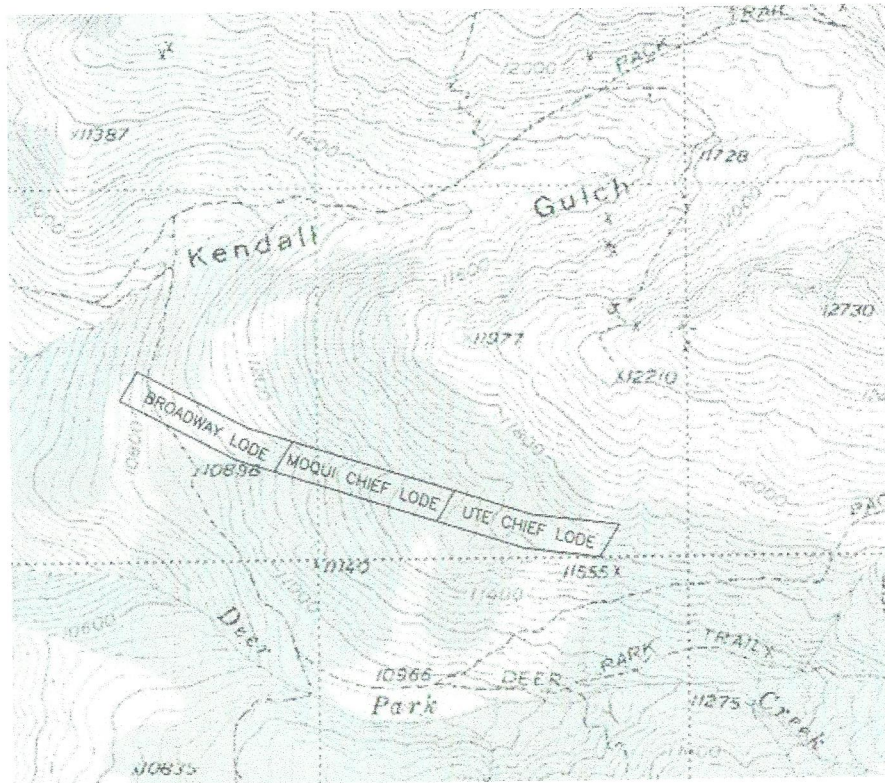


**APPLICATION FOR IMPROVEMENT PERMIT
Sketch Plan**

**Proposed Breed Cabin
Ute Chief Lode USMS No. 18463
County Road 33A, Deer Park
San Juan County, Colorado**



Applicant:

David Breed
PO Box 239
Silverton, Colorado 81433
(603) 738-7161

Prepared By:

Engineer Mountain, Inc.
962 Reese Street
PO Box 526
Silverton, Colorado 81433
(970) 387-0500
Job No. 2007-113

Submitted:

August 30, 2024



*SOILS *RETAINING WALLS
*SEPTICS *FOUNDATIONS
*GRADING AND DRAINAGE
*SITE DEVELOPMENT

August 28, 2024

San Juan County
Attn: Willy Tookey
1557 Greene Street
Silverton, Colorado 81433

EMI Job No. 2007-113

Subject: Application for Improvement Permit, Proposed Breed Cabin, Ute Chief Lode
USMS No. 18463, County Road 33A, Deer Park, San Juan County, Colorado.

Dear Willy and Commissioners:

This submittal has been prepared to describe the proposed improvements on the Ute Chief Lode, owned by David Breed of Silverton. The property is located in Deer Park.

The attached documents have been prepared as Sketch Plan for a San Juan County Improvement Permit Application. The Applicant requests review of this project by the Planning Commission at their meeting on September 17, 2024.

The proposed improvements consist of a residential cabin with loft, shed, and associated utility improvements. The project was approved previously for the former landowner in 2014, but the proposed cabin was never constructed. The driveway that was previously permitted for construction was constructed in 2015.

The proposed cabin site is located above 11,000 feet elevation, and the project site has dense trees. The Applicant is proposing a maximum of 1,000 square feet of cabin floor area. We believe that the proposed cabin will not be visible from any County Roads or Highway 550, because the Applicant has selected the least visible proposed cabin location.

Please contact Engineer Mountain, Inc. if you have any questions.

Sincerely,

Matthew Green, EIT
Engineer Mountain, Inc.

Lisa M. Adair, PE
Engineer Mountain, Inc.

Attachments for Willy Tookey, with 15 Binders for Staff/Commissioners:

Receipt from County Treasurer for \$840 Improvement Permit Application Fee
San Juan County Application for Improvement Permit
San Juan County Driveway and Road Access Permit
San Juan County Relationship to County Road and State Highway System
Envelopes for Adjacent Land Owners

Cc: David Breed, Bevan Harris, Dudley Ashwood

P.O. Box 526 - 962 Reese Street - Silverton, Colorado 81433 - phone (970) 387-0500

APPLICATION FOR IMPROVEMENT PERMIT
Sketch Plan

Proposed Breed Cabin
Ute Chief Lode USMS No. 18463
County Road 33A, Deer Park
San Juan County, Colorado
Engineer Mountain, Inc.

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6. Survey Plat
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 - Sheet 2 of 5: Sketch Plan
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 - Sheet 4 of 5: Sketch Plan + County Avalanche Map
 - Sheet 5 of 5: Sketch Plan + County Geohazards Map
8. Project Narrative
9. Application for Surface Water Rights
10. San Juan County Public Health Department Septic System Permit Application
11. Letter Regarding Proposed Septic System
12. San Juan County Driveway and Road Access Permit
13. San Juan County Relationship to County Road and State Highway Systems Form
14. Approved Land Use Permit
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16. Access Easement Documents
17. 2014 Staff Report with Previous Conditions of Approval
18. Scenic Quality Report

Front Cover Photo Credit: Scan of USGS Topo Quad Map

Application for Improvement Permit

		APPROVAL CHECKLIST		Initial	Date
Applicant	Name	DAVID BREED			
	Address	P.O. BOX 239			
Owner		Phone	SILVERTON CO (603) 738-7161		
	Name	SAME			
	Address				
Committer		Phone			
	Name	TBD			
	Address				
Legal Description of Property:		Road System Relationship			
UTE CHIEF LODGE USMS No. 18463 Township 41N, Range 7W, Section 28		Zoning Compatibility			
		State Mining Permit			
		Owner Notification			
		Avalanche Hazard			
		Geologic Hazard			
		Floodplain Hazard			
		Wildfire Hazard			
		Mineral Resource Impact			
		Wildlife Impact			
		Historic Site Impact			
Nature of Improvement Planned:		Watershed Clearance			
PROPOSED CABIN, SHED, AND UTILITY IMPROVEMENTS.					
		County Building Inspector			
		Building Permit			
Land Use Zone: MOUNTAIN ZONE		State Electrical Inspector			
Applicant Signature		Electrical Permit			
D. G. B. J.		San Juan Basin Health Unit			
		Sewage Disposal: Test			
Date Application Requested		Design			
Date Submitted for Permit		Central Sewage Collection			
Date Permit Issued		State Division of Water Resources			
Date Permit Denied		Adequate Water Source			
Reason for Denial		Well Permit			
		Central Water Distribution			
		U.S. Forest Service/BLM			
		Access Approval			
		State Division of Highways			
Receipt		Driveway Permit			
FEE PAYMENT					
Application					
Building Permit					
Subdivision/P&D					
Hearing Notice					
		Subdivision Variance			
		Subdivision Approval			
		PUD Approval			

Recording requested by:

and when recorded, please return this deed
and tax statements to:

David Braed

Above reserved for official use only

GENERAL WARRANTY DEED

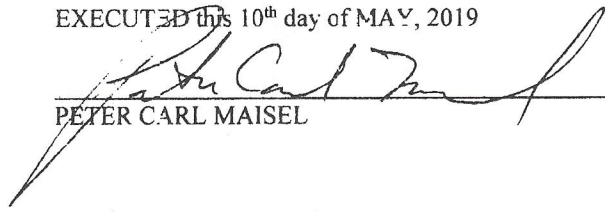
THE GRANTOR: Peter Carl Maisel, a resident of Silverton, Colorado located in San Juan County Colorado FOR GOOD AND VALUABLE CONSIDERATION, the receipt and sufficiency of which are hereby acknowledged, hereby CONVEYS and WARRANTS to David G. Breed ("Grantee"), of Silverton, County of San Juan, State of Colorado all right, title, interest and claim to the following real estate in San Juan County, Colorado with the following legal description:

UTE CHIEF- 18463 MINING CLAIM

TO HAVE AND TO HOLD all of Grantor's right, title and interest in and to the above described property unto the said Grantee, Grantee's heirs, administrators, executors, successors and/or assigns forever IN FEE SIMPLE; so that neither Grantor nor Grantor's heirs, administrators, executors, successors and/or assigns shall have, claim or demand any right or title to the aforesaid property, premises or appurtenances or any part thereof.

Grantor further WARRANTS and agrees to FOREVER DEFEND all and singular the said property unto the said Grantee, Grantee's heirs, executors, administrators, successors and/or assigns, against every person whomsoever claiming or to claim the same or any part thereof.

EXECUTED this 10th day of MAY, 2019



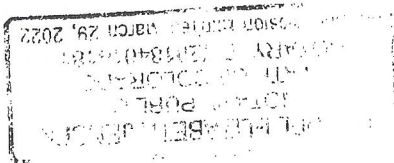
PETER CARL MAISEL

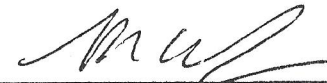
State of COLORADO)
County of San Juan) ss

The foregoing instrument was acknowledged before me this 10th day of May 2019, by Peter Carl Maisel. If acknowledgment is taken by a notary public, the date of expiration of his commission shall also appear on the certificate.

Witness my hand and official seal.

(Seal)





Signature of Notary Public

Rachel E. Jensen

Printed Name of Notary

My commission expires on 3/29, 2022.



San Juan County Colorado Property and Maps

Account #N2166
SILVERTON, CO 81433

Total Value
\$83,947

OVERVIEW

KEY INFORMATION

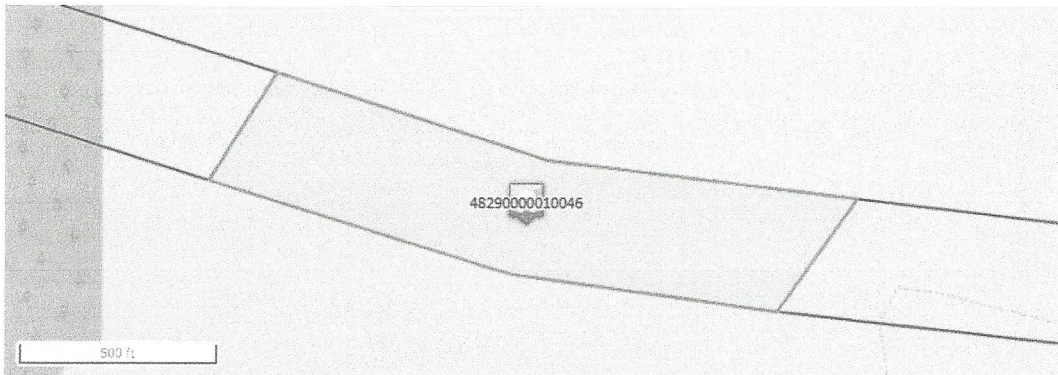
Account #	N2166		Parcel #	48290000010046	
Name(s)	BREED DAVID G				
Mailing Address	PO BOX 239 SILVERTON CO 81433-0239				
Situs Address	SILVERTON, CO 81433				
Total Acres	10.33		Total Sq Ft	450,018	
Section	28	Township	41	Range	7
Tax District	101	Economic Area	-	Block	-
Plat Reference	-				
Legal Description	UTE CHIEF - 18463				

VALUE INFORMATION

	Actual	Assessed
Land	\$83,947	\$23,421
Improvement	-	-
Total	\$83,947	\$23,421

MINING CLAIMS

CLAIM NAME	MINERAL SURVEY #		
+ UTE CHIEF	18463		
Acres	10.52	Road	Deer Park Rd
District	ANIMAS MINING DISTRICT	Patent	52102
Mapping Status	Updated using BLM data		
Waste	-	Waterfront	-

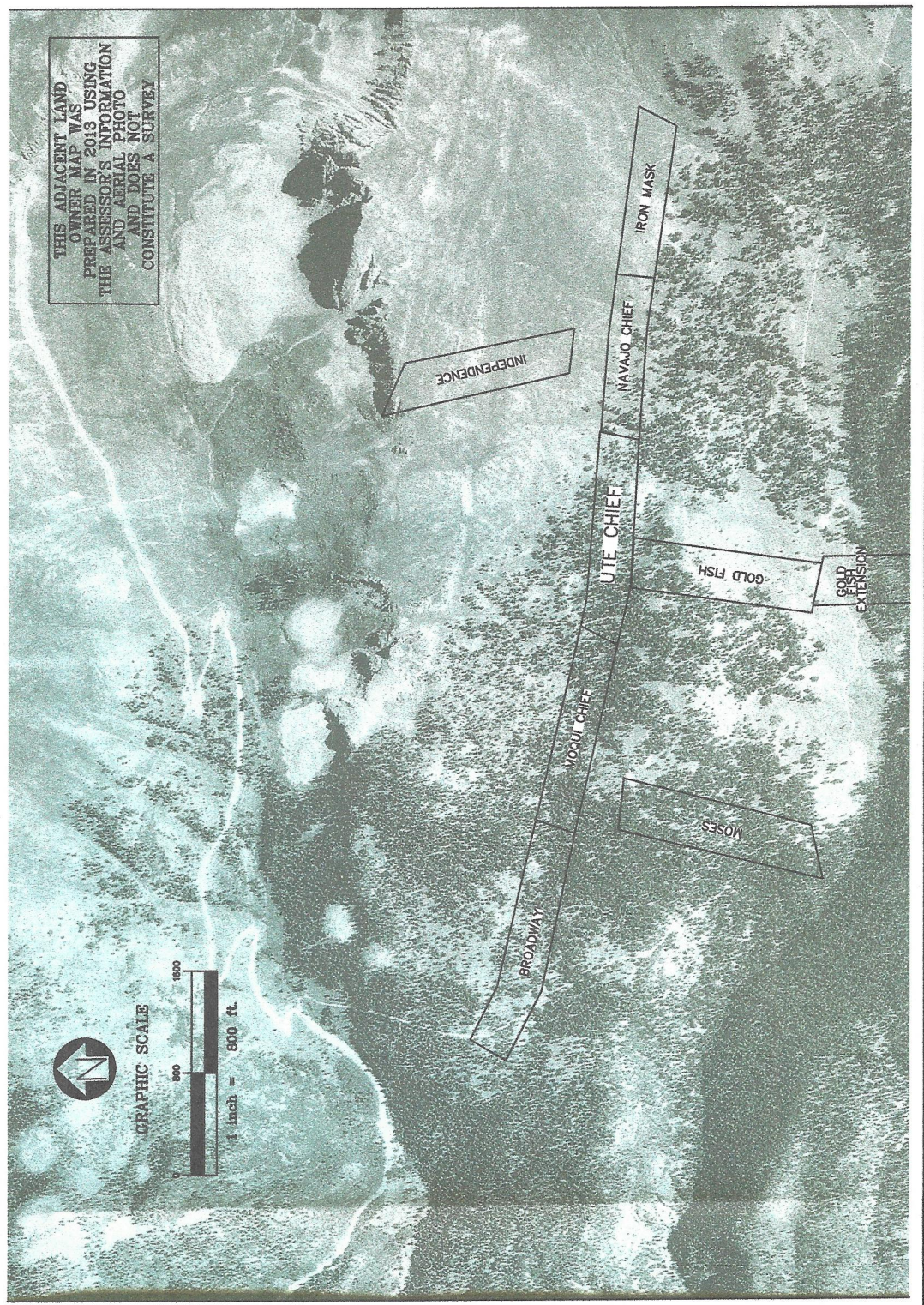


ENGINEER MOUNTAIN INC.
 Formerly INCKE Engineering
 10000 E. 1st Ave. Suite 100
 Denver, CO 80231
 (303) 751-1111
 www.engineermountain.com

ADJACENT LAND OWNER MAP
 PROPOSED BREED CABIN
 UTE CHIEF LODGE, CR 33A, DEER PARK ROAD
 NEAR SILVERTON, SAN JUAN COUNTY, CO

DATE APRIL 20, 2017
 DRAWN BY: LAM/HR
 LAND/PLANNING AND REG. DIV.
 PUB. 2017-12/UTE CHIEF AND IRON MASK
 LAST REVISED AUGUST 23, 2015

SHEET 1 OF 1



BOBS RETAINS WALLS
 FOUNDATIONS
 FOUNDATIONS AND BRACKETS
 FOR THE
 CIVIL SITE DEVELOPMENT

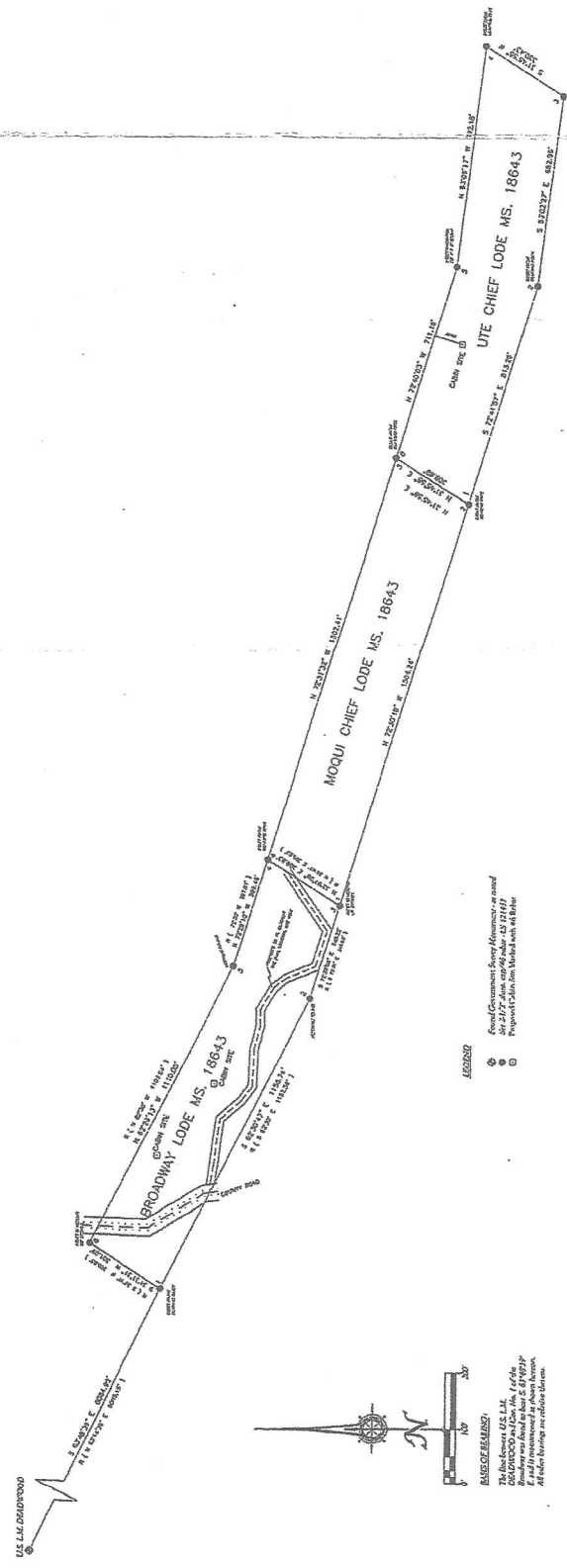
LIST OF ADJACENT LAND OWNERS
Sketch Plan
Proposed Breed Cabin
Ute Chief Lode USMS No. 18463
San Juan County, Colorado
Engineer Mountain, Inc.
Prepared August 23, 2024

<u>Adjacent Land Owner</u>	<u>Property</u>
Bruce Conrad & Sharon Lantz PO Box 591 Silverton, CO 81433	Moqui Chief Lode
Michele & Garrick Dooley Trust PO Box 1049 Flora Vista, NM 87415	Broadway Lode
Jon Massey 150 W Emerald Drive Whitefish, MT 59937	Moses Lode
Dale Hicks PO Box 1304 Clarksdale, AZ 86324	Independence Lode
Jean & Tom Merson Revocable Trust 12004 La Charles Avenue NE Albuquerque, NM 87111	Iron Mask Lode Navajo Chief Lode
DCJ Revocable Trust c/o Cindi & Dale Jaramillo 511 Suzanne Lane Ridgway, CO 81432	Gold Fish Lode Gold Fish Extension Lode

BOUNDARY SURVEY

MS 18643

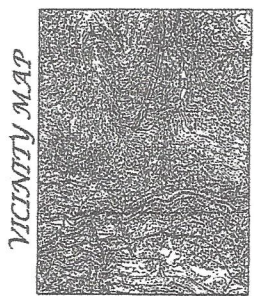
BROADWAY LODE, MOQUI CHIEF LODE AND UTE CHIEF LODE
SAN JUAN COUNTY, Colorado



LEGEND

- Open Circle = Corner from Monuments
- Filled Circle = Corner from U.S.G.S. Plat
- Square = Corner from U.S.G.S. Plat
- ◇ Diamond = Corner from U.S.G.S. Plat

BASE OF BEARINGS:
The bearings are from U.S.G.S. PLAT 2177, Plate 2177, and U.S.G.S. PLAT 2177, Plate 2177, as shown on the map.



