



**Maps/diagrams for  
directional purposes only.**

**Summit & Main Realty Group**



MINIMUM APPLICATION INFORMATION REQUIRED PRIOR TO ISSUING A PERMIT FOR AN  
INDIVIDUAL SEWAGE DISPOSAL SYSTEM

OWNER Dennis L. & Pamela L. BREITBARTH  
ADDRESS 724 HARRISON Canon City, Colo 82122 PHONE 275-4352

APPLICANT Dennis L. & Pamela L. BREITBARTH  
ADDRESS 724 HARRISON Canon City, Colo PHONE 275-4352

CONTRACTOR \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

DESIGN ENGINEER \_\_\_\_\_  
ADDRESS \_\_\_\_\_ PHONE \_\_\_\_\_

PERMIT IS FOR: ☒ New Installation ☐ Alteration ☐ Repair

LOCATION OF PROPOSED FACILITY: County Custer

City or Town [if within City or Town Limits] \_\_\_\_\_ Lot Size \_\_\_\_\_

Legal Description T. 21S R. 71W Section 19 LOT 13 Sub. 4

WASTES TYPE: ☒ Dwelling ☐ Transient Use  
☐ Commercial or Institutional ☐ Non-domestic Wastes  
☐ Other - Describe \_\_\_\_\_

SYSTEM IS DESIGNED FOR \_\_\_\_\_

BUILDING OR SERVICE TYPE: \_\_\_\_\_ Number of Persons 3

Number of Bedrooms 3

☒ Garbage Grinder ☐ Automatic Washer ☐ Dishwasher

SOURCE AND TYPE OF WATER SUPPLY: ☒ Well ☐ Spring ☐ Stream or Creek

Give depth of all wells within 180 feet of system: \_\_\_\_\_

If supplied by community water, give name of supplier: \_\_\_\_\_

GROUND CONDITIONS:

Depth to bedrock \_\_\_\_\_

Depth to Ground Water Table: \_\_\_\_\_

Percent ground slope: \_\_\_\_\_

SOIL PERCOLATION TEST RESULTS:

Minutes 1 per inch in hole No. 1 Minutes 8 per inch in hole No. 3

Minutes 1 per inch in hole No. 2 Minutes 1 per inch in hole No. \_\_\_\_\_

DISTANCE TO NEAREST COMMUNITY SEWER SYSTEM: \_\_\_\_\_

Was an effort made to connect to community system? \_\_\_\_\_

TYPE OF INDIVIDUAL SEWAGE SYSTEM PROPOSED:

☒ Septic tank ☐ Aeration Plant ☐ Vault  
☐ Vault Privy ☐ Composting Toilet ☐ Recycling, potable u  
☐ Pit Privy ☐ Incineration Toilet ☐ Recycling, other use  
☐ Chemical Toilet  
☐ Other - Describe \_\_\_\_\_

SIGNATURES FOR LOCAL GOVERNMENT OFFICIALS: The undersigned have reviewed the proposal for the location of the above described septic tank system and RECOMMEND APPROVAL or DISAPPROVAL in the space provided below.

DATE

DATE

APPROVAL

DISAPPROVAL

9-5-64

☐☐

*J. J. Bagg*

Signature for Local Health Department

☐☐

Signature for Mayor or City Manager

☐☐

Signature for County Commissioner

Comments:

1000 g' tank 450 sq ft and 1000 g' tank

450

1000 g' tank

Signature and Title

NOTE: The applicant must obtain the comments and signature of at least one of the following for STATE HEALTH DEPARTMENT USE: Recommendations of the District Engineer

FOLLOWING FOR STATE HEALTH DEPARTMENT USE: Recommendations of the District Engineer

ACTION BY THE COLORADO WATER POLLUTION CONTROL COMMISSION:

WAE CP

12-13-89 RECEIVED

## COLORADO DIVISION OF WATER RESOURCES

1313 Sherman Street - Room 818  
Denver, Colorado 80203THIS FORM MUST BE SUBMITTED  
WITHIN 60 DAYS OF COMPLETION  
OF THE WORK DESCRIBED HERE-  
ON. TYPE OR PRINT IN BLACK  
INK.

