

**Huerfano County
Land Use Department
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 117 (Bldg Department)**



November 8, 2023

This Letter is concerning Nicole Sudderth with property located at 25201 Highway 69, in the SE4 of SEC 13 TWP 26 RNG 70 (parcel number 15878) in Gardner. After investigating, the property, there is only one structure on the property and one camper. There were no code violations.

Nicole Sudderth had applied for a water tap permit with GPID to supply water to her property, and was approved by the Huerfano County Board of County Commissioners on 10/31/2023. Nicole Sudderth has now applied for a bulk water permit in Gardner instead of the water tap permit to provide water to the residence.

Please let us know if you have any further questions or concerns.

Best Regards,

Cheri Chamberlain

Huerfano County
Building and Code Enforcement
401 Main Street Suite 304
Walsenburg, CO 81089
(719) 738-1220 ext. 117 (Office)
(719) 248-6715 (Cell)
cchamberlain@huerfano.us

Ryan Sablich

Huerfano County
Building and Code Enforcement
401 Main Street Suite 304
Walsenburg, CO 81089
(719) 738-1220 ext. 118 (Office)
(719) 248-9019 (Cell)
rsablich@huerfano.us

Huerfano County
Building Inspector
Cheri Chamberlain
401 Main Street, Suite 304
Walsenburg, Colorado 81089
719-738-1220, Ext. 117



12/29/2023

Huerfano County Commissioners:

After reviewing Resolution 18-50, on page one under Application and Services it states “Inclusions. Water, bulk water and sewer service shall be furnished only to persons whose property is included within and subject to the Rules and Regulations of, and location by, the District. Issuance of a water account does not guarantee a source of water in perpetuity.”

There are no references in Resolution 18-50 to if you live in an area where a water tap can be obtained that one is required. It also does not state that a bulk water permit cannot be obtained in lieu of a water tap. However; a sewer tap is required by state law.

Also referencing C.R.S. 31 and 37 there is no mention if a water tap is available it must be used in lieu of a bulk water system.

Talked with the Division of Water Resources and they said that they did not know of any Colorado State rules or regulations as long as there is potable water available.

Please let me know if you have any questions,

Cheri Chamberlain
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Building Inspector and Code Enforcement
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Gardner Public Improvement District

Bulk Water Application

RE: 25201 Highway 69 Gardner, Co 81040
(Proposed Service Address)

Property Owner Information:

Printed Name: Nicole Sudderth Email: nicolesudderth@gmail.com

Address: PO BOX 231 Phone: 303 944 7319

City: Laveta State: CO Zip: 81055 Alt. Phone: () _____

A cistern as a primary water supply will only be permitted on parcels of land which were legally created prior to June 1, 1972 and on parcels which are thirty-five (35) acres or larger. A cistern as a primary water supply will only be permitted after all other options for water have been exhausted without success, it will be necessary for you to provide the following documentation submittals:

- Proof of property ownership: Accepted forms of ownership are a property deed, treasurer's deed, or file maintenance print out from the county assessor's office.
- Camping permit issued and approved from the Huerfano County Land Use Department.
- A written disapproval of a well permit application from the Colorado Division of Water Resources - Division 2; or a Well Construction and Test Report, Pump Installation Report, Driller's Log or other such documentation indicating a dry well.

Other information:

Residential status: Full Part time/seasonal _____

What type structures are currently on the property?

RV _____ Barn _____ House Garage _____ Shed _____
Pump house _____ Tiny Home _____ Electrical Service Yes No _____

County Resident: Huerfano or Non County Resident _____ Contractor _____

Definitions:

County Resident/Rate:

County resident status is defined as owning a parcel of land within the 81040 postal zip codes, or within the Upper Huerfano River drainage basin with a permitted and approved residence on the property.

The rate structure is \$0.04 cents per gallon up to 30,000 gallons per calendar year, limited to 2,500 gallons per month. Use exceeding 30,000 gallons per calendar year will be charged \$0.08 cents per gallon, limited to 1,500 gallons per month.

Non County Resident/Rate:

Non County resident is defined as an owner of any unimproved parcel of land within the 81040 postal zip codes, or within the Upper Huerfano River drainage basin.

