

**AGENDA**  
**MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS**  
Assembly Room, Administration Building  
231 Ensign Street, Fort Morgan, CO 80701  
Tuesday, April 16, 2024

To participate in the Citizen's Comment Period you must connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/88057408507> If you cannot connect via Zoom, you may submit written public comment to [morgancountybcc@co.morgan.co.us](mailto:morgancountybcc@co.morgan.co.us) by email by 4 p.m. on Monday April 15, 2024.

To participate in Public Hearings you may connect via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/88057408507> listen via phone, please dial: 1-312-626-6799, Meeting ID: 880 5740 8507

To watch and/or listen to the meeting but not participate, you may do so by connecting via Zoom Conferencing Access Information: <https://us02web.zoom.us/j/88057408507> or to listen via phone, please dial: 1-312-626-6799, Meeting ID: 880 5740 8507

**9:00 A.M.**

**A. WELCOME – CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

Commissioner Westhoff  
Commissioner Arndt  
Commissioner Becker

**The Board of Morgan County Commissioners will convene as the Morgan County Board of Social/Human Services in the matter of:**

1. CALL TO ORDER
2. Consideration of Approval – DHS MINUTES dated March 19, 2024.
3. Consideration of Approval – DHS WARRANTS February 2024 (Susan Nitzel, Accounting Manager)
4. Consideration of Approval – DHS CERTIFICATION OF PROVIDER AND VENDOR BENEFIT AUTHORIZATIONS February 2024 (Susan Nitzel, Accounting Manager)

**B. CITIZEN'S COMMENT PERIOD**

Citizens are invited to speak to the Commissioners on agenda or non-agenda items. There is a 3 minute time limit per person, unless otherwise noted by the Chairman. Please note that no formal action will be taken on these items during this time due to the open meeting law provision; however, they may be placed on future posted agenda if action is required.

\*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

## C. CONSENT AGENDA

All matters under the consent agenda are considered to be routine by the Board of County Commissioners and will be enacted with a single vote. There will be no separate discussion of these items. If discussion is deemed necessary, any Board member may ask that the item be removed from the Consent Agenda and considered separately:

1. Ratify the Board of County Commissioners approval of meeting minutes dated April 2, 2024
2. Ratify the Board of County Commissioners approval of Contract **2024 CNT 036**, Stericycle, Inc. (Shred-It), term of Contract March 1, 2024 through February 28, 2025.
3. Ratify the Board of County Commissioners approval on assignment of debt collections to Wakefield and Associates, Client #232070, #232088, #232526A, #231390A, #231380, #232950.
4. Ratify the Board of County Commissioners approval of Contract **2024 CNT 039**, Experian, term of Contract April 16, 2024 through April 15, 2024.
5. Ratify the Board of County Commissioners approval of Contract **2024 CNT 040**, Bear Communications, Inc., term of Contract April 1, 2024 through March 31, 2025.
6. Ratify the Board of County Commissioners approval of Contract **2024 CNT 026**, Cactus Promotions, LLC, term of Contract April 1, 2024 through March 31, 2025.

## D. UNFINISHED BUSINESS

## E. GENERAL BUSINESS AND ADMINISTRATIVE ITEMS

1. Swearing in of Morgan County Sheriff's Commander, Shauna Barbee. (David Martin – Morgan County Sheriff)
2. Consideration of Approval – **Morgan County Treasurer and Public Trustee Quarterly Report**, 1st Quarter (Robert Sagel, Morgan County Treasurer and Public Trustee)
3. Consideration of Approval – **Bid Tabulation and Award**, RFP 2024-0404-001 Morgan County Justice Center SW Parking Lot Replacement (Michael Cox, Morgan County Building Maintenance)
4. Consideration of Approval – **Bid Tabulation, Award and Lease Agreement** RFP 2024-0404-002, 1 Share Jackson Lake Reservoir Water (Fort Morgan Reservoir & Irrigation Co., Ltd)
5. Consideration of Approval – **2024 BCC 17** A Resolution Approving a Two-Lot Minor Subdivision, Known as Cheri K. Johnson Minor Subdivision (Nicole Hay, Planning and Zoning Administrator)
6. South Platte Solar LLC Renewal Application and Consideration of Approval of **2024 BCC 18** – An application for the renewal of the previously approved special use permit granted by Resolution 2023 BCC 37 for a battery energy storage system and a resolution granting a two year renewal for the special use permit to South Platte Solar, LLC granted by Resolution 2023 BCC 37. (Nicole Hay, Planning and Zoning Administrator)

## F. COUNTY OFFICIAL AND DEPARTMENT HEAD REPORTS

1. Commissioners Calendar for week of April 12, 2024 through April 23, 2024.

\*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

## G. PLANNING AND ZONING

### 1) Public Hearings

- a) **Applicant:** AGPROfessionals, Hannah Dutrow & Tim Naylor  
**Landowners:** Sandy Hills Family Dairy, LLC  
**Legal Description:** a part of the NE¼ of Section 15, a part of the NW¼ of Section 14 and a part of the N½SW¼ of Section 14, all in Township 3 North, Range 59 West, of the 6<sup>th</sup> PM, Morgan County, Colorado. Also known as 15884 Co Rd 10, Fort Morgan, Colorado 80701.  
**Request:** Amended Use by Special Review Permit to expand the permitted Sandy Hills Family Dairy confinement operations to 14,245 Animal Units. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.  
**Date of Application:** August 1, 2023.
- b) **Zoning and Subdivision Regulations:** Amendments to Manufactured Homes.
- c) **Subdivision Regulations:** Amendments related to plats, shared wells and shared access.

## H. ADJOURNMENT

\*Morgan County is committed to making its public meetings accessible to persons with disabilities. If you need special accommodations, please call (970)542-3500, extension 1410, at least 2 business days in advance of a meeting to make arrangements.

HUMAN SERVICES WARRANTS

State of Colorado )  
                                   ) ss.  
 County of Morgan )

I, Jacque Frenier, Director of Human Services of Morgan County, Colorado, hereby confirm that the payments listed below were made to the respective payees totaling the sum as indicated for the month of February 2024.

_____	_____
Date	Director, Jacque Frenier
HMS warrants	\$368,319.91
HMS payroll	\$212,328.00
Total warrants	\$580,647.91

APPROVAL BY COUNTY BOARD OF HUMAN SERVICES

State of Colorado )  
                                   ) ss.  
 County of Morgan )

I, Mark Arndt, Chairman of the Board of Human Services of Morgan County, Colorado, hereby confirm that the payments set forth herein have this date been approved, and warrants in payment thereof ordered issued upon the Social Services Fund, accounts as of February 29, 2024 totaling the sum of \$580,647.91.

\_\_\_\_\_

Date

\_\_\_\_\_

Chairman, Mark Arndt



Morgan County Department of Human Services  
Warrants List Summary  
February 28, 2024

Expenditures:	2/7/2024	2/14/2024	2/21/2024	2/28/2024	2/29/2024	Month Total	January Month Total
Program Costs	14,717.70	113,704.13	762.10	214.00	584.55	129,982.48	30,175.37
Program Contracts	10,456.77	1,740.00				12,196.77	39,046.99
Program Grants	13.20		1,848.21			1,861.41	12,869.74
County Interfund			27,148.81			27,148.81	17,331.06
Employee Payroll					87,944.22	87,944.22	87,801.02
Employee Benefits					109,186.22	109,186.22	110,369.15
						-	-
						-	-
	25,187.67	115,444.13	29,759.12	214.00	197,714.99	368,319.91	297,593.33

212,328.00  
87,944.22  
300,272.22

HMS direct deposits  
warrant payroll  
gross salary

**300,272.22**

Total wages for February

**Check Register****Morgan County Government**

08-Apr-24

From: 01-Feb-24 To: 29-Feb-24

<b>Check No</b>	<b>Check Date</b>	<b>VendorNo</b>	<b>Vendor</b>	<b>Check Amount</b>	<b>Status</b>
<b>Bank Account: 10 SOCIAL SERVICES FUND</b>					
1022290	07-Feb-24	9246	ALLO COMMUNICATIONS LL	\$225.00	R
1022291	07-Feb-24	8458	CENTER FOR HEALING TRA	\$275.00	R
1022292	07-Feb-24	622	COLORADO STATE TREASU	\$471.00	V
1022293	07-Feb-24	993	EDWARDS RIGHT PRICE MA	\$7.16	R
1022294	07-Feb-24	9538	FAMILY SUPPORT PAYMEN	\$46.15	R
1022295	07-Feb-24	9706	KAYCE DAWN LADD	\$208.00	V
1022296	07-Feb-24	5273	MATTHEW BENDER AND C	\$35.44	R
1022297	07-Feb-24	9961	MATTHEW SANCHEZ	\$435.15	R
1022298	07-Feb-24	9943	MISSISSIPPI FAMILIES FOR	\$756.25	R
1022299	07-Feb-24	1085	MORGAN CO FAMILY CENT	\$10,456.77	R
1022300	07-Feb-24	9406	MORGAN COUNTY TREASU	\$10,023.09	R
1022301	07-Feb-24	1463	ODP BUSINESS SOLUTIONS	\$1,868.64	R
1022302	07-Feb-24	9818	SENERGY PETROLEUM LLC	\$298.02	R
1022303	07-Feb-24	9715	TRAILHEAD INSTITUTE	\$13.20	R
1022304	09-Feb-24	9406	MORGAN COUNTY TREASU	\$68.80	R
1022305	15-Feb-24	9241	ARAPAHOE CO DEPT OF FI	\$3,332.57	R
1022306	15-Feb-24	6580	BABY BEAR HUGS	\$1,740.00	R
1022307	15-Feb-24	9945	COMMAND SERVICE SYSTE	\$4,771.41	R
1022308	15-Feb-24	8914	CORPORATE TRANSLATION	\$860.59	R
1022309	15-Feb-24	7294	FRONT RANGE LEGAL PRO	\$130.00	R
1022310	15-Feb-24	503	GREAT COPIER SERVICE IN	\$289.71	R
1022311	15-Feb-24	1043	JEFFREY S. SCHAUERMAN	\$50.00	R
1022312	15-Feb-24	9963	KEVIN J HANSON DBA	\$47.40	R
1022313	15-Feb-24	1103	MORGAN COUNTY TREASU	\$103,172.00	R
1022314	15-Feb-24	939	NE COLORADO CELLULAR, I	\$755.65	R
1022315	15-Feb-24	1463	ODP BUSINESS SOLUTIONS	\$294.80	R
1022316	21-Feb-24	993	EDWARDS RIGHT PRICE MA	\$112.10	R
1022317	21-Feb-24	8431	LEXISNEXIS RISK DATA MG	\$200.00	R
1022318	21-Feb-24	1085	MORGAN CO FAMILY CENT	\$1,848.21	R
1022319	21-Feb-24	83	MORGAN COUNTY CENTRA	\$19,490.83	R
1022320	21-Feb-24	86	MORGAN COUNTY GENERA	\$7,657.98	R
1022321	21-Feb-24	9935	THE ALLIANCE FOR CHILDR	\$450.00	R
1022322	28-Feb-24	3729	COUNTY EXPRESS	\$100.00	R
1022323	28-Feb-24	1996	LABCORP	\$114.00	R
1022324	29-Feb-24	8449	AMERICAN FIDELITY ASSUR	\$6,582.19	R
1022325	29-Feb-24	8450	AMERICAN FIDELITY ASSUR	\$981.66	R
1022326	29-Feb-24	2391	C H P	\$79,500.05	R
1022327	29-Feb-24	9961	MATTHEW SANCHEZ	\$584.55	R

**Check Register****Morgan County Government**

08-Apr-24

From: 01-Feb-24 To: 29-Feb-24

<b>Check No</b>	<b>Check Date</b>	<b>VendorNo</b>	<b>Vendor</b>	<b>Check Amount</b>	<b>Status</b>
1022328	29-Feb-24	1104	MORGAN CO TREASURER	\$69,829.33	R
1022329	29-Feb-24	2006	MORGAN COUNTY TREAS	\$10,607.97	R
1022330	29-Feb-24	6164	MORGAN COUNTY TREASU	\$29,078.96	R
1022331	29-Feb-24	378	PREPAID LEGAL SERVICES	\$124.60	R
1022332	29-Feb-24	483	STERLING COMMUNITY	\$70.00	R
1022333	29-Feb-24	9375	TEXAS LIFE INSURANCE CO	\$355.68	R
			<b>Bank Total:</b>	<b>\$368,319.91</b>	

**CERTIFICATION OF PROVIDER, VENDOR AND BENEFIT AUTHORIZATIONS**

State of Colorado )  
) ss.  
County of Morgan )

I, Jacque Frenier, Director of Human Services of Morgan County, Colorado, hereby certify that the payments as set forth on accounts listed below, on pages attached, are made to the respective payees in the amounts set opposite their names, and totaling the sum as indicated for the month of February, 2024. These are actual payments paid in the month of February, 2024. These payments may include benefits from prior months.

Date	Director- Jacque Frenier
Temporary Assistance for Needy Families (TANF)	\$48,500.00
Child Care	\$102,276.96
Foster Care	\$52,791.18
Sub Adopt/RGRDS	\$37,030.65
Child Welfare/Case Services	\$410.00
Core Services	\$18,136.66
LEAP	\$124,580.93
Aid to Needy Disabled (AND)	\$5969.83
Old Age Pension (OAP)	\$20,042.63
Food Assistance Benefits (Food Stamps)	\$598,509.00
PEBT-Food Assistance Benefits (School)	\$00.00
Employment 1st	\$1,844.00
Total	<b>\$1,010,091.84</b>

**APPROVAL BY COUNTY BOARD OF HUMAN SERVICES**

State of Colorado )  
) ss.  
County of Morgan )

I, Mark Arndt, Chairman of the Board of Human Services of Morgan County, Colorado, hereby certify that the authorizations set forth herein have this date been approved, and reimbursement to the state for the county share in the amount listed above is approved.

Date
Chair





## EBT-Provider, Vendor, Benefit Authorizations

	Jan-22	Feb-22	Mar-22	Apr-22	May-22	June-22	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	YTD total
TANF	\$38,428.24	\$40,930.53	\$42,520.10	\$51,381.94	\$38,937.00	\$41,772.31	\$49,351.26	\$51,931.88	\$49,294.93	\$50,160.31	\$54,511.35	\$53,792.20	\$563,012.05
Child Care	\$41,632.29	\$40,854.91	\$56,589.35	\$45,574.81	\$46,195.05	\$61,353.09	\$51,360.95	\$55,237.46	\$68,423.34	\$55,442.70	\$55,157.92	\$65,273.24	\$643,075.11
Foster Care	\$32,361.85	\$33,861.87	\$32,171.14	\$36,812.69	\$38,213.81	\$41,464.31	\$37,700.14	\$43,557.07	\$55,295.84	\$53,317.86	\$64,284.81	\$58,371.30	\$527,412.69
Sub Adopt/ RGRDS	\$38,786.72	\$37,694.12	\$33,923.96	\$37,558.67	\$35,897.10	\$37,093.67	\$36,233.10	\$36,535.67	\$37,614.67	\$35,834.10	\$37,000.67	\$37,970.40	\$442,142.85
Core Services	\$15,127.91	\$15,459.16	\$14,179.16	\$15,555.41	\$12,786.66	\$12,521.66	\$13,231.66	\$13,776.66	\$12,766.66	\$14,339.16	\$14,732.66	\$11,641.00	\$166,117.76
LEAP	\$20,390.08	\$94,921.39	\$40,041.94	\$18,177.71	\$11,614.48	\$383,947.34	\$211.96	\$0.00	\$0.00	\$0.00	\$60,569.70	\$23,691.46	\$653,566.06
AND	\$7,789.74	\$10,398.91	\$5,181.83	\$4,904.50	\$5,823.50	\$10,200.56	\$6,097.64	\$5,819.50	\$6,370.17	\$7,596.03	\$6,155.50	\$7,553.73	\$83,891.81
OAP	\$20,653.51	\$20,684.13	\$23,099.47	\$23,673.31	\$25,284.64	\$66,780.55	\$23,238.37	\$24,286.37	\$21,132.12	\$24,587.19	\$20,456.65	\$23,615.62	\$317,471.93
Food Stamps	\$803,311.00	\$835,384.00	\$868,412.00	\$882,059.00	\$879,995.00	\$904,016.00	\$888,007.00	\$973,026.68	\$891,498.00	\$1,012,168.00	\$1,010,128.00	\$1,043,201.00	\$10,991,203.88
PEBT Food Stamps	\$8,947.84	\$0.00	\$0.00	\$0.00	\$4,194.20	\$0.00	\$0.00	\$32,575.00	\$89,958.00	\$0.00	\$0.00	\$1,520,208.00	\$1,655,863.04
Empl 1st	\$25.00	\$0.00	\$50.00	\$0.00	\$0.00	\$235.00	\$0.00	\$0.00	\$1,050.00	\$250.00	\$0.00	\$0.00	\$1,610.00
<b>Total</b>	<b>\$1,027,454.18</b>	<b>\$1,130,189.02</b>	<b>\$1,116,148.95</b>	<b>\$1,115,698.04</b>	<b>\$1,098,941.44</b>	<b>\$1,569,384.49</b>	<b>\$1,105,432.08</b>	<b>\$1,236,726.29</b>	<b>\$1,233,401.73</b>	<b>\$1,253,695.35</b>	<b>\$1,322,997.26</b>	<b>\$2,845,317.95</b>	<b>\$16,045,366.78</b>

monthly average \$1,337,115.57

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	June-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	YTD total
TANF	\$54,036.87	\$54,849.00	\$51,902.21	\$51,078.42	\$54,378.00	\$57,200.26	\$58,941.40	\$52,292.00	\$53,239.86	\$52,405.00	\$50,821.95	\$54,627.86	\$645,772.83
Child Care	\$42,917.45	\$52,277.38	\$73,224.69	\$56,882.54	\$55,711.56	\$78,242.90	\$72,343.02	\$93,485.15	\$81,286.04	\$81,469.46	\$97,145.36	\$78,463.32	\$863,448.87
Foster Care	\$55,042.17	\$49,542.33	\$41,350.44	\$46,682.49	\$46,416.75	\$43,199.02	\$40,142.10	\$43,280.97	\$43,355.03	\$38,455.42	\$39,155.99	\$40,140.32	\$526,763.03
Sub Adopt/ RGRDS	\$38,851.77	\$39,166.84	\$35,684.59	\$38,460.46	\$36,919.80	\$38,104.46	\$35,654.80	\$36,724.46	\$38,819.46	\$35,239.80	\$36,414.46	\$34,816.68	\$444,857.58
CW/Case Services								\$418.60	\$1,482.60	\$1,104.40	\$560.01	\$252.80	\$3,818.41
Core Services	\$13,000.16	\$12,418.66	\$13,340.16	\$15,357.91	\$14,400.41	\$15,061.66	\$11,585.41	\$20,301.66	\$15,186.66	\$13,502.21	\$17,206.86	\$7,621.07	\$168,982.83
LEAP	\$24,986.84	\$85,162.45	\$22,104.02	\$14,104.50	\$10,295.08	\$71,902.98	\$0.00	\$0.00	\$0.00	\$0.00	\$50,825.16	\$31,131.97	\$310,513.00
AND	\$6,572.00	\$6,740.14	\$9,630.85	\$6,353.20	\$10,174.00	\$10,688.00	\$8,957.59	\$8,314.00	\$10,078.00	\$9,082.33	\$7,679.00	\$7,621.07	\$103,890.18
OAP	\$20,742.30	\$23,827.52	\$21,584.54	\$20,993.26	\$21,927.30	\$85,771.65	\$19,532.38	\$17,751.15	\$20,581.95	\$44,048.45	\$22,359.63	\$23,142.34	\$342,242.47
Food Stamps	\$1,049,085.00	\$1,007,575.00	\$856,634.60	\$621,165.00	\$631,321.00	\$636,839.00	\$617,474.00	\$610,409.00	\$603,353.00	\$647,804.88	\$630,117.00	\$631,913.00	\$8,343,690.48
PEBT Food Stamps	\$30,132.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$357,000.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$387,132.00
Empl 1st	\$2,150.49	\$1,225.00	\$1,650.00	\$1,500.00	\$1,350.00	\$2,150.03	\$1,688.43	\$3,677.00	\$3,236.00	\$3,335.50	\$1,795.00	\$2,185.00	\$25,942.45
<b>Total</b>	<b>\$1,337,517.05</b>	<b>\$1,332,784.32</b>	<b>\$927,086.10</b>	<b>\$874,577.78</b>	<b>\$882,893.90</b>	<b>\$1,039,159.96</b>	<b>\$1,223,319.13</b>	<b>\$886,653.99</b>	<b>\$870,618.60</b>	<b>\$926,447.45</b>	<b>\$954,080.42</b>	<b>\$911,915.43</b>	<b>\$12,167,054.13</b>

monthly average \$1,013,921.18

	Jan-24	Feb-24	Mar-24	Apr-24	May-24	June-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	YTD total
TANF	\$52,987.49	\$48,500.00											\$101,487.49
Child Care	\$73,659.89	\$102,276.96											\$175,936.85
Foster Care	\$39,877.38	\$52,791.18											\$92,668.56
Sub Adopt/ RGRDS	\$36,950.98	\$37,030.65											\$73,981.63
CW/Case Services	\$326.40	\$410.00											\$736.40
Core Services	\$22,598.88	\$18,136.66											\$40,735.54
LEAP	\$20,318.48	\$124,580.93											\$144,899.41
AND	\$6,873.83	\$5,969.83											\$12,843.66
OAP	\$18,425.91	\$20,042.63											\$38,468.54
Food Stamps	\$612,454.00	\$598,509.00											\$1,210,963.00
PEBT Food Stamps	\$0.00	\$0.00											\$0.00
Empl 1st	\$1,000.00	\$1,844.00											\$2,844.00
<b>Total</b>	<b>\$885,473.24</b>	<b>\$1,010,091.84</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1,895,565.08</b>

monthly average \$947,782.54

## EBT Last month to Current month comparison

Program	Cases	Feb 24	Jan 24	Difference
TANF		\$48,500.00	\$52,987.49	(\$4,487.49)
Child Care		\$102,276.96	\$73,659.89	\$28,617.07
Foster Care	25 / 23	\$52,791.18	\$39,877.38	\$12,913.80
Sub Adopt/ RGRDS	72 / 72	\$37,030.65	\$36,950.98	\$79.67
Child Welfare/Case Serv		\$410.00	\$326.40	\$83.60
Core Services	72 / 79	\$18,136.66	\$22,598.88	(\$4,462.22)
LEAP		\$124,580.93	\$20,318.48	\$104,262.45
AND		\$5,969.83	\$6,873.83	(\$904.00)
OAP	/ 82	\$20,042.63	\$18,425.91	\$1,616.72
Food Stamps	/ 1859	\$598,509.00	\$612,454.00	(\$13,945.00)
PEBT Food Stamps		\$0.00	\$0.00	\$0.00
Empl 1st		\$1,844.00	\$1,000.00	\$844.00
<b>Total</b>		<b>\$1,010,091.84</b>	<b>\$885,473.24</b>	<b>\$124,618.60</b>

## Year to Year By month

Program	Cases	Feb 24	Feb 23	Difference
TANF		\$48,500.00	\$54,849.00	(\$6,349.00)
Child Care		\$102,276.96	\$52,277.38	\$49,999.58
Foster Care	25 / 21	\$52,791.18	\$49,542.33	\$3,248.85
Sub Adopt/ RGRDS	72 / 75	\$37,030.65	\$39,166.84	(\$2,136.19)
Child Welfare/Case Serv		\$410.00		\$410.00
Core Services	72 / 78	\$18,136.66	\$12,418.66	\$5,718.00
LEAP		\$124,580.93	\$85,162.45	\$39,418.48
AND		\$5,969.83	\$6,740.14	(\$770.31)
OAP	/ 106	\$20,042.63	\$23,827.52	(\$3,784.89)
Food Stamps	/ 1815	\$598,509.00	\$1,007,575.00	(\$409,066.00)
PEBT Food Stamps		\$0.00	\$0.00	\$0.00
Empl 1st		\$1,844.00	\$1,225.00	\$619.00
<b>Total</b>		<b>\$1,010,091.84</b>	<b>\$1,332,784.32</b>	<b>(\$322,692.48)</b>



# MORGAN COUNTY SHERIFF'S OFFICE

*"Integrity and Professionalism-  
Our Foundation For Service"*

[www.morgansheriff.net](http://www.morgansheriff.net)

Dave Martin, Sheriff  
801 E. Beaver Avenue  
Fort Morgan, CO 80701  
970-542-3448  
[dmartin@co.morgan.co.us](mailto:dmartin@co.morgan.co.us)

---

Date: March 25, 2024  
To: All Sheriff's Office Staff  
From: Sheriff Dave Martin  
Re: Operations Commander Promotion

I am pleased to announce the promotion of Investigator Shauna Barbee to the position of Operations Commander within our office.

Investigator Barbee has consistently demonstrated a strong work ethic, exceptional decision-making skills, and a deep understanding of our community's needs. Her professionalism and dedication to upholding the highest standards of law enforcement have earned her the respect and admiration of her peers and supervisors alike.

In Investigator Barbee's new role as Commander, she will assume increased responsibilities in overseeing operations, implementing strategic initiatives, and fostering collaborative efforts within our agency. I am confident that her leadership will further enhance the effectiveness and efficiency of our office; ultimately contributing to the safety and well-being of the communities we serve.

It's important to acknowledge that the decision to promote Investigator Barbee was not an easy one, as we had three highly qualified individuals that participated in the selection process. I want to extend my sincere appreciation to all those who applied and participated in the promotion process. Your continued dedication and commitment to excellence are invaluable to our agencies success.

Please join me in congratulating Commander Shauna Barbee on her well-deserved promotion. I have no doubt that she will continue to excel in her new role and make valuable contributions to our organization.

Sincerely,

A handwritten signature in blue ink that reads "Dave Martin".

