



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

**MORGAN COUNTY COMMISSIONERS
FILE SUMMARY**

September 8, 2020

September 14, 2020 hearing date

**APPLICANT: Lindsey Deganhart
LANDOWNER: Kimberlee Deganhart**

This application was considered by the Planning Commission on August 10, 2020 and received a unanimous recommendation of approval on a vote of 6-0, with one member absent. On August 10, the day of the Planning Commission public hearing, comments were received from the State Engineer stating that there are two domestic wells within the proposed Lot 1 and requested those wells be plugged. Since the date of the Planning Commission approval, a request by the State Engineer to plug and abandon one of the domestic wells on the property and re-permit the second well, permit nos. 34309 and 47443. Morgan County Quality Water currently provides water to Lot 1 and will provide water to Lot 2 upon full payment of the water tap fees. On August 26, 2020 email from the state engineer's office stated that the two wells have been plugged and abandoned.

In addition, Xcel Energy stated they may need easements on the property. On August 28, an email was received from Xcel stating that they had reviewed the location and that new easements are not necessary.

This application is for the Deganhart Minor Subdivision in the S½ of Section 34, Township 5 North, Range 59 West of the 6th P.M. Morgan County, Colorado. The property is located north and west of the intersection of County Road 10 and County Road Y and addressed as 9681 County Road Y. The property is currently undeveloped and the lots will be residential and agricultural uses in the Agriculture Production zone district.

Lindsey Deganhart as applicant is requesting approval of a minor subdivision that will plat 115.48 acres into two lots, Lot 1 is 112.83 acres, Lot 2 is 2.65 acres, Assessor's parcel number 0973-340-00-019. There is an existing home with a small storage shed, lean-to and a 1-car garage on the proposed lot 1. All the existing structures exceed setback requirement from the lot lines to be created by this plat. There has been a series of five exemptions from the original parcel, which has resulted in the requirement for a subdivision process.

In reviewing an application for a minor subdivision the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.

The application documents are complete:

	Lot 1	Lot 2
Water	Quality Water Tap 1835	Quality Water Tap #TBD
Septic	NE Colo Health – no objection – existing septic	NE Colo Health – no objection – new septic
Access (3)	Road and Bridge – Existing	Road and Bridge – ok new
Fire	Wiggins Rural Fire	Wiggins Rural Fire
Soil map	Provided	Provided
Ext Svc	No AU proposed at this time	2 AU proposed at this time
Minerals	Not severed	Not severed
R-T-F	Complete	Complete

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan. The subdivision is located in the northwest planning area.

Chapter 2.II.C. 1., County Wide

Goals: Encourage the development where the proposed development is compatible with existing land uses – other exempted properties, minor subdivisions and small acreage properties are in the area.

There is access to existing infrastructure, Quality Water and County Roads.

- C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.
There is Rural Community Residential lots that adjoin Lot 1 in the southwest corner of the property. The remainder of the adjacent properties are zoned Agriculture Production. The property will maintain the Agriculture Production zone district.

County Road Y borders the property on the south, County Road 10 on the east; County Road 9.5 to the west which is maintained by Road and Bridge south of a private road sign and is adjacent to proposed lot 2, to the south is a 150' buffer strip between Lot 2 and the smaller lots of a Rural Community Residential zone and the Town of Weldona.

All appropriate notice requirements have been completed with no comments received as of August 28, 2020. Forty-four property owners within 1,320 feet were notified of the application; there have not been comments, either in favor or opposed.

Comments from referral agencies:

Xcel Energy requests communication with them regarding possible easement needs. This has been resolved, easements are not necessary

State Engineer requested that two domestic wells be closed, this has been resolved.

Suggested conditions:

1. Prior to recording of the plat, the Morgan County Quality Water tap will be paid in full.

Pam Cherry
Morgan County Planning Administrator



Pam Cherry <pcherry@co.morgan.co.us>

FW: Survey

2 messages

Lindsey Deganhart <lindsey@wickhamtractor.com>
To: "Pcherry@co.morgan.co.us" <Pcherry@co.morgan.co.us>

Thu, Aug 13, 2020 at 11:46 AM

Hi Pam,

Per Jakes email below, we will not need an easement for the subdivision. I am still working on the wells. I called the state yesterday and they gave me more information on what needs done. I thought there were only 2 irrigation wells on the property, but there are 2 domestic wells as well. The domestic wells are what they want addressed before the subdivision can be done. I will keep you updated on that.

Thank you!

Lindsey Deganhart

From: Jake Bragg [mailto:jake.bragg@hotmail.com]
Sent: Thursday, August 13, 2020 11:26 AM
To: Lindsey Deganhart <lindsey@wickhamtractor.com>
Subject: Re: Survey

Hi Lindsey,

I have reviewed the location of the gas and electric lines on your property and have determined that Xcel does not require new easements for the existing lines prior to subdividing the property so we are clear on our end. Let me know if you have questions.

Thank you,

Jake

Jake Bragg
Xcel Energy/Public Service Company of Colorado
Contract Right of Way Agent
P: 720-256-7465

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From: Lindsey Deganhart <lindsey@wickhamtractor.com>
Sent: Thursday, August 6, 2020 11:13 AM
To: Jake Bragg <jake.bragg@hotmail.com>
Subject: RE: Survey

Hi Jake,

I just wanted to follow up on this. Did they find anything?

Thanks,

Lindsey

From: Jake Bragg [<mailto:jake.bragg@hotmail.com>]
Sent: Wednesday, July 29, 2020 9:05 AM
To: Lindsey Deganhart <lindsey@wickhamtractor.com>
Subject: Re: Survey

Hi Lindsey,

I am going to have a surveyor come out to the property to see if there are any electric or gas lines that will need to be put into a new easement. Their company name is SEH and they will be driving a white pickup. I'll let you know if they locate anything.

Thanks,

Jake

Jake Bragg
Xcel Energy/Public Service Company of Colorado
Contract Right of Way Agent
P: 720-256-7465

The contents of this e-mail message and any attachments are intended solely for the addressee(s) and may contain confidential and/or legally privileged information. If you are not the intended recipient of this message or if this message has been addressed to you in error, please immediately alert the sender by reply e-mail and then delete this message and any attachments. If you are not

the intended recipient, you are notified that any use, dissemination, distribution, copying, or storage of this message or any attachment is strictly prohibited.

From: Lindsey Deganhart <lindsey@wickhamtractor.com>
Sent: Tuesday, July 28, 2020 3:10 PM
To: jake.bragg@hotmail.com <jake.bragg@hotmail.com>
Subject: FW: Survey

From: Lindsey Deganhart [<mailto:ljdhart@gmail.com>]
Sent: Monday, May 25, 2020 7:48 PM
To: Lindsey Deganhart <lindsey@wickhamtractor.com>
Subject: Fwd: Survey

Sent from my iPhone

Begin forwarded message:

From: nhay@kci.net
Date: May 15, 2020 at 9:29:25 AM MDT
To: Lindsey Deganhart <ljdhart@gmail.com>
Subject: Survey

Lindsey,

Hard copies will be in the mail to you today

Let me know if you need anything else

Thanks

Nicole Hay

Leibert-McAtee and Associates, Inc.

Land Surveyors

615 S 10th Avenue

P.O. Box 442

Sterling, CO 80751

Ph: (970) 522-1960

Fax: (970) 522-6930

Pam Cherry <pcherry@co.morgan.co.us>
To: Lindsey Deganhart <lindsey@wickhamtractor.com>

Thu, Aug 13, 2020 at 1:02 PM

Thank you, Lindsey. We have scheduled the subdivision for hearing before the County Commissioners on September 14 beginning at 9:00 a.m.

Pam Cherry, MPA, CFM
Morgan County Planning Administrator
Floodplain Administrator
231 Ensign Street; Box 596
Fort Morgan, CO 80701
970-542-3526
pcherry@co.morgan.co.us

[Quoted text hidden]



Pam Cherry <pcherry@co.morgan.co.us>

Re: Referral request - Deganhart Minor

Vargas-Johnson - DNR, Javier <javier.vargasjohnson@state.co.us>
To: Pam Cherry <pcherry@co.morgan.co.us>
Cc: kdeganhart@weldonvalley.org, Lindsey Deganhart <ljdhart@gmail.com>

Wed, Aug 26, 2020 at 10:11 AM

Dear Ms. Cherry,

Regarding the proposed Deganhart Minor Subdivision:

The applicant has plugged and abandoned both the exempt wells, permit nos. 34309 and 47443, and submitted the appropriate paperwork. As a result it is our opinion, pursuant to section 30-28-136(1)(h)(II), C.R.S., that the proposed water supply is physically adequate and can be provided without causing material injury to decreed water rights.

Our office can prepare a more formal letter if needed, please let me know if that is the case.

Let me know if you have any questions or concerns.

Sincerely,

Javier Vargas-Johnson
Water Resources Engineer



COLORADO
Division of Water Resources
Department of Natural Resources

P 303.866.3581x8227
[1313 Sherman St., Suite 821 Denver CO 80203](https://www.colorado.gov/gov/water)
javier.vargasjohnson@state.co.us | www.colorado.gov/water

[Quoted text hidden]



August 10, 2020

Pam Cherry
Morgan County Planning and Building Department
Transmission via email: pcherry@co.morgan.co.us

Re: Deganhart Minor Subdivision #2
Pt. S ½ of Section 34, T5N, R59W, 6th P.M.
Water Division 1, Water District 1

Dear Ms. Cherry:

We have reviewed the above referenced proposal to subdivide a parcel of approximately 115.48 acres into two lots. This office previously provided comments regarding this proposal on July 20, 2020, based on the premise that the referenced proposal was for a “one-lot” subdivision. This letter is a re-evaluation of the proposal as a two-lot subdivision. Lot 1 will be 112.83 acres and currently contains a single-family dwelling and outbuildings. Lot 1 will continue to be used for agricultural purposes. Lot 2 will be 2.65 acres and is proposed to be used for residential purposes.

Water Supply Demand

The estimated water requirements for this subdivision were not provided.

Source of Water Supply

According to a document included in the application materials from the Northeast Colorado Health Department dated May 28, 2020, Lot 1 is currently served by the Morgan County Quality Water District (“MCQWD”) through an existing tap. The proposed source of water for Lot 2 was identified as the MCQWD. The application included a Tap Request to the MCQWD for one ¾” tap prepared by NOCO Engineering Company and dated June 8, 2020. The subject property is located within the water service area of the MCQWD. According to information provided by the MCQWD in a letter dated December 19, 2007, the District’s commitments at that time totaled 3,572 tap equivalents, or 2,500.4 acre-feet per year, and their firm water supplies totaled 6,104 tap equivalents, or 4,273 acre-feet per year.

Based on records available to this office, there are two existing domestic wells within proposed Lot 1. Well permit no. 34309 was issued on June 24, 1968 and was constructed on June 26, 1968. Well permit no. 47443 was issued on July 16, 1971 and constructed on July 18, 1971.

Section 37-92-602(3)(b)(III), C.R.S., requires that the cumulative effect of all wells in a subdivision be considered when evaluating material injury to decreed water rights. With the adoption of Senate Bill 20-0155 on July 2, 2020, section 37-92-602(3) was amended to allow an existing exempt well permitted pursuant to section 37-92-602(3)(b)(II)(A) and constructed at the



time of the final approval of a land division to retain its presumption of noninjury after the land on which the well is located has been divided. Any well, proposed or existing, in an over-appropriated basin and in a tributary source that does not meet the requirements outlined in section 37-92-602(3)(b)(IV) shall be presumed to cause injury if it will be located in a post-June 1, 1972 subdivision.

Permit nos. 34309 and 47443 were not issued pursuant to section 37-92-602(3)(b)(II)(A) and therefore would be presumed to cause injury if they were to be located in a post-June 1, 1972 subdivision. However, because the subject property is greater than 35 acres in size, this office may be able to issue a new permit for **one (1)** of the two wells pursuant to section 37-92-602(3)(b)(II)(A) prior to final approval of the subdivision being granted, that would allow the use of the well for fire protection, ordinary household purposes inside not more than three single-family dwellings, the watering of poultry, domestic animals and livestock on a farm or ranch, and the irrigation of not more than one acre of home gardens and lawns. Upon approval of the subdivision, the provisions of section 37-92-602(3)(b)(IV) would require the re-permitted well to be the only well serving Lot 1. Our office therefore recommends that if the applicants wish to retain use of one of the wells, that well be re-permitted as the only exempt well on all 112.83 acres of proposed Lot 1, which would require the second well to either be plugged and abandoned or be included in a decreed augmentation plan. Because the subject property is located within the boundaries of the MCQWD, the application to re-permit the well would need to be accompanied by a letter from the water district stating that they do not object to the issuance of a well permit for the subject property.

If the applicant is unable or unwilling to re-permit one of the existing wells pursuant to section 37-92-602(3)(b)(II)(A), then both of the existing wells must either be included in a decreed augmentation plan, or must be plugged and abandoned since the provisions of section 37-92-602 which allowed for the issuance of the exempt well permits will no longer apply.

According to our records there are two non-exempt wells that are decreed to supply water for irrigation on the property, well permit nos. 13092-R and 5995-F. The wells were decreed in Water Court case no. W-4003 for the irrigation of 121 acres in Section 34, Township 5 North, Range 59 West of the 6th P.M. The water right for the subject wells is included on the 2020 Abandonment List. Both wells have been tagged and are under orders not to pump. Neither of the irrigation wells are included in an augmentation plan and must remain inactive until they are included in a substitute water supply plan approved by this office or a plan for augmentation decreed by the water court and until they meet the measurement rules. The proposed subdivision does not change the status of the wells with permit nos. 13092-R and 5995-F or the decreed water right.

State Engineer's Office Opinion

Based on the above, the State Engineer finds, pursuant to section 30-28-136(1)(h)(I), C.R.S., that material injury will occur to decreed water rights unless one of the two existing domestic wells is either re-permitted pursuant to section 37-92-602(3)(b)(II)(A), re-permitted as a non-exempt well pursuant to a court-approved augmentation plan, or plugged and abandoned, and the second is either re-permitted as a non-exempt well pursuant to a court-approved augmentation plan or plugged and abandoned.

Should you or the applicants have any questions regarding this matter, please contact Javier Vargas-Johnson of this office via email at javier.vargasjohnson@state.co.us.

Sincerely,



Sarah Brucker, P.E.
Water Resources Engineer

Cc: Owner (Kimberlee Deganhart, kdeganhart@weldonvalley.org)
Applicant (Lindsey Deganhart, ljdhart@gmail.com)
Well permit file nos. 34309, 47443, 13092-R, and 5995-F
Referral file no. 27210

DEC 4 1968
WRJ-25-68

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER

Index No. 3203
IDWD 1-1
Use 1
Registered _____

MAP AND STATEMENT FOR WATER WELL FILING

PERMIT NUMBER 34309

RECEIVED
JUL 30 1968
WATER SECT.
COLORADO
STATE ENGINEER

STATE OF COLORADO)
COUNTY OF Morgan) SS

WELL LOCATION 44
Morgan County

Know all men by these presents: That the undersigned

Weldon Valley School,

claimant(s), whose address is _____,

City Weldona, Colorado, states:

Claimant(s) is (are) the owner(s) of the well described hereon;

the total number of acres of land to be irrigated from this well

is _____; work was commenced on this well by actual con-

struction 25 day of June, 19 68;

the yield to be used from said well is 30 (gpm), for

which claim is hereby made for Domestic purposes;

that the average annual amount of water to be diverted is

_____ acre-feet; and that the aforementioned

statements are made and this map and statement are filed in

compliance with the law.

X
Claimant(s) _____

Subscribed before me on this _____ day of

_____, 19 _____.

My commission expires _____

Notary Public _____

WELL DATA

Date Completed June 26, 1968

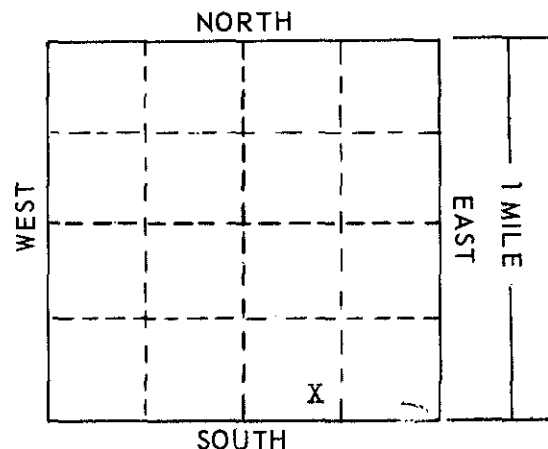
Static Water Level 6 ft.

Total Depth 29 ft.

SW $\frac{1}{4}$ of SE $\frac{1}{4}$, sec. 34

T. 5 N R. 59 W, 6 P.M.

INDICATE WELL LOCATION ON DIAGRAM



WELL SHALL BE LOCATED WITH REFERENCE
TO GOVERNMENT SURVEY CORNERS OR MON-
UMENTS, OR SECTION LINES BY DISTANCE
AND BEARING.

100 ft. from South section line.
(North or South)

1370 ft. from East section line.
(East or West)

Ground Water Basin South Platte River

Water Management

District _____

Domestic wells may be located by the following:

LOT _____, BLOCK _____

SUBDIVISION _____

FILING # _____

ACCEPTED FOR FILING IN THE OFFICE OF THE STATE ENGINEER OF COLORADO ON THIS

_____ DAY OF _____, 19 _____.

State Engineer

FORM TO BE MADE OUT IN QUADRUPLICATE: WHITE FORM MUST BE AN ORIGINAL COPY ON BOTH SIDES AND SIGNED.
WHITE copy & GREEN copy must be filed with the State Engineer within 30 days after well is completed. PINK copy
is for the Owner & YELLOW copy is for the Driller.

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

For Office Use only

PRIOR TO COMPLETING FORM, SEE INSTRUCTIONS ON REVERSE SIDE

RECEIVED

JUN 06 1997

WATER RESOURCES
STATE ENGINEER
COLO

CHANGE IN OWNERSHIP/ADDRESS / LOCATION

WELL PERMIT, LIVESTOCK TANK OR EROSION CONTROL DAM

1. NEW OWNER

NAME(S) Jim & Tom Degarhart
Mailing Address 23999 Rd 11
City, St. Zip Weld, CO
Phone (970) 645-2276

2. THIS CHANGE IS FOR ONE OF THE FOLLOWING:

- ☒ WELL PERMIT NUMBER 13092 R
☐ LIVESTOCK WATER TANK NUMBER
☐ EROSION CONTROL DAM NUMBER

3. WELL LOCATION: COUNTY Morgan OWNER'S WELL DESIGNATION irrigation

(Address) (City) (State) (Zip)
SE 1/4 of the SW 1/4, Sec. 34 Twp. 5 ☒ N. or ☐ S., Range 59 ☐ E. or ☒ W. 6th P.M.
Distances from Section Lines Ft. from ☐ N. or ☐ S. Line, Ft. from ☐ E. or ☐ W. Line.
Subdivision Lot Block Filing (Unit)

4. LIVESTOCK TANK OR EROSION CONTROL DAM LOCATION: COUNTY

1/4, Sec. Twp. ☐ N. or ☐ S., Range ☐ E. or ☐ W. P.M.

