

**Montana Department of
ENVIRONMENTAL QUALITY**

Brian Schweitzer, Governor

P.O. Box 200901 • Helena, MT 59620-0901 • (406) 444-2544 • www.deq.mt.gov

October 9, 2009

Jerry Lipp
Environmental Consulting Services
2 Village Loop
Kalispell MT 59901

RE: Kenyon Family Transfer
Lake County
E.Q. #09 2559

Dear Mr Lipp:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you wish to challenge the conditions of this Certificate of Subdivision Plat Approval, you may request a hearing before the Board of Environmental Review or the Department, pursuant to Section 76-4-126, MCA and the Montana Administrative Procedures Act.

If you have any questions, please contact this office.

Sincerely,

Steve Kilbreath
Steve Kilbreath, Supervisor
Subdivision Review Section

SK/le

cc: County Sanitarian
County Planning Board

COS 6789 RB

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STATE OF MONTANA
DEPARTMENT OF ENVIRONMENTAL QUALITY
CERTIFICATE OF SUBDIVISION APPROVAL
(Section 76-4-101 through 76-4-131, MCA 1995)

To: County Clerk and Recorder
Lake County
Polson, Montana 59860

No: 09-2559

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as Kenyon Family Transfer, located in Section 02, Township 26 North, Range 19 West, P.M.M.,

See Exhibit A,

Consisting of two tracts, of which Tract 1 have been reviewed by personnel of the Permitting and Compliance Division, and

THAT the documents and data required by A.R.M. Chapter 17, Section 36 have been submitted and found to be in compliance therewith, and

THAT approval of the Certificate of Survey is made with the understanding that the following conditions shall be met:

THAT the tract size as indicated on the Certificate of Survey to be filed with the county clerk and recorder shall not be further altered without approval, and

THAT Tract 1 shall be used for one single family dwelling, and

THAT the individual water system for Tract 1 shall consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in A.R.M. Title 17, Chapter 36, Sub-Chapters 1,3, & 6 and the most current standards of the Montana Department of Environmental Quality, and

THAT the individual wastewater treatment system for Tract 1 shall consist of a septic tank and subsurface drainfield of such size and description as will comply with A.R.M. Title 17, Chapter 36, Sub-Chapters 1,3,& 6, and

THAT the subsurface drainfield for Tract 1 shall be an absorption area to provide a maximum application rate of 0.6 gallons per day per square foot of drainfield, and

THAT plans and specifications for any proposed wastewater treatment system shall be reviewed and approved by the Lake County Environmental Health Department and will comply with local regulations and A.R.M., Title 17, Chapter 36, before construction is started, and

THAT the bottom of any drainfield shall be at least four feet above the water table, and

THAT no wastewater treatment system shall be constructed within 100 feet of the maximum high water level of a 100 year flood of any stream, lake, water-course, or irrigation ditch, nor within 100 feet of any domestic water supply source, and

THAT stormwater swale 25' X 8' X 1' shall be constructed on Tract 1 in a location to effectively collect stormwater from the impervious surfaces, and

COS 6789

Page Two
Subdivision Approval Statement
Montana Department of Environmental Quality
Kenyon Family Transfer – Tract 1
October 15, 2009
DEQ# 09-2559

THAT water supply, wastewater treatment and stormwater management systems shall be located as shown on the approved plans and in the approved application and that there shall be **NO DEVIATION FROM SAID LAYOUT WITHOUT WRITTEN APPROVAL**, and

THAT the developer and/or owner shall provide any purchaser of property with a copy of the approved location of water supply, wastewater treatment, and stormwater management systems, and a copy of this document, and

THAT instruments of transfer for this property shall contain reference to these conditions, and

THAT departure from any criteria set forth in the approved plans and specifications and A.R.M. Title 17, Chapter 36, Sub-Chapters 1, 3 & 6 when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Montana Department of Environmental Quality.

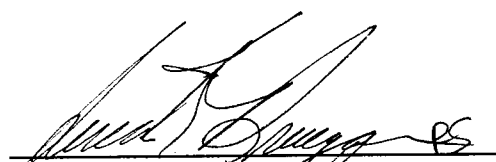
Pursuant to M.C.A. Section 76-4-122 (2)(a), a person must obtain approval of both the State under M.C.A. Title 76, Chapter 4, and local Board of Health under M.C.A. Section 50-2-116(1)(i) before filing a subdivision with the county clerk and recorder.

You are requested to record this certificate by attaching it to the Certificate of Survey filed in your office as required by law.

