



ROUTT COUNTY

Board of County Commissioners

800 West 17th Street
Greeley, Colorado 80639

(970) 379-3100
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SPECIAL USE PERMIT

Routt County
Board of County Commissioners

Permit No.: PP2007-009

Project Name: Murphy-Larsen Water System Special Use Permit

Owner: Entelco Corporation, an Ohio corporation

Type of Use: Domestic water system to provide service for twelve (12) 35-to-50 acre lots

Location/Legal Description: Lands in Sections 17-20, Township 9 North, Range 85 West

Period of Permit: Life of Use

Board Approval Date: May 8, 2007

Conditions of Approval:

General Conditions:

1. The Special Use Permit (SUP) is valid for the life of the use provided it is acted upon within one year of approval. The SUP shall be deemed to have automatically lapsed if the uses permitted herein are discontinued for a period of one (1) year.
2. The SUP is contingent upon compliance with the applicable provisions of the Routt County Zoning Regulations including but not limited to Sections 5, 6, and 8.
3. The SUP is limited to uses and facilities presented in the approved project plan. Any additional uses or facilities must be applied for in a new or amended application.
4. Any complaints or concerns which may arise from this operation may be cause for review of the SUP, at any time, and amendment or addition of conditions, or revocation of the permit if necessary.

5. In the event that Routt County commences an action to enforce or interpret this SUP, the substantially prevailing party shall be entitled to recover its costs in such action including, without limitation, attorney fees.
6. Permittee shall obtain all necessary permits and the water system shall be operated in compliance with all Federal, State and local standards and regulations, including but not limited to the requirements of the Colorado Department of Public Health and the Environment, Colorado Department of Natural Resources-Division of Water Resources and the Routt County Environmental Health Department.
7. This approval is contingent upon any required federal, state and local permits being obtained and complied with; the operation shall comply with all federal, state and local laws.
8. Fuel, flammable materials, or hazardous materials shall be kept in a safe area and shall be stored in accordance with state and local environmental requirements.
9. All exterior lighting shall be downcast and opaquely shielded in accordance with Section 6.3, Routt County Zoning Regulations.
10. Prior to the issuance of the permit, the permittee shall provide evidence of liability insurance in the amount of no less than \$1,000,000 per occurrence with either unlimited aggregate or a policy endorsement requiring notice to Routt County of all claims made. Routt County shall be named as an additional insured on the policy.
11. Transfer of this Special Use Permit may occur only after a statement has been filed with the Planning Director by the transferee guaranteeing that they will comply with the terms and conditions of the permit. If transferee is not the landowner of the permitted area, Transferee shall submit written consent to the transfer by the landowner. Failure to receive approval for the transfer shall constitute sufficient cause for revocation of the permit if the subject property is transferred. Bonds, insurance certificates or other security required in the permit shall also be filed with the Planning Director by the transferee to assure the work will be completed as specified. Any proposal to change the terms and conditions of a permit shall require a new permit.

Specific Conditions:

1. All disturbed areas shall be reseeded with seed mixes that avoid the use of aggressive non-native grass seed within one growing season.
2. Weed control shall be completed annually by the permittee along all cleared or disturbed areas. The operator shall prevent the spread of weeds to surrounding lands, and comply with the Colorado Noxious Weed Act and Routt County noxious weed management plan.

3. Evidence of approval of the water system by the Colorado Division of Water Resources, the Colorado Department of Public Health and Environment, Water Quality Division, and the Routt County Environmental Health Department shall be submitted prior to operation of the water system. All standards and conditions of approval of these agencies shall be incorporated as part of this SUP approval.
4. Water system shall be designed and operated with a treatment system such that water will meet Colorado Department of Public Health and the Environment standards.
5. Best Management practices as outlined in the "*Routt County Water Quality Protection and Erosion Control Guidelines*" shall be followed for all structures allowed by this permit. Permittee shall obtain and comply with any required grading and excavation permits from the Routt County Road & Bridge Department.
6. An engineer's design and/or report addressing appropriate construction and operation methods necessary for water system construction and operation in areas of Slope Failure Complex and that is based upon on-site investigations shall be submitted prior to initiation of construction and shall be complied with during the construction and operation of the water system.
7. All on-site materials and chemicals associated with the water system operations shall be stored in buildings approved herein.
8. The road accessing the water treatment and pumping facilities building from County Road 129 shall be named in accordance with County policy prior to issuance of any permit for said structure.
9. Until such time as approvals and permits have been obtained from the Department of Natural Resources-Division of Water Resources to serve additional single family residences, no more than fifteen (15) total Dwelling Units (single family residences and Secondary Dwelling Units) shall be served by this water system. At no time shall more than twenty-four (24) Dwelling Units be served by this water system.
10. The water system shall be conveyed to the homeowners' association at such time as fully constructed and homeowners' association has been formed.
11. Applicant shall provide documentation that the ongoing maintenance and long-term capital replacement needs can be met prior to operation of the water system.
12. The permittee shall obtain the appropriate Wetlands and Grading & Excavation permits prior to commencing construction of the augmentation pond.

Permit Issued by the Routt County Board of County Commissioners:

Nancy J. Stahoviak

Nancy J. Stahoviak, Chairman

Date

July 26, 2007

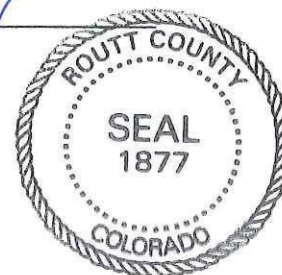
ATTEST:

Kay Weinland

Kay Weinland, Clerk and Recorder

Date

7-31-2007



ACCEPTED:

Stephen Stranchan

Permittee

Stephen Stranchan
President - Entelco Corp.

Date

July 9, 2007