## WELL COMPLETION AND PUMP INSTALLATION REPORT

PERMIT NUMBER 89VE567 136384-A

12-13-89

STATE ENGINEER  
COLORADO

WELL OWNER Howard K. & Janet A. Gifford Trustee NW 1/4 of the NW 1/4 of Sec. 19  
2084 Yorba Drive  
 ADDRESS Pomona, Ca. 91768 T. 21 S. R. 71 W. 6th F.  
L#13, F#4, Silver Cliff Heights  
 DATE COMPLETED 11/17/89 HOLE DIAMETER

8 in. from 0 to 19 ft.6 in. from 19 to 245 ft.       in. from        to        ft.DRILLING METHOD Air PercussionCASING RECORD: Plain CasingSize 6 5/8 & kind Steel from +1 to 19Size 4" & kind PVC from 10 to 225Size        & kind        from        to       Perforated CasingSize 4" & kind PVC-S from 225 to 245Size        & kind        from        to       Size        & kind        from        to       

## GROUTING RECORD

Material CementIntervals 0' - 19'Placement Method pouredGRAVEL PACK: Size       Interval       

## TEST DATA

Date Tested 11/17, 1989Static Water Level Prior to Test 80'Type of Test Pump AirLength of Test 6 hoursSustained Yield (Metered) 75 G.P. Hour / 1.25 G.P. MinFinal Pumping Water Level 225'

## WELL LOG

From	To	Type and Color of Material	Water Loc.
0	4	Hard Decomposed precambrian granite	XX
4	24	Precambrian granite	
24	63	Basalt very hard	
63	98	Precambrian granite soft	
98	139	Precambrian granite hard	
139		Fractures	
139	185	Precambrian granite	
185	204	Gray granite like basalt	
204	225	Precambrian granite w/multiple fractures	
225	245	Precambrian granite	
TOTAL DEPTH <u>245'</u>			