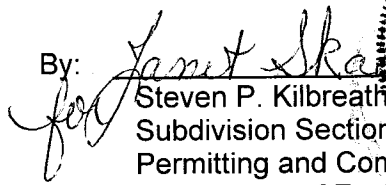
DATED this 15th day of October, 2009.

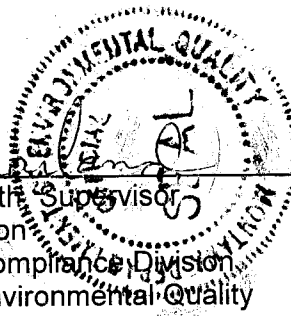
RICHARD OPPER
DIRECTOR

By:


Susan K. Brueggeman, R.S.
Certified Subdivision Reviewer
Lake County Environmental Health Department

By:


Steven P. Kilbreath, Supervisor
Subdivision Section
Permitting and Compliance Division
Department of Environmental Quality



County Number:

24

Owner's Name:

Kenyon, Mumford W., Mylet R. Kenyon and Mark G. Kenyon

EXHIBIT A

EQ#09-2559

Kenyon Family Transfer

Tract 1

SECTION 02, TOWNSHIP 26 NORTH, RANGE 19 WEST, PMM
Lake County, Montana

TRACT 1:

*Commencing at the northwest corner of the Southwest Quarter of the Southwest Quarter of Section 2, Township 26 North, Range 19 West, P.M., M., Lake County, Montana, which is a found iron pin; Thence along the north boundary of said SW1/4SW1/4 S89°47'53"E 30.01 feet to a set iron pin on the east R/W of a deeded county road known as South Ferndale Drive and **THE TRUE POINT OF BEGINNING OF THE TRACT OF LAND HEREIN DESCRIBED;** Thence leaving said R/W and continuing S89°47'53"E 660.11 feet to a set iron pin; Thence S01°18'36"E 330.24 feet to a set iron pin; Thence N89°45'59"W 660.12 feet to a set iron pin on the east R/W of said South Ferndale Drive; Thence N01°18'36"W along said R/W 329.88 feet to the point of beginning and containing 5.000 ACRES; subject to and together with all appurtenant easements of record.*

RECEIVED

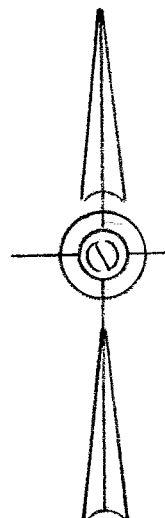
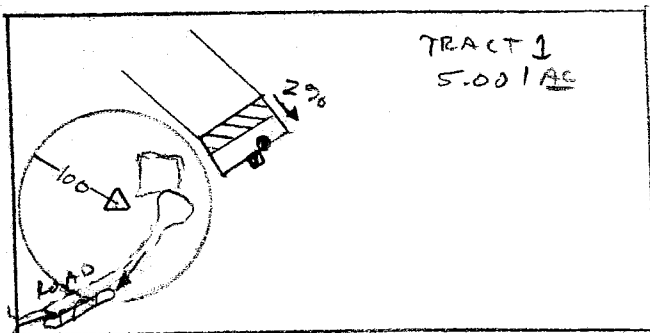
OCT 08 2009

MT DEQ PUBLIC WATER
& SUBDIVISION BUREAU

KENYON BOUNDARY LINE ADJUSTMENT

Section 02, Township 26 North, Range 19 West PMM
Prepared by Environmental Consulting Services
Kalispell, Montana

Cos 6789



NOTE: NO DRAINFIELDS
OR WELLS WERE
OBSERVED WITHIN
100' of The project.

LOT LAYOUT
FOR: KENYON
BY: ELS
DATE: 8-10-09
SCALE: 1"=200'

- LEGEND
- PROPOSED DRAINFIELD SITE
 - 100% REPLACEMENT SITE
 - TEST HOLE
 - PERC TEST
 - WELL SITE
 - RETENTION BASIN 50' X 8' X 1'
 - FLOW DIRECTION

KENYON BLA
SW 1/4, SW 1/4 Sec 2, T26N, R19W

Reviewed by the Local Reviewing Authority
Under contract with the
Department of Environmental Quality / PCD

PS 10-6-09
Local Reviewer Date

RECEIVED

OCT 08 2009

MT DEQ PUBLIC WATER
& SUBDIVISION BUREAU

Accepted under contract

10/09/09
DEQ Representative Date

EQ# 09-2559