U.S. MINERAL SURVEYORS ASSOCIATION
MEMBER SINCE 1964
1000-314-4541

BOUNDARY SURVEY
MS 18643
SAN JUAN COUNTY, COLORADO

E. SCHAFF & ASSOCIATES, INC.
MINERAL SURVEYING & CONSULTING
100 BOX 438
SARASOTA, FLORIDA 34231
TEL: 813/555-1111
FAX: 813/555-1112

DATE REVISIONS:
Rev. 10/2004

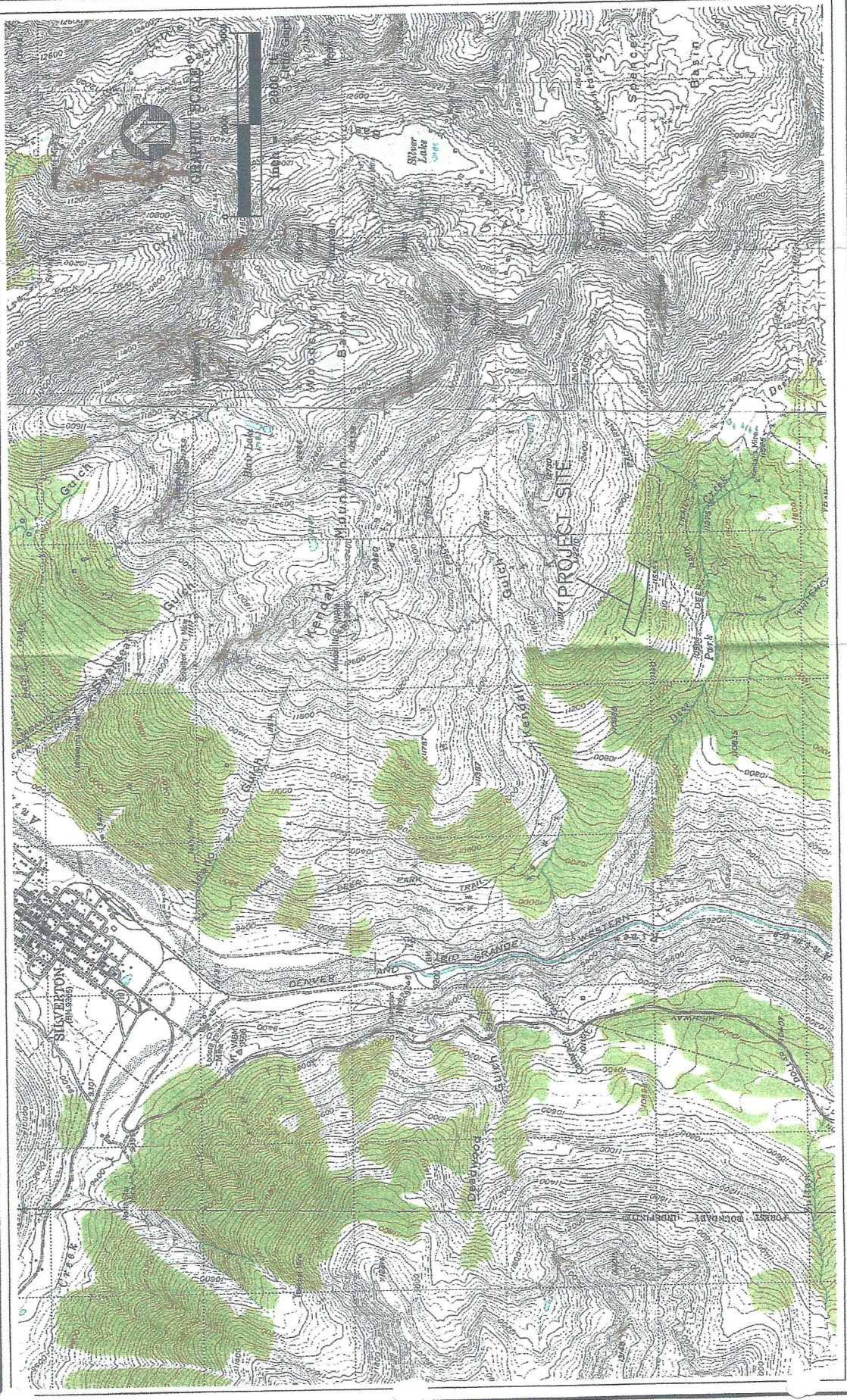
SCALE:
1" = 100'

NOTICE:
This map is a reproduction of the original survey map and is not to be used for any other purpose without the written consent of the Surveyor. The Surveyor is not responsible for any errors or omissions in this map or for any consequences arising therefrom.

ENGINEER MOUNTAIN INC.
 ENGINEERING
 P.O. BOX 526, SILVERTON, CO 81433
 (970) 387-0500
 engineersmountain@comcast.net

VICINITY MAP
 PROPOSED BREED CABIN
 UTE CHIEF LODGE, COUNTY ROAD 33A
 SAN JUAN COUNTY, COLORADO

DATE: APRIL 30, 2007
 DRAWN BY: BHM/AMA
 LAST REVISION: AUGUST 20, 2024
 DATE: 7-11/2004 the sheet has been Deleted
 LAYOUT/SCALE VICINITY/VICINITY

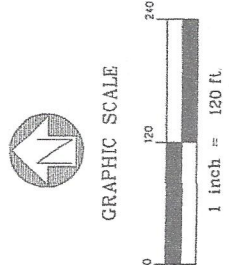
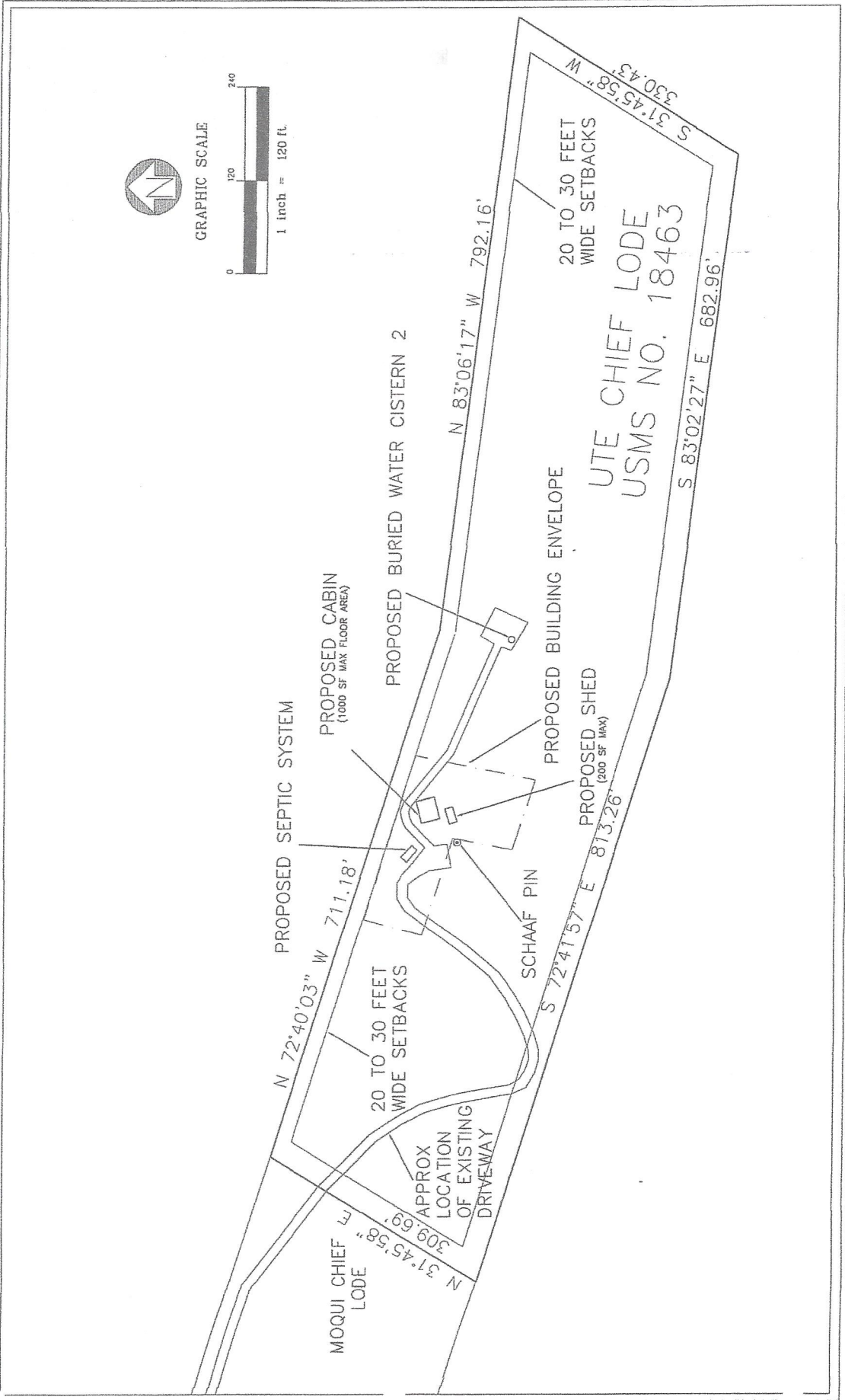


ENGINEER MOUNTAIN INC.
 Formerly MADE Engineering
 P.O. BOX 526, SILVERTON, CO 81433
 (970) 397-0500
 cr@engineermountaininc@gmail.com

SAN JUAN COUNTY, COLORADO
 UTE CHIEF LODGE, COUNTY ROAD 33A
 PROPOSED BREED CABIN
 SITE PLAN

DATE: APRIL 30, 2007
 DRAWN BY: MWA/MA
 LAST REVISION: AUGUST 30, 2024
 DISE: 7-11/03/04 Ute Chief Imp Final Grading
 LAYOUT/PLAN: P-F SITE / P-F SITE

SHEET
 2
 OF 5

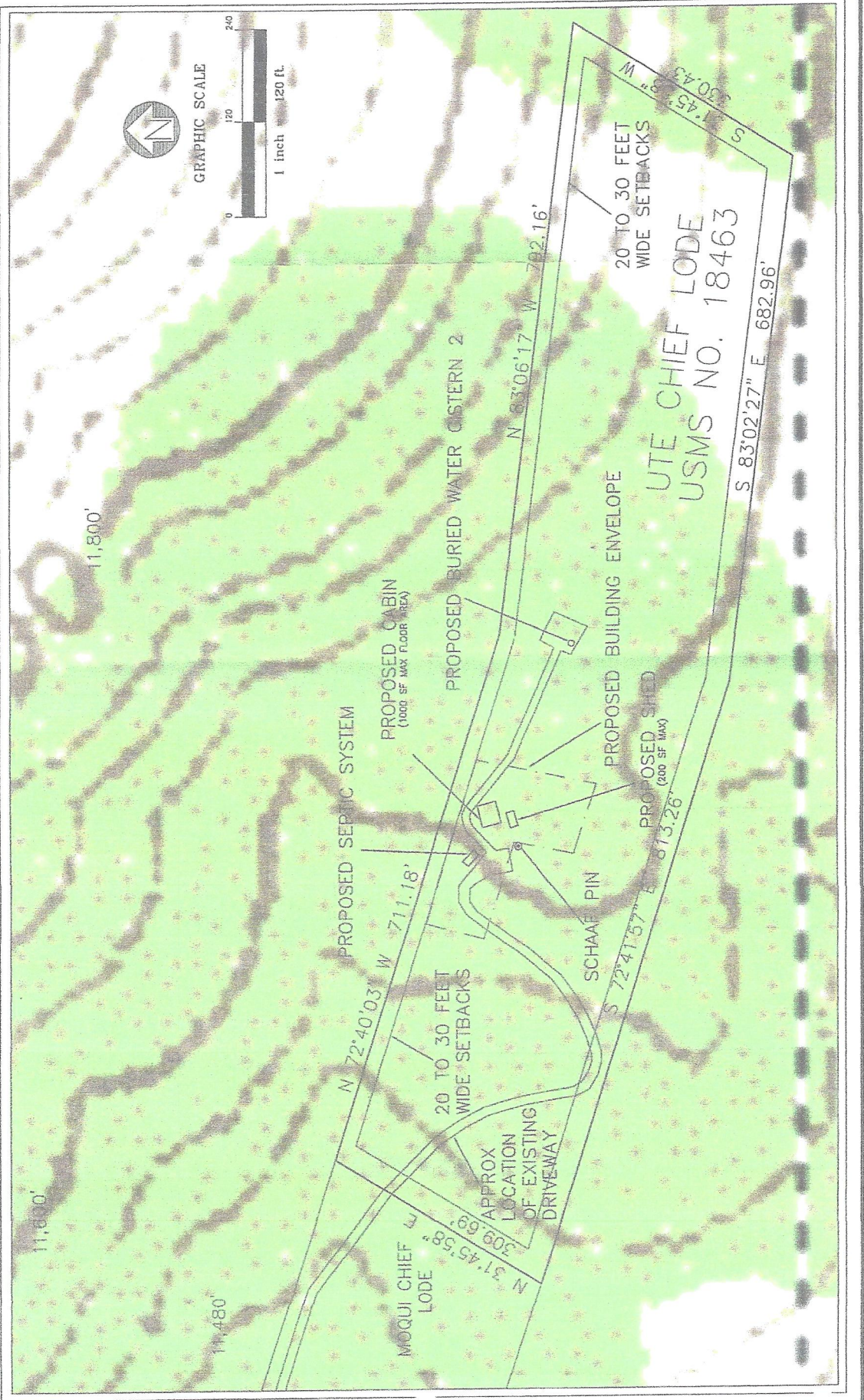


ENGINEER MOUNTAIN INC.
 FORMERLY MACE ENGINEERS
 110 BOX 528, BREWSTER, CO 81433
 (970) 587-0500
 SOILS RETAINING WALLS
 SEPTICS FOUNDATIONS
 CIVIL SITE DEVELOPMENT
 SURVEYING AND DRAINAGE
 engineeringmountain@comcast.com

SITE PLAN WITH TOPOGRAPHY
 PROPOSED BREED CABIN
 UTE CHIEF LODGE, COUNTY ROAD 33A
 SAN JUAN COUNTY, COLORADO

DATE: APRIL 30, 2023
 DRAWN BY: BSM/MLA
 LAST REVISION: AUGUST 30, 2024
 DWG: 7-113/23A Ute Chief Breed Cabin
 LAYOUT/MAKE: PESTRETOP/PSHETPFO

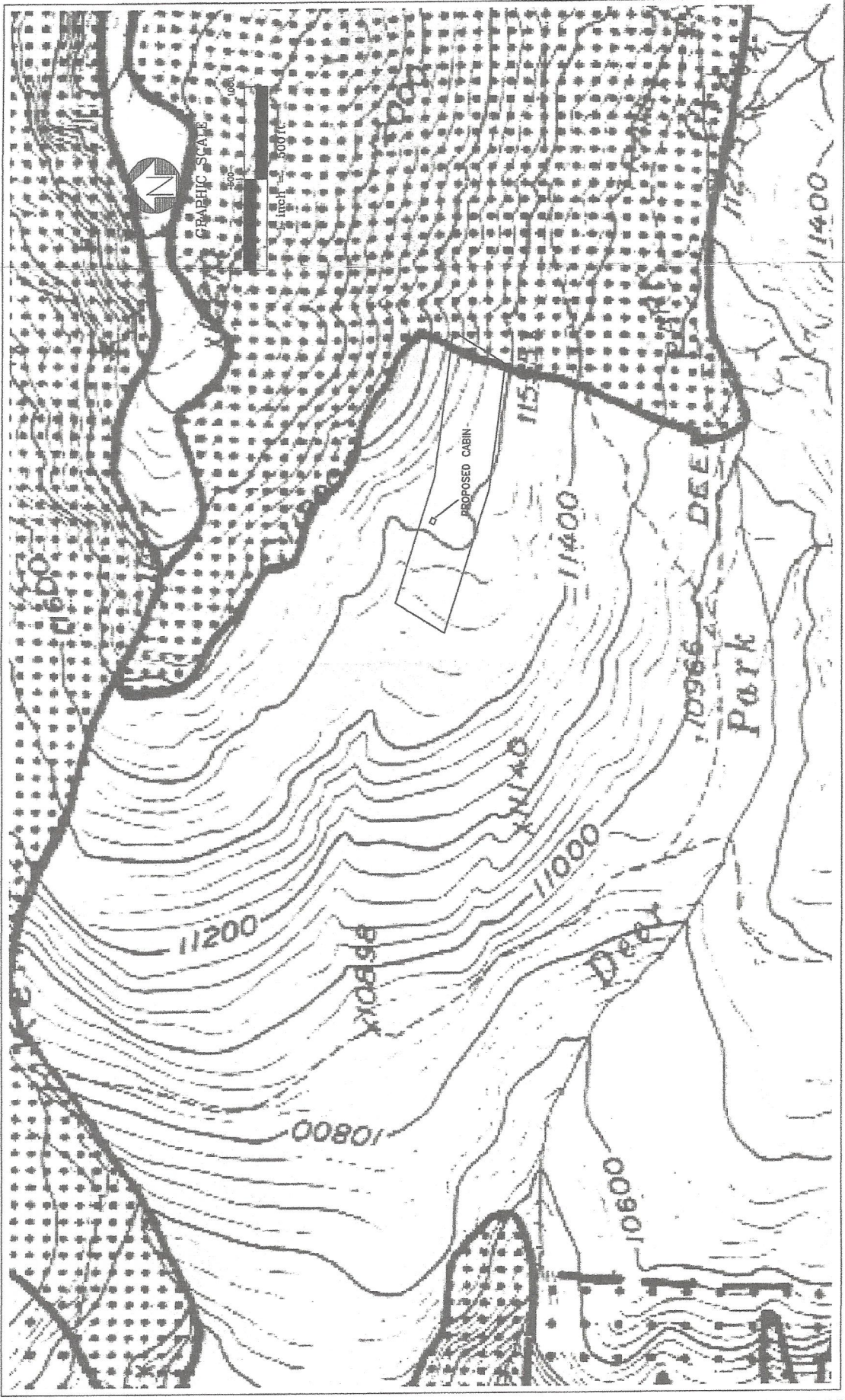
SHEET
 3
 OF 5



ENGINEER MOUNTAIN INC.
 FORMERLY MOUNTAIN ENGINEERING
 P.O. BOX 526, SILVERTON, CO 81433
 (970) 387-0500
 engineeringmountaininc@gmail.com

