

**APPLICATION FOR WATER ALLOTMENT CONTRACT
BASALT WATER CONSERVANCY DISTRICT**

1. Applicant(s) Name(s): Matthew Brewer

Applicant(s) Mailing Address: 0969 CR 113
Carbondale, CO 81623

Applicant(s) Street Address: 0969 CR 113
Carbondale, CO 81623

Applicant(s) Telephone No(s): 970-379-1937

Applicant(s) E-mail Address: mbrewer@rfclub.com

Attorney Info (Name, Address, Telephone and Fax Nos., E-mail):
N/A

Emergency Contact Information (preferably local) (Name, Address, Telephone and Fax Nos.): Karen Baxter 100 Arbaney Ranch
Basalt CO 81621
970-927-2700

Contact Information (Name, Address, Telephone and Fax Nos.) of any property manager, caretaker, irrigator, system operator or agent who should be provided a copy of this contract:
N/A

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.) Single Family Home

3. Legal description of property on which District's water rights and/or contract water shall be used; Quarter, Quarter, Section, Township, Range (attach map and vesting deed with proof of ownership)*: Township 7S, Range 88W, Sixth P.M., Section 17

4. Elevation zone of property: X 6-7,000 ft., _____ 7-8,000 ft.,
8-9,000 ft.

5. Name and legal description of water supply diversion point(s): include Quarter Quarter, Section, Township, Range, bearing and distance from nearby Section corner. (Identify if well, spring, pipeline, etc.) If diversion point is a well, please provide the State Permit No. 81002.

Is the well operational/active? Yes, _____ No

Is there currently an operating well meter? _____ Yes, No

Notice: A valid well permit with operating well meter will be required under the contract.

6. Has Applicant applied with the Water Court for water rights, change of water rights and/or a water right plan for augmentation? _____ Yes, No; If yes, what is the Water Court Case No.

7. Proposed waste water treatment system: (please check)

Tap to central waste water treatment facility

Septic tank/leachfield system

Evapotranspiration system

Other:

8. Proposed use of water (please check)

Domestic/Municipal (single family home(s), duplex(s), condominium(s), mobile home(s), apartment). Please complete page three of this application.

Commercial (hotel, office, warehouse, restaurant, bar, retail). Please complete page four of this application.

Industrial (gravel pit, manufacturing). Please complete page four of this application.

Agricultural (crop irrigation, stock watering). Please complete page five of this application.

Date on which the county or other applicable governmental entities approved the land use for which you seek legal water service: _____. (Note: Copy of the Resolution of other documentation evidencing such approval should be submitted with application.)

9. What other water rights are associated with or used on the property?

NONE

10. What other uses of water occur on the property?

Landscape irrigation, Domestic Stock watering

Please complete this page if you checked domestic/municipal use on Page 2, No. 8

DOMESTIC/MUNICIPAL WATER USES

In-House

Single family residential home(s)

Number of Units: 1

Duplex(s)

Number of Units: _____

Condominium(s)

Number of Units: _____

Apartment(s)

Number of Units/Rooms: _____

Mobil Home(s)

Number of Units: _____

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or 1/4 Acres

Type of irrigation system (please check)

PER MATT BREWER 16,500ft²

X Sprinkler

_____ Flood (irrigation ditch)

Domestic stock watering (cattle, horses)

Number of animals: 2

Period of use (months): 12

Other domestic/municipal uses not listed:

Some Poultry ≈ 1 HORSE ESR

Please complete this page if you checked commercial or industrial use on Page 2, No. 8

COMMERCIAL WATER USES

In-House

Hotel: _____

Office(s), square footage: _____

Warehouse/distributor, square footage: _____

Retail, square footage: _____

Restaurant, number of seats: _____

Bar, number of seats: _____

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

Other Commercial Uses Not Listed:

INDUSTRIAL WATER USES

Please describe your industrial development in some detail:

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

VERIFICATION

STATE OF Colorado)
) ss.
COUNTY OF Garfield)

I, Matthew Brewer (name of Applicant or Applicant's duly authorized representative), being first duly sworn, upon oath, depose and state as follows:

- 1) I am the Applicant or a duly authorized officer, manager, agent or attorney-in-fact for the Applicant for this Application for Water Allotment Contract;
- 2) I have read and know the contents of this Application;
- 3) The information contained herein is an accurate and complete description of the Applicant's intended use of the Basalt Water Conservancy District's water rights;
- 4) The Applicant acknowledges that the accuracy and truth of all statements in this Application are conditions of approval of this Application by the Basalt Water Conservancy District and of the Contract to be made pursuant to such approval; and
- 5) I acknowledge that this application shall be subject to the District's Water Allotment Contract as approved and issued by the District.

