



Bill Hazelton <bill@palacehomesinc.com>

RE: Well status - joint well you and Burleson

1 message

Chuck Crum <chuckc@mvecivil.com>

Fri, Jul 26, 2019 at 4:23 PM

To: Bill Hazelton <bill@palacehomesinc.com>

Bill,

Yes they are good to hook up to the well. Burleson's are good to connect.

Please keep me posted as to how they will connect and provisions to serve both lots in future.

Chuck

From: Bill Hazelton <bill@palacehomesinc.com>**Sent:** Friday, July 26, 2019 4:04 PM**To:** Chuck Crum <chuckc@mvecivil.com>**Subject:** Well status - joint well you and Burleson

Chuck -

Are we all OK with the well that you share with Burleson's - 565 Sunrise Peak Rd.

Know it is a joint well - looks like well # 82813-F was renewed 1/2/19 - 1/2/20.

Does this cover Burleson connecting to your well?

thanks

bill

--

Bill Hazelton

719-632.9635 office



1216 W. Colorado Ave. #110



ORIGINAL PERMIT APPLICANT(S)

CHARLES C CRUM

Current well agreement

APPROVED WELL LOCATION

Water Division: 2 Water District: 10
 Designated Basin: N/A
 Management District: N/A
 County: EL PASO
 Parcel Name: CRYSTAL PARK CHRISTIAN COMMUNITY
 Lot: 5342 Block: Filing: 2
 Physical Address: N/A
 SW 1/4 NE 1/4 Section 8 Township 14.0 S Range 67.0 W Sixth P.M.

UTM COORDINATES (Meters, Zone: 13, NAD83)

Easting: 507523.1 Northing: 4300068.3

PERMIT TO USE AN EXISTING WELL

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 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 37-90-137(2) to use a well constructed under permit no. 61821-F, on the condition that this well is operated in accordance with the Crystal Park Investors, a Partnership and Crystal Park Christian Community Corp., Successors in interest to Crystal Park Development Co. Augmentation Plan approved by the Division 2 Water Court in case no. W-4568. If this well is not operated in accordance with the terms of said decree, it will be subject to administration including orders to cease diverting water.
- 4) Approved for a well on a residential site of 0.70 acre(s) described as Lot S-342, Filing 2, Crystal Park Christian Community Subdivision, El Paso County.
- 5) The use of ground water from this well is limited to ordinary household purposes inside two (2) single family dwellings. The ground water shall not be used for irrigation or other purposes.
- 6) The maximum pumping rate of this well shall not exceed 15 GPM.
- 7) The maximum annual consumptive use of groundwater from this well, in combination with all other wells constructed pursuant to Division 2 Water Court case no. W-4568 shall not exceed 13 acre feet per year.
- 8) 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.
- 9) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.
- 10) This well shall be located not more than 200 feet from the location specified on this permit.

NOTE: This permit will expire on the expiration date unless the pump is installed by that date. A Pump Installation and Production Equipment Test Report (GWS-32) must be submitted to the Division of Water Resources to verify the pump has been installed. A one-time 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>

NOTE: This permit has been approved subject to the following changes: The UTM coordinate values were calculated from the distances from section lines provided with the permit application. The full name of the subdivision is Crystal Park Christian Community. 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.)

- Ericka - Pd \$100.00
 12/10/18
 DWRpermitsonline@state.co.us

COLORADO DIVISION OF WATER RESOURCES
 DEPARTMENT OF NATURAL RESOURCES
 1313 SHERMAN ST., Ste 821, DENVER, CO 80203
 Main: (303) 866-3581 dwrpermitsonline@state.co.us

Office Use Only Form GWS-44 (7/2012)

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.