SITE PLAN + COUNTY AVALANCHE MAP
 PROPOSED BREED CABIN
 UTE CHIEF LODGE, COUNTY ROAD 33A
 SAN JUAN COUNTY, COLORADO

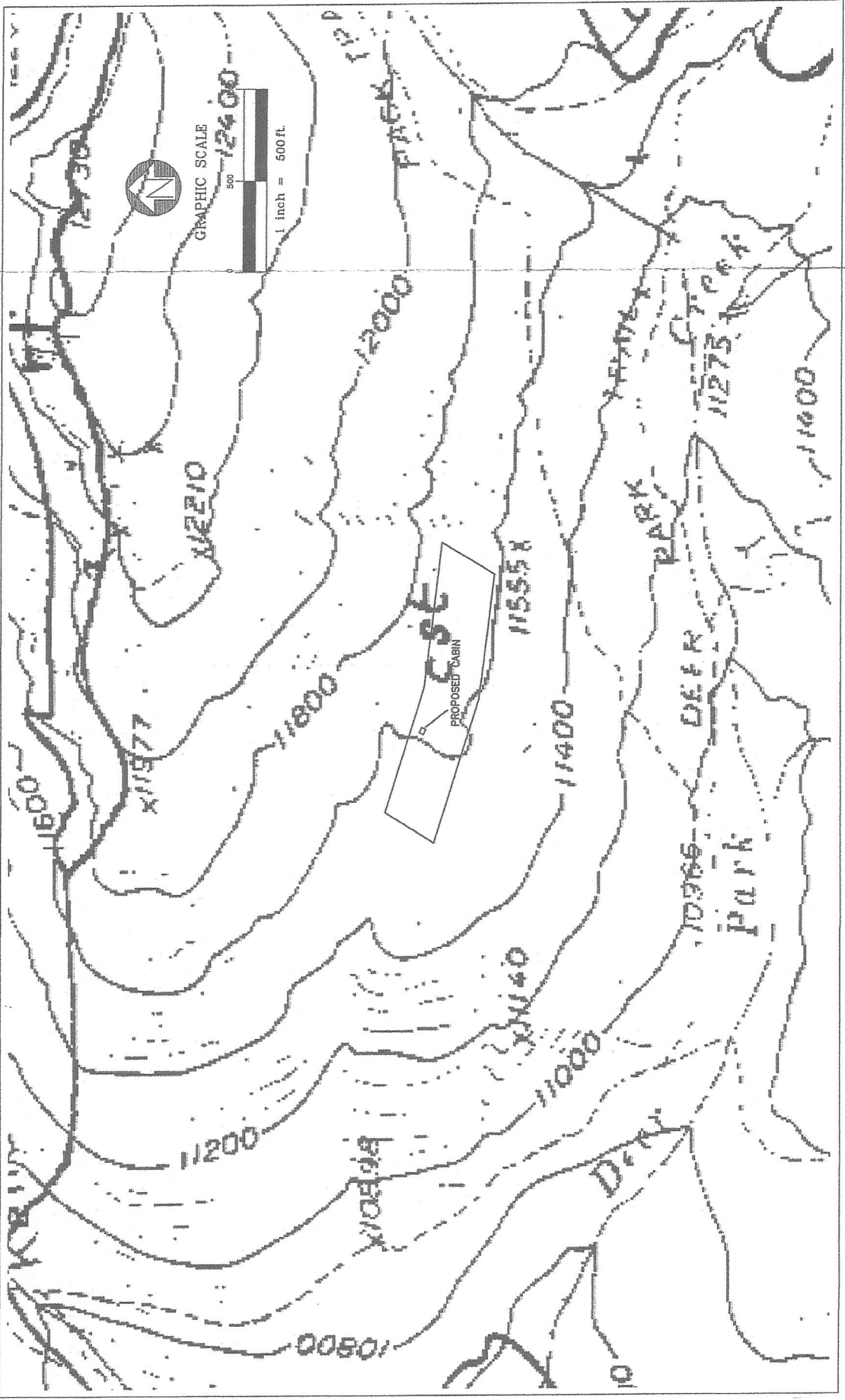
DATE: APRIL 30, 2007
 DRAWN BY: MHA/LMA
 LAST REVISED: AUGUST 29, 2024
 SHEET 4 OF 5
 LAYOUT/DATE: AWT/AMV
 DATE: 7-13/08 Use Chief Map Print Date/Drawn



DATE: APRIL 30, 2007
DRAWN BY: WMA/MA
LAST REVISION: AUGUST 29, 2024
DIN: 2-113/24 Use Chief Insp Print Disposal
LAYOUT/NAME: GEHMAZ/GEHMAZ

SITE PLAN + COUNTY GEORARDS MAP
PROPOSED BREED CABIN
UTE CHIEF LODGE, COUNTY ROAD 33A
SAN JUAN COUNTY, COLORADO

ENGINEER MOUNTAIN INC.
Survey, Mapping, Engineering
P.O. BOX 526, SILVERTON, CO 81433
(970) 387-0500
engineer@mountaininc.com



GRAPHIC SCALE
1 inch = 500 ft



PROJECT NARRATIVE

Ute Chief Lode

Engineer Mountain, Inc.

- Applicant Name:** David Breed of Silverton.
- Project Location:** Ute Chief Lode USMS No. 18463, Parcel No. 48290000010046, County Road 33A, Deer Park, San Juan County, Colorado, Township 41 North, Range 7 West, Section 28, N.M.P.M.
- Proposed Development:** Proposed residential cabin, shed, and utility improvements.
- Zoning:** Mountain Zoning District.
- Water Service:** The Applicant plans to haul water, to be placed in a cistern. The proposed water cistern will be near the cabin or in the shed so it is accessible to a pickup truck. The water for the cistern will be obtained by the Applicant from his house in Silverton, which has metered water utility billing. The Applicant is also applying for surface water rights to draw water from a nearby stream, which would fill a secondary, uphill cistern.
- Sewer Service:** A septic system is proposed for the cabin. The septic system will be "engineered" by Colorado Licensed Professional Engineer Dudley Ashwood according to the San Juan County Public Health Department regulations.
- Power:** The Applicant plans to utilize the following sources for power: solar with battery storage, and a generator kept within the shed for an emergency backup power source. Solar battery power and lights are proposed. The plans for the propane include portable tank(s), to be stored outside of the cabin and away from any combustibles.
- Heating:** Heating for the cabin is planned to utilize a Buderer brand propane "boiler" (with wood backup) for glycol in-floor heating pipes, and one wood stove of a model approved by the EPA per San Juan County regulations and shall be equipped with an approved chimney cap or spark arrestor to minimize the risk of wildfire.
- Lighting:** For safety, a minimal amount of exterior lighting may be installed at the cabin. The Applicant may install automatic on/off motion detection solar exterior light(s). Exterior lighting will be in conformance with the requirements of San Juan County.

PROJECT NARRATIVE

Ute Chief Lode

(Continued)

Engineer Mountain, Inc.

- Solid Waste Management:** The Applicant will be responsible for bi-weekly trash disposal. According to County regulations, property owners are responsible for solid waste transportation and solid waste disposal fees. On-site trash will be contained within a structure at all times until removal to the Transfer Station.
- Landscaping:** Landscaping is to consist of a balance between clearing some of the dense trees located within the building envelope for fire safety, and leaving the trees as-is for screening. Raking and removal of combustible ground cover will be needed, as recommended by the Colorado State Forest Service Firewise Practices, to develop adequate defensible space. Revegetation and screening will be provided by the Applicant in accordance with the requirements of San Juan County.
- Access:** County Road 33A (Deer Park Road) provides access to the project site. A San Juan County Land Use Permit was previously approved prior to the construction of the now-existing driveway for this project. Prior to the construction of the existing driveway, the previous landowner obtained access easements from the adjacent land owners. The approved Land Use Permit, access easements, and additional driveway information are included in this submittal for your review. No driveway improvements are proposed unless required by the County
- Foundation:** The foundation type is unknown at this time. A proposed basement under the proposed cabin counts into the cabin square footage if any part of it is four feet above the ground surface. The foundation will likely consist of concrete piers using sonotubes
- Surveying:** The survey plat for the Ute Chief Lode was prepared by Professional Licensed Surveyor (PLS) Earnie Schaaf of E. Schaaf and Associates, Inc. The Surveyor placed a survey pin at the building site, for reference and measuring. A signed and stamped copy of the survey plat is included within this application for your review.

PROJECT NARRATIVE

Ute Chief Lode

(Continued)

Engineer Mountain, Inc.

- Subsurface Conditions:** Subsurface conditions in the area generally consist of topsoil overlying sand-and-gravel soil. The sand-and-gravel soil generally includes cobbles and boulders. Underlying the surface soil is bedrock. The USGS geology map for the "Silverton caldera" area indicates that there are several bedrock types present near the project site, including Tse and Tsj (volcanics), Qtg (talus), MDu (limestone), ci (quartzite), and others. Based on the location of the building site, and our review of the geology maps, it appears that the bedrock at the building site is of the formation noted as Tse. The bedrock formation Tse is described by the USGS as the following:
- Tse – Tertiary Sapinero Mesa Tuff Eureka Member. Oligocene Eureka Member is a partly welded light-gray to densely-welded red-brown rhyolitic to dacitic ash-flow tuff containing 5 percent phenocrysts of plagioclase, sanodine, and biotite. Unit is the intracaldera member of the Sapinero Mesa Tuff. Remnant magnetic polarity: reverse.*
- County Geohazards Map:** The Sketch Plan for this project has been overlaid onto the County Geohazards Map. The plan is included within this booklet for your review. According to the County Geohazards map, the proposed cabin is in an area of "cst," which represents a sub-category of "Colluvial Slope." A colluvial slope includes gravity-deposited colluvium soils (as opposed to water-deposited alluvium soils). According to the County Geohazards Map Key, "cst" is defined as "Areas of thick colluvial or glacial accumulations, generally thicker than six feet. Potential mass failure areas."
- County Avalanche Map:** The Sketch Plan for this project has been overlaid onto the County Avalanche Hazard Map. The plan is included within this booklet for your review. According to the County Avalanche Hazard Map:
- The proposed cabin and proposed building envelope do not appear to be located in a potential avalanche hazard area. This assessment agrees with site characteristics, which include a relatively flat building site, located in dense evergreen trees.
 - There is most likely an avalanche area beyond the Ute Chief Lode property boundaries, on the adjacent Navajo Chief Lode.
 - The driveway, from County Road 33A to the project site, does not appear to be located in an area with avalanche potential.
- Please refer to the overlay map we have included within this application for additional information.

PROJECT NARRATIVE

Ute Chief Lode

(Continued)

Engineer Mountain, Inc.

Structures:

The building site is above 11,000 feet elevation, and therefore the County's cabin square footage limitations apply to this project. The maximum square footage allowed above 11,000 feet elevation is 1000 square feet of interior living space (defined in the County Regulations as "Floor Area").

Conceptually, the Applicant currently plans to construct a one-story residential cabin with a loft. The conceptual plans show exterior dimensions of the cabin as 25 feet by 40 feet (1000 square feet). With that first floor footprint, the maximum interior roof height would need to be 13 feet 11 inches.

An uncovered deck area is proposed, with dimensions of 40 feet by 5 feet (200 square feet) with maximum height of 29 inches above the grade.

No basement is proposed, but the conceptual plans are currently being developed.

A one-story shed structure is proposed, with an approximate square footage of 10 feet by 20 feet (200 square feet).

Cabin Style:

The style of the proposed cabin will be similar to local log cabins - squared logs with natural colored stain/treatment, with a non-reflective brown propanel roof, and minimally-reflective window glazing. Because of the cabin location selected by the Applicant, we do not expect the cabin to be visible from any County Roads or Highway 550. Draft building plans for the proposed cabin are included in this submittal for your review.

PROJECT NARRATIVE

Ute Chief Lode

(Continued)

Engineer Mountain, Inc.

Floor Area:

The following are excerpts from the Definitions section of the San Juan County Zoning and Land Use Regulations, pertaining to the measurements of the maximum 1,000 square feet of cabin "Floor Area."

FLOOR AREA: Floor area means the sum of the horizontal areas of all floors in principal and accessory buildings on a site, as measured from the interior faces of the walls, and enclosed porches as measured by the interior limits thereof. Interior spaces with the potential to contain additional horizontal floors shall be measured from the finish floor elevation to the ceiling above, or if there is no floor above, to the underside of the roof assembly. Any part of a building whose interior height is fourteen (14) feet or less shall be counted once (x1) for floor area purposes. Any part of a building whose interior height is greater than fourteen (14) feet and less than or equal to twenty-three (23) feet shall be counted twice (x2) for floor area ratio purposes, and any part of such building that has an interior height greater than twenty-three (23) feet shall be counted three (3) times. The following elements are excluded from the Floor Area calculation:

a. Unroofed porches, decks, and terraces:

1. If such improvement is equal to or less than thirty (30) inches above grade and is less than 250 square feet;
2. If such improvement is more than thirty (30) inches above grade or greater than 250 square feet, the area is calculated as fifty percent (50%) of the actual floor area.

b. A single detached accessory building, no greater than 200 square feet

BASEMENT: That portion of a building having its floor below ground level and the exterior walls on all sides being four (4) feet or less above finished or natural grade, whichever is more restrictive. For residential buildings at or above 11,000 feet, basements are exempt from the Floor Area calculation.

District Court, Water Division 7, San Juan County, Colorado Court Address: 1060 East 2nd Ave. #106 Durango, CO, 81301	
CONCERNING THE APPLICATION FOR WATER RIGHTS OF Applicant: David Breed	
In the Animas River or its Tributaries In SAN JUAN COUNTY	▲ COURT USE ONLY ▲
Attorney or Party Without Attorney (Name and Address): David Breed PO Box 239 Silverton, CO 81433 Phone Number:(603) 738-7161 E-mail: dgbreed@me.com FAX Number: N/A Atty. Reg. #: N/A	Case Number: Division: Courtroom:
APPLICATION FOR <input type="checkbox"/> CONDITIONAL <input type="checkbox"/> ABSOLUTE WATER RIGHTS (SURFACE)	
Instructions: All lines and boxes should be filled in or shown as not applicable (N/A) with the exception of section 3.B where only 3.B.1 or 3.B.2 should be completed. Attach additional sheets as needed. Attach all maps as required. It is the applicant's responsibility to provide the location for each structure in this application. For structures that are already decreed, use, verbatim, the location from the most recent decree that adjudicated the location. For new structures, provide a PLSS location (quarter-quarter, section, township and range) and a single point location description using either UTM coordinates (for example from a GPS device) (preferred) or measured distances from known section lines.	

1. Name, mailing address, email address and telephone number of applicant(s) (if there are multiple applicants and the space provided is not adequate, provide additional sheets as needed):

Name of Applicant	Mailing Address	Email address	Telephone Number
David Breed	PO Box 239, Silverton, CO 81433	dgbreed@me.com	(603) 738-7161

2. Name of structure: Breed Diversion ditch spring other seasonal creek

3. Location of Structure

A. Public Land Survey System (PLSS) (Required):

Include the source of PLSS information, for example: GIS system such as CDSS MapViewer (<http://water.state.co.us/DATAMAPS/GISANDMAPS/MAPVIEWER/Pages/FAQ.aspx>); field survey; scaled from USGS topographic map; or other source:

Legal Description: County SAN JUAN	<u>SW</u> 1/4 of the	<u>SE</u> 1/4	Section 28	Township <u>41</u> N or S <input checked="" type="checkbox"/> <input type="checkbox"/>	Range <u>7</u> E or W <input type="checkbox"/> <input checked="" type="checkbox"/>	Principal Meridian NMPM
-------------------------------------------------	-------------------------	---------------	---------------	-------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------------	----------------------------

B. Point of diversion (Required) (Complete either 1 or 2 below)

1. Location information in UTM format (Preferred):

UTM Zone must be 12 or 13; Units must be Meters; Datum must be NAD83; and Units must be set to true North. Include the source of the UTM coordinates, for example: GPS device; GIS System such as CDSS MapViewer (<http://water.state.co.us/DATAMAPS/GISANDMAPS/MAPVIEWER/Pages/FAQ.aspx>); scaled

from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 ½ x 11 inch map to this application illustrating the location of the structure.

UTM coordinates		
Easting <u>TBD</u> Northing <u>TBD</u>		
<input type="checkbox"/> Zone 12 <input type="checkbox"/> Zone 13		
Street Address: Ute Chief Lode USMS No. 18463, 3300C CR 33A, Deer Park, San Juan County, CO		
Subdivision: N/A	Lot N/A	Block N/A
Source of UTM's (for example, hand-held Garmin GPS or located from aerial map, etc): <u>surveyor</u>		
Accuracy of location displayed on GPS device (for example, accurate to within 200 feet): <u>TBD</u>		

2. Distance from Section Lines (if not providing a UTM coordinate above):
 Include perpendicular distances from section lines to the structure location. Include the source of PLSS information, for example: GIS system such as CDSS MapViewer (<http://water.state.co.us/DATAMAPS/GISANDMAPS/MAPVIEWER/Pages/FAQ.aspx>); field survey; scaled from USGS topographic map; or other source. In areas having generally recognized street addresses, also include street address, and if applicable, the lot, block, and subdivision. Attach a legible 8 ½ x 11 inch map to this application illustrating the location of the structure.

Distance from Section Lines (not from property lines)		
<u>TBD</u> Feet from <input type="checkbox"/> N <input type="checkbox"/> S and <u>TBD</u> Feet from <input type="checkbox"/> E <input type="checkbox"/> W		
Source of PLSS information:		
Street Address: Ute Chief Lode USMS No. 18463, 3300C CR 33A, Deer Park, San Juan County, CO		
Subdivision: N/A	Lot N/A	Block N/A

4. Source: (for example, unnamed tributary to North Clear Creek, tributary to Clear Creek, tributary to the South Platte River) Unnamed tributary to Deer Park Creek, tributary to the Animas River
5. A. Date of appropriation: TBD 2025
 B. How appropriation was initiated: Placement of pipe at Point of Diversion
 C. Date water applied to beneficial use: TBD 2025
6. Amount claimed in cubic feet per second (cfs) or gallons per minute (gpm) (1 cfs = 448.8 gpm).
 Conditional _____ (cfs gpm) Absolute 0.033 (cfs gpm)

If claiming an absolute water right, application shall include supporting evidence that applicant diverted water in-priority and applied such water to the beneficial uses claimed in the amounts claimed.

7. List All Uses or Proposed Uses: Domestic use for a single family cabin

A. If irrigation, complete the following:
Number of acres historically irrigated _____; proposed to be irrigated _____.
Does the Applicant intend to use this water right to supplement irrigation on an area of land already irrigated under another water right? yes no
Legal description of irrigated acreage. Mark the location of the irrigated acreage on a USGS topographic map and attach to this application a legible 8 1/2 x 11 inch copy of the applicable portion of the map.

N/A

B. If non-irrigation, describe purpose fully. Mark location of use on a USGS topographic map and attach to this application a legible 8 1/2 x 11 inch copy of the applicable portion of the map.

Domestic use for a single family cabin, please see attached Exhibit A

8. Name(s) and address(es) of owner(s) or reputed owner(s) of the land upon which any new or existing diversion or storage structure, or modification to any existing diversion or storage structure is or will be constructed or upon which water is or will be stored, including any modification to the existing storage pool. The applicant must notify these persons that the applicant is applying for this water right, and certify to the Court that the applicant has done so by no later than 14 days after filing this application. The certification form is on page 4 of this form.

