



**PAID**

\$145.00

Property

Permit ID WP23-0028

Balance Owed

Street Address 8739 AURORA DR, MISSOULA, 59808

Permit Purpose

Purpose A new drinking water supply well to serve a single living unit. A well isolation zone easement (B1084 P690) and a COSA rewrite (B1086 P912) were completed for this permit.

Well Type

Type of Well New

Intended Use of Well Drinking Water Supply

Drinking Water Wells Individual

Number of Connections 1

Permit Conditions

Special Conditions

Please survey and stake the exact well location to ensure it is drilled in the exact location shown on the lot layout attached to this permit.

General Conditions

The well must be installed as shown on the attached site plan.

Ensure that the well is at least 100 feet from all existing and proposed drainfields and at least 50 feet from any sealed components of a wastewater treatment and disposal system.

Notify the Health Department when the well is ready for inspection by calling (406) -258-4755 or emailing envhealth@missoulacounty.us. Wells must be inspected for the permit to remain valid.

Maintenance Recommendations

General Recommendations

Drinking water wells should be tested routinely for bacterial contamination.

Bacteriological testing services are available at the Health Department in addition to several private labs in the area.

Several areas of Missoula County have shown to be high in nitrates or arsenic. The Department recommends well owners test drinking water wells for these constituents to determine if treatment is needed.

Protect your well from potential contamination by directing storm water away from the wellhead, keeping the well securely capped, and maintaining the screens on any openings.

Name

Phone # 406-239-1901

Street Address 4297 Spurgin Rd

City Missoula

State MT

Zip Code 59804

Company Name Ursus Equity, Inc

Name

Legal Description

Geo Code 04-2325-03-3-01-05-0000

T/R/S T14NR20W-03

COS 5955

Tract 2

Subdivision -

Long Description S03, T14 N, R20 W, C.O.S. 5955, PARCEL 2

Type of Parcel The parcel has a COSA

On-Site Wastewater

Any existing septic systems? Yes

Septic Permit Number SP22-0103

Permit Expiration

This permit is valid for 12 months after the date of issuance. The well must be inspected and approved by the Health Department within that time in order to remain valid.

Notice

This permit is issued based on the requirements in the Missoula City-County Health Code Regulation #5. The permit conditions are in effect upon issuance and apply to the applicant, and all current and future property owners. This permit does not release the applicant or owner from complying with any other State, Federal, or Local regulations including but not limited to zoning, building, and floodplain regulations.

This well cannot be used or connected to a structure until the Department has completed an on-site inspection and approved the final location. Regulation 5, Section 5 of the Missoula City-County Health Code states: (A) Prior to being used, all wells require a final inspection of the well location by the Department, unless specific permission has been granted by the Department.  
By signing this permit, I understand that the Department must receive notification within two (2) days of completion of this well.

Method of Notification and Delivery: Emailed app/owner (KC 04.05.23)



Health Authority

03/31/23

Date



Well Permit #: WP23-0028

## **NOTICE OF WELL INSPECTION REQUIREMENT**

Regulation 5 of the Missoula City-County Health Code requires the Department receive notification within two (2) days of this well being drilled.

Once the Department is notified that the well has been drilled, staff will visit the site to verify that the well location complies with the permitted location shown on the attached site plan.

**This well cannot be used or connected to a structure until the Department has completed an on-site inspection and approved the final location.**

*Regulation 5, Section 5: Inspections*

*(A) Prior to being used, all wells require a final inspection of the well location by the Department, unless specific permission has been granted by the Department.*

**By signing this permit, I understand that the Department must receive notification within two (2) days of completion of the well, and I understand that the well may not be used or connected to a structure until it has been inspected and approved by the Department.**

Permit Purchaser: \_\_\_\_\_  
(or representative)

Date: \_\_\_\_\_

Health Authority: 