1. Applicant Information

Name(s)
CHARLES C. CRUM
 Mailing address
1903 Lelaray Street
 City Colorado Springs State CO Zip code 80909
 Telephone (w/area code) 719-635-5736 E-mail chuckc@mrecivil.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 # 61821-F Water Court case # W-4568
 Designated Basin Determination # _____ Well name or # _____

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

County EL Paso SW 1/4 of the NE 1/4
 Section 8 Township 14 N or S N S Range 67 E or W E W Principal Meridian 6th P.M.
 Distance of well from section lines (section lines are typically not property lines)
1450 Ft. from N S 2315 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.

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: _____
 Northing: _____
 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 Crysal Park
 Lot S-342 Block _____ Filing/Unit # 2
 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 0.70 C. Are you the owner of this parcel?
 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: 2
 Home garden/lawn irrigation, not to exceed one acre:
 area irrigated _____ sq. ft. acre
 Domestic animal watering - (non-commercial)
 C. Livestock watering (on farm/ranch/range/pasture)

7. Well Data (proposed)

Maximum pumping rate 5 gpm Annual amount to be withdrawn per W-4568 acre-feet
 Total depth 600 feet Aquifer _____

8. Water Supplier

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

9. Type Of Sewage System

- 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 Charles C. Crum Date (mm/dd/yyyy) 12-10-18
 If signing print name and title CHARLES C. CRUM

Office Use Only

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

RESIDENTIAL WELL PERMIT APPLICATION INSTRUCTIONS

Applications must be computer generated online, typewritten, or printed in BLACK or BLUE INK. ALL ITEMS in the application must be completed. Incomplete applications may be returned for more information. Applications are evaluated in chronological order. Please allow approximately six weeks for processing. This form may be reproduced by photocopying. Reproductions must retain margins and print quality of the original form. **If filing online see online filing instructions!** You may also save, print, scan and email the completed form to: dwrpermitsonline@state.co.us

DO NOT use this form for the registration of an existing well in use prior to May 8, 1972; (use Form GWS-12).

FEES: This application must be submitted with the appropriate filing fee. The filing fee for applications is \$100. Exceptions are as follows: 1) An application to replace or deepen an existing permitted well that is in the same source (aquifer) which does not have a "-F" or "-R" suffix after the original permit number is \$60. 2) Applications to register an existing well (use Form GWS-12), and replace or deepen the well (use Form GWS-44) into the same aquifer is \$100 if submitted together. Fees are nonrefundable. Acceptable forms of payment are check or money order, payable to the Colorado Division of Water Resources. Payment by Visa, MasterCard or Discover cards can be accepted by phone through the Records Office at 303.866.3581.

USES: This form (GWS-44) is to be used when applying for a permit for the following types of uses:

- A. **Ordinary household use inside one single-family dwelling (NO outside water use allowed):** Generally, this is all that can be approved on parcels less than 35 acres.
- B. **Ordinary household use in 1 to 3 single-family dwellings, irrigation of up to one acre of home garden and lawn, and watering of domestic animals:** Generally, permits can be approved on parcels of land of 35 or more acres, or in areas inside the Designated Basins, the Denver Basin, limited areas on the Western Slope, and for subdivisions under a court-approved plan for augmentation that allow outside uses.
- C. **Livestock watering on farm, ranch, range, or pasture** (on parcels of 35 or more acres).

ITEM INSTRUCTIONS: (numbers correspond with those on the front of this form)

1. The applicant is the entity for whom the permit is to be issued. Since the well owner is ultimately responsible for the use of the well, their name should be in this area. The mailing address is where the applicant currently receives mail.
2. Check all boxes that apply. **If you check the box for Rooftop precip. collection, you must also complete and submit Form No. GWS-78.**
3. Complete all boxes that apply.
4. You must provide a well spot location under the following circumstances: (a) the location is decreed by a water court; (b) the well will be inside the Denver Basin or other location where a site-specific well depth restriction will apply; (c) your application is for a permit to use an existing well. When a spot location is required, you must provide the county, ¼ of the ¼ section designation (example: NE ¼ of the SE ¼), section #, township, range, principal meridian, and either distances from section lines or a GPS location (UTM coordinates). If providing a GPS location, the required GPS unit settings must be as indicated on this form. Colorado contains two UTM zones (12 & 13). Zone 13 covers most of Colorado. The boundary between Zone 12 and Zone 13 is the 108th Meridian (longitude). West of the 108th Meridian is UTM Zone 12 and east of the 108th Meridian is UTM Zone 13. The 108th Meridian is approximately 57 miles east of the Colorado-Utah state line. On most GPS units, the UTM zone is given as part of the Easting measurement, e.g. 12T0123456. Check the appropriate box for the zone.