Date: 4-26-10

By: Matthew Brewer *Matthew Brewer*

Print Name: Matt Brewer

Title: Owner

²⁰¹⁶₂₀₀ Subscribed and sworn before me this 26 day of April,
by Matthew Brewer.

Witness my hand and seal.

Linda Davis
Notary Public

My commission expires: 12/7/2010



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

1095

| | | | | |
|--------------------|-------|------------|----|---|
| WELL PERMIT NUMBER | | 81002 | - | A |
| DIV. 5 | WD 38 | DES. BASIN | MD | |

APPLICANT

MATHEW RAY BREWER
0969 COUNTY ROAD 113
CARBONDALE, CO 81623-

(970) 379-1937

APPROVED WELL LOCATION

GARFIELD COUNTY
1/4 1/4 Section 17
Township 7 S Range 88 W Sixth P.M.

DISTANCES FROM SECTION LINES

Ft. from Section Line
Ft. from Section Line

UTM COORDINATES (Meters, Zone:13, 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 ensure 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)(c) for the relocation of an existing well, permit no. 81002. The old well must be plugged in accordance with Rule 16 of the Water Well Construction Rules within ninety (90) days of completion of the new well. The enclosed Well Abandonment Report form must be completed and submitted to affirm that the old well was plugged.
- 4) Approved as the only well on a residential site of 3.97 acre(s) described as that portion of the N 1/2, Sec. 17, Twp. 7 South, Rng. 88 West, 6th P.M., Garfield County, more particularly described on the attached exhibit A. Further identified as 0969 County Road 113, Carbondale, CO 81623.
- 5) 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.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) 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.
- 8) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.

NOTE: Parcel Identification Number (PIN): 23-2393-172-00-093

NOTE: Assessor Tax Schedule Number: R011574

J M N
03/30/2010

APPROVED
DMW

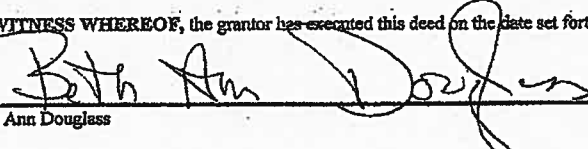
Deb Wolfe
State Engineer

J M N
By

Receipt No. 9503359

DATE ISSUED 03-30-2010

EXPIRATION DATE 03-30-2012

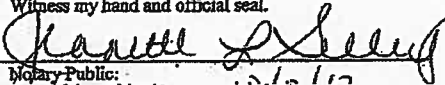
| | |
|--|-----------------------|
| SPECIAL WARRANTY DEED | State Doc Fee: \$0.00 |
| THIS DEED, made this <u>22</u> day of February, 2010, between | |
| Beth Ann Douglass | |
| of the said County of Garfield and State of Colorado, Grantor, and | |
| Matthew Ray Brewer | |
| whose legal address is: 969 County Road 113, Carbondale CO 81623 | |
| of the said County of Garfield and State of, grantees: | |
| WITNESS, that the grantor, for and in consideration of the sum of (\$0) ZERO, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Garfield and State of Colorado described as follows: | |
| See "Exhibit A" attached hereto | |
| also known by street and number as: 969 County Road 113, Carbondale, CO 81623 | |
| TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances. | |
| TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever except: Those exceptions of record | |
| The grantor, for himself, his heirs, and personal representatives or successors, do covenant, and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, and through or under the grantor. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders. | |
| IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above. | |
|  | |
| Beth Ann Douglass | |

State of New York)
County of Fulton)

The foregoing instrument was acknowledged before me this 22 day of February, 2010, by Beth Ann Douglass.

Jeanette L. Seeley

Witness my hand and official seal.



