Signature: _____

Date: 7/30/24