For all other applicants, you must provide the following minimum information: (a) the county, section #, township, range and principal meridian; and, (b) the subdivision lot, block & filing/unit designations as applicable if in a subdivision. You do

not need to provide distances from section lines or a GPS location (UTM coordinates).

Provide the property address of the well location if one exists. If it is the same as the mailing address, check the box next to the well location address.

5. **A current deed for the subject parcel must be attached.** If the subject parcel is 35 or more acres, a complete metes and bounds type legal description or surveyor's plat map that references a section point is required to enable us to plot the parcel in our mapping system. If the parcel is less than 35 acres and not in a subdivision, a deed with metes and bounds legal description, **recorded prior to June 1, 1972** is required. Complete Items 5A through 5E (5E is optional). If you answered NO to Item 5C please indicate who the landowner is. If you are under a contract to purchase the subject property, please state this as well. If the parcel is inside the Denver Basin, the application must be in the name of and signed by, or their name entered by, the current landowner. **If filing online please see online filing instructions for how to submit deed and or legal description attachments.**
6. See above comments under USES to determine those uses for which you may qualify, and then check the applicable box or boxes.
7. The **maximum pumping rate** is limited to 15 gpm for most residential type well permits. The **annual amount of water to be withdrawn** is a volume measured in acre-feet. One acre-foot equals 325,851 gallons. For ordinary household use inside one single-family dwelling and no outside use, the annual amount will be about 1/3 acre-foot. For ordinary household use in three single-family dwellings, one acre of home garden/lawn irrigation, and watering of domestic animals, the annual amount will be about 3 acre-feet. For 100 head of livestock, the annual amount will be about 1.35 acre-feet. Please indicate the estimated **depth** of the proposed well. The proposed **aquifer** for the well must be indicated if the well is to be located within the Denver Basin (the approximate area of the Denver Basin extends south from Greeley to an area east of Colorado Springs and from Golden east to Limon), the San Luis Valley, the Southern High Plains basin in Baca or Prowers Counties, or in areas where it is believed the well will penetrate a confining layer. Aquifer information should be provided if known, for well locations outside of these areas.
8. The issuance of well permits may depend on the availability of another source of water, pursuant to CRS 37-92-602(6), such as water from a municipality or water district. (Statutes can be accessed through the CDWR web site.)
9. Check the applicable box, and complete or attach any additional information as requested in this item.
10. Wells must be constructed by a Colorado licensed well driller, or under the "private driller" provision as defined in CRS 37-91-102(12). A listing of licensed well drillers/pump installers is available at <http://water.state.co.us/groundwater/BOE/Pages/LicensedContractors.aspx>
11. The individual signing the application or entering their name (and title if applicable) must be the applicant or an officer of the corporation/company/agency identified as the applicant or their attorney. An authorized agent may also sign or enter their name on the application if a letter signed by the applicant or their attorney is submitted with the application authorizing that agent to sign or enter their name on the applicant's behalf. Payment must be received via phone if filing online at 303.866.3581 (Records Office) prior to processing the application.

IF YOU HAVE ANY QUESTIONS please call the Colo. Division of Water Resources (303-866-3581), or the nearest Division Field Office in Greeley (970-352-8712), Pueblo (719-542-3368), Alamosa (719-589-6683), Montrose (970-249-6622), Glenwood Springs (970-945-5665), Steamboat Springs (970-879-0272), or Durango (970-247-1845), or refer to the CDWR web site at <http://www.water.state.co.us> for general information, additional forms, and access to state rules or statutes.

