

**OFFICE OF THE STATE ENGINEER  
COLORADO DIVISION OF WATER RESOURCES**

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

1210

APPLICANT

**WELL PERMIT NUMBER** 221260

DIV. 2      WD 12      DES. BASIN      MD

Lot: 25 Block: Filing: Subdiv: IRON MOUNTAIN WILDERNESS

TED & KAREN RUSSELL  
1736 E 7TH  
PUEBLO, CO 81001-

(719) 542-5015

APPROVED WELL LOCATION

FREMONT COUNTY

SW 1/4 SE 1/4 Section 32

Township 19 S Range 72 W Sixth P.M.

DISTANCES FROM SECTION LINES

400 Ft. from South Section Line

1700 Ft. from East Section Line

**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 37-92-602(3)(b)(II)(A) as the only well on a residential site of 22 acre(s) described as lot 25, Iron Mountain Wilderness Subdivision, Fremont County.
- 4) The use of ground water from this well is limited to ordinary household purposes inside one single family dwelling. The ground water shall not be used for irrigation or other purposes.
- 5) The maximum pumping rate of this well shall not exceed 15 GPM.
- 6) 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.
- 7) This well shall be constructed not more than 200 feet from the location specified on this permit.

APPROVED  
MPS

State Engineer

DATE ISSUED

OCT 15 1999

By

EXPIRATION DATE

OCT 15 2001

Receipt No. 0447950

MPS  
10/13/99

COLORADO DIVISION OF WATER RESOURCES  
DEPARTMENT OF NATURAL RESOURCES  
1313 SHERMAN ST., RM. 818, DENVER CO 80203  
phone - info: (303) 866-3587 main: (303) 866-3581

## NEW HOUSEHOLD USE ONLY

Review instructions prior to completing form

RECEIVED

OCT 07 1999

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JUL 09 1999

WATER RESOURCES  
STATE ENGINEER  
COLO.