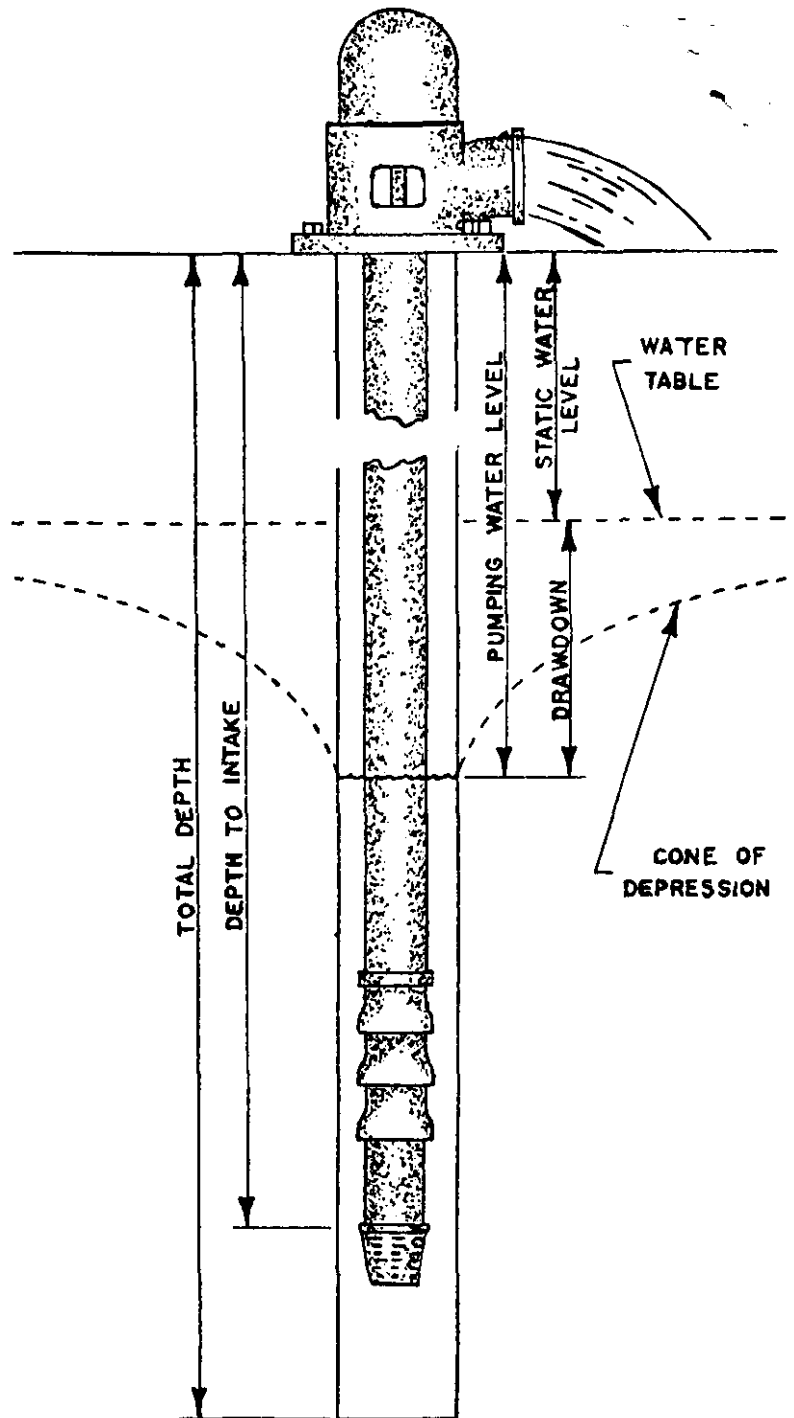
Use additional pages necessary to complete log.

# PUMP INSTALLATION REPORT

Pump Make Goulds 7EH07412  
Type Submersible  
Powered by Electricity HP 3/4  
Pump Serial No. Y041544  
Motor Serial No. A89-31-1559  
Date Installed 1/11/90  
Pump Intake Depth 220'  
Remarks \_\_\_\_\_

## WELL TEST DATA WITH PERMANENT PUMP

Date Tested 1/11/90  
Static Water Level Prior to Test 80'  
Length of Test 1 Hours  
Sustained yield (Metered) 1.25 GPM  
Pumping Water Level 220'  
Remarks \_\_\_\_\_



## CONTRACTORS STATEMENT

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

Signature [Signature] License No. 1043

State of Colorado, County of Custer SS

Subscribed and sworn to before me this 26th day of January, 19 90.

My Commission expires: September 22, 19 93.

Notary Public Kathy L. Eberhardt



FORM TO BE MADE OUT IN QUADRUPPLICATE: WHITE FORM must be an original copy on both sides and signed. WHITE AND GREEN copies must be filed with the State Engineer. ONE COPY is to be placed in the owner's file. ONE COPY is for the Driller. The accuracy of this information is not guaranteed. It is not to be relied upon and should be verified by the buyer.



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

**PERMIT APPLICATION FORM**

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

**RECEIVED**

FOR: ☒ A PERMIT TO USE GROUND WATER  
☒ A PERMIT TO CONSTRUCT A WELL  
☒ A PERMIT TO INSTALL A PUMP

NOV 29 1989

☒ REPLACEMENT FOR NO. 136384

☐ OTHER

WATER RESOURCES  
 STATE ENGINEER  
 COLO.