Dave Martin,  
Sheriff



# OFFICE OF THE SHERIFF MORGAN COUNTY, COLORADO

"Integrity and Professionalism – Our Foundation for Service"

## MORGAN COUNTY SHERIFF'S OFFICE

801 E. Beaver Avenue  
Fort Morgan, CO 80701

### EMERGENCY Call 911

DISPATCH (24 hrs)  
970-867-2461

[www.morgansheriff.net](http://www.morgansheriff.net)

Dave Martin  
SHERIFF

970-542-3448

[dmartin@co.morgan.co.us](mailto:dmartin@co.morgan.co.us)

Jon Horton  
UNDERSHERIFF  
970-542-3450

[jhorton@co.morgan.co.us](mailto:jhorton@co.morgan.co.us)

VICTIM SERVICES  
970-542-3449

[mcva@co.morgan.co.us](mailto:mcva@co.morgan.co.us)

ADMINISTRATION  
970-542-3445

FAX 970-542-3453

ADMINISTRATIVE SERVICES  
Records/Property  
970-542-3447

CIVIL PROCESS  
970 542-3482

[devans@co.morgan.co.us](mailto:devans@co.morgan.co.us)

RECORDS/PROPERTY

[records@co.morgan.co.us](mailto:records@co.morgan.co.us)

FIELD OPERATIONS

(Patrol and Investigations)  
970-867-2461

DIVISION COMMANDER

Cmd. Jon Holt  
970-542-3434

[jholt@co.morgan.co.us](mailto:jholt@co.morgan.co.us)

JAIL OPERATIONS

JAIL 970-542-3455  
FAX 970-542-3456

DIVISION COMMANDER

Cmd. Darin Sagel  
970-542-3451

[dsagel@co.morgan.co.us](mailto:dsagel@co.morgan.co.us)

JAIL ACCOUNTING

970-542-3433

[acastrup@co.morgan.co.us](mailto:acastrup@co.morgan.co.us)

Subject: Internal Job Opening for Operation Commander

Date: February 5th, 2024

To: All Staff

From: Undersheriff Jon Horton

We are pleased to announce that we are currently accepting letters of interest from eligible candidates who would like to be considered for the position of Operation Commander in the Morgan County Sheriff's Office. The position is open from February 12th, 2024 to February 26th, 2024, until 8:00 AM.

Eligibility Criteria:

- The applicant must be POST certified.
- The applicant must currently hold the rank of Sergeant or Investigator and have a minimum of two years of continuous service in the Morgan County Sheriff's Office as the rank listed.
- Experience working in two or more areas of operation in the office is preferred.
- The applicant must pass each phase of the testing process successfully.

Please include your resume and any relevant information that highlights your experience and qualifications for this position in your letter of interest. Submit your letter and resume to Undersheriff Jon Horton.

We encourage all eligible candidates to apply and wish them good luck with the application process.

Best regards,

Undersheriff Jon Horton



# Morgan County Public Trustee

P. O. Box 593  
Fort Morgan, CO 80701  
Phone: (970) 542-3518, Fax: (970) 542-3520  
Email: [eforeclosure@co.morgan.co.us](mailto:eforeclosure@co.morgan.co.us)  
Website: [www.mctre.org](http://www.mctre.org)

### For Time Period January 2024 - March 2024

Bank Balance	January 2024		<b>\$1,623.68</b>
Income:			
Sales		<b>\$7,118.72</b>	
Releases		<b>\$2,955.00</b>	
Interest		<b>\$0.00</b>	
Release Misc		<b>\$0.00</b>	
Long/Short		<b>\$0.00</b>	
Total Income:			<b>\$10,073.72</b>
Disbursements:			
Clerk Fees		<b>\$449.00</b>	
Advertising		<b>\$5,505.84</b>	
Redemption & Refunds		<b>\$0.00</b>	
Public Trustee Fund		<b>\$5,045.00</b>	
Total Disbursements:			<b>\$10,999.84</b>
Bank Balance	March 2024		<b>\$697.56</b>
PT Expenditures		<b>\$3,489.06</b>	
PT Fees & Interest		<b>\$5,045.00</b>	
Due Public Trustee Fund		<b>\$3,489.06</b>	
Due Public Trustee Reserve Fund		<b>\$1,555.94</b>	

Respectfully Submitted

Subscribed and sworn to, before me on April 01, 2024.

  
Morgan Public Trustee

THE FOREGOING REPORT IS ACCEPTED:

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

\_\_\_\_\_  
Chair  
Board of Commissioners, Morgan



# Morgan County Public Trustee

P. O. Box 593  
 Fort Morgan, CO 80701  
 (970) 542-3518  
 Fax (970) 542-3520

## RECONCILIATION OF PUBLIC TRUSTEE FEE FUND FOR THE QUARTER ENDING MARCH 31, 2024

<u>Description</u>	<u>Amount</u>
<b>Fees Earned</b>	<b>\$ 5,045.00</b>
Salary Due (PT SALARY)	\$ (3,489.06)
Transfer To/From Special Reserve (PT SPEC)	\$ -
<b>Excess Fees (PT EXCESS)</b>	<b>\$ 1,555.94</b>

### ANNUAL ACCOUNTING

	<u>Fees Earned</u>	<u>Salary, etc.</u>	<u>Excess Fees</u>
1st Quarter	\$ 5,045.00	\$ 3,489.06	\$ 1,555.94
2nd Quarter			
3rd Quarter			
4th Quarter			
	<b>\$ 5,045.00</b>	<b>\$ 3,489.06</b>	<b>\$ 1,555.94</b>

### ANNUAL REPORT OF FEES EARNED

<u>Description</u>	<u>Fee</u>	<u>Number</u>	<u>Amount</u>
Admin Withdrawal Fee	\$ 50.00	0	\$ -
Confirmation Deed Fee	\$ 30.00	3	\$ 90.00
Lienor Intent to Redeem	\$ 50.00	0	\$ -
Restart Fee	\$ 75.00	0	\$ -
Resume Fee	\$ 75.00	0	\$ -
Rescission Fee	\$ 100.00	0	\$ -
Reschedule Fee	\$ 50.00	0	\$ -
Foreclosure Fee	\$ 150.00	11	\$ 1,650.00
Withdrawal Fee	\$ 35.00	10	\$ 350.00
Release Fee	\$ 15.00	197	\$ 2,955.00
			<b>\$ 5,045.00</b>

Salary paid is transferred to the County General Fund quarterly (PT SALARY). Excess Fees are deposited with the County Treasurer into the "Public Trustee Salary Fund" (PT EXCESS). The balance remaining in this Fund at year end is transferred to the County General Fund (PT EXCESS YR END TRANSFER), pursuant to §38-37-104(3).

# ***Morgan County Public Trustee***

P. O. Box 593  
Fort Morgan, CO 80701  
(970) 542-3518  
Fax (970) 542-3520

## **PUBLIC TRUSTEE FEES EARNED FOR THE QUARTER ENDING MARCH 31, 2024**

<b><u>Description</u></b>		<b><u>Fee</u></b>	<b><u>Number</u></b>		<b><u>Amount</u></b>
Admin Withdrawal Fee	\$	50.00	0		
Confirmation Deed Fee	\$	30.00	3	\$	90.00
Lienor Intent to Redeem	\$	50.00	0		
Restart Fee	\$	75.00	0		
Resume Fee	\$	75.00	0		
Rescission Fee	\$	100.00	0		
Reschedule Fee	\$	50.00	0		
Foreclosure Fee	\$	150.00	11	\$	1,650.00
Withdrawal Fee	\$	35.00	10	\$	350.00
Release Fee	\$	15.00	197	\$	2,955.00
				<hr/>	
				\$	<b>5,045.00</b>

**Morgan County Public Trustee Sale Revenues and Expenses  
for the Quarter Ending March, 2024**

<u>Law Firm Name</u>	<u>Foreclosure #</u>	<u>Trans Date</u>	<u>Attorney File #</u>	<u>Fee Type</u>	<u>Chg Amt</u>	<u>Pav. Amt</u>
Halliday, Watkins & Mann, P.C.	2023-006	01/11/2024	CO11757	WDRL Clerk	\$13.00	\$0.00
Halliday, Watkins & Mann, P.C.	2023-006	01/11/2024	CO11757	WDRL Fee	\$35.00	\$0.00
Halliday, Watkins & Mann, P.C.	2023-006	01/16/2024	CO11757	Balance of Costs	\$0.00	\$627.40
The Sayer Law Group, PC	2023-016	01/10/2024	CO220052	Bid	\$0.00	\$174,837.66
The Sayer Law Group, PC	2023-016	01/10/2024	CO220052	Overbid to Escrow	\$1.00	\$0.00
The Sayer Law Group, PC	2023-016	01/10/2024	CO220052	Amt Due Holder	\$174,836.66	\$0.00
The Sayer Law Group, PC	2023-016	01/10/2024	CO220052	CP Clerk	\$33.00	\$0.00
The Sayer Law Group, PC	2023-016	01/24/2024	CO220052	CFD Clerk	\$13.00	\$0.00
The Sayer Law Group, PC	2023-016	01/24/2024	CO220052	CFD Fee	\$30.00	\$0.00
McCarthy & Holthus, LLP	2023-038	02/09/2024	CO-22-914617-	Refund Fees & Costs	\$23.00	\$0.00
McCarthy & Holthus, LLP	2023-038	02/09/2024	CO-22-914617-	WDRL Clerk	\$13.00	\$0.00
McCarthy & Holthus, LLP	2023-038	02/09/2024	CO-22-914617-	WDRL Fee	\$35.00	\$0.00
Janeway Law Firm, P.C.	2023-040	01/08/2024	23-030803	Fees & Costs Received	\$0.00	\$76.00
Janeway Law Firm, P.C.	2023-040	01/10/2024	23-030803	Bid	\$0.00	\$177,500.00
Janeway Law Firm, P.C.	2023-040	01/10/2024	23-030803	Overbid to Escrow	\$39,829.53	\$0.00
Janeway Law Firm, P.C.	2023-040	01/10/2024	23-030803	Amt Due Holder	\$137,670.47	\$0.00
Janeway Law Firm, P.C.	2023-040	01/10/2024	23-030803	CP Clerk	\$33.00	\$0.00
Janeway Law Firm, P.C.	2023-040	01/24/2024	23-030803	CFD Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2023-040	01/24/2024	23-030803	CFD Fee	\$30.00	\$0.00
McCarthy & Holthus, LLP	2023-041	01/03/2024	CO-23-963943-	Publication	\$691.20	\$0.00
McCarthy & Holthus, LLP	2023-041	01/25/2024	CO-23-963943-	Balance of Costs	\$0.00	\$557.32
McCarthy & Holthus, LLP	2023-041	01/31/2024	CO-23-963943-	CP Clerk	\$33.00	\$0.00
McCarthy & Holthus, LLP	2023-041	02/14/2024	CO-23-963943-	CFD Clerk	\$13.00	\$0.00
McCarthy & Holthus, LLP	2023-041	02/14/2024	CO-23-963943-	CFD Fee	\$30.00	\$0.00
Halliday, Watkins & Mann, P.C.	2023-042	01/08/2024	CO21450	Publication	\$696.60	\$0.00
Halliday, Watkins & Mann, P.C.	2023-042	01/12/2024	CO21450	Balance of Costs	\$0.00	\$439.64
Halliday, Watkins & Mann, P.C.	2023-042	03/15/2024	CO21450	Refund	\$23.00	\$0.00
Halliday, Watkins & Mann, P.C.	2023-042	03/15/2024	CO21450	WDRL Clerk	\$13.00	\$0.00
Halliday, Watkins & Mann, P.C.	2023-042	03/15/2024	CO21450	WDRL Fee	\$35.00	\$0.00
Halliday, Watkins & Mann, P.C.	2023-043	01/30/2024	CO22151	Publication	\$793.80	\$0.00
Halliday, Watkins & Mann, P.C.	2023-043	02/01/2024	CO22151	Fees & Costs Received	\$0.00	\$546.36
Hellerstein and Shore PC	2023-044	01/12/2024	3083-10572	Copies	\$7.50	\$0.00
Hellerstein and Shore PC	2023-044	01/12/2024	3083-10572	Postage	\$9.45	\$0.00
Hellerstein and Shore PC	2023-044	02/20/2024	3083-10572	Publication	\$826.20	\$0.00
Janeway Law Firm, P.C.	2023-045	01/12/2024	23-031211	Copies	\$3.00	\$0.00
Janeway Law Firm, P.C.	2023-045	01/12/2024	23-031211	Postage	\$3.78	\$0.00
Janeway Law Firm, P.C.	2023-045	02/20/2024	23-031211	Fees & Costs Received	\$0.00	\$795.18
Janeway Law Firm, P.C.	2023-045	02/20/2024	23-031211	Publication	\$788.40	\$0.00
McCarthy & Holthus, LLP	2023-046	01/04/2024	CO-23-969439-	Refund	\$181.09	\$0.00
McCarthy & Holthus, LLP	2023-046	01/04/2024	CO-23-969439-	WDRL Clerk	\$13.00	\$0.00
McCarthy & Holthus, LLP	2023-046	01/04/2024	CO-23-969439-	WDRL Fee	\$35.00	\$0.00
Janeway Law Firm, P.C.	2023-047	01/19/2024	23-031252	Copies	\$5.00	\$0.00
Janeway Law Firm, P.C.	2023-047	01/19/2024	23-031252	Postage	\$6.30	\$0.00
Janeway Law Firm, P.C.	2023-047	02/26/2024	23-031252	Fees & Costs Received	\$0.00	\$729.50
Janeway Law Firm, P.C.	2023-047	02/26/2024	23-031252	Publication	\$718.20	\$0.00
Janeway Law Firm, P.C.	2023-047	03/15/2024	23-031252	Fees & Costs Received	\$0.00	\$71.00
Janeway Law Firm, P.C.	2023-047	03/27/2024	23-031252	CP Clerk	\$28.00	\$0.00
Barrett Frappier & Weisserman, LLP	2023-048	01/22/2024	0000009946633	Fees & Costs Received	\$0.00	\$48.00
Barrett Frappier & Weisserman, LLP	2023-048	01/23/2024	0000009946633	WDRL Clerk	\$13.00	\$0.00
Barrett Frappier & Weisserman, LLP	2023-048	01/23/2024	0000009946633	WDRL Fee	\$35.00	\$0.00
Janeway Law Firm, P.C.	2023-049	01/09/2024	22-027102	Fees & Costs Received	\$0.00	\$321.17
Janeway Law Firm, P.C.	2023-049	01/09/2024	22-027102	Cure Received	\$0.00	\$15,296.35
Janeway Law Firm, P.C.	2023-049	01/18/2024	22-027102	WDRL Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2023-049	01/18/2024	22-027102	WDRL Fee	\$35.00	\$0.00
Janeway Law Firm, P.C.	2023-049	01/18/2024	22-027102	Cure Payment	\$15,296.35	\$0.00
Janeway Law Firm, P.C.	2023-049	01/18/2024	22-027102	Refund Fees & Costs	\$273.17	\$0.00
Janeway Law Firm, P.C.	2023-050	02/09/2024	23-031339	Copies	\$3.50	\$0.00
Janeway Law Firm, P.C.	2023-050	02/09/2024	23-031339	Postage	\$4.48	\$0.00
Janeway Law Firm, P.C.	2023-050	02/20/2024	23-031339	Fees & Costs Received	\$0.00	\$215.82
Janeway Law Firm, P.C.	2023-050	02/20/2024	23-031339	WDRL Clerk	\$13.00	\$0.00



**Morgan County Public Trustee Sale Revenues and Expenses  
for the Quarter Ending March, 2024**

<u>Law Firm Name</u>	<u>Foreclosure #</u>	<u>Trans Date</u>	<u>Attorney File #</u>	<u>Fee Type</u>	<u>Chg Amt</u>	<u>Pav. Amt</u>
Janeway Law Firm, P.C.	2023-050	02/20/2024	23-031339	WDRL Fee	\$35.00	\$0.00
Janeway Law Firm, P.C.	2023-050	02/21/2024	23-031339	Publication	\$159.84	\$0.00
Spencer Fane LLP	2023-051	02/09/2024	5027307.0041	Copies	\$62.50	\$0.00
Spencer Fane LLP	2023-051	02/09/2024	5027307.0041	Postage	\$80.00	\$0.00
Spencer Fane LLP	2023-051	03/20/2024	5027307.0041	Publication	\$831.60	\$0.00
Spencer Fane LLP	2023-051	03/27/2024	5027307.0041	Fees & Costs Received	\$0.00	\$1,002.14
Janeway Law Firm, P.C.	2023-052	02/21/2024	22-026697	Copies	\$5.00	\$0.00
Janeway Law Firm, P.C.	2023-052	02/21/2024	22-026697	Postage	\$6.40	\$0.00
Janeway Law Firm, P.C.	2024-001	01/03/2024	23-031565	Fees & Costs Received	\$0.00	\$267.52
Janeway Law Firm, P.C.	2024-001	01/03/2024	23-031565	Copies	\$2.00	\$0.00
Janeway Law Firm, P.C.	2024-001	01/03/2024	23-031565	Postage	\$2.52	\$0.00
Janeway Law Firm, P.C.	2024-001	01/03/2024	23-031565	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-001	01/03/2024	23-031565	eFee	\$100.00	\$0.00
Janeway Law Firm, P.C.	2024-001	01/03/2024	23-031565	Sale Fee	\$150.00	\$0.00
Janeway Law Firm, P.C.	2024-001	01/22/2024	23-031565	Fees & Costs Received	\$0.00	\$48.00
Janeway Law Firm, P.C.	2024-001	01/22/2024	23-031565	WDRL Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-001	01/22/2024	23-031565	WDRL Fee	\$35.00	\$0.00
McCarthy & Holthus, LLP	2024-002	01/03/2024	CO-23-972227-	Deposit	\$0.00	\$500.00
McCarthy & Holthus, LLP	2024-002	01/03/2024	CO-23-972227-	NED Clerk	\$18.00	\$0.00
McCarthy & Holthus, LLP	2024-002	01/03/2024	CO-23-972227-	eFee	\$100.00	\$0.00
McCarthy & Holthus, LLP	2024-002	01/03/2024	CO-23-972227-	Sale Fee	\$150.00	\$0.00
McCarthy & Holthus, LLP	2024-002	01/08/2024	CO-23-972227-	Refund	\$184.00	\$0.00
McCarthy & Holthus, LLP	2024-002	01/08/2024	CO-23-972227-	WDRL Clerk	\$13.00	\$0.00
McCarthy & Holthus, LLP	2024-002	01/08/2024	CO-23-972227-	WDRL Fee	\$35.00	\$0.00
Janeway Law Firm, P.C.	2024-003	01/17/2024	24-031620	Fees & Costs Received	\$0.00	\$272.04
Janeway Law Firm, P.C.	2024-003	01/17/2024	24-031620	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-003	01/17/2024	24-031620	Postage	\$5.04	\$0.00
Janeway Law Firm, P.C.	2024-003	01/17/2024	24-031620	eFee	\$100.00	\$0.00
Janeway Law Firm, P.C.	2024-003	01/17/2024	24-031620	Sale Fee	\$150.00	\$0.00
Janeway Law Firm, P.C.	2024-003	01/17/2024	24-031620	Copies	\$4.00	\$0.00
Janeway Law Firm, P.C.	2024-003	03/22/2024	24-031620	Copies	\$4.00	\$0.00
Janeway Law Firm, P.C.	2024-003	03/22/2024	24-031620	Postage	\$5.12	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	01/23/2024	00000010023604	Fees & Costs Received	\$0.00	\$272.12
Barrett Frappier & Weisserman, LLP	2024-004	01/23/2024	00000010023604	Copies	\$4.00	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	01/23/2024	00000010023604	Postage	\$5.12	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	01/23/2024	00000010023604	NED Clerk	\$13.00	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	01/23/2024	00000010023604	eFee	\$100.00	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	01/23/2024	00000010023604	Sale Fee	\$150.00	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	03/29/2024	00000010023604	Copies	\$4.00	\$0.00
Barrett Frappier & Weisserman, LLP	2024-004	03/29/2024	00000010023604	Postage	\$5.12	\$0.00
Janeway Law Firm, P.C.	2024-005	01/26/2024	24-031699	Fees & Costs Received	\$0.00	\$273.26
Janeway Law Firm, P.C.	2024-005	01/26/2024	24-031699	Postage	\$5.76	\$0.00
Janeway Law Firm, P.C.	2024-005	01/26/2024	24-031699	eFee	\$100.00	\$0.00
Janeway Law Firm, P.C.	2024-005	01/26/2024	24-031699	Sale Fee	\$150.00	\$0.00
Janeway Law Firm, P.C.	2024-005	01/26/2024	24-031699	Copies	\$4.50	\$0.00
Janeway Law Firm, P.C.	2024-005	01/29/2024	24-031699	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-006	02/16/2024	24-031832	Fees & Costs Received	\$0.00	\$269.84
Janeway Law Firm, P.C.	2024-006	02/16/2024	24-031832	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-006	02/16/2024	24-031832	eFee	\$100.00	\$0.00
Janeway Law Firm, P.C.	2024-006	02/16/2024	24-031832	Sale Fee	\$150.00	\$0.00
Janeway Law Firm, P.C.	2024-006	02/16/2024	24-031832	Copies	\$3.00	\$0.00
Janeway Law Firm, P.C.	2024-006	02/16/2024	24-031832	Postage	\$3.84	\$0.00
Janeway Law Firm, P.C.	2024-007	02/29/2024	18-020214	Fees & Costs Received	\$0.00	\$282.38
Janeway Law Firm, P.C.	2024-007	02/29/2024	18-020214	Copies	\$8.50	\$0.00
Janeway Law Firm, P.C.	2024-007	02/29/2024	18-020214	Postage	\$10.88	\$0.00
Janeway Law Firm, P.C.	2024-007	02/29/2024	18-020214	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-007	02/29/2024	18-020214	eFee	\$100.00	\$0.00
Janeway Law Firm, P.C.	2024-007	02/29/2024	18-020214	Sale Fee	\$150.00	\$0.00
Janeway Law Firm, P.C.	2024-007	03/12/2024	18-020214	Fees & Costs Received	\$0.00	\$48.00
Janeway Law Firm, P.C.	2024-007	03/12/2024	18-020214	WDRL Clerk	\$13.00	\$0.00

**Morgan County Public Trustee Sale Revenues and Expenses  
for the Quarter Ending March, 2024**

<u>Law Firm Name</u>	<u>Foreclosure #</u>	<u>Trans Date</u>	<u>Attorney File #</u>	<u>Fee Type</u>	<u>Chg Amt</u>	<u>Pay. Amt</u>
Janeway Law Firm, P.C.	2024-007	03/12/2024	18-020214	WDRL Fee	\$35.00	\$0.00
McCarthy & Holthus, LLP	2024-008	03/08/2024	CO-23-969631-	Copies	\$3.00	\$0.00
McCarthy & Holthus, LLP	2024-008	03/08/2024	CO-23-969631-	Postage	\$3.84	\$0.00
McCarthy & Holthus, LLP	2024-008	03/08/2024	CO-23-969631-	NED Clerk	\$13.00	\$0.00
McCarthy & Holthus, LLP	2024-008	03/08/2024	CO-23-969631-	eFee	\$100.00	\$0.00
McCarthy & Holthus, LLP	2024-008	03/08/2024	CO-23-969631-	Sale Fee	\$150.00	\$0.00
McCarthy & Holthus, LLP	2024-008	03/11/2024	CO-23-969631-	Deposit	\$0.00	\$500.00
Janeway Law Firm, P.C.	2024-009	03/08/2024	19-023065	Fees & Costs Received	\$0.00	\$269.84
Janeway Law Firm, P.C.	2024-009	03/08/2024	19-023065	Copies	\$3.00	\$0.00
Janeway Law Firm, P.C.	2024-009	03/08/2024	19-023065	Postage	\$3.84	\$0.00
Janeway Law Firm, P.C.	2024-009	03/08/2024	19-023065	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-009	03/08/2024	19-023065	eFee	\$100.00	\$0.00
Janeway Law Firm, P.C.	2024-009	03/08/2024	19-023065	Sale Fee	\$150.00	\$0.00
McCarthy & Holthus, LLP	2024-010	03/20/2024	CO-23-969646-	Copies	\$2.56	\$0.00
McCarthy & Holthus, LLP	2024-010	03/20/2024	CO-23-969646-	NED Clerk	\$18.00	\$0.00
McCarthy & Holthus, LLP	2024-010	03/20/2024	CO-23-969646-	eFee	\$100.00	\$0.00
McCarthy & Holthus, LLP	2024-010	03/20/2024	CO-23-969646-	Sale Fee	\$150.00	\$0.00
McCarthy & Holthus, LLP	2024-010	03/21/2024	CO-23-969646-	Postage	\$2.00	\$0.00
McCarthy & Holthus, LLP	2024-010	03/22/2024	CO-23-969646-	Deposit	\$0.00	\$500.00
Janeway Law Firm, P.C.	2024-011	03/28/2024	24-032076	NED Clerk	\$13.00	\$0.00
Janeway Law Firm, P.C.	2024-011	03/29/2024	24-032076	Fees & Costs Received	\$0.00	\$274.40
Janeway Law Firm, P.C.	2024-011	03/29/2024	24-032076	Sale Fee	\$150.00	\$0.00
Janeway Law Firm, P.C.	2024-011	03/29/2024	24-032076	Copies	\$5.00	\$0.00
Janeway Law Firm, P.C.	2024-011	03/29/2024	24-032076	Postage	\$6.40	\$0.00
Janeway Law Firm, P.C.	2024-011	03/29/2024	24-032076	eFee	\$100.00	\$0.00
<b>TOTALS</b>					<b>\$377,767.06</b>	<b>\$376,840.94</b>
Net Revenue less Expense						(\$926.12)
Plus Beginning Balance						\$1,623.68
<b>Ending Balance</b>					<b>3/31/2024</b>	<b>\$697.56</b>

## Morgan County Treasurer and Public Trustee Quarterly Report

1st Quarter - 2024

	<u>This Quarter</u>	<u>This Year-to-Date</u>	<u>Last Year-to-Date</u>	<u>% Inc/Dec</u>
<u>Tax Collections</u>	\$15,564,136.17	\$15,564,136.17	\$15,482,350.02	0.53%
<u>Collection % of Taxes</u>	25.48%	25.48%	27.16%	
 <u>Treas Fees Earned</u>	 \$186,120.32	 \$186,120.32	 \$181,317.98	 2.65%
CD's, T-Bills & Gov Sec	\$22,390,263.55	\$22,390,263.55	\$29,672,750.71	-24.54%
Banks/Govt Pool Accts	\$55,481,643.27	\$55,481,643.27	\$48,843,372.97	13.59%
<u>Total Investments</u>	\$77,871,906.82	\$77,871,906.82	\$78,516,123.68	-0.82%
 <u>Reserve Accounts</u>	 \$15,124,843.89	 \$15,124,843.89	 \$12,966,441.20	 16.65%
 <u>Average Daily Balance</u>	 \$78,417,881.73	 \$78,417,881.73	 \$75,764,676.33	 3.50%
<u>Interest Earned</u>	\$941,133.46	\$941,133.46	\$736,271.43	27.82%
<u>Average Interest Rate</u>	4.801%	4.801%	3.887%	
<hr/>				
<u>Foreclosure Excess Fees</u>	\$1,555.94	\$1,555.94	\$910.94	70.81%
 <u>Foreclosure Events</u>				
New Files	11	11	8	37.50%
Cured	1	1	4	0.00%
Withdrawn	10	10	13	-23.08%
Sold	4	4	6	0.00%
Deeded	3	3	6	0.00%
 <u>Releases of Deeds of Trust</u>	 197	 197	 171	 15.20%

BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, COLORADO

\_\_\_\_\_  
Mark A. Arndt, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jon J. Becker, Commissioner

\_\_\_\_\_  
Date

\_\_\_\_\_  
Gordon H. Westhoff, Commissioner

\_\_\_\_\_  
Date

**ATTEST:**

(Seal)

\_\_\_\_\_  
Clerk to the Board

**BID TABULATION FOR RFP 2024-0404-001  
JC Southwest Parking Lot Project**

Bid #	Bidder	Local	References	Warranty	Exceptions	Down Payment	Bid Amount Total	Notes
1	Denver Pro Concrete	No	Yes	All concrete placed has one year warranty for structural cracks. No coverage for damage from chemicals, plows, or neglectful damage.	No	N/A	\$219,500.00	Additional Work Option: Curb/ Gutter, Sidewalk, Ramp.
2	Metro Pavers Inc.	No	Yes	1 year	No	N/A	\$239,250.00	4% increase in price if Performance Bonds are required.
3	Chato's	No	Yes	2 year warranty if concrete cracks and separates we will repair damaged area.	No	\$90,000.00	\$176,373.00	Additional Work Option: Curb/ Gutter (affected areas only), Sidewalk (low and cracked areas)
4	Duck Down Masonry and Tile	Yes	Yes	Warranty for 30 days for flaking. This does not include cracking, If chemicals are used such as de-icer, salt, ice-melt, etc. are used it shall void the warranty of 30 days.	No	\$50,000.00	\$280,000.00	Additional Work Option: Curb/ Gutter, Sidewalk.
5	A-1 Chipseal Co.	No	Yes	1 year - Warranty letter	No	N/A	\$181,451.00	
6	TLM Constructors, Inc.	No	Yes	1 year warranty on labor and workmanship	Testing and engineering are excluded. Excludes silicone joint sealant	N/A	\$172,315.00	Additional Work Option: Barricade, Rock Socks, Ramp Sign, ADA Ramp Removal/Install, Removal of Curb/Gutter/Install, Sidewalk.