Date: 03/31/23

**MCCHD STAFF USE ONLY**

Septic Application Fee: \$150.00

Permit Fee: Assessed when issued

Invoice #: \_\_\_\_\_

Date Paid: \_\_\_\_\_

**MCCHD STAFF USE ONLY**

Log # WP23-0028

Environmental Health

301 W. Alder Missoula, MT 59802

Phone 406.258.4755

envhealth@missoulacounty.us

[www.missoulacounty.us/HealthDept](http://www.missoulacounty.us/HealthDept)

## Wastewater Treatment System and Well Application

Please submit by email [envhealth@missoulacounty.us](mailto:envhealth@missoulacounty.us), mail/in person at 301 W Alder Street Missoula MT, 59902

**Assigned Address: Cannot accept application without** (Apply w/Co. Road Dept. 6089 Training Dr. 406.258.3701)

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip \_\_\_\_\_

**Legal Description of Site:** (Find on your tax statement or at <http://gis.co.missoula.mt.us/propertyinformation/>)

Geocode: 04-\_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ - \_\_\_\_ Short Legal: T \_\_\_\_ R \_\_\_\_ Section \_\_\_\_ ¼ Section \_\_\_\_

Certificate of Survey # or Subdivision Name: \_\_\_\_\_

Tract or Lot \_\_\_\_\_ Block (if applicable): \_\_\_\_\_ Size of lot or parcel: \_\_\_\_\_

### Owner Information

Owner's name \_\_\_\_\_

Owner's address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email: \_\_\_\_\_ Phone # \_\_\_\_\_

Owner Paying Invoice: Yes \_\_\_\_\_ No \_\_\_\_\_ EMAIL FOR INVOICE \_\_\_\_\_

### Applicant Information (if different from owner)

Applicant's name \_\_\_\_\_

Applicant's address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email: \_\_\_\_\_ Phone # \_\_\_\_\_

Applicant Paying Invoice: Yes \_\_\_\_\_ No \_\_\_\_\_ EMAIL FOR INVOICE \_\_\_\_\_

### Section 1

Are you applying for a well permit? YES ☐ (Fill out this section) NO ☐ (Skip to Section 2)

**Type of Well:** New \_\_\_\_ Replacement \_\_\_\_ Reason for Replacement: \_\_\_\_\_

**Intended Uses of Well:** \_\_\_\_\_

**Number and description of dwelling units and structures that will be connected to the well:** \_\_\_\_\_

**Must include a site map,  
and will the well be:**

At least 100 feet from septic systems

Yes \_\_\_\_ No \_\_\_\_

At least 100 feet from surface water

Yes \_\_\_\_ No \_\_\_\_

Out of the floodplain

Yes \_\_\_\_ No \_\_\_\_

## Section 2

Are you applying for a septic permit? YES ☐ (Fill out this section) NO ☐ (Skip to Section 3)

### Wastewater System Information:

Type of System: New \_\_\_\_\_ Replacement \_\_\_\_\_ Tank/Connection Only \_\_\_\_\_ Modification \_\_\_\_\_

Intended Use: Residential \_\_\_\_\_ Number of dwelling units \_\_\_\_\_ Number of bedrooms \_\_\_\_\_  
Will there be a basement? \_\_\_\_\_ Will it be finished? \_\_\_\_\_  
Commercial \_\_\_\_\_ Use \_\_\_\_\_ # Employees \_\_\_\_\_ # Customers \_\_\_\_\_  
Other \_\_\_\_\_ Describe Use \_\_\_\_\_

Surface Water: Describe closest surface water: \_\_\_\_\_ Distance to Drainfield: \_\_\_\_\_ (ft)

Drinking Water: What is the drinking water supply for the parcel? \_\_\_\_\_ (Well, Spring, Lake, etc)  
How many structures are served by the water supply? \_\_\_\_\_

Drainfield Elevation: Same/Below Septic Tank \_\_\_\_\_ (ft) Above Septic Tank \_\_\_\_\_ (ft)

Distance from Tank to Drainfield: \_\_\_\_\_ (ft)

Did you attach FLOOR PLANS? ☐ YES (cannot review septic application without)

Attach floor plans (no larger than 11" by 17") for all plumbed structures to be served by any wastewater system. Floor plans don't have to be to scale and can be hand drawn. Please, label all rooms, show doorways and windows.