5. The above listed owner(s) say(s) that he (they) own the structure described herein.

The existing record is being amended for the following reason(s):

- ☒ Change in name of owner. ☐ Change in mailing address. ☐ Correction of location.

6. I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge.

[Pursuant to Section 24-4-104 (13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print)

Jim & Tom Degarhart

Signature

Jim Degarhart

Date

4/9/97

FOR OFFICE USE ONLY

ACCEPTED AS A CHANGE IN OWNERSHIP
AND/OR MAILING ADDRESS.

Hal D. Simpson

State Engineer

Sandy Johnson

By

Date

JUL 22 1997

Court Case No. Div. 1 Co. 44 WD 01 Basin MD Use

Best Copy Available

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER, GROUND WATER SECTION
REGISTRATION NO. 13092 OF WELL

RECEIVED
APR 27 1960
GROUND WATER SECT.
COLORADO
STATE ENGINEER

Registrant Grayson Crook Date Apr. 23 1960

P.O. Address Weldon, Colo.

WELL DATA
Depth 32 ft. Diameter 30 in.
Casing : 20 ft. Plain; 12 ft. Perfor.
Static Water Level 18 ft. from top
Yield 300 (gpm)(cfs) from 31 ft.

WELL LOCATION
County Morgan 44
N 41° E 1/4 Sec 34
Twp. 5N, Rge. 5W, 6 PM

Used for Irrigation on/at
N 1/2 Sec 34, T 5N, R 59W.
(legal description of land or site)

Water conveyed by Ditch size 12

PUMP DATA
Type Turbine Size 6"

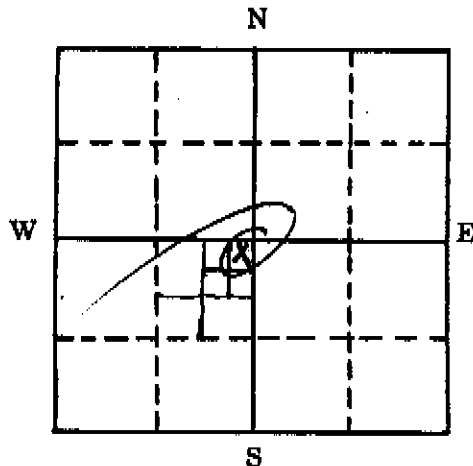
Driven by Electric Motor at 1800 RPM

Well was first used Aug, 1953

for Irrigation using 500 gpm

Well enlarged , 19 to
deepened
(gpm)(cfs)(ft)

LOG SHOULD BE GIVEN ON REVERSE
SIDE IF AVAILABLE



WELL TO BE LOCATED AS ACCUR-
ATELY AS POSSIBLE WITHIN A
SMALL SQUARE WHICH REPRESENTS
40 ACRES; OR IF IN A TOWN OR
SUBDIVISION FILL IN THE FOLLOW-
ING:

Town or Subdivision

Street address or Lot and Block

The above well ~~(has)~~ (has not) been registered in the Office of the State Engineer prior to May 1, 1957. If Registered give Filing No. .

If NOT Registered prior to May 1, 1957, a \$5.00 filing fee accompanies this form.

The above statements are true and correct to the best of my knowledge and belief.
Subscribed and Sworn before me

this 26th day of April, 1960

My commission expires Jan. 16, 1961

(SEAL) [Signature]
Notary Public

Grayson Crook
Registrant

FOR STATE ENGINEER'S USE

Located in 1-1 district, Morgan County for Irrigation

Index 2509
Registration No. 2509 in 1-1, on April 27, 1960

SEP 19 1960

Form F (Rev.) 4/74/60
7-57-5M

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER, GROUND WATER SECTION
REGISTRATION NO. 2509 WELL

RECEIVED

APR 27 1960

GROUND WATER SECT.

COLORADO

STATE ENGINEER

Registrant Grayson CrookDate Apr. 23 1960P.O. Address Weldon, Colo.

WELL DATA

Depth 32 ft. Diameter 30 in.Casing : 20 ft. Plain; 12 ft. Perfor.Static Water Level 18 ft. from topYield 500 (gpm)(cfs) from 31 ft.Used for Irrigation on/at

Pt. S. 1/2 34, T5N, R59W.
(legal description of land or site)

Water conveyed by Ditch, size 6"

PUMP DATA

Type Turbine Size 6"Driven by Electric at 1800 RPMWell was first used Aug, 1955for Irrigation using 500 gpm

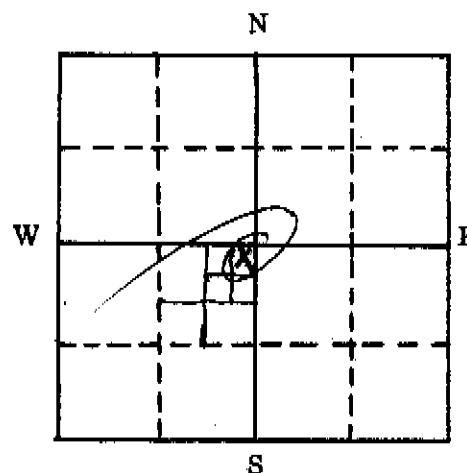
Well enlarged —, 19— to
deepened — (gpm)(cfs)(ft)

LOG SHOULD BE GIVEN ON REVERSE
SIDE IF AVAILABLE

WELL LOCATION

County Morgan 44

N5 NE 1/4 NE 1/4 Sec 34
NE 1/4 Sec 34

Twp. 5N, Rge. 5W, 6 PM

WELL TO BE LOCATED AS ACCUR-
ATELY AS POSSIBLE WITHIN A
SMALL SQUARE WHICH REPRESENTS
40 ACRES; OR IF IN A TOWN OR
SUBDIVISION FILL IN THE FOLLOW-
ING:

Town or Subdivision

Street address or Lot and Block

The above well ~~has~~ (has not) been registered in the Office of the State Engineer prior to May 1, 1957. If Registered give Filing No. —

If NOT Registered prior to May 1, 1957, a \$5.00 filing fee accompanies this form.

The above statements are true and correct to the best of my knowledge and belief.
Subscribed and Sworn before me

this 26 day of April, 1960My commission expires Jan. 16, 1964

(SEAL) [Signature]
Notary Public

Grayson Crook
Registrant

FOR STATE ENGINEER'S USE

Located in 1-1 district, Morgan County for Irrigation

Registration No. 2509 in 1-1, on April 27, 1960

JUL 14 1960
OK # 2509, 1-1, 2509

Index No.	4762
IDWD	1-26
Completion	July 1
Yield	
Checked By	

ENT

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER

MAP AND STATEMENT FOR WATER WELL FILING

PERMIT NUMBER 47443



STATE OF COLORADO) SS

CLAIMANT (s) Weldon Valley School Dist

being duly sworn upon oath deposes and says that he (they) is (are)
the owner (s) of the well described hereon; the total number of acres

of land irrigated from this well is _____;
work was commenced on this well by actual construction on the

19th day of July 19 71; the sustained

yield from said well is 15 gpm, for which claim is hereby made

for Domestic purpose (s);

the average annual amount to be diverted is _____
acre-feet; this map and statement is filed in compliance with law;
he (they) has (have) read the statements made hereon; knows the
content thereof; and that the same are true of his (their) own
knowledge.

Signature (s) David A. Curval

Address: _____

Weldona, ColoradoSubscribed and sworn to before me on this 28th dayof July, 19 71My Commission expires: August 24, 1971
(Seal)

Bette Lee Dunning
Notary Public

WELL DATADate Completed July 18, 1971Static Water Level 12'Total Depth of Well 37'

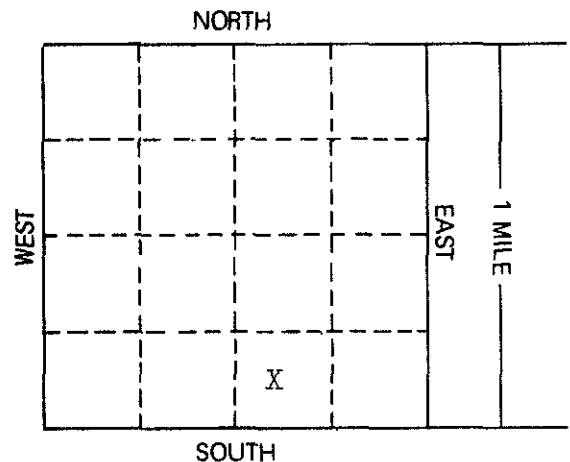
WELL LOCATION

Morgan

County

SW $\frac{1}{4}$ of SE $\frac{1}{4}$, sec. 34T. 5N R. 59W, 6th P.M.

INDICATE WELL LOCATION ON DIAGRAM



WELL SHALL BE LOCATED WITH REFERENCE TO
GOVERNMENT SURVEY CORNERS OR MONUMENTS,
OR SECTION LINES BY DISTANCE AND BEARING.

_____ ft. from _____ section line.
(North or South)

_____ ft. from _____ section line.
(East or West)

Ground Water Basin _____

Water Management
District _____

Domestic wells may be located by the following:

LOT _____, BLOCK _____

SUBDIVISION _____

FILING # _____

ACCEPTED FOR FILING IN THE OFFICE OF THE STATE ENGINEER OF COLORADO ON THIS _____ DAY

OF _____, 19 _____

STATE ENGINEER

FORM TO BE MADE OUT IN QUADRUPLICATE: WHITE FORM must be an original copy on both sides and signed.
WHITE AND GREEN copies must be filed with the State Engineer within 30 days after the well is completed or within 7 days
after expiration date of the permit, whichever is sooner; PINK COPY is for the Owner and YELLOW COPY is for the Driller.

WELL LOG

From	To	Type & Color of Material	Water Loc.
0	3	Top	
3	12	Sand & clay	
12	16	Dirty fine sand & fine gravel	
16	28	Fine sand & gravel	
28	37	Shale	
Use additional paper if necessary to complete log.			

WELL DATA

Type Drilling standard rotary

HOLE DIAMETER:

7 in. from 0 ft. to 37 ft.

_____ in. from _____ ft. to _____ ft.

_____ in. from _____ ft. to _____ ft.

CASING RECORD

Plain Casing

Size 5, kind plas from 0 ft. to 18 ft.

Size _____, kind _____ from _____ ft. to _____ ft.

Size _____, kind _____ from _____ ft. to _____ ft.

Perforated Casing

Size 5, kind plas from 18 ft. to 28 ft.

Size _____, kind _____ from _____ ft. to _____ ft.

Size _____, kind _____ from _____ ft. to _____ ft.

GROUTING RECORD

Material cementIntervals 0-10'Placement Method spill tube

GRAVEL PACK RECORD

Size _____ Interval 10' to bottom

TEST DATA

Date Tested July 18, 1971Type of Pump bailedLength of Test 2 hrs.Sustained Yield (Metered) 15 gpmDrawdown 5'

WELL DRILLERS STATEMENT

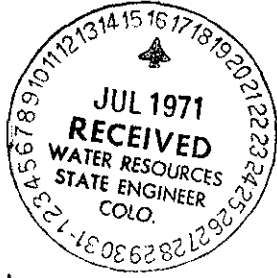
The undersigned, being duly sworn, deposes and says: he is the driller of the well hereon described; he has read the statement made hereon; knows the content thereof, and the same is true of his own knowledge. Canfield Drilling Co.

Harold E. Canfield
 License No. 7

State of Colorado, County of Morgan ssSubscribed and sworn to before me this 28th day of July, 19 71My Commission expires August 24, 19 71

Bette Jean Dunning
 Notary Public

DIVISION OF WATER RESOURCES, DEPARTMENT OF NATURAL RESOURCES
101 Columbine Bldg., 1845 Sherman Street, Denver, Colorado 80203



ENT

APPLICATION FOR: ☒ A PERMIT TO USE GROUND WATER
☒ A PERMIT TO CONSTRUCT A WELL
☐ REPLACEMENT FOR NO. _____
☒ A PERMIT TO INSTALL A PUMP
☐ OTHER

PRINT OR TYPE

LOCATION OF WELL

APPLICANT Weldon Valley School Dist
Street Address _____
City & State Weldona, Colorado
Use of ground water Domestic
Owner of land on which well
is located _____
Owner of irrigated
land _____
Number of acres
to be irrigated _____
Legal description of
irrigated land _____

COUNTY Morgan
SW $\frac{1}{4}$, of the SE $\frac{1}{4}$, sec. 34
T. 5N, R. 59W, 6th P.M.
Street or
Lot & Block _____
City or
Subdiv. _____ Filing _____
Ground Water Basin _____
Water Management
District _____

Other water rights on
this land _____
Aquifer (s) ground water is to be obtained
from Alluvial

Driller Canfield Drlg. Co. No. 7
Driller's
Address P.O. Box 519, Ft. Morgan, Colorado

X David A. Oswald
Signature of Applicant
CONDITIONS OF APPROVAL

Storage capacity _____ AF
ANTICIPATED PUMPING RATE 15 GPM
AVERAGE ANNUAL AMOUNT OF GROUND WATER TO
BE APPROPRIATED _____ Acre-feet

ESTIMATED WELL DATA

Anticipated start of drilling July 19 71
Anticipated start of use _____ 19 _____

Hole Diameter:

7 in. from 0 ft. to 38 ft.
_____ in. from _____ ft. to _____ ft.

Casing:

Plain 5 in. from 0 ft. to 28 ft.
_____ in. from _____ ft. to _____ ft.

Perf. 5 in. from 28 ft. to 38 ft.
_____ in. from _____ ft. to _____ ft.

ESTIMATED PUMP DATA

Type Unknown HP _____ Outlet
Size _____

APPLICATION MUST BE COMPLETED SATISFACTORILY BEFORE ACCEPTANCE

NO. GW 13162

APPLICATION APPROVED:
VALID FOR ONE (1) YEAR AFTER DATE ISSUED
UNLESS EXTENDED FOR GOOD CAUSE SHOWN TO
THE ISSUING AGENCY

PERMIT NO. 47443 CONDITIONAL ☐

DATE ISSUED JUL 16 1971

STATE ENGINEER J. F. Snipes

BY Barlan W. Esher

(OVER)

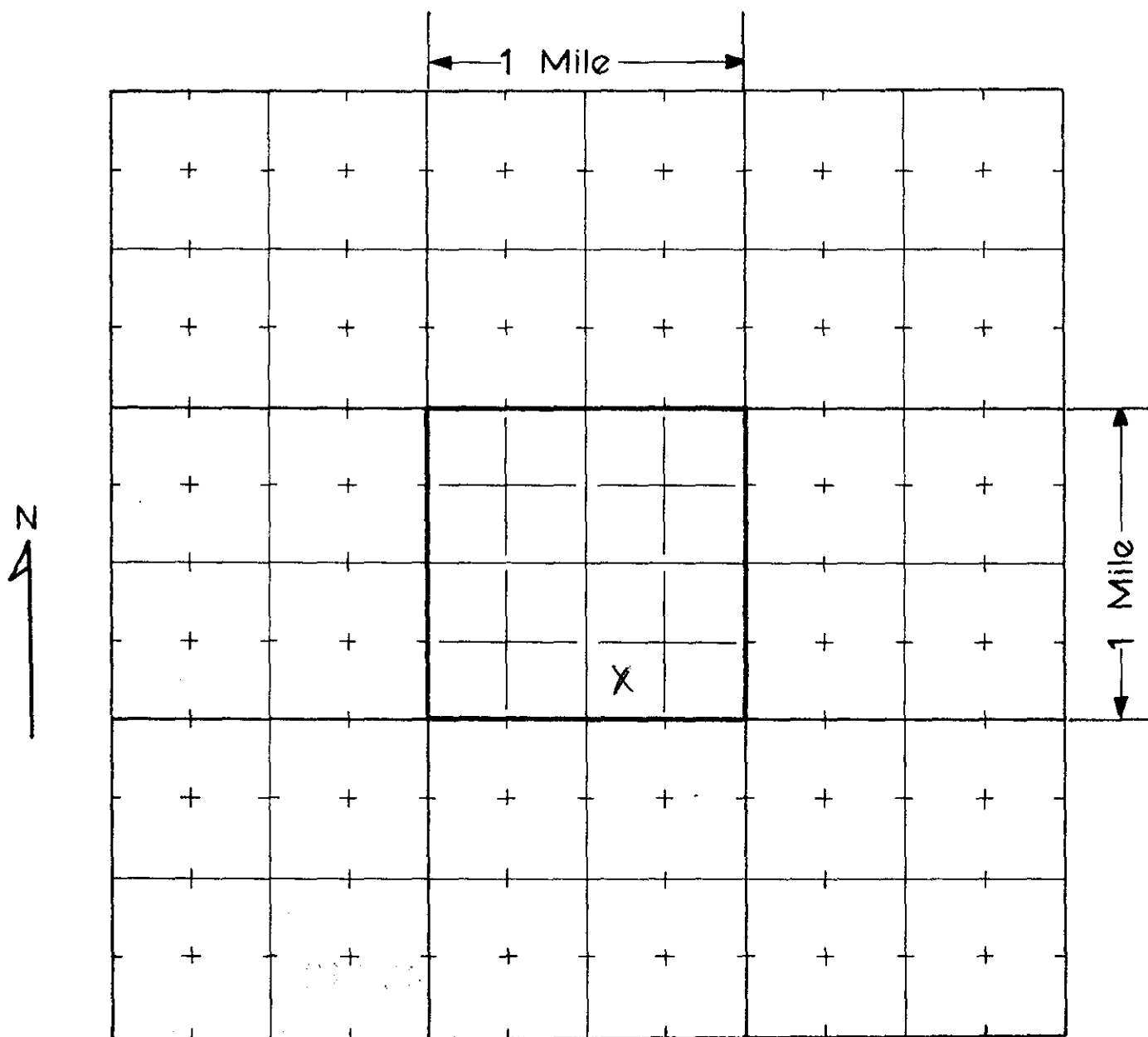
THE LOCATION OF THE PROPOSED WELL SHALL BE SHOWN ON THE DIAGRAM BELOW WITH
REFERENCE TO SECTION LINES OR GOVERNMENT SURVEY CORNERS OR MONUMENTS.