565 Sunrise Peak

JOINT USE WATER WELL AGREEMENT

This Agreement shall act as a covenant running with the land and shall apply to two Crystal Park Memberships which are associated with two surveyed but currently un-platted tracts of land, located in Crystal Park Filing No. 2, Manitou Springs, El Paso County, Colorado. The legal descriptions of the two tracts are attached hereto as EXHIBIT A, and incorporated herein by this reference. The two tracts are known as Membership M-080, Site S-342 ARR, Crystal Park Filing #2 [S-342], and Membership M-227, Site S-93 ARR, Crystal Park Filing #2 [S-93].

This Agreement shall be identified in the deeds at the time of platting the two tracts in this subdivision, and in any other recorded instrument relating to these two tracts individually or to the subdivision as a whole.

WHEREAS, to minimize the costs of present and future tract owners of developing and maintaining a water supply to the above referenced properties (the "Properties"), the undersigned have deemed it desirable to construct and utilize a single well, to be drilled pursuant to Well Permit No. 61821 (the "Well Permit" a copy is attached hereto as EXHIBIT B), to serve the tracts, subject to the approval and conditions set forth in the Well Permit and also as set forth by the Colorado Division of Water Resources, and,

WHEREAS the Parties are desirous of outlining the rights and responsibilities associated with the operation and maintenance of the well, and,

NOW THEREFORE, in consideration of the mutual promises herein contained, and other good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the Parties hereto agree as follows:

1. DEFINITIONS:

- A. OWNER: The record owner of each Membership has, by his, or any prior owner's signature hereon, subscribed to this Joint-Use Agreement. Regardless of whether Ownership of the Membership is joint or common tenancy, for purposes of voting, there shall be one vote per tract.
- B. WELL: The well, by permit, may serve two home sites. The well system will at a minimum consist of the well, the well pump and a shared storage cistern. The well system shall include any wiring, electrical and plumbing fixtures, and fittings, pipe, meters, pressure or storage tank systems, equipment pit, and pump and any other appurtenances thereto which are located within the water well easements, except the water distribution lines from the well to each tract, which shall be the personal responsibility of the owner of said tract. Any water distribution lines and appurtenance located outside of said easement shall be considered the personal property and responsibility of the individual tract owner served.
- C. EASEMENT: An easement has been created which describes an area within the tract known as S-342 that will contain the minimum system described in paragraph 3B above. When that tract is platted, said easement shall be recorded as part of that plat.

ROBERT C. "BOB" BALINK El Paso County, CO

07/30/2008 03:57:18 PM

Doc \$0.00 Page

Rec \$51.00 1 of 10



208085910

- D. TRACTS: The two tracts have been properly surveyed and said survey's recorded on the Crystal Park HOA master map. According to the Crystal Park PUD, these two tracts will not become platted and deeded tracts until final dwelling building plans have been completed and approved by Crystal Park HOA. The two tracts are described in Exhibit A.

2. EASEMENTS; A legal easement shall be properly executed and recorded, together with this Agreement, in the records of El Paso County, Colorado, by the owner of S-342 upon which tract the well system will be located. Said easement shall be perpetual in nature and shall run with the land. Said easement shall be for installation and maintenance of the well, including, but not limited to, installation and maintenance of pipelines from the well to the two tracts, and shall include the right of access thereto by all users and their agents. The boundaries of said easement is described in and attached hereto in EXHIBIT C.