## Section 3

Did you attach a SITE MAP? ☐ YES (cannot review septic or well application without)

Attached site plan (no larger than 11" by 17") showing the locations of all features listed below (existing and proposed). Site plans can, but don't have to be prepared to scale by a professional engineer or architect. If the site plan is not drawn to scale, include enough measurements to accurately depict where everything is on the property.

_____ Property Lines	_____ Wastewater Systems	_____ Wells
_____ Buildings	_____ Surface Water	_____ Easements and No Build Zones
_____ Roads & Driveways	_____ Floodplain/prone Areas	_____ Wells/Drainfields 100ft from Property

<b>On the site map, did you show measurements to the drainfield (septic only):</b>	At least 100 feet from wells	Yes _____ No _____
	At least 100 feet from surface water	Yes _____ No _____
	At least 100 feet from floodplain	Yes _____ No _____
	At least 10 feet from septic tanks	Yes _____ No _____
	At least 10 feet from property lines	Yes _____ No _____
	At least 10 feet from buildings	Yes _____ No _____
	Approximate slope across drainfield	Yes _____ No _____

Existing Structures and Facilities: Describe existing structures, wells and wastewater systems on the parcel:

**Certification:** I certify that the information I have provided on this application is accurate and true and that the submitted site map and floorplans are an accurate representation of all required elements.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

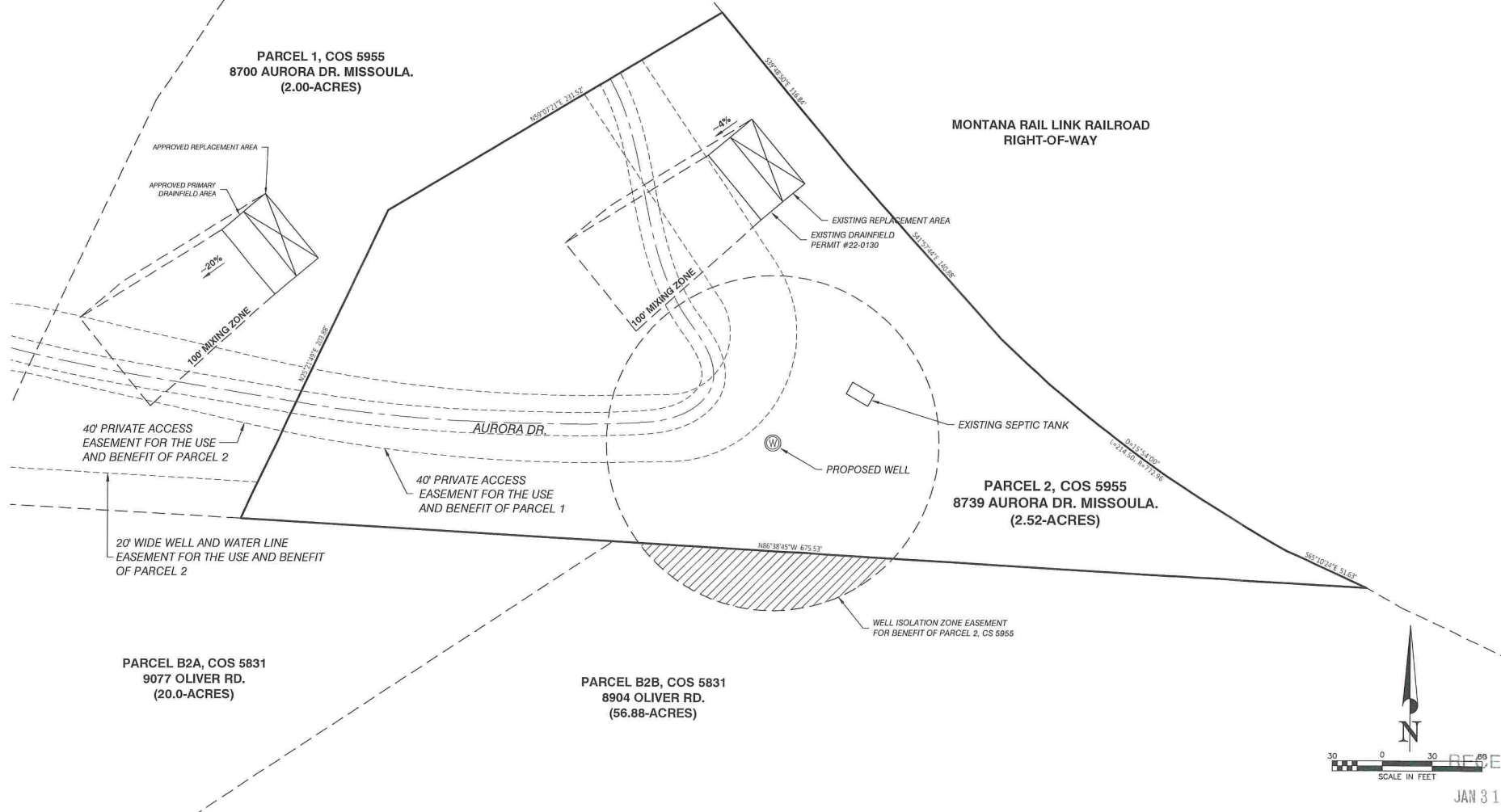
(A) KNOWN EXISTING, PREVIOUSLY APPROVED, OR PROPOSED WELLS, WASTEWATER SYSTEMS AND MIXING ZONES ON OR WITHIN 100' OF THE SUBDIVISION HAVE BEEN SHOWN ON THIS LOT LAYOUT.