_____ feet from _____ (North or South) section line

_____ feet from _____ (East or West) section line

IF WELL IS FOR IRRIGATION, THE AREA TO BE IRRIGATED MUST BE SHADED OR CROSS-HATCHED.

This diagram represents nine (9) sections. Use the CENTER SQUARE (one section)
to indicate the location of the well.



THE SCALE OF THE DIAGRAM IS TWO INCHES EQUALS ONE-MILE

FORM NO.
GWS-11
07/93

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

For Office Use only

RECEIVED

JUN 06 1997

WATER RESOURCES
STATE ENGINEER
COLO.

PRIOR TO COMPLETING FORM, SEE INSTRUCTIONS ON REVERSE SIDE

CHANGE IN OWNERSHIP/ADDRESS / LOCATION

WELL PERMIT, LIVESTOCK TANK OR EROSION CONTROL DAM

1. NEW OWNER

NAME(S) Jim & Tom Degant
Mailing Address 23999 Rd 11
City, St. Zip Weld, CO
Phone (970) 645-2276

2. THIS CHANGE IS FOR ONE OF THE FOLLOWING:

- ☒ WELL PERMIT NUMBER 5995F
☐ LIVESTOCK WATER TANK NUMBER
☐ EROSION CONTROL DAM NUMBER

3. WELL LOCATION: COUNTY Morgan OWNER'S WELL DESIGNATION irrigation
2 (Address) (City) (State) (Zip)

SE 1/4 of the SW 1/4, Sec. 34 Twp. 5 ☒ N. or ☐ S., Range 59 ☐ E. or ☒ W. 6th P.M.

Distances from Section Lines Ft. from ☐ N. or ☐ S. Line, Ft. from ☐ E. or ☐ W. Line.
Subdivision Lot Block Filing (Unit)

4. LIVESTOCK TANK OR EROSION CONTROL DAM LOCATION: COUNTY
1/4, Sec. Twp. ☐ N. or ☐ S., Range ☐ E. or ☐ W. P.M.

5. The above listed owner(s) say(s) that he (they) own the structure described herein.

The existing record is being amended for the following reason(s):

- ☐ Change in name of owner. ☐ Change in mailing address. ☐ Correction of location.

6. I (we) have read the statements made herein, know the contents thereof, and state that they are true to my (our) knowledge.
[Pursuant to Section 24-4-104-(13)(a) C.R.S., the making of false statements herein constitutes perjury in the second degree and is punishable as a class 1 misdemeanor.]

Name/Title (Please type or print)
Jim & Tom Degant

Signature
Jim Degant

Date
4/9/97

FOR OFFICE USE ONLY

ACCEPTED AS A CHANGE IN OWNERSHIP
AND/OR MAILING ADDRESS.

Hal D. Simon

State Engineer

Court Case No. Div. 1 Co. 44 WD 01 Basin MD Use

Sandra Johnson

JUL 22 1997

Date

INSTRUCTIONS CHANGE OWNERSHIP-ADDRESS LOCATION CORRECTION FORM JULY 1993
NO FEE IS REQUIRED

The form must be typewritten or printed in BLACK INK. Initial and date any changes you make on the form.

THIS FORM MAY BE REPRODUCED BY PHOTOCOPYING OR WORD PROCESSING MEANS.
INCOMPLETE FORMS WILL BE RETURNED. ATTACH ADDITIONAL SHEETS IF MORE SPACE IS NEEDED.

1. Print the new owner's name and include the mailing address and phone number.
2. Indicate if the change in ownership/address is for a well permit, livestock water tank or erosion control dam. Be sure to include the proper permit, tank or dam number.
3. Complete the well location information. If the address of the well location is different than the mailing address of the owner, include the address where the well is located. If the owner has more than one well, provide well name or number as designated by the owner; i.e. North Well. The actual well location must include 1/4, 1/4, Section, Township and Range. Check the appropriate boxes for North or South and East or West directions. Complete the Subdivision, Lot, Block and Filing information, if applicable.
4. Complete the location information for the livestock water tank or erosion control dam. The actual location must include 1/4, Section, Township, Range and P.M. Check the appropriate boxes for North or South and East or West directions.
5. Check the reason(s) for submitting the form, whether it is a change in ownership/address and/or location correction.
6. The owner of the structure must sign. Print or type your name in the first block if it is different from Item No. 1. If signing as a representative of a company who owns the structure, then your title must also be included in the first block. Sign the second block and date the last block.

USE THIS FORM TO CORRECT THE LOCATION OF YOUR WELL IF:

A. Your well was permitted, registered, or first used prior to May 8, 1972 for ordinary household purposes in up to three single-family dwellings, fire protection, the watering of poultry, domestic animals, and livestock on farms and ranches and the irrigation of not over one acre of home gardens and lawns.

B. Your well is not of the type described in A above, but was permitted or registered prior to May 17, 1965. Inside the Designated Ground Water Basins, other procedures and publication may be required.

C. Your well was decreed by the Water Court for the correct location.

IN ALL OTHER CASES USE FORM GWS-42

All other types of changes concerning Livestock Water Tanks and Erosion Control Dams should be submitted on the standard Permit Application form and be accompanied by a \$15.00 filing fee.

If you have questions, contact the Denver or the Division Office where your well is located.

DIVISION 1
800 8th Ave Rm 321
Greeley CO 80631
(303) 352-8712

DIVISION 2 Box 5728
219 W 5th Rm 223
Pueblo CO 81003
(719) 542-3368

DIVISION 3 Box 269
422 4th St
Alamosa CO 81101
(719) 589-6683

DIVISION 4 Box 456
1540 E Niagara
Montrose CO 81402
(303) 249-6622

DIVISION 5 Box 396
50633 US Hwy 8 & 24
Glenwood Spgs CO 81601
(303) 945-5665

DIVISION 6 Box 773450
625 So. Lincoln Ave.
Strmbt Spgs CO 80477
(303) 879-0272

DIVISION 7 Box 1880
1474 Main St
Durango CO 81302
(303) 247-1845

DENVER OFFICE
Rm 821
1313 Sherman St
Denver CO 80203
(303) 866-3581

STATE OF COLORADO
DIVISION OF WATER RESOURCES
OFFICE OF THE STATE ENGINEER
GROUND WATER SECTION

RECEIVED
DEC 30 1964
GROUND WATER SECT.
COLORADO
STATE ENGINEER

Index No. 1376
IDWD 1-1
Use Irrigation
Registered 12-30-64

LOG AND HISTORY OF WELL

(For State Engineer's Use)

PERMIT NO. [REDACTED]

WELL LOCATION

Driller Harold Adams Well Lic. No. 124

Owner Grayson Crook

Street _____ City Weldona, Colo.

Tenant Same

Use of Water Irrigation

On or By NW 1/4, SE 1/4, Sect. 34, Twp. 5N. No. 80
(description of site or land) Acres

Date Started Aug. 8, 19 64

Date Completed Aug 8, 19 64

Yield 800 GPM or _____ CFS

WELL DESCRIPTION:

Depth to Water 15 ft. Total Depth 36 ft.

(measured from ground surface)

Hole Diameter { from 0 ft. to 36 ft., 40 in.
from _____ ft. to _____ ft., _____ in.
from _____ ft. to _____ ft., _____ in.

TEST DATA:

How Tested X Pump or _____ Bailed

Date Tested Aug. 9, 19 64 Length 10 hrs.

Rate 800 GPM Drawn Down 30 ft.

PUMP DATA:

Pump Type Turbine Outlet Size 6 in.

Driven by Elect HP 10

CASING RECORD:

Plain Casing

Size 18, Kind Concrete 0 ft. to 16 ft.

Size _____, Kind _____ from _____ ft. to _____ ft.

Size _____, Kind _____ from _____ ft. to _____ ft.

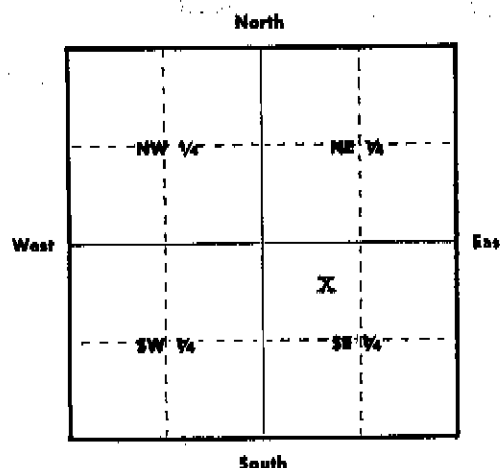
Perforated Casing

Size 18, Kind Concrete 16 ft. to 36 ft.

Size _____, Kind _____ from _____ ft. to _____ ft.

Size _____, Kind _____ from _____ ft. to _____ ft.

44
Morgan County
NW 1/4 of SE 1/4 of Sect. 34
Twp. 5N, Rge. 59W, 6 PM



ABOVE DIAGRAM REPRESENTS ONE FULL SECTION. LOCATE WELL ACCURATELY IN SMALL SQUARE REPRESENTING 40 ACRES.

or

If the above is not applicable fill in:

No. _____ Street _____

City or Town _____

or

Lot _____, Block _____

_____ Subdivision
(Include filing or number)

TO BE MADE OUT IN QUADRUPPLICATE:

Original Blue and Duplicate Green Copy must be filed with the State Engineer within 30 days after well is completed. White copy is for the Owner and Yellow copy for the Driller. **SIGN BLUE COPY**

WELL LOG

Ground Elevation.....(if known)

How Drilled Reverse Rotary[illegible]

(if more space is required use additional sheet)

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is true and correct to the best of my knowledge and belief.

Signed Harold Adams Will who
By Harold Adams

Dated _____ 19__

Form C Rev.

9-62/10M

STATE OF COLORADO

APPLICATION FOR:

☒ A PERMIT TO USE GROUND WATER
☒ A PERMIT TO CONSTRUCT A WELL

RECEIVED

AUG 6 1964

GROUND WATER SECTION

COLORADO

STATE ENGINEER

Applicant Grayson Crook

P.O. Address Weldona, Colo.

Quantity applied for 800 gpm or
AF Storage

Used for Irrigation Purposes

on/at NW 1/4 of SE 1/4 of Sect. 34, Twp. 5N, Rge. 59W

(legal description of land site)

80

Total acreage irrigated and other rts.

ESTIMATED DATA OF WELL

Hole size: 40 in. to 36 ft.
in. to ft.

Casing Plain 18 in. from 0 to 16 ft.
in. from to ft.

Open or Perf. 18 in. from 16 to 36 ft.
in. from to ft.

PUMP _____ Outlet

DATA: Type Turbine HP 10 Size 6"

Use initiation date Aug. 8 19 64
(Use Supplemental pages for additional data)

Driller to furnish Log and History (Form E) within 30 days after completion of well.

LOCATION OF WELL

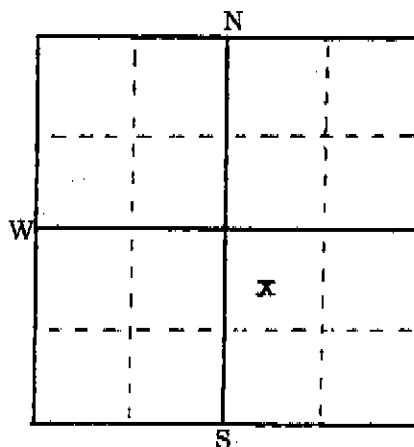
County Morgan

NW 1/4 of SE 1/4 of Sect. 34, Twp. 5N,

Rge. 59W, 6 P.M. OR

Street Address or Lot & Block No.

Town or Subdivision



Locate well in 40 acre (small) square as near as possible. Large square is one section.

\$25.00 fee required for uses other than Domestic or Livestock.

Applicant Grayson Crook

Agent or

Driller Harold Adams Well Wks No. 124

Address Brush, Colo.

THIS APPLICATION APPROVED

PERMIT NO. 5995-F

ISSUED:

DATE AUG 6 1964 19

NOTE — SATISFACTORY COMPLETION REQUIRED FOR APPROVAL OF APPLICATION

WELL LOG

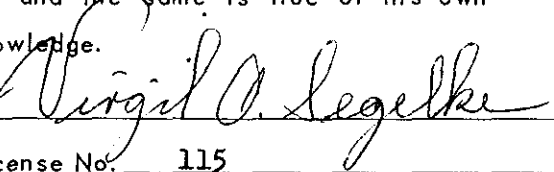
From	To	Type of Material	Water Loc.
0 3	3 29	top soil and sand gravel	
Use additional paper if necessary to complete log.			

WELL DATAType Drilling rotaryHOLE DIAMETER:8 in. from 0 ft. to 29 ft. in. from ft. to ft. in. from ft. to ft.CASING RECORDCemented from Plain CasingSize 2" kind plastic from 0 ft. to 9 ft.Size " kind from ft. to ft.Size " kind from ft. to ft.Perforated CasingSize 5" kind plastic from 9 ft. to 29 ft.Size " kind from ft. to ft.Size " kind from ft. to ft.TEST DATADate Tested June 30, 1968Type of Pump SubmersibleLength of Test 2 hrs.Constant Yield 30 gpmDrawdown 3 ft.WELL DRILLERS STATEMENTVirgil A. Segelke

being duly sworn, deposes and says:

he is the driller of the well hereon described; he has read the statement made hereon; knows the content thereof, and the same is true of his own knowledge.

X


License No. 115State of Colorado, County of Morgan) ssSubscribed and sworn to before me this day of , 19 My Commission expires , 19

Notary Public

STATE OF COLORADO

APPLICATION FOR: ☒ A PERMIT TO USE GROUND WATER
☒ A PERMIT TO CONSTRUCT A WELL
☐ OTHER

Application must be completed satisfactorily before acceptance

JUN 24 1968
GROUND WATER SECT.
COLORADO
STATE ENGINEER

PRINT OR TYPE

LOCATION OF WELL

APPLICANT Weldon Valley SchoolCOUNTY Morgan

Street Address _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$, sec. 34City & State Weldona, ColoradoT. 5 N, R. 59 W, 6 P.M.Use of ground water DomesticGround Water Basin South Platte River

Owner of land on which well _____

Water Management _____

is located School District Re: -20

District _____

Number of _____

acres to be irrigated _____

Legal description of _____

irrigated land SW

Other water rights on _____

this land _____

Owner of irrigated _____

land _____

Aquifer(s) ground water is to be obtained _____

from Alluvium

USE DIAGRAM ON THE BACK OF THIS SHEET TO
LOCATE WELL.

Driller Segelke Well Service No. 115Driller's P. O. Box 98Address Wiggins, Colorado 80654

Virgil A. Segelke
Signature of Applicant

ESTIMATED WELL DATA

Est. quantity of ground water to be claimed:

Est. Max. Yield 30 GPM or CFS

Est. average annual amount to be _____

used in acre-feet _____

Storage capacity _____ AF

CONDITIONS OF APPROVAL

Anticipated start of drilling June 19 68

Hole Diameter:

8 in. from 0 ft. to 30 ft. in. from ft. to ft.

Casing:

Plain 5" in. from 0 ft. to 20 ft. in. from ft. to ft.Perf. 5" in. from 20 ft. to 30 ft. in. from ft. to ft.

PUMP DATA:

Type Ejecto HP 1/3 Size 1"

Outlet

This application approved

PERMIT NUMBER _____

DATE ISSUED _____

State Engineer _____

by _____

This application approved

CONDITIONAL PERMIT NO. 34309(Permit good for one (1) year after date
of issuance)

DATE ISSUED

JUN 24 1968

by _____

(OVER)

THE LOCATION OF THE PROPOSED WELL SHALL BE SHOWN ON THE DIAGRAM BELOW. THE LOCATION WILL BE INDICATED BY THE DISTANCES FROM THE SECTION LINES, OR THE DISTANCE AND BEARING FROM GOVERNMENT SURVEY CORNERS OR MONUMENTS.

IF WELL IS FOR IRRIGATION, THE AREA TO BE IRRIGATED MUST BE SHADED OR CROSS-HATCHED.

Domestic wells may be located by the following:

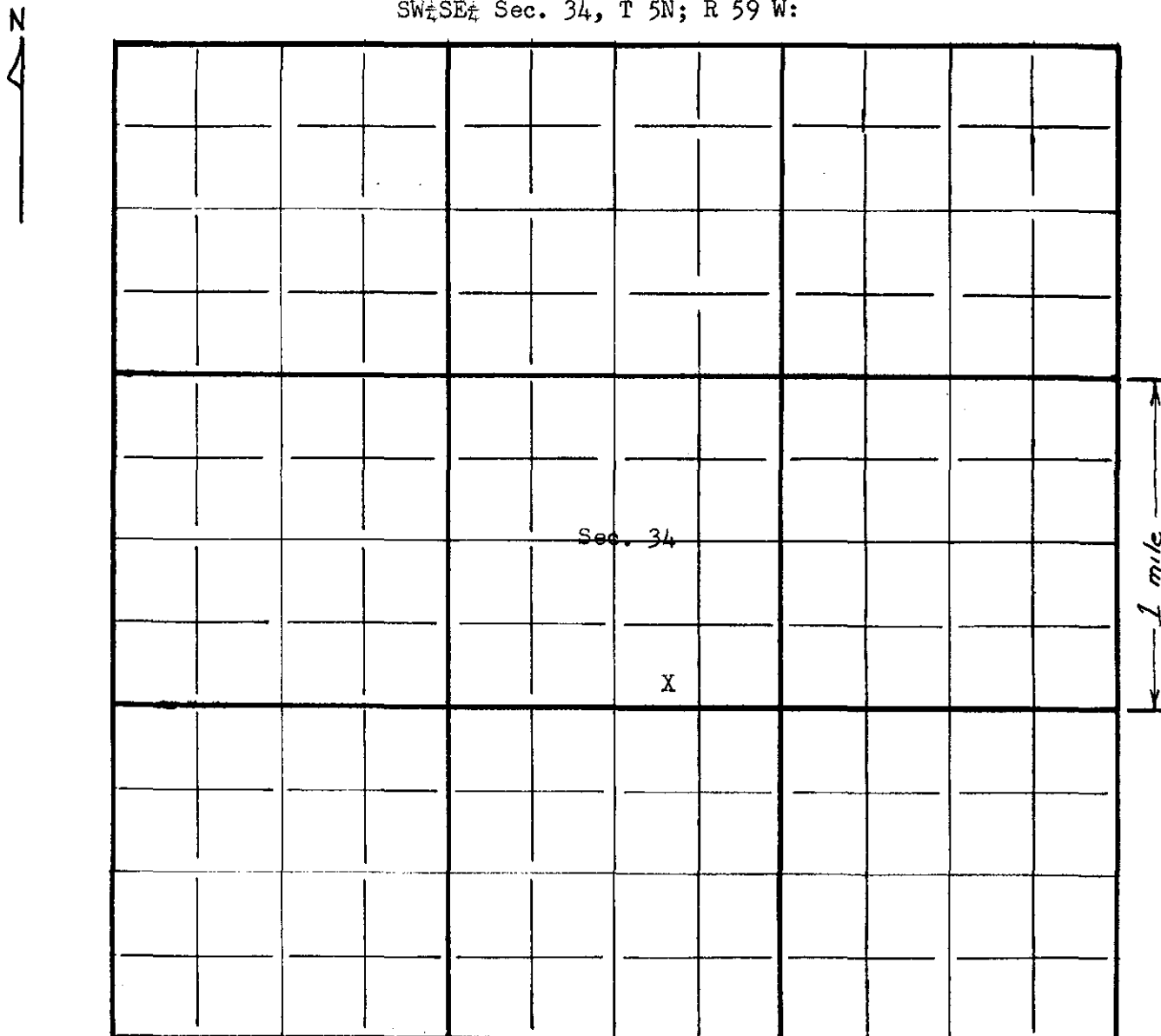
Lot _____ Block _____ Street Address _____
or
_____ City _____
Subdivision

The diagram represents nine (9) sections. Use the center square (section) to indicate the location of the well.