Name of Owner	Mailing Address
David Breed	
-or-	
Bureau of Land Management	

9. Remarks or any other pertinent information:

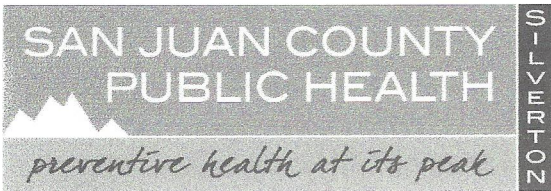
By checking this box, I am acknowledging I am filling in the blanks and not changing anything else on the form.

By checking this box, I am acknowledging that I have made a change to the original content of this form.

(Draft as of August 28, 2024)

Signature of Attorney (if any)

Date



San Juan County Public Health
 1315 Snowden St
 Silverton, CO 81433

On-Site Wastewater Treatment System (OWTS) Permit Application

Owner: David Breed Phone: (603) 738-7161
 Project Address (street, town/city, zip): Ute Chief Lode USMS No. 18463, 3300C CR 33A
 Assessor's Parcel #* 48290000010046 Subdivision: N/A Lot#: N/A
 Lot Size: 10.33 (acres) # of Dwellings: 1 # of Bedrooms: 1-2 Water Supply: Cistern
 List Commercial Uses (e.g., office, factory, event venue): N/A
 Owner's Mailing Address: PO Box 239, Silverton, CO 81433
 Owner's Email Address: dgbreed@me.com

For detailed parcel information please visit your county assessor's website or see your property tax statement

On-site Wastewater Treatment System (OWTS) Permit Types

Choose the most applicable permit type from the list below and check the box in upper-left corner

<input checked="" type="checkbox"/> <p>New Construction - (\$1123.00) <i>For new OWTS and complete system replacement</i></p> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to La Plata County (LPC). San Juan County (SJC) must have payment for LPC to review designs for permit issuance. 	<input type="checkbox"/> <p>Alteration - (\$1068.00) <i>For changes/additions to existing permitted OWTS</i></p> <ul style="list-style-type: none"> Contact Registered Soil Technician and/or Professional Engineer (PE) or system designer for analysis and design development. A PE may be required dependent on site and soil conditions. A design must be submitted to La Plata County (LPC). San Juan County (SJC) must have payment for LPC to review designs for permit issuance.
<input type="checkbox"/> <p>Change Of Use - (\$518.00) <i>For expanded use (e.g., bedroom count) of an existing permit without system modifications, OR new service connections (e.g., garages, shops) added to an existing permit</i></p> <ul style="list-style-type: none"> For expanded use, provide a certification report from a Professional Engineer (PE) or system designer. For new service connections, provide a proposed site plan and describe scope of work below. Change of Use does NOT allow for connection of new uses (e.g., second dwellings, ADUs) unless the system was originally designed for it – use Alteration instead 	<input type="checkbox"/> <p>Minor Repair - (\$408.00) <i>For replacement of OWTS components with no change to permitted use</i></p> <ul style="list-style-type: none"> Submit application with payment, transfer of title inspection report (if available) and a simple site plan showing location of repairs. List repairs/scope of work below (e.g. tank replacement, aerators, pipe repairs, etc.) A permit is NOT required for repair of components that do not provide treatment (e.g., fencing, tank lids, inspection ports)

Please describe in detail work to be completed: _____
 Engineered Septic System is currently being designed by Dudley Ashwood, PE,
 phone: (970) 903-9811

I acknowledge: (1) The information provided in this application is true and accurate to the best of my knowledge; (2) Submittal of this application does not constitute or guarantee approval of the requested permit or document; (3) Issuance of the requested permit or document does not assure that: (a) Final approval of the proposed system will be obtained upon inspection; or that (b) The permitted OWTS system will operate as intended; and that (4) I am responsible for the proper installation, repairs and maintenance of the OWTS system in accordance with the rules and regulations set forth in the SJCPH regulations, as well as any specific conditions of approval that may be imposed on issuance of the requested permit or document.

Owner's Signature: _____ Date: _____

Submit completed application to eh@lpcgov.org or at our office location.

**This is NOT a permit; this application does not authorize construction or repairs.
 All OWTS construction/repair work must be performed by an installer licensed by La Plata County.**



*SOILS *RETAINING WALLS
*SEPTICS *FOUNDATIONS
*GRADING AND DRAINAGE
*SITE DEVELOPMENT

August 28, 2024

San Juan County
Attn: Willy Tookey
1557 Greene Street
Silverton, Colorado 81433

EMI Job No. 2007-113

Subject: Proposed Breed Septic System, Ute Chief Lode USMS No. 18463, County Road 33A, Deer Park, San Juan County, Colorado.

Dear Willy and Commissioners:

This letter is regarding the proposed septic system (aka On-Site Wastewater Treatment System, OWTS) for the proposed Breed Cabin, located on the Ute Chief Lode, County Road 33A, Deer Park, San Juan County, Colorado. This letter has been prepared as part of a San Juan County Improvement Permit Application.

The proposed Breed septic system is currently being designed by Professional Engineer Dudley Ashwood PE of Durango, (970) 903-9811, dudley.ashwood@gmail.com. It is my understanding that the septic design engineer will be visiting the site on August 30, 2024, with local excavator Cody Braford to utilize heavy equipment to excavate the two State-required septic profile test pits. There is an existing driveway accessing the site so no tree clearing or grading should be necessary to excavate those test pits. The subsurface information observed in the test pits will be used to "size" the proposed "leachfield." Attached for your review is the San Juan County Public Health Septic System Permit Application Form.

As a State-Licensed Civil Professional Engineer with experience in San Juan County Colorado septic system design since 2001, having personally visited the Ute Chief Lode several times since 2007, I believe that the wooded, moderately sloped, 10.33 acre site is capable of having an on-site septic system, adequate to serve the proposed two-bedroom Breed cabin, which will meet the current State regulations.

In 2013, I began the design of a proposed greywater septic system on the Ute Chief Lode for the previous property owner. A report regarding the proposed greywater septic system was submitted to the County on February 4, 2014, which is available from Engineer Mountain Inc. upon request. Shortly thereafter the State imposed a moratorium on new greywater septic systems, then eventually the State eliminated the option of new greywater septic systems.

The State septic system regulations are available online and are known as "Regulation 43." The State regulations are mandated as the minimum to the local septic regulatory agencies. The septic systems in this County are currently being regulated by La Plata County Public Health Department on behalf of and in conjunction with the San Juan County Colorado Public Health Department.

Please contact Engineer Mountain, Inc. if you have any questions.

Sincerely,

Lisa M. Adair PE
Engineer Mountain, Inc.

Cc: Property Owner David Breed, Septic Design Engineer Dudley Ashwood.

PO Box 526 - 962 Reese Street - Silverton CO - landline (970) 387-0500 - cell (970) 946-2217

SAN JUAN COUNTY, COLORADO
DRIVEWAY AND ROAD ACCESS PERMIT

Improvement
Permit No. _____

Applicant: DAVID BREED
PO BOX 239
SILVERTON CO 81433
UTE CHIEF LODE USMS No. 18463

Location of Proposed Driveway or Access on County Road No. 33A:

THE UTE CHIEF LODE IS ACCESSED BY USING THE
EXISTING DRIVEWAY WHICH INTERSECTS WITH COUNTY
ROAD 33A (DEER PARK ROAD). THE EXISTING
DRIVEWAY STARTS ON THE BROADWAY LODE, GOES
THROUGH THE MORU CHIEF LODE, AND ENDS ON
THE UTE CHIEF LODE.

Description of Proposed Driveway or Access, including materials to be used:

THE DRIVEWAY IS EXISTING AND IT INTERSECTS
COUNTY ROAD 33A (DEER PARK ROAD) ON THE
BROADWAY LODE. NO DRIVEWAY IMPROVEMENTS
ARE PROPOSED AT THIS TIME, UNLESS
REQUIRED BY THE COUNTY.

Comment and Recommendations of County Road Supervisor:

Terms and Conditions of Issuance of Permit (or reason for denial):

Permit Approved _____ or Denied _____. Date: _____
Land Use Administrator: _____

BOARD OF COUNTY COMMISSIONERS

San Juan County

P.O. Box 466

Silverton, Colorado 81433

970-387-5671

RELATIONSHIP OF PROPERTY TO COUNTY ROAD AND STATE HIGHWAY SYSTEMS

UTE CHIEF LODGE USMS No. 18463 - DAVID BREED

I, the undersigned, applicant engaged in the processing of Application for Improvement Permit No. _____, San Juan County, Colorado, do hereby acknowledge the following facts:

1. The real property' which is the subject of said application is on this date located approximately 2,600 from County Road No. 33A, the nearest designated and publicly maintained county road.
2. Said County Road No. 33A is on this date maintained on an SEASONAL basis by San Juan County.
3. The real property which is the subject of said application is on this date located approximately 3 MILES from Colorado State Highway No. 550, the nearest designated state or federal highway.
4. Said Colorado State Highway No. 550 is on this date maintained on a year-round basis by either San Juan County or the Colorado Division of Highways.
5. A Driveway Permit will be necessary for any private access or egress relating to said real property which intersects any designated Colorado State Highway or Federal Highway.

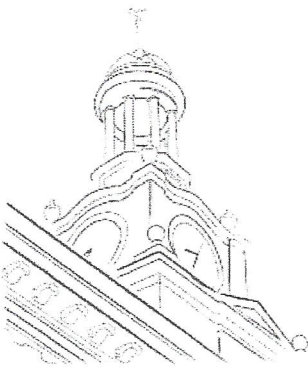
Signed and dated this 27 day of AUGUST, 2024.

D. BREED

Applicant

ATTEST:

Position:



LAND USE PERMIT

SAN JUAN COUNTY

COLORADO

1557 GREENE STREET

P.O. BOX 466

SILVERTON, COLORADO 81433

PHONE/FAX 970-387-5766 sanjuancounty@frontier.net

SAN JUAN COUNTY HEREBY ISSUES LAND USE PERMIT NUMBER 2013-07

DATE ISSUED: 05/28/2013; Permit is valid through May 27, 2014.

DATE OF ESTIMATED COMPLETION: September 30, 2013

ISSUED BY: Bob Nevins, San Juan County Land Use Administrator _____

APPLICANT: Pete Maisel, Owner/Contractor

ADDRESS: P.O. Box 286, Silverton, CO 81433

PROPERTY LEGAL DESCRIPTION: Ute Chief Lode USMS No. 18463

USE/IMPROVEMENTS: Access driveway construction including grading and tree clearing.

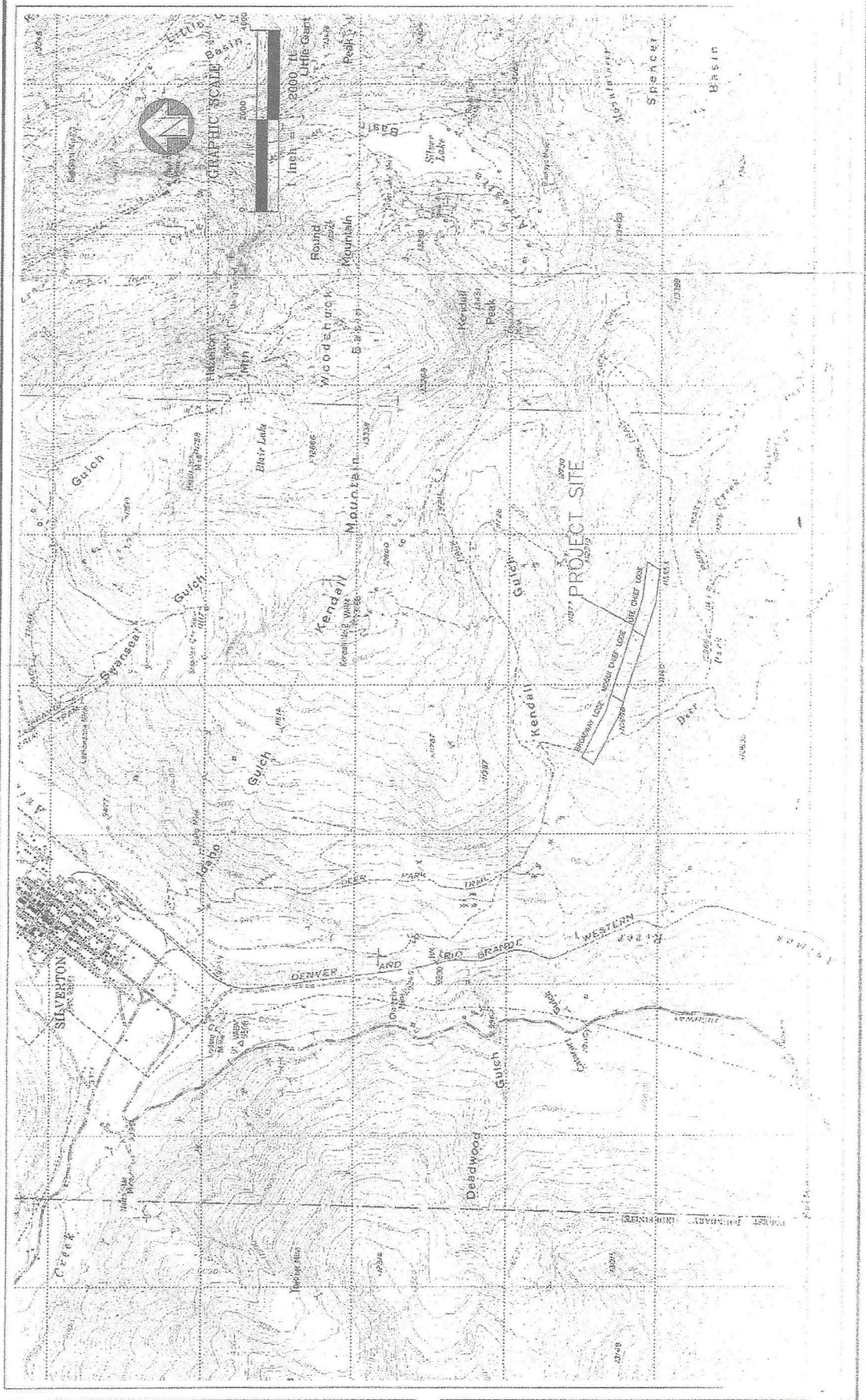
This Land Use Permit is issued subject to the following conditions:

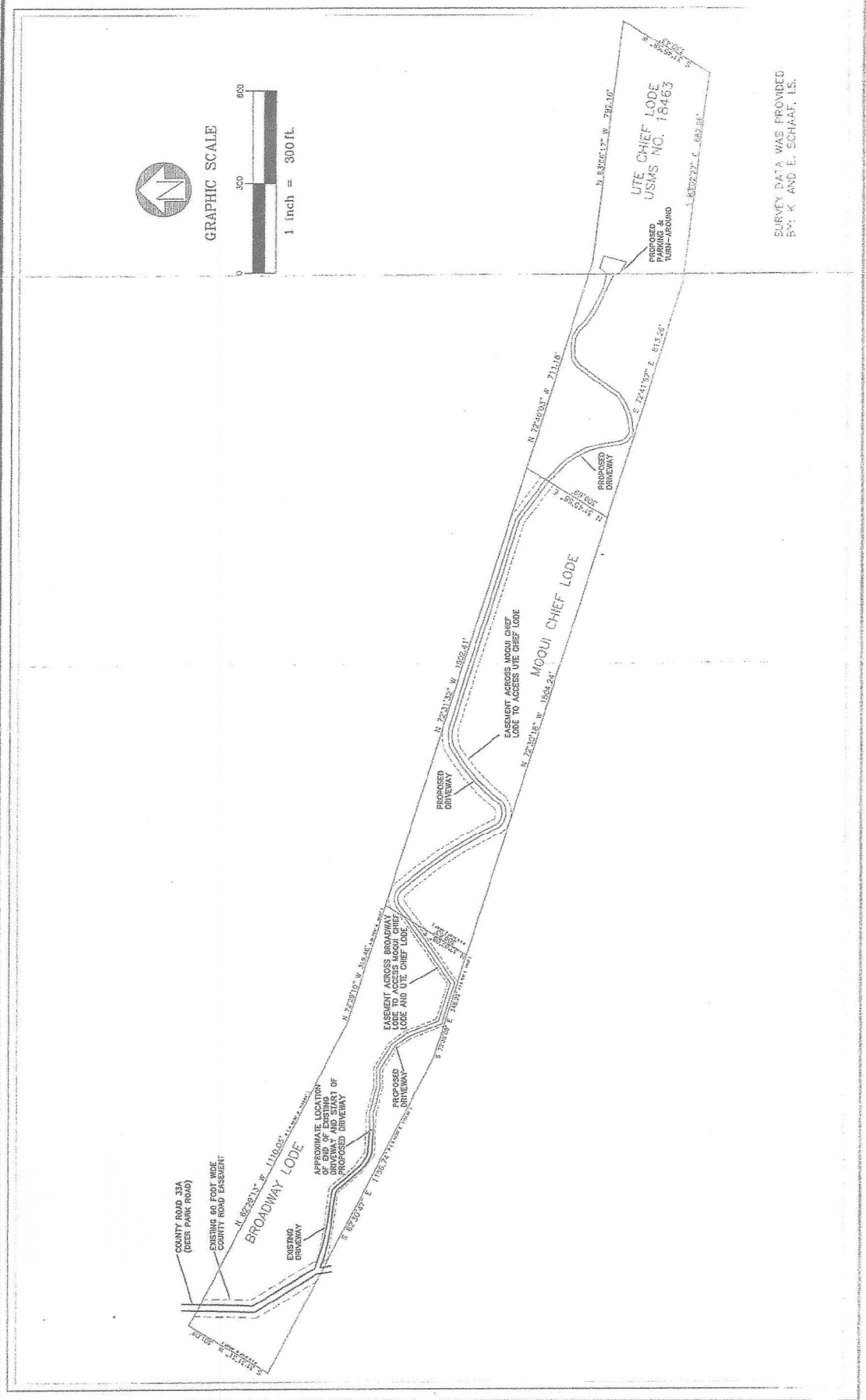
1. The project is located entirely on private property and contained within the access and utility easements as shown on the attachments, Sheets 1-3. The start of this new access driveway begins at the end of the existing drive within the Broadway Lode and continues through the Moqui Chief Lode to a proposed parking and turn-around area situated in the middle of the Ute Chief Lode. Prior to initiating any on-site work, a licensed surveyor shall accurately establish the property boundaries and driveway alignment to ensure that all construction activities are completely within private property.
2. Applicant has been granted Access and Utility Easements across the Broadway Lode USMS No. 18463 (recorded as Reception No. 148986, San Juan County, CO) and Moqui Chief Lode USMS No. 18463 (recorded as Reception No. 149004, San Juan County, CO).
3. All improvements and construction activities including clearing and grading shall be in full compliance, and strict conformance to all terms, conditions and restrictions contained within the San Juan County Zoning and Land Use Regulation. Applicant is also responsible for being in compliance with all applicable Local, State and Federal rules and regulations.
4. Applicant acknowledges that emergency services will not be available in a timely manner or perhaps not at all; and that County Roads, 33 and 33A, which provide seasonal roadway access to the property are not regularly maintained and do not receive any winter maintenance.
5. This administrative use permit in no way guarantees or infers approval of any future structures or other improvements that the applicant may seek to construct on the property. Land owner must apply for and receive an improvement permit prior to the construction of any home, cabin, shed and/or other site improvements beyond the construction of the driveway for which this permit is issued. Furthermore, any future development will be subject to land use regulations in place at the time of application.
6. Any shared security gate, posts, chain and/or cable shall comply with Section 4-110f and shall not be located within 30-feet of the centerline of the County road.
7. Failure to comply with these conditions shall be grounds for the revocation of this land use permit.