Notary Public:

Notary Public, State of New York
Fulton Co Expires 10/2/13
ID: 01SE5050049

My commission expires: 10/2/13

THIS DEED CORRECTS THE LEGAL DESCRIPTION IN THE DEED RECORDED JULY 20, 2009 AS RECEPTION NO. 771739

Exhibit A
LEGAL DESCRIPTION

File Number: 904950

A parcel of land situated in Lot 7 and in the SW ¼ NE ¼ all in Section 17, Township 7 South, Range 88 West of the Sixth Principal Meridian, lying Southerly of the Northerly line of Lot 7, Southerly of the Northerly line of said SW ¼ NE ¼, as per the "Dependent Resurvey of Township 7 South, Range 88 West of the Sixth Principal Meridian" dated June 30, 1995 and Northerly of the Centerline of Garfield County Road No. 113 as constructed and in place, said parcel of land is described as follows:

Beginning at the Northwest Corner of said SW ¼ NE ¼, being the same as the Northeast Corner of said Lot 7 whence the North Quarter Corner of said Section 17 bears: North 00°20'00" West. 1438.80 feet; thence North 89°39'02" East 271.24 feet along the Northerly line of said SW ¼ NE ¼; thence South 01°07' 58" East 44.79 feet to a point in the center of said County Road 113; thence along the Center of said road on the following six (6) courses:
South 66°05' 00" West 158.10 feet;
thence 199.82 feet along the arc of 1891.55 foot radius curve to the right, the chord of which bears South 69°06' 34" West 199.72 feet;
thence South 72°08' 08" West. 46.87 feet;
thence 154.88 feet along the arc of a 476.90 foot radius curve to the right, the chord of which bears South 81°26' 23" West. 154.20 feet;
thence North 89°15' 22" West 251.53 feet;
thence 130.30 feet along the arc of a 498.85 foot radius curve to the right, the chord of which bears North 81°46'24" West. 129.93 feet;
thence leaving the Center of said County Road on a course bearing North 00°24'58" West for 203.76 feet to a point on the Northerly Boundary Line of said Lot 7;
thence South 89°06'58" East. 638.22 feet along the Northerly line of said Lot 7 to the Northeast Corner of said Lot 7, the Point of Beginning.

County of Garfield, State of Colorado

B.D

Memorandum

To: BWCD BOARD OF DIRECTORS
From: ERIC MANGEOT *EM*
CC: CHRIS GEIGER
Date: APRIL 28, 2010
File: APPLICATION
Re: MATTHEW BREWER

Applicant Name: Matthew Brewer

Type of Use: Domestic Commercial
Industrial Agricultural

Amount: 1.0 AF 0.033 CFS 15.0 gpm

Location: Area A Area B Inclusion

County: GARFIELD Contiguous:

BWCD Division: 1

Mid Valley Metro District Notice Required? Yes No

Blue Creek Water Rights Applied? Yes No

Comments: This application requests the use of District water to offset depletions associated with a single family dwelling, 16,500 square feet of lawn and landscape irrigation, and livestock for a 3.71 acre parcel of land located in Section 17, Township 7 South, Range 88 West, of the 6th P.M. The physical address of the property is 969 County Road 113 in Carbondale, Colorado. Total depletions are 1.0 acre-feet as calculated by Resource Engineering, Inc.

The property is within Division 1 of the District. A BWCD map is attached showing the location of the property.

The Applicant desires to relocate the existing well (Permit No. 81002) and add outdoor uses. Applicant will apply for a "F" well permit upon execution of the water allotment contract.

| | |
|-----------------|----------------------|
| Water User : | Matthew Brewer |
| Analysis Date : | April 28, 2010 |
| District Area: | A |
| Source Series: | 4 |
| Maximum Demand: | 15 0.033 (GPM) (CFS) |