100 ft. from South line

1370 ft. from East line

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, T 5N; R 59 W:



THE SCALE OF THE DIAGRAM IS TWO INCHES EQUALS ONE-MILE



Jody Meyer <jmeyer@co.morgan.co.us>

Re: Deganhart MS Notice for BCC

1 message

Classifieds Main <classifieds@prairiemountainmedia.com>

Mon, Aug 17, 2020 at 12:13 PM

To: Jody Meyer <jmeyer@co.morgan.co.us>

Hello this is scheduled for Aug 19 in the FM T, ad#1729963, cost \$52.44
JD

On Mon, Aug 17, 2020 at 11:58 AM Jody Meyer <jmeyer@co.morgan.co.us> wrote:

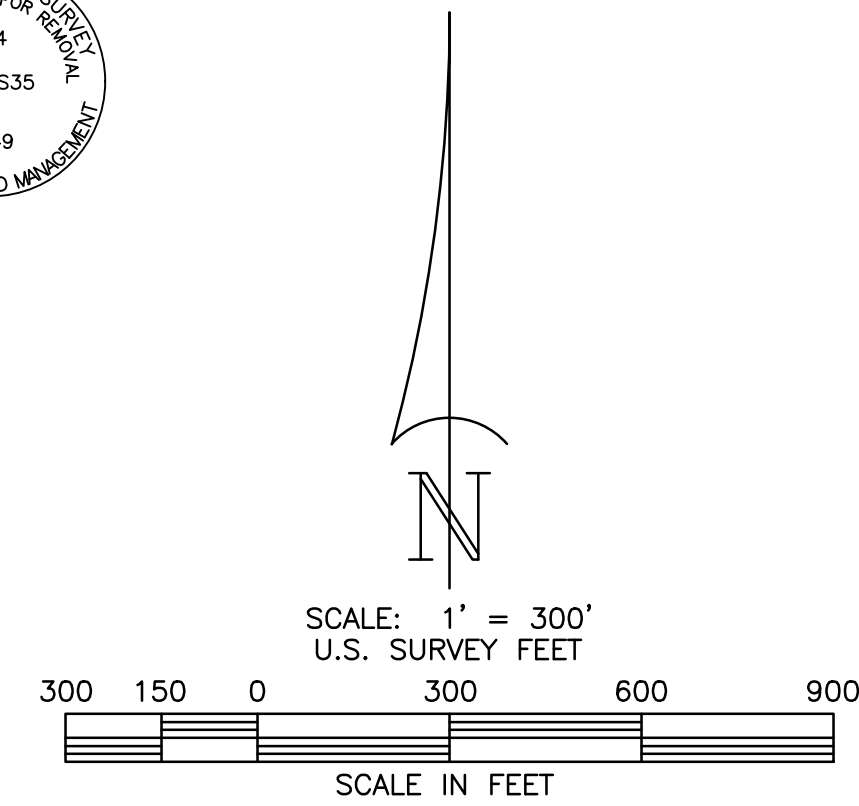
Good Morning:

Attached is a Notice of Hearing for publication on the 19th of August for a Minor Subdivision for Lindsay and Kim Deganhart.

Jody Meyer
Morgan County Planning Assistant
[231 Ensign Street](#), Box 596
Fort Morgan, CO 80701
970-542-3526 office
970-542-3509 fax
jmeyer@co.morgan.co.us

--
Prairie Mountain Publishing-
Boulder Daily Camera..Broomfield Enterprise
Longmont Times-Call..Colorado Hometown Weekly
Loveland Reporter-Herald...Colorado Daily....Sterling Journal Advocate
Fort Morgan Times....Brush Tribune....Lamar Ledger
Greeley Tribune....Estes Park Trail Gazette....
phone 303.466.3636 or 970-635-3650..Fax 303.442.1508
[2500 55th Street | Boulder, CO 80301](#)
classifieds@frontrangeclassifieds.com

R 59 W



◆ ALIQUOT CORNER AS DESCRIBED

○ SET NO. 5 REBAR 24" LONG AT GROUND
LEVEL WITH PURPLE PLASTIC CAP STAMPED
"PLS 38044"

● FOUND POINTS AS DESCRIBED

—x—x— EXISTING FENCE LINE

I, NICOLE F. STONE, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF COLORADO, DO HEREBY STATE THAT THE SURVEY REPRESENTED BY THIS PLAT WAS MADE BY ME OR UNDER MY SUPERVISION, AND THIS PLAT ACCURATELY REPRESENTS SAID SURVEY BASED UPON MY KNOWLEDGE, INFORMATION, AND BELIEF. I FURTHER STATE THAT THE SURVEY AND THIS PLAT COMPLY WITH ALL APPLICABLE RULES, REGULATIONS, AND LAWS OF THE STATE OF COLORADO, STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS, AND IS NOT A GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED.

BY: NICOLE F. HAY
FOR AND ON BEHALF OF
LEIBERT-McATEE & ASSC
P.L.S. NO. 38044

KNOW ALL MEN BY THESE PRESENTS THAT KIMBERLEE K. DEGANHART BEING THE OWNER OF CERTAIN LANDS IN MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

PART OF THE EAST HALF OF SECTION 36, T10N, R97E, S8E, NEARLY ALIGNED WITH NORTH, RANGE 95 WEST OF THE SIXTH PRINCIPAL MERIDIAN, MORGAN COUNTY, COLORADO, DEPARTMENT OF REVENUE MAP NO. 10, 1906, BEARING N89°31'45"W, 158.5 FEET TO A CORNER OF SAID SECTION 34 BEARS N89W-384.5 FEET; THENCE S89°31'45"E ALONG SAID SOUTH LINE 127.3 FEET; THENCE N00°01'15"W ALONG A FENCE LINE BEING ON THE WEST SIDE OF SAID SECTION 34 BEARS S89°31'45"E 158.5 FEET; THENCE N89°31'45"W ALONG SAID SOUTH LINE 269.8 FEET TO A POINT ON THE NORTH LINE OF SAID SE1/4; THENCE N89°31'45"W ALONG SAID SOUTH LINE 165.8 FEET TO THE C1/4 CORNER OF SAID SECTION 34; THENCE S89°31'45"W ALONG SAID SOUTH LINE 165.8 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 34; THENCE S89°35'E PARALLEL TO SAID SOUTH LINE OF SAID SW1/4 189.0 FEET; THENCE S00°05'40"E 116.0 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 34; THENCE S00°05'40"E 116.0 FEET; THENCE S88°19'E 190.5 FEET; THENCE S03°34'E 346.0 FEET TO THE POINT OF BEGINNING

EXCEPT A PORTION OF LAND DESCRIBED IN RECEPTION NO. 829497 OF THE MORGAN COUNTY REGISTER.

HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF **DEGANHART MINOR SUBDIVISION** IN THE S1/2 OF SECTION 34, T5N, R59W OF THE 6TH P.M., MORGAN COUNTY, COLORADO.

EXECUTED THIS _____ DAY OF _____, 20____.

OWNER:

KIMBERLEE K. DEGANHART

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY
OF _____, 20____, BY KIMBERLEE K. DEGANHART.

STATE OF COLORADO
COUNTY OF _____

MY COMMISSION EXPIRES_

NOTARY PUBLIC

APPROVED THIS _____ DAY OF _____, 20____, BOARD OF
COUNTY COMMISSIONERS, MORGAN COUNTY, COLORADO. THIS APPROVAL DOES NOT
GUARANTEE THAT THE SIZE, SOIL, CONDITIONS, OR FLOODING CONDITIONS OF ANY LOT SHOWING
HEREON WILL BE SUITABLE FOR A BUILDING PERMIT, OR PERMIT, OR SEWAGE DISCHARGE PERMIT
WILL BE ISSUED. THIS APPROVAL IS WITH THE UNDERSTANDING THAT ALL EXPENSES
INVOLVING REQUIRED IMPROVEMENTS FOR ALL UTILITY SERVICES, PAVING, GRADING,
LANDSCAPING, CURBS, GUTTERS, SIDEWALKS, ROAD LIGHTING, ROADS, SIGNS, FLOOD
PROTECTION DEVICES, DRAINAGE STRUCTURES, AND ALL OTHER IMPROVEMENTS THAT MAY BE
REQUIRED SHALL BE THE RESPONSIBILITY OF THE SUBDIVIDER AND NOT THE COUNTY OF
MORGAN.

ATTEST: _____ CHAIRMAN

CLERK TO THE BOARD

STATE OF COLORADO)) ss.
COUNTY OF MORGAN)

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____
O'CLOCK _____ M., THIS _____ DAY OF _____, 20____, AND
IS DULY RECORDED IN RECEPTION NUMBER _____, FEES _____, PAID.

RECORDED

DEPUTY

PUBLIC NOTICE IS HEREBY GIVEN THAT ACCEPTANCE OF THIS PLATTED SUBDIVISION BY THE COUNTY OF MORGAN DOES NOT CONSTITUTE AN ACCEPTANCE OF THE ROADS AND OTHER IMPROVEMENTS REFLECTED HEREON FOR MAINTENANCE BY SAID COUNTY.

UNTIL SUCH ROADS AND OTHER IMPROVEMENTS MEET COUNTY REQUIREMENTS AND ARE SPECIFICALLY ACCEPTED BY THIS COUNTY BY RECORDING WITH THE CLERK AND RECORDER OF THIS COUNTY AN OFFICIAL ACCEPTANCE, THE MAINTENANCE, CONSTRUCTION, AND ALL OTHER MATTERS PERTAINING TO OR AFFECTING SAID ROADS AND OTHER IMPROVEMENTS AND RIGHT-OF-WAY ARE THE SOLE RESPONSIBILITY OF THE OWNERS OF THE LAND WITHIN THIS SUBDIVISION.

NOTICE IS FURTHER GIVEN THAT NO SUBDIVISION LOTS WILL BE ISSUED BUILDING PERMITS BY OFFICIALS OF THIS COUNTY FOR IMPROVEMENTS OF ANY NATURE ON ANY PROPERTY REFLECTED ON THIS PLATTED SUBDIVISION UNTIL SUCH TIME AS THE ACCEPTANCE AS HEREIN ABOVE DESCRIBED HAS BEEN FILED FOR RECORD WITH THE CLERK AND RECORDER OF THIS COUNTY, OR UNTIL OTHER SUITABLE PROVISION IS MADE FOR COMPLETION AND/OR MAINTENANCE OF THE ROADS AND OTHER IMPROVEMENTS.

EASEMENT INFORMATION AS PER EQUITY TITLE ASSOCIATES II, LLC FILE NO: 00055828,
EFFECTIVE DATE: MARCH 20, 2020 AT 8:00 A.M.:

8. RESERVATIONS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA, ISSUED JANUARY 11, 1892, IN VOLUME 135 AT PAGE 19. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF ANY SUCH INTERESTS. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF INTERESTS THAT ARE NOT LISTED.
9. RESERVATIONS CONTAINED IN THE PATENT FROM THE UNITED STATES OF AMERICA, ISSUED JANUARY 11, 1892, IN VOLUME 135 AT PAGE 19. THE COMPANY MAKES NO REPRESENTATION AS TO THE PRESENT OWNERSHIP OF ANY SUCH INTERESTS. THERE MAY BE LEASES, GRANTS, EXCEPTIONS OR RESERVATIONS OF INTERESTS THAT ARE NOT LISTED.
10. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS, AGREEMENTS, BENEFITS AND BURDENS AS SET FORTH IN THE ORDER, RECORDED MAY 6, 1907, AS RECEPTION NO. 25157.
11. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS, AGREEMENTS, BENEFITS AND BURDENS AS SET FORTH IN THE DRY UP COVENANT, RECORDED JANUARY 18, 2007, AS RECEPTION NO. 840307.
12. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS, AGREEMENTS, BENEFITS AND BURDENS AS SET FORTH IN THE DECLARATORY JUDGMENT, RECORDED FEBRUARY 20, 2007, AS RECEPTION NO. 840653.
13. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS, AGREEMENTS, BENEFITS AND BURDENS AS SET FORTH IN THE SUBORDINATION AGREEMENT, RECORDED FEBRUARY 28, 2007, AS RECEPTION NO. 841005.
14. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS, AGREEMENTS, BENEFITS AND BURDENS AS SET FORTH IN THE DRY UP COVENANT, RECORDED MAY 23, 2007, AS RECEPTION NO. 842831.
 - ASSIGNMENT OF DRY-UP COVENANT, RECORDED FEBRUARY 3, 2010, AS RECEPTION NO. 859064.
15. TERMS, CONDITIONS, PROVISIONS, OBLIGATIONS, EASEMENTS, AGREEMENTS, BENEFITS AND BURDENS AS SET FORTH IN THE CERTIFICATE OF PERMANENT LOCATION FOR A MANUFACTURED HOME, RECORDED SEPTEMBER 28, 2012, AS RECEPTION NO. 878164.

THERE ARE SEVERAL OIL AND GAS LEASES LISTED IN THE ABOVE MENTIONED FILE

BEARINGS FOR THIS SURVEY ARE BASED ON THE ASSUMPTION THAT THE SOUTH LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 34, T5N, R59W BEARS SOUTH 89°47'10" EAST. THE SOUTHWEST AND SOUTHEAST CORNERS OF SAID SE 1/4 OF SECTION 34 ARE MONUMENTED AS SHOWN.

DISTANCES AND BEARINGS IN PARENTHESES ARE DEED DISTANCES AND BEARINGS.

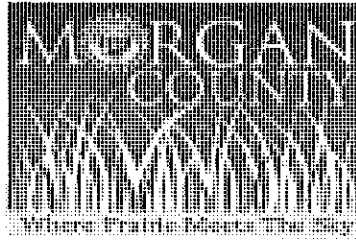
DISTANCES AND BEARINGS IN BRACKETS ARE AS PER THE DEPENDENT RESURVEY OF
TOWNSHIP 5 NORTH, RANGE 59 WEST OF THE SIXTH PRINCIPAL MERIDIAN, COLORADO, DATED
MAY 26, 1950.

SIGNIFICANT VARIANCES IN THE LOCATION OF THE SUBDIVISIONAL LINES WITH CURRENT FENCE LINES ARE SHOWN ON THE ABOVE PLAT. SINCE THIS SURVEY HAS NO JURISDICTION OVER ADJOINING LAND OWNERS, ANY PERSON MOVING, REMOVING, OR REPLACING ANY OF THESE CURRENT FENCE LINES WILL BE DOING SO AT HIS OWN RISK.

ACCORDING TO COLORADO LAW YOU MUST COMMENCE ANY LEGAL ACTION BASED UPON ANY DEFECT IN THIS SURVEY WITHIN THREE YEARS AFTER YOU FIRST DISCOVER SUCH DEFECT. IN NO EVENT MAY ANY ACTION BASED UPON ANY DEFECT IN THIS SURVEY BE COMMENCED MORE THAN TEN YEARS FROM THE DATE OF CERTIFICATION SHOWN HEREON.



REVISIONS	LEIBERT-McATEE & ASSOCIATES, INC. P.O. BOX 442 615 SOUTH TENTH AVENUE STERLING, CO 80751 970-522-1960		
TITLE	DEGANHART MINOR SUBDIVISION IN THE S1/2 OF SECTION 34, T5N, R59W OF THE 6TH P.M., MORGAN COUNTY, COLORADO		
SCALE: 1" = 300'	DR. BY: NH	DRAWING NO.	
DATE: 5-11-2020	PROJ. NO.: 422-20N	SHEET 1 of 1	



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

**MORGAN COUNTY COMMISSIONERS
FILE SUMMARY**

July 31, 2020

August 10, 2020 hearing date

**APPLICANT: Lindsey Deganhart
LANDOWNER: Kimberlee Deganhart**

This application is for the Deganhart Minor Subdivision in the S ½ of Section 34, Township 5 North, Range 59 West of the 6th P.M. Morgan County, Colorado. The property is located north and west of the intersection of County Road 10 and County Road Y and addressed as 9681 County Road Y. The property is currently undeveloped and the lots will be residential and agricultural uses in the Agriculture Production zone district.

Lindsey Deganhart as applicant is requesting approval of a minor subdivision that will plat 115.48 acres into two lots, Lot 1 is 112.83 acres, Lot 2 is 2.65 acres, Assessor's parcel number 0973-340-00-019. There is an existing home with a small storage shed, lean-to and a 1-car garage on the proposed lot 1. All the existing structures exceed setback requirement from the lot lines to be created by this plat. There has been a series of five exemptions from the original parcel, which has resulted in the requirement for a subdivision process.

In reviewing an application for a minor subdivision the Planning Commission and the Board of County Commissioners shall apply the following criteria as listed from Section 8-195 of the Morgan County Subdivision Regulations:

- (A) Whether the application documents are complete and present a clear picture of how the subdivision is to be laid out including all infrastructure, easements, and access.
The application documents are complete

	Lot 1	Lot 2
Water	Quality Water Tap 1835	Quality Water Tap
Septic	NE Colo Health – no objection – existing septic	NE Colo Health – no objection – new septic
Access (3)	Road and Bridge – Existing	Road and Bridge – ok new
Fire	Wiggins Rural Fire	Wiggins Rural Fire
Soil map	Provided	Provided
Ext Svc	No AU proposed at this time	2 AU proposed at this time
Minerals	Not severed	Not severed
R-T-F	Complete	Complete

- (B) Whether the proposed subdivision is consistent with the Morgan County Comprehensive Plan. The subdivision is located in the northwest planning area.