ENGINEER MOUNTAIN INC.
 ENGINEERING, ARCHITECTURE,
 PLANNING AND DESIGN
 1000 S. MAIN ST., SUITE 100
 SILVERTON, CO 81433
 (970) 387-0900
 machete@engineer-mountain.net

VICINITY MAP
 PROPOSED DRIVEWAY
 UTE CHIEF LODGE, COUNTY ROAD 33A
 SAN JUAN COUNTY, COLORADO

DATE: APRIL 30, 2007
 DRAWN BY: RMR/LJA
 LAST REVISED: 4/10/13
 DWG. 7-113/03A UTE CHIEF DRIVEWAY
 LAYOUT/SCALE: DWY W/1:5000 W/3





SURVEY DATA WAS PROVIDED BY: K. AND E. SCHAAF, I.S.

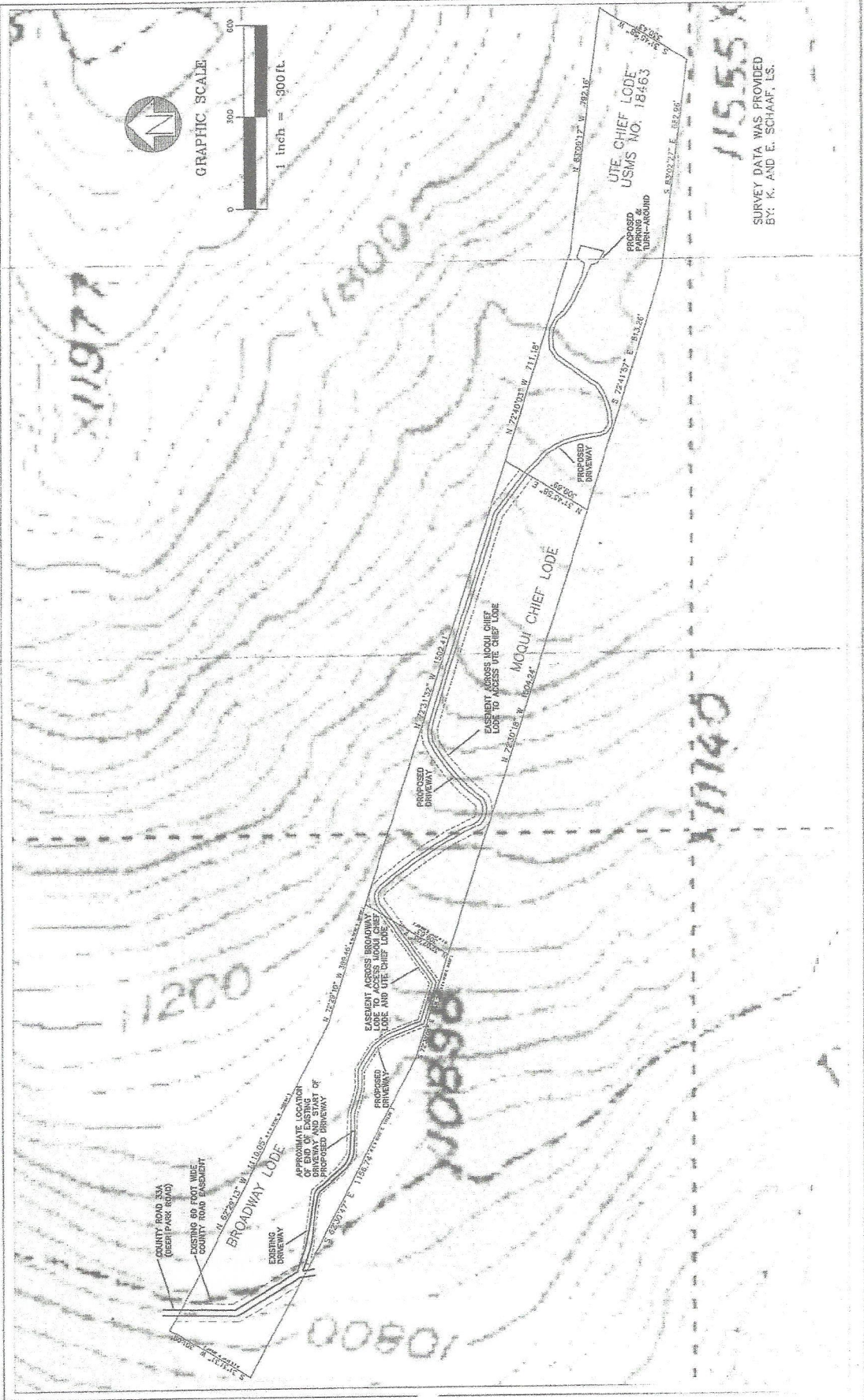
ENGINEER MOUNTAIN INC.
 Formerly MACKAY Engineering
 #10, BOX 528, SILVERTON, CO 81413
 (970) 387-8500
 make@getrest.com
 SOILS RETAINING WALLS
 SEPTICS FOUNDATIONS
 ROADS AND BRIDGES
 CIVIL SITE DEVELOPMENT

ENGINEER MOUNTAIN INC.
 FORESTRY, MINING, ENGINEERING
 P.O. BOX 326 SILVERTON, CO 81433
 (970) 357-0500
 www.mountaininc.com

SITE PLAN WITH TOPOGRAPHY
 PROPOSED DRIVEWAY
 UTE CHIEF LODGE, COUNTY ROAD 33A
 SAN JUAN COUNTY, COLORADO

DATE: APRIL 30, 2007
 DRAWN BY: HNH/JVA
 LAST REVISED: 4/10/13
 DWG. 7-115/204 Ute Chief Lodge
 LAYOUT/PLAN: SITE/07/02/03/12/PLN

SHEET
 2 OF 2



11977

10800

11740

11555

April 9, 2013

Clerk and Recorder
San Juan County
P.O. Box 466
Silverton, Colorado 81433

Subject: Access and Utility Easement across the Broadway Lode USMS No. 18463, to access the Ute Chief Lode USMS No. 18463, near County Road 33A, Deer Park area, near Silverton, San Juan County, Colorado.

EASEMENT DEED

To whom it may concern,

For Ten Dollars (\$10.00) and other good and valuable consideration, Brant Heidlebaugh, Grantor, PO Box 855, Silverton, CO 81433, does hereby grant and convey to Peter Maisel, Grantee, PO Box 286, Silverton, CO, 81433, his successors and assigns, a non-exclusive access and utility easement across the Broadway Lode USMS No. 18463, to the Ute Chief Lode USMS No. 18463. Said easement is described as follows:

The Ute Chief Lode is near the Broadway Lode. Access to the Ute Chief Lode will be from County Road 33A, which crosses through the Broadway Lode. The location of the thirty-foot wide easement across the Broadway Lode is shown on the attached Exhibit A. A driveway has recently been constructed within the western part of the easement. Where the driveway is already constructed, the easement shall be located along the existing driveway, with fifteen feet of easement width on each side of the existing as-built driveway centerline. The driveway will be extended to the eastern property line of the Broadway Lode. After construction of the driveway extension, the easement shall be located along the as-built driveway extension, with fifteen feet of easement width on each side of the as-built driveway centerline. Although no utilities are proposed at this time, the easement may also contain future utilities.

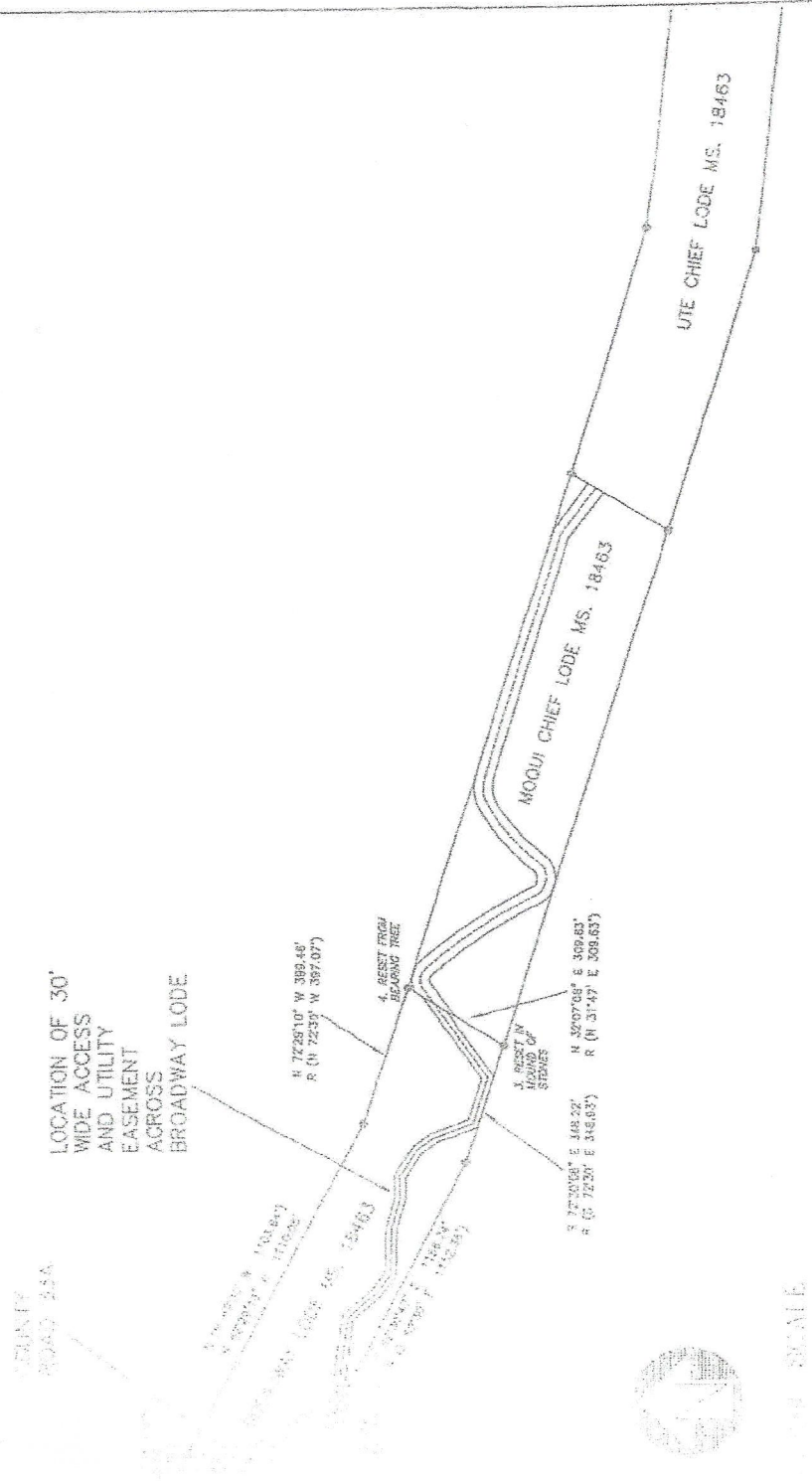
This access and utility easement shall be in effect in perpetuity in the event that ownership of any or all of the properties changes. Additionally the easement shall be as shown on the attached one page Exhibit A.

This three page easement agreement document shall be filed in the San Juan County Clerk's Office.

By _____

Clerk and Recorder

EXHIBIT A



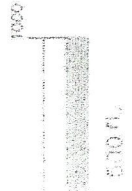
SURVEY DATA WAS PROVIDED BY:



ENGINEER MOUNTAIN INC.
 formerly MACKIE Engineering
 P.O. BOX 526, SILVERTON, CO 81433
 (970) 387-0500
 moquji@geobrdinators.net

EXHIBIT A: PROPOSED ACCESS AND UTILITY EASEMENT
 ACROSS BROADWAY LODE TO ACCESS UTE CHIEF LODE
 NEAR COUNTY ROAD 33A, DEER PARK AREA
 SAN JUAN COUNTY, COLORADO

SCALE



April 9, 2013

Clerk and Recorder
San Juan County
P.O. Box 466
Silverton, Colorado 81433

Subject: Access and Utility Easement across the Moqui Chief Lode USMS No. 18463, to access the Ute Chief Lode USMS No. 18463, near County Road 33A, Deer Park area, near Silverton, San Juan County, Colorado.

EASEMENT DEED

To whom it may concern,

The owners of the Moqui Chief Lode USMS No. 18463 are the following: Caitlin & William Gribble, Susan & David Olive, Patrick Cotter, Alexander Cotter, and Anne & Robert Moses.

For Ten Dollars (\$10.00) and other good and valuable consideration, the owners of the Moqui Chief Lode listed above, Grantors, PO Box 13374, Burton, WA 98013-0374, do hereby grant and convey to Peter Maisel, Grantee, PO Box 286, Silverton, CO, 81433, his successors and assigns, a non-exclusive access and utility easement across the Moqui Chief Lode, to the Ute Chief Lode USMS No. 18463. Said easement is further described as follows:

The Ute Chief Lode borders the Moqui Chief Lode. Access to the Ute Chief Lode will be from County Road 33A, which crosses through the Broadway Lode, adjacent to the Moqui Chief Lode. The location of the fifty-foot wide easement is shown on the attached Exhibit A. A driveway may be constructed within the easement. Prior to driveway construction, the easement shall be located along the centerline of the proposed driveway. The driveway shall be staked prior to construction, in accordance with the attached Exhibit A. After construction of the proposed driveway, the access and utility easement shall be located along the as-built driveway location, with twenty-five feet of easement width on each side of the as-built driveway centerline. Although no utilities are proposed at this time, the easement may also contain future utilities.

This access and utility easement shall be in effect in perpetuity in the event that ownership of any or all of the properties changes. Additionally the easement shall be as shown on the attached one page Exhibit A.

This seven page easement agreement document shall be filed in the San Juan County Courthouse.

Page 2 of 7 through Page 6 of 7: Signature Pages.

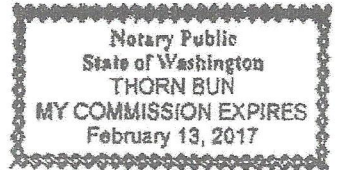
Page 7 of 7: Exhibit A.

-EASEMENT DEED across the Moqui Chief Lode to the Ute Chief Lode, Page 2 of 7-

[Handwritten Signature]

Signature of Caitlin Gribble, Owner of the Moqui Chief Lode USMS No. 18463.

STATE OF Washington)
County of King) ss.



The foregoing document was acknowledged before me this 24 day
of April, 20 13, by
Caitlin Gribble.

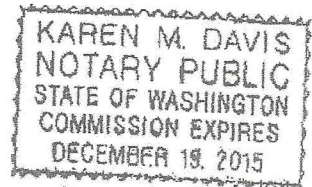
Witness my hand and official seal. *[Handwritten Signature]*
Notary Public

My commission expires: 2/13/17

[Handwritten Signature]

Signature of William Gribble, Owner of the Moqui Chief Lode USMS No. 18463.

STATE OF WA)
County of King) ss.



The foregoing document was acknowledged before me this 17th day
of April, 20 2013, by
William Gribble.

Witness my hand and official seal. *[Handwritten Signature]*
Notary Public Karen Davis

My commission expires: December 19, 2015

-EASEMENT DEED across the Moqui Chief Lode to the Ute Chief Lode, Page 3 of 7-

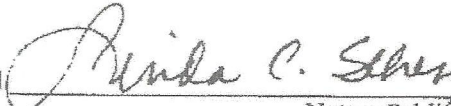


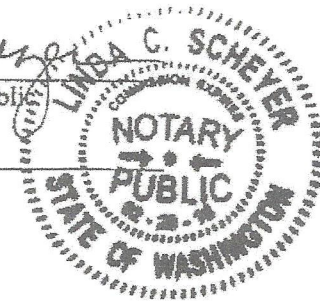
Signature of Susan Olive, Owner of the Moqui Chief Lode USMS No. 18463.

STATE OF WASHINGTON)
County of PIERCE) ss.

The foregoing document was acknowledged before me this 26th day
of April, 2013, by
Susan Olive.

Witness my hand and official seal


Notary Public



My commission expires: 2-20-16



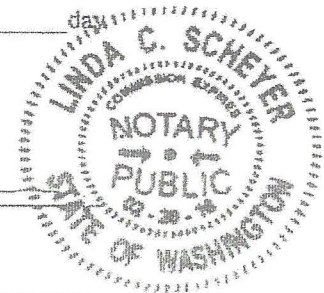
Signature of David Olive, Owner of the Moqui Chief Lode USMS No. 18463.

STATE OF WASHINGTON)
County of PIERCE) ss.

The foregoing document was acknowledged before me this 26th day
of April, 2013, by
David Olive.

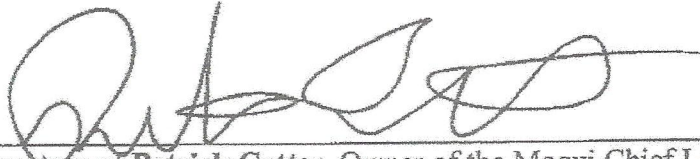
Witness my hand and official seal


Notary Public



My commission expires: 2-20-16

-EASEMENT DEED across the Moqui Chief Lode to the Ute Chief Lode, Page 4 of 7-

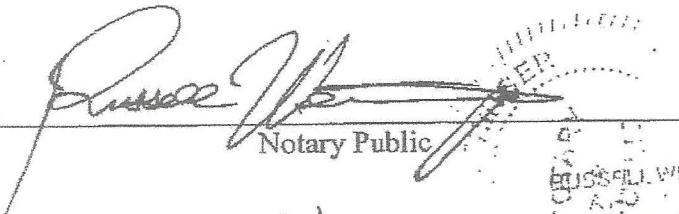


Signature of Patrick Cotter, Owner of the Moqui Chief Lode USMS No. 18463.

PROVINCE OF Alberta)
City of Calgary) ss.

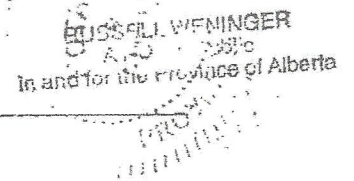
The foregoing document was acknowledged before me this 26th day
of April, 20 13, by
Patrick Cotter.

Witness my hand and official seal.



Notary Public

My commission expires: does not expire. -rw



RUSSELL WEMINGER
A.S.P.
In and for the province of Alberta

-EASEMENT DEED across the Moqui Chief Lode to the Ute Chief Lode, Page 6 of 7-

Anne Moses

Signature of Anne Moses, Owner of the Moqui Chief Lode USMS No. 18463.

Robert Moses

Signature of Robert Moses, Owner of the Moqui Chief Lode USMS No. 18463.

STATE OF Washington)
County of King) ss.

The foregoing document was acknowledged before me this 19th day
of April, 2013, by
Anne and Robert Moses.