**BASALT WATER CONSERVANCY DISTRICT
WATER REQUIREMENTS
(acre feet)**

| Month | Total Demand | | | | Consumptive Use | | | | | | (12)* TOTAL | (13)* Delayed Depletions | (14) Source of Aug/Replace | |
|------------|-----------------------------|-------------------------------|---------------------------|---------------------------|------------------|--------------|-----------------------------|-------------------------------|---------------------------|----------------------------|----------------|--------------------------------|----------------------------------|-------------------|
| | (1) Domestic In-house | (2) Commercial or Other | (3) Lawn Irrigation | (4) Crop Irrigation | (5) Livestock | (6) TOTAL | (7) Domestic In-house | (8) Commercial or Other | (9) Lawn Irrigation | (10) Crop Irrigation | | | | (11) Livestock |
| January | 0.033 | 0.000 | 0.000 | 0.000 | 0.003 | 0.036 | 0.005 | 0.000 | 0.000 | 0.000 | 0.003 | 0.009 | 0.055 | GNM |
| February | 0.030 | 0.000 | 0.000 | 0.000 | 0.003 | 0.033 | 0.005 | 0.000 | 0.000 | 0.000 | 0.003 | 0.008 | 0.055 | GNM |
| March | 0.033 | 0.000 | 0.000 | 0.000 | 0.003 | 0.036 | 0.005 | 0.000 | 0.000 | 0.000 | 0.003 | 0.009 | 0.055 | GNM |
| April | 0.032 | 0.000 | 0.040 | 0.000 | 0.003 | 0.075 | 0.005 | 0.000 | 0.032 | 0.000 | 0.003 | 0.044 | 0.060 | GNM |
| May | 0.033 | 0.000 | 0.186 | 0.000 | 0.003 | 0.222 | 0.005 | 0.000 | 0.149 | 0.000 | 0.003 | 0.173 | 0.104 | GNM |
| June | 0.032 | 0.000 | 0.229 | 0.000 | 0.003 | 0.265 | 0.005 | 0.000 | 0.184 | 0.000 | 0.003 | 0.211 | 0.129 | GNM |
| July | 0.033 | 0.000 | 0.220 | 0.000 | 0.003 | 0.256 | 0.005 | 0.000 | 0.176 | 0.000 | 0.003 | 0.202 | 0.128 | GNM |
| August | 0.033 | 0.000 | 0.135 | 0.000 | 0.003 | 0.171 | 0.005 | 0.000 | 0.108 | 0.000 | 0.003 | 0.127 | 0.104 | GNM |
| September | 0.032 | 0.000 | 0.123 | 0.000 | 0.003 | 0.158 | 0.005 | 0.000 | 0.098 | 0.000 | 0.003 | 0.117 | 0.097 | GNM |
| October | 0.033 | 0.000 | 0.046 | 0.000 | 0.003 | 0.082 | 0.005 | 0.000 | 0.037 | 0.000 | 0.003 | 0.049 | 0.068 | GNM |
| November | 0.032 | 0.000 | 0.000 | 0.000 | 0.003 | 0.035 | 0.005 | 0.000 | 0.000 | 0.000 | 0.003 | 0.009 | 0.056 | GNM |
| December | 0.033 | 0.000 | 0.000 | 0.000 | 0.003 | 0.036 | 0.005 | 0.000 | 0.000 | 0.000 | 0.003 | 0.009 | 0.055 | GNM |
| TOTALS --> | 0.392 | 0.000 | 0.978 | 0.000 | 0.037 | 1.407 | 0.059 | 0.000 | 0.782 | 0.000 | 0.037 | 0.966 | 0.966 | |

| (1) | Assumptions | | | | (5) | Well is Category A | | |
|-----|-------------------------------|--------|--------|-----|-----|------------------------------|-----|-------------|
| | NUMBER OF RESIDENCES | (6) | (7) | (8) | | # of Livestock @ 11 gals/day | (9) | (10) |
| | # persons/residence | 1 | 3.5 | | | 3 | | |
| | # gallons/person/day | 100 | | | | | | 15 |
| (2) | Commercial/Other Demand (af) | 0.000 | Office | | | | | 80 2.096 |
| (3) | Sq. Ft. of Lawn Irrigated | 16,500 | | | | | | 80 |
| | Lawn Application Rate (af/ac) | 2.620 | | | | | | 0.000 |
| (4) | Acres of Crop Irrigated | 0.00 | | | | | | 6160 |
| | Crop Application Rate (af/ac) | 0.000 | | | | | | |

*(12), (13) Total Includes 5% Transit Loss
10% from Green Mtn.