WATER COURT CASE NO. \_\_\_\_\_

**RECEIVED**  
 NOV 17 1989  
 WATER RESOURCES  
 STATE ENGINEER  
 COLO.

**(1) APPLICANT - mailing address**

NAME Howard K. & Janet A. Gifford Trustee  
 STREET 2084 Yorba Drive  
 CITY Pomona, Ca. 91768  
 (State) (Zip)  
 TELEPHONE NO. 714-593-6247

**(2) LOCATION OF PROPOSED WELL**

County Custer  
 NW 1/4 of the NW 1/4, Section 19  
 Twp. 21 S, Rng. 71 W, 6th P.M.  
 (N.S) (E.W)

**(3) WATER USE AND WELL DATA**

Proposed maximum pumping rate (gpm) 15  
 Average annual amount of ground water to be appropriated (acre-feet): 1  
 Number of acres to be irrigated: 0  
 Proposed total depth (feet): 250  
 Aquifer ground water is to be obtained from:  
N/A  
 Owner's well designation \_\_\_\_\_

**GROUND WATER TO BE USED FOR:**

☒ HOUSEHOLD USE ONLY - no irrigation (0)  
☐ DOMESTIC (1) ☐ INDUSTRIAL (5)  
☐ LIVESTOCK (2) ☐ IRRIGATION (6)  
☐ COMMERCIAL (4) ☐ MUNICIPAL (8)  
☐ OTHER (9) \_\_\_\_\_

DETAIL THE USE ON BACK IN (11)

**(4) DRILLER**

Name Nequette Drilling  
 Street P.O. Box 186  
 City Westcliffe, Colorado 81252  
 (State) (Zip)

Telephone No. 710-784-0000

FOR OFFICE USE ONLY: DO NOT WRITE IN THIS COLUMN

Receipt No. 307153

Basin \_\_\_\_\_

Dist. \_\_\_\_\_

**CONDITIONS OF APPROVAL**

This well shall be used in such a way as to cause no material injury to existing water rights. The issuance of the permit does not assure the applicant that no injury will occur to another vested water right or preclude another owner of a vested water right from seeking relief in a civil court action.

**ISSUANCE OF THIS PERMIT DOES NOT CONFER A DECREED WATER RIGHT**

1) APPROVED PURSUANT TO CRS 37-92-602(3)(c) FOR THE RELOCATION OF EXISTING WELL PERMIT NO. 136384. THE EXISTING WELL MUST BE PLUGGED AND ABANDONED ACCORDING TO THE WATER WELL CONSTRUCTION AND PUMP INSTALLATION RULES WITHIN NINETY (90) DAYS OF COMPLETION OF THE NEW WELL. THE ENCLOSED WELL ABANDONMENT REPORT FORM MUST BE COMPLETED AFFIRMING THAT THE OLD WELL WAS PLUGGED AND ABANDONED.

2) APPROVED PURSUANT TO CRS 37-92-602(3)(b)(II) AS THE ONLY WELL ON A RESIDENTIAL SITE OF 12 ACRES DESCRIBED AS LOT 13, FILING 4, SILVER CLIFF HEIGHTS SUBDIVISION, CUSTER COUNTY.

3) THE USE OF GROUND WATER FROM THIS WELL IS LIMITED TO ORDINARY HOUSEHOLD PURPOSES INSIDE ONE SINGLE FAMILY DWELLING, AND SHALL NOT BE USED OUTSIDE THE HOUSE FOR ANY PURPOSE.

4) THE RETURN FLOW FROM THE USE OF THIS WELL MUST BE THRU 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. 11.11.12-11-89