Witness my hand and official seal. *Earlynne K Chun*
Notary Public

My commission expires: Dec 2, 2014

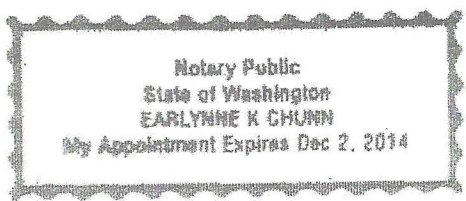
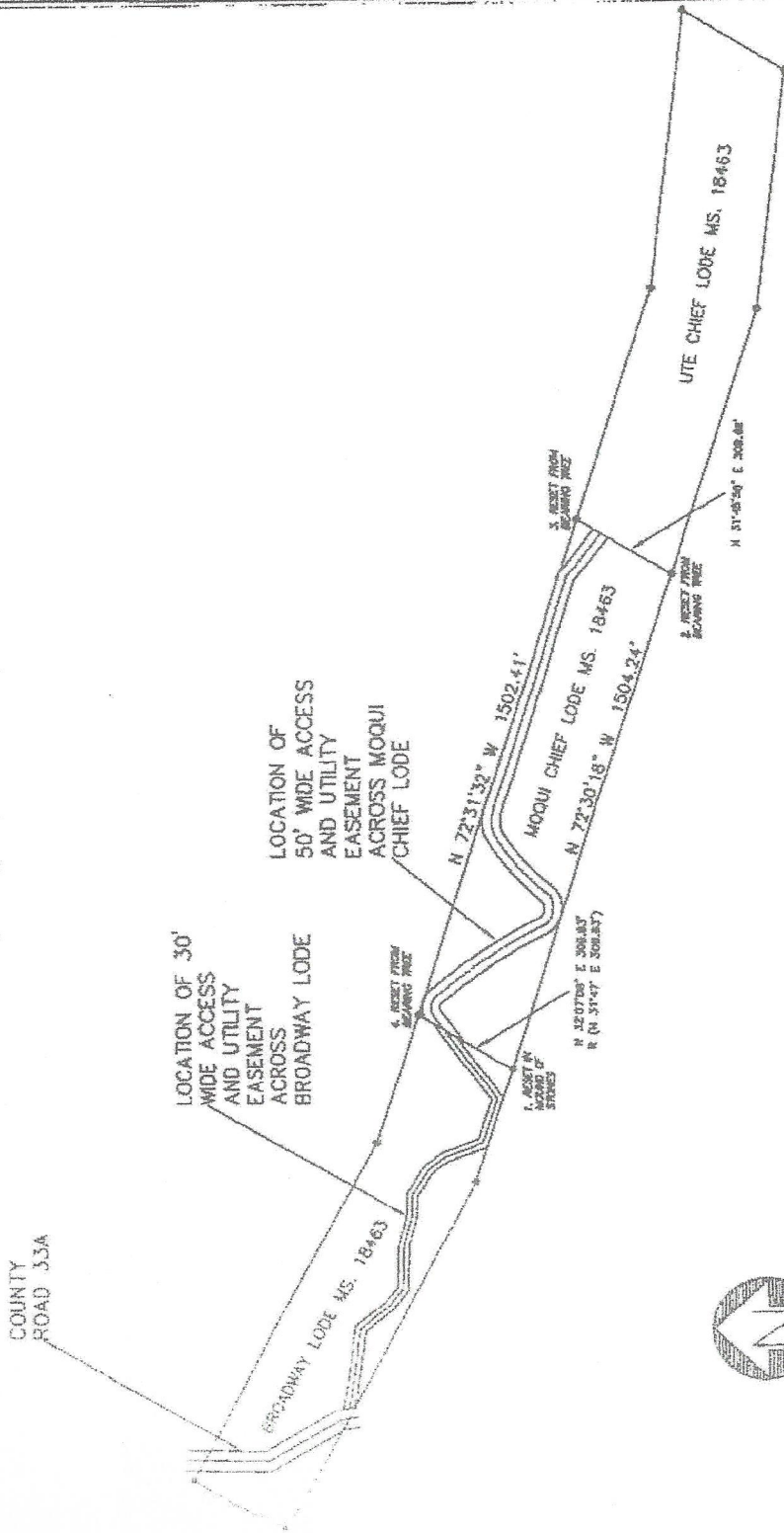


EXHIBIT A



GRAPHIC SCALE



1 inch = 500 ft.

SURVEY DATA WAS PROVIDED BY:

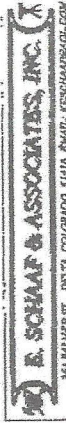


EXHIBIT A: PROPOSED ACCESS AND UTILITY EASEMENT
ACROSS MOQUI CHIEF LODE TO ACCESS UTE CHIEF LODE
NEAR COUNTY ROAD 33A, DEER PARK AREA
SAN JUAN COUNTY, COLORADO

ENGINEER MOUNTAIN INC.
formerly MACHE Engineering
P.O. BOX 528, SILVERTON, CO 81433
(970) 387-0500
meckle@getrothatom.net

DATE	4/22/07
DRAWN BY	WHA/AJA
FILE NAME	7-1137503 Cont. Exh A.dwg
PROJECT/OWNER	50' Emt / M/A
LAST REVISED	4/9/2013

STAFF REPORT FOR
SAN JUAN COUNTY
BOARD OF COMMISSIONERS

Regular Meeting: March 12, 2014
From: Bob Nevins, Planning Director
Project No. 2013-14

Public Hearing-Preliminary/Final Plan Application Review
Parcel: Ute Chief Lode USMS No. 18463
Applicant/Owner-Pete Maisel
Applicant Representative-Lisa Adair, Engineer Mountain, Inc.

INTRODUCTION

Pete Maisel, Owner/Applicant, is requesting Preliminary/Final Plan approval to construct a 1-story cabin, detached shed and associated utility improvements on the Ute Chief Lode. This application was submitted by Engineer Mountain, Inc. on February 4, 2014.

The Ute Chief Lode Preliminary-Final Submittal is attached in a separate folder.

I. PROCESS

Preliminary Plan allows the applicant to present their proposed use or development to the County in specific terms, in every appropriate detail including plans and specifications for structures, roads, utilities and other improvements. At **Final Plan**, the applicant presents whatever material or information that may have been requested by the Board of Commissioners as a condition of Preliminary Plan approval; submits any necessary corrections to final documents; and prepares final documents for signature and/or recording. The review process for this Improvement Permit application has been **Consolidated** since the intent of the Land Use Regulation and interests of efficiency are served.

Sketch Plan application was reviewed by the Planning Commission on December 10, 2013; the Board of County Commissioners concurred with the Planning Commission recommendation and approved the Sketch Plan at a regular public meeting on January 8, 2014.

II. PLANNING COMMISSION RECOMMENDATION

Planning Commission at a regular meeting on February 19, 2014, reviewed the application with the applicant to determine its compliance with the *County Zoning and Land Use Regulations* and its conformance to the *County Master Plan*. Planning Commission made a determination and forwarded a unanimous (6-0 with a member absent) recommendation of approval to the Board of County Commissioners.

III. PUBLIC NOTICE

Consolidated Preliminary/Final Plan review requires public notice. Notice of the public hearing by the Board of County Commissioners was published in the *Silverton Standard* on Thursday, February 27, 2014.

Public Notice of the Planning Commission meeting was mailed to adjacent property owners within 1,500 feet of the property on February 7, 2014. Staff has not received any public inquiries or written comments concerning this application.

IV. ZONING/LAND USE REQUIREMENTS

The land is zoned "Mountain Zone." Residential use is a Use Subject to Review. Mountain Zone requirements include: a minimum parcel or lot area of five (5) acres and minimum setbacks of 20 feet from public land or 30 feet from private land.

All applications for individual building sites shall comply with the requirements set forth in Section 4-110 Design and Development Standards for All Special Uses/Improvement Permits. Since this property is located above 11,000 feet, Section 4-110t. Square Footage Limitations is applicable.

V. PROPOSED RESIDENTIAL DEVELOPMENT

The owner is proposing to construct a rustic, 1-story, 2-bedroom cabin containing 1,000 feet (750 square feet, with a request for a bonus of 250 square feet). A detached shed and associated site improvements are also included in the proposal. The access driveway passes through the Broadway Lode MS 18643 and the Moqui Chief Lode MS 18643 up to the Ute Chief MS 18643. The drive is located entirely on private property and contained within deeded access easement. The alignment was administratively approved with conditions on May 28, 2013 as Land Use Permit No. 2013-07.

The property is located approximately 3.5 miles from downtown Silverton via 14th Street and County Road 33 to County Road 33A. The proposed cabin site is situated at an approximate elevation of 11,800 feet within a stand of mature coniferous trees behind a knoll area to the north and about 600 vertical feet above Deer Park Creek.

VI. PROJECT SUMMARY

a. Property Location: The parcel is located in unincorporated San Juan County and surrounded by Bureau of Land Management (BLM) public lands. It lies southeast of the Town of Silverton at elevations ranging from about 11,520 to 11,760 feet in the Deer Park area south of Kendall Mountain and west of Kendall Peak.

b. Size: The parcel measures approximately 300 feet by 1,500 feet and contains about 10 acres.

c. Current Zoning: The land is zoned "Mountain Zone." Permitted Uses by Right are mining and milling, and activities which do not involve any construction or development of any sort (such as grazing, camping, picnicking, hiking and outdoor recreation). All other uses, including residential use, are Uses Subject to Review. Mountain Zone requirements include: a minimum parcel or lot area of five (5) acres and minimum setbacks of 20 feet from public lands or 30 feet from private lands.

d. Current Land Use: The land is undeveloped.

e. Proposed Land Use: The proposed land use is Residential with accessory uses. The proposed development includes a 1-story, 2-bedroom/1-bath, cabin containing 1,000 feet (750 square feet with a request for a bonus of 250 square feet), detached shed (150 square feet) and associated site improvements.

f. Surrounding Land Use: The surrounding area is largely public land with the primary uses being resource management and outdoor recreation. While there are currently no cabins or other structures built in the immediate vicinity of the Ute Chief, a cabin site has been approved on the Broadway Lode.

g. Proposed Building Envelope: There are site-specific areas within the Ute Chief Lode that are developable based on the INSTAAR Natural Hazards Maps (Geologic, Avalanche, Wildfire and Overall), site topography, tree cover/vegetation and access. The proposed building envelope and cabin design are acceptable in terms of location, siting, size, scale, height, form and materials.

h. Access: County Roads 33 and 33A are single-lane, unpaved roads that provide adequate seasonal (summer) vehicular access to the site. During the winter months when avalanche danger is low, the snow-covered roads allow travel by snowmobiles, skis and snowshoes. Applicant is proposing to access the property from CR 33A by constructing a 12-foot wide, 4,100-foot long unpaved driveway from the Broadway Lode up through the Moqui Chief Lode to the cabin site on the Ute Chief.

i. Water Supply: Applicant is proposing to haul potable water from his residence in Silverton that has metered utility billing and store it on-site in a 500-gallon cistern to meet the domestic and emergency service needs.

j. Sewage Treatment: Applicant is proposing to develop a septic system that will comply with all San Juan Basin Health (SJBH) regulations.

k. Power: Applicant plans to utilize propane gas and solar with a generator as a back-up power source.

l. Heating: Applicant intends to have one (1) wood stove in the cabin.

m. Trash/Solid Waste: Applicant will be responsible for transporting trash to the Transfer Station and paying the required disposal fees.

n. Emergency Service: While emergency services (police, fire, medical/EMT) are not readily available, especially when the road is snow-covered and avalanche danger is considerable, they are adequate given the proposed low-intensity, personal residential use.

o. Communications: Telephone and television service are not mentioned in the application.

p. Exterior Lighting: Exterior lighting shall be minimal and comply with County requirements.

q. Revegetation and Landscaping: Applicant is proposing to create a defensible wildfire zone by removing some of the dense trees and by raking and removing some of the combustible brush/ground cover around the cabin while preserving a majority of mature coniferous trees for visual screening and aesthetic purposes.

VII. PLANNING COMMISSION RECOMMENDATION AND CONDITIONS

The Preliminary/Final Plan application is consistent with the Sketch Plan submittal and adequately addresses those conditions.

Planning Commission recommends approval of the Preliminary/Final Plan application with the following conditions and/or stipulations:

- 1. Land Use:** Approval of one (1) single-family cabin for strictly non-commercial, personal residential use; any other use, such as a vacation rental, shall require County approval of a Use Permit and substantiation of having adequate square footage/bedrooms, utilities and services to safely accommodate the proposed use, guest capacity and occupancy durations. All improvements, uses and activities shall be fully contained within the private property boundaries of the Ute Chief.
- 2. Design Standards:** Approval of a 250 square foot bonus as this project is determined to be "extraordinary." The residential development and associated site improvements shall be in compliance with Section 4-110 Design and Development Standards.
- 3. Size of Improvements:** Approval of a 1-story, 2-bedroom/1-bath cabin that measures 25 feet by 40 feet and has a total floor area of 1,000 square feet (750 square feet with a bonus of 250 square feet). The maximum cabin height shall be 22 feet above natural grade. The detached shed shall be a maximum of 200 square feet and 16 feet in height. These structures shall be appropriately located and sized to minimize impacts on scenery and environmentally sensitive areas. This approval does not include any satellite/communication dish, antenna, fencing or other such improvements.
- 4. Use Permit:** Approval of a 6-month extension (May 28, 2014 to November 30, 2014) for Use Permit No. 2013-07 to allow for construction of the access drive through the Broadway and Moqui Chief to the building site on the Ute Chief. The road work may be started/ completed prior to issuance of the building permit. The entire driveway alignment and adjacent property boundaries were "flagged" and verified on-site by staff during a site visit on September 26, 2013. County staff shall conduct a site visit this year to confirm the flagging/ alignment prior to any grading, site work or construction.
- 5. Site Access:** Approval of a 12-foot wide unpaved driveway with culverts and turnouts as needed to access the cabin site. The approved access drive shall be approximately 4,100 feet (0.75 miles) in length from its starting point on the Broadway Lode, up through the Moqui Chief Lode and onto the Ute Chief property. The driveway and all clearing, grading and other road

improvements shall occur entirely on private property and within the deeded access easement.

6. **Public Dedication:** No County roads or historic trails are contained within the property and no public easement dedications are required.
7. **Site Survey:** A licensed surveyor shall verify the driveway alignment, cabin site and associated improvements; the adjacent property lines shall also be clearly identified to ensure that all construction activities and site improvements are located within the private property boundaries. Planning and Building staff shall conduct a site visit prior to any clearing, grading site work or construction activity.
8. **Site Disturbance:** Site disturbance shall be minimized to the greatest extent possible. Any disturbed areas shall have adequate erosion control measures in place and they shall be revegetated with native plant species that are certified weed-free as soon as possible after disturbance.
9. **Building Materials and Lighting:** Approval of the exterior building material palette for the residential cabin and detached shed: natural wood, board and batten siding, rusted metal wainscoting and rusted metal roofing. Windows and solar panels shall be non-reflective, non-glare. All building materials and colors shall blend in with the natural landscape and vegetation to minimize visual impacts. Exterior lighting shall be minimal and comply with County requirements.
10. **Water Supply:** Approval to transport potable water from the owner's residence in Silverton that has metered utility billing and store it on-site in a buried 500-gallon cistern with gravity flow to meet the domestic and emergency service needs.
11. **Sewage Treatment:** Approval of an engineered septic system that includes one (1) composting or incinerating toilet and a graywater leachfield that meets all San Juan Basin Health (SJBH) regulations and specifications. Once there is driveway access, heavy equipment may access the leachfield site for needed testing. Upon field testing and final system design, applicant shall obtain final approval from San Juan Basin Health.
12. **Power:** Approval of the power source being propane gas stored in a portable tank and solar panels. A generator is also approved as a back-up power source and it shall be located in the detached shed to reduce adverse noise impacts on the surrounding area.
13. **Heating:** Approval of the heating source being a wood-burning stove. The stove shall be of the type approved by the Environmental Protection Agency (EPA) and it shall be equipped with an

approved chimney cap or spark arrestor to minimize the risk of wildfire.

- 14. Refuse and Water Billing:** The property shall be placed on the Town of Silverton's utility billing system for refuse prior to issuance of a completed building permit. The property owner is responsible for solid waste transportation and disposal fees. On-site trash shall be contained within a structure or in an enclosed, bear-proof container at all times until it is removed to the Transfer Station. Should the current owner or a new owner not have municipal water service in Silverton, the property then shall be placed on the Town's utility billing system for water.
- 15. Acknowledgement:** As with previous improvement permits approved by the County, Applicant will be asked to sign a notarized document acknowledging the conditions of approval for the improvement permit including the stipulation that this cabin is for non-commercial, personal residential use. This action will follow County Commission approval of the Preliminary/Final Plan.
- 16. Building Permit:** Applicant shall obtain a County building permit and pay all associated fees prior to commencing any construction activity. However, applicant may construct the access driveway in accordance with the Use Permit No. 2013-07 prior to issuance of the building permit.

Attached:

Preliminary/Final Plan Binder-Ute Chief Lode Improvement Permit Application

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

San Juan County regulations state the following:

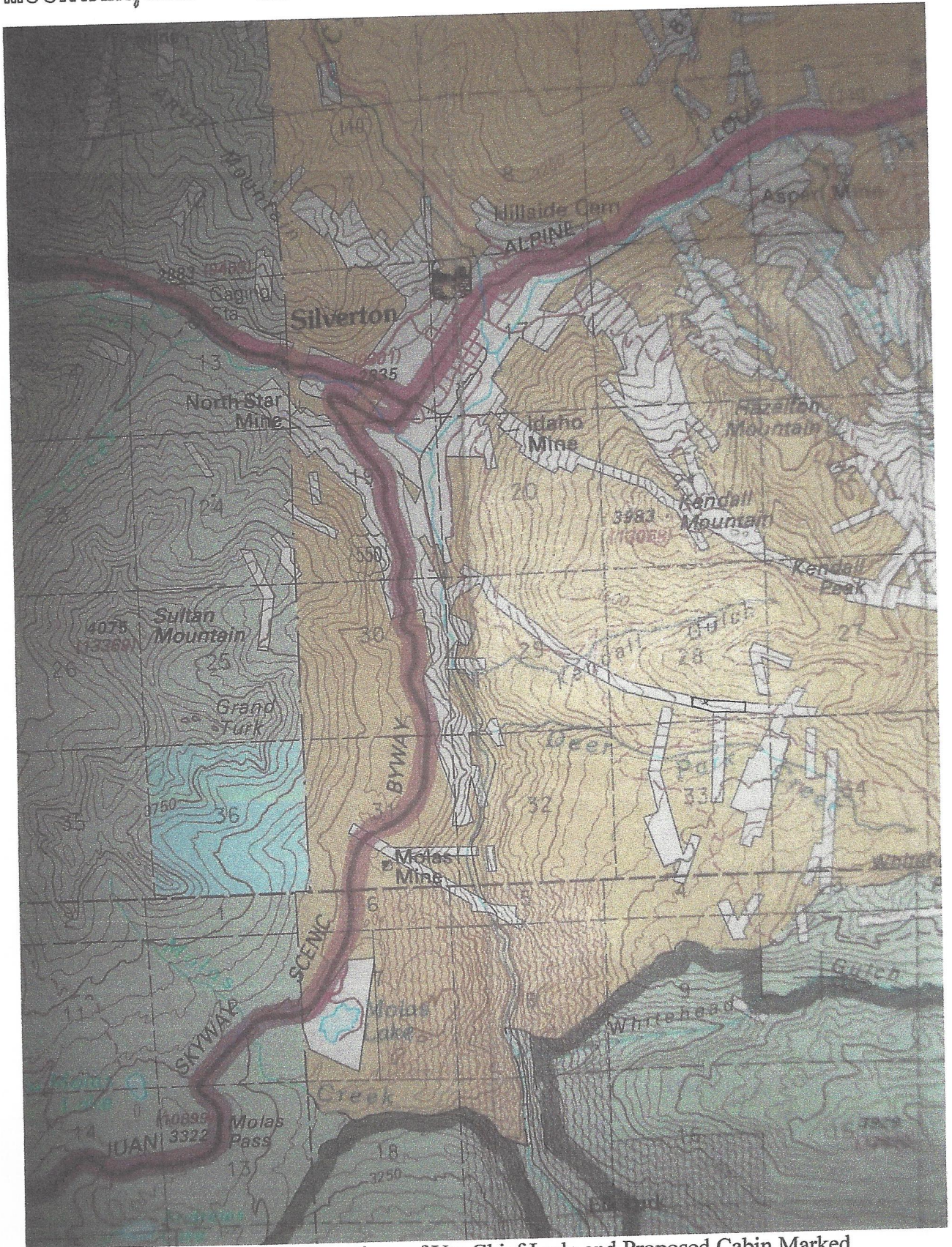
All residential development shall be required to submit a Scenic Quality Report at the time of sketch plan submittal.