\$0.08 cents per gallon up to 30,000 gallons per calendar year, limited to 2,500 gallons per month. Use exceeding 30,000 gallons per calendar year shall not be permitted.

Licensed Contractor of Huerfano County:

Licensed contractor's in Huerfano County shall be charged a rate of \$08.5 cents per gallon and limited to 15,000 gallons per calendar year.

Administrative Fee:

A **non-refundable** application administrative fee of \$50.00 dollars is due at the time of the application submittal.

Huerfano County has land use regulations. Account holders charged with a land use violation(s) shall have their bulk water account suspended. If determined that a violation does exist the remaining account balance will be forfeited and the account terminated. NO EXCEPTIONS. Issuance of a bulk was account does not guarantee a source of water in perpetuity.

Approval of all bulk water accounts is subject to inspection of subject property by a county representative and Board approval.

Applicant by signing this "Application" agrees to hold the District harmless for any damages to their property as a direct result of using the bulk water fill station.

Applicant Signature: Nicole Swadlow DL# _____ State CO

Administration to complete below information:

Date account opened: _____ Account # _____

Administrative fee paid by:

Cash _____ Check _____ Credit Card transaction 50.00

Bulk Water Fee:

Amount of bulk water fee collected: _____

Paid by:

Cash _____ Check _____ Credit Card transaction _____

Attach a copy of any/all receipts to this application.

Application received by:  Date 11/8/23

Application was reviewed at the regularly scheduled Huerfano County Board of County Commissioners meeting of _____

Application status:

Approved: _____ Denied: _____ Tabled: _____

ACCOUNT BALANCE
DEBRA J. REYNOLDS
KNOX COUNTY TREASURER
401 MAIN STREET
KNOX TN 37603
KNOXCOUNTY.CO.GOV

2025 MISCELLANEOUS RECEIPTS

4 10000

2027 0045,0518 GARAGE PUBLIC IMPROVEMENT DISTRICT 801 WATER SUPPLY ST W. #18

50.00 475485568

CREDIT CARD FD BY NICOLE SUBBATH 11-13-2023
POSTED 10-14-2023 SFD

TRANSACTION DATE 10/04/2023 AM 10:00

450.00



Huerfano County

401 Main Street,
Walsenburg, CO 81089

719-738-1220 Ext.103

GPID	Water Tap Permit
SITE ADDRESS: 25201 HWY 69 Gardner, CO 81040	ISSUED:
PARCEL: 15878	EXPIRES: Upon Termination

Permit Request Details:

3/4 Water Line to the property

APPLICANT: Nicole Sudderth

OWNER: Nicole Sudderth

Owner Address: PO Box 231 La Veta, CO 81055

PERMIT INFO:
Size of water line requested: 3/4

Commercial Residential

Requested completion date: ASAP

FEES:	Paid	Due
Administrative Fee	50.00	10/26/23

CONDITIONS

Upon approval of the Huerfano County
Board of County Commissioners

Total: 52.00

Action by the Authorized Permitting Authority

Approved
 Conditional Approval
 Denial

Name _____ **Signature** [Signature] **Date:** 10/31/2023

Comments _____ **Title** Chairman

WARRANTY DEED

State Doc Fee: \$4.00
Recording Fee: \$18.00

THIS DEED is dated the 21 day of September, 2023, and is made between

John A. Castro and Marie Y. Castro

(whether one, or more than one), the "Grantor" of the County of El Paso and State of Colorado and

Nicole Sudderth and John Brent Sudderth

the "Grantees", whose legal address is 25201 Highway 69, Gardner, CO 81040 of the County of Huerfano and State of Colorado

WITNESS, that the Grantor, for and in consideration of the sum of **Forty Thousand Dollars and No Cents (\$40,000.00)**, the receipt and sufficiency of which is hereby acknowledged, hereby grants, bargains, sells, conveys and confirms unto the Grantees and the Grantees' heirs and assigns forever, **not in tenancy in common but in joint tenancy**, all the real property, together with any improvements thereon, located in the County of Huerfano and State of Colorado described as follows:

A tract of land located in the Southeast One-quarter of Section 13, Township 26 South, Range 70 West of the Sixth Principal Meridian, County of Huerfano, State of Colorado, said tract being more particularly described as follows:

Commencing at the Southeast corner of said Section 13, monumented with a No. 6 Rebar with 3-1/4" Aluminum Cap LS No. 16163; Thence S 89°09'00" W (a bearing relative to the South line of said Section 13 between the Southeast corner, monumented with a No. 6 Rebar with a 3-1/4" Aluminum Cap LS No. 16163 and the South quarter corner monumented with a 3x2" bolt as it was accepted in 1870 per Town of Gardner Map, File No. E-52 dated June 10, 1964, assumed to bear S 89°09'00" W and to which all other bearings noted herein or relative along the South line of the Southeast one-quarter of said Section 13 a distance of 918.51 feet; thence N 00°51'00" W a distance of 216.00 feet to the Point of Beginning, said point being the North line of an existing alley as traveled;

- 1) Thence S 89°09'00" W along the North line of said alley a distance of 113.52 feet to a point on a fence line North, and also being a point on a Boundary Line Agreement;
- 2) Thence departing the North line of said alley N 00°51'00" W along said Boundary Line Agreement a distance of 161.73 feet;
- 3) Thence departing said Boundary Line Agreement N 88°07'28" E a distance of 116.08 feet;
- 4) Thence S00°02'20" W a distance of 163.83 feet, more or less, to the Point of Beginning

also known by street address as: 25201 Highway 69, Gardner, CO 81040

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the Grantees, and the Grantees' heirs and assigns forever.

The Grantor, for the Grantor and the Grantor's heirs and assigns, does covenant, grant, bargain, and agree to and with the Grantee, and the Grantee's heirs and assigns: that at the time of the ensembling and delivery of these presents, the Grantor is well seized of the premises above described; has good, sure, perfect, absolute and indefeasible estate of inheritance, in law, and in fee simple; and has good right, full power and lawful authority to grant, bargain, sell and convey the same in manner and form as aforesaid; and that the same are free and clear from all former and other grants, bargains, sales, liens, taxes, assessments, encumbrances and restrictions of whatever kind or nature soever, except and subject to: Statutory Exceptions as defined in C.R.S. § 38-30-113(5)(a).

And the Grantor shall and will **WARRANT THE TITLE AND DEFEND** the above described premises, in the quiet and peaceable possession of the Grantees, and the heirs and assigns of the Grantees, against all and every person or persons lawfully claiming the whole or any part thereof

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

Marie Y. Castro
Marie Y. Castro

John A. Castro
John A. Castro

1

State of Colorado
County of Huerfano

The foregoing instrument was acknowledged before me this 21 day of September 2023 by Marie Y Castro and John A Castro

Notary Public
My Commission Expires _____

ACCOUNT FILE MAINTENANCE

INQUIRY ONLY

Account Name SUDDERTH, NICOLE & JOHN BRENT
 Address 1 P.O. BOX 231
 Address 2 LA VETA
 Address 3
 Address 4
 State/Zip CO 81055 0000
 Property HWY. 69 # 25201
 Map Num 28-4875-134-00-229
 Prev Name1 CASTRO, MARIE Y & JOHN A
 Prev Name2

VALUES-ASSD	TAXABLE	EXEMPT
LAND	145	
IMPROVMENT	464	
TOTALS	609	
Ignore PP \$	14508	Exemption N
NOV #	6053	NOD #

Use 1212 City 00000 Subdv 0220
 Anlys 000 Tax/Dst 1GS Zone 00
 Exempt Late Filing Advrt Y Bnkprpt N
 ACRES: Master Legal Value
 00000000043 000 043

CHANGES

Parcel On 10/04/2023 By COHUPTON	CMD1-Value Change	CMD2-Legal Change
Name On 10/04/2023 By COHUPTON	CMD3-Both Changes	CMD4-Sales Change
Values On 04/01/2013 By COHUMELI		
Legal On 10/04/2023 By COHUPTON	CMD22-Abort Entry	HELP-More Details