(B) ALL SETBACKS PURSUANT TO ARM 17.36.323 ARE MET.

(C) NO LAKES, STREAMS, IRRIGATION DITCHES, WETLANDS AND SPRINGS PRESENT WITHIN 100' OF THE SUBDIVISION PERIMETER.

(D) ALL POTENTIAL SOURCES OF CONTAMINATION WITHIN 500' OF PROPOSED WELL ARE SHOWN.

Accepted under contract  
Acata English  
DEQ Representative Date 2-27-2023



**AVI BARDEN (URSUS EQUITY INC.)**

**PCI**  
Professional Consultants Inc.

DEC. 2022
LOT
ED LAYOUT

1

Subdivisions &amp; Public Water

RECEIVED DEC 10 2009

Return to: Gerald and Rae Jean Johnson  
(Name)  
12620 Hwy 93 N.  
(PO Box or street address)  
Missoula, MT, 59808  
(Town, state, zip)

202220932 B:1084 P:690 Pages:4 Fee:\$32.00  
12/15/2022 04:46:08 PM Easement  
Tyler R. Gernant, Missoula County Clerk & Recorder



**DECLARATION OF WELL CONTROL ZONE (aka WELL ISOLATION ZONE)**

THIS DECLARATION made on this 13<sup>th</sup> day of December, 2022, by  
Ursus Equity Inc., hereinafter referred to as DECLARANT:

WITNESSETH;

WHEREAS, the DECLARANT is the owner of Parcel 2 of COS 5955, S03, T14 N, R20 W, Lot 3, 2.52 AC, records of Missoula County, Montana, and said real property is situated within the 100-foot radius described on the hereto attached Exhibit A, and

WHEREAS, a well will be drilled upon Parcel 2 of COS 5955, S03, T14 N, R20 W, Lot 3, 2.52 AC, records of Missoula County, Montana, and said well will be located within the center of the 100-foot radius described on Exhibit A, attached hereto, and

WHEREAS, the DECLARANT, in order to protect the quality and purity of water from said well, is willing to impose certain restrictions upon portions of Parcel B2-B, currently owned by Gerald and Rae Jean Johnson, S10, T14 N, R20 W, Lot 4, 56.88 AC located within said 100-foot radius, said restrictions to run with the real property and to be binding on all parties having or acquiring any right, title, or interest in and to the said area under the terms and conditions herein stated,