I recommend going with Bid # 6 TLM Constructors, Inc. as they are the lowest Bid.

Prepared by: \_\_\_\_\_  
Michael Cox, Building Maintenance

Awarded: \_\_\_\_\_

MORGAN COUNTY, COLORADO

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

**ATTEST:**

\_\_\_\_\_  
Kevin Strauch, Clerk to the Board  
(seal)  
Date: \_\_\_\_\_

## WATER LEASE

THIS WATER LEASE is made and executed this 1<sup>st</sup> day of January, 2024 between the Morgan County Board of County Commissioners (“Lessor”) and **Fort Morgan Water Company, Ltd., at 218 E Kiowa, Fort Morgan, CO** (“Lessee”).

1. Grant of Lease. For and in consideration of the mutual covenants and in consideration of the payments under the terms of this Lease, Lessor leases to Lessee the use of the following (hereinafter referred to as the “Water Rights”):

One (1) share of the Jackson Lake Reservoir and Irrigation Company Capital Stock, Certificate Number 1421.

2. Control and Delivery of Water. Lessee shall have the right to delivery and full use of all water available under the Water Rights. The Water Rights shall be used solely upon the property described in Exhibit A, attached hereto and incorporated herein.

3. Use of Water; No Abandonment. Lessee shall use the Water Rights to irrigate lands under Fort Morgan Water Company, Ltd. control located south of the river between Weldona, CO and Brush, CO. Lessee shall take all steps reasonably necessary to use the Water Rights and to apply the maximum amount of water legally and physically available from the Water Rights to beneficial use during the term of this Lease. Lessee shall not take any action that might result in any administrative or judicial finding of abandonment of the Water Rights.

4. Cooperation in Court Proceedings. At the end of the irrigation season, Lessee shall provide Lessor an original completed, signed, and notarized Affidavit of Use on the form attached hereto as Exhibit B. Lessee shall cooperate fully with Lessor in any future water court proceedings relating to the Water Rights.

5. Payment. Lessee shall pay Lessor \$501.00 *for* the use of the Water Rights during the 2021 irrigation season, which payment shall be made upon execution of this Lease.

6. Term. This lease shall expire at midnight on December 31, 2024, unless extended by the parties by written mutual agreement.

7. No Warranties. Lessor does not make any warranties regarding (a) water quality, or (b) availability of water to fulfill the needs of Lessee.

8. Assignability and Binding Effect. Either party shall have the right to assign this Water Lease with the written consent of the non-assigning party, which consent shall not be unreasonably withheld. This Lease shall be binding upon the successors and assigns of the parties.

9. Applicable Law. This Lease shall be governed by and construed in accordance with the laws of the State of Colorado.

10. Notices. All notices, consents and approvals and other communications between the parties required or permitted by this Lease shall be in writing. These writings shall be sufficient for notice purposes if delivered personally or by certified or registered mail to the party at the address designated below or to such other address as either party may designate by proper written notice.

If to Lessor: Morgan County Board of County Commissioners  
Attn: Mindi Cloyd  
Morgan County Government  
218 West Kiowa Avenue  
Fort Morgan, Colorado 80701

If to Lessee: Fort Morgan Water Company, Ltd.  
P.O. Box 38  
Fort Morgan, CO 80701

11. Entire Agreement. This Lease constitutes the entire agreement between the parties and any prior agreements or understandings shall be deemed merged into this Lease.

LESSOR:

Morgan County Board of County Commissioners

By: \_\_\_\_\_

As: \_\_\_\_\_

LESSEE: Fort Morgan Water Company, Ltd.

\_\_\_\_\_



RFP 2024-0404-002  
Jackson Lake Water (1) Share  
Bid Tabulation  
April 4, 2024

#1 Fort Morgan Water Company, Ltd \$501 01/01/2024-12/31/2024

Prepared by: \_\_\_\_\_  
Mindi Cloyd, Administrative Services Manager

Awarded: \_\_\_\_\_

MORGAN COUNTY, COLORADO

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Commissioner

\_\_\_\_\_  
Commissioner

ATTEST:

\_\_\_\_\_  
Kevin Strauch, Clerk to the Board  
(seal)  
Date:\_\_\_\_\_

**MORGAN COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION 2024 BCC 17**

**A RESOLUTION GRANTING A TWO-LOT MINOR SUBDIVISION, KNOWN AS  
CHERI K. JOHNSON MINOR SUBDIVISION, LOCATED IN THE S½NW¼ AND IN  
THE NE¼SW¼ OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 58 WEST OF THE  
6TH OF P.M., MORGAN COUNTY, COLORADO**

**WHEREAS**, Cheri K. Johnson (the “Owner”) owns property located in the S½NW¼ and in the NE¼SW¼ of Section 28, Township 4 North, Range 58 West of the 6<sup>th</sup> P.M., Morgan County, Colorado, (the “Property”);

**WHEREAS**, Ryan L. Johnson and Jamia J. Johnson (the “Applicants”) applied for a two-lot minor subdivision pursuant to the County’s Subdivision Regulations (“Application”);

**WHEREAS**, on February 27, 2024, the Morgan County Planning Commission held a duly noticed public hearing on the application;

**WHEREAS**, during the public hearing, the Planning Commission received testimony and evidence from the Applicant, Morgan County staff and the public and recommended approval;

**WHEREAS**, on March 5, 2024, the Board of County Commissioners (“Board”) held a duly noticed public hearing on the Application;

**WHEREAS**, during the public hearing, the Board received testimony and evidence from the Applicant, Morgan County staff and the public; and

**WHEREAS**, the Board desires to approve the Application.

**NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO:**

**1. FINDINGS OF FACT**

The Board, having reviewed the application, all information provided and testimony heard, finds that:

- A. The application documents are complete and represent how the subdivision will be laid out including infrastructure, easements and access.



- B. The subdivision is in conformance with the Morgan County Comprehensive Plan and there is access to established public infrastructure.
- C. The subdivision is compatible with surrounding land uses.

**2. GENERAL PROVISIONS**

- A. Any past, present, or future drainage problems on this site are the responsibility of the landowner and their successors and not that of Morgan County.
- B. Morgan County is not responsible for the quantity or quality of water supplied to this subdivision.

**3. APPROVAL**

The Board hereby approves the Cheri K. Johnson Minor Subdivision, located in the S½NW¼ and in the NE¼SW¼ of Section 28, Township 4 North, Range 58 West of the 6<sup>th</sup> P.M., Morgan County, Colorado.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2024, *nunc pro tunc* March 5, 2024.

**BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, COLORADO**

\_\_\_\_\_  
Mark A. Arndt, Chair

\_\_\_\_\_  
Jon J. Becker, Commissioner

\_\_\_\_\_  
Gordon H. Westhoff, Commissioner

ATTEST:  
(SEAL)

\_\_\_\_\_  
Kevin Strauch, Clerk to the Board



**MORGAN COUNTY  
PLANNING AND ZONING DEPARTMENT**

**MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS  
FILE SUMMARY  
Meeting date – April 16, 2024**

**APPLICANT: South Platte Solar, LLC**

This application is for a two-year renewal for the special use permit granted by resolution 2023 BCC 37 to South Platte Solar, LLC on August 15, 2023. The special use permit was granted to allow for a battery energy storage system. The permitted area is located in the SE1/4 of Section 24, Township 3 North, Range 57 West of the 6<sup>th</sup> PM, Morgan County, Colorado.

Due to unforeseen circumstances, the applicant, South Platte Solar, LLC is requesting an additional two years as per Section 4-880 of the Morgan County Zoning regulations. This requested extension would ensure project construction completion in a reasonable timeframe.

If approved, the permit would be valid for an additional period of two years to August 15, 2028. All conditions of approval through Resolution 2023 BCC 37 shall remain in full effect.

Nicole Hay,  
Morgan County Planning Administrator



April 3, 2024

ATTN: Nicole Hay  
Morgan County Planning  
Zoning & Building Department  
231 Ensign, P.O. Box 596  
Fort Morgan, CO 80701

Re: South Platte BESS Request for Extension of Approval Period  
File R0036044.00

Dear Nicole:

On behalf of South Platte Solar LLC (“Applicant”), Westwood Professional Services (“Westwood”) is requesting an extension of the approval period for the proposed South Platte Battery Energy Storage System Project (“Project”) in Morgan County, Colorado (“County”). The Project boundary encompasses 10,152 acres of private agricultural land that is leased for the construction, operation, and maintenance of a 250-megawatt battery energy storage system (“BESS”) facility (footprint of approximately 20 acres).

According to Section 4-880 of the Morgan County Zoning Regulations<sup>1</sup> (“Zoning Regulations”), the use permit for a BESS facility shall be valid for a period of three years from the date of approval. However, the Applicant may seek an extension of the approval period from the appropriate decision-making authority by demonstrating a need for an extension and filing an application with the County Planning Department. Each renewal application shall be accompanied by the appropriate fee, as established by the Board of County Commissioners. Requested renewals may be in one-, two-, or three-year terms, not to exceed a total approval period beyond six years from the date of the original approval of the use permit.

Due to unforeseen circumstances, construction of the proposed Project has been delayed, requiring an extension of the original approval period. As such, the Applicant respectfully requests a two-year renewal of the original land use permit approval for a fee amount totaling 66% of the original permit application fee of \$5,000. This extension request, if approved, would ensure Project construction is completed within a reasonable timeframe.

Please contact me if you have any questions.

Sincerely,

WESTWOOD PROFESSIONAL SERVICES

---

<sup>1</sup><https://morgancounty.colorado.gov/sites/morgancounty/files/documents/2023%20Zoning%20Regulations%20-%2010.31.2023.pdf>.



MORGAN COUNTY PLANNING  
 ZONING & BUILDING DEPT.  
 231 Ensign, P.O. Box 596  
 Fort Morgan, Colorado 80701  
 PHONE (970)542-3526  
 FAX (970)542-3509

EMAIL: [permits\\_licensing@co.morgan.us](mailto:permits_licensing@co.morgan.us)

PERMIT # \_\_\_\_\_ - \_\_\_\_\_

Date Received _____ / _____ / _____	Received By _____
App Fee \$ _____	Ck/CC #: _____ Paid _____ / _____ / _____
BOCC Date: _____ / _____ / _____	
100 Year Floodplain? <u>Y/N</u>	Taxes Current? <u>Y/N</u>
Original SUP # _____	Resolution # _____
Original Approval Date: _____ / _____ / _____	

## SOLAR, WIND, AND BESS RENEWAL PERMIT APPLICATION

### APPLICANT

Name South Platte Solar LLC  
 Address 700 Universe Boulevard  
Juno Beach, FL 33408  
 Phone ( 561 ) 694-6378  
 Email ashard.moore@nexteraenergy.com

### LANDOWNER

Name See Addendum A  
 Address \_\_\_\_\_  
 \_\_\_\_\_  
 Phone ( \_\_\_\_\_ ) \_\_\_\_\_  
 Email \_\_\_\_\_

### BRIEF DESCRIPTION OF APPLICATION INCLUDING ACRES USED & MEGAWATTS

South Platte Solar LLC is proposing an up to 250 MW, 1,488 MWh BESS to support the associated 500 MW  
South Platte Solar Project southeast of Fort Morgan, Colorado.

### PROPERTY LEGAL DESCRIPTION

Address (if available):

See Addendum B

S: \_\_\_\_\_ T: \_\_\_\_\_ R: \_\_\_\_\_ \_\_\_\_\_ 1/2 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/4

Parcel #: \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Subdivision: \_\_\_\_\_

Property Size 10,152 (sq. ft. or acres)

Zone District: \_\_\_\_\_

Lot #(s): \_\_\_\_\_

**SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE.**

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED.**

## SOLAR, WIND, AND BESS RENEWAL PERMIT REQUIRED ATTACHMENT LIST

**Fee:**

**Non-Refundable Application Fee**

*\*Additional fees and charges may be required pursuant to Section 2-160 of Morgan County Zoning Regulations*

**One Year Renewal – 33%** of the application fee for original permit application

**Two Year Renewal – 66%** of the application fee for original permit application

**Three Year Renewal – 100%** of the application fee for original permit application

**Project Narrative:**  **Narrative Including the following:**

Describe the reasoning for a renewal

### APPLICANT STATEMENT

*I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge*

Ash Moore

APPLICANT NAME (PRINTED)

*Ash Moore*

APPLICANT SIGNATURE

4 APR 24

DATE

# Addendum A

<b>Parcel Number</b>	<b>Property Owner</b>	<b>Property Description</b>	<b>Percent of Total Area</b>
1229-240-00-005	Charles E. Ross, et.al.	T3, R57, SE ¼ Sec. 24	1.58

**MORGAN COUNTY, COLORADO  
BOARD OF COUNTY COMMISSIONERS**

**RESOLUTION  
2024 BCC 18**

**A RESOLUTION GRANTING A TWO YEAR RENEWAL FOR THE  
SPECIAL USE PERMIT TO SOUTH PLATTE SOLAR, LLC FOR A  
BATTERY ENERGY STORAGE SYSTEM LOCATED IN THE SE1/4 OF  
SECTION 24, TOWNSHIP 3 NORTH, RANGE 57 WEST OF THE 6<sup>TH</sup>  
P.M., MORGAN COUNTY, COLORADO**

**WHEREAS**, South Platte Solar, LLC (the “Applicant”), has an existing special use permit granted by Resolution 2023 BCC 37 (“Permit”) for a battery energy storage system located in the SE1/4 Section 24, Township 3 North, Range 57 West of the 6<sup>th</sup> P.M., Morgan County, Colorado (“Property”);

**WHEREAS**, the Applicant has applied for a two-year renewal of the special use permit granted by Resolution 2023 BCC 37 as per Section 4-880 of the Morgan County Zoning Regulations;

**WHEREAS**, on April 16, 2024, at a public meeting, the Board of County Commissioners (the “Board”) reviewed and considered the Application; and

**WHEREAS**, the Board desires to approve the Application.

**NOW, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO:**

**1. APPROVAL.**

The Application is hereby granted. The Permit is valid for an additional period of two years to August 15, 2028. All conditions of approval through Resolution 2023 BCC 37 shall remain in full effect. Any further extensions to the term of the Permit shall be governed by the provisions of the Morgan County Zoning Regulations.

**DATED** this 16<sup>th</sup> day of April, 2024.

**BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, COLORADO**

---

Mark A. Arndt, Chair

---

Jon J. Becker, Commissioner

---

Gordon H. Westhoff, Commissioner

**ATTEST:**

---

Kevin Strauch, Clerk to the Board



# COMMISSIONERS CALENDAR

April 12, 2024 through April 23, 2024

April 12, 2024		Daily County Business
April 15, 2024	9:00 A.M. 11:00 A.M. 11:45 A.M.	Department Head Evaluations HR/Finance Department Meeting BCC Office Meeting
April 16, 2024	9:00 A.M. 9:05 A.M. Hearing Immediately following Board Meeting 10:00 A.M. 11:00 A.M. 12:00 P.M.	DHS Financial Meeting Board of County Commissioners Meeting (Assembly Room) (Please check <a href="https://morgancounty.colorado.gov/">https://morgancounty.colorado.gov/</a> for meeting options.) Planning & Zoning Hearing - Sandy Hills MCDEC Meeting Finance Department Meeting Morgan County Tourism Panel
April 17, 2024	8:00 A.M. 9:30 A.M.	Brush Chamber of Commerce Board Meeting NECALG Meeting
April 18, 2024	8:00 A.M. 8:30 A.M.	Homeland Security Grant Meeting KFTM Radio Interview
April 19, 2024		Daily County Business
April 22, 2024	9:30 A.M. 11:00 A.M. 1:00 P.M. 2:00 P.M.	DHS Agency Meeting HR/Finance Department Meeting BCC Office Meeting Public Works Department Meeting
April 23, 2024	7:00 A.M. 8:00 A.M. 9:00 A.M. 10:00 A.M. 1:00 P.M. 2:00 P.M.	Fort Morgan Chamber of Commerce Meeting BCC/Solid Waste/Road & Bridge Meeting with CAT/Wagner Planning and Zoning Department Meeting County Attorney Office Hours Employment Law Training Solid Waste Department Meeting

*Unless otherwise noted, all meetings with department heads and other non-BOCC elected officials listed above may include an update on the status of the department, a general discussion of projects, any matters or concerns that the County needs to address, and activities and operations of the department.*

***Department meetings may be by conference call or virtual meeting upon request.***

CALENDAR SUBJECT TO CHANGE DUE TO AGREEABLE CANCELLATIONS AND/OR WALK IN BUSINESS

Posted 04/12/2024 @ 4:00 P.M. by Mindi Cloyd, Administrative Services Manager

\*\* All meetings are held in the Commissioner's Office located at 218 West Kiowa Avenue, Fort Morgan unless otherwise noted

\*Any meeting or event scheduled to be held at the Commissioners' Offices (218 West Kiowa Avenue, Fort Morgan, CO) will be relocated to a site with handicapped access upon request. For special assistance for the Morgan County Board of Commissioners meeting, please notify us 48 hours before the scheduled agenda item. Please call (970)542-3500, extension 1410, to request accommodation.

| BOARD OF COUNTY COMMISSIONERS 9:00 A.M. | APRIL 16, 2024 |  
SANDY HILLS AMENDED SPECIAL USE

TABLE OF CONTENTS

- **File Summary**
- **Previous Resolutions**
  - 2023 BOA 02
  - 2000 BCC 59
- **Consultants**
  - HDR, INC.
- **Original Submittal**
  - Application
  - Right to Farm
- **Applicant Narrative**
- **Site Plan / Maps**
- **Proof of Ownership**
  - Current Title Insurance Commitment
  - Other deeds or additional ownership documentation
  - Statement of Authority
- **Utilities / Access**
  - Septic
  - Water
  - Electric
  - Driveway Permit
- **Additional Application Information**
  - Traffic
  - Environmental Design
  - Nuisance Control Plan
  - Ditch Company Notification
  - Soil Map
  - Mineral Notification
  - Tax Account Statement
- **Landowner Letters, Referrals & Responses**
  - Landowner Letter sent & Responses Received
  - Referral Sent & Responses Received
  - Notification
  - Sign Posting Pictures & Affidavit
- **Vesting Application**



## MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

March 15, 2024

AGPROfessionals  
Attn: Hannah Dutrow  
3050 67<sup>th</sup> Ave  
Greeley, CO 80634  
Sent via email:  
Re: Sandy Hills

Dear Applicant:

Your Application for a Special Use Permit will go to review and decision by the Board of County Commissioners. The hearing for the Board of County Commissioners will be held on **April 16, 2024 at 9:00 A.M.**

**As per Section 2-390(B), notification sign postings need to occur no later than 10 days prior to each hearing and photographs accompanied by an affidavit to our office no later than 5 days prior to each hearing.** One sign facing each public right-of-way adjacent to the property is required. The county will provide one sign for County Road Q, it is up to you to post it.

The BoCC sign notice dates: **Posted by April 5, 2024**  
**Pictures and Affidavit by April 11, 2024**

We will have the sign ready to be picked up in our office on **March 29, 2024.**

It is necessary that you be present at the hearing to answer any questions the BoCC may have. Do not hesitate to contact us at any time if you have questions.

Sincerely,

*Nicole Hay*

Nicole Hay  
Planning Administrator

# FILE SUMMARY



**MORGAN COUNTY  
PLANNING AND ZONING DEPARTMENT**

**MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS  
FILE SUMMARY  
April 11, 2024  
Hearing date – April 16, 2024**

**OWNER: Sandy Hills Family Dairy, LLC  
APPLICANT: Tim Naylor - AGPROfessionals**

This application is for an Amended Special Use Permit to allow for the expansion of an existing permitted Sandy Hills Family Dairy confinement operation (CAFO), formally known as Cactus Acres Holsteins which has been a permitted operation since 1993. An Amended Special Use Permit for an expansion to 5,600 animal units was granted by Resolution 2000 BCC 59 and is included in your packets. The permitted area is located in a part of the NW<sup>1</sup>/<sub>4</sub> and the N<sup>1</sup>/<sub>2</sub>SW<sup>1</sup>/<sub>4</sub> of Section 14, Township 3 North, Range 59 West of the 6<sup>th</sup> P.M., Morgan County, Colorado, aka 15884 County Road 10, Fort Morgan, Colorado.

This request is for an expansion into a part of the NE<sup>1</sup>/<sub>4</sub> of Section 15, Township 3 North, Range 59 West of the 6<sup>th</sup> P.M. and an animal expansion to 14,245 animal units or 14,500 head, which includes calves, dry cows, milking cows, and heifers. With this amended special use permit, they intend to install the heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations. The property is zoned Agriculture Production Fort Morgan Fire District and partially in the Wiggin Fire District on the west side of County Road 10.

The applicant also submitted a variance application for a reduction of setback for the feeding operation from occupied structures. The variance application was considered by the Board of Adjustment in a public hearing on August 21, 2023. That request was granted by Resolution 2023 BOA 02 and is also included in your packets.

Also, included in your packets is a letter from Morgan County Quality Water stating they will have no problem providing water. A letter from Bijou Irrigation requesting conditions including any run-off should slope away from the ditch, a 60 foot setback from the edge of the ditch for buildings and corrals to allow for maintenance, and proven ability to contain run off that might occur.

Referral responses from XCEL, CDOT, CDPHE, and the Town of Wiggins are also included in your packets.

Planning Commission Meeting

This application was considered by the Planning Commission in a public hearing on September 11, 2023.

The Planning Commission recommended conditional approval on a vote of 7 in favor and 0 opposed. Condition #1 below was recommended by Planning Commission.

#### Additional Information Received After Planning Commission Hearing

The Planning Commission raised the issue of traffic on County Road Q and particularly a turn lane. The Owner was utilizing direct access from County Road Q. Please note that the narrative submitted with the application only states access is from County Road 10. Upon further review by the County, it was determined the current dairy does not have authority to use County Road Q as direct access onto the property and there is no record that the County was informed by the property owner that it was using that access. Morgan County Road & Bridge Department has determined the access off of County Road Q is possible. However, that access raised traffic and safety issues (outlined further below) the Department will not issue a driveway permit until a decision on the Application has been made by the Board of County Commissioners.

As a result of the direct access off of County Road Q and the location of the scale on the property, truck traffic queues along westbound County Road Q during silage season in September. A traffic study was required to address the impacts of dairy traffic and other traffic on County Road Q including the necessity for turn lanes off of County Road Q onto County Road 10, the property's other access. The traffic study only addressed silage deliveries. Although the owner does not currently anticipate deliveries of haylage, those deliveries would likely cause the same traffic and safety issue during that delivery season. In addition, it has recently come to the County's attention that the Owner is using an unpermitted access off of County Road Q on the northwest corner of the project site and property located in Section 15. The Applicant will be proposing this as another access to the property, but Road & Bridge has not reviewed this proposal.

The County's third party consultant, HDR Engineering, reviewed the Applicant's traffic study and made a site visit to County Road Q. A memo from HDR with recommendations is included in the packet.

The Applicant submitted a revised site plan to include traffic circulation on-site to address the traffic impacts and use of the scale on the property. The Applicant, the applicant's traffic engineer, Morgan County Road & Bridge Department, Morgan County Planning Department, and John Seyer, a traffic engineer for HDR had a discussion regarding possible solutions to the queuing on County Road Q during silage season. After the discussion and review of the on-site circulation plan, HDR agreed that the proposed circulation may alleviate the impacts on County Road Q. Due the safety concerns for other traffic on County Road Q, the Road and Bridge Department's preference is that the Applicant construct double turn lanes at County Road Q and County Road 10, a westbound left hand turn lane and eastbound right turn lane. The direct access from County Road Q would not be permitted.