## Water Well Permit Application

Must be completed in black ink or typed

|                                                                                                                                                                                                                    |  |  |  |                                                                                                                                                                                                                                                                                           |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>1. APPLICANT INFORMATION</b>                                                                                                                                                                                    |  |  |  | <b>6. USE OF WELL</b>                                                                                                                                                                                                                                                                     |  |
| Name of applicant<br><u>Ted + Karen Russell</u>                                                                                                                                                                    |  |  |  | ORDINARY HOUSEHOLD PURPOSES INSIDE ONE<br>SINGLE FAMILY DWELLING<br>(NO OUTSIDE USE)                                                                                                                                                                                                      |  |
| Mailing Address<br><u>1736 E 7th</u>                                                                                                                                                                               |  |  |  |                                                                                                                                                                                                                                                                                           |  |
| City<br><u>Paeblo</u> State<br><u>CO</u> Zip code<br><u>81001</u>                                                                                                                                                  |  |  |  |                                                                                                                                                                                                                                                                                           |  |
| Telephone Number (include area code)<br><u>313 719-542-5015</u>                                                                                                                                                    |  |  |  | <b>7. WELL DATA</b>                                                                                                                                                                                                                                                                       |  |
| <b>2. TYPE OF APPLICATION</b>                                                                                                                                                                                      |  |  |  | MAXIMUM PRODUCTION RATE OF THE WELL<br>WILL NOT EXCEED 15 GPM                                                                                                                                                                                                                             |  |
| CONSTRUCT A NEW HOUSEHOLD USE ONLY<br>WELL ON LESS THAN 35 ACRES                                                                                                                                                   |  |  |  | <b>8. TYPE OF RESIDENTIAL SEWAGE SYSTEM</b>                                                                                                                                                                                                                                               |  |
| <b>3. REFER TO (if applicable):</b>                                                                                                                                                                                |  |  |  | <input checked="" type="checkbox"/> Septic tank / absorption leach field                                                                                                                                                                                                                  |  |
| Monitoring hole acknowledgment #<br>MH-                                                                                                                                                                            |  |  |  | <input type="checkbox"/> Central system                                                                                                                                                                                                                                                   |  |
| <b>4. LOCATION OF WELL</b>                                                                                                                                                                                         |  |  |  | District name: _____                                                                                                                                                                                                                                                                      |  |
| County<br><u>Fremont</u>                                                                                                                                                                                           |  |  |  | <input type="checkbox"/> Vault                                                                                                                                                                                                                                                            |  |
| Quarter/quarter<br><u>SW 1/4</u>                                                                                                                                                                                   |  |  |  | Location sewage to be hauled to: _____                                                                                                                                                                                                                                                    |  |
| Quarter<br><u>SE 1/4</u>                                                                                                                                                                                           |  |  |  | <input type="checkbox"/> Other (attach copy of engineering design)                                                                                                                                                                                                                        |  |
| Section<br><u>32</u>                                                                                                                                                                                               |  |  |  | <b>9. PROPOSED WELL DRILLER (optional)</b>                                                                                                                                                                                                                                                |  |
| Township N or S<br><u>19</u>                                                                                                                                                                                       |  |  |  | Name<br><u>Alpine Drilling Service</u>                                                                                                                                                                                                                                                    |  |
| Range E or W<br><u>22</u>                                                                                                                                                                                          |  |  |  | License number<br><u>1210</u>                                                                                                                                                                                                                                                             |  |
| Principal Meridian<br><u>6</u>                                                                                                                                                                                     |  |  |  | <b>10. SIGNATURE of applicant(s) or authorized agent</b>                                                                                                                                                                                                                                  |  |
| Distance of well from section lines<br><u>400</u> ft. from <input type="checkbox"/> N <input checked="" type="checkbox"/> S <u>1,700</u> ft. from <input checked="" type="checkbox"/> E <input type="checkbox"/> W |  |  |  | The making of false statements herein constitutes perjury<br>in the second degree, which is punishable as a class 1 mis-<br>demeanor pursuant to C.R.S. 24-4-104(13)(a). I have read<br>the statements herein, know the contents thereof and state<br>that they are true to my knowledge. |  |
| Well location address, if different from applicant address (if applicable)                                                                                                                                         |  |  |  | Must be original signature<br><u>x Ted W Russell</u>                                                                                                                                                                                                                                      |  |
| <b>5. TRACT ON WHICH WELL WILL BE LOCATED</b>                                                                                                                                                                      |  |  |  | Title<br><u>OWNER</u>                                                                                                                                                                                                                                                                     |  |
| A. You must check one of the following - see instructions                                                                                                                                                          |  |  |  | Date<br><u>8-7-99</u>                                                                                                                                                                                                                                                                     |  |
| <input checked="" type="checkbox"/> Subdivision: Name <u>Iron Mt. Wilderness</u>                                                                                                                                   |  |  |  | Office Use Only<br><u>WLC</u>                                                                                                                                                                                                                                                             |  |
| Lot # <u>25</u> Block # _____ Filing/Unit# _____                                                                                                                                                                   |  |  |  | DWR Map No.                                                                                                                                                                                                                                                                               |  |
| <input type="checkbox"/> County Exemption (copy of county approval & survey must be attached)                                                                                                                      |  |  |  | CHECKS TRN447950 070999 60.00                                                                                                                                                                                                                                                             |  |
| Exempt. name/# _____ Tract # _____                                                                                                                                                                                 |  |  |  | DIV OF WATER RESOURCES                                                                                                                                                                                                                                                                    |  |
| <input type="checkbox"/> Mining claim (attach copy of deed or survey)                                                                                                                                              |  |  |  | DIV <u>2</u>                                                                                                                                                                                                                                                                              |  |
| Claim name/# _____                                                                                                                                                                                                 |  |  |  | CO <u>22</u>                                                                                                                                                                                                                                                                              |  |
| <input type="checkbox"/> Other (attach legal description to application)                                                                                                                                           |  |  |  | WD <u>12</u>                                                                                                                                                                                                                                                                              |  |
| <b>B. STATE PARCEL</b>                                                                                                                                                                                             |  |  |  | BA _____                                                                                                                                                                                                                                                                                  |  |
| ID# (optional): _____                                                                                                                                                                                              |  |  |  | USE MD                                                                                                                                                                                                                                                                                    |  |
| <b>C. # of acres in tract</b><br><u>22</u>                                                                                                                                                                         |  |  |  |                                                                                                                                                                                                                                                                                           |  |
| <b>D.</b>                                                                                                                                                                                                          |  |  |  |                                                                                                                                                                                                                                                                                           |  |
| THIS WILL BE THE ONLY WELL ON THIS TRACT                                                                                                                                                                           |  |  |  |                                                                                                                                                                                                                                                                                           |  |

10-6-99

Jed + Karen Russell  
1736 E 7th  
Pueblo, CO 81001  
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To Michael Schaubs,

Here is the information you requested proving our lot was created prior to June 1, 1972.