Chapter 2.II.C. 1., County Wide

Goals: Encourage the development where the proposed development is compatible with existing land uses – other exempted properties, minor subdivisions and small acreage properties are in the area.

There is access to existing infrastructure, Quality Water and County Roads.

- C) Whether the proposed subdivision is compatible with surrounding land uses and is adequately buffered as needed.
There is Rural Community Residential lots that adjoin Lot 1 in the southwest corner of the property. The remainder of the adjacent properties are zoned Agriculture Production. The property will maintain the Agriculture Production zone district.

County Road Y borders the property on the south, County Road 10 on the east; County Road 9.5 to the west which is maintained by Road and Bridge south of a private road sign and is adjacent to proposed lot 2, to the south is a 150' buffer strip between Lot 2 and the smaller lots of a Rural Community Residential zone and the Town of Weldona.

All appropriate notice requirements have been completed with no comments received as of July 31, 2020. Forty-four property owners within 1,320 feet were notified of the application; there have not been comments, either in favor or opposed.

Comments from referral agencies:

Xcel Energy requests communication with them regarding possible easement needs.

Suggested conditions:

1. Prior to recording of the plat, the Morgan County Quality Water tap will be paid in full.
2. Applicant to coordinate with Xcel Energy on the need for easements.

Pam Cherry
Morgan County Planning Administrator

6-17-20



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: pcherry@co.morgan.co.us

Filing Deadline _____

Meeting Date Aug 10th 2020

Administrative Review ☐ FO
RS

MINOR SUBDIVISION APPLICATION

APPLICANT

Name Lindsey Deganhart
Address 9681 CR 4
Weldona, CO 80653
Phone 970 370-3707
Email ljdhart@gmail.com

LANDOWNERS

Name Kimberlee Deganhart
Address 9681 CR 4
Weldona, CO 80653
Phone (970) 645-2276
Email kdeganhart@weldonvalley.org

TECHNICAL

General legal description of parcel: S 1/2 34-5-59
Address/Location of Property: 9681 CR 4 Zone District: A
Distance and Direction to nearest community: 1/4 mile north of Weldona
Total acreage in parcel: 2.65 AC Number of lots to be created: 2, Lot 1 112.83 AC Lot 2 2.65 AC
Name, address and phone of surveyor: Nicole Haye, 615 South 10th Ave, Sterling, CO 80751
Present use of Property: Residential / Farm
Proposed use of Property: New Residential on a new lot
Is property located within 1320' (1/4 mile) of a livestock confinement facility: No

I hereby certify that to the best of my knowledge, the information contained within this application package is true and correct. Application must be signed by applicant and landowner as it appears in title insurance.

Lindsey Deganhart 6/14/20
Applicant Signature Date

Kimberlee Kay Deganhart 6/14/2020
Landowner Signature Date

Applicant Signature

Date

Landowner Signature

Date

Date Received 6-17-20 Received By Jm Fee Payment \$ 680⁰⁰ Check # 1478

Recording Fee \$ 13⁰⁰ Check # _____

Fees Paid By Lindsey Deganhart

Comments _____

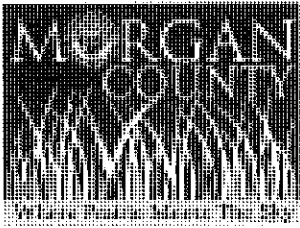
MS Permit # ms 2020-0005



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: jcrosthwait@co.morgan.co.us

MINOR SUBDIVISION ATTACHMENT SCHEDULE

- ☒ Schedule A: Proof of ownership in the form of current, title insurance policy, (within the last 6 months) or attorney's title opinion.
- ☐ Schedule B: Names, addresses, and phone numbers of all property owners.
- ☐ Schedule C: Waste Disposal System
☐ Public System - "Will Serve Letter"
☐ Private System - "Will Serve Letter"
☐ Existing Septic System - Evaluation of adequacy in terms of today's regulations from local Health Department.
- ☒ Schedule D: Water System
☒ Existing or proposed public or private water system – Contract for Service
☐ Existing Well – Provide copy of drillers well completion report to state and proof of adjudication and water quality report.
☐ Proposed Well – Provide documented proof of quality and quantity of potable water
- ☐ Schedule E: Water supply information summary as required by State of Colorado, Office of the State Engineer (attached)
- ☐ Schedule F: Legal Access - Copy of permit for driveway access from Colorado Department of Transportation or Morgan County Road and Bridge Department. Other easements and/or right-of-ways as applicable. (Required for new and existing driveways)
- ☐ Schedule G: Is proposed subdivision located within a Fire District? (staff determined)
- ☐ Schedule H: Soil Type - Soil map from Morgan County Soil Conservation Service showing suitability for sanitary facilities, building site development for site specific soil.
- ☐ Schedule I: Impact statement from Morgan County Extension for determination of the number of animal units this land can sustain.
- ☐ Schedule J: Describe the general topography of the land and potential hazards.
- NA Schedule K: If any portion of proposed subdivision is in the floodplain these areas must be shown on the plat map. Zone, panel number and panel date to be indicated.
- NA Schedule L: Declaration of restrictive covenants.
- NA Schedule M: Homeowners Association agreement and by-laws.
- ☐ Schedule N: Revegetation plan (if not included in covenants).
- ☐ Schedule O: Names and addresses of all mineral rights owners and/or lessees.



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: jcrosthwait@co.morgan.co.us

- _____ Schedule P: Right to Farm Policy.
- _____ Schedule Q: Plat (survey) map per requirements set forth in Morgan County Subdivision Regulations adopted February, 2003.
- _____ Schedule R: Improvement location certificate, including setbacks of existing structures, per requirements set forth in the Morgan County Subdivision Regulations adopted February, 2003. **2 copies required.**
- _____ Schedule S: Non-refundable Application Fee: (made payable to Morgan County Planning)
- | | |
|-----------------------|-----------|
| Administrative Review | \$300.00 |
| Up to 10.90 acres | \$550.00 |
| 11 - 20.9 acres | \$575.00 |
| 21 - 30.9 acres | \$600.00 |
| 31 - 40.9 acres | \$625.00 |
| 41 + acres - 60 acres | \$650.00* |
- * Plus \$15.00 per 40 acres or fraction thereof in excess of 60 acres.
- _____ Schedule T: Plat map recording fee of \$13.00. (made payable to Morgan County Clerk & Recorder)
- _____ Schedule U: Covenants recording fee of \$13.00 for first page and \$5.00 per page thereafter. (This fee will be collected at the conclusion of all hearings. Made payable to Morgan County Clerk & Recorder)
- _____ Schedule V: Other staff requirements.

*Title to any or all of the Minor Subdivision **cannot** be transferred until all required documents have been recorded in the Morgan County Clerk and Recorders office.

Minimum lot size for parcel containing a water well and a septic system is 2.5 (two and one half) acres. Minimum lot size for parcel without a water well and served by a public or private water system and a septic system is 1 (one) acre.

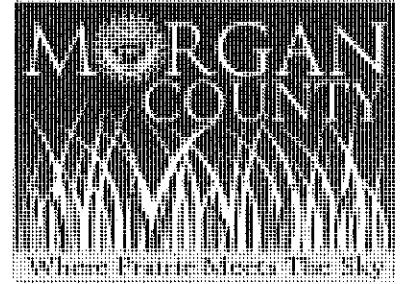
Property taxes must be current prior to processing application.

RECEIPT

Morgan County

231 Ensign, Fort Morgan, CO 80701

(970) 542-3526



MS2020-0005 | Minor Subdivision Permit

Receipt Number: 542132

June 17, 2020

Payment Amount: \$680.00

<i>Payment Method</i>	<i>Payer</i>	<i>Cashier</i>	<i>Reference Number</i>
Check	Lindsey Deganhart	Ahna Raygoza	1478

Comments

Assessed Fee Items

Fee items being paid by this payment

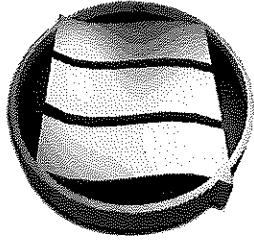
<i>Fee Item</i>	<i>Account Code</i>	<i>Assessed</i>	<i>Amount Paid</i>	<i>Balance Due</i>
Minor Subdivision 41 + acres		\$680.00	\$680.00	\$0.00
Totals:		\$680.00	\$680.00	
Previous Payments				\$0.00
Remaining Balance Due				\$0.00

Permit Info

Property Address	Property Owner	Property Owner Address	Valuation
9681 CR Y, Weldona, CO 80653	Kimberlee Deganhart	9681 CR Y, Weldona, CO 80653	

Description of Work

2 Lot Minor Sub



EQUITY TITLE
ASSOCIATES II,
LLC

520 Sherman Street
Fort Morgan, CO 80701
Phone: (970) 867-0515 • Fax: (970) 867-2246

Date: March 30, 2020

Our File Number: 00055828 SB

C-1 – New TBD Commitment

Re: Kimberlee K. Deganhart / TBD

Property Address: 9681 County Road Y Weldona, CO 80653

Escrow Officer: Terrie Woods - (303) 375-4952 - twoods@equitycol.com

Title Officer: Shelly Butt - (303) 563-4655 - shellyb@equitycol.com

Delivery List

Seller:

Kimberlee K. Deganhart

Buyer:

TBD

Copy to:

Lindsey Deganhart

Email: ljdhart@gmail.com

SENT VIA EMAIL



ALTA COMMITMENT FOR TITLE INSURANCE

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

NOTICE

IMPORTANT – READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY'S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY - II, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I - Requirements have not been met within six (6) months after the Commitment Date, this Commitment terminates and the Company's liability and obligation end.

Countersigned:

Authorized Signature

Equity Title Associates II, LLC

Company Name

Fort Morgan, Colorado

City State

stewart
title guaranty company



Matt Morris
President and CEO

Denise Carraux
Secretary

For purposes of this form the "Stewart Title" logo featured above is the represented logo for the underwriter, Stewart Title Guaranty Company - II.
This page is only a part of a 2016 ALTA® Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I - Requirements; and Schedule B, Part II - Exceptions; and a countersignature by the Company or its issuing agent that may be in electronic form.

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COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.

3. The Company's liability and obligation is limited by and this Commitment is not valid without:

- (a) the Notice;
- (b) the Commitment to Issue Policy;
- (c) the Commitment Conditions;
- (d) Schedule A;
- (e) Schedule B, Part I - Requirements;
- (f) Schedule B, Part II - Exceptions; and
- (g) a countersignature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.

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- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
- (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

STEWART TITLE GUARANTY COMPANY - II

All notices required to be given the Company and any statement in writing required to be furnished the Company shall be addressed to it at P.O. Box 2029, Houston, Texas 77252-2029.

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE A**

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Transaction Identification Data for reference only:

Issuing Agent: Equity Title Associates II, LLC
Issuing Office: 520 Sherman Street, Fort Morgan, CO 80701
Loan ID Number: []
Issuing Office File Number: 00055828
Property Address: 9681 County Road Y, Weldona, CO 80653

1. Effective Date: **March 20, 2020 at 8:00 a.m.**

2. Policy to be issued:

(a) None

Proposed Insured: **TBD**

Proposed Policy Amount: **\$0.00**

(b) None

Proposed Insured:

Proposed Policy Amount: **\$0.00**

(c) None

Proposed Insured: []

Proposed Policy Amount: \$0.00

3. The estate or interest in the Land described or referred to in this Commitment is:

FEE SIMPLE

4. The Title is, at the Commitment Date, vested in:

[Kimberlee K. Deganhart](#)

5. The Land is described as follows:

See Exhibit A attached hereto and made a part hereof.

STEWART TITLE GUARANTY COMPANY - II
Countersigned By



Authorized Signature

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TITLE PREMIUMS

TBD Commitment	\$	300.00
TOTAL	\$	\$ 300.00
Closing Protection Letter Fee (if applicable): \$25.00		

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EXHIBIT A

LEGAL DESCRIPTION

That part of the SE ¼, and that part of the SW ¼ of Section 34, Township 5 North, Range 59 West of the 6th P.M., Morgan County, Colorado, described as:

COMMENCING at a point on the South line of said SE ¼ from which the S ¼ corner of said Section 34, bears North 89°48' West 384.9 feet;

THENCE South 89°48' East along said South line 1277.3 feet;

THENCE North 00°01'15" West along a fence line being on the West side of County Road 10 and approximately 60 rods West of the East line of said SE ¼, 2658.8 feet to a point on the North line of said SE ¼;

THENCE North 89°31'45" West along said North line 1653.8 feet to the C ¼ corner of said Section 34;

THENCE North 89°31'45" West along the North line of said SW ¼, 400 feet;

THENCE South 00°50'40" East, 2334.1 feet;

THENCE South 89°35' East parallel to said South line of said SW ¼ 188.0 feet;

THENCE South 00°50'40" East, 116.0 feet;

THENCE South 89°48' East 299.1 feet;

THENCE North 86°01' East 37.5 feet;

THENCE North 02°09' East 127.7 feet;

THENCE South 88°19' East 190.5 feet;

THENCE South 03°34' East 346.0 feet to the point of beginning;

EXCEPT a parcel of land located in the Southeast Quarter (SE ¼) of Section 34, Township 5 North, Range 59 West of the Sixth Principal Meridian, County of Morgan, State of Colorado, being more particularly described as follows:

COMMENCING at the South Quarter corner of said Section 34, a found B.L.M. Brass Cap;

THENCE South 89°48'00" East, in the South line of said Southeast Quarter, 1622.20;

THENCE Departing said South line North 00°06'06" East, 2173.84 feet to a set #5 rebar and Plastic Cap stamped P.L.S. #36070 (herein after referred to as a "set cap"), and the point of beginning;

THENCE North 89°29'44" West, 420.00 feet to a set cap;

THENCE North 00°06'06" East, 420.00 feet to a set cap;

THENCE South 89°29'44" East, 420.00 feet to a set cap;

THENCE South 00°06'06" West to the point of beginning, according to Subdivision Exemption recorded September 16, 2004, as Reception No. 1601078;

County of Morgan, State of Colorado.

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART I**

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Requirements

File No.: 00055828

All of the following Requirements must be met:

- A. ~~The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.~~
- B. ~~Pay the agreed amount for the estate or interest to be insured.~~
- C. ~~Pay the premiums, fees, and charges for the Policy to the Company.~~
- D. ~~Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.~~
- i. ~~[]~~
- ii. ~~[]~~
- [=clause=]
- E. ~~Evidence if any that all assessments for common expenses due under the Declaration referred to in Schedule B, Section 2 contained herein, have been paid.~~
- F. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by Kimberlee K. Deganhart.~~
- G. ~~Receipt by the Company of a satisfactory Final Affidavit, executed by TBD.~~
- H. ~~Payment of all taxes and assessments now due and payable.~~

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**ALTA COMMITMENT FOR TITLE INSURANCE
SCHEDULE B PART II**

ISSUED BY
STEWART TITLE GUARANTY COMPANY - II

Exceptions

File No.: 00055828

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTION, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date of which all of the Schedule B, Part I - Requirements are met.

NOTE: Provided Equity Title Associates II, LLC conducts the closing of this transaction, Exception 1 will be deleted.

2. Rights or claims of parties in possession not shown by the public records.
3. Easements or claims of easements, not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortages in area, encroachments, and any facts which a correct survey and inspection of the premises would disclose and which are not shown by the public records.
5. Any lien, or right to a lien for services, labor or material heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: Upon receipt of [a satisfactory survey and] [final affidavits], as shown in Schedule B - Section 1, Exceptions 2 through 5 will not appear on the Lender's Policy (if any) to be issued hereunder.

6. Taxes and assessments which are a lien or are now due and payable; any tax, special assessment, charge or lien imposed for or by any special taxing district or for water or sewer service; any unredeemed tax sales.

NOTE: Upon payment of all taxes and assessments now due and payable, as shown in Schedule B - Section 2, Exception 6 will be amended to read as follows: "Taxes and assessments for the year 2019 and subsequent years, a lien, not yet due or payable."

7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records or listed in Schedule B.
8. Reservations contained in the patent from the United States of America, issued January 11, 1892, in [Volume 135 at Page 19](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.

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SCHEDULE B, PART II

(Continued)

9. Reservations contained in the patent from the United States of America, issued January 30, 1885, in [Volume 260 at Page 156](#). The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
10. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Order, recorded May 6, 1907, as Reception No. [25157](#).
11. An Oil and Gas Lease, from Ida B. Crook and C. Grayson Crook and Lucile E. Crook, as Lessor(s) to Stanolind oil and Gas Company, as Lessee(s), dated April 16, 1951, recorded October 10, 1951, as Reception No. [372407](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
12. An Oil and Gas Lease, from C. Grayson Crook and Lucile E. Crook, as Lessor(s) to Shell Oil Company, as Lessee(s), dated May 12, 1961, recorded June 5, 1961, as Reception No. [480822](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
13. An Oil and Gas Lease, from C. Grayson Crook and Lucile E. Crook, as Lessor(s) to John L Wheatley, as Lessee(s), dated November 16, 1974, recorded August 8, 1975, as Reception No. [597065](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
14. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Dry Up Covenant, recorded January 18, 2007, as Reception No. [840307](#).
15. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Declaratory Judgment, recorded February 20, 2007, as Reception No. [840953](#).
16. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Subordination Agreement, recorded February 26, 2007, as Reception No. [841055](#).
17. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Dry Up Covenant, recorded May 23, 2007, as Reception No. [842831](#).
 - Assignment of Dry-Up Covenant, recorded February 3, 2010, as Reception No. [859804](#).
18. An Oil and Gas Lease, from James P. Deganhart and Kimberly K. Deganhart, as Lessor(s) to Prima Exploration, Inc., as Lessee(s), dated May 4, 2010, recorded July 15, 2010, as Reception No. [862420](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
19. Terms, conditions, provisions, obligations, easements, agreements, benefits and burdens as set forth in the Certificate of Permanent Location for a manufactured Home, recorded September 28, 2012, as Reception No. [878164](#).