NOW THEREFORE, SO LONG AS Exhibit A, records of Missoula County, Montana is used primarily for purposes subject to regulation as an Individual Water Supply, DECLARANT hereby declares that all of the property within a 100-foot radius of the well, hereinafter referred to as the WELL CONTROL ZONE, shall be held, sold, and conveyed SUBJECT to the following restrictions:

- No septic system, mixing zone wastewater disposal system, sewer lines, holding tanks, sewage lift station, French drain, or class V injection well, or any structure used to convey or retain industrial, storm or sanitary waste shall be located within the WELL CONTROL ZONE.
- No hazardous substances as defined by § 75-10-602 MCA, or gasoline, liquid fuels, petroleum products, or solvents shall be stored within the WELL CONTROL ZONE.
- No stormwater injection well, grass infiltration swale, or other stormwater disposal mechanism shall be located within the WELL CONTROL ZONE.
- No livestock shall be confined, fed, watered, or maintained within the WELL CONTROL ZONE.




- No private well shall be constructed within the WELL CONTROL ZONE
- No public roadway or public roadway easement shall be constructed or maintained within the WELL CONTROL ZONE.
- Pesticides including herbicides or insecticides shall not be applied or used in the WELL CONTROL ZONE.
- The application of fertilizers shall be at agronomic rates and applied only during the growing season within the WELL CONTROL ZONE.
- Activities in the WELL CONTROL ZONE that threaten the quality of water in the WELL CONTROL ZONE are prohibited.

These restrictions shall terminate and be of no further force and effect in the event: (1) said Parcel 2 of COS 5955, S03, T14 N, R20 W, Lot 3, 2.52 AC is no longer being used primarily for purposes subject to regulation as a Water Supply; or (2) the aforementioned well is discontinued as a source of water and is abandoned in accordance with the laws and regulations of the Montana Department of Natural Resources and Conservation.

Although the restrictions set forth above may be specifically enforced, DECLARANT hereby expressly disclaims any liability for any damages or injuries that may accrue or be incurred to any person or property due to any violation of the above described restrictions. Avi Barden, as the owner of said Parcel 2 of COS 5955, S03, T14 N, R20 W, Lot 3, 2.52 AC records of Missoula County, Montana hereby releases and covenants to hold DECLARANT (and its successors and assigns) harmless from any such liability for any damages or injuries to any person or property due to any violation of the above-described restrictions and said release and covenant shall bind the successors and assigns of Ursus Equity Inc. .

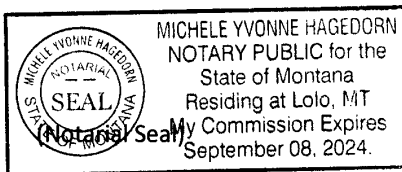
IN WITNESS WHEREOF, the undersigned have hereunto executed this DECLARATION, the day and year set forth besides each of their signatures below.

Date: 12/13/22

  
Avi Barden (Ursus Equity Inc.)

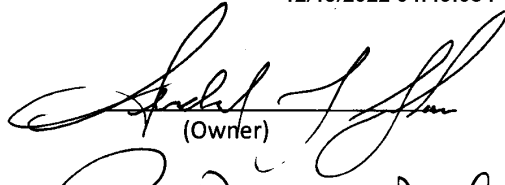
State of Montana  
County of Missoula : ss.

This instrument was acknowledged before me on this 13<sup>th</sup> day of December, 2022, by Avi Barden as owner of Ursus Equity Inc.

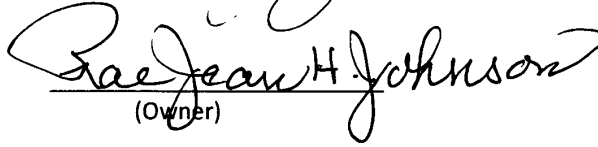


Michele Yvonne Hagedorn  
Printed Name: Michele Yvonne Hagedorn  
Notary Public for the State of Montana  
Residing at: Lolo, MT  
My Commission Expires: 9-8 2024

Date: 12-12-22

  
(Owner)

Date: 12-12-22

  
(Owner)