**APPLICATION APPROVED**

PERMIT NUMBER 136384-A

DATE ISSUED DEC 13 1989

EXPIRATION DATE DEC 13 1991

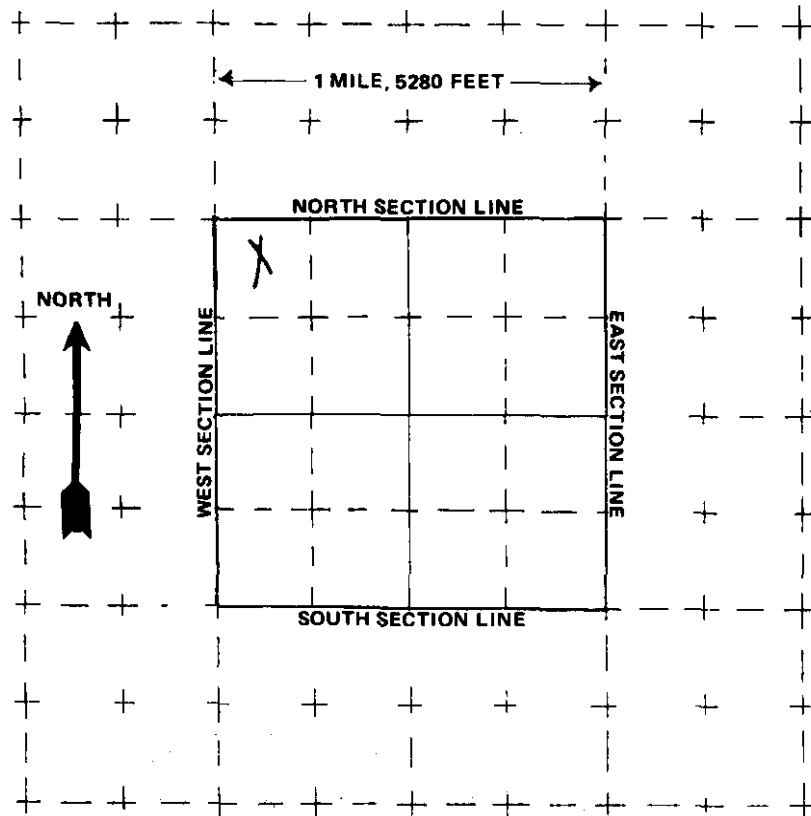
John A. Danielson  
 (STATE ENGINEER)

Michael J. Melley  
 (REALTOR)

I.D. 2-13

COUNTY 14

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



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

**WATER EQUIVALENTS TABLE (Rounded Figures)**

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

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

675 ft. from North sec. line  
(north or south)

700 ft. from West sec. line  
(east or west)

LOT 13 BLOCK FILING # 4  
SUBDIVISION Silver Cliff Heights

(7) **TRACT ON WHICH WELL WILL BE LOCATED** Owner: H. Gifford

No. of acres 12.22 Will this be the only well on this tract? Yes

(8) **PROPOSED CASING PROGRAM**

Plain Casing

6 5/8 in. from 0 ft. to 19 ft.

4" in. from 15 ft. to 230 ft.

Perforated casing

4" in. from 230 ft. to 250 ft.

in. from ft. to ft.

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

New well to be 75' North

100' West of old well.

Old well to be plugged per rules and regulations.

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

Owner(s): Howard K. & Janet A. Gifford No. of acres: 12.22

Legal description: L#13, F#4 Silver Cliff Heights Custer County Colorado

(11) **DETAILED DESCRIPTION** of the use of ground water: Household use and domestic wells must indicate type of disposal system to be used.

Household use only. ~~Watering non-commercial domestic animals~~

Septic system with leachfield

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

Type or right  
N/A

Used for (purpose)

Description of land on which used

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

*Howard K. Gifford* *Janet A. Gifford*  
SIGNATURE OF APPLICANT(S) Trustee Trustee

**DECLARATION OF AGREEMENT ESTABLISHING PROTECTIVE COVENANTS  
IN SILVER CLIFF HEIGHTS FILING[s] 2, 3, 4, 5, 6, 7**

KNOW ALL MEN BY THESE PRESENTS: That:

WHEREAS, LDS, Inc. is the owner of certain real property located in the County of Custer, State of Colorado, described as Silver Cliff Heights, Filing[s] 2, 3, 4, 5, 6, and 7, and,

WHEREAS, the owner desires to place certain restrictions on said premises for the use and benefit of themselves and their grantees, in order to establish and maintain such premises as a protected community;