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SCHEDULE B, PART II

(Continued)

20. An Oil and Gas Lease, from Kimberlee K. Deganhart, as Lessor(s) to Bijou Creek Holdings, LLC, as Lessee(s), dated May 6, 2016, recorded August 25, 2015, as Reception No. [901227](#), and any and all assignments thereof or interests therein. The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
21. The following notices pursuant to CRS 9-1.5-103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property:
- a.) Mountain Bell Telephone Company recorded October 2, 1981, in [Book 821 at Page 502](#).
 - b.) Public Service Company of Colorado recorded October 2, 1981, in [Book 821 at Page 514](#).
 - c.) Morgan County REA, recorded January 22, 1982, in [Book 825 at Page 656](#).
 - d.) Wiggins Telephone Association, recorded October 9, 1992, in [Book 947 at Page 824](#).
 - e.) Colorado Interstate Gas Company, recorded July 26, 1984, in [Book 858 at Page 228](#).

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DISCLOSURES

Pursuant to C.R.S. 10-11-122, notice is hereby given that:

- A. THE SUBJECT REAL PROPERTY MAY BE LOCATED IN A SPECIAL TAXING DISTRICT;
- B. A CERTIFICATE OF TAXES DUE LISTING EACH TAXING JURISDICTION SHALL BE OBTAINED FROM THE COUNTY TREASURER OR THE COUNTY TREASURER'S AUTHORIZED AGENT;
- C. INFORMATION REGARDING SPECIAL DISTRICTS AND THE BOUNDARIES OF SUCH DISTRICTS MAY BE OBTAINED FROM THE BOARD OF COUNTY COMMISSIONERS, THE COUNTY CLERK AND RECORDER, OR THE COUNTY ASSESSOR

Note: Colorado Division of Insurance Regulations 8-2-2, Section 5, Paragraph G requires that "Every title entity shall be responsible for all matters which appear of record prior to the time of recording whenever the title entity conducts the closing and is responsible for recording or filing of legal documents resulting from the transaction which was closed." Provided that Title Company of Sherwood, Inc. conducts the closing of the insured transaction and is responsible for recording the legal documents from the transaction, exception number 1 will not appear on the Owner's Title Policy and the Lender's Title Policy when issued.

Note: Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single-family residence, which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or materialmen for purposes of construction on the land described in Schedule A of this Commitment within the past 6 months.
- C. The Company must receive an appropriate affidavit indemnifying the Company against unfilled Mechanic's and Materialmen's Liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

No coverage will be given under any circumstances for labor or material for which the insured has contracted for or agreed to pay.

To comply with the provisions of C.R.S. 10-11-123, the Company makes the following disclosure:

- a. That there is recorded evidence that a mineral estate has been severed, leased or otherwise conveyed from the surface estate and that there is a substantial likelihood that a third party holds some or all interest in oil, gas, other minerals, or geothermal energy in the property; and
- b. That such mineral estate may include the right to enter and use the property without the surface owner's permission.

NOTE: THIS DISCLOSURE APPLIES ONLY IF SCHEDULE B, SECTION 2 OF THE TITLE COMMITMENT HEREIN INCLUDES AN EXCEPTION FOR SEVERED MINERALS.

Notice of Availability of a Closing Protection Letter: Pursuant to Colorado Division of Insurance Regulation 8-1-3, Section 5, Paragraph C (11)(f), a closing protection letter is available to the consumer.

NOTHING HEREIN CONTAINED WILL BE DEEMED TO OBLIGATE THE COMPANY TO PROVIDE ANY OF THE COVERAGES REFERRED TO HEREIN, UNLESS THE ABOVE CONDITIONS ARE FULLY SATISFIED.

**Orange Coast Title Family of Companies
PRIVACY POLICY**

We are committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information that you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information that you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information we receive from providers of services to us, such as appraisers, appraisal management companies, real estate agents and brokers and insurance agencies (this may include the appraised value, purchase price and other details about the property that is the subject of your transaction with us).
- Information about your transactions with us, our Affiliated Companies, or others; and
- Information we receive from a consumer reporting agency.

Your California Rights (see attachments) or you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. Only applies to CA residents

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Other Important Information

We reserve the right to modify or supplement this Privacy Policy at any time. If our Privacy Policy changes, we will post the updated Privacy Policy on our website and provide the ability to opt out (as required by law) before the new policy becomes effective.

If you have any questions or comments regarding our Privacy Policy you may contact us at our toll free number (866) 241-7373 or email us at dataprivacy@octitle.com.

Privacy Policy Last Revision 12/26/2019
Effective on 1/1/2020

Your California Rights

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act ("CCPA"). All phrases used herein shall have the same meaning as those phrases used under relevant California law, including but not limited to the CCPA.

Right to Know

You have the right to know:

- The categories of personal information we have collected about or from you;
- The categories of sources from which we collected your personal information;
- The business or commercial purpose for collecting or sharing your personal information;
- The categories of third parties with whom we have shared your personal information; and
- The specific pieces of your personal information we have collected.

Process to Submit a Request. To submit a verified request for this information you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. You may also designate an authorized agent to submit a request on your behalf by visiting our website <https://www.titleadvantage.com/privacypolicy.htm> or calling toll-free at (866) 241-7373 and then also submitting written proof of such authorization via e-mail to dataprivacy@octitle.com.

Verification Method. In order to ensure your personal information is not disclosed to unauthorized parties, and to protect against fraud, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right of Deletion

You have a right to request that we delete the personal information we have collected from or about you.

Process to Submit a Request. To submit a verified request to delete your information you may visit our website at <https://www.titleadvantage.com/privacypolicy.htm> or call toll-free at (866) 241-7373. You may also designate an authorized agent to submit a request on your behalf by clicking here or calling toll-free at (866) 241-7373 and then also submitting written proof of such authorization via e-mail to dataprivacy@octitle.com.

Verification Method. In order to ensure we do not inadvertently delete your personal information based on a fraudulent request, we will verify your identity before we respond to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the personal information requested to be deleted, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Right to Opt-Out

We do not sell your personal information to third parties, and do not plan to do so in the future.

Right of Non-Discrimination

You have a right to exercise your rights under the CCPA without suffering discrimination. Accordingly, OC Title & family of Companies will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

California Minors

If you are a California resident under the age of 18, California Business and Professions Code § 22581 permits you to request and obtain removal of content or information you have publicly posted on any of our Applications or Websites. To make such a request, please send an email with a detailed description of the specific content or information to dataprivacy@octitle.com. Please be aware that such a request does not ensure complete or comprehensive removal of the content or information you have posted and there may be circumstances in which the law does not require or allow removal even if requested.

Collection Notice

The following is a list of the categories of personal information we may have collected about California residents in the twelve months preceding the date this Privacy Notice was last updated, including the business or commercial purpose for said collection, the categories of sources from which we may have collected the personal information, and the categories of third parties with whom we may have shared the personal information:

Categories of Personal Information Collected

The categories of personal information we have collected include, but may not be limited to:

- | | | |
|--|------------------------------------|--|
| • real name | • address | • employment history |
| • signature | • telephone number | • bank account number |
| • alias | • passport number | • credit card number |
| • SSN | • driver's license number | • debit card number |
| • physical characteristics or description, including | • state identification card number | • financial account numbers |
| • protected characteristics under federal or state law | • IP address | • commercial information |
| | • policy number | • professional or employment information |
| | • file number | |

Categories of Sources

Categories of sources from which we've collected personal information include, but may not be limited to:

- the consumer directly
- public records
- governmental entities
- non-affiliated third parties
- affiliated third parties

Business Purpose for Collection

The business purposes for which we've collected personal information include, but may not be limited to:

- completing a transaction for our Products
- verifying eligibility for employment
- facilitating employment
- performing services on behalf of affiliated and non-affiliated third parties
- protecting against malicious, deceptive, fraudulent, or illegal activity

Categories of Third Parties Shared

The categories of third parties with whom we've shared personal information include, but may not be limited to:

- service providers
- government entities
- operating systems and platforms
- non-affiliated third parties
- affiliated third parties

Sale Notice

We have not sold the personal information of California residents to any third party in the twelve months preceding the date this Privacy Notice was last updated, and we have no plans to sell such information in the future. We also do not, and will not sell the personal information of minors under sixteen years of age without affirmative authorization.

Disclosure Notice

The following is a list of the categories of personal information of California residents we may have disclosed for a business purpose in the twelve months preceding the date this Privacy Notice was last updated.

- | | | |
|---|------------------------------------|--|
| • real name | • telephone number | • bank account number |
| • Signature | • passport number | • credit card number |
| • Alias | • driver's license number | • debit card number |
| • SSN | • state identification card number | • financial account numbers |
| • physical characteristics or description, including protected characteristics under federal or state law | • IP address | • commercial information |
| • address | • policy number | • professional or employment information |
| | • file number | |
| | • employment history | |

If you have any questions and/or comments you may contact us:

Call Us at our toll free number (866) 241-7373

Email Us at dataprivacy@octile.com

Revised on 1/24/2020 / Effective on 1/1/2020

STG Privacy Notice 1 (Rev 01/26/09) Stewart Title Companies

WHAT DO THE STEWART TITLE COMPANIES DO WITH YOUR PERSONAL INFORMATION?

Federal and applicable state law and regulations give consumers the right to limit some but not all sharing. Federal and applicable state law regulations also require us to tell you how we collect, share, and protect your personal information. Please read this notice carefully to understand how we use your personal information. This privacy notice is distributed on behalf of the **Stewart Title Guaranty Company - II** and its affiliates (the Stewart Title Companies), pursuant to Title V of the Gramm-Leach-Bliley Act (GLBA).

The types of personal information we collect and share depend on the product or service that you have sought through us. This information can include social security numbers and driver's license number.

All financial companies, such as the Stewart Title Companies, need to share customers' personal information to run their everyday business—to process transactions and maintain customer accounts. In the section below, we list the reasons that we can share customers' personal information; the reasons that we choose to share; and whether you can limit this sharing.

Reasons we can share your personal information	Do we share?	Can you limit this sharing?
For our everyday business purposes — to process your transactions and maintain your account. This may include running the business and managing customer accounts, such as processing transactions, mailing, and auditing services, and responding to court orders and legal investigations.	Yes	No
For our marketing purposes — to offer our products and services to you.	Yes	No
For joint marketing with other financial companies	No	We don't share
For our affiliates' everyday business purposes — information about your transactions and experiences. Affiliates are companies related by common ownership or control. They can be financial and nonfinancial companies. <i>Our affiliates may include companies with a Stewart name; financial companies, such as Stewart Title Company</i>	Yes	No
For our affiliates' everyday business purposes — information about your creditworthiness.	No	We don't share
For our affiliates to market to you	Yes	No
For nonaffiliates to market to you. Nonaffiliates are companies not related by common ownership or control. They can be financial and nonfinancial companies.	No	We don't share

We may disclose your personal information to our affiliates or to nonaffiliates as permitted by law. If you request a transaction with a nonaffiliate, such as a third party insurance company, we will disclose your personal information to that nonaffiliate. We do not control their subsequent use of information, and suggest you refer to their privacy notices.

Sharing practices	
How often do the Stewart Title Companies notify me about their practices?	We must notify you about our sharing practices when you request a transaction.
How do the Stewart Title Companies protect my personal information?	To protect your personal information from unauthorized access and use, we use security measures that comply with federal and state law. These measures include computer, file, and building safeguards.
How do the Stewart Title Companies collect my personal information?	<p>We collect your personal information, for example, when you</p> <ul style="list-style-type: none"> request insurance-related services provide such information to us <p>We also collect your personal information from others, such as the real estate agent or lender involved in your transaction, credit reporting agencies, affiliates or other companies.</p>
What sharing can I limit?	Although federal and state law give you the right to limit sharing (e.g., opt out) in certain instances, we do not share your personal information in those instances.

Contact Us

If you have any questions about this privacy notice, please contact us at: **Stewart Title Guaranty Company - II**, 1980 Post Oak Blvd., Privacy Officer, Houston, Texas 77056

**THIS ADDENDUM IS MADE PART OF THE POLICY AND IS PERMANENTLY AFFIXED HERETO
COLORADO ANTI-FRAUD DISCLOSURE
PURSUANT TO C.R.S. 10-1-128 (6)**

"It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado Division of Insurance within the Department of Regulatory Agencies."

PERSONAL REPRESENTATIVE'S DEED
(Intestate Estate)

THIS DEED is made by Kimberlee K. Deganhart as Personal Representative of the Estate of James P. Deganhart, deceased, Grantor, to Kimberlee K. Deganhart, individually, Grantee, whose legal address is 9681 Road Y, Weldon, CO 80653 of the County of Morgan State of Colorado.

WHEREAS, James P. Deganhart died intestate in Morgan County on February 7, 2011;

WHEREAS, Grantor was duly appointed Personal Representative of said Estate by the District Court in and for the County of Morgan State of Colorado, Probate No. 2011 PR 20 on February 25, 2011, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor does hereby convey, assign, transfer, and set over unto said Grantee as the person entitled to distribution of the property in the above-captioned Estate the following described real property and any improvements located thereon situate in the County of Morgan, State of Colorado:

SEE ATTACHED LEGAL DESCRIPTION

(THIS DEED IS GIVEN TO THE PERSON ENTITLED TO DISTRIBUTION OF THE ESTATE AND NO CONSIDERATION HAS BEEN GIVEN BY THE GRANTEE. THEREFORE, NO DOCUMENTARY FEE IS REQUIRED.)

(THIS DEED IS GIVEN TO THE GRANTEE PURSUANT TO AND IN COMPLIANCE WITH AN ORDER FROM THE DISTRICT COURT OF MORGAN COUNTY IN CASE NUMBER 2011 PR 20 ENTERED BY THE COURT ON FEBRUARY 24, 2012, A COPY OF WHICH IS ATTACHED HERETO, DISTRIBUTING TO THE GRANTEE THE PROPERTY AS A PARTIAL SATISFACTION OF THE GRANTEE'S ENTITLEMENT TO THE EXEMPT PROPERTY ALLOWANCE AND FAMILY ALLOWANCE.)

With all appurtenances, subject to the following: covenants, conditions, rights-of-way, easements, reservations, and restrictions of record; notes on the recorded plat; easements, encroachments, and boundary line variances not shown by the public records; general property taxes for the year 2012.

As used herein, the singular includes the plural and the masculine gender the feminine and neuter genders as the context may require.

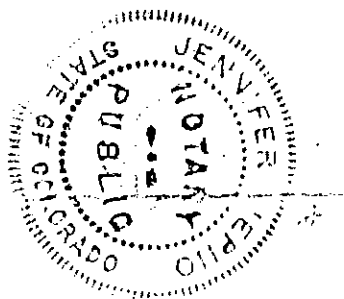
Executed April 24, 2012.

Kimberlee K. Deganhart
Kimberlee K. Deganhart
Personal Representative of the
Estate of James P. Deganhart, Deceased

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)

The foregoing instrument was acknowledged before me this 24th day of April, 2012, by Kimberlee K. Deganhart, as Personal Representative for the Estate of Kimberlee K. Deganhart, Deceased.

Witness my hand and official seal.



Jennifer Pipto
Notary Public

911 North Ave
Address

WELDONA, CO 80653

My Commission Expires: 10/11/2015

LEGAL DESCRIPTION

That part of the SE $\frac{1}{4}$, and that part of the SW $\frac{1}{4}$ of Section 34, Township 5N, Range 59W of the 6th P.M., Morgan County, Colorado, described as commencing at a point on the South line of said SE $\frac{1}{4}$ from which the S $\frac{1}{4}$ corner of said Section 34 bears N89°48'W 384.9 feet; thence S89°48'E along said South line 1277.3 feet; thence N00°01'15"W along a fence line being on the West side of County Road 10 and approximately 60 rods West of the East line of said SE $\frac{1}{4}$ 2658.8 feet to a point on the North line of said SE $\frac{1}{4}$; thence N89°31'45"W along said North line 1653.8 feet to the C $\frac{1}{4}$ corner of said Section 34; thence N89°31'45"W along the North line of said SW $\frac{1}{4}$ 400.0 feet; thence S00°50'40"E 2334.1 feet; thence S89°35'E parallel to said South line of said SW $\frac{1}{4}$ 188.0 feet; thence S00°50'40"E 116.0 feet; thence S89°48'E 299.1 feet; thence N86°01'E 37.5 feet; thence N02°09'E 127.7 feet; thence S88°19'E 190.5 feet; thence S03°34'E 346.0 feet to the point of beginning.

<input checked="" type="checkbox"/> District Court <input type="checkbox"/> Denver Probate Court Morgan County, Colorado Court Address: 400 Warner, Fort Morgan, Colorado 80701	
In the Matter of the Estate of: JAMES P. DEGANHART, aka JAMES PATRICK DEGANHART, aka JAMES DEGANHART, Deceased	Case Number: 2011 PR <u>20</u> Division <u>D</u>
LETTERS <input type="checkbox"/> TESTAMENTARY <input checked="" type="checkbox"/> OF ADMINISTRATION	

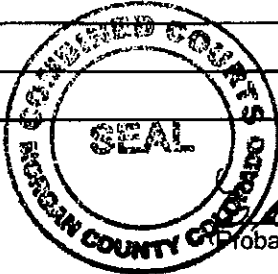
Kimberlee K. Deganhart (name) was appointed or qualified by this Court or its Registrar on February 25, 2011 (date) as:

- ☒ Personal Representative.
☐ Successor Personal Representative.

The Decedent died on February 7, 2011 (date).

These Letters are proof of the Personal Representative's authority to act pursuant to §15-12-701, et.seq, C.R.S. except for the following restrictions, if any:

Date: 2-25-11



Catherine Marshall
Probate Registrar/(Deputy) Clerk of Court

CERTIFICATION

Certified to be a true copy of the original in my custody and to be in full force and effect as of 2-28-12 (date).

Catherine Marshall
Probate Registrar/(Deputy) Clerk of Court

**Granted**

The moving party is hereby ORDERED to provide a copy of this Order to any pro se parties who have entered an appearance in this action within 10 days from the date of this order.

Kevin L. Hoyer
District Court Judge
 Date of Order attached

DISTRICT COURT
 MORGAN COUNTY, COLORADO
 Court Address: 400 Warner
 Fort Morgan, CO 80701

IN THE MATTER OF THE ESTATE OF:

**JAMES P. DEGANHART, aka JAMES PATRICK
 DEGANHART, aka JAMES DEGANHART,**

Deceased.