3. USE: The owner of each tract served by the well shall have an equitable ownership interest in said well, which interest shall be coupled to and transferred with the ownership to each said tract and shall not be severable thereafter except as provided herein. Such interest shall entitle owners of tracts served by the well to substantially equal water distribution for uses provided in the Well Permit, subject to the following:

- A. A totalizing flow meter shall be attached to each water line from the well to both water users' dwellings, such that the total amount of water diverted by each owner may be accurately measured. The well shall be limited in accordance with the Well Permit, a copy of which is attached hereto as Exhibit A, and incorporated herein by this reference.
- B. Owners shall be responsible for any and all physical damage to the well resulting from their connection to the well; however, this shall not include problems or inconvenience caused to the other user by interruption of water flow to their tract. Should any physical damage occur, the owner responsible shall immediately cause said damage to be repaired.
- C. Each owner shall be obligated to share equally in the costs of permit, installation, meter, operation, maintenance, repair (except as provided in 3.B.), and to protect and legally defend the well, pumping and distribution equipment located within the easement, water rights and easement.
- i. If and when one of the owners taps onto the well, said owner shall pay for installation of the pump and cistern. If and when the second owner taps into the well, the second owner shall pay an amount equal to 1/2 of the cost of the pump and cistern installation to the first owner who paid for the pump and cistern installation. The well casing, pump and related items shall be of proper size to serve the two tracts named herein. Detailed written records, together with copies of all receipts pertinent thereto shall be kept by the owner installing the pump and cistern and provided to the other owner to establish the amount to be paid by said owner as they subsequently tap into

the well. The costs of installation, repair and maintenance of the water distribution lines from the well to each tract shall be borne solely by the owner of said tract.

- ii. At such time as one the owners commence using the well, the well pump shall be placed on a separate electrical meter from any dwelling. Said meter shall be provided by the electrical service provider in the area, which will then bill specifically for the power used by the well. The cost of utilities shall be divided in accordance with the usage set forth in the respective flow meters.
- iii. No subsequent owner shall be allowed to tap onto the well until said owner has reimbursed first owner for his pro-rata share of the cost of the pump installation. Such taps shall be made solely at the expense of that subsequent owner. All lines from the well to tracts shall contain valves allowing for shutoff of the water supply at the wellhead or pit.
- iv. Except as provided in 3.B. and 3.C.i. and 3.C.ii. relating to the initial costs of installation, electric bills and required maintenance, no capital improvements shall be made to the system which results in assessments to any tract owner of more than \$200.00 in any one year, unless approved in writing by both owners.
- v. No owner shall be entitled to compensation from any other owner for administrative time or personal time expended in the management of the well; however, owners may be reimbursed for parts purchased for repair.

4. ENFORCEMENT: If any owner shall violate any of the covenants herein, it shall be lawful for any other owner or users to prosecute any proceedings at law or in equity against the person or persons violating such covenants, and either prevent, him from doing so, or to recover costs or damages for such violation, or both.

- A. Any controversy, dispute or question arising out of, in connection with, or in relation to this Agreement, or its interpretation, performance or non-performance, or any breach thereof shall be determined by arbitration conducted, in accordance with the existing rules of the American Arbitration Association.
- B. In the event that any sums due from any owner are not paid when owed, then such sums shall be considered delinquent and together with, interest, attorney fees and costs of collection, shall become a continuing lien on the delinquent owner's tract. The Lienor shall be the owner(s) who advances the sums unpaid by the delinquent party. Such liens shall cloud the title of the tract of the owner, his heirs, successors, devisees, personal representatives and assigns.
- C. If the delinquent sums are not paid in thirty (30) days after the due date, they shall bear interest at the rate of eighteen percent (18%) per annual and the Lienor may record a Statement of Lien and foreclose his lien against the Property as provided in Colorado law.