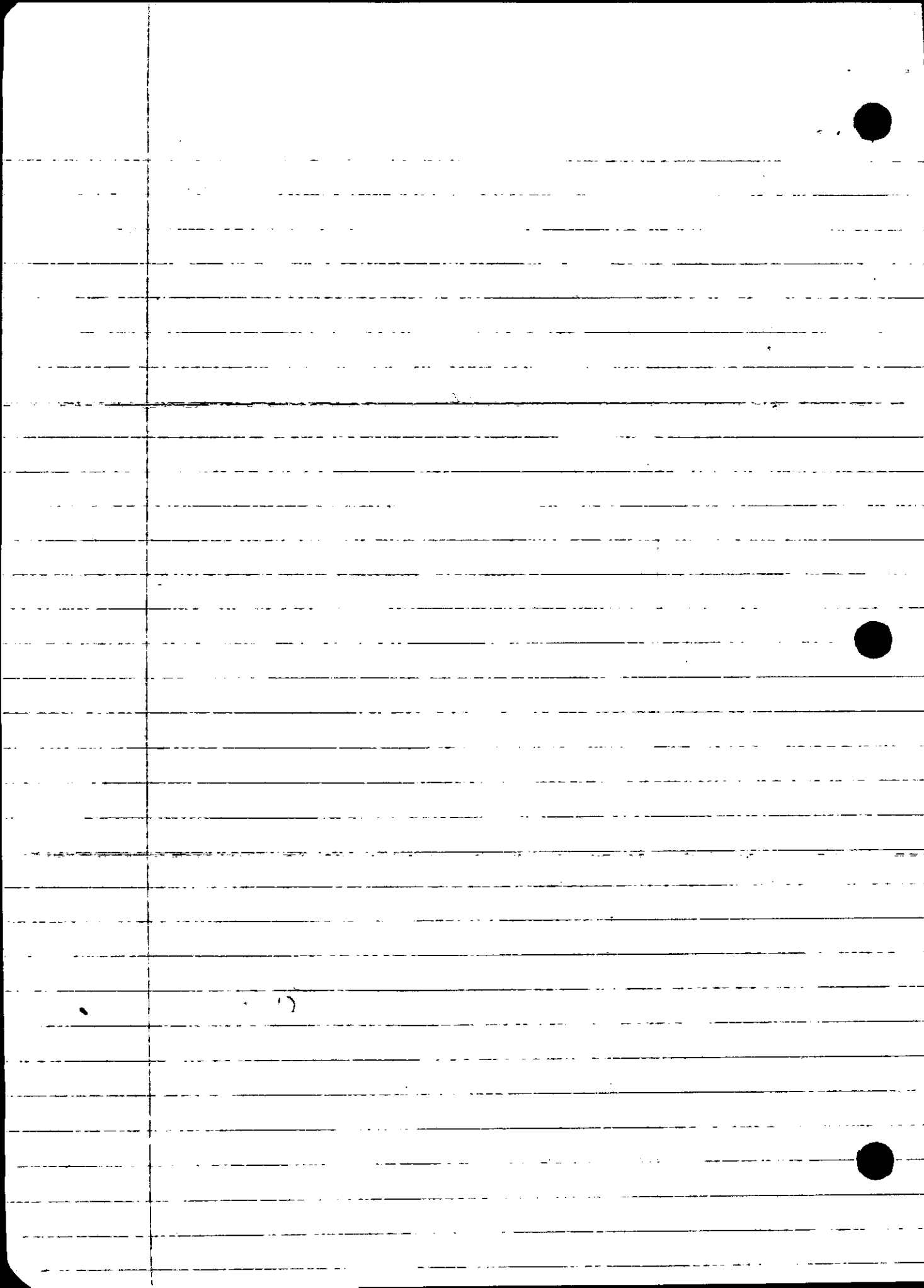
After much time & effort I was finally able to receive from the original land developers (LDS - Land Development Specialist) an original contract. (COPY)

I'm sending you this copy in the exact copied condition as was sent to me. I realize it is not a very good copy but is still readable and I sincerely <sup>hope</sup> it is accepted.

Sincerely,  
Karen Russell

P.S.