Attorney or Party Without Attorney:
 Charles J. Connell, Attorney at Law
 2308 W. 29th Street, Suite 200
 Greeley, CO 80631
 Phone Number: (970) 353-2507
 Fax Number: (970) 353-2509
 E-mail: lawconnell@aol.com
 Atty. Reg. #: 10035

Case No. 2011 PR 20

ORDER

THIS MATTER having come before the Court upon the Petition to determine Creditor Claims and Allowances filed herein by the Personal Representative of the estate, and notice having been provided to all interested persons as provided by law, and the Court having reviewed the file and being otherwise fully advised in the premises,

THE COURT HEREBY FINDS AND CONCLUDES that the calculation presented in the Petition and as shown on Exhibit "B" attached to the Petition for the percentage of the secured claims of all of the creditors is fair and reasonable under the circumstances. The Court further finds that distribution of the dryland farm to Kimberlee K. Deganhart as the surviving spouse valued at \$42,000 is a fair valuation and appropriate for distribution to her as a partial satisfaction of her entitlement to the Exempt Property Allowance and the Family Allowance.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. That the unimproved dryland property described as Part of the Southeast Quarter and Southwest Quarter of Section 34, Township 5 North, Range 59 West of the 6th P.M., Morgan County, Colorado, be distributed to Kimberlee K. Deganhart as a partial satisfaction of her

claim for the Exempt Property Allowance and the Family Allowance with a value of \$42,000, free of all judgment liens and encumbrances from the creditors of the estate;

2. That the Court determine that the secured creditors as shown on Exhibit "B" attached to the Petition are entitled to receive their percentage interest as shown on the exhibit of the net proceeds of the sale of the Goodrich property as a full and final settlement of their judgment liens or other encumbrances upon the property in Morgan County;
3. That the secured creditors as shown on Exhibit "B" attached to the Petition shall sign a release of their judgment liens on the Morgan County property owned by the decedent upon their receipt of their percentage interest of the net proceeds of the sale of the Goodrich property; and
4. That the balance of any debt owed to the secured creditors after their receipt of their share of the sale proceeds of the Goodrich property shall be considered as an unsecured claim with all other creditors of the estate.

Done this _____ day of _____, 2012.

BY THE COURT:

District Court Judge

This document contains the ruling of the court and should be treated as such

Court: CO Morgan County District Court 13th JD

Judge: Kevin L Hoyer

File & Serve

Transaction ID: 42509478

Current Date: Feb 24, 2012

Case Number: 2011PR20

Case Name: In the matter of: DEGANHART, JAMES P

/s/ Judge Kevin L Hoyer



District Headquarters - 700 Columbine St., Sterling, CO 80751
(970) 522-3741 - 877-795-0646 - www.nchd.org

May 28, 2020

Lindsey Deganhart
9681 CR Y
Weldona, CO 80653

Dear Lindsey:

Northeast Colorado Health Department (NCHD) has no objection to the Deganhart Minor Sub-division consisting of two lots located in the S1/2 of Section 34, Township 5N, Range 59W of the 6th P.M., Morgan County, Colorado. Total acres involved are approximately 115.48 acres.

Lot one will be approximately 112.83 acres. Said property has an existing residence at 9681 CR Y Weldona, CO 80653 with an existing onsite wastewater treatment system. Potable water on said lot is served by the Morgan County Water Quality District.

Lot two will be approximately 2.65 acres. Said property is currently vacant and potable water will be served by Morgan County Quality Water District.

Prior to building a residence, the owner(s) shall obtain from this office an application to install or repair an OWTS, and remit the appropriate fee. Construction of an OWTS shall conform to all Northeast Colorado Health Department Onsite Wastewater Treatment System Regulations. Including, but not limited to, setback distances from wells, creeks, irrigation ditches, property lines, buildings, high water, floodway and other septic systems.

If there are any questions please call me at (970) 867-4918 ext. 2260

Sincerely,

A handwritten signature in black ink, appearing to read "Conner Gerken".

Conner Gerken
Environmental Health Specialist
Northeast Colorado Health Department



COLORADO

Division of Water Resources

Department of Natural Resources

July 20, 2020

Pam Cherry

Morgan County Planning and Building Department

Transmission via email: pcherry@co.morgan.co.us

Re: Deganhart Minor Subdivision #2
Pt. S ½ of Section 34, T5N, R59W, 6th P.M.
Water Division 1, Water District 1

Dear Ms. Cherry:

We have reviewed the above referenced proposal to create a one-lot subdivision of 2.65 acres. This one-lot subdivision will result in the creation of a new parcel. The proposed new parcel, designated as Lot 2, has been historically used for agricultural purposes and is proposed to be used for residential purposes.

Based on correspondence with the Morgan County Planning and Zoning Department, this proposal is for a "one-lot" subdivision and the remainder of the original parcel, consisting of 112.83 acres designated as Lot 1, will be exempt from subdivision regulations. **If Lot 1 is not exempt from subdivision regulations, this office requests the ability to re-evaluate the proposal for the potential injury to decreed water rights.**

Water Supply Demand

The estimated water requirements for this project were not provided.

Source of Water Supply

The proposed source of water for Lot 2 was identified as the Morgan County Quality Water District ("MCQWD"). The application included a Tap Request to the MCQWD for one ½" tap prepared by NOCO Engineering Company and dated June 8, 2020. The subject property is located within the water service area of the MCQWD. According to information provided by the MCQWD in a letter dated December 19, 2007, the District's commitments at that time totaled 3,572 tap equivalents, or 2,500.4 acre-feet per year, and their firm water supplies totaled 6,104 tap equivalents, or 4,273 acre-feet per year.

State Engineer's Office Opinion

Based on the above, the State Engineer finds, pursuant to section 30-28-136(1)(h)(II), C.R.S., that with MCQWD as the water provider the proposed water supply is physically adequate, and can be provided without causing injury to decreed water rights. We recommend that the County obtain a signed copy of a water service agreement with the MCQWD prior to final approval of the subdivision.



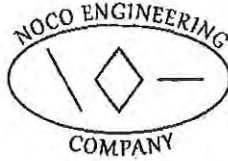
Should you or the applicants have any questions regarding this matter, please contact Javier Vargas-Johnson of this office via email at javier.vargasjohnson@state.co.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Sarah Brucker".

Sarah Brucker, P.E.
Water Resources Engineer

Cc: Owner (Kimberlee Deganhart, kdeganhart@weldonvalley.org)
Applicant (Lindsey Deganhart, ljdhart@gmail.com)
Referral file no. 27210



11323 Coal Mine Street
Firestone, CO 80504
Phone: 720-324-3625
www.nec-engrs.com

6-10-20
OKay
km

File No: 20-006.05

June 8, 2020

Morgan County Quality Water District
P.O. Box 1218
Fort Morgan, CO 80701

ATTN: Kent Pflager, Manager

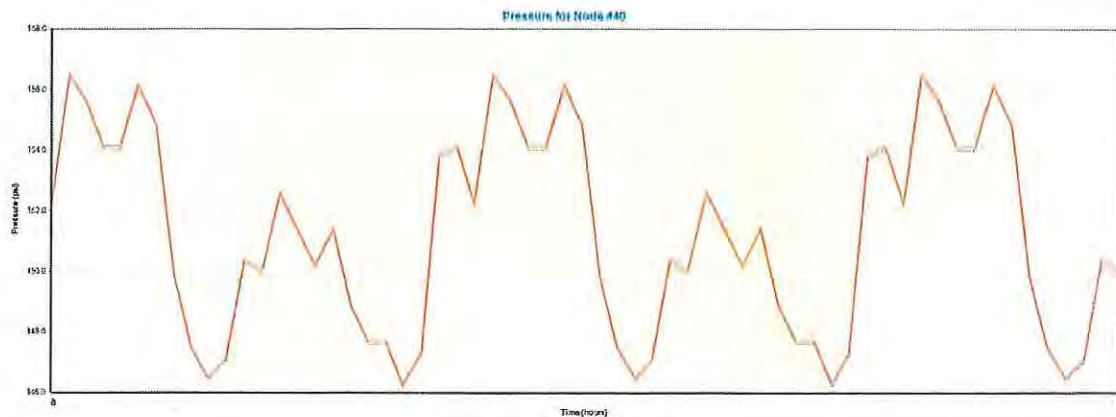
RE: Tap Request (2020-26 – Node 440)

Dear Kent:

The analysis for the following tap request has been completed:

Applicant	No. of Requested Taps	Location
Lindsey Daganhart	One (1) 5/8" Tap	MCR Y and 9.5

The request is for one 5/8" tap to serve a proposed property. The proposed location can be serviced from the existing two and a half-inch (2.5") PVC waterline on MCR 9.5. The existing pressures in this area are between 146 and 156 psi. With the addition of the tap, the pressure range is modeled between 146 and 156 psi as shown below. On a side note she requested a tap on MCR Y in tap request 20-014 and has change the location of the request.



The following table indicates the impact of this request on the peak-hour pressures at critical areas within the District without any improvements.

Location	Pressure Before Proposed Taps Added (psi)	Pressure After Proposed Taps Added (psi)
Wiggins Pump Station Inlet (#1140)	40	40
Road 23 (North End #2110)	75	74
North of Jackson Lake (#1921)	30	30
Northeast End of District (#2230)	87	87
Adams Co. (#1250)	29.9	29.9

* Spreadsheet was modified which changes the values 2/17/20

System Improvements required to serve this request:

None.

Engineer's Recommendation:

NEC recommends approval of this application. Engineer's recommendation is solely based on the pressures observed from the water model; official/final approval will be from the District in which the District will ensure the application meets all of the District's rules and regulations before issuing final approval. Commercial taps are required to be Board approved.

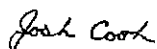
Master Plan Improvements recommended to serve this request: None.

The applicant is responsible for the construction of any main extensions from the existing line to serve the proposed tap, in accordance with current District Construction Guidelines, and for providing easements for the main extensions located on private property and obtaining permits from the County and other permits that are required. The applicant should make arrangements for the implementation of this request, or express Intent to Proceed, within 90 days of the date of this correspondence. Otherwise, the proposed request will be removed from the model. If the applicant decides to proceed with the installation anytime thereafter, additional analysis may be necessary.

If this request is to serve a commercial tap, and if the Applicant's total water use in any two years out of three consecutive years exceeds 0.7 acre feet times the number of tap equivalents purchased, then the District may require Applicant to purchase additional tap equivalents to cover the additional demand, and the volumetric limits shall be modified to reflect the additional tap equivalents.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in cursive script that reads "Josh Cook".

Josh Cook, P.E.
President
NOCO Engineering Company

Attachment



Road & Bridge Department

6-11-2020

Lindsey Deganhart
9681 CR Y
Weldona, CO. 80653

Dear Lindsey

Morgan County Highway Department has no objection to the use of a new driveway located onto Morgan County Road 9.5 as access to the property located at:

Lot # 2 in S 1.5 of Section 34, Township 5 North Range 59 West
GPS Coordinates taken using a Jamar RAC Geo II Counter
GPS Coordinates at the centerline of the driveway: 40.350775Latitude
-103.966973 Longitude

The maximum width allowed for this driveway is 40 feet. An 18 inch culvert is required and will need to be installed at the landowner's expense. If at a future date, Morgan County determines a culvert is needed for drainage, or any existing culvert needs repaired. The landowner will assume all costs; and driveway must meet Morgan County specifications. Such parties may acquire the culvert and installation from anyone they wish, but the culvert must be pre-approved by the County. Culverts that meet Morgan County specifications may be purchased directly from the County, however; Morgan County cannot complete the installation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Bass".

Bruce Bass
Director of Public Works
Morgan County Government

Morgan County, Colorado

VrB—Vona sandy loam, terrace, 1 to 3 percent slopes

Map Unit Setting

National map unit symbol: 3pz8

Elevation: 4,000 to 5,500 feet

Mean annual precipitation: 13 to 15 inches

Mean annual air temperature: 48 to 55 degrees F

Frost-free period: 130 to 160 days

Farmland classification: Farmland of statewide importance

Map Unit Composition

Vona and similar soils: 85 percent

Minor components: 15 percent

Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Vona

Setting

Landform: Terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Loam sandy and/or sand loamy

Typical profile

H1 - 0 to 7 inches: sandy loam

H2 - 7 to 20 inches: sandy loam

H3 - 20 to 60 inches: loamy fine sand

Properties and qualities

Slope: 1 to 3 percent

Depth to restrictive feature: More than 80 inches

Natural drainage class: Well drained

Runoff class: Very low

Capacity of the most limiting layer to transmit water (Ksat): High
(1.98 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum in profile: 15 percent

Salinity, maximum in profile: Nonsaline to slightly saline (0.0 to 4.0
mmhos/cm)

Available water storage in profile: Moderate (about 6.5 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 4e

Hydrologic Soil Group: A

Ecological site: Sandy Plains (R067BY024CO)

Hydric soil rating: No

Minor Components

Gilcrest

Percent of map unit: 7 percent

Hydric soil rating: No

Truckton

Percent of map unit: 5 percent

Hydric soil rating: No

Fort collins

Percent of map unit: 3 percent

Hydric soil rating: No

Data Source Information

Soil Survey Area: Morgan County, Colorado

Survey Area Data: Version 20, Sep 13, 2019

Soils Map- Deganhart 5/28/20



0 376
Feet

Soils

Soil Mapunit



Account	As of Date	Parcel Number	Owner
R017395	06/17/2020	097334000019	DEGANHART, KIMBERLEE K
Legal:	S: 34 T: 5 R: 59 PARC S1/2 BETWEEN CO RD 9.6 & CO RD 10 B1183 P385 EX B1186 P365		
Situs Address:	09681 CO RD Y		
Year		Tax	Total Due
Total		\$0.00	\$0.00

FAX: 970-542-3541

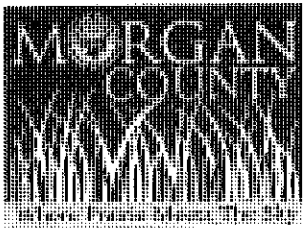
For return of this form or make arrangements to pick it up at the Extension Office.

Signature: Maxim Eisenach Date: 6/12/2020

Schedule J: The general topography of the land is flat.

Schedule N: The revegetation plan is to plant native grasses.

Schedule O: Kimberlee Deganhart owns the mineral rights on the property



MORGAN COUNTY
PLANNING, ZONING & BUILDING DEPT.
231 Ensign, P.O. Box 596
Fort Morgan, Colorado 80701
PHONE (970) 542-3526 FAX (970) 542-3509
E-mail: jcrosthwait@co.morgan.co.us

MORGAN COUNTY RIGHT TO FARM POLICY / NOTICE

Morgan County is one of the most productive agricultural counties in Colorado. Ranching, farming, animal feeding, and all other manner of agricultural activities and operations in Morgan County are integral and necessary elements of the continued vitality of the county's economy, culture, landscape and lifestyle. Morgan County specifically recognizes the importance of agricultural operations as necessary and worthy of recognition and protection.

Landowners, residents and visitors must be prepared to accept as normal the effects of agriculture and rural living. These may include noise from tractors, equipment, and aerial spraying sometimes at night or in the early morning; dust from animal pens, field work, harvesting, and gravel roads; odor from animal confinement operations, silage and manure; smoke from ditch burning; flies and mosquitoes; the use of pesticides and fertilizers, including aerial spraying; and movement of livestock or machinery on public roads. Under the provisions of the State of Colorado's "Right to Farm" law (Section 35-3.5-101 and following, C.R.S.), all normal and non-negligent agricultural operations may not be considered nuisances.

Also public services in a rural area are not at the same level as in an urban or suburban setting. Road maintenance may be at a lower level, mail delivery may not be as frequent, utility services may be nonexistent or subject to interruption, law enforcement, fire protection and ambulance service will have considerably longer response times, snow may not be removed from county roads for several days after a major snow storm. First priority for snow removal is that school bus routes are normally cleared first.

Children are exposed to different hazards in a rural setting than they are in an urban or suburban area. Farm and oilfield equipment, ponds, and irrigation ditches, electrical service to pumps and oil field operations, high speed traffic, noxious weeds, livestock, and territorial farm dogs may present real threats to children. It is necessary that children's activities be properly supervised for both the protection of the children and protection of the farmer's livelihood.

All rural residents and property owners are encouraged to learn about their rights and responsibilities and to act as good neighbors and citizens of Morgan County. This includes but is not limited to obligations under Colorado State law and Morgan County Zoning Regulations regarding maintenance of fences, controlling weeds, keeping livestock and pets under control. There may be provisions of which you are unaware. For example, because Colorado is a Fence Law State, owners of property may be required to fence livestock out.

Information regarding these topics may be obtained from the Colorado State University Cooperative Extension Office, the County Planning and Zoning Department, and the County Attorney.

RECEIPT AND STATEMENT OF UNDERSTANDING

I hereby certify that I have received, read, and understood the Morgan County Statement of Policy and Notice regarding Right to Farm.

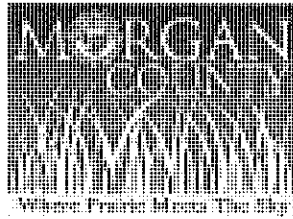
I further state that I am aware that the conditions of living in an unincorporated area are different than living in a town or city and that the responsibilities of rural residents are different from urban or suburban residents. I understand that under Colorado law that a pre-existing, non-negligent agricultural operation may not be considered a public or private nuisance.

To Be Signed by Landowner

Kimberlee Kay Deganhart 6/14/2020
Signature Date
Kimberlee Kay Deganhart
Printed Name
9681 Rd. 2
Address
Weldona, CO 80653

Adopted by the Morgan County Board of County Commissioners by Resolution #96BCC41 on July 23, 1996 and amended by Resolution 2008 BCC 34 on September 2, 2008.

[illegible]



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

Farm Service Agency-Morgan County
Century Link
CDOT
DOW
Colorado Parks & Wildlife
Kinder Morgan, Inc.
Wiggins Rural Fire Dept.
Morgan County Assessor
Morgan County Communications Center

Morgan County Road & Bridge
Morgan County Rural Electric Assoc.
Morgan County Sheriff
Morgan Soil Conservation District
NECHD
Northern Colorado Water Conservancy
Xcel Energy
Weldon Valley Ditch Company
Morgan County Quality Water

*- Eric Houston
Chris Houston*

FROM: Pam Cherry, Morgan County Planning Administrator
231 Ensign St, PO Box 596, Fort Morgan, CO 80701
970-542-3526 / 970-542-3509 fax / pcherry@co.morgan.co.us
DATE: July 15, 2020
RE: **Minor Subdivision Application – see attached site map**

The following application is for a Minor Subdivision. This application will be presented to the Planning Commission at a public hearing on **Monday, August 10, 2020, at 7:00 p.m.** in the Assembly Room of 231 Ensign Street, Fort Morgan, CO 80701 (Basement level). You are welcome to attend and comment at this public meeting.

Lindsey Deganhart as applicant

Kimberlee Deganhart as landowner

Legal Description: A parcel located in the S ½ of Section 34, Township 5 North, Range 59 West of the of the 6th PM, Morgan County, Colorado, addressed as 9681 County Road 4, Weldona, Colorado 80653.