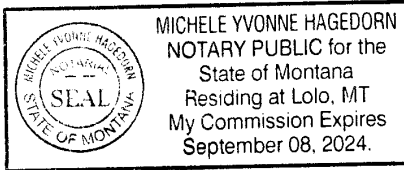
State of Montana

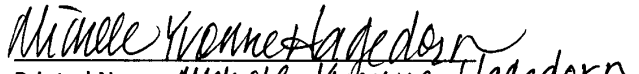
County of Missoula

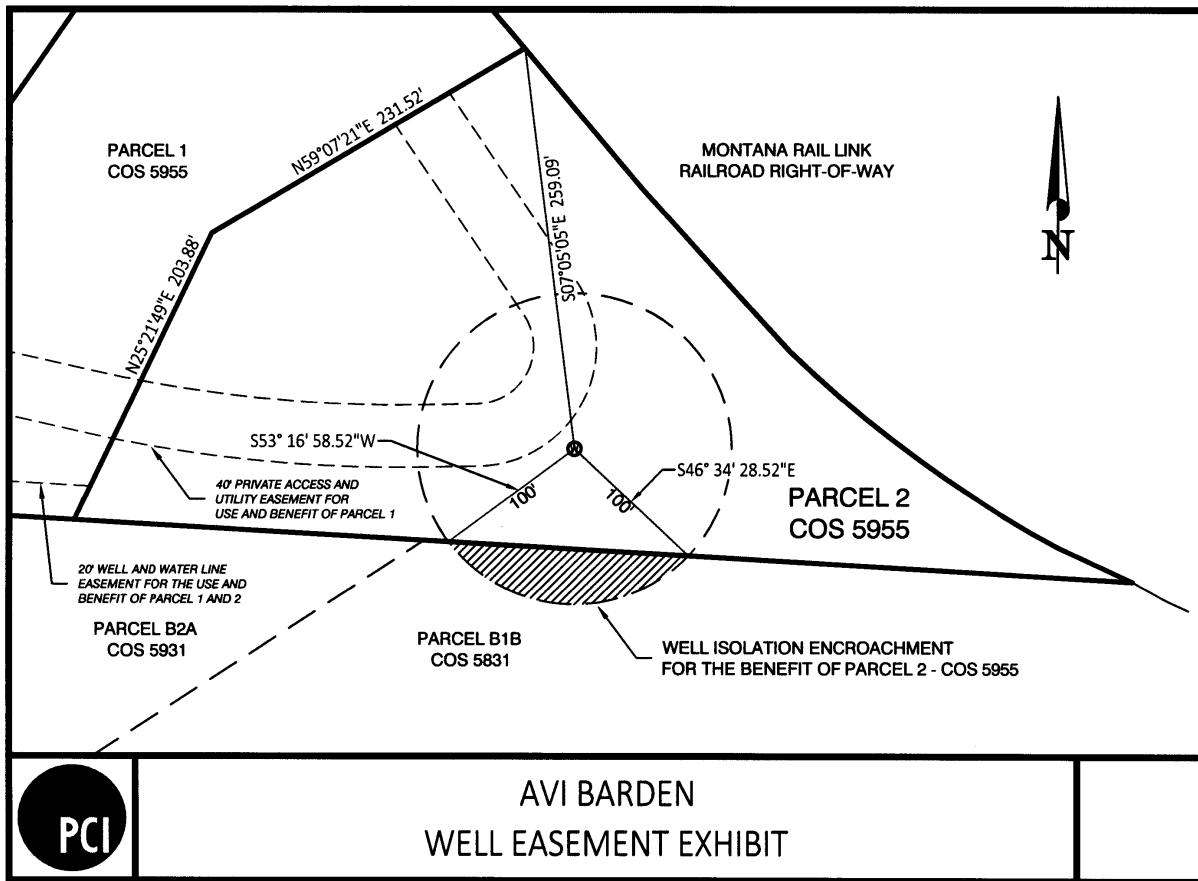
: ss.