The Commissioners have several options in addressing the issue of traffic on County Road Q:

1. Permit access from County Road Q with no requirement for turn lanes or traffic circulation related to truck traffic during silage season deliveries.
2. Permit access from County Road Q subject to a proposed condition to address the evaluation of the traffic circulation pattern during silage season or alternatively, allow the traffic circulation to be the mitigation of traffic without further evaluation.
3. Require double turn lanes on County Road Q onto County Road 10 and not permit access from County Road Q directly onto the property.

Regarding option #2 above, the suggested condition would be as follows:

The circulation pattern for truck delivery of silage as shown on the site plan, dated April 10, 2024 shall be implemented by the Applicant during silage season. For the first three (3) years after the approval of this Permit, the Applicant shall contact Road & Bridge Department at least two (2) days prior to the beginning of truck deliveries during silage season. The Road & Bridge Department should observe the traffic circulation pattern, at various times, to determine whether it is alleviating traffic and safety concerns. If the Road & Bridge Department determines that the circulation pattern is not being complied with or that the pattern is not alleviating the traffic and safety concerns, it shall report such observations to the Planning Department. The Planning Department shall set the matter for a public hearing before the Planning Commission for review and recommendation to the Board of County Commissioners and then for a public hearing before the Board of County Commissioners for a final decision. Nothing in this condition should be deemed to prevent the County from observing the traffic impacts of the direct access from County Road Q onto the property at any time.

In reviewing this application, the Planning Commission and Board of County Commissioners are required to make a finding that the criteria for granting a Use by Special Review in Section 2-395 of the Morgan County Zoning Regulations has been met.

Section 2-395 Special Use Permit Criteria:

- A. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan. Specifically:

*The property is located in the southwestern planning area as defined by the Morgan County Comprehensive Plan. In this area Comprehensive Plan goals include:*

*Encourage the preservation of agricultural production land to ensure continuation of this important industry. The facility is an agricultural business related to the dairy industry. The property use is necessary in Morgan County to preserve the agricultural economic base historically attributed to the area.*

- B. All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.
- C. The Site Plan conforms to the district design standards of Section 2-420 and Section 4-200 of the Morgan County Zoning Regulations.
- D. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements or other mitigation measures.  
*The Commissioners' ultimate finding regarding the off-site impact of traffic during the silage season deliveries will determine whether a condition is required to mitigate such impacts. Proposed use impacts upon existing uses and the environment are detailed in the included Nutrient Management Plan and Nuisance Plan.*
- E. The special use proposed has been made compatible with the surrounding uses and is adequately buffered as determined by the County.  
*A variance was granted from existing residences located within 1,320 feet of the proposed site. Other adjacent uses include pasture and dry farmland.*
- F. The special use poses only the minimum amount of risk to the public health, safety and welfare as set by either federal, state or county regulation, whichever is the strictest.

*Subject to the implementation of the Nuisance Control Plan, the application satisfies these criteria.*

- G. The special use proposed is not planned to be developed on a non-conforming parcel.  
*The proposed Special use is located on a conforming parcel.*
- H. The applicant has adequately documented a public need for the project, all pertinent technical information, adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.  
*The existing dairy operation supplies milk for consumption and to local processing facilities to be made into other food products.*
- I. For any special use requiring a supply of water for human consumption that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity, quality, and reliability. For any special use which does not require a supply of water for human consumption, an adequate source of water for the proposed use in terms of quantity and reliability must be obtained prior to commencement of the use.  
*Water will be provided by Morgan County Quality Water*

Sandy Hills Family Dairy requesting an additional 5 years of vesting in addition for a total of 8 years. The added vesting will allow for growth to occur as the dairy is able to make and coordinate the improvements.

The following conditions are recommended for the special use permit:

1. The digester approved with this Permit may only process plant and animal materials originating from the permitted area of this SUP. No plant and animal materials originating from outside the permitted area shall be processed through the digester, until a separate special use permit is approved by the County.
2. The unpermitted access off of County Road Q on the northwest corner off the Owner's property in Section 15 shall be closed unless approved by Morgan County Road and Bridge.
3. Any run-off should slope away from the Bijou Canal, a 60 foot setback from the edge of the Canal for buildings and corrals to allow for maintenance, and proven ability to contain run off that might occur.
4. The Owner shall be responsible for the payment of all costs and fees incurred by the County associated with this Permit pursuant to Sec. 2-160 of the Morgan County Zoning Regulations. The County shall invoice the Applicant for costs and fees and payment will be due by the Owner within thirty (30) days of the date of the invoice. Failure to pay may result in enforcement actions by the County and revocation of this Permit.
5. All other third-party permits, approvals and authorizations required under other applicable law will be obtained prior to the commencement of any expansion of the existing CAFO under this Permit.
6. The Board of County Commissioners retains continuing jurisdiction over this Permit to ensure compliance with this Permit and the Morgan County Zoning Regulations. County Representatives are authorized to inspect the Property at any reasonable time upon notice to the appropriate Owner.



7. This approval is conditioned on compliance with all information and representations contained in the Application and presented by the Applicant and Owner, which are incorporated into this Resolution.
8. The Applicant shall comply and ensure compliance by third parties with all requirements, conditions and standards set forth herein. Noncompliance shall be grounds for revocation of this permit by the Morgan County Board of Commissioners after notice and hearing.

Nicole Hay,  
Morgan County Planning Administrator

## PREVIOUS RESOLUTION

2023 BOA 02

2000 BCC 59



MORGAN COUNTY, COLORADO  
BOARD OF ADJUSTMENT

RESOLUTION 2023 BOA 02

**A RESOLUTION APPROVING VARIANCE REQUESTS TO REDUCE THE  
REQUIRED SETBACK FROM A CONFINED ANIMAL FEEDING OPERATION TO  
AN OCCUPIED STRUCTURE**

**WHEREAS**, Sandy Hills Family Dairy, LLC (“Owner”) owns property located in a part of the N½SW¼ of Section 14, a part of the NW¼ of Section 14, and a part of the NE¼ of Section 15, all in Township 3 North, Range 59 West of the 6<sup>th</sup> P.M., Morgan County, Colorado (“Property”);

**WHEREAS**, the Owner desires to use the Property to expand an existing confined animal feeding operation;

**WHEREAS**, the Owner has submitted an application for the following variances from Section 4-200(A) and Section 3-650, Table 1 of Appendix B, Note (c), Zone District Bulk requirements in the Morgan County Zoning Regulations to reduce the required setback from 1,320 feet in the Agriculture Production zone district from several existing residences as follows:

1. 9307 County Road Q, Fort Morgan, CO, owned by Sandy Hills Dairy, LLC, reduce to 576 feet;
2. 15899 County Road 10, Fort Morgan, CO, owned by Sandy Hills Family Dairy, LLC, reduce to 11 feet;
3. 15395 County Road 10, Fort Morgan, CO, owned by Brian Goedert, reduce to 240 feet; and
4. 15479 County Road 10, Fort Morgan, CO, owned by Arthur Conn Doyle, et al, (uninhabited), reduce to 222 feet.

**WHEREAS**, on August 21, 2023, the Morgan County Board of Adjustment held a duly noticed public hearing on the application at which, after receiving public comment and staff input, the Board of Adjustment approved the application subject to the conditions set forth below.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF MORGAN COUNTY, COLORADO**, that based upon the findings set forth below that the application is conditionally granted:

1. The Board of Adjustment having reviewed the criteria for a variance as set forth in Section 5-220(B) of the Morgan County Zoning Regulations finds that:

- a. The strict application of the applicable regulations results in peculiar and exceptional hardship on the owner. The site expansion is proposed to be west of the existing operations. A significant portion of the site cannot be utilized due to other residential dwellings being accommodated for in the site design. Expansion further south is not ideal because of the high-water table
  - b. The hardship is not self-imposed.
  - c. The variance will not adversely affect the use of adjacent property as permitted under the County Zoning Regulations. The adjacent properties are currently being used for agricultural purposes.
  - d. That the variance is in keeping with the intent of these Zoning Regulations and the Morgan County Comprehensive Plan. This variance will support and encourage agricultural industry in the County.
  - e. That the variance does not adversely affect the health, safety, and welfare of the citizens of Morgan County.
2. The Board of Adjustment hereby grants the variance request subject to:
- a. The Morgan County Commissioners' approval the Amended Use by Special Review application. If the County Commissioners do not approve the Use by Special Review, the approval of the variance shall be deemed void.

Dated this 28<sup>th</sup> day of August, 2023.

**BOARD OF ADJUSTMENT  
MORGAN COUNTY, COLORADO**



*Allyn Wind*  
Allyn Wind, Chairman

ATTEST:  
(SEAL)

*Kevin Strauch*  
Kevin Strauch, Clerk to the Board

**RESOLUTION  
2000 BCC 59**

**A RESOLUTION GRANTING A USE BY SPECIAL REVIEW  
FOR EXPANSION OF A  
LIVESTOCK CONFINEMENT FACILITY**

**WHEREAS**, on October 31, 2000, the Board of County Commissioners of Morgan County, Colorado held a public hearing pursuant to the Morgan County Zoning Regulations on the application of Mary Ann Goedert, d/b/a Cactus Acres Holsteins, for a Special Use Permit for expansion of a livestock confinement facility located in the NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 14, Township 3 North, Range 59 West of the 6th P.M., a/k/a 15884 County Road 10, Fort Morgan, CO and

**WHEREAS**, notice of the public hearing was properly published and the subject property was properly posted, and

**WHEREAS**, the Board of County Commissioners received testimony and evidence from the applicant, and

**WHEREAS**, the Board of County Commissioners received testimony and evidence from citizens regarding this application, and

**WHEREAS**, the Board of County Commissioners received the testimony of the Morgan County Planning Administrator who recommended approval of the application, and

**WHEREAS**, the Morgan County Planning Commission recommended approval of this application, and

**WHEREAS**, the applicant received a variance from the set back requirements of Section 4-240(A) of the Morgan County Zoning Regulations from the Morgan County Board of Adjustment (2000 BA 13, July 31, 2000) for this project.

**NOW BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MORGAN COUNTY, COLORADO:**

**1. APPROVAL:**

The application of Mary Ann Goedert, d/b/a Cactus Acres Holsteins for a Special Use Permit for expansion of a livestock confinement facility located in NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 14, Township 3 North, Range 59 West of the 6th P.M., is hereby granted. The permitted property is more fully described in Exhibit "A" attached to this resolution.

2. **FINDINGS OF FACT:**

- a. The use and its location proposed are in conformance with the Morgan County Comprehensive Plan. Specifically:
  - i. The project will broaden employment opportunities for residents and will further economic growth (pg. 3, Morgan County Comprehensive Plan).
  - ii. The proposed use is compatible with existing land uses and there is access to established public infrastructure. (Page 43, Morgan County Comprehensive Plan)
  - iii. The proposed use is in conformance with the goal of encouraging the preservation of agriculture enterprises when considering growth and changes in land use. (Page 43, Morgan County Comprehensive Plan)
  - iv. The use will protect existing agricultural operations by allowing it to continue while not restricting private property rights. (Page 44, Morgan County Comprehensive Plan)
- b. The application documents are complete and present a clear picture of how the use is to be arranged on the site.
- c. The site plan conforms to the district design standards of Sections 4-235 through 4-300 of the Morgan County Zoning Regulations. Specifically:
  - i. The proposed expansion does not decrease the distance from any public place of assembly, from any existing residence, from any county or municipal residential zone, occupied commercial building, or from any residential building site for which a building permit has been issued except as provided for in Morgan County Board of Adjustment variance 2000 BA 13 (July 31, 2000).
  - ii. The proposed livestock confinement facilities are located at least 15 feet from any county, state or federal highway right-of-way.
  - iii. The manure management plan submitted to the as part of the application meets the requirements of Section 4-250 of the Morgan County Zoning Regulations and is specifically approved and is specifically required to be followed by the applicants.
  - iv. Rodent and insect control are adequately provided for in the applicants' nuisance control plan submitted as part of the application

and is specifically approved and is specifically required to be followed by the applicants.

- v. The drainage plans of the application is specifically approved and is required to be specifically followed, adequately protect adjacent rivers, water courses and other bodies of water from pollution. This drainage plan specifically meets the requirements of Section 4-270 of the Morgan County Zoning Regulations.
  - vi. The fugitive dust control plan submitted as a part of the application is specifically approved and is specifically required to be followed by the applicants and adequately meets the requirements of Section 4-275 of the Morgan County Zoning Regulations.
  - vii. The odor control plan submitted as a part of the application is specifically approved and is specifically required to be followed, adequately meets the requirements of Section 4-280 of the Morgan County Zoning Regulations.
- d. All on and off-site impacts have been satisfactorily mitigated. Required mitigation measures shall include, but not be limited to the following:
- i. The applicant and her successors in interest shall be specifically required to rigorously follow the manure management and nuisance control plans contained in their application for this permit.
  - ii. In the event that the proposed nuisance control methods for the suppression of insects, rodents, odor, and dust fail to adequately control these aspects of the operation, the County may order, after notice to the property owner and public hearing, additional and more rigorous measures to control these items.
  - iii. The existing lagoon must either be upgraded to the same standards as the new lagoon, including liner and monitoring system, or eliminated as a holding facility within one year of the date of this resolution. The existing lagoon may be used to pass run-off or effluent to the new lagoon but it may not hold any liquid.
  - iv. A leak detection system as set out in the application and hearing testimony shall be installed under the new lagoon and monitored as set out in hearing testimony.
  - v. All required state records shall be maintained on site and be available for inspection by county personnel at any reasonable time.

- vi. Trees shall be planted along the west property line of the facility and maintained in a live condition. Any dead trees will be promptly replaced.
- vii. All manure shall be stored or stockpiled in a single location. This location shall be surrounded by a berm high enough to retain storm water from a 25-year storm except that the manure storage area may be constructed so that all run-off shall drain into the new lagoon.
- e. The special use proposed has been made compatible with surrounding uses and is adequately buffered from any incompatible uses by distance and topography.
- f. The special use poses no or minimal risk to the public health, safety and welfare.
- g. The special use proposed is not planned to be developed on a nonconforming parcel of land.
- h. The applicant has adequately documented a public need for the project in the form of increased economic development, preservation of an existing agricultural operation and increased employment. The applicants have submitted all pertinent technical information, have demonstrated that they have adequate financial resources to implement the project, and have paid all fees and review costs.

3. **ADDITIONAL CONDITIONS:**

- a. This permit is specifically conditioned on all information presented in the application being followed. All information contained in the application or presented by the applicants at public hearings is deemed to be a portion of this permit and must be specifically followed.
- b. This permit is conditioned on the applicant's operation not exceeding the number of animal units specified in the application. Any increase in animal units beyond those specified in the application shall require both an amendment to this permit and appropriate state permits.

4. **GENERAL PROVISIONS:**

- a. The Board of County Commissioners retains continuing jurisdiction on this permit to address future possible problems with the site and to insure



compliance with the conditions of this permit and the Morgan County Zoning Regulations. The County also retains jurisdiction and the right and authority of county personnel to inspect the site at any reasonable time.

- b. The applicant shall comply with all regulatory agency requirements for the protection of health, welfare and safety of the inhabitants of this area of Morgan County, including but not limited to compliance with the Colorado Department of Health, Colorado Department of Agriculture, United States Environmental Protection Agency, and all other state and federal requirements. Should any of the permit approvals obtained by the applicant vary significantly or cause material change in the project as proposed and approved by this resolution, then this permit must be amended and hearings held by the Morgan County Planning Commission and the Board of County Commissioners prior to any approval or disapproval of the requested amendment. Should the change be nonmaterial, then a written description thereof shall be filed with the Morgan County Planning and Zoning Department. The Morgan County Planning Administrator shall be the sole judge or whether a change is material or nonmaterial. This special use permit is contingent and conditioned upon compliance with all applicable government approvals and regulations and permits.
- c. The applicant is responsible for complying with all the foregoing requirements, conditions and design standards. Noncompliance with any of the foregoing requirements, conditions or design standards may be reason for revocation of this permit by the Board of County Commissioners after notice to the applicant or her successors in interest and public hearing.


DATED this 21<sup>st</sup> day of November, 2000, *nunc pro tunc* October 31, 2000

**BOARD OF COUNTY COMMISSIONERS  
MORGAN COUNTY, COLORADO**

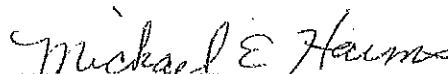
[SEAL]

  
\_\_\_\_\_  
Mark A. Arndt, Chairman

ATTEST:

  
\_\_\_\_\_  
Fay A. Johnson  
Clerk to the Board

  
\_\_\_\_\_  
John A. Crosthwait, Commissioner

  
\_\_\_\_\_  
Michael E. Harms, Commissioner

All that part of the NW¼ and the N½SW¼ lying South and West of the Bijou Canal in Section 14, Township 3 North, Range 59 West of the 6<sup>th</sup> P.M. EXCEPT parcel deeded to The Department of Highways, State of Colorado in Book 767 at page 876 described as a tract or parcel of land in the NW¼NW¼ of Section 14, Township 3 North, Range, 59 west of the 6th P.M., in Morgan County, Colorado, said tract or parcel being more particularly described as follows: Beginning at a point on the West line of Section 14, Township 3 North, Range 59 West of the 6th P.M., from which the Northwest corner of Section 4 bears N.0°23'W, a distance of 110.5 feet; thence S.89°51'E. a distance of 30.0 feet; thence N.44°58'E. a distance of 70.3 feet, thence S.89°51'E. a distance of 1001.7 feet to the Centerline of the Bijou Canal (October 1975); thence N.57°31'W, along the centerline of said Bijou Canal, a distance of 112.9 feet to the North line of the NW¼ of Section 14; thence N. 89°50'15"W. along the North line of the NW¼ of Section 14, a distance of 986.9 feet to the Northwest corner of Section 14; thence S.0°23'E. along the West line of Section 14, a distance of 110.5 feet, more or less, to the point of beginning;

AND EXCEPT a parcel of land in the SW¼NW¼ Section 14, Township 3 North, Range 59 West of the 6<sup>th</sup> P.M. described as commencing at a point on the West side of said SW¼NW¼ of Section 14 489 feet North of the West quarter corner of said Section 14; thence at a right angle East 325 feet; thence at a right angle North 295 feet; thence at a right angle West 325 feet to the West side of said SW¼NW¼ of Section 14; thence South along the West side of said SW¼NW¼ of Section 14 295 feet to the point of beginning;

AND EXCEPT a parcel of land in the SW¼SW¼NW¼ of Section 14, Township 3 North, Range 59 West of the 6th P.M. described as commencing at a point on the West side of said NW¼ of Section 14, 38 feet North of the West quarter corner of said Section 14 or the SW corner of said NW¼; thence East at a right angle 430 feet; thence North 217.8 feet; thence West 430 feet to the West side of said NW¼ of Section 14; thence South along the West side of said NW¼ of Section 14, 217.8 feet to the point of beginning.

#### EXHIBIT A

CONSULTANTS

HDR, INC.



February 13, 2024

Nicole Hay, Planning Administrator  
Morgan County Planning and Zoning Development Department  
231 Ensign Street  
Fort Morgan, Co 80701

**RE: DRS Comments – Sandy Hills Family Dairy Traffic Study**

---

Nicole – Please see below for our comments on the Subject development application:

- Page 3
  - How many animal units are on site in the existing condition?
  - Is there data missing in the second sentence of Section 2.0 (the use of “respectively” indicates that something may be missing here)?
  - Please explain what is meant by “Animal Unit Equivalent” and how this is relevant to a traffic study
- Page 5
  - Please provide the anticipated total number of silage trucks with the expansion (current = 200-250; expansion = 200-250; does this mean that the total number of trucks will be 400-500?)
  - The total number of silage trucks does not appear to be addressed in any part of the study
- Page 14 (Figure 8): The title of the figure on Page 13 is specific to “Total” traffic; should that apply to this figure, too?
- Page 18
  - Section 5.0
    - The metrics in the State Highway Access Code for requiring turn lanes are expressed in passenger car equivalents (PCE) and the industry standard for evaluating the impacts of large, semi-tractor truck combinations is 3 PCE
    - Even if the metrics in the Code would not be met to require a dedicated left-turn lane at this site access, the County is concerned about trucks queuing along westbound MCR Q during the peak silage weeks; with growth in the northern Front Range, this has become a notable issue in recent years and doubling of truck traffic will exacerbate this concern
      - If access remains as is, the County requests that this development consider installing a dedicated westbound left-turn lane here



- Section 6.0 (fourth bullet)
  - The use of manual traffic control cannot compensate for the lack of roadway infrastructure that would be needed to allow thru traffic to get around truck traffic that will queue along westbound MCR Q
  - The County requests that the dairy eliminate the concern of truck traffic queuing along westbound MCR Q during the peak silage season; options to consider:
    - Provide a dedicated westbound left-turn lane at the site access
    - Provide on-site queuing for truck traffic, sufficient to remove queues from westbound MCR Q
    - Relocate the scale so that queuing will not occur along westbound MCR Q at the site access
    - Provide circulation options on-site that will accommodate truck traffic and remove queuing from westbound MCR Q
    - Relocate the scale such that truck traffic will use MCR 10 instead of the site access; install a westbound left-turn lane at the MCR 10 intersection and consider also converting the site access to right-in/right-out
  - In the County's opinion, relocating the scale, providing on-site circulating options that alleviate queuing along MCR Q, and adding a westbound left-turn lane at the MCR Q & MCR 10 intersection would be the preferred options of those listed above

Please contact me if you have any questions about these comments.

Respectfully,

John Seyer, PE, PTOE

ORIGINAL SUBMITTAL

Original Application

Right to Farm



MORGAN COUNTY PLANNING  
ZONING & BUILDING DEPT.  
231 Ensign, P.O. Box 596  
Fort Morgan, Colorado 80701  
PHONE (970)542-3526  
FAX (970)542-3509

EMAIL: [permits\\_licensing@co.morgan.us](mailto:permits_licensing@co.morgan.us)

PERMIT # SU2023 - 0018

Date Received	<u>6/13/23</u>	Received By	<u>JS</u>
App Fee	<u>\$1000</u>	Ck/CC #:	<u>7152</u>
		Paid	<u>8/1/23</u>
Minor Amend Fee:	\$	Ck/CC #:	
		Paid	<u>/ /</u>
Recording Fee	\$	Ck/CC #:	
		Paid	<u>/ /</u>
PC Date:	<u>9/11/23</u>	BOCC Date:	<u>4/10/24</u>
100 Year Floodplain?	<u>Y/N</u>	Taxes Current?	<u>Y/N</u>

### SPECIAL USE PERMIT APPLICATION

*(Also to be used as application for Amendments to Existing Special Use Permits)*

Landowner **MUST** Sign Application and Right to Farm Policy

#### APPLICANT

Name Hannah Dutrow, AGPROfessionals  
Address 3050 67th Avenue  
Greeley, CO 80634  
Phone \_\_\_\_\_  
Email \_\_\_\_\_

#### LANDOWNER

Name Sandy Hills Family Dairy, LLC  
Address 15682 CR 10  
Fort Morgan, CO 80701  
Phone ( ) \_\_\_\_\_  
Email \_\_\_\_\_

#### BRIEF DESCRIPTION OF APPLICATION

Amended SUP application for an existing permitted dairy operation to increase animal units and expand footprint of operation

#### PROPERTY LEGAL DESCRIPTION

Address (if available):  
15884 CR 10 Fort Morgan, CO 80701

S: \_\_\_ T: \_\_\_ R: \_\_\_ 1/2 1/4 1/4 Property Size \_\_\_\_\_ (sq. ft. or acres)  
Parcel #: See attached property descriptions Zone District: A  
Subdivision: N/A Lot #(s): N/A

Is property located within 1320' (1/4 mile) of a livestock confinement facility?    
6/22/2023 Revised per  
Morgan County request

**SEE REQUIRED ATTACHMENT LIST ON BACK OF THIS PAGE.**

**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED OR PROCESSED.**

## SPECIAL USE PERMIT REQUIRED ATTACHMENT LIST

**Fee:**

**Non-Refundable Application Fee**

*\*Additional fees and charges may be required pursuant to Section 2-160 of Morgan County Zoning Regulations*

**Project Narrative:**

**Narrative– Including the following:**

- Project Description
- Purpose of request
- How this proposal complies with the Morgan County Comprehensive Plan  
*See: <https://morgancounty.colorado.gov/sites/morgancounty/files/Comprehensive-Plan-2008.pdf>*
- How this project/proposed use meets the criteria for Special Use Permit pursuant to Sec. 2-395 of the Zoning Regulations
- How the project/proposed use meets any specific criteria related to the project/proposed use. *See Morgan County Zoning Regulations Chapter 4-Supplementary Regulations, including but not limited to: Campgrounds, Livestock Confinement, Kennels, Outdoor Shooting Ranges, Home Occupations, Oil and Gas, Mobile Home Parks, Wireless Service Facilities, Solar, Wind and BESS*
- How project will relate to or impact existing adjacent uses
- All off-site impacts and proposed mitigation measures
- Development or implementation schedule of project
- Proposed length of time the permit, if applicable
- Discussion of any public improvements required to complete the project

**Environmental Impacts:**

Discuss any environmental impacts the Special Use will have on the following and the proposed mitigation measures:

- |                                      |                                   |  |  |
|--------------------------------------|-----------------------------------|--|--|
| <input type="checkbox"/> Air Quality | <input type="checkbox"/> Dust     | <input type="checkbox"/> Existing Vegetation | <input type="checkbox"/> Land Forms      |
| <input type="checkbox"/> Noise       | <input type="checkbox"/> Odor     | <input type="checkbox"/> Storm Water Runoff  | <input type="checkbox"/> Water Resources |
| <input type="checkbox"/> Wetlands    | <input type="checkbox"/> Wildlife | <input type="checkbox"/> Visual Amenities    | <input type="checkbox"/> Other _____     |



**Map & Plans:**  **Special Use Map** meeting the requirements of Sec. 2-420 and any specific map requirements for the proposed use including but not limited to: *Campgrounds, Livestock Confinement, Kennels, Outdoor Shooting Ranges, Home Occupations, Oil and Gas, Mobile Home Parks, Wireless Service Facilities, Solar, Wind and BESS.* *Sample Map attached to application for reference*

**Drainage/Run-Off Control Plan** may be required if the Planning Administrator determines that the use or building meets one of the following criteria:

- (1) The accessory use or building may have a drainage impact on adjacent properties;
- (2) The accessory use or building may have a drainage impact on adjacent right of ways;
- (3) The accessory structure is 5000 square feet or larger.