Request: Minor Subdivision to create 2(two) lots. Proposed Lot 1 is vacant and will consist of 112.83 acres has a residence and small structures on it will continue to be used for agricultural purposes; Lot 2 is 2.65 acres, is undeveloped and residential use is proposed.

Please offer any comments or concerns you may have about this application within 14 days of the date of this letter. Do not hesitate to contact me at any time if you have questions. Thank you. You also may review the file at our office located at 231 Ensign Street, Fort Morgan, Colorado 80701 or request the file be sent to you.



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: **303.571.3306**
Facsimile: 303. 571. 3284
donna.l.george@xcelenergy.com

July 23, 2020

Morgan County Planning and Building Department
231 Ensign / PO Box 596
Fort Morgan, CO 80701

Attn: Pam Cherry

Re: Deganhart Subdivision Exemption

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documentation for **Deganhart**. Please be aware there is a service line from the electric distribution facilities along County Road 9.5 to the existing property at 24060 MCR 9.5. It is unsure whether this line is overhead or underground, or exactly where it lies. If this line crosses the created Lot 2, it will be in in trespass and will need a PSCo easement. In this event, the property owner/developer/contractor must contact Jake Bragg (jake.bragg@hotmail.com, 720-256-7465) in order to obtain a PSCo easement for these facilities.

It will also need to be located if it is underground and no structure is allowed over this line. As a safety precaution, PSCo would like to remind the developer to call the Utility Notification Center by dialing 811 for utility locates prior to construction.

The property owner/developer/contractor must complete the application process for any new natural gas or electric service, or modification to existing facilities via xcelenergy.com/InstallAndConnect. It is then the responsibility of the developer to contact the Designer assigned to the project for approval of design details. Additional easements may need to be acquired by separate document for new facilities.

Donna George
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-571-3306 – Email: donna.l.george@xcelenergy.com



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

July 15, 2020

Re: Degenhart Minor Subdivision

Dear Neighboring Landowners:

Kimberlee Degenhart as landowner and Lindsey Degenhart as applicant have submitted an application to our office for a 2-lot Minor Subdivision. The property is approximately 115.84 acres, more or less. Lot 1 of the proposed subdivision will be 112.83 acres; Lot 2 will be 2.65 acres. Lot 1 has an existing residence a small storage shed and a 1-car garage. Lot 2 is vacant and proposed to be a residential use property.

The property is located in the S½ of Section 34, Township 5 North, Range 59 West of the 6th p.m., Morgan County, Colorado, addressed as 9681 County Road 4, Weldona, Colorado 80653. Survey map enclosed.

This application will be heard considered by the Planning Commission at a public hearing on August 10, 2020 at 7:00 P.M. in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level, elevator entrance) Fort Morgan, Colorado. Landowners within ¼ mile of the property are notified of the application and hearing date.

THE COUNTY WILL BE ABIDING BY THE SOCIAL DISTANCING REQUIREMENTS IN PUBLIC HEALTH ORDER 20-28 FOR THIS MEETING. DUE TO LIMITED SPACE IN THE ASSEMBLY ROOM, REMOTE ATTENDANCE THROUGH THE ZOOM PLATFORM IS ENCOURAGED. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT PAM CHERRY AT 970-542-3526.

You are invited to a Zoom webinar.

When: Aug 10, 2020 07:00 PM Mountain Time (US and Canada)

Topic: Planning Commission Meeting - 8/10/2020 7:00 PM

Link to meeting: <https://us02web.zoom.us/j/82069132720>

Or iPhone one-tap :

US: +16699009128, 82069132720# or +12532158782, 82069132720#

Or Telephone:

Dial(for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 820 6913 2720

International numbers available: <https://us02web.zoom.us/j/kcKEFUp1Q>

If you have any questions or concerns regarding this application, please contact the Morgan County Planning Department at (970) 542-3526.

Sincerely,

Pam Cherry, CFM
Planning Administrator

Enclosure

ParcelMailingList_20200714 Degenhart Minor

ALEXANDER, MICHAEL J & TAMARA L
29681 CO RD C
BRUSH, CO 80723

DEGANHART, KIMBERLEE K
9681 CO RD Y
WELDONA, CO 80653

CASTOR, DELAND T & JULIE L
25450 CO RD 10
WELDONA, CO 80653

CASTILLO, EDWARD & JO ANNE
P O BOX 669
WELDONA, CO 80653

KUNTZ, YVONNE C
30527 CO RD V
BRUSH, CO 80723

MATTHEWS, ROBERT LARRY
2844 EAGLE DR
FT COLLINS, CO 80526

KOEHLER, LYNNDIE
P O BOX 673
WELDONA, CO 80653

BRAY, DWAYNE
1124 KEMP ST
CONCORDIA, KS 66901

BRUNELLI, JOSEPH ET AL
1511 W 29TH ST
CASPER, WY 82604-4775

SHAVER, GERALD E & KATHLEEN M
P O BOX 687
WELDONA, CO 80653

ANDERSON, MATTHEW A
24060 CO RD 9.5
WELDONA, CO 80653

GREENWOOD, MORRIS L & EMMA A
9597 CO RD Y
WELDONA, CO 80653

CHAPIN, GERTRUDE A &
CHAPIN, DONALD L TRUST B
10868 HWY 144

ParcelMailingList_20200714 Degenhart Minor

WELDONA, CO 80653

CHRISTENSEN BROS INC
24951 CO RD 9.5
WELDONA, CO 80653

LORENZINI, MAXINE TRUST FBO
10222 CO RD Y
WELDONA, CO 80653

WILKINS, JAMES C & GAIL R
P O BOX 662
WELDONA, CO 80653

HORN, DAVID
9643 CO RD Y
WELDONA, CO 80653

DEGANHART, LUCAS J & JODY RENAE
24479 CO RD 10
WELDONA, CO 80653

VOLGAMORE, DOUGLAS
P O BOX 744
WELDONA, CO 80653

GILLILAND, GARY M
124 S 5TH ST
LA SALLE, CO 806453040

SWANSON, PATRICK J &
WOMMACK-SWANSON, TERESA ANN
9980 CO RD 7
WELDONA, CO 80653

WOOD, TERENCE A
807 WARREN ST
WELDONA, CO 80653

SCHIEL, AMY L
P O BOX 704
WELDONA, CO 80653

PRADO, ENRIQUE &
VASQUEZ, MARY
P O BOX 608
WELDONA, CO 80653

MADRID, ROGELIO F & CRYSTAL G
824 SIMPSON ST
FORT MORGAN, CO 80701

ParcelMailingList_20200714 Degenhart Minor

BATES, CHRISTOPHER R & REGINA J
P O BOX 656
WELDONA, CO 80653

MUSSER, TIMOTHY J
P O BOX 672
WELDONA, CO 80653

RUSSO REVOCABLE TRUST
10345 NW 13TH MANOR
CORAL SPRINGS, FL 33071

SHAFFER, FRANK
P O BOX 601
WELDONA, CO 80653

RIDDLE, DANIEL B & MARYLYN A
P O BOX 653
WELDONA, CO 80653

WILDE, MATTHEW JAMES
P O BOX 714
WELDONA, CO 80653

SHAVER, ROBERT D & JUDY O
P O BOX 692
WELDONA, CO 80653

BRANDENBURG, BARBARA
P O BOX 664
WELDONA, CO 80653

VELASQUEZ, JOHN PETE
P O BOX 652
WELDONA, CO 80653

RAMOS, RUBEN D & HELEN
9583 CO RD Y
WELDONA, CO 80653

ANDERSON, JAMES A
P O BOX 625
WELDONA, CO 80653

COWAN, JOSH
P O BOX 615
WELDONA, CO 80653

LORENZINI, LARRY A & KATHLEEN L

ParcelMailingList_20200714 Degenhart Minor

8577 HWY 144
WELDONA, CO 80653

DEGANHART, THOMAS J
24947 CO RD 5
WELDONA, CO 80653

PARNELL, LAURA P
488 MAIN ST
WELDONA, CO 806538510

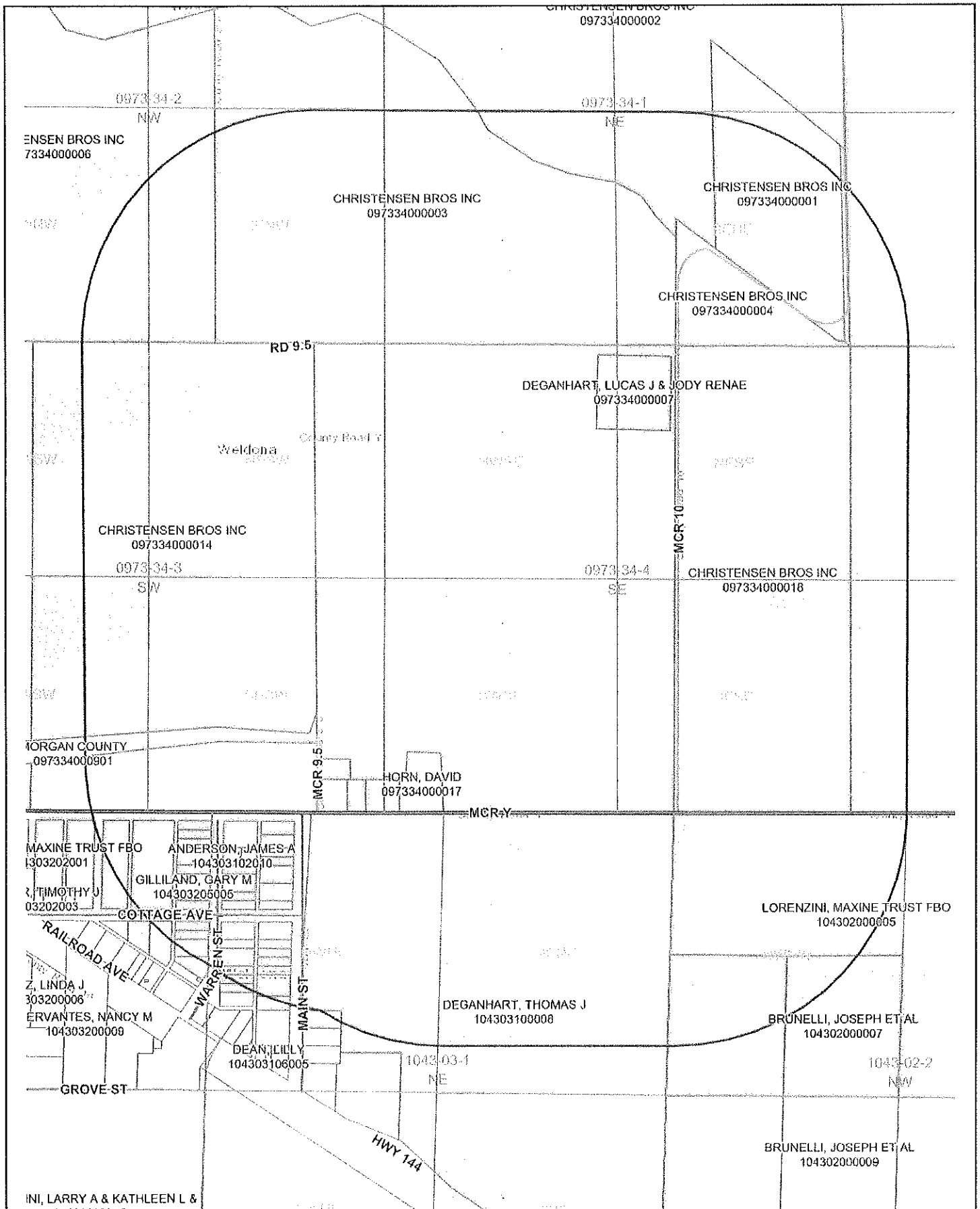
QWEST CORPORATION
700 W MINERAL AVE - ND D05.14
LITTLETON, CO 80120

MORGAN COUNTY
P O BOX 596
FORT MORGAN, CO 80701

ARCHDIOCESE OF DENVER
1300 S STEELE ST
DENVER, CO 80210

SCHOOL DISTRICT RE20
911 NORTH AVE
WELDONA, CO 80653

Degenhart Landowner Notices



NOTICE OF MORGAN COUNTY PLANNING COMMISSION'S
REVIEW OF LAND USE APPLICATION

Notice is hereby given that on Monday, August 10, 2020 at 7:00 p. m., or as soon as possible thereafter, a public hearing will be held, with an option to attend virtually, to consider the following application:

Lindsey Deganhart - Applicant

Kimberlee Deganhart - Landowner

Legal Description - Located in the S 1/2 of Section 34, Township 5 North, Range 59 West of the 6th P.M. Morgan County, Colorado, and addressed as 9681 County Road 4, Weldona, CO 80653. Parcel number

Request - Minor Subdivision from a 115.54 acre parcel to create two lots, Lot 1 is 112.83 acres, Lot 2 will be 2.65 acres, Parcel #0973-340-00-019

Date of Application: June 17, 2020

THE COUNTY WILL BE ABIDING BY THE SOCIAL DISTANCING REQUIREMENTS IN PUBLIC HEALTH ORDER 20-28 FOR THIS MEETING. DUE TO LIMITED SPACE IN THE ASSEMBLY ROOM, REMOTE ATTENDANCE IS ENCOURAGED. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT PAM CHERRY AT 970-542-3526.

To attend remotely via the ZOOM platform:
<https://us02web.zoom.us/j/82069132720>

Or

iPhone one-tap:

US: +16699009128, 82069132720# or +12532158782, 82069132720#

Or Telephone:

Dial (for higher quality, dial a number based on your current location):

US: +1 669 900 9128 or +1 253 215 8782 or +1 346 248 7799 or +1 646 558 8656 or +1 301 715 8592 or +1 312 626 6799

Webinar ID: 820 6913 2720

International numbers available: <https://us02web.zoom.us/j/82069132720>

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. You may email pcherry@co.morgan.co.us to request items in the file to be emailed to you.

At time of the meeting an opportunity will be given for presentation of evidence in support of or in opposition to the application.

/s/

Pam Cherry - Morgan County
Planning & Floodplain Administrator

Published: Fort Morgan Times July 28, 2020-1723899

Prairie Mountain Media, LLC

PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

The undersigned, Elizabeth Maes, being first duly sworn under oath, states and affirms as follows:

1. He/she is the legal Advertising Reviewer of Prairie Mountain Media LLC, publisher of the *Fort Morgan Times*.
2. The *Fort Morgan Times* is a newspaper of general circulation that has been published continuously and without interruption for at least fifty-two weeks in Morgan County and meets the legal requisites for a legal newspaper under Colo. Rev. Stat. 24-70-103.
3. The notice that is attached hereto is a true copy, published in the *Fort Morgan Times* in Morgan County on the following date(s):

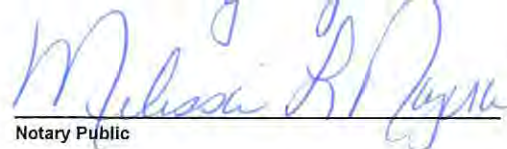
Jul 28, 2020



Signature

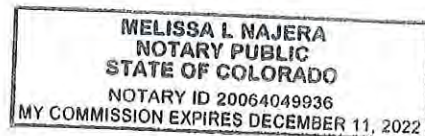
Subscribed and sworn to me before me this

28th day of July, 2020.



Notary Public

(SEAL)



Account: 1052763
Ad Number: 1723899
Fee: \$55.20



Pam Cherry <pcherry@co.morgan.co.us>

Minor subdivision

Lindsey Deganhart <ljdhart@gmail.com>
To: Pam Cherry <pcherry@co.morgan.co.us>

Tue, Jul 14, 2020 at 3:56 PM

Hi Pam,

Yes.

On Lot 2 there are no existing structures.

Here is a statement for Lot 1:

There is a residential home with a small storage shed and a 1 car garage. There is also a steel lean to building used for livestock shelter.

Let me know if you need anything else.

Thank you,

Lindsey Deganhart
[Quoted text hidden]

Morgan County Treasurer

Statement of Taxes Due

Account Number R017395

Parcel 097334000019

Assessed To

DEGANHART, KIMBERLEE K
9681 CO RD Y
WELDONA, CO 80653

Legal Description					Situation Address	
S: 34 T: 5 R: 59 PARC S1/2 BETWEEN CO RD 9.6 & CO RD 10 B1183 P385 EX B1186 P365					09681 CO RD Y	
Year	Tax	Adjustments	Interest	Fees	Payments	Balance
Tax Charge						
2019	\$1,485.96	(\$7.60)	\$0.00	\$0.00	(\$1,478.36)	\$0.00
Total Tax Charge						\$0.00
Special Assessment: WELDON VALLEY DRAINAGE						
2019	\$12.48	\$0.00	\$0.00	\$0.00	(\$12.48)	\$0.00
Total Special Assessment: WELDON VALLEY DRAINAGE						\$0.00
GRAND TOTAL						\$0.00
Grand Total Due as of 06/17/2020						\$0.00

Tax Billed at 2019 Rates for Tax Area 341 - RE 20J

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4530000	\$416.68	DRY FARM LAND	\$18,240	\$5,290
ROAD AND BRIDGE FUND	7.5000000	\$160.65	FARM/RANCH WASTE LAND	\$40	\$10
SOCIAL SERVICES FUND	2.0000000	\$42.84	FARM/RANCH RESIDENCE	\$213,750	\$15,280
WIGGINS RURAL FIRE DIST	7.0000000	\$149.94	FARM/RANCH SUPPORT IMPS	\$2,910	\$840
MORGAN CO QUALITY WATER	0.8240000	\$17.65			
NORTHERN COLO WATER CD	1.0000000	\$21.42			
RE 20-J WELDONA GENERAL FUN	27.4910000	\$588.86	Total	\$234,940	\$21,420
RE 20-J WELDONA BOND REDEMP	3.7500000	\$80.32			
Taxes Billed 2019	69.0180000	\$1,478.36			

WELDON VALLEY DRAINAGE

\$12.48

*****TAX LIEN SALE REDEMPTIONS MUST BE PAID BY CASH OR CASHIER'S CHECK*****

Special taxing districts and the boundaries of such districts may be on file with the County Commissioners, County Clerk, or County Assessor. Unless specifically mentioned, this statement does not include land or improvements assessed under a separate account number, personal property taxes, transfer tax or miscellaneous tax collected on behalf of other entities, special or local improvement district assessments, or manufactured homes.

ROBERT A SAGEL, MORGAN COUNTY TREASURER

231 Ensign St, PO Box 593, Fort Morgan, CO 80701

Phone: 970-542-3518, Fax: 970-542-3520, Email: esale@co.morgan.co.us

Website: morgancounty.colorado.gov