LDS stated they did subdivide this land prior to 1972. I did talk to the President, at that time they were not required to record it but by meets & bounds which they did, unfortunately the platte maps were not dated, only as the land <sup>(lots)</sup> ~~lots~~ were sold were the first deeds out showing dates. This is very unfortunate and causing a lot of problems to present owners now purchasing <sup>this</sup> land for domestic purposes. I was very fortunate in being able to obtain this copy. LDS spoke with their attorney to <sup>gain</sup> ~~see~~ insight whether or not I should receive this copy.





# Agreement for Sale and Purchase of Property

CONDITIONS OF SALE

LDS, INC.

WATER RESOURCES  
STATE ENGINEER  
COLO.

300 Garden of the Gods Road, Colorado Springs, Colorado 80907  
Date FEB 5, 1970  
LDS, INC. hereinafter referred to as Seller, agrees to sell and Beverly  
(As Sole Proprietor) (As Joint

J. AND RAYLAN EVANS  
hereinafter referred to as Purchaser(s) agree to purchase that certain parcel of real property located in the County of FREMONT State of Colorado, described as follows, to-wit: Lot #25  
TRACT A, 1st 1/2nd Mountain View Addition

Subject to easements, rights of way and reservations of record and easement of access to properties sold or owned by Grantor upon the following terms and conditions:

a. The entire cash price to be paid is the sum of \$3,500.00  
and shall be paid in the following manner:  
b. Cash Down Payment \$550.00 upon the execution of this agreement, receipt of which is hereby acknowledged and \$550.00 or before  
c. Total Down Payment \$1,100.00  
Unpaid balance of cash price (a-b) \$2,400.00

d. Other charges ..... \$495.00  
e. Amount financed ..... \$4,950.00  
f. FINANCE CHARGE ..... \$228.40  
g. Total of Payments ..... \$7,208.40  
h. Deferred payment price (a+d+f) ..... \$7,758.40  
i. ANNUAL PERCENTAGE RATE 8 %

Finance charge accrues from FEB. 5, 1970.

The total of payments are payable in 40 consecutive Quarterly payments of \$180.21 each commencing on the 15<sup>th</sup> day of MARCH, 1970, and continuing thereafter on the same day each Quarter until paid in full which payments include interest at 8 % per annum.

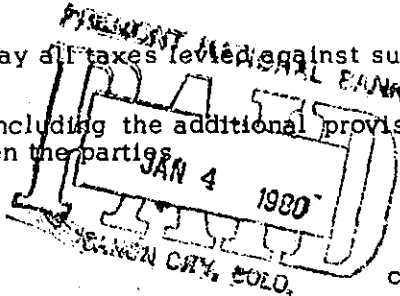
The Purchaser may prepay this loan before the final installment date without penalty, thereby reducing the total finance charge, total payments and deferred payment price shown above (lines f, g and h). The amount of money required to prepay this loan at any time would be only the unpaid principal balance plus interest at that time since this loan is written at simple interest, which is the truest interest rate method in use. Seller retains a security interest in the subject property until fully paid. Interest accrues on unpaid balance and no delinquency charge is made.

Seller agrees to deliver to Purchaser(s) a good and sufficient Warranty Deed, together with a title insurance policy showing good and marketable title within 90 days after completion of this contract. Grantor reserves all mineral rights.

Purchaser(s) acknowledge(s) that he (they) do (do not) expect to use the property as his (their) principal residence.

Purchaser(s) shall pay all taxes levied against subject property for the year 1970 and all subsequent years.

The terms herein, including the additional provisions on the reverse side hereof, constitute the entire agreement between the parties.



The undersigned Seller agrees to sell and convey the above described property subject to the conditions of this contract.

LDS, INC.

by Jerry D. Hill  
representative

Purchaser(s)