**Decommissioning Plan** [Wind, Solar, BESS]

**Geotechnical Report** [Wind, Solar]

**Maintenance Statement** [Wind, Solar, BESS]

**Water and/or Wind Erosion Control Plan** [Wind, Solar]

**Fire Mitigation Plan** [BESS]

**Specification Sheet** [BESS]

**Emergency Operation Plan** [BESS]

**Ownership:**  **Current title insurance commitment (last 6 months)**

**Mineral Rights Holders Notification**

**Notice to FFA & Approval Letter** [Wind]

**Notice to Operator of Communication Link (if applicable)** [Wind]

**Proof of current paid taxes**

**Utilities/Access:**  **Water tap (Engineering Report from Quality Water or proof of access to a well)**

**Sewer (Septic Permit, Will Serve Letter from NCHD or proof of other public system)**

**Electric (Electric bill or letter of commitment from electricity provider)**

**Driveway Permit from CDOT or Morgan County Road & Bridge (If required by staff)**

**Ditch Company- Proof of contact if there is a ditch on or next to subject property**

**Architecture Control Approval (if applicable)**

**Utility Interconnection or Crossing Certification** [Wind, Solar]

**Road Agreement** [Wind, Solar]

**Electrical Diagram** [BESS]

**Vested Rights:**  **Vesting Rights** (Optional). If applying for vested rights with special use application, the following must be submitted:

- Period of time Vesting Rights are requested
- Development schedule including timeline and phases
- Reason for request
- Other pertinent factors concerning the development
- Additional application fee for vesting rights application

**Miscellaneous:**  **Right to Farm Policy** signed by Landowner(attached)

**Liability Insurance for Solar, Wind and/or BESS projects**

9 # Paper Application sets

1 Digital Copy of Application (One sided only)

**Posted Public Notice Verification:**

Notarized affidavit with photographs from a distance & close-up

This must be submitted PRIOR to Planning Commission hearing and PRIOR to Morgan County Board of Commissioners hearing


**Additional Information required by staff:**

Statement of Authority, Traffic Information

APPLICANT & LANDOWNERS **MUST** SIGN APPLICATION ON NEXT PAGE

# APPLICANT & LANDOWNER'S STATEMENT

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge.  
Application must be signed by landowners as shown on title insurance/commitment.

  
Applicant Signature

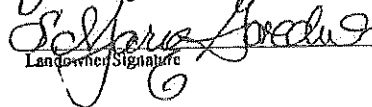
6/12/2023  
Date

Applicant Signature

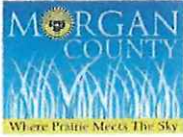
Date

  
Landowner Signature

6/12/23  
Date

  
Landowner Signature

6/12/23  
Date



**MORGAN COUNTY, PLANNING, ZONING & BUILDING DEPT.**  
 231 Ensign, P.O. Box 596  
 Fort Morgan, Colorado 80701  
 PHONE (970) 542-3526 FAX (970) 542-3509

**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.

S. Marie Goedert 6/12/2023  
 Signature Date  
S. Marie Goedert  
 Printed Name  
15682 Co. Rd 10  
 Address  
Ft. Morgan, Co 80701

**To Be Signed by Landowner**

*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.*

## PROPERTY DESCRIPTION

### **Parcel 1:**

Parcel No: 122515000001  
Current Owner: Sandy Hills Family Dairy, LLC  
Previous Owner: James D Goedert  
Legal Description: Part of the Northeast Quarter of Section 15, Township 3 North, Range 59 West  
Deed: Warranty Deed recorded on June 22, 2021 at Reception No. 933672  
Acres: 156.27 +/-

### **Parcel 2:**

Parcel No: 122514000002  
Current Owner: Sandy Hills Family Dairy, LLC  
Previous Owner: James D Goedert  
Legal Description: Part of the Northwest Quarter of Section 14, Township 3 North, Range 59 West  
Deed: Warranty Deed recorded on June 22, 2021 at Reception No. 933672  
Acres: 132.9 +/-

### **Parcel 3:**

Parcel No: 122514000008  
Current Owner: Sandy Hills Family Dairy, LLC  
Previous Owner: James D Goedert  
Legal Description: Part of the North Half of the Southwest Quarter of Section 14, Township 3 North, Range 59 West  
Deed: Warranty Deed recorded on June 22, 2021 at Reception No. 933672  
Acres: 80.0 +/-

# RECEIPT

## Morgan County

231 Ensign, Fort Morgan, CO 80701

(70) 542-3526



SU2023-0018 | Special Use Permit

Receipt Number: 544082

August 1, 2023

**Payment Amount: \$650.00**

<i>Transaction Method</i>	<i>Payer</i>	<i>Cashier</i>	<i>Reference Number</i>
Check	Goedert	Jenafer Santos	7152

### Comments

### Assessed Fee Items

Fee items being paid by this payment

<i>Date</i>	<i>Fee Item</i>	<i>Account Code</i>	<i>Assessed</i>	<i>Amount Paid</i>	<i>Balance Due</i>
08/01/23	Special Use - Full Review		\$650.00	\$650.00	\$0.00
<b>Totals:</b>			\$650.00	\$650.00	
				<b>Previous Payments</b>	\$0.00
				<b>Remaining Balance Due</b>	\$0.00

### Application Info

<b>Property Address</b>	<b>Property Owner</b>	<b>Property Owner Address</b>	<b>Valuation</b>
15884 CO RD 10 FORT MORGAN, CO 80701	SANDY HILLS FAMILY DAIRY LLC	15682 CO RD 10 FORT MORGAN, CO 80701	

### Description of Work

Amended SUP application for an existing permitted dairy operation to increase animal units and expand the footprint of operation

APPLICANT NARRATIVE

## Project Narrative

Prepared for Sandy Hills Family Dairy, LLC

### *1. Narrative describing project and purpose of request.*

Sandy Hills Family Dairy is requesting an amendment to an existing Special Use Permit (SUP) for the Sandy Hills Family Dairy confinement operations. The request is to increase the livestock to 14,245 animal units, respectively. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.

<b>Type</b>	<b>Number</b>	<b>Animal Unit Equivalent</b>	<b>Total Animal Units</b>
Milking Cows	6,000	1.4	8,400
Dry Cows	1,550	1.0	1,550
Heifers	4,650	0.8	3,720
Calves	2,300	0.25	575
<b>Total</b>	<b>14,500</b>		<b>14,245</b>

Activities will continue to include housing and raising dairy heifers; milking dairy cows; storing and processing feed; storing and maintaining feed equipment; and farming. Supporting infrastructure includes buildings and corrals for livestock husbandry, equipment storage, maintenance facilities, and waste and storm water management control structures. The existing buildings include existing agricultural structures (shops and utility sheds). Fencing will be typical of agricultural facilities and include three or four-strand barbed wire and pipe fencing for the feeding areas and property boundary. Lighting shall comply with the Morgan County Code.

The property is located on parcel nos. 122515000001, 122514000002, and 122514000008, and includes 369.17 acres according to Morgan County Assessor records. The site is located south of County Road Q and is bisected by County Road 10 approximately eight miles southeast of the Town of Fort Morgan. The site is in the A - Agricultural Zone District according to the Morgan County Zoning Map. The property has operated a permitted livestock confinement operation since 1993. Access is currently achieved along County Road 10.

The facility will be operated under applicable local, state, and federal regulations. The facility will also use standard and traditional operating procedures and best management practices consistent for dairy farming.



2. *Narrative of compliance with the comprehensive plan and zoning.*

***Morgan County Comprehensive Plan.***

*Chapter 2 Plan Summary Section II Policy Plan Summary*

*Section C. Land Use 1. County Wide*

*GOAL: The county will encourage the preservation of agriculture production lands in balance with pressures for land use changes to higher intensity development.*

***Morgan County Comprehensive Plan.***

*Chapter 3 Plan Setting & Economy of Morgan County*

*Section V. Agriculture*

*The most visible and prominent industry in Morgan County is agriculture. For years, Morgan County has been one of the richest agricultural counties in the State. Approximately 88% of the county land area is devoted to farming and raising livestock. It has been ranked in the top 3rd of counties for value of crops and livestock produced.*

The proposed use is consistent with the Morgan County Comprehensive Plan as the plan encourages the continued preservation and use of agriculture and agriculturally related businesses. The facility is an agricultural business related to confined animal production, specifically the dairy industry. The property use is necessary in Morgan County to preserve the agricultural economic base historically attributed to the area.

***Morgan County Comprehensive Plan.***

*Chapter 6. Land Use Planning*

*Section III. Fort Morgan C. South Central Planning Area*

*The area south of County Road Q remains agriculture. It must be noted that there are livestock confinement facilities that must be protected and allowed to expand.*

*GOAL: Preserve and protect existing agriculture uses south of County Road Q.*

This proposal meets the intent of the Morgan County Land Use Regulations, with regards to the South-Central Planning Area. The comprehensive plan indicates that livestock confinement facilities must be protected and allowed to expand. This request for an expansion of an existing livestock confinement operation is in compliance with the Morgan County Comprehensive Plan.

***A – Agricultural Zone District***

A livestock confinement operation is a permissible use in the A – Agricultural zone district. The confined animal feeding operation integrates with existing uses through continued agricultural and farming activities, use of farm derived feeds, and production of an agricultural commodity. The feeding operation is compatible with, and supportive of, the current A – Agricultural zone district.

ENGINEERING, PLANNING, CONSULTING & REAL ESTATE

HQ & Mailing: 3050 67<sup>th</sup> Avenue, Suite 200, Greeley, CO 80634 | 970.535.9318 office | 970.535.9854 fax

Idaho: 213 Canyon Crest Drive Suite 100, Twin Falls, ID 83301 | 208.595.5301

[www.agpros.com](http://www.agpros.com)

**3. Compliance with Morgan County Special Use Permit criteria.**

*(A) The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan.*

As indicated in the section above, the existing dairy operation is located in the Fort Morgan South Central Planning area. This area has existing livestock confinement facilities where, it has been noted, these agricultural activities must be protected and allowed to expand.

*(B) All the application documents are complete and present a clear picture of how uses are to be arranged on the site or within Morgan County.*

All required documents have been included with this application.

*(C) The Site Plan conforms to the district design standards of these Regulations.*

The dairy operation is existing. With this request an expansion of the dairy footprint is proposed. An existing variance to the residential dwelling setbacks was previously approved by Morgan County which will remain. The expansion areas will comply with the current county regulations.

*(D) All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvements, site plan requirements, or other mitigation measures.*

As the operation is existing, additional impacts are expected to be minimal. Impacts of the proposed use upon existing uses and the environment are detailed in the included Nutrient Management Plan, Nuisance Plan, and continued compliance with Morgan County Zoning Regulations and the Comprehensive Plan.

*(E) The special use proposed has been made compatible with the surrounding uses and adequately buffered as determined by the County.*

Surrounding uses are principally dry farmland and pasture. The proposed improvements will meet current county setback regulations. No additional buffering is proposed.

*(F) The special use poses only the minimum amount of risk to the public health, safety, and welfare as set by either county, state, or federal regulation, whichever is the strictest.*

The facility will be operated under applicable local, state, and federal regulations. The facility will also use standard and traditional operating procedures and best management practices consistent for dairy farming.

*(G) The special use proposed is not planned to be developed on a non-conforming parcel.*

The parcels associated are not non-conforming parcels.

*(H) The applicant has adequately documented a public need for the project, all pertinent technical information, adequate financial resources to implement it, and has paid all fees and review costs levied by the County for application processing and review.*

The existing dairy operation supplies milk for consumption and to local processing facilities to be made into other food products. All technical information related to this proposal has been submitted with this application. As the site is existing, there are adequate resources to implement the project. All fees and costs associated with this application will be paid.

*(I) For any special use requiring a supply of water that the applicant has demonstrated a source of water which is adequate for the proposed use in terms of quantity and reliability and in the case of human consumption, quantity, quality, and reliability.*

The site has access to water adequate for the proposed use. See the included can-serve letter from Morgan County Quality Water District dated April 17, 2023.

**4. Impact to adjacent property uses and mitigation measures.**

Agricultural uses that surround this site are primarily rangeland, crop farming, hay production, cattle grazing, livestock confinement operations, and rural residential. This proposal is compatible with the surrounding agricultural uses and the Morgan County Comprehensive Plan.

As the operation is existing, additional impacts are expected to be minimal. Impacts of the proposed use upon existing uses and the environment are detailed in the following exhibits:

- Nutrient Management Plan
- Nuisance Plan
- Continued compliance with Morgan County Zoning Regulations and the Comprehensive Plan

**5. General site information.**

**a. Hours of Operation**

The facility will operate Monday-Sunday, twenty-four hours per day. The majority of operations will take place during normal business hours.

**b. Number and Type of Animals**

The request is for a dairy livestock confinement operation for 14,500 head of cattle.

**c. Existing Lot Surface**

The site is approximately 623 acres consisting of irrigated crop land, range land grass, pen areas, storm water/wastewater ponds, and associated barns and parlors for the dairy operation.

d. Landscaping Plan

No additional landscaping is proposed.

e. Fencing

Three or four strand barbed wire fencing will be used around the perimeter of the facility as is used in normal animal production facilities. Corrals will be standard pipe fence or pipe and cable fencing standard to the industry.

f. Improvements

The proposed on-site improvements will include additional heifer corrals, an anaerobic digester facility for on-site manure waste only, two freestall barns, and a dairy barn. Construction will commence upon approval of the Amended SUP. There are no proposed off-site improvements.

New construction will be designed and constructed to meet CAFO regulations including drainage and stormwater/wastewater ponds as needed.

g. Structures

The property contains accessory structures related to the existing dairy operation including dairy parlors, utility buildings, and equipment buildings.

h. Access

No public improvements or expenses are requested. The facility will continue to use the access along County Road 10.

i. Reclamation

Reclamation procedures include compliance with applicable state regulations to manage solid manure and stormwater runoff until all relative material is adequately removed. Should the facility be permanently discontinued for use as a livestock operation, it would be marketed under applicable county planning and zoning regulations to its greatest and best use.

**6. *Environmental impact.***

Existing Vegetation - Existing vegetation surrounding the subject site consists of primarily dryland farm ground and pasture. This project's design minimizes the impact on surrounding vegetation. The dairy operations footprint will be expanding into adjacent areas. The design of the expansion will minimize the impact on prime farmland.

Landforms - As depicted in the U.S. Geologic Topographical map, there are no unusual or unique landforms in the subject property. Land development for the project includes site grading for drainage and excavation for storm water containment facilities designed according to state and federal regulations.

Water Resources – Water is provided to the dairy by Morgan County Quality Water District. A can-serve letter dated April 17, 2023, received from Kent Pflager with Morgan County Quality Water, indicates the required water for the expansion can be provided by the district. A final agreement will be completed upon approval of the Amended SUP permitting the expansion.

Air Quality - Air quality issues for confined animal feeding operations are well known and well documented. The two air quality impacts are production of dust from the cattle pens during predominantly dry summer months, and odor production from wet manure during snowy or chronic rainy periods. Air quality impacts and mitigation are addressed in the supplemental Nuisance Control Plan.

Wildlife – This facility is not located on, or in close proximity to, a threatened or endangered wildlife habitat.

Wetlands - The property does not contain any delineated wetlands.

Dust – Dust production is a documented occurrence at confined animal facilities. Dust is primarily produced in the evenings during dry summer months. Outdoor pens will be managed through proper stocking rates or using mechanical methods to add moisture to dusty surfaces. The attached Nuisance Control Plan details dust control methods.

Odor - The attached Nuisance Control Plan details proposed odor control methods.

Noise – Noise impacts are expected to be minimal. Vehicles such as feed trucks, semi-trailer trucks, cars and pick-up trucks, maintenance and agricultural equipment, and livestock, are the primary sources of noise production at a dairy. Noise from vehicular and maintenance traffic primarily occurs during daylight hours.

Storm Water Runoff - The attached Nutrient Management Plan details the control and management methods for storm water runoff.

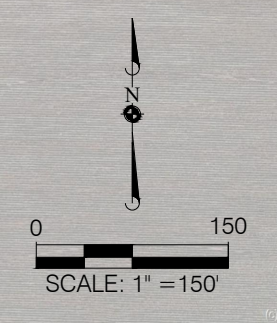
Visual Amenities – It will be in the property owner’s best interest to present a clean, well-kept, and visually appealing presence for the benefit of their livestock health, ease of management, and continual success. No additional visual amenities, such as landscaping, are currently planned.

SITE PLAN / MAPS





LEGEND	
	PROPERTY BOUNDARY
	EXISTING SUP BOUNDARY



DATE: April 10, 2024	DRAWN BY: AGPRO
ISSUE / REVISION:	04/2023
A	ISSUED FOR REVIEW



**AGPRO** professionals  
 DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,  
 Greeley, CO 80634  
 (970) 535-9318 - fax: (970) 535-9654

218 Canyon Crest Dr, Suite 100,  
 Twin Falls, ID 83301  
 (208) 595-5301



**SANDY HILLS FAMILY DAIRY LLC**  
**EXISTING CONDITIONS**

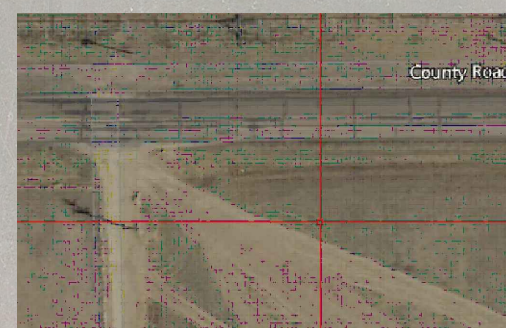
MORGAN COUNTY, CO

SHEET:  
**EC-1**



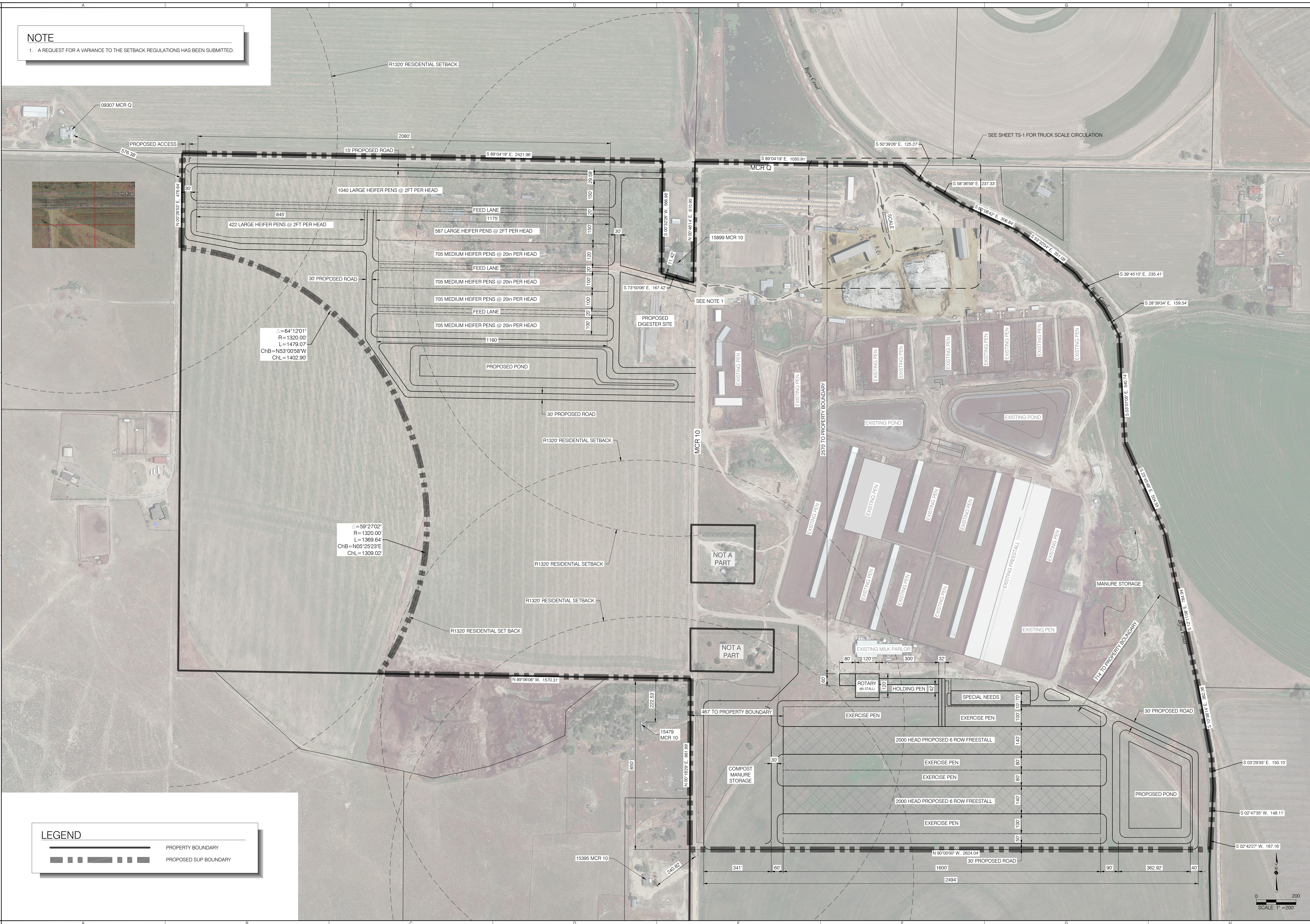
**NOTE**

1. A REQUEST FOR A VARIANCE TO THE SETBACK REGULATIONS HAS BEEN SUBMITTED.



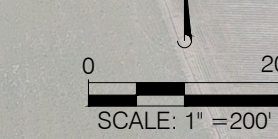
**LEGEND**

- PROPERTY BOUNDARY
- PROPOSED SUP BOUNDARY



$\Delta = 64^\circ 12' 01''$   
 $R = 1320.00'$   
 $L = 1479.07'$   
 $ChB = N53^\circ 00' 58'' W$   
 $ChL = 1402.90'$

$\Delta = 59^\circ 27' 02''$   
 $R = 1320.00'$   
 $L = 1369.64'$   
 $ChB = N05^\circ 25' 23'' E$   
 $ChL = 1309.02'$



DATE:	April 10, 2024
DRAWN BY:	AGPRO
ISSUE / REVISION:	
A	ISSUED FOR REVIEW 04/2024
B	STAFF COMMENTS 03/2024



**AGPRO** Professionals  
 DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,  
 Greeley, CO 80634  
 Twin Falls, ID 83301  
 (970) 535-9318 • fax: (970) 535-9854



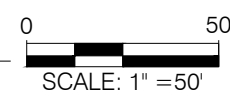
**SANDY HILLS FAMILY DAIRY LLC**  
**PROPOSED SITE PLAN**

MORGAN COUNTY, CO

SHEET:  
**P-ST**



TRUCK SCALE CIRCULATION



DATE:	April 10, 2024	DRAWN BY:	AGPRO
ISSUE/REVISION:			
A	STAFF COMMENTS		



**AGPRO** Professionals  
 DEVELOPERS OF AGRICULTURE  
 3050 67th Avenue, Suite 200,  
 Greeley, CO 80634  
 (970) 535-9318 - fax: (970) 535-9854  
 218 Canyon Crest Dr, Suite 100,  
 Twin Falls, ID 83301  
 (208) 595-5301



**SANDY HILLS FAMILY DAIRY LLC**  
**TRUCK SCALE CIRCULATION**  
 MORGAN COUNTY, CO

SHEET:  
**TS-1**

## PROOF OF OWNERSHIP

Current Title Insurance Commitment

Other deeds or additional ownership documentation

Statement of Authority



Stewart Title Company  
1275 58th Ave, Unit C  
Greeley, CO 80634  
(970) 356-5573  
Fax:

**Date:** April 18, 2023  
**File Number:** 1997808-IO  
**Property Address:** 09682 CO Road Q, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
15884 CO Road 10, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
**Buyer/Borrower:** Sandy Hills Family Dairy, LLC

**Please direct all Closing inquiries to:**

Beth Aksamitowski  
**Phone:**  
**Fax:**  
**Email Address:** greeleyassist@stewart.com

---

AGPROfessionals  
3050 67th Ave, Ste 200  
Greeley, CO 80634

**Attn:** Hannah Dutrow  
**Phone:** (970) 535-9318  
**Fax:**  
**E-Mail:** hdutrow@agpros.com  
**Delivery Method:** Emailed

**WIRED FUNDS ARE REQUIRED ON ALL CASH PURCHASE TRANSACTIONS. PLEASE FEEL FREE TO CONTACT THE ESCROW OFFICE AS NOTED ABOVE.**

**We Appreciate Your Business and Look Forward to Serving You in the Future.**



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**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**

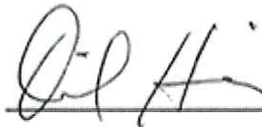
Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective 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 Amount of Insurance and the name of the Proposed Insured.

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

  
Authorized Countersignature  
Stewart Title Company  
1275 58th Ave, Unit C  
Greeley, CO 80634



  
Frederick H. Eppinger  
President and CEO

  
David Hisey  
Secretary

*This page is only a part of a 2021 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.*



## COMMITMENT CONDITIONS

### 1. DEFINITIONS

- a. "Discriminatory Covenant": Any covenant, condition, restriction, or limitation that is unenforceable under applicable law because it illegally discriminates against a class of individuals based on personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or other legally protected class.
  - b. "Knowledge" or "Known": Actual knowledge or actual notice, but not constructive notice imparted by the Public Records.
  - c. "Land": The land described in Item 5 of Schedule A and improvements located on that land that by State law constitute real property. The term "Land" does not include any property beyond that described in Schedule A, nor any right, title, interest, estate, or easement in any abutting street, road, avenue, alley, lane, right-of-way, body of water, or waterway, but does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
  - d. "Mortgage": A mortgage, deed of trust, trust deed, security deed, or other real property security instrument, including one evidenced by electronic means authorized by law.
  - e. "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.
  - f. "Proposed Amount of Insurance": Each dollar amount specified in Schedule A as the Proposed Amount of Insurance of each Policy to be issued pursuant to this Commitment.
  - g. "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
  - h. "Public Records": The recording or filing system established under State statutes in effect at the Commitment Date under which a document must be recorded or filed to impart constructive notice of matters relating to the Title to a purchaser for value without Knowledge. The term "Public Records" does not include any other recording or filing system, including any pertaining to environmental remediation or protection, planning, permitting, zoning, licensing, building, health, public safety, or national security matters.
  - i. "State": The state or commonwealth of the United States within whose exterior boundaries the Land is located. The term "State" also includes the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, and Guam.
  - j. "Title": The estate or interest in the Land identified in Item 3 of 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 is not liable for any other amendment to this Commitment.