This instrument was acknowledged before me on this 12<sup>th</sup> day of December, 2022, by  
Gerald Johnson and Rae Jean Johnson.

(Notarial Seal)



  
Printed Name: Michele Yvonne Hagedorn  
Notary Public for the State of Montana  
Residing at: Lolo, MT  
My Commission Expires: 09-08 20 24





202302419 B:1086 P:912 Pages:4 Fee:\$5.00  
03/08/2023 04:52:49 PM Certificate Of Subdivision P1  
Tyler R. Gernant, Missoula County Clerk & Recorder



March 2, 2023

Kane Leithead  
Professional Consultants Inc  
3115 Russell Street  
Missoula MT 59801-8538

RE: COS 5955 Parcel 2 Rewrite  
Missoula County  
E.Q. #23-1825

Dear Mr. Leithead:

The plans and supplemental information relating to the water supply, sewage, solid waste disposal, and storm drainage (if any) for the above referenced division of land have been reviewed as required by ARM Title 17 Chapter 36(101-805) and have been found to be in compliance with those rules.

Two copies of the Certificate of Subdivision Plat Approval are enclosed. The original is to be filed at the office of the county clerk and recorder. The duplicate is for your personal records.

Development of the approved subdivision may require coverage under the Department's General Permit for Storm Water Discharges Associated with Construction Activity, if your development has construction-related disturbance of one or more acre. If so, please contact the Storm Water Program at (406) 444-3080 for more information or visit the Department's storm water construction website at <http://www.deq.state.mt.us/wqinfo/MPDES/StormwaterConstruction.asp>. Failure to obtain this permit (if required) prior to development can result in significant penalties.

In addition, your project may be subject to Federal regulations relating to Class V injection wells. Please contact the United States Environmental Protection Agency regarding specific rules that may apply.

Your copy is to inform you of the conditions of the approval. Please note that you have specific responsibilities according to the plat approval statement primarily with regard to informing any new owner as to any conditions that have been imposed.

If you have any questions, please contact this office.

Sincerely,

Shawn Rowland M.S. R.S.  
Subdivision Section Supervisor  
Engineering Bureau  
Water Quality Division

SR/JL

cc: County Sanitarian  
County Planning Board (e-mail)  
Owner

STATE OF MONTANA  
DEPARTMENT OF ENVIRONMENTAL QUALITY  
CERTIFICATE OF SUBDIVISION PLAT APPROVAL  
(Section 76-4-101 et seq. MCA)

TO: County Clerk and Recorder  
Missoula County  
Missoula, Montana

E.Q. # 23-1825  
COS 5955 Parcel 2 Rewrite  
Owner: Bardin

THIS IS TO CERTIFY THAT the plans and supplemental information relating to the subdivision known as **COS 5955 Parcel 2 Rewrite, located Missoula** County, consisting of **one (1) parcel** has been reviewed by personnel of the Water Quality Division, and,

THAT **Parcel 2** was reviewed, and

THAT this Certificate of Subdivision Plat Approval supersedes E.Q. 06-1397 dated the 24th day of January 2006, and all copies should be marked superseded in the files, and,

THAT the documents and data required by ARM Chapter 17 Section 36 have been submitted and found to be in compliance therewith, and,

THAT the approval of the rewrite is made with the understanding that the following conditions shall be met:

THAT the parcel size(s) as indicated on the COS filed with the county clerk and recorder will not be further altered without approval, and,

THAT **Parcel 2** shall be used for **one (1) living unit**, and,

THAT the **individual water system** will consist of a well drilled to a minimum depth of 25 feet constructed in accordance with the criteria established in Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM and the most current standards of the Department of Environmental Quality, and,

THAT data provided indicates an acceptable water source at a depth of approximately 180 feet, and,

THAT a well isolation zone easement for the benefit and use of Parcel 2 has been filed with the county clerk and recorders (B:1084 P:690), and,

THAT the individual wastewater treatment and disposal system will consist of a septic tank and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and,

THAT **the sand-lined, pressure distribution** subsurface drainfield shall have an absorption area of sufficient size to provide an **application rate of 0.6 gallons per square foot per day**, and,