Beverly Evans  
Raylan Evans

2452 Mesa Rd  
address  
Colo Sprng, Colo 80904  
636-3037

Best Copy Available

North

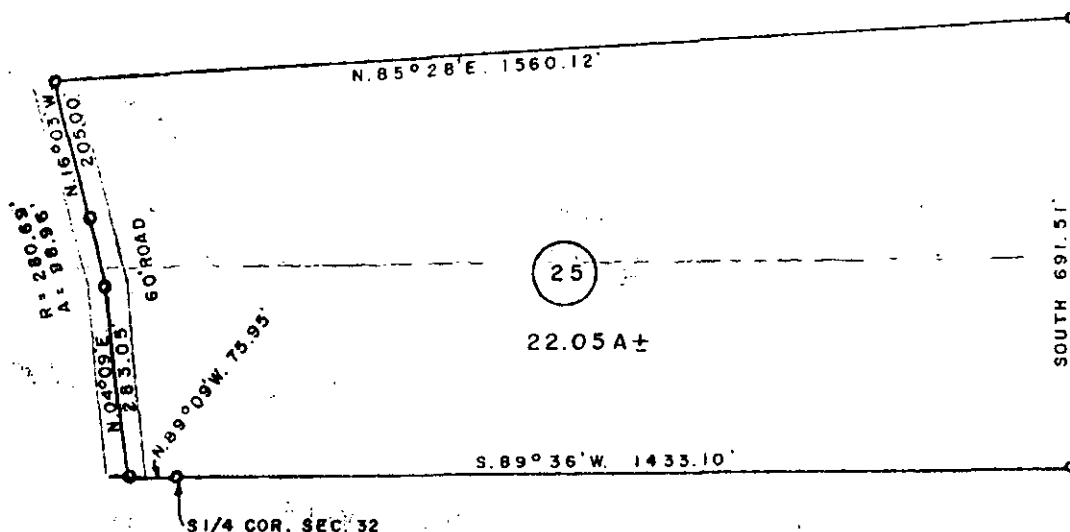
Scale: 1" = 300 ft.  
4-9-70

Unit A Tract 25  
Iron Mountain  
Wilderness  
Land Development  
Specialists

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A tract of land in the  $S\frac{1}{4}$   $SE\frac{1}{4}$  and  $SE\frac{1}{4}$   $SW\frac{1}{4}$  of Section 32, T19S, R72W, 6th P.M.  
as per original Government survey of 1871, (Government re-survey by tract number  
is pending.) More particularly described as follows: Beginning at the  $S\frac{1}{4}$  Corner  
of said Section 32 being the true point of beginning;  
Thence: N. 89° 09' W. 75.95 ft.  
Thence: N. 04° 09' E. 283.05 ft.  
Thence: 98.96 ft. along the arc of a curve having a radius of 280.69 ft.  
Thence: N. 16° 03' W. 205.00 ft.  
Thence: N. 85° 28' E. 1560.12 ft.  
Thence: South 691.51 ft.  
Thence: S. 89° 36' W. 1433.10 ft. to the true point of beginning.  
Contains 22.05 acres more or less.  
Bearings by solar.  
Corners are 15" x  $\frac{1}{2}$ " rebar.

Best Copy Available

KNOW ALL MEN BY THESE PRESENTS:  
That I, Richard G. Clark, do hereby certify that  
I prepared this plat from an actual and accurate  
survey of the land and that the same is true and  
correct to the best of my knowledge and belief.

RICHARD G. CLARK  
Registered Land Surveyor  
Reg. No. Colorado 5836

*Richard G. Clark*

# STATE OF COLORADO

## OFFICE OF THE STATE ENGINEER

Division of Water Resources  
Department of Natural Resources

1313 Sherman Street, Room 818  
Denver, Colorado 80203  
Phone: (303) 866-3581  
FAX: (303) 866-3589

<http://water.state.co.us/default.htm>



Bill Owens  
Governor

Greg E. Walcher  
Executive Director

Hal D. Simpson, P.E.  
State Engineer

July 19, 1999

Ted and Karen Russell  
1736 East 7<sup>th</sup>  
Pueblo, Colorado 81001

Re: Water Well Permit Application Receipt Numbers 447950

Dear Ted and Karen Russell:

I am returning your water well permit application to you for additional information and clarification. The Division of Water Resources does not have records on file to determine if this particular lot in the Iron Mountain Wilderness Subdivision is eligible for a well permit. To determine this we will need:

1. Documentation that shows that this specific lot was created prior to June 1, 1972. This documentation can be in the form of tax receipts, title transfer documents, or a letter from the county confirming the date of creation of this lot.
2. If the lot was created after June 1, 1972, then a letter from the county stating that this lot is exempt from the subdivision rules must accompany the permit application.

A well permit may also be granted for this lot if evidence of participation in an augmentation plan is present along with the permit application. For more information about augmentation plans contact:

Linda Foster  
Upper Arkansas Water Conservancy District  
(719) 539-5425

After you have decided how to proceed, obtain the appropriate documentation and submit it along with the original permit application and we will be able to proceed

If you have any questions, feel free to contact me at (303) 866-3581.

Sincerely,

Michael P. Schaub  
Water Resource Specialist