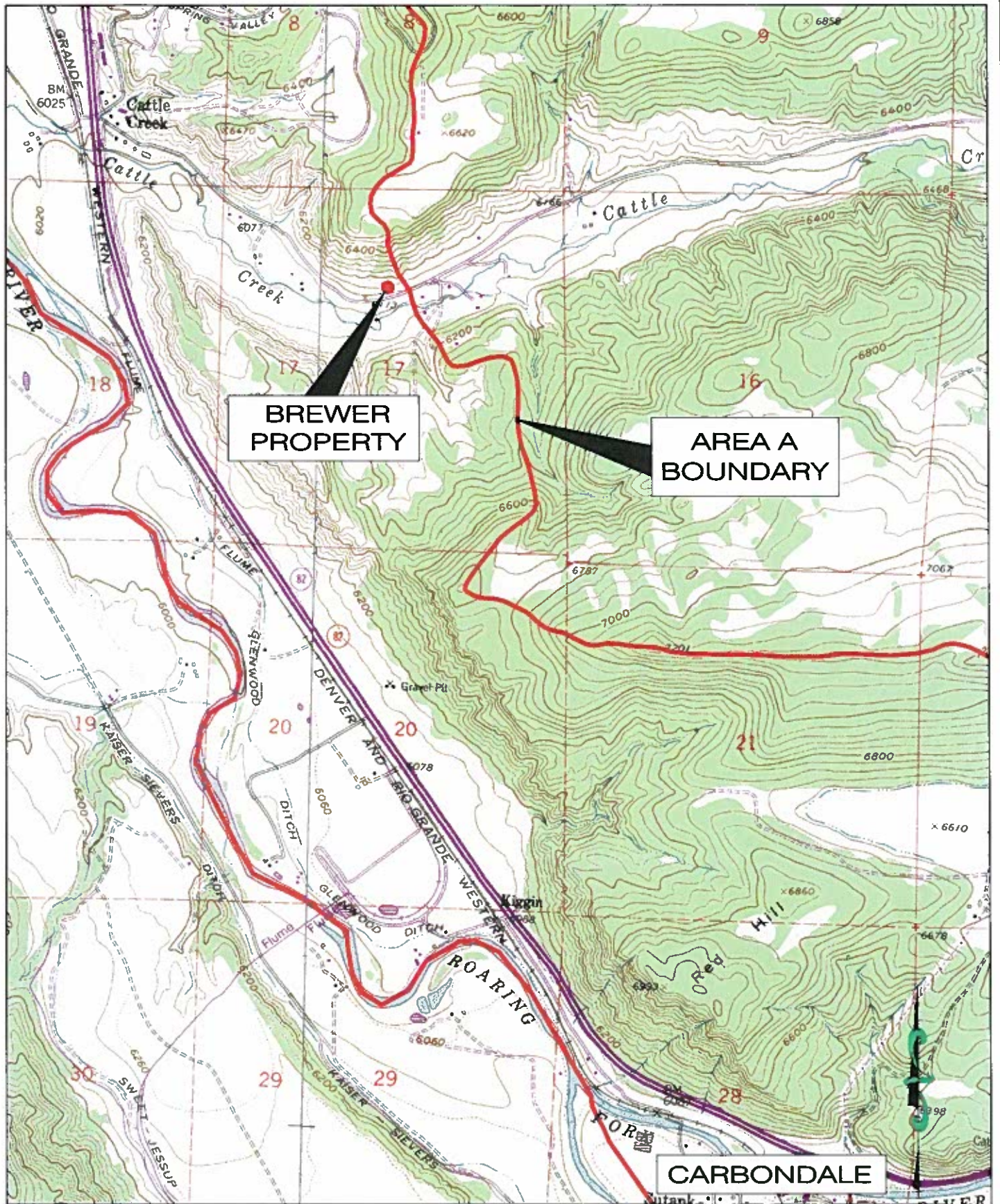
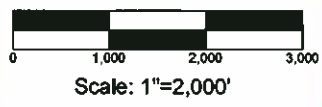


Figure 1: Matthew Brewer Application

File: 033-7.2
Date: 04/26/10

Basalt Water Conservancy District



RESOURCE ENGINEERING, INC.
 908 Colorado Avenue
 Glenwood Springs, CO 81601
 (970) 945-8777 Voice 945-1137 Facsimile