This is a Scenic Quality Report for the Proposed Breed Cabin, located on the Ute Chief Lode USMS No. 18463, prepared by Engineer Mountain, Inc.

The Ute Chief Lode is located approximately three miles from Silverton, accessed by Deer Park Road (County Road 33A). The site is located near Lower Deer Park. There is an existing driveway on Deer Park Road which will be used to access the property.

Two photos follow this page:

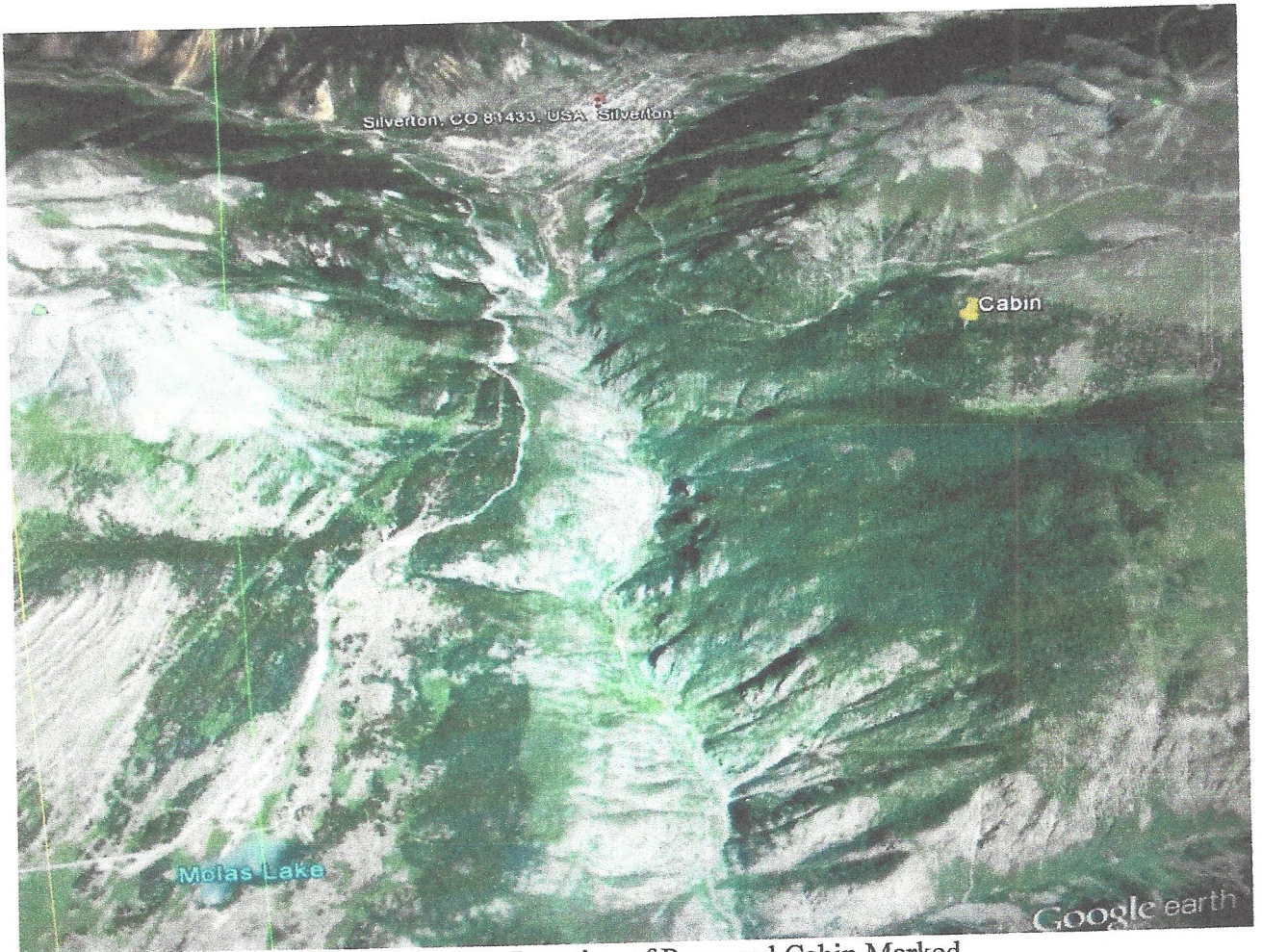
- (1) A photo of a BLM map, showing the general locations of the Ute Chief Lode and proposed cabin.
- (2) A photo of a Google Earth image, showing the approximate location of the proposed cabin.



BLM Map with Approximate Locations of Ute Chief Lode and Proposed Cabin Marked

**ENGINEER
MOUNTAIN, INC.**

- *SOILS *RETAINING WALLS
- *SEPTICS *FOUNDATIONS
- *GRADING AND DRAINAGE
- *SITE DEVELOPMENT



Google Earth Image with Approximate Location of Proposed Cabin Marked.

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

The photos on the previous pages show the general location of the Ute Chief Lode and the proposed cabin. The County regulations require that this Scenic Quality Report include the following information:

Designations of scenic views of natural and historic features both from and toward the site and descriptions of how these vistas shall be preserved. Graphic depictions of the proposed structure's impact on these views shall be submitted to allow staff, the Planning Commission, and the Board of County Commissioners to assess the impacts of the project and the effectiveness of proposed mitigation measures.

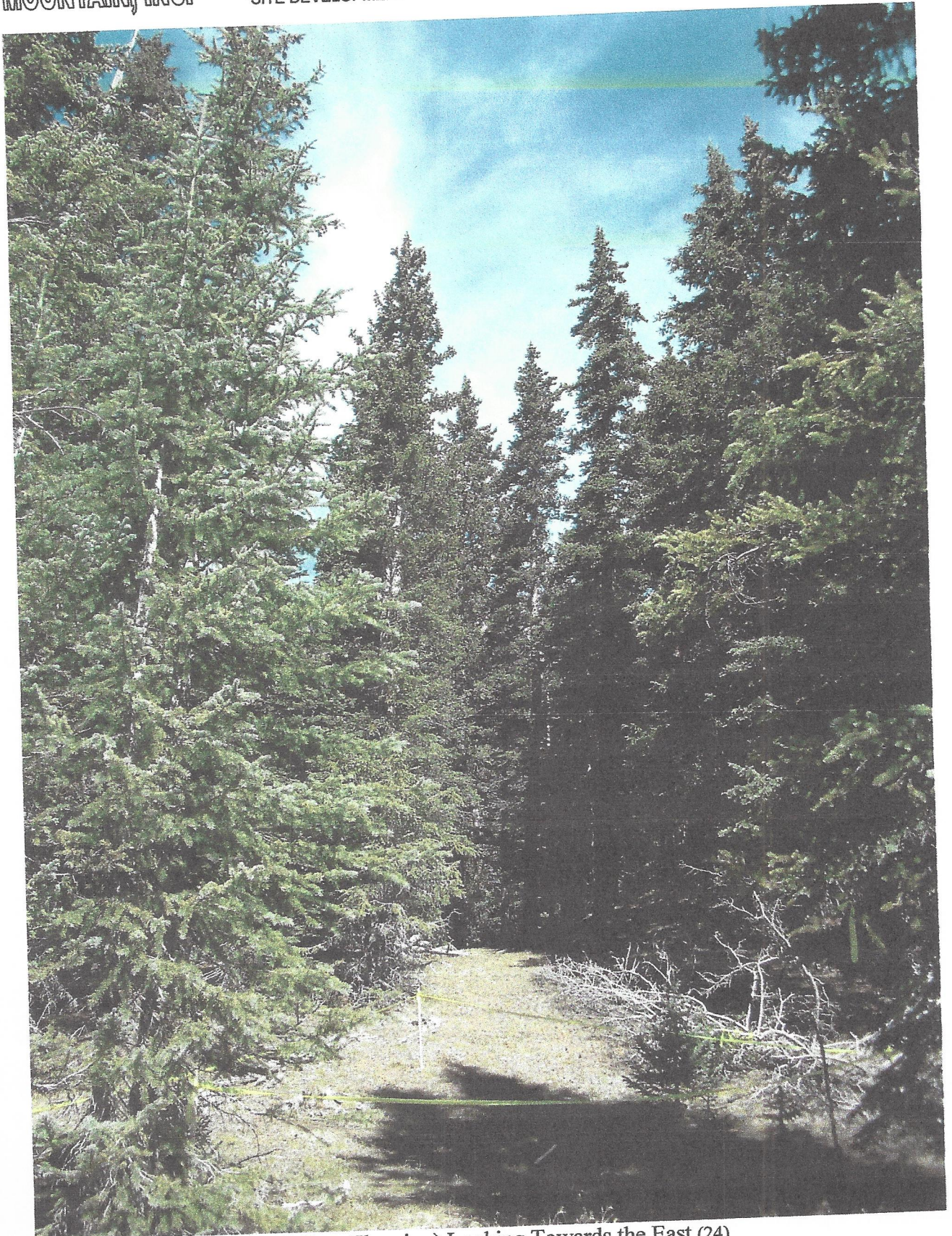
The proposed cabin location was selected by the Applicant. It is moved back into the trees, away from a buildable, clearing/overlook area, which has an expansive view of local mountains. The building site was in part originally chosen by the Project/County Surveyor Earnie Schaaf when he surveyed the property. Earnie Schaaf placed a "building site" survey pin at the clearing overlook area, which he considered at the time to be the best building site on the property. The Applicant has moved the cabin location back from the survey pin and overlook into the trees. This creates much less of a view from the cabin, but also prevents visibility of the cabin from people looking towards the site. Building at the clearing overlook area could have potentially caused some visibility of the cabin, for a person standing on top of one of the local peaks, using binoculars. Placement of the cabin at the location proposed by the Applicant will remove the cabin from what we believe would be any potential pedestrian access viewsheds. The cabin will be located back behind and away from the clearing overlook, located in medium dense, tall, evergreen trees. It is not anticipated that it will be able to be seen from any County Roads or Highway 550.

The four corners of the proposed cabin have been staked, with the cabin perimeter marked with yellow surveyor's flagging tape. The cabin was staked in the field with approximate dimensions of 25 feet by 30 feet (750 square feet). Adjacent to the proposed cabin is a one-story proposed shed. The approximate location of the front wall of the proposed shed was also staked, and marked with blue flagging. The proposed Breed cabin will be in the same location as what was submitted for the previous property owner at this location; however, the proposed conceptual cabin footprint has been increased to 25 feet by 40 feet (a total footprint of 1000 square feet). The proposed shed has been conceptually designed as a maximum of 10 feet by 20 feet (200 square feet).

Photos of the proposed building site, proposed cabin location, proposed shed, and proposed septic system area are included on the following six pages.

**ENGINEER
MOUNTAIN, INC.**

*SOILS *RETAINING WALLS
*SEPTICS *FOUNDATIONS
*GRADING AND DRAINAGE
*SITE DEVELOPMENT

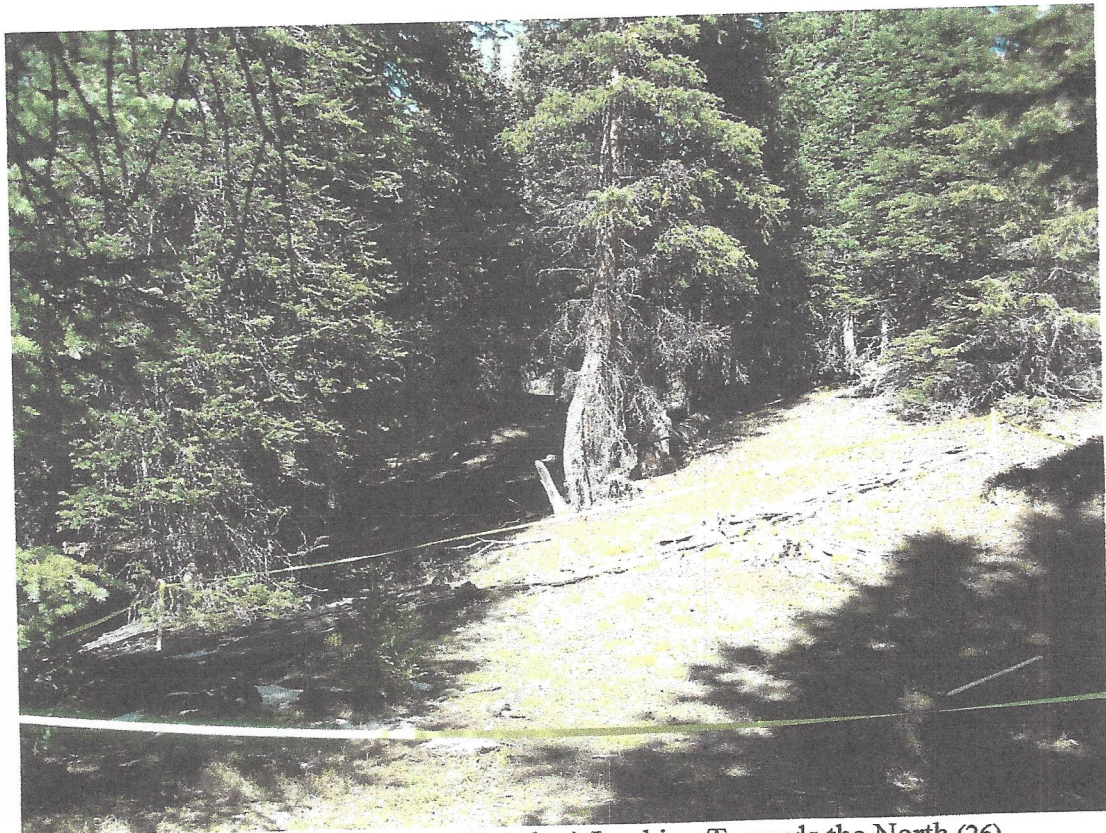


View of Cabin Footprint (Yellow Flagging) Looking Towards the East (24)

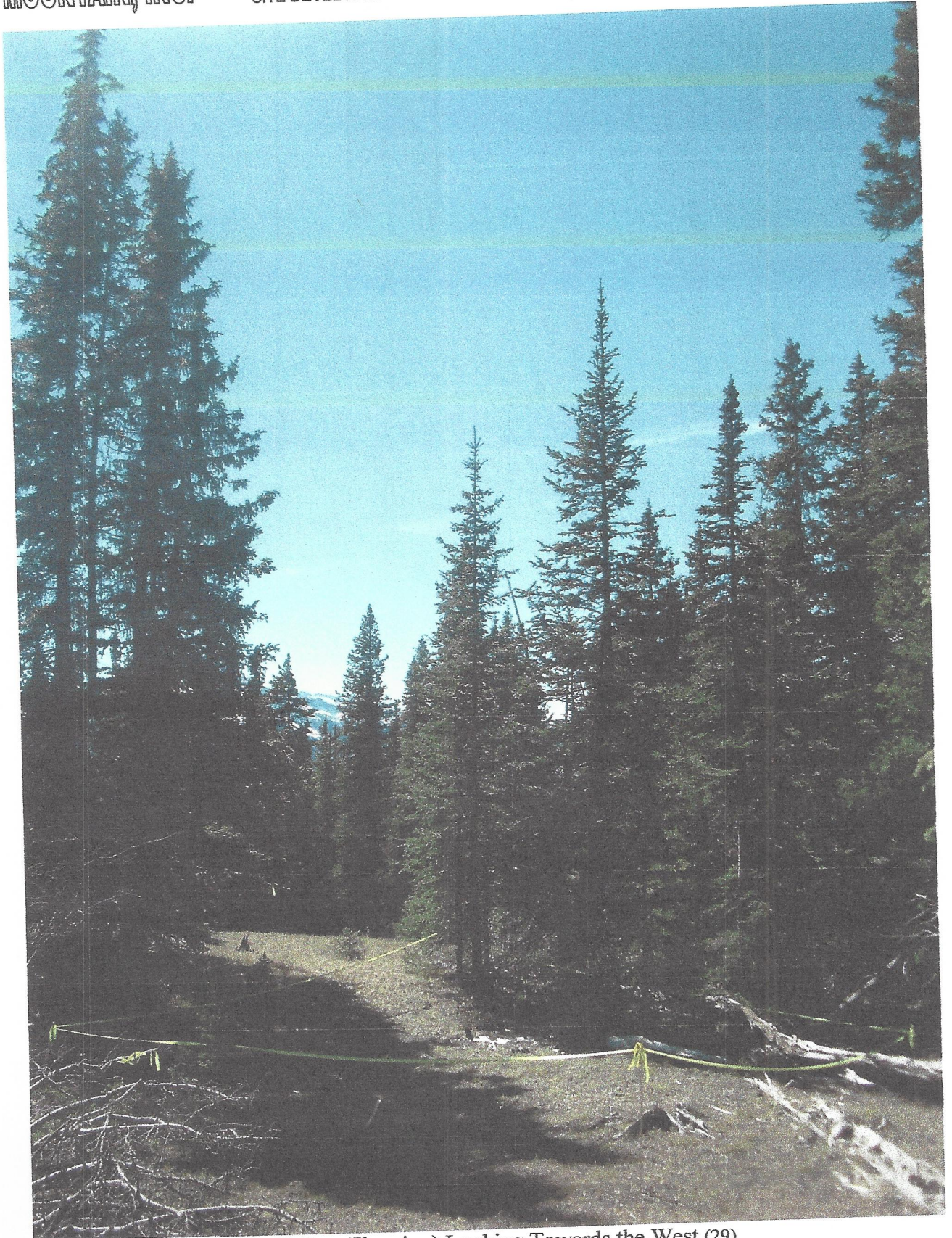
P.O. Box 526 - 962 Reese Street - Silverton, Colorado 81433 - phone/fax (970) 387-0500



View of Cabin Footprint (Yellow Flagging) Looking Towards the Northeast (25)



View of Cabin Footprint (Yellow Flagging) Looking Towards the North (26)



View of Cabin Footprint (Yellow Flagging) Looking Towards the West (29)



View of Cabin Footprint (Yellow Flagging) Looking Towards the Northwest (30)



View of Cabin Footprint (Yellow Flagging) Looking Towards the Southwest (31)



View of Cabin Footprint (Yellow Flagging) Looking Towards the South (32)



View of Cabin (Yellow), Shed (Blue), and Survey Pin Looking Towards the East (35)



View of Shed Footprint (Blue Flagging) & Survey Pin Looking Towards the East (36)



View of Septic System Area (Yellow) with Man near Survey Pin in Background, Looking Towards the South (39)

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

In the County Scenic Quality Report regulations, it is requested that we provide information about the view FROM the building site.

A color photo is included on the following page, showing the view FROM within the staked cabin footprint. The photo was taken in the approximate location of where the front of the cabin will be located. The proposed cabin yellow flagging is visible in the foreground of the picture. The view from the cabin is looking towards the clearing overlook area. The clearing overlook area has an expansive view of local mountains.

County Roads and Highway 550 are not visible from the cabin, as shown in the photo following this page. Therefore, we expect that views of the cabin from local County Roads or Highway 550 would also be unlikely.

Views from the proposed cabin in the other three directions (from the back and sides) are obscured by the existing dense evergreen trees.

On the following page is a color photo of the view from the proposed cabin, looking towards the southwest.

**ENGINEER
MOUNTAIN, INC.**

*SOILS *RETAINING WALLS
*SEPTICS *FOUNDATIONS
*GRADING AND DRAINAGE
*SITE DEVELOPMENT



VIEW FROM PROPOSED CABIN (Yellow Flagging) Towards Survey Pin and Mountains,
Looking Towards the Southwest (34)

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

This section of the Scenic Quality Report includes information on how the views of and from the site will be preserved, and the proposed mitigation measures used to reduce any impacts the project may have on these views. The County regulations require this information, in order to provide the Planning Commission and Board of County Commissioners with:

Evidence that the location of the structure is designed to minimize the visual impacts and to not detract from the scenic quality of adjacent public lands or existing trails.