NOW, THEREFORE, for itself and its grantees, LDS, Inc., hereby publishes, acknowledges, declares, and agrees with, to and for the benefit of all persons who may hereafter purchase and from time to time hold and own any of the said tracts, that they own, and hold said above-described tracts subject to the following restrictions, covenants and conditions, all of which shall be deemed to run with the land and to inure to the benefit of and be binding upon the owners at any time of any of the said tracts, their heirs, personal representatives, successors and assigns, to-wit:

**PART A. SPECIAL AGREEMENTS**

1. **CLEARING OF TREES:** There shall be no removal of trees from any lot except that which must be removed in connection with construction on the property, landscaping or that which is consistent with good conservation practices.
2. **EASEMENTS:** Easements for installation and maintenance of utilities, drainage facilities, roadways, bridle paths, hiking trails and such other purposes incident to the development of the property are reserved as shown on the recorded plat. Such easements will be kept open and readily accessible for service and maintenance of utility and drainage facilities.
3. **NUISANCES:** Nothing shall be done or permitted on any tract which may be or become an annoyance or nuisance to the reasonable requirements of the neighborhood. No noxious or offensive activities shall be conducted upon any tract.
4. **RUBBISH AND REFUSE:** Rubbish, garbage or other waste shall be kept and disposed of in an orderly manner so that such materials shall not be visible to nor exposed to the owners of other tracts herein. No tract shall be used for dumping of trash, refuse, or waste.

**PART B. SPECIAL COVENANTS PERTAINING TO RE-SUBDIVISION**

WHEREAS, all tracts in the present plat are in excess of 5 acres and it is the intention of LDS, Inc., that all owners be permitted the maximum freedom of use possible of their individual



tracts which do not infringe on the rights of the other owners. It is understood, however, that some of the tracts may be re-subdivided at some future date and,

NOW, THEREFORE, The following covenants and restrictions shall apply to any tract or lots consisting of less than five acres.

1. **TEMPORARY RESIDENCES:** No structure of temporary character, trailer, basement, tent or accessory building shall be used on any tract as a residence, temporarily or permanently, provided, however, for such use and location during the construction phase of the permanent dwelling and for short periods for vacation camping and vacation use.
2. **LIVESTOCK AND POULTRY:** No animals, livestock, or poultry of any kind, shall be raised, bred, or kept on any lot, except horses, dogs, cats, or other pets may be kept provided they are not kept, bred, or maintained for any commercial purpose.
3. **GARBAGE AND REFUSE DISPOSAL:** No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
4. **COUNTY, STATE, OR FEDERAL REGULATIONS:** All County, State or Federal regulations pertaining to public health, welfare, and land use must be complied with.

#### PART C. GENERAL PROVISIONS

1. **TERMS OF COVENANTS:** Each of the covenants, restrictions, and reservations set forth herein shall continue to be binding for a period of ten years from the date of filing hereof in the Office of the Clerk and Recorder of Custer County, Colorado, and shall automatically be continued thereafter for successive periods of ten years each; provided, however, that the owners of seventy-five percent of the lots which are subject to these covenants may release all or part of the land so restricted from any one or more of said restrictions, or may change or modify any one or more of said restrictions, by executing and acknowledging an appropriate agreement or agreements in writing for such purposes and filing the same in the Office of the County Clerk and Recorder of Custer County, Colorado, at least one year prior to the expiration of the first ten-year period, or one year prior to the expiration of any successive ten-year period thereafter.
2. Covenants 6 and 7 will remain in effect until the State or the County in which the property is located zones said property for a use incompatible with wildlife and wild recreational values.
3. **ENFORCEMENT:** Enforcement shall be by proceedings in law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

4. SEVERABILITY: Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

[signed]

[notarized]

**RECEPTION NUMBERS**

<b>Filing 2</b>	<b>104452</b>
<b>Filing 3</b>	<b>104500</b>
<b>Filing 4</b>	<b>104507</b>
<b>Filing 5</b>	<b>104508</b>
<b>Filing 6</b>	<b>104509</b>
<b>Filing 7</b>	<b>104656</b>