Account: R011574

Location

Owner Name BREWER, MATTHEW RAY

Parcel Number 2393-172-00-093

Tax Area 011 - 1R-MF - 011

Situs Address 000969 113 COUNTY RD

Sibling Account No

Legal Summary Section: 17 Township: 7 Range: 88 TR IN
LOT 7 & THE SWNE

Owner Information

Owner Name BREWER, MATTHEW RAY

Owner Address 969 COUNTY ROAD 113
CARBONDALE, CO 81623

Assessment History

Actual (2009) \$500,970

Primary Taxable \$39,880

Tax Area: 011 Mill Levy: 57.0750

Type Actual Assessed Acres Units

Improvement \$275,970 \$21,970 1.000

Land \$225,000 \$17,910 3.710

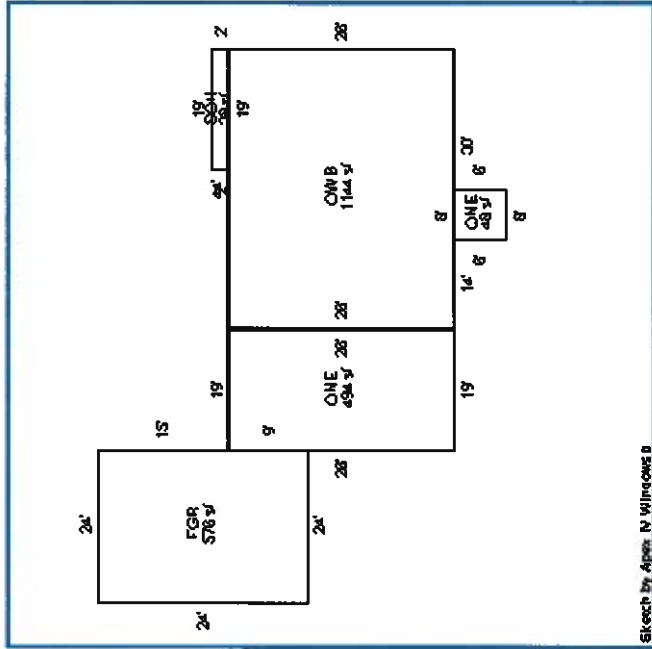
Transfers

| Sale Price | Sale Date | Doc Type | Book Page |
|------------|------------|----------|-----------|
| \$0 | 02/22/2010 | 432 | |
| \$640,000 | 07/16/2009 | WD | |
| | 03/25/2008 | DC | |
| \$305,000 | 03/15/1999 | WD | |

[B: 1119 P: 713](#)

Tax History

| Tax Year | Taxes | Images |
|----------|------------|---|
| 2009 | \$2,276.16 | <ul style="list-style-type: none"> Sketch GIS |
| 2008 | \$1,824.12 | |



**APPLICATION FOR WATER ALLOTMENT CONTRACT
BASALT WATER CONSERVANCY DISTRICT**

1. Applicant(s) Name(s): Matthew Brewer

Applicant(s) Mailing Address: 0969 CR 113
Carbondale, CO 81623

Applicant(s) Street Address: 0969 CR 113
Carbondale, CO 81623

Applicant(s) Telephone No(s):: 970-379-1937

Applicant(s) E-mail Address: mbrewer@rfclub.com

Attorney Info (Name, Address, Telephone and Fax Nos., E-mail):
N/A

Emergency Contact Information (preferably local) (Name, Address, Telephone and Fax Nos.): Karen Baxter 100 Arbaney Ranch
Basalt CO 81621
970-927-2700

Contact Information (Name, Address, Telephone and Fax Nos.) of any property manager, caretaker, irrigator, system operator or agent who should be provided a copy of this contract:
N/A

2. Type of land use (development) proposed for water allotment contract (i.e. single family home, subdivision, gravel pit, etc.) Single Family Home

3. Legal description of property on which District's water rights and/or contract water shall be used; Quarter, Quarter, Section, Township, Range (attach map and vesting deed with proof of ownership)*: Township 7S, Range 88W, Sixth P.M., Section 17

4. Elevation zone of property: X 6-7,000 ft., _____ 7-8,000 ft.,
8-9,000 ft.

5. Name and legal description of water supply diversion point(s): include Quarter Quarter, Section, Township, Range, bearing and distance from nearby Section corner. (Identify if well, spring, pipeline, etc.) If diversion point is a well, please provide the State Permit No. 81002.

Is the well operational/active? Yes, _____ No

Is there currently an operating well meter? _____ Yes, No

Notice: A valid well permit with operating well meter will be required under the contract.

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Tap to central waste water treatment facility

Septic tank/leachfield system

Evapotranspiration system

Other:

8. Proposed use of water (please check)

Domestic/Municipal (single family home(s), duplex(s), condominium(s), mobile home(s), apartment). Please complete page three of this application.

Commercial (hotel, office, warehouse, restaurant, bar, retail). Please complete page four of this application.

Industrial (gravel pit, manufacturing). Please complete page four of this application.