- D. In addition to the foregoing, the non-delinquent owner shall have the right to disconnect, or shut off the water supply to the tract of the delinquent owner whose payments are thirty (30) days past due until he has paid all sums due hereunder.
5. TERMINATION: Upon signing of this agreement, this Agreement shall be recorded and shall be binding upon the parties thereto, their heirs, successors, devisees, personal representatives or assigns, upon execution and shall run with the land unless terminated as provided herein.
6. AMENDMENT: This Agreement may be modified or amended at any time by a recorded statement signed by all parties hereto.
7. NOTICE: Any notice required to be sent to any owner under the provisions hereof shall be deemed to have been properly given when mailed by first class mail, to the address of record or the last known address of the owner or recorded at the time of mailing.
8. SEVERABILITY: Invalidation of any of the covenants, limitation or provisions of this Agreement by judgment or Court Order shall in no way affect any of the remaining provisions hereof, and same shall continue in full force and effect.
9. This Agreement shall be construed in accordance with the laws of the State of Colorado. The parties agree that the exclusive place of venue and jurisdiction shall be any court of competent jurisdiction located within El Paso, County, Colorado.
10. In the event that it becomes necessary to enforce the terms hereof, the prevailing party shall be entitled to its attorney and costs in connection with such disputes.

OWNERS OF Membership M-080, Curtis and Louise, LLC

Site S-342 ARR

Manager
Charles C. Crum

Signed

July 29, 2008
Date

Membership M-227, Marcia B. Lee DBA Stone Hill Partners, LLP

Site S-93 ARR

Marcia B Lee
Signed

7/29/08
Date

STATE OF COLORADO)

) ss.

COUNTY OF EL PASO)

The forgoing instrument was acknowledged before me this 29th day of July 2008 by Curtis and Louise, LLP and Marcia B. Lee DBA Stone Hill Partners, LLP

My commission expires 05-05-10

Witness my hand and official seal.



JOINT USE WATER WELL AGREEMENT

EXHIBIT A

LEGAL DESCRIPTIONS OF TRACT #1 AND TRACT #2

Tract # 1 Membership M-080, Site S-342 (ARR), Crystal Park Filing #2

Legal Description: A "Membership Survey" in a portion of the Northeast $\frac{1}{4}$ of Section 18, and the Southeast $\frac{1}{4}$ of Section 7, Township 14 South, Range 67 West of the 6th P.M., situate in El Paso County, Colorado, more particularly described as follows:

Commencing at the Northeast corner of said Section 18; (all bearings in this description are relative to the North line of said Section 18, which bears S 88° 46' 12" E);

Thence S 59° 17' 13" W, 2647.84 Feet to the point of beginning of the tract herein described;

Thence S 35° 03' 01" E, 80.62 feet;

Thence S 09° 45' 58" W, 109.87 feet;

Thence S 87° 33' 29" W, 74.96 feet;

Thence N 61° 44' 32" W, 156.31 feet;

Thence N 34° 32' 27" E, 113.86 feet;

Thence N 70° 53' 27" E, 35.44 feet;

Thence N 73° 42' 25" E, 59.67 feet;

Thence S 57° 46' 14" E, 34.99 feet; to the point of beginning and containing 0.70 acres of land more or less.

Tract # 2 Membership M-227, Site S-93 (ARR), Crystal Park Filing #2

Legal Description: A "Membership Survey" in a portion of the Northeast $\frac{1}{4}$ of Section 18, and the Southeast $\frac{1}{4}$ of Section 7, Township 14 South, Range 67 West of the 6th P.M., situate in El Paso County, Colorado, more particularly described as follows:

Commencing at the Northeast corner of said Section 18; (all bearings in this description are relative to the North line of said Section 18, which bears S 88° 46' 12" E);

Thence S 59° 17' 13" W, 2647.84 Feet to the point of beginning of the tract herein described;

Thence N 87° 49' 27" E, 73.70 feet;

Thence S 58° 37' 17" E, 159.39 feet;

Thence S 12° 54' 43" W, 169.99 feet;

Thence N 63° 34' 14" W, 160.89 feet;

Thence N 09° 45' 58" E, 109.87 feet;

Thence N 35° 03' 01" W, 80.62 feet; to the point of beginning and containing 0.70 acres of land more or less.