- The proposed cabin site was selected because it is located within dense trees.
- The proposed cabin location is pushed back into the trees, away from the optimum building location at the clearing overlook area - which would have provided wonderful views from the cabin, but also would have created the potential for public viewing of the cabin from pedestrian-access terrain and peaks.
- The cabin location selected by the Applicant will require minimal tree clearing – only as required for fire protection, according to the Firewise booklet adopted by San Juan County.
- The location and orientation of the cabin and shed have been selected to minimize the possibility of it being viewed from any direction.
- The proposed cabin and shed are located in a nearly-flat area, in order to minimize disturbance of the existing natural terrain.
- Trees within the proposed building envelope are estimated at 20 to 50 feet tall.

Draft floor plans prepared by Residential Engineering and the draft front elevation sketch prepared by Matt Green, EIT of Silverton are included on the following three pages for your review.

STAMP:

SUBMITTAL:
NOT FOR
CONSTRUCTION

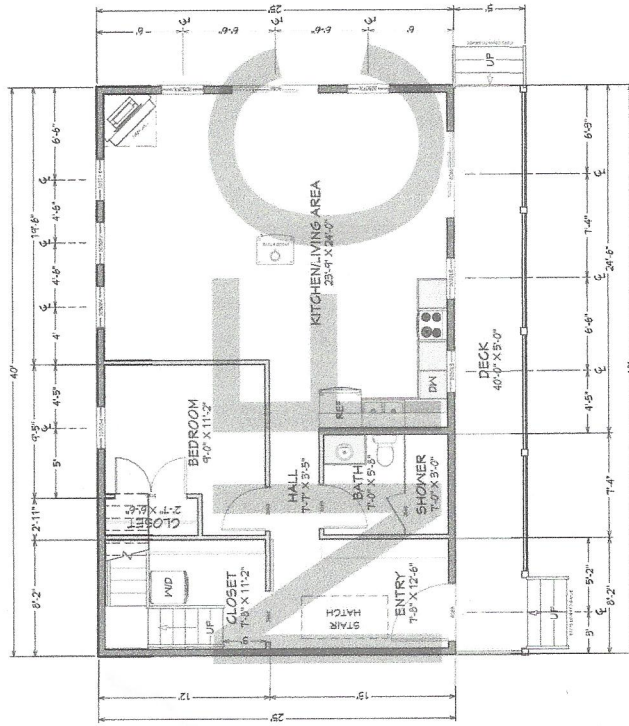


DAVID BREED
RESIDENTIAL DESIGN
FIRST FLOOR PLAN

2112-011.P057
PROJECT NO.:

A1.1

SHEET NO.:



LIVING AREA
1000 SQ. FT.

FIRST FLOOR PLAN

STAMP:

SUBMITTAL:
NOT FOR
CONSTRUCTION

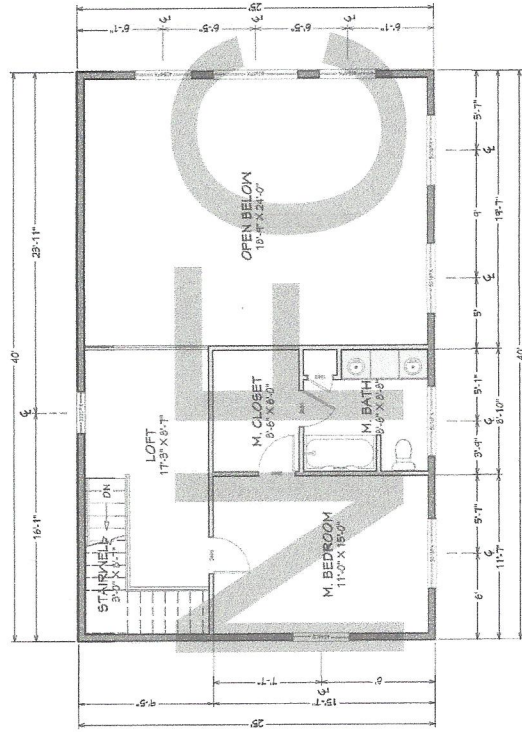


DAVID BREED
RESIDENTIAL DESIGN
SECOND FLOOR PLAN

2112-011.P057
PROJECT NO.:

A1.2

SHEET NO.:

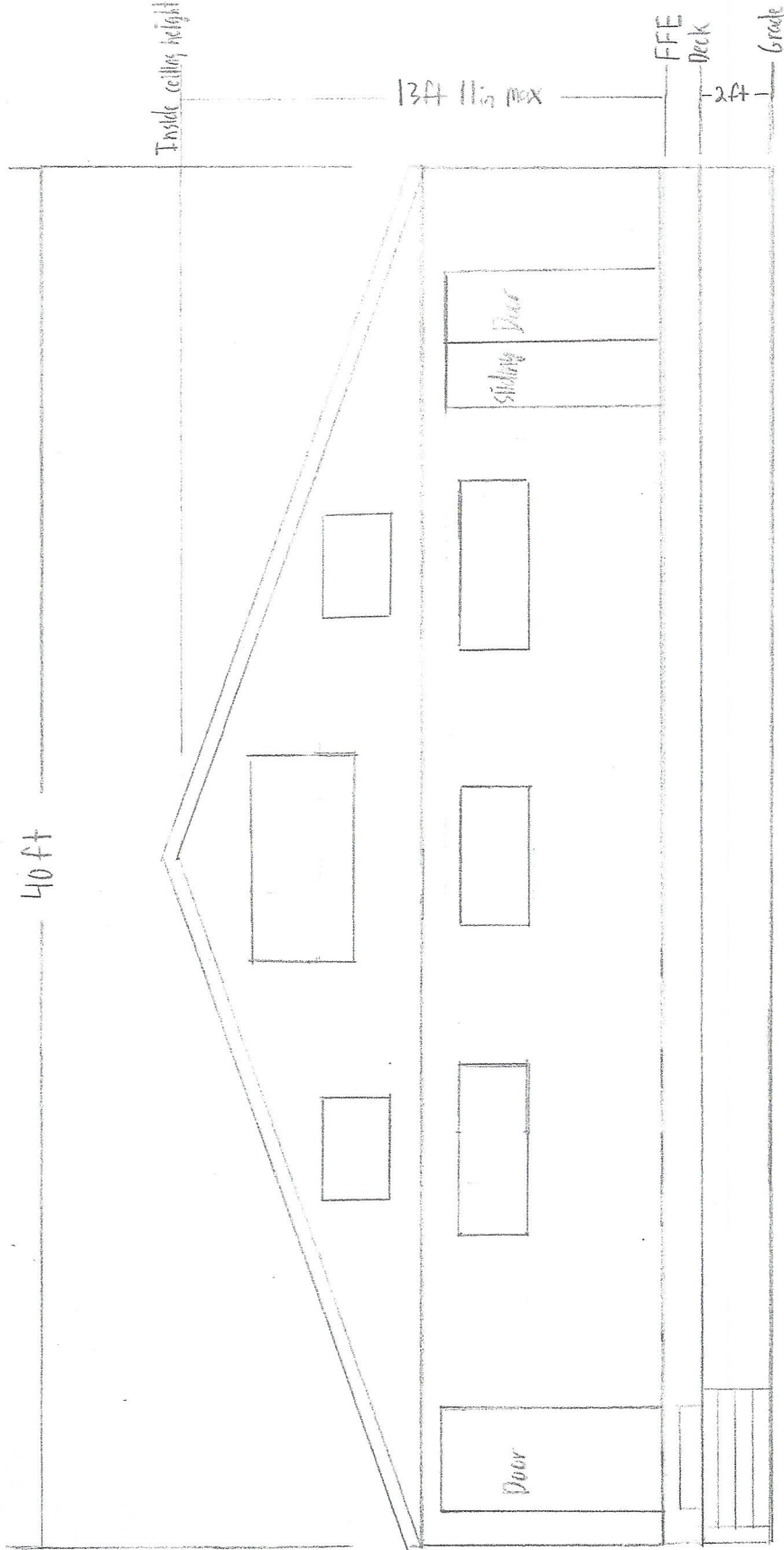


SECOND FLOOR PLAN

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



Front View of Cabin



NOT FOR CONSTRUCTION

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

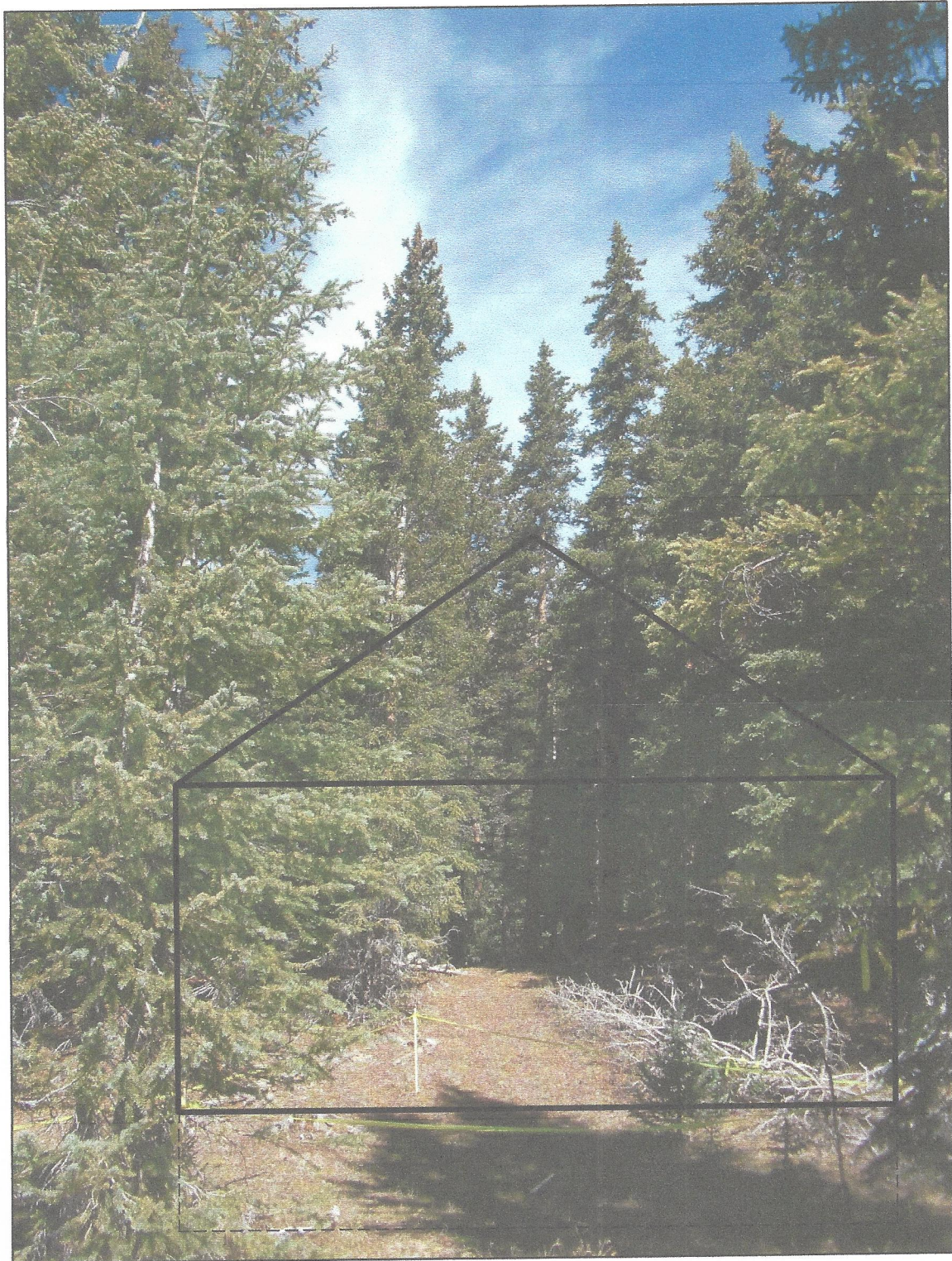
The County regulations require that the Scenic Quality Report includes information regarding the following:

Evidence that the designs orient improvements in ways that allow them to blend in with and utilize the natural topography. The submittal shall include, but not be limited to, elevations at a scale suitable for a determination that all standards in this section have been met, Three-Dimensional Modeling, etc.

The proposed cabin is being designed as a maximum 1,000 square feet structure with a loft.

We have created a graphic depiction of the approximate size of the cabin on a photo in AutoCAD. The outline of the front wall of the cabin has been drawn onto the front two stakes in the photo in AutoCAD. The stakes were placed approximately 30 feet apart. The height above the existing ground surface to the finished floor elevation was estimated at approximately 30 inches, in order to prevent snow from melting into the cabin.

The AutoCAD drawing - showing a graphic depiction of the proposed cabin's approximate location, orientation, conceptual height, size, and scale - is included on the following page.



DATE: NOVEMBER 13, 2013

DRAWN BY: LMA

LAYOUT/LMAN: CABINPIC / N/A

DWG: 7-113/Scenic Photo w Cabin.dwg

LAST REVISED: AUGUST 29, 2024

CONCEPTUAL GRAPHIC DEPICTION OF FRONT OF CABIN

PROPOSED BREED CABIN, UTE CHIEF LODGE

COUNTY ROAD 33A, DEER PARK

SAN JUAN COUNTY, COLORADO



ENGINEER MOUNTAIN INC.

formerly MACKIE Engineering

P.O. BOX 526, SILVERTON, COLORADO 81433

(970) 7 387-0500

- *SOILS *RETAINING WALLS
- *SEPTICS *FOUNDATIONS
- *GRADING AND DRAINAGE
- *CIVIL SITE DEVELOPMENT

engineermountaininc@gmail.com

PAGE

18

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

The County regulations require that the project should include the following:

Plans to remove and save topsoil, prior to any grading or excavation and replacement, for reuse during re-vegetation.

Any topsoil found during construction of the proposed driveway, cabin, and shed will be carefully stockpiled on-site, to be used for landscaping.

The County regulations require that the project should include the following:

Location and installation of utilities in ways that will cause the least damage to the natural environment.

The project includes the following proposed utilities: a proposed underground septic system, a proposed underground water tank (cistern), an additional cistern near the cabin or in the shed, and some associated underground buried water and sewer piping. The septic system location was selected based on San Juan County Public Health Department regulations and setbacks. The buried cistern location was selected to allow gravity flow of water to the cabin (eliminating the need for a pump, thereby reducing power usage), and a gravity powered pipe fed from a nearby stream into a cistern. The water and sewer construction will occur with the least amount of disturbance necessary, in order to limit damage to the natural environment. No electric or overhead powerlines are proposed. Power and heat sources are to include solar, propane, a woodstove, a propane boiler (for in-floor heating pipes with wood backup), and a backup generator, and these items are not anticipated to cause physical damage to the natural environment.

The County regulations require that the project should include the following:

Provisions requiring shielding of exterior lighting to prevent direct visibility of light bulbs from off-site, directing of all exterior lighting toward either the ground or the surface of a building and prohibiting high intensity sodium vapor or similar lighting.

The proposed exterior lighting for this project is a minimum amount of automatic on-off motion detection solar lights, just enough for safety purposes. No sodium vapor lights are proposed or will be used. We would suggest one solar powered light at each door.

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

The County regulations require that the project should include the following:

Design and construction plans for roads and associated structures that bear a logical relationship to existing topography to minimize the need for cuts and fills.

The driveway for this project was approved in 2014 and constructed in 2014 or 2015. No driveway improvements are proposed at this time, unless required by the County.

The existing driveway was designed to permit vehicular access while minimizing ground disturbance. It starts on the Broadway Lode, where Brant Heidlebaugh of Silverton had a driveway built on County Road 33A (Deer Park Road). The Broadway Lode is now owned by Michele and Garrick Dooley. The existing driveway then crosses the Moqui Chief Lode, owned by Bruce Conrad and Sharon Lantz of Silverton. The driveway then enters the Ute Chief Lode and provides access to the proposed Breed cabin building envelope.

The driveway was constructed to minimize disturbance and environmental impacts. Please refer to the 2013 Land Use Permit and driveway plans included in this submittal for additional information.

SCENIC QUALITY REPORT

Ute Chief Lode

Prepared By Engineer Mountain, Inc.

The County regulations require that the building design should include the following:

Utilization of colors and textures found naturally in the landscape and prohibition of reflective materials, such as highly reflective glass or metals.

The proposed colors and textures of the cabin are the following:

- Squared wooden logs with a natural-colored brown stain/treatment
- Non-reflective brown propanel roofing.

Color photos of the proposed conceptual building materials are included on the following page.

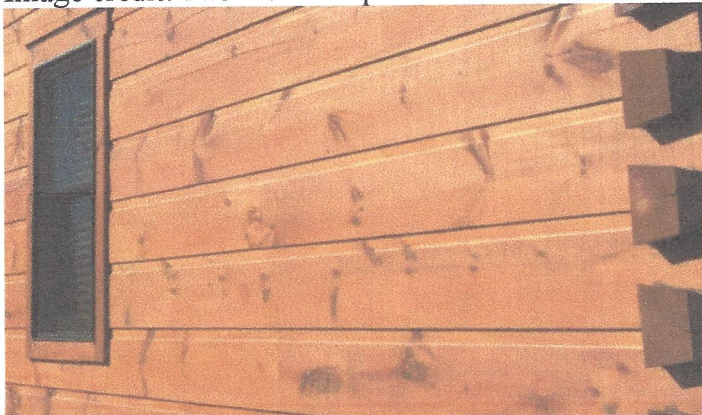
SCENIC QUALITY REPORT

Ute Chief Lode

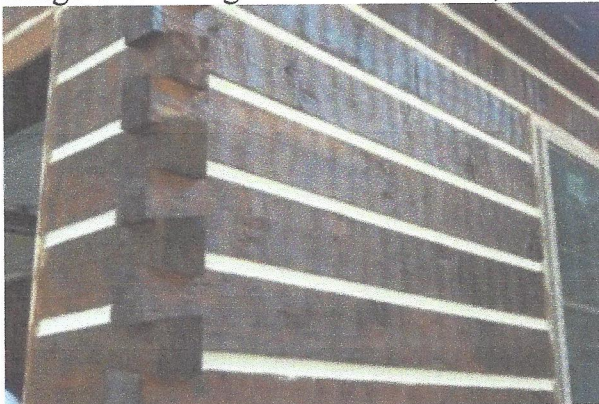
Prepared By Engineer Mountain, Inc.



Example of brown propanel roofing.
Image credit: The Home Depot



Example of Squared log cabin siding.
Image Credit: Log Houses of America, Inc.



Example of Squared log cabin siding with white chinking.
Image Credit: logcabinsforless.com

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In conclusion, this project appears to be in conformance with the County Scenic Quality regulations in the following ways:

- The building site location was selected based on the dense, tall tree cover, which will shield view of the cabin from surrounding viewpoints.
- The orientation and design of the proposed structures works with the natural terrain of the property, and not against it.
- The optimum building site (at the clearing overlook area with expansive views) was not selected, because it could have potentially caused the cabin to be visible from some nearby pedestrian access terrain.
- The driveway alignment had been constructed along the natural contour to limit grading and any unnecessary tree clearing.
- The colors and textures of the materials selected for the cabin and shed (brown wood and brown propanel roofing) blend in with the colors of the natural surroundings.
- It is expected that viewing this cabin from any County Roads, Highway 550, and even local pedestrian-access terrain/peaks will be difficult to impossible – because of the cabin location selected by the Applicant, moved back into the trees, away from the optimum building site with views.

Thank you for your consideration and review of this project, for the proposed Breed Cabin on the Ute Chief Lode. If you would like additional information, please contact Engineer Mountain, Inc. at (970) 387-0500, or Applicant David Breed at (603) 738-7161.