THAT when the present wastewater treatment and disposal system is in need of extensive repairs or replacement it shall be replaced by a septic tank and subsurface drainfield of such size and description as will comply with Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM, and,

THAT the bottom of the drainfield shall be at least four feet above the water table, and,

THAT no wastewater treatment and disposal system shall be constructed within 100 feet of the maximum highwater level of a 100-year flood of any stream, lake, watercourse, or irrigation ditch, nor within 100 feet of any domestic water supply source, and,

THAT all sanitary facilities will be located as shown on the approved plans and lot layout, and,

THAT the developer and/or owner of record shall provide the purchaser of property with a copy of the COS approved location of water supply and wastewater treatment and disposal system as shown on the attached lot layout, and a copy of this document, and,

THAT instruments of transfer for this property shall contain reference to these conditions, and,

THAT plans and specifications for any proposed wastewater treatment and disposal systems will be reviewed and approved by the county health department and will comply with local regulations and ARM, Title 17, Chapter 36, Subchapters 3 and 9, before construction is started.

THAT pursuant to Section 76-4-122(2)(a), MCA, a person must obtain the approval of both the State under Title 76, Chapter 4, MCA, and the local Health Officer, under Section 50-2-116(1)(i), before filing a subdivision plat with the County Clerk and Recorder.


THAT departure from any criteria set forth in the approved plans and specifications and Title 17, Chapter 36, Sub-Chapters 1, 3, and 6 ARM when erecting a structure and appurtenant facilities in said subdivision without Department approval, is grounds for injunction by the Department of Environmental Quality.

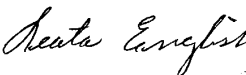
YOU ARE REQUESTED to record this certificate filed in your office as required by law.


DATED, this 26<sup>th</sup> day of January 2023

D'SHANE BARNETT, DIRECTOR  
MISSOULA CITY-CO. HEALTH DEPT.

CHRIS DORRINGTON  
DIRECTOR, DEQ

By:   
Kyle Crapster, R.S.  
Environmental Health Specialist II  
Missoula City-County Health Department

By:   
Shawn Rowland, MS, R.S.  
Subdivision Section Supervisor  
Engineering Bureau  
Water Quality Division  
Department of Environmental Quality



Reviewed by the Local Reviewing Authority  
Under contract with the  
Department of Environmental Quality  
*[Signature]* 01/24/23  
Local Reviewer Date  
Accepted under contract  
*[Signature]* 2-7-2023  
DEQ Representative Date

PRODUCT #		DATE		CHECKED	
DATE	TIME	DATE	TIME	DATE	TIME
REVISION		REVISION		REVISION	
REVISION		REVISION		REVISION	
REVISION		REVISION		REVISION	
REVISION		REVISION		REVISION	
REVISION		REVISION		REVISION	

PARCEL 1, COS 5955  
8700 AURORA DR. MISSOULA.  
(2.00-ACRES)

40' PRIVATE ACCESS  
EASEMENT FOR THE USE  
AND BENEFIT OF PARCEL 2

20' WIDE WELL AND WATER LINE  
EASEMENT FOR THE USE AND BENEFIT  
OF PARCEL 2

PARCEL B2B, COS 5831  
8904 OLIVER RD.  
(56.88-ACRES)

**DAVI BARDEN (URSUS EQUITY INC.)**  
**COS 5955 PARCEL 2 REWRITE**  
MISSOULA, MISSOULA COUNTY  
S03, T14 N, R20 W.

**Professional Consultants Inc.**  
Geophysics • Seismology • Hydrology • Geology

**PCL**

THE RUSSELL CO., JR. BOYD ROAD  
HARRISBURG, PENNSYLVANIA 17104  
PHONE (717) 326-1880  
FAX (717) 326-6676

PCL'S 200 WEST 57TH ST  
HARRISBURG, PENNSYLVANIA 17104  
PHONE (717) 364-1700  
FAX (717) 364-1725

DEC. 2022

D LOT  
LAYOUT

1

Water