*This page is only a part of a 2021 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.*

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance (07-01-2021)

Page 2 of 4



## 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 is not 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 is only liable 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.
- d. The Company's liability does not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Condition 5.a. or the Proposed Amount of Insurance.
- e. The Company is not liable for the content of the Transaction Identification Data, if any.
- f. The Company is not 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. The Company's liability is further limited by the terms and provisions of the Policy to be issued to the Proposed Insured.

## 6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT; CHOICE OF LAW AND CHOICE OF FORUM

- 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 under the State law of the State where the Land is located and is restricted to the terms and provisions of this Commitment. Any litigation or other proceeding brought by the Proposed Insured against the Company must be filed only in a State or federal court having jurisdiction.
- c. 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 IS 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 closing, settlement, escrow, or any other purpose.

## 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. CLAIMS PROCEDURES

This Commitment incorporates by reference all Conditions for making a claim in the Policy to be issued to the Proposed Insured. Commitment Condition 9 does not modify the limitations of liability in Commitment Conditions 5 and 6.

*This page is only a part of a 2021 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.*

Copyright 2021 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use.

All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance (07-01-2021)

Page 3 of 4



**10. CLASS ACTION**

ALL CLAIMS AND DISPUTES ARISING OUT OF OR RELATING TO THIS COMMITMENT, INCLUDING ANY SERVICE OR OTHER MATTER IN CONNECTION WITH ISSUING THIS COMMITMENT, ANY BREACH OF A COMMITMENT PROVISION, OR ANY OTHER CLAIM OR DISPUTE ARISING OUT OF OR RELATING TO THE TRANSACTION GIVING RISE TO THIS COMMITMENT, MUST BE BROUGHT IN AN INDIVIDUAL CAPACITY. NO PARTY MAY SERVE AS PLAINTIFF, CLASS MEMBER, OR PARTICIPANT IN ANY CLASS OR REPRESENTATIVE PROCEEDING. ANY POLICY ISSUED PURSUANT TO THIS COMMITMENT WILL CONTAIN A CLASS ACTION CONDITION.

**11. ARBITRATION**

The Policy contains an arbitration clause. All arbitrable matters when the Proposed Amount of Insurance is \$2,000,000 or less may be arbitrated at the election 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**

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: Stewart Title Guaranty Company, P.O. Box 2029, Houston, Texas 77252-2029.

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use.

All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance (07-01-2021)

Page 4 of 4

AMERICAN  
LAND TITLE  
ASSOCIATION





**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE A**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**Transaction Identification Data, for which the Company assumes no liability as set forth in Commitment Condition 5.e.:**

Issuing Agent: Stewart Title Company  
Issuing Office: 1275 58th Ave, Unit C, Greeley, CO 80634  
Issuing Office's ALTA® Registry ID:  
Loan ID Number:  
Commitment Number: 1997808-IO  
Issuing Office File Number: 1997808-IO  
Property Address: 09682 CO Road Q, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
15884 CO Road 10, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701

Revision Number:

1. **Commitment Date:** April 12, 2023 at 8:00AM

2. **Policy to be issued:**

**Proposed Amount of Insurance**

(a) 2021 ALTA® Owner's Policy - Standard  
Proposed Insured: Sandy Hills Family Dairy, LLC

(b) 2021 ALTA® Loan Policy - Standard  
Proposed Insured:

3. **The estate or interest in the Land at the Commitment Date is:**

FEE SIMPLE

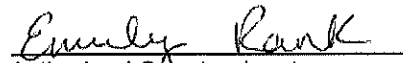
4. **The Title is, at the Commitment Date, vested in:**

Sandy Hills Family Dairy, LLC, a Colorado limited liability company

5. **The Land is described as follows:**

See Exhibit "A" Attached Hereto

**STEWART TITLE GUARANTY COMPANY**

  
Authorized Countersignature

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

Page 1 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE A**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

Page 2 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)**  
**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**File No.:** 1997808-IO

**Parcel I:**

The NW1/4 of Section 23, Township 3 North, Range 59 West of the 6th P.M., County of Morgan, State of Colorado.

**Parcel II:**

The S1/2SW1/4 of Section 14, Township 3 North, Range 59 West of the 6th P.M., County of Morgan, State of Colorado.

**Parcel III:**

The NW1/4 and the N1/2SW1/4 of Section 14, Township 3 North, Range 59 West of the 6th P.M., County of Morgan, State of Colorado, lying South and West of the Bijou Canal, EXCEPT that parcel conveyed to Department of Highways in Book 767 at Page 878, EXCEPT a parcel conveyed in Book 849 at Page 285, and EXCEPT a parcel conveyed in Book 873 at Page 334.

**Parcel IV:**

The NE1/4 of Section 15, Township 3 North, Range 59 West of the 6th P.M., County of Morgan, State of Colorado, EXCEPT a parcel conveyed in Book 845 at Page 814 and EXCEPT a parcel conveyed to Department of Highways in Book 767 at Page 878.

**Parcel V:**

A parcel of land in the W1/2SE1/4 of Section 15, Township 3 North, Range 59 West of the 6th P.M., County of Morgan, State of Colorado, described as follows: Commencing at the NE1/4 corner of the W1/2SE1/4 Section 15; thence South along the East line of the W1/2SE1/4, 524 feet; thence North 76 degrees 15' West 692 feet; thence North 49 degrees 45' West 587 feet to a point on the North line of the W1/2SE1/4; thence South 89 degrees 00' East along the North line of the W1/2SE1/4 1120.5 feet to the point of beginning.

**Parcel VI:**

A parcel of land in the E1/2SE1/4 Section 15, Township 3 North, Range 59 West of the 6th P.M., County of Morgan, State of Colorado, described as follows: Commencing at the NW corner of the E1/2SE1/4 Section 15; thence South along the West line of the E1/2SE1/4 524 feet; thence North 83 degrees 00' East, 292 feet; thence North 68 degrees 39' East, 176 feet; thence North 0 degrees 45' East, 126 feet; thence North 49 degrees 30' East, 268 feet to a point on the North line of the E1/2SE1/4 Section 15; thence along the North line of the E1/2SE1/4 North 89 degrees 00' West 884 feet to the point of beginning.

For Informational Purposes Only: 09682 CO Road Q, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
15884 CO Road 10, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701  
0 Vacant Land, Fort Morgan, CO 80701

APN: 122515000001, R009040, 122515000009, R018263, 122514000002, R009054, 122514000008, R018576, 122514000003, R009053, 122523000001, R008630

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule A (07-01-2021)

Page 3 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE B PART I**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

**File No.:** 1997808-IO

**Requirements**

All of the following Requirements must be met:

1. 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.
2. Pay the agreed amount for the estate or interest to be insured.
3. Pay the premiums, fees, and charges for the Policy to the Company.
4. 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.
5. Evidence satisfactory to Stewart Title Guaranty Company of payment of all outstanding taxes and assessments as certified by the County Treasurer.
6. Execution of Affidavit as to Debts and Liens and its return to Stewart Title Guaranty Company.

NOTE: If work has been performed on, or in connection with, the subject property (architectural drawings, soils testing, foundation work, installation of materials), please notify the Company's escrow officer within 10 days of receipt of this title commitment.

7. Payment of any and all Homeowners assessments and expenses which may be assessed to the property.

NOTE: If improvements have been made on, or in connection with, the subject property, please notify the Company's escrow officer within 10 days of receipt of this title commitment.

NOTE: This product is for informational purposes only. It is not a title insurance product and does not provide any form of coverage. This product is not a guarantee or assurance and does not warrant, or otherwise insure any condition, fact or circumstance. This product does not obligate this Company to issue any policies of title insurance for any subsequent transaction based on the information provided or involving the property described herein. This Company's sole liability for any error(s) relating to this product is limited to the amount that was paid for this product.

8. FOR INFORMATIONAL PURPOSES ONLY:  
24-month Chain of Title: The only conveyance(s) affecting said land recorded within the 24 months preceding the date of this commitment is (are) as follows:  
Deed recorded June 22, 2021 as Reception No. [933671](#) and Deed recorded June 22, 2021 as Reception No. [933672](#).  
NOTE: If no conveyances were found in that 24 month period, the last recorded conveyance is reported. If the subject land is a lot in a subdivision plat less than 24 months old, only the conveyances subsequent to the plat are reported.

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule BI (07-01-2021)

Page 4 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE B PART II**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

File No.: 1997808-IO

**Exceptions**

**Some historical land records contain Discriminatory Covenants that are illegal and unenforceable by law. This Commitment and the Policy treat any Discriminatory Covenant in a document referenced in Schedule B as if each Discriminatory Covenant is redacted, repudiated, removed, and not republished or recirculated. Only the remaining provisions of the document will be excepted from coverage.**

The Policy will not insure against loss or damage resulting from the terms and conditions 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 on which all of the Schedule B, Part I - Requirements are met.
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. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the Land and 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.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) 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) or (c) are shown by the Public Records or listed in Schedule B.
7. Water rights, claims or title to water.
8. Any and all unpaid taxes and assessments and any unredeemed tax sales.
9. Reservations contained in United States Patent dated March 20, 1923 and filed as [Patent No. 899947](#). (BLM Copy)
10. Reservations contained in United States Patent dated October 12, 1911 and filed as [Patent No. 229797](#). (BLM Copy)
11. Reservations contained in United States Patent dated March 30, 1891 and filed in [Book 390 at Page 12](#). (BLM Copy)
12. Reservations contained in United States Patent dated May 25, 1923 and filed as [Patent No. 907550](#). (BLM Copy)
13. Reservations contained in United States Patent dated June 30, 1906 and filed in [Book 840 at Page 315](#). (BLM Copy)

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

Page 5 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE B PART II**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

14. Reservations contained in United States Patent dated August 29, 1923 and filed as [Patent No. 915237](#). (BLM Copy)
15. Reservations contained in Corporation Special Warranty Deed by the Federal Land Bank of Wichita as shown in Deed recorded December 17, 1945 as [Reception No. 319490](#).
16. Mineral Deed from Henry Weimer, Sr. to Emma Bauer recorded June 30, 1954 as [Reception No. 399892](#).
17. Mineral Deed from Henry Weimer, Sr. to Henry Weimer, Jr. recorded June 30, 1954 as [Reception No. 399893](#).
18. Mineral Deed from Henry Weimer, Sr. to Carl H. Weimer recorded June 30, 1954 as [Reception No. 399894](#).
19. Mineral Deed from Henry Weimer, Sr. to Dave Weimer recorded June 30, 1954 as [Reception No. 399895](#).
20. Mineral Deed from Henry Weimer, Sr. to Edward Weimer recorded June 30, 1954 as [Reception No. 399896](#).
21. Mineral Deed from Henry Weimer, Sr. to Harold Weimer recorded June 30, 1954 as [Reception No. 399897](#).
22. Mineral Deed from Henry Weimer, Sr. to Henry Weimer, Sr. and Mollie Weimer recorded June 30, 1954 as [Reception No. 399898](#).
23. Mineral Deed from Bert C. Ross to George A. Epperson recorded January 11, 1955 as [Reception No. 406215](#).
24. Right of Way Grant in favor of Russell Engineering Corporation recorded December 2, 1958 as [Reception No. 450860](#).
25. Reservations contained in Deed from Henry Weimer, Sr., et al, to Edward C. Weimer recorded April 3, 1959 as [Reception No. 455264](#).
26. Right of Way Contract from Bert Ross to Kansas-Nebraska Natural Gas Company recorded June 4, 1959 as [Reception No. 457536](#).
27. Mineral Deed from Edward C. Weimer to Henry Weimer Sr. and Mollie Weimer recorded June 9, 1960 as [Reception No. 469444](#).
28. Right of Way Grant from George Uhrick to Skelly Oil Company recorded April 7, 1981 as [Reception No. 478929](#).
29. Right of Way Contract from Irene A. Doyle to Kansas-Nebraska Natural Gas Company recorded July 9, 1962 as [Reception No. 493752](#).
30. Right of Way Grant from George Uhrick to Kansas-Nebraska Natural Gas Company recorded July 9, 1962 as [Reception No. 493756](#).
31. Right of Way Contract from Edward C. Weimer to Kansas-Nebraska Natural Gas Company, Inc. recorded July 9, 1962 as [Reception No. 493757](#).
32. Mineral Deed from Henry Weimer, Sr., et al, to Edward C. Weimer recorded June 6, 1966 as [Reception No. 536587](#).

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

Page 6 of 8



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)**  
**SCHEDULE B PART II**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

33. Right of Way Contract from Bert C. Ross to Kansas-Nebraska Natural Gas Company recorded February 27, 1967 as [Reception No. 541049](#).
34. Reservations contained in Deed from Bert C. Ross to Mary Ann Goedert recorded August 3, 1971 as [Reception No. 566999](#).
35. Right of Way Agreement from George Uhrick to Vallery Corporation recorded August 23, 1973 as [Reception No. 582019](#).
36. Right of Way Agreement from Arthur Doyle and Richard Doyle to Vallery Corporation recorded November 20, 1973 as [Reception No. 583756](#).
37. Findings and Ruling regarding the Application for Water Rights of George Uhrick and Lydia Uhrick recorded May 27, 1976 as [Reception No. 603745](#).
38. Findings and Ruling regarding the Application for Water Rights of Richard F. Doyle and Arthur Doyle recorded May 27, 1976 as [Reception No. 603759](#).
39. Reservations contained in Deed from Richard Doyle and Arthur Doyle to Lavern Goedert and Mary Ann Goedert recorded June 14, 1977 as [Reception No. 613676](#).
40. Quit Claim Deed (Minerals) from Bert C. Ross to Mary Ann Goedert recorded May 21, 1982 as [Reception No. 661974](#).
41. Reservations contained in Deed from George Uhrick and Lydia Uhrick to Richard H. Uhrick and Elfriede T. Uhrick recorded August 23, 1983 as [Reception No. 674084](#).
42. Personal Representative's Deed (Mineral interest) from the Estate of Bert C. Ross, deceased, to Lawrence Henery Ross, et al, recorded July 6, 1992 as [Reception No. 731168](#).
43. Right of Way Agreement from Arthur C. Doyle to Bear Paw Energy, Inc. recorded October 9, 1997 as [Reception No. 764868](#).
44. Right of Way Agreement from Richard H. Uhrick and Elfrieda T. Uhrick Bear Paw Energy Inc. recorded October 9, 1997 as [Reception No. 764878](#).
45. Mineral Quit Claim Deed from The Richard Uhrick Family Trust, to Patricia Carver, et al, recorded September 9, 2013 as [Reception No. 884186](#).
46. Reservations contained in Warranty Deed from The Richard Uhrick Family Trust to Mary Ann Goedert recorded September 9, 2013 as [Reception No. 884187](#).
47. Decree of Quiet Title, Mary Ann Goedert vs. Patricia Carver, et al, recorded November 5, 2014 as [Reception No. 890421](#).
48. Amended Decree of Quiet Title, Mary Ann Goedert vs. Patricia Carver, et al, recorded December 8, 2014 as [Reception No. 890978](#).

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

Page 7 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION



**ALTA COMMITMENT FOR TITLE INSURANCE (07-01-2021)  
SCHEDULE B PART II**

ISSUED BY  
STEWART TITLE GUARANTY COMPANY

49. Oil and Gas Lease from CoBank FCB, successor to U.S. AgBank FCB, to Bijou Creek Holdings, LLC, recorded March 16, 2016 as [Reception No. 898596](#).
50. Oil and Gas Lease from Mary Ann Goedert to Bijou Creek Holdings, LLC recorded March 9, 2017 as [Reception No. 904391](#).
51. Water Pipeline Easement from Mary Ann Goedert to the Morgan County Quality Water District recorded March 1, 2019 as [Reception No. 917106](#).
52. Reservations contained in Personal Representative's Deed from the Estate of Mary Ann Goedert, deceased, to James D. Goedert, recorded December 22, 2020 as [Reception No. 929661](#).
53. Deed of Trust from James D. Goedert to the Public Trustee of Morgan County, in favor of American AgCredit, FLCA, securing the sum of \$10,600,000.00 recorded December 22, 2020 as [Reception No. 929662](#).
54. Deed of Trust from James D. Goedert to the Public Trustee of Morgan County, in favor of American AgCredit, FLCA, securing the sum of \$10,000,000.00 recorded December 22, 2020 as [Reception No. 929663](#).
55. Reservations contained in Personal Representative's Deed from the Estate of Mary Ann Goedert, deceased, to James D. Goedert, recorded December 22, 2020 as [Reception No. 929664](#).
56. Deed of Trust from James D. Goedert to the Public Trustee of Morgan County, in favor of American AgCredit, FLCA, securing the sum of \$10,600,000.00 recorded December 22, 2020 [Reception No. 929665](#).
57. Deed of Trust from James D. Goedert to the Public Trustee of Morgan County, in favor of American AgCredit, FLCA, securing the sum of \$10,000,000.00 recorded December 22, 2020 as [Reception No. 929666](#).
58. Special Warranty Deed for Minerals from Cheryl Leigh Rigli fka Cheryl Leigh Weimer aka Sheryl Leigh Weimer to Cheryl Leigh Rigli and Dwain W. Rigli recorded August 15, 2022 as [Reception No. 942233](#).

*This page is only a part of a 2021 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.*

**Copyright 2021 American Land Title Association. All rights reserved.**

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited. Reprinted under license from the American Land Title Association.

File No.: 1997808-IO

ALTA Commitment for Title Insurance Schedule BII (07-01-2021)

Page 8 of 8

AMERICAN  
LAND TITLE  
ASSOCIATION





## DISCLOSURES

File No.: 1997808-IO

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 8-1-2, 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 Stewart Title Company 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: Colorado Division of Insurance Regulations 8-1-2, Section 5, Paragraph M requires that every title entity shall notify in writing that

Affirmative Mechanic's Lien Protection for the Owner may be available (typically by deletion of Exception No. 5 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 unfiled 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.

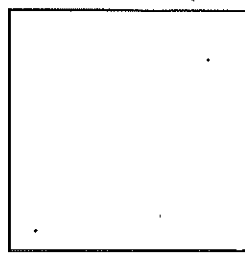
---

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.



Rec 1/2

**PERSONAL REPRESENTATIVE'S DEED**  
(Testate Estate)



This Deed is made by Judith L. Krening, as Personal Representative of the ESTATE OF MARY ANN GOEDERT, deceased, Grantor, to JAMES D. GOEDERT, Grantee, whose legal address is 15682 County Road 10, Fort Morgan, CO 80701.

WHEREAS, the Last Will and Testament of the above-named decedent was made and executed in the lifetime of the decedent, and is dated May 10, 2017, which Will was duly admitted to informal probate on June 29, 2020, by the District Court in and for the County of Morgan, State of Colorado, Probate No. 2020PR30049.

WHEREAS, Grantor was duly appointed Personal Representative of said Estate on June 29, 2020, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor, for and in consideration of the sum of Fourteen Million Nine Hundred Twenty Thousand Eight Hundred Thirty Nine Dollars (\$14,920,839.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, its heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Morgan and State of Colorado, described as follows:

See Attached Exhibit "A"

RESERVING UNTO GRANTOR ALL OF THE OIL, GAS,  
MINERAL AND ROYALTY RIGHTS AND INTEREST.

Also known as street address: 15884 County Road 10, Fort Morgan, CO 80701.

With all its appurtenances, subject to general taxes for the year 2020; those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee in accordance with Record Title (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; those specifically described rights of third parties not shown by the public records of which Grantee has actual knowledge and which were accepted by Grantee in accordance with Off-Record Title (Section 8.3) and New ILC or New Survey (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; and inclusions of the Property within any special tax district.

As used herein, the singular includes the plural and the plural the singular.

Executed December 17, 2020

*Judith L. Krening, PR*

Personal Representative of the Estate of Mary Ann Goedert

STATE OF COLORADO    )  
  )ss.  
COUNTY OF MORGAN    )

The foregoing instrument was acknowledged before me this 17 day of December, 2020 by Judith L. Krening as Personal Representative of the Estate of Mary Ann Goedert, Deceased.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public  
My commission expires \_\_\_\_\_

LINDA L. REDING  
Notary Public  
State of Colorado  
Notary ID # 19944009987  
My Commission Expires 06-20-2022

Exhibit "A"

PARCEL A:

DAIRY / SOUTH FARM PARCELS:

The SW/2SW1/4 of Section 14, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado.

AND

The NW1/4 and NE/2SW1/4 of Section 14, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, lying South and West of the Bijou Canal, EXCEPT that parcel conveyed to Department of Highways in Book 767 at page 876, EXCEPT a parcel conveyed in Book 849 at page 285, AND EXCEPT a parcel conveyed in Book 873 at page 334.

Water: Irrigation Water Well #12799; Bijou Irrigation Recharge Pond Decree, Case No. 96CW246; 1.5-inch Morgan County Quality water tap; and one (1) Domestic Well.

PARCEL B:

UHRICK PARCELS:

The NE1/4 of Section 15, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, EXCEPT a parcel conveyed in Book 845 at page 814 AND EXCEPT a parcel conveyed to Department of Highways in Book 767 at page 878.

A parcel of land in the W1/2SE1/4 of Section 15, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, described as follows: Commencing at the NE corner of the W1/2SE1/4 Section 15; thence South along the East line of the W1/2SE1/4, 524 feet; thence N76° 15'W 692 feet; thence N49°45'W 587 feet to a point on the North line of the W1/2SE1/4; thence S89°00'E along the North line of the W1/2SE1/4 1120.5 feet to the point of beginning.

A parcel of land in the E1/2SE1/4 Section 15, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, described as follows: Commencing at the NW corner of the E1/2SE1/4 Section 15; thence South along the West line of the E1/2SE1/4 524 feet; thence N83°00'E, 292 feet; thence N68°30'E, 250 feet; thence N62°30'E, 176 feet; thence N0°45'E, 126 feet; thence N49°30'E, 268 feet to a point on the North line of the E1/2SE1/4 Section 15; thence along the North line of the E1/2SE1/4 N89°00'W 884 feet to the point of beginning.

Water: Two (2) Irrigation Wells Numbers 8390 and 8392.

PARCEL C:

GROVES PARCEL:

All that part of the NW1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, lying South of the C.B. & Q. Railroad and North and East of the Bijou Ditch.

All that part of the NE1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, lying and being South of the right of way of the C. B. & Q. R.R., as now constructed. AND EXCEPT that parcel described at Reception No. 900136.

The NE1/2SE1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, EXCEPT a parcel conveyed in Book 759 at page 463, AND EXCEPT that parcel conveyed at Reception No. 836614. AND EXCEPT that parcel described at Reception No. 900137.

The NE1/2SE1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, lying South of the Bijou Canal, Morgan County, Colorado as conveyed at Reception No. 836614.

A parcel of land in the SW1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, lying North of the Bijou Canal as conveyed at Reception No. 836920.

**GROVES EXEMPTED PARCEL:**

A parcel of land in the SE1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado, being described as follows: Commencing at the E1/4 corner of said Section 10 and considering the East line of the SE1/4 of said Section 10 to bear S00°35'03"E with all bearings herein relative thereto; thence S00°35'03"E along the East line of the SE1/4 of said Section 10 a distance of 421.50 feet to the point of beginning; thence S00°35'03"E along the East line of the SE1/4 of said Section 10 a distance of 880.76 feet; thence the following five courses and distance being along the North bank of the Bijou Canal; N68°33'58"W a distance of 104.69 feet; N71°59'25"W a distance of 241.29 feet; N72°44'35"W a distance of 168.11 feet; N74°49'42"W a distance of 204.58 feet; N81°10'38"W a distance of 77.57 feet; thence N00°34'06"W and being parallel to the East line of the SE1/4 of said Section 10 a distance of 66.10 feet; thence along a curve to the left having an arc length of 887.06 feet, a radius of 1,420.00 feet, a central angle of 35°47'32", a chord bearing N47°52'21"E, and a chord length of 872.71 feet; thence N89°25'54"E a distance of 105.99 feet to the point of beginning as described in Subdivision Exemption recorded 900137.

Water: 150.45 Bijou Irrigation District Acres; thirteen (13) shares of Bijou Irrigation Co. Stock (Certificate Number 1867 for 5 shares and Certificate Number 1868 for 8 shares); One (1) Irrigation Well Number 12355; and One (1) Domestic Well Number 17104.

**ASCHENBRENNER PARCEL:**

The N1/2SW1/4, SE1/4SW1/4 and S1/2SE1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado.

Lot 1, AMEN MINOR SUBDIVISION, Minor Subdivision-Final Plat, according to the recorded plat thereof in Plat Book 6 at pages 84 and 85, located in the SW1/4SW1/4 of Section 11, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado.

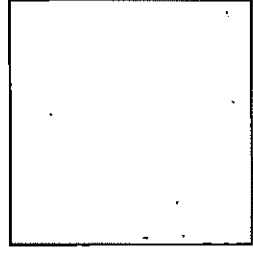
The SW1/4SW1/4 of Section 10, Township 3 North, Range 59 West of the 6th P.M., Morgan County, Colorado.

Water: 7.5556% of Orphan Wells of Wiggins; One (1) share of Bijou Irrigation Co. Stock (Certificate Number 1704); and Two (2) Irrigation Wells Numbers 8389 and 8391.

Sec 15



**PERSONAL REPRESENTATIVE'S DEED**  
(Testate Estate)



This Deed is made by Judith L. Krening, as Personal Representative of the ESTATE OF MARY ANN GOEDERT, deceased, Grantor, to JAMES D. GOEDERT, Grantee, whose legal address is 15682 County Road 10, Fort Morgan, CO 80701.

WHEREAS, the Last Will and Testament of the above-named decedent was made and executed in the lifetime of the decedent, and is dated May 10, 2017, which Will was duly admitted to informal probate on June 29, 2020, by the District Court in and for the County of Morgan, State of Colorado, Probate No. 2020PR30049.