Agricultural (crop irrigation, stock watering). Please complete page five of this application.

Date on which the county or other applicable governmental entities approved the land use for which you seek legal water service: _____. (Note: Copy of the Resolution of other documentation evidencing such approval should be submitted with application.)

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In-House

Single family residential home(s) Number of Units: 1
Duplex(s) Number of Units:
Condominium(s) Number of Units:
Apartment(s) Number of Units/Rooms:
Mobil Home(s) Number of Units:

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or 1/4 Acres
Type of irrigation system (please check) PER MATT BREWER 16,500ft²
 X Sprinkler
_____ Flood (irrigation ditch)

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Number of animals: 2
Period of use (months): 12

Other domestic/municipal uses not listed:

Some Poultry ≈ 1 HORSE EFS

Please complete this page if you checked commercial or industrial use on Page 2, No. 8

COMMERCIAL WATER USES

In-House

Hotel: _____

Office(s), square footage: _____

Warehouse/distributor, square footage: _____

Retail, square footage: _____

Restaurant, number of seats: _____

Bar, number of seats: _____

Irrigation (lawns, parks, open space)

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Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

Other Commercial Uses Not Listed:

INDUSTRIAL WATER USES

Please describe your industrial development in some detail:

Irrigation (lawns, parks, open space)

Total area to be irrigated _____ Sq. Ft. or _____ Acres

Type of irrigation system (please check)

_____ Sprinkler

_____ Flood (irrigation ditch)

VERIFICATION

STATE OF Colorado)
) ss.
COUNTY OF Garfield)

I, Matthew Brewer (name of Applicant or Applicant's duly authorized representative), being first duly sworn, upon oath, depose and state as follows:

- 1) I am the Applicant or a duly authorized officer, manager, agent or attorney-in-fact for the Applicant for this Application for Water Allotment Contract;
- 2) I have read and know the contents of this Application;
- 3) The information contained herein is an accurate and complete description of the Applicant's intended use of the Basalt Water Conservancy District's water rights;
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- 5) I acknowledge that this application shall be subject to the District's Water Allotment Contract as approved and issued by the District.

Date: 4-26-10

By: Matthew Brewer *Matt Brewer*

Print Name: Matt Brewer

Title: Owner

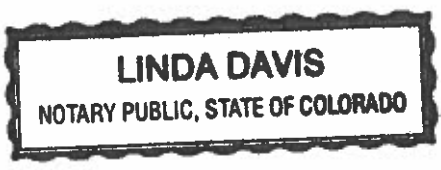
²⁰¹⁰₂₀₁₀ Subscribed and sworn before me this 26 day of Apr,
by Matthew Brewer.

Witness my hand and seal.

Linda Davis

Notary Public

My commission expires: 12/7/2010



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

| | | | | |
|--------------------|-------|------------|----|---|
| WELL PERMIT NUMBER | | 81002 | - | A |
| DIV. 5 | WD 38 | DES. BASIN | MD | |

APPLICANT

MATHEW RAY BREWER
0969 COUNTY ROAD 113
CARBONDALE, CO 81623-

(970) 379-1937

APPROVED WELL LOCATION

GARFIELD COUNTY
1/4 1/4 Section 17
Township 7 S Range 88 W Sixth P.M.

DISTANCES FROM SECTION LINES

| | |
|----------|--------------|
| Ft. from | Section Line |
| Ft. from | Section Line |

UTM COORDINATES (Meters, Zone:13,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 ensure 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)(c) for the relocation of an existing well, permit no. 81002. The old well must be plugged in accordance with Rule 16 of the Water Well Construction Rules within ninety (90) days of completion of the new well. The enclosed Well Abandonment Report form must be completed and submitted to affirm that the old well was plugged.
- 4) Approved as the only well on a residential site of 3.97 acre(s) described as that portion of the N 1/2, Sec. 17, Twp. 7 South, Rng. 88 West, 6th P.M., Garfield County, more particularly described on the attached exhibit A. Further identified as 0969 County Road 113, Carbondale, CO 81623.
- 5) 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.
- 6) The pumping rate of this well shall not exceed 15 GPM.
- 7) 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.
- 8) Pursuant to Rule 6.2.3 of the Water Well Construction Rules, the well construction contractor shall submit the as-built well location on work reports required by Rule 17.3 within 60 days of completion of the well. The measured location must be accurate to 200 feet of the actual location. The location information must include a GPS location (UTM coordinates) pursuant to the Division of Water Resources' guidelines.