EXHIBIT B
JOINT USE WATER WELL AGREEMENT
Well Permit
Well Permit No. 61821

Form No.
GWS-25

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

1261

APPLICANT

WELL PERMIT NUMBER		61821		-F-	
DIV. 2	WD 10	DES. BASIN		MD	

Lot: S-342 Block: Filing: 2 Subdiv: CRYSTAL PARK CHRISTIAN COMMUNITY

CHARLES C CRUM
1903 LELARAY ST
COLORADO SPRINGS, CO 80909-

(719) 599-4623

APPROVED WELL LOCATION

EL PASO COUNTY
SW 1/4 NE 1/4 Section 8
Township 14 S Range 67 W Sixth P.M.

DISTANCES FROM SECTION LINES

1450 Ft. from North Section Line
2315 Ft. from East Section Line

UTM COORDINATES (NAD83)

Easting: Northing:

PERMIT TO CONSTRUCT A WELL

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 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 37-90-137(2) on the condition that this well is operated in accordance with the Crystal Park Investors, a Partnership and Crystal Park Christian Community Corp., Successors in interest to Crystal Park Development Co. Augmentation Plan approved by the Division 2 Water Court in case no. W-4568. If this well is not operated in accordance with the terms of said decree, it will be subject to administration including orders to cease diverting water.
- 4) Approved for a well on a residential site of 0.63 acre(s) described as lot S-342, filing 2, Crystal Park Christian Community Subdivision, El Paso County.
- 5) The use of ground water from this well is limited to ordinary household purposes inside two (2) single family dwellings. The ground water shall not be used for irrigation or other purposes.
- 6) The maximum pumping rate of this well shall not exceed 15 GPM.
- 7) The maximum annual consumptive use of groundwater from this well, in combination with all other wells constructed pursuant to Division 2 Water Court case no. W-4568 shall not exceed 13 acre feet per year.
- 8) 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.
- 9) A totalizing flow meter must be installed on this well and maintained in good working order. Permanent records of all diversions must be maintained by the well owner (recorded at least annually) and submitted to the Division Engineer upon request.
- 10) This well shall be constructed not more than 200 feet from the location specified on this permit.
- 11) This permit has been approved subject to the following changes: the full name of the subdivision is Crystal Park Christian Community. 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.)

Permit Expiration Date Extended to October 8, 2006 - AOT 10-3-05

APPROVED
KVH

State Engineer

Hal D. Simpson

DATE ISSUED 10-08-2004

By

Heidi Vandana Hunt

EXPIRATION DATE 10-08-2005

Receipt No. 0529200

JOINT USE WATER WELL AGREEMENT

EXHIBIT C

LEGAL DESCRIPTION OF EASMENT



LEGAL DESCRIPTION: (WELL EASEMENT FOR CRYSTAL PARK S-342)

A STRIP OF LAND BEING 20 FEET IN WIDTH SITUATE IN THE NORTHEAST QUARTER OF SECTION 18, TOWNSHIP 14 SOUTH, RANGE 67 WEST OF THE 6TH P.M., EL PASO COUNTY, COLORADO MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 18;

(ALL BEARINGS IN THIS DESCRIPTION ARE RELATIVE TO THE NORTH LINE OF SAID SECTION 18, WHICH BEARS S88°46'12"E.);

THENCE S59°17'13"W, 2647.84 FEET;

THENCE S35°03'01"E, 80.62 FEET;

THENCE S09°45'58"W, 109.67 FEET;

THENCE S87°33'29"W, 74.96 FEET;

THENCE N61°44'32"W, 42.96 FEET TO THE POINT OF BEGINNING OF THE STRIP OF LAND HEREIN DESCRIBED;

THENCE CONTINUE N61°44'32"W, 20.00 FEET;

THENCE N28°15'28"E, 42.41 FEET;

THENCE S61°44'32"E, 20.00 FEET;

THENCE S28°15'28"W, 42.41 FEET TO THE POINT OF BEGINNING.

Prepared By:

M.V.E., Inc.

1903 Lelaray Street, Suite 200

Colorado Springs, CO 80909

July 11, 2008

S 342 July LD 08.wpd

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