WHEREAS, Grantor was duly appointed Personal Representative of said Estate on June 29, 2020, and is now qualified and acting in said capacity.

NOW THEREFORE, pursuant to the powers conferred upon Grantor by the Colorado Probate Code, Grantor, for and in consideration of the sum of One Hundred Nine Thousand Dollars (\$109,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell, convey and confirm unto the grantee, its heirs and assigns forever, all the real property, together with improvements, if any, situate, lying and being in the County of Morgan and State of Colorado, described as follows:

The NW1/4 of Section 23, Township 3 North, Range 59 West of the 6<sup>th</sup> P.M., Morgan County, Colorado.

Reserving unto Grantor all of the oil, gas, mineral and royalty rights and interest.

Also known as street address: vacant land.

With all its appurtenances, subject to general taxes for the year 2020; those specific Exceptions described by reference to recorded documents as reflected in the Title Documents accepted by Grantee in accordance with Record Title (Section 8.2) of the Contract to Buy and Sell Real Estate relating to the above described real property; those specifically described rights of third-parties not shown by the public records of which Grantee has actual knowledge and which were accepted by Grantee in accordance with Off-Record Title (Section 8.3) and New ILC or New Survey (Section 9) of the Contract to Buy and Sell Real Estate relating to the above described real property; and inclusions of the Property within any special tax district.

As used herein, the singular includes the plural and the plural the singular.

Executed December 17, 2020

*Judith L. Krening, PR*

Personal Representative of the Estate of Mary Ann Goedert

NCT  
22751

STATE OF COLORADO )  
 )ss.  
COUNTY OF MORGAN )

The foregoing instrument was acknowledged before me this 17 day of December, 2020 by Judith L. Krening as Personal Representative of the Estate of Mary Ann Goedert, Deceased.

WITNESS my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

LINDA L. REDING  
Notary Public  
State of Colorado  
Notary ID # 1994400987  
My Commission Expires 06-20-2022

Be 2nd

Statement of Authority  
(Section 38-30-172, C.R.S.)

- This Statement of Authority relates to an entity named **SANDY HILLS FAMILY DAIRY, LLC**
- The type of entity is a
  - corporation
  - nonprofit corporation
  - limited liability company
  - general partnership
  - limited partnership
  - trust
  - 
  - registered limited liability limited partnership
  - limited partnership association
  - unincorporated nonprofit association
  - government or governmental subdivision or agency
  - business trust
  - registered limited liability partnership
- The entity is formed under the laws of **COLORADO**
- The mailing address of the entity is:  
**15682 CO RD 10  
FORT MORGAN, CO 80701**
- The name or position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:  
**James D. Goedert Dynasty Trust and Marie Goedert, Member  
Jerry L. Goedert Dynasty Trust, Mbr  
John A. Goedert Dynasty Trust, Mbr**
- The authority of the foregoing person(s) to bind the entity is limited as follows:  
**NONE**
- This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.
- This Statement of Authority amends and supersedes in all respects any prior Statement of Authority executed on behalf of the entity.

Executed this 31 day of March, 2021

Name: James D. Goedert  
James D. Goedert, Trustee of James D. Goedert Trust, Mbr

STATE OF Colo  
COUNTY OF Morgan ) ss.

The foregoing instrument was acknowledged before me this 31 day of March, 2021  
by James D. Goedert, Trustee of James D. Goedert Trust, Mbr of Sandy Hills Family Dairy, LLC

Witness my hand and official seal.

My commission expires: **LINDA L. REDING  
Notary Public  
State of Colorado  
Notary ID # 19944009987  
My Commission Expires 06-20-2022**

[Signature]  
Notary Public

Return to: James Goedert 15682 CO RD 10 Ft Morgan CO 80701



## UTILITIES / ACCESS

Septic

Water

Electric

Driveway Permit

0N0000 976

### NORTHEAST COLORADO HEALTH DEPARTMENT

700 Columbine Street  
Sterling, CO 80751  
Phone: 970/522-3741

340 Birch  
Wray, CO 80758  
Phone: 970/332-4422

228 West Railroad Avenue  
Fort Morgan, CO 80701  
Phone: 970/867-4918 *Ext 207  
13.11*

#### APPLICATION FOR A PERMIT TO INSTALL OR REPAIR AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM (please print or type)

Owner Cactus Acres Dairy

Current Address 15884 County Rd 10

City Fort Morgan State CO County Morgan Zip 80701

Phone                     

Address of Proposed System 15600 County Rd 10

City Fort Morgan State CO County Morgan Zip 80701

Subdivision: Lot            Block            Filing           

Legal Description of Property: Points            Section 14 Township 3N Range 59W

Size of Property in acres 4.50 Acres

Type of Building: Residence:            Number of bedrooms             
Other  Milking Parlor 10 Number of workers 3-8hr shifts No Shower

New building:  Yes  No Replacement of existing septic tank or leach field: Yes  No  No

Basement Plumbing: Yes  No

Type of Water Supply:  Public System  Private Well

Applicant certifies all information to be true and correct to the best their knowledge.

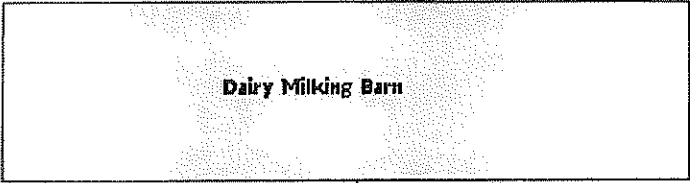
Owner's Signature or Agent with  
Written Permission to Sign for Owner *Jan Schmitt* Date 4-23-01

#### FOR OFFICE ONLY

Application Number 0101-051  
New System  X  
Repair System           

Fee 325.00  
Received by RFB  
Date 4/23/01

f:\office\wp60\rob\isds\apply



Dairy Milking Barn

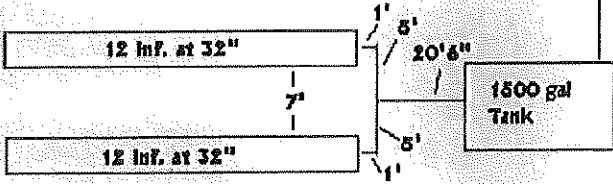


Clearout

122'

Cactus Acres Dairy  
15884 MCR 10  
Fl. Morgan Co. 80701

M-01-051 514-T3N-R59W



12 in. at 32"

1' 8"  
5"  
20' 6"

7"

1500 gal  
Tank

12 in. at 32"

5"  
1' 1"



N

0N0000 976

NORTHEAST COLORADO HEALTH DEPARTMENT

700 Columbine Street  
Sterling, CO 80751  
Phone: 970/522-3741

340 Birch  
Wray, CO 80758  
Phone: 970/332-4422

228 West Railroad Avenue  
Fort Morgan, CO 80701  
Phone: 970/867-4918 *Et 207  
13.11*

APPLICATION FOR A PERMIT TO INSTALL OR REPAIR  
AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM  
(please print or type)

Owner Cactus Acres Dairy

Current Address 15884 County Rd 10

City Fort Morgan State CO County Morgan Zip 80701

Phone (970) 867-2008

Address of Proposed System 15600 County Rd 10

City Fort Morgan State CO County Morgan Zip 80701

Subdivision: Lot \_\_\_\_\_ Block \_\_\_\_\_ Filing \_\_\_\_\_

Legal Description of Property: Points \_\_\_\_\_ Section 14 Township 3N Range 59W

Size of Property in acres 4.50 Acres

Type of Building: Residence: \_\_\_\_\_ Number of bedrooms \_\_\_\_\_

Other  Milking Parlor 10 Number of workers 3-8H-SHIFTS No Shower

New building:  Yes  No Replacement of existing septic tank or leach field: Yes  No

Basement Plumbing: Yes  No

Type of Water Supply:  Public System  Private Well

Applicant certifies all information to be true and correct to the best their knowledge.

Owner's Signature or Agent with  
Written Permission to Sign for Owner *Jan Schmitt* Date 4-23-01

FOR OFFICE ONLY

Application Number 07-01-051

New System

Repair System \_\_\_\_\_

Fee 325.00

Received by ARB

Date 4/23/01

f:\office\wp60\rob\ids\apply



# Morgan County Quality Water District

P.O. Box 1218

FORT MORGAN, COLORADO 80701

Bus: (970) 867-3054

Fax: (970) 867-3055

April 17, 2023

Agprofessionals

Tim Naylor

3050 67<sup>th</sup> Avenue, Suite 200

Greeley, CO 80634

Dear Tim

Morgan County Quality Water has been working with Sandy Hills Family Dairy for nearly a year now. We have made a tentative deal with them and we will have no problem providing them with the water they need to serve the current dairy and the future expanded dairy.

If you have any questions or need any additional information, please contact me at (970) 867-3054.

Sincerely

A handwritten signature in blue ink, appearing to read 'Kent A. Pflager', with a long horizontal flourish extending to the right.

Kent A. Pflager

General Manager

YNNN

OFFICE HOURS: Monday - Friday 8:00 AM - 4:30 PM  
PHONE: 970-867-5688 or 800-867-5688  
EMAIL: customerservice@mcrea.org  
WEBSITE: www.mcrea.org



Morgan County Rural Electric Association  
PO Box 738  
Fort Morgan, CO 80701-0738

MORGAN COUNTY REA  
Member Since 1954

2022 Patronage Capital  
Morgan County REA \$16,546.21  
Tri-State G&T \$0.00  
Total 2022 Allocation \$16,546.21

**TOTAL  
AMOUNT DUE**  
**\$9,652.47**  
Due Date  
**05/15/2023**

See next page for bill details.

Account Information		Balance Summary	
Account #:	2623600	Previous Balance	\$11,192.97
Customer Name:	SANDY HILLS FAMILY DAIRY LLC	Payment(s)	-\$11,192.97
Statement Date:	05/01/2023	Balance Before Current Charges	\$0.00
Current Bill Due Date:	05/15/2023	Total Current Charges	\$9,652.47
Mailing Address:	15682 COUNTY ROAD 10 FORT MORGAN CO 80701-8707	Total Amount Due	\$9,652.47

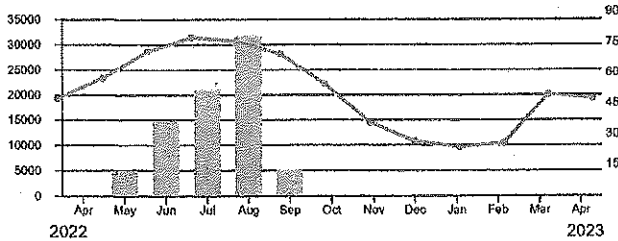
**IMPORTANT CUSTOMER INFORMATION**

See the back of this bill for information regarding capital credit allocations, and dont forget about MCREAs Member Appreciation Picnic on June 15 from 5-7 p.m.!

MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359040200		Service Desc: IRRIGATION		Service Address: # 2					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	137613122	From	To	30	Previous	Present	1.0	0	0.0
		04/01/2023	05/01/2023		15796	15796			

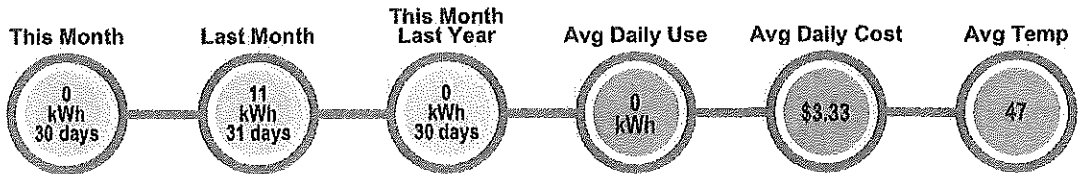
kWh Previous Months Current Month Average Temp Temp



Current Service Detail	
Facility Charge	\$100.00
<b>Total Current Charges</b>	<b>\$100.00</b>

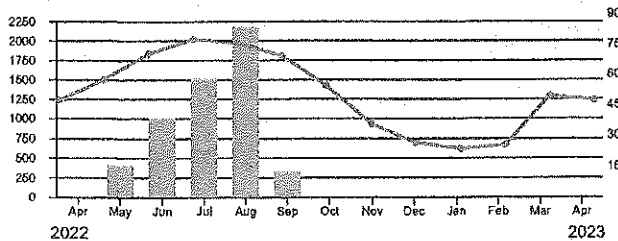
*North*

Energy Usage Comparison



Location: 0359042700		Service Desc: IRRIGATION		Service Address: 8 TOWERS + 2HP END GUN					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	137613124	From	To	30	Previous	Present	1.0	0	0.0
		04/01/2023	05/01/2023		33541	33541			

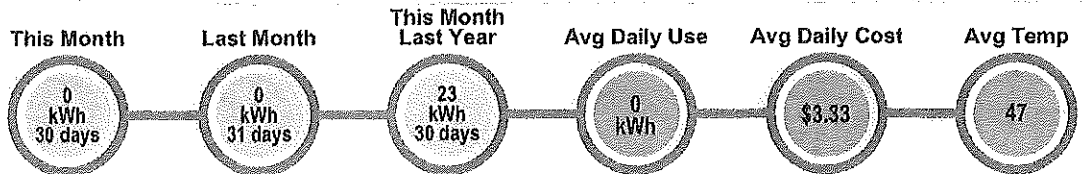
kWh Previous Months Current Month Average Temp Temp



Current Service Detail	
Facility Charge	\$100.00
<b>Total Current Charges</b>	<b>\$100.00</b>

*North*

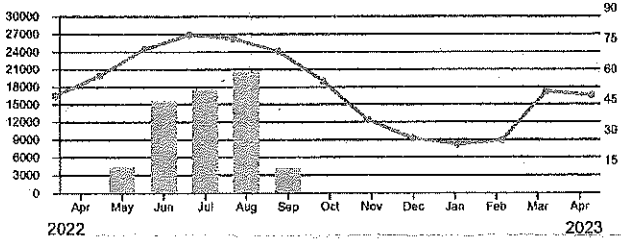
Energy Usage Comparison



MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359100600		Service Desc: IRRIGATION		Service Address: IRRIGATION					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	137613175	From	To	30	Previous	Present	1.0	0	0.0
		04/01/2023	05/01/2023		20244	20244			

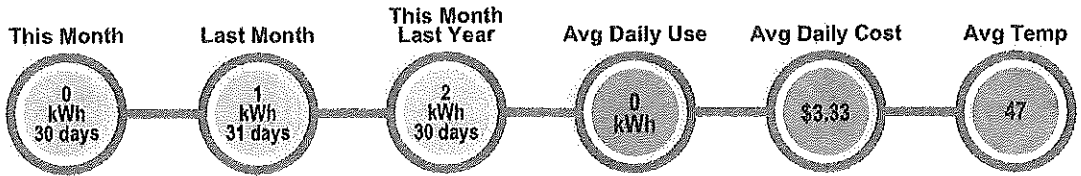
kWh Previous Months Current Month Average Temp Temp



Current Service Detail	
Facility Charge	\$100.00
<b>Total Current Charges</b>	<b>\$100.00</b>

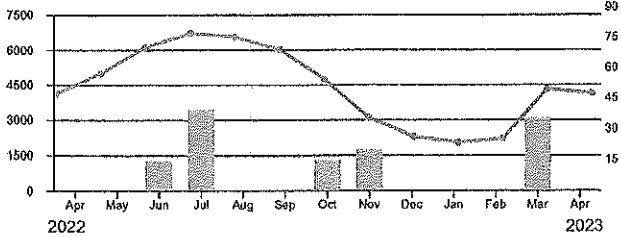
*Groves*

Energy Usage Comparison



Location: 0359102600		Service Desc: IRRIGATION		Service Address: IRRIGATION					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	150129567	From	To	30	Previous	Present	1.0	20	0.029
		04/01/2023	05/01/2023		70583	70603			

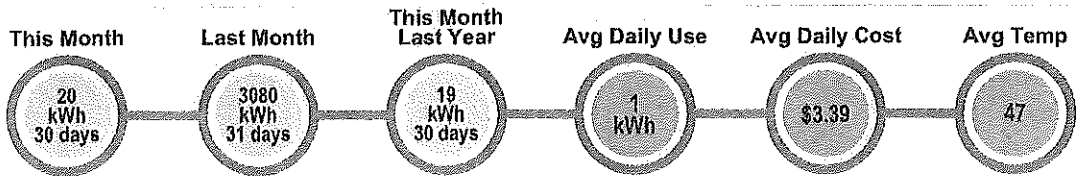
kWh Previous Months Current Month Average Temp Temp



Current Service Detail	
Facility Charge	\$100.00
Energy Charge	20 kWh @ .067800 \$1.36
Demand Charge	.029 KW @ 16.00 \$0.46
<b>Total Current Charges</b>	<b>\$101.82</b>

*Archenbrenner*

Energy Usage Comparison

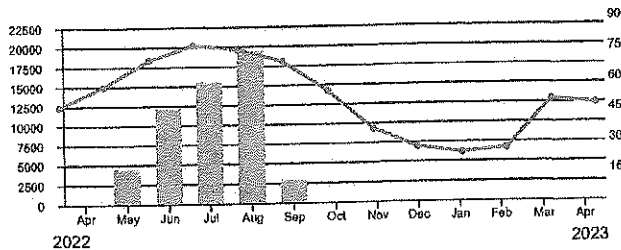




**MEMBER NAME** SANDY HILLS FAMILY DAIRY LLC  
**Account Number** 2623600  
**Statement Date** 05/01/2023

Location: 0359102700		Service Desc: IRRIGATION		Service Address: HOME WELL				
Rate Class	Meter No.	Reading Dates		Days Served	Readings	Multiplier	kWh Usage	Demand Reading
130	137613177	From	To	30	Previous	Present	16	2,585
		04/01/2023	05/01/2023		31126	31142	1.0	

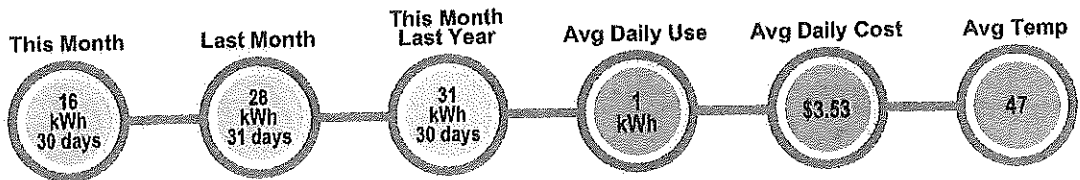
kWh Previous Months Current Month Average Temp Temp



Facility Charge		\$100.00
Energy Charge	16 kWh @ .067800	\$1.08
Demand Charge	16.000 KW @ .30	\$4.80
<b>Total Current Charges</b>		<b>\$105.88</b>

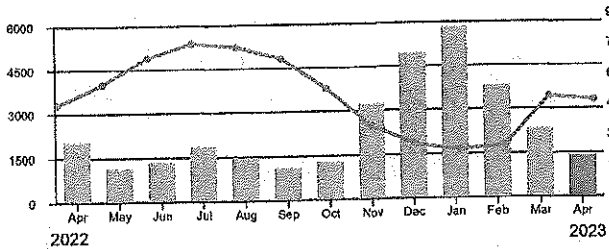
*Groves*

**Energy Usage Comparison**



Location: 0359105100		Service Desc: RURAL - RESIDENTIAL		Service Address: RESIDENTIAL ROAD Q				
Rate Class	Meter No.	Reading Dates		Days Served	Readings	Multiplier	kWh Usage	Demand Reading
001	136830109	From	To	30	Previous	Present	1395	13,937
		04/01/2023	05/01/2023		53918	55313	1.0	

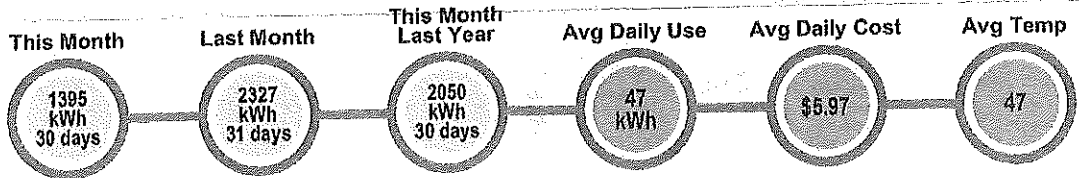
kWh Previous Months Current Month Average Temp Temp



Facility Charge		\$28.00
Energy Charge	1,395 kWh @ .108400	\$151.22
<b>Total Current Charges</b>		<b>\$179.22</b>

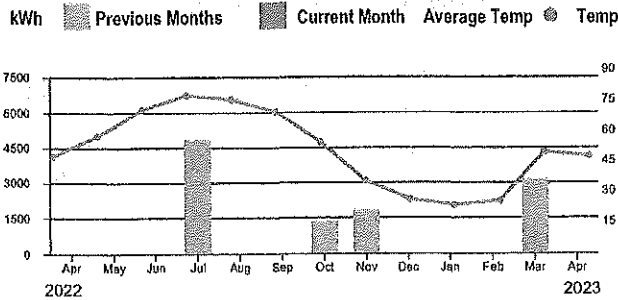
*Arch Howe & Shop*

**Energy Usage Comparison**



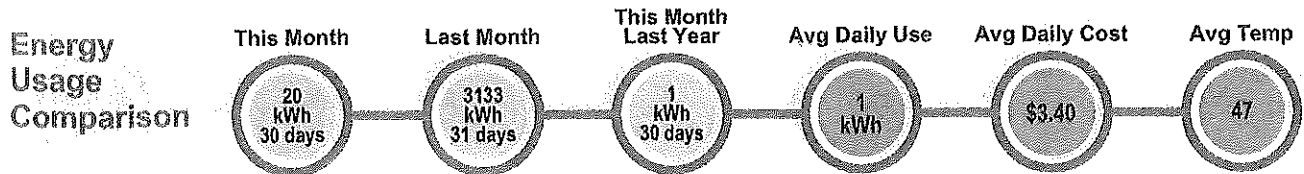
MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359105200		Service Desc: IRRIGATION		Service Address: IRRIGATION					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	150129563	From	To	30	Previous	Present	1.0	20	0.036
		04/01/2023	05/01/2023		73350	73370			



Current Service Detail		
Facility Charge		\$100.00
Energy Charge	20 kWh @ .067800	\$1.36
Demand Charge	036 KW @ 16.00	\$0.58
<b>Total Current Charges</b>		<b>\$101.94</b>

*Aschenbrennen*

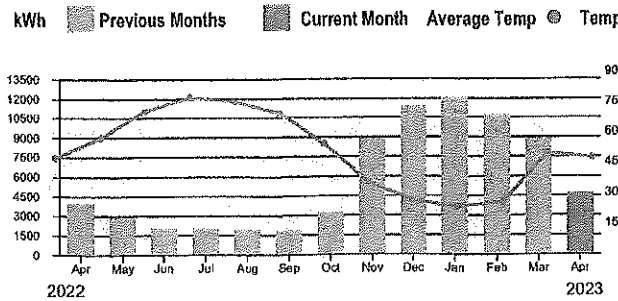


Location: 0359105300		Service Desc: STOCKWELL		Service Address: FEEDYARD WELL					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
005		From	To	30	Previous	Present	1.0	0	0.0
		04/01/2023	05/01/2023		0	0			

Current Service Detail		
Facility Charge		\$32.00
<b>Total Current Charges</b>		<b>\$32.00</b>

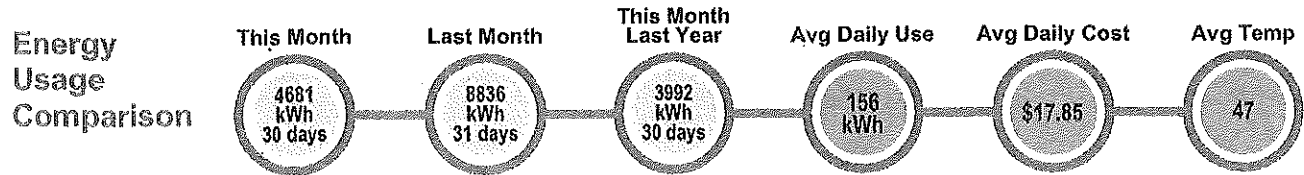
*Dairy*

Location: 0359147700		Service Desc: ELECTRIC HOME		Service Address: 15884 COUNTY ROAD 10					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
001	136829781	From	To	30	Previous	Present	1.0	4681	22.908
		04/01/2023	05/01/2023		21180	25861			



Current Service Detail		
Facility Charge		\$28.00
Energy Charge	4,681 kWh @ .108400	\$507.42
<b>Total Current Charges</b>		<b>\$535.42</b>

*House / Calf Shed*

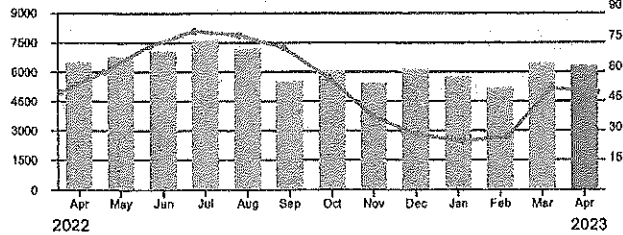


MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359148200 Service Desc: SMALL POWER - TXD Service Address: DAIRY BARN/MILK TANK

Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
		From	To		Previous	Present			
040	136829782	04/01/2023	05/01/2023	30	52806	59105	1.0	6299	17,422

kWh █ Previous Months █ Current Month Average Temp ● Temp

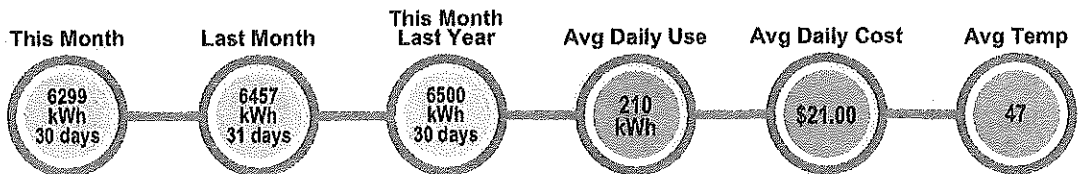


**Current Service Detail**

Facility Charge		\$45.50
Energy Charge	6,299 kWh @ .092800	\$584.55
<b>Total Current Charges</b>		<b>\$630.05</b>