NOTE: Parcel Identification Number (PIN): 23-2393-172-00-093

NOTE: Assessor Tax Schedule Number: R011574

J M W
03/30/2010

APPROVED
DMW

David Wolfe
State Engineer

By J M W

Receipt No. 9503359

DATE ISSUED 03-30-2010

By EXPIRATION DATE 03-30-2012

SPECIAL WARRANTY DEED

State Doc Fee: \$0.00

THIS DEED, made this 22 day of February, 2010, between

Beth Ann Douglass

of the said County of Garfield and State of Colorado, Grantor, and

Matthew Ray Brewer

whose legal address is: 969 County Road 113, Carbondale CO 81623
of the said County of Garfield and State of, grantee:

WITNESS, that the grantor, for and in consideration of the sum of (\$0) ZERO, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm, unto the grantees, their heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Garfield and State of Colorado described as follows:

See "Exhibit A" attached hereto

also known by street and number as: 969 County Road 113, Carbondale, CO 81623

TOGETHER with all and singular the hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all the estate, right, title, interest, claim and demand whatsoever of the grantor, either in law or equity, of, in and to the above bargained premises, with the hereditaments and appurtenances.

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantee, his heirs and assigns forever except: Those exceptions of record

The grantor, for himself, his heirs, and personal representatives or successors, do covenant, and agree that he shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantee, his heirs and assigns, against all and every person or persons claiming the whole or any part thereof, by, and through or under the grantor. The singular number shall include the plural, the plural the singular, and the use of any gender shall be applicable to all genders.

IN WITNESS WHEREOF, the grantor has executed this deed on the date set forth above.

Beth Ann Douglass
Beth Ann Douglass

State of New York)

County of Fulton) ss.

The foregoing instrument was acknowledged before me this 22 day of February, 2010, by Beth Ann Douglass.

Witness my hand and official seal.

Jeanette L. Seeley

Jeanette L. Seeley
Notary Public:

Notary Public, State of New York
Fulton Co Expires 10/2/13
ID: 01SE5050049

My commission expires: 10/2/13

THIS DEED CORRECTS THE LEGAL DESCRIPTION IN THE DEED RECORDED JULY 20, 2009 AS RECEPTION NO. 771739

**Exhibit A
LEGAL DESCRIPTION**

File Number: 904950

A parcel of land situated in Lot 7 and in the SW ¼ NE ¼ all in Section 17, Township 7 South, Range 88 West of the Sixth Principal Meridian, lying Southerly of the Northerly line of Lot 7, Southerly of the Northerly line of said SW ¼ NE ¼, as per the "Dependent Resurvey of Township 7 South, Range 88 West of the Sixth Principal Meridian" dated June 30, 1995 and Northerly of the Centerline of Garfield County Road No. 113 as constructed and in place, said parcel of land is described as follows:

Beginning at the Northwest Corner of said SW ¼ NE ¼, being the same as the Northeast Corner of said Lot 7 whence the North Quarter Corner of said Section 17 bears: North 00°20'00" West. 1438.80 feet; thence North 89°39'02" East 271.24 feet along the Northerly line of said SW ¼ NE ¼; thence South 01°07' 58" East 44.79 feet to a point in the center of said County Road 113; thence along the Center of said road on the following six (6) courses:
South 66°05' 00" West 158.10 feet;
thence 199.82 feet along the arc of 1891.55 foot radius curve to the right, the chord of which bears South 69°06' 34" West 199.72 feet;
thence South 72°08' 08" West. 46.87 feet;
thence 154.88 feet along the arc of a 476.90 foot radius curve to the right, the chord of which bears South 81°26' 23" West. 154.20 feet;
thence North 89°15' 22" West 251.53 feet;
thence 130.30 feet along the arc of a 498.85 foot radius curve to the right, the chord of which bears North 81°46'24" West. 129.93 feet;
thence leaving the Center of said County Road on a course bearing North 00°24'58" West for 203.76 feet to a point on the Northerly Boundary Line of said Lot 7;
thence South 89°06'58" East. 638.22 feet along the Northerly line of said Lot 7 to the Northeast Corner of said Lot 7, the Point of Beginning.

County of Garfield, State of Colorado

B.D