*Hospital Barn*

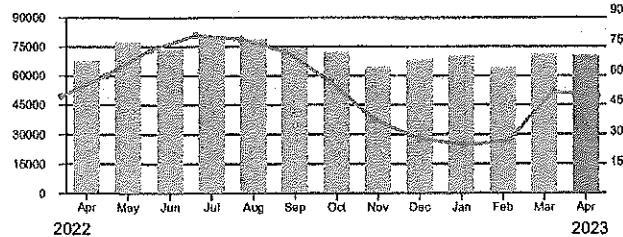
**Energy Usage Comparison**



Location: 0359148300 Service Desc: LARGE POWER Service Address: NEW MILK BARN

Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
		From	To		Previous	Present			
050	137612638	04/01/2023	05/01/2023	30	65998	66875	80.0	70160	1,805

kWh █ Previous Months █ Current Month Average Temp ● Temp

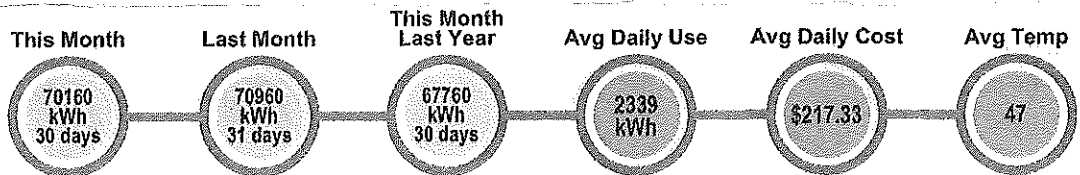


**Current Service Detail**

Facility Charge		\$86.25
Energy Charge	57,760 kWh @ .071900	\$4,152.94
Energy Charge	12,400 kWh @ .050000	\$620.00
Demand Charge	144,400 KW @ 11.50	\$1,660.60
<b>Total Current Charges</b>		<b>\$6,519.79</b>

*Main Barn*

**Energy Usage Comparison**

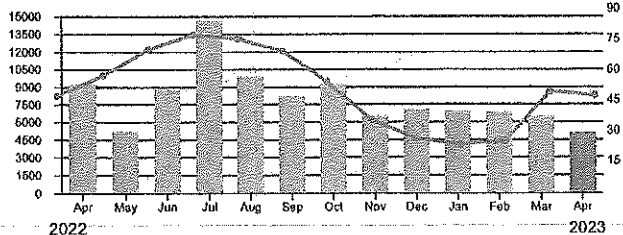


MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359148400 Service Desc: SMALL POWER - TXD Service Address: LAGOON PUMP

Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
		From	To		Previous	Present			
041	137612737	04/01/2023	05/01/2023	30	7463	12511	1.0	5048	15.624

kWh Previous Months Current Month Average Temp Temp

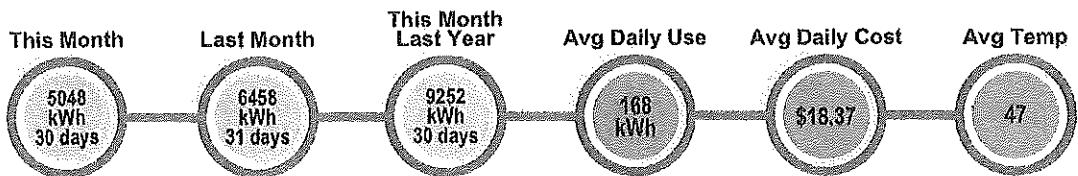


**Current Service Detail**

Facility Charge		\$67.00
Energy Charge	5,048 kWh @ .092800	\$468.45
Colorado Sales Tax		\$15.53
<b>Total Current Charges</b>		<b>\$550.98</b>

*Free Falls*

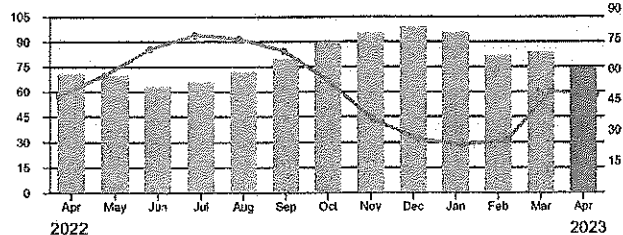
**Energy Usage Comparison**



Location: 0359150100 Service Desc: RURAL - RESIDENTIAL Service Address: 9682 COUNTY ROAD Q

Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
		From	To		Previous	Present			
001	136829783	04/01/2023	05/01/2023	30	5961	6035	1.0	74	0.23

kWh Previous Months Current Month Average Temp Temp

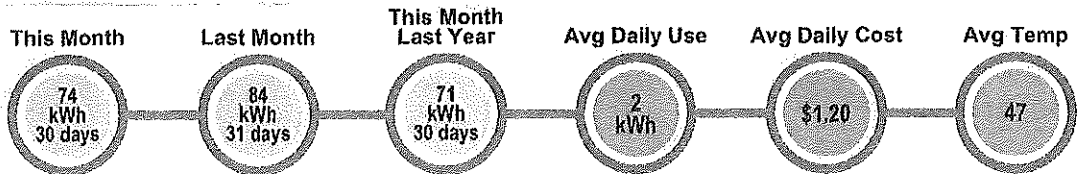


**Current Service Detail**

Facility Charge		\$28.00
Energy Charge	74 kWh @ .108400	\$8.02
<b>Total Current Charges</b>		<b>\$36.02</b>

*Whic Howo*

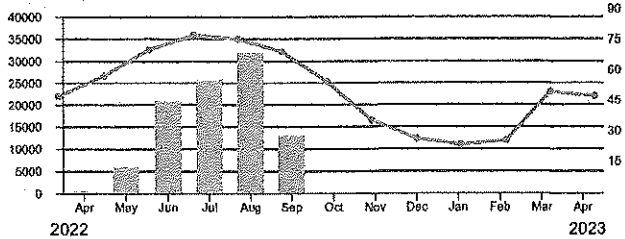
**Energy Usage Comparison**



MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359152600		Service Desc: IRRIGATION		Service Address: WELL-SPRINKLER					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	136862096	From	To	30	Previous	Present	1.0	0	0.0
		04/01/2023	05/01/2023		7446	7446			

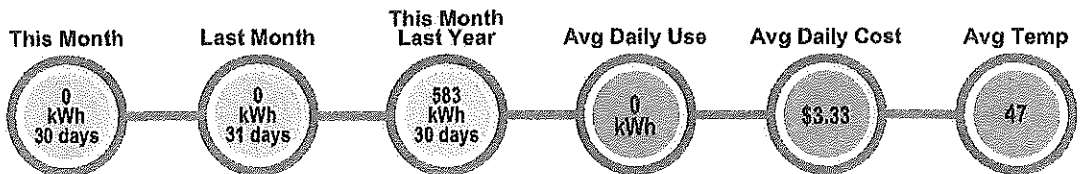
kWh Previous Months Current Month Average Temp Temp



Current Service Detail		
Facility Charge		\$100.00
<b>Total Current Charges</b>		<b>\$100.00</b>

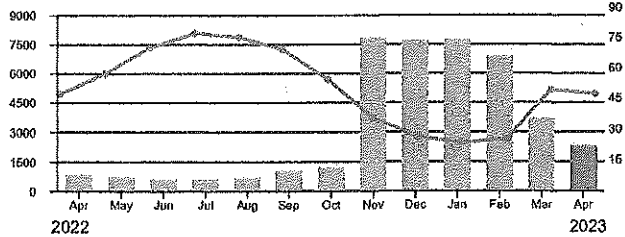
*South*

Energy Usage Comparison



Location: 0359148500		Service Desc: SMALL POWER - TXD		Service Address: EAST PENS					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
040	136829989	From	To	30	Previous	Present	1.0	2297	13.106
		04/01/2023	05/01/2023		34039	36336			

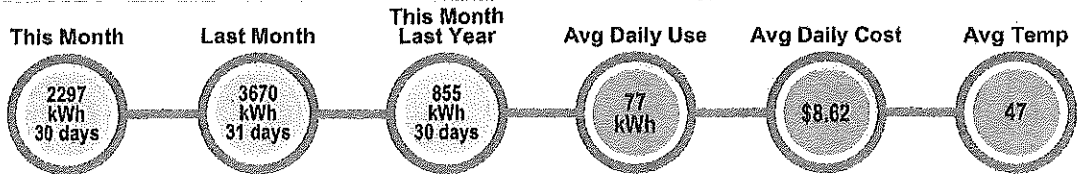
kWh Previous Months Current Month Average Temp Temp



Current Service Detail		
Facility Charge		\$45.50
Energy Charge	2,297 kWh @ .092800	\$213.16
<b>Total Current Charges</b>		<b>\$258.66</b>

*Feed Shed*

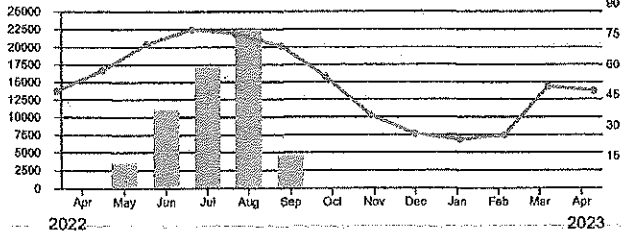
Energy Usage Comparison



MEMBER NAME | SANDY HILLS FAMILY DAIRY LLC  
 Account Number | 2623600  
 Statement Date | 05/01/2023

Location: 0359040300		Service Desc: IRRIGATION		Service Address: WELL & PIVOT IN SEC 4					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	137613123	From	To	30	Previous	Present	1.0	0	0.0
		04/01/2023	05/01/2023		87790	87790			

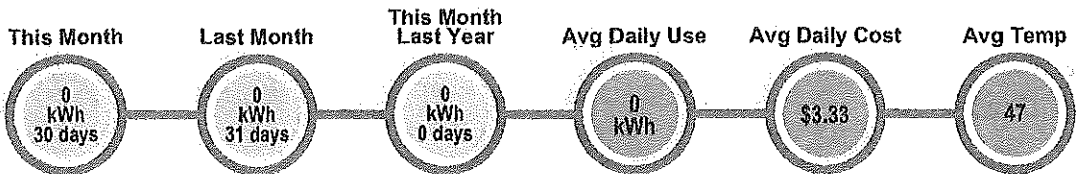
kWh Previous Months Current Month Average Temp Temp



Current Service Detail	
Facility Charge	\$100.00
<b>Total Current Charges</b>	<b>\$100.00</b>

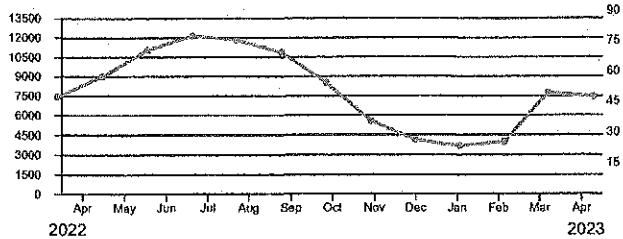
*North*

Energy Usage Comparison



Location: 0359115800		Service Desc: IRRIGATION		Service Address: 25HP DITCH PUMP					
Rate Class	Meter No.	Reading Dates		Days Served	Readings		Multiplier	kWh Usage	Demand Reading
130	137613178	From	To	30	Previous	Present	1.0	7	0.014
		04/01/2023	05/01/2023		77731	77738			

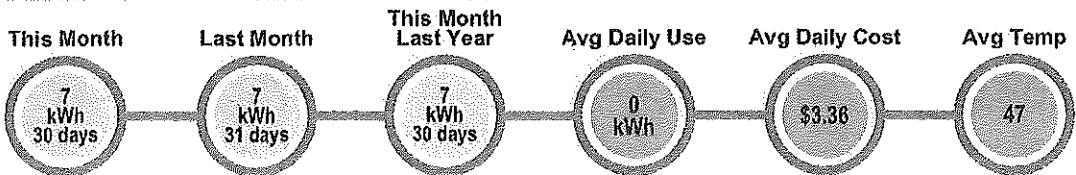
kWh Previous Months Current Month Average Temp Temp



Current Service Detail	
Facility Charge	\$100.00
Energy Charge	7 kWh @ .067800 \$0.47
Demand Charge	014 kW @ 16.00 \$0.22
<b>Total Current Charges</b>	<b>\$100.69</b>

*Arch Aug Pond*

Energy Usage Comparison





## Road & Bridge Department

---

Date March 25, 2024

Tim Naylor  
AgProfessionals  
3050 67<sup>th</sup> Avenue, Suite 200  
Greeley, Colorado 80654

RE: Driveway Access Permit Application, dated March 12, 2024  
Sandy Hills Family Dairy, LLC

Dear Tim:

Morgan County Road and Bridge Department has reviewed the Application for Driveway Access submitted by AG Professionals related to an amended special use permit application. The Department has determined that access from Morgan County Road Q onto property known by Parcel Number 122515000001 is possible. However, because that access and the safety issues related to the traffic impacts on County Road Q that will be considered by the Board of County Commissioners at the hearing on April 16<sup>th</sup>, the Department will not issue the actual Driveway Access Permit until such time as that Sandy Hills Family Dairy receives an approval of its application from the Board of Morgan County Commissioners and will be issued in accordance with that decision.

Best Regards

A handwritten signature in black ink that reads "Bruce Bass".

Bruce Bass  
Public Works Director  
Morgan County Government

**Application for Driveway Access Permit**  
Morgan County, Colorado

**Terms and Conditions**

1. The granting of this permit application is for one (1) property access across the county right of way onto a county road. The access must not exceed the approved width defined on the approved permit. Additional accesses crossing the right of way must be applied for separately.
2. If this access is to be onto an access/travelling easement, then a copy of the easement, recorded plat or use agreement must accompany this application.
3. The granting of a driveway access permit by Morgan County is only for the purpose of crossing the right of way under the counties jurisdiction. It is the permittee's responsibility to identify and obtain permissions to cross any other easements, covenants, right of ways or private agreements that may exist.
4. If the access request is onto any Federal or State lands, you must provide the names and contact information for the relevant agencies and attach a copy of the authorization for the property use.
5. All property owners/agents are responsible for any damages that may occur to the county road or right of way during installation of said driveway.
6. The construction and all costs associated with the construction of the driveway are the responsibility of the property owner/agent. The construction cannot exceed the defined width and must include any specified culverts required as defined in the approved permit. Culverts may be purchased from anywhere, however they must be approved by the county prior to installation. Culverts may also be purchased from Morgan County Road and Bridge.
7. If a culvert is required, it is for use by Morgan County to protect the road and right of way. Morgan County retains the right to utilize the culvert in any way it deems necessary.
8. If a culvert is not required at the time of permit issuance, however, in the future a culvert is deemed necessary, the cost of said culvert may be at the property owner's expense.
9. Inside the county right of way, the driveway may only consist of the travelling surface to access the property. No other structures or appurtenances may be placed in the right of way (examples: columns, walls, fencing, large rocks, etc.). The only exception to this requirement is mailboxes.
10. During the construction of an approved driveway, it is the responsibility of the property owner/agent and/or their contractor to insure safety to the travelling public. This could include the use of signs, cones and/or traffic control as necessary.
11. All repairs, maintenance and costs associated with said driveway are the responsibility of the property owner/agent.
12. Morgan County is not responsible for any damages to the driveway caused by normal maintenance operations, including but not limited to mowing, grading, and snowplowing.
13. The property owner/agent agrees to hold harmless, indemnify, and defend Morgan County from any claim of any person arising from the installation, use, maintenance, or removal of the driveway in the county right of way.
14. The terms, conditions and requirements defined in this application and subsequent approved permit will remain valid through any future sales, transfer of ownership or assignments of the property defined in this driveway application.



Please Initial that you have read and understand the terms and conditions outlined on this page.



Application for Driveway Access Permit  
Morgan County, Colorado

1. Property Owner (Permittee):

Name: Sandy Hills Family Dairy LLC  
Address: 9682 CO RD Q  
City/State/Zip Code: Fort Morgan, Co 80701  
Phone \_\_\_\_\_ Email: \_\_\_\_\_

2. Agent of Property Owner (If Applicable)

Company/Individual Name AG Professionals  
Contact Name (If Applicable) Tim Naylor  
Address: 3050 67<sup>th</sup> Avenue Ste 200  
City/State/Zip Code: Greeley Co 80634  
Phone \_\_\_\_\_ Email: \_\_\_\_\_

3. Legal Description:

S:15 T:3 R:59 NE 1/4 EX B745 P403 & B767 P878

Parcel Number: 1225-150-00-001

4. Road Access:

Access onto County Road Q (Circle Direction) North / South / East / West of County Road 10

5. Driveway Type: (Check One) \*\*New Driveway \_\_\_\_\_ Existing Driveway X

Desired width of New Driveway NA Feet.

\*\*If this is a new driveway location, please place flagged stake marker on each side of the requested driveway location.

I have read the instructions, terms and conditions outlined in this Driveway Access Permit Application, and agree to all terms and conditions outlined therein, furthermore, I understand no liability is assumed by the County of Morgan, Colorado or its agents by issuance of a permit for this application and all costs, present and future, associated with the access provided by an Approved Driveway Access Permit are the responsibility of the property owner/agent and or any future assignees. The applicant declares the information provided are true and complete to the best of their knowledge.

[Signature]  
Property Owner/Agent Signature

3/12/2024  
Date

Submit Completed Application and All Supporting Documents to:

Morgan County Road and Bridge Department  
P.O. Box 516  
17303 County Road S  
Fort Morgan, CO 80701  
Or by Email to: [rbmorgenc@co.morgan.co.us](mailto:rbmorgenc@co.morgan.co.us)  
Phone: (970) 542-3560 Fax: (970) 542-3569

For Office Use only below this line

Determination: \_\_\_\_\_ Approved \_\_\_\_\_ Denied (Reason for Denial): \_\_\_\_\_

GPS Coordinates, Centerline of Driveway in relation to road: Latitude: \_\_\_\_\_

Maximum Width of Driveway: \_\_\_\_\_ Feet Longitude: \_\_\_\_\_

Culvert Required: YES / NO If Yes, Size: \_\_\_\_\_

Closest Intersecting Road \_\_\_\_\_ Measurement from Closest Intersecting Road \_\_\_\_\_ Feet

Driveway Access Code: \_\_\_\_\_

Completed By: \_\_\_\_\_ Date: \_\_\_\_\_

## ADDITIONAL APPLICATION INFORMATION

Traffic

Environmental Design

Nuisance Control Plan

Ditch Company Notification

Soil Map

Mineral Notification

Tax Account Statement

**Roads-Sandy Hills**

5 messages

**Nicole Hay**

Tue, Aug 29, 2023 at 9:53 AM

To: Hannah Dutrow, Tim Naylor, Kelsey Bruxvoort  
Cc: Cheryl Brindisi <[cbrindisi@co.morgan.co.us](mailto:cbrindisi@co.morgan.co.us)>, Jenafer Santos <[jsantos@co.morgan.co.us](mailto:jsantos@co.morgan.co.us)>

Good morning,

Do you have a good count (in and out) for increased traffic with the expansion? Manure, feed, cattle, and milk trucks?

--  
Nicole F. Hay  
Planning Administrator  
Planning/Zoning Department  
[231 Ensign St.](mailto:nicole.hay@co.morgan.co.us)  
[Fort Morgan, CO 80701](mailto:nicole.hay@co.morgan.co.us)  
970-542-3526

**Nicole Hay**

Tue, Aug 29, 2023 at 10:06 AM

To: Hannah Dutrow, Tim Naylor, Kelsey Bruxvoort  
Cc: Cheryl Brindisi <[cbrindisi@co.morgan.co.us](mailto:cbrindisi@co.morgan.co.us)>, Jenafer Santos <[jsantos@co.morgan.co.us](mailto:jsantos@co.morgan.co.us)>

Sorry, I forgot to ask you if you have any concerns with meeting Bijou Irrigations requests?

**Hannah Dutrow**

Thu, Aug 31, 2023 at 9:49 AM

To: Nicole Hay, Tim Naylor, Kelsey Bruxvoort  
Cc: Cheryl Brindisi <[cbrindisi@co.morgan.co.us](mailto:cbrindisi@co.morgan.co.us)>, Jenafer Santos <[jsantos@co.morgan.co.us](mailto:jsantos@co.morgan.co.us)>

Good morning, everyone –  
We have the information you requested. Please see responses below. If there is anything else you need please let me know.

Assumed Traffic Details at full build out.  
Employee Vehicles: 50-60  
Manure Trucks: 5-6  
Feed Trucks: 5-6  
Milk Trucks: 5-7

Bijou Irrigation  
Sandy Hills Family Dairy has no concerns with the Bijou Irrigation Companies comments.

Thank you,  
Hannah Dutrow Land Planner III

**AGPROfessionals**

3050 67th Avenue, Suite 200  
Greeley, CO 80634

970-535-9854 fax  
[www.agpros.com](http://www.agpros.com)



---

**Nicole Hay**

> Thu, Aug 31, 2023 at 9:59 AM

To: Bruce Bass <bbass@co.morgan.co.us>, John Goodman <jgoodman@co.morgan.co.us>

Cc: Kathryn Sellars <ksellars@co.morgan.co.us>, Cheryl Brindisi <cbrindisi@co.morgan.co.us>, Jenafer Santos <jsantos@co.morgan.co.us>

Bruce and John,

AGPro sent some traffic information regarding the proposed Sandy Hills expansion. This project will affect County Roads Q and 10. Please let us know what you think.

thanks

# Sandy Hills Family Dairy, LLC

15884 CR 10, Morgan County, CO

## Traffic Impact Study

KE Job #2023-074

Prepared for:

AGPROfessionals  
3050 67th Avenue, Suite 200  
Greeley, CO 80634  
Prepared by:



**KELLAR ENGINEERING**

[www.kellarengineering.com](http://www.kellarengineering.com)

970.219.1602 phone



December 22, 2023  
Sean K. Kellar, PE, PTOE

This document, together with the concepts and recommendations presented herein, as an instrument of service, is intended only for the specific purpose and client for which it was prepared. Reuse of and improper reliance on this document without written authorization from Kellar Engineering LLC shall be without liability to Kellar Engineering LLC.

## TABLE OF CONTENTS

		<u>Page</u>
1.0	Introduction	3
2.0	Proposed Project	3
3.0	Trip Generation	4
4.0	Traffic Operation Analysis	15
4.1	Analysis Methodology	15
4.2	Intersection Operation Analysis	15
5.0	Auxiliary Lane Analysis	18
6.0	Conclusions	18

		<u>Page</u>
<b>List of Figures:</b>		
Figure 1:	Vicinity Map	6
Figure 2:	Site Plan	7
Figure 3:	Trip Distribution	9
Figure 4:	Site Generated Traffic (Existing Facility + Expansion)	10
Figure 5:	2025 Background Traffic	11
Figure 6:	2025 Project Build-Out Short Range Total Traffic (ADT)	12
Figure 7:	2025 Project Build-Out Short Range AM Peak Hour Traffic	13
Figure 8:	2025 Project Build-Out Short Range PM Peak Hour Traffic	14

		<u>Page</u>
<b>List of Tables:</b>		
Table 1:	Trip Generation	8
Table 2:	2025 Short Range Total Traffic	16

		<u>Page</u>
<b>Appendix:</b>		
	Aerial Image	20
	Synchro Outputs	21

## 1.0 Introduction

The purpose of this Traffic Impact Study (TIS) is to evaluate the proposed traffic generated by the proposed Sandy Hills Family Dairy expansion project located at 15884 CR 10, Morgan County, CO.

## 2.0 Proposed Project

Sandy Hills Family Dairy is requesting an amendment to an existing Special Use Permit (SUP) for the Sandy Hills Family Dairy confinement operations. The request is to increase the livestock to 14,245 animal units, respectively. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.

Type	Number	Animal Unit Equivalent	Total Animal Units
Milking Cows	6,000	1.4	8,400
Dry Cows	1,550	1.0	1,550
Heifers	4,650	0.8	3,720
Calves	2,300	0.25	575
<b>Total</b>	<b>14,500</b>		<b>14,245</b>

Activities will continue to include housing and raising dairy heifers; milking dairy cows; storing and processing feed; storing and maintaining feed equipment; and farming. Supporting infrastructure includes buildings and corrals for livestock husbandry, equipment storage, maintenance facilities, and waste and storm water management control structures. The existing buildings include existing agricultural structures (shops and utility sheds). Fencing will be typical of agricultural facilities and include three or four-strand barbed wire and pipe fencing for the feeding areas and property boundary. Lighting shall comply with the Morgan County Code.

The property is located on parcel nos. 122515000001, 122514000002, and 122514000008, and includes 369.17 acres according to Morgan County Assessor records. The site is located south of County Road Q and is bisected by County Road 10

approximately eight miles southeast of the Town of Fort Morgan. The site is in the A - Agricultural Zone District according to the Morgan County Zoning Map. The property has operated a permitted livestock confinement operation since 1993. Access is currently achieved along County Road 10.

The facility will be operated under applicable local, state, and federal regulations. The facility will also use standard and traditional operating procedures and best management practices consistent for dairy farming. See Figure 1: Vicinity Map and Figure 2: Site Plan.

### 3.0 Trip Generation

Site generated traffic estimates are determined through a process known as trip generation. Rates and equations are applied to the proposed land use to estimate traffic generated by the development during a specific time interval. The acknowledged source for trip generation rates is the *Trip Generation Report* published by the Institute of Transportation Engineers (ITE). The Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition does not provide detailed data on the proposed use. As such, KE was able to estimate the weekday peak hour trip generation for the AM and PM peak hours based upon information provided by the client and project team. The project team provided the trip generation data in Table 1: Trip Generation. The existing facility's total vehicle trips per day is approximately 57 average daily trips (ADT). With the proposed expansion, the Sandy Hills Dairy will conservatively generate a total of approximately 79 average daily trips (ADT). One vehicle visit counts as two daily trips. This trip generation estimate includes: owner/manager; employees; milk trucks; manure trucks; feed trucks; silage trucks; etc. The employee vehicles enter from CR 10. The trucks have entered from CR Q to go to the scale.



Current (Daily)

Employee Vehicles: 35-45  
Manure Trucks: 3-4  
Feed Trucks: 3-4  
Milk Trucks: 3-4

Expansion (Daily)

Employee Vehicles: 50-60  
Manure Trucks: 5-6  
Feed Trucks: 5-6  
Milk Trucks: 5-7

Current Silage: Occurs for an approximately 2-week period in mid-September.  
Silage Trucks: 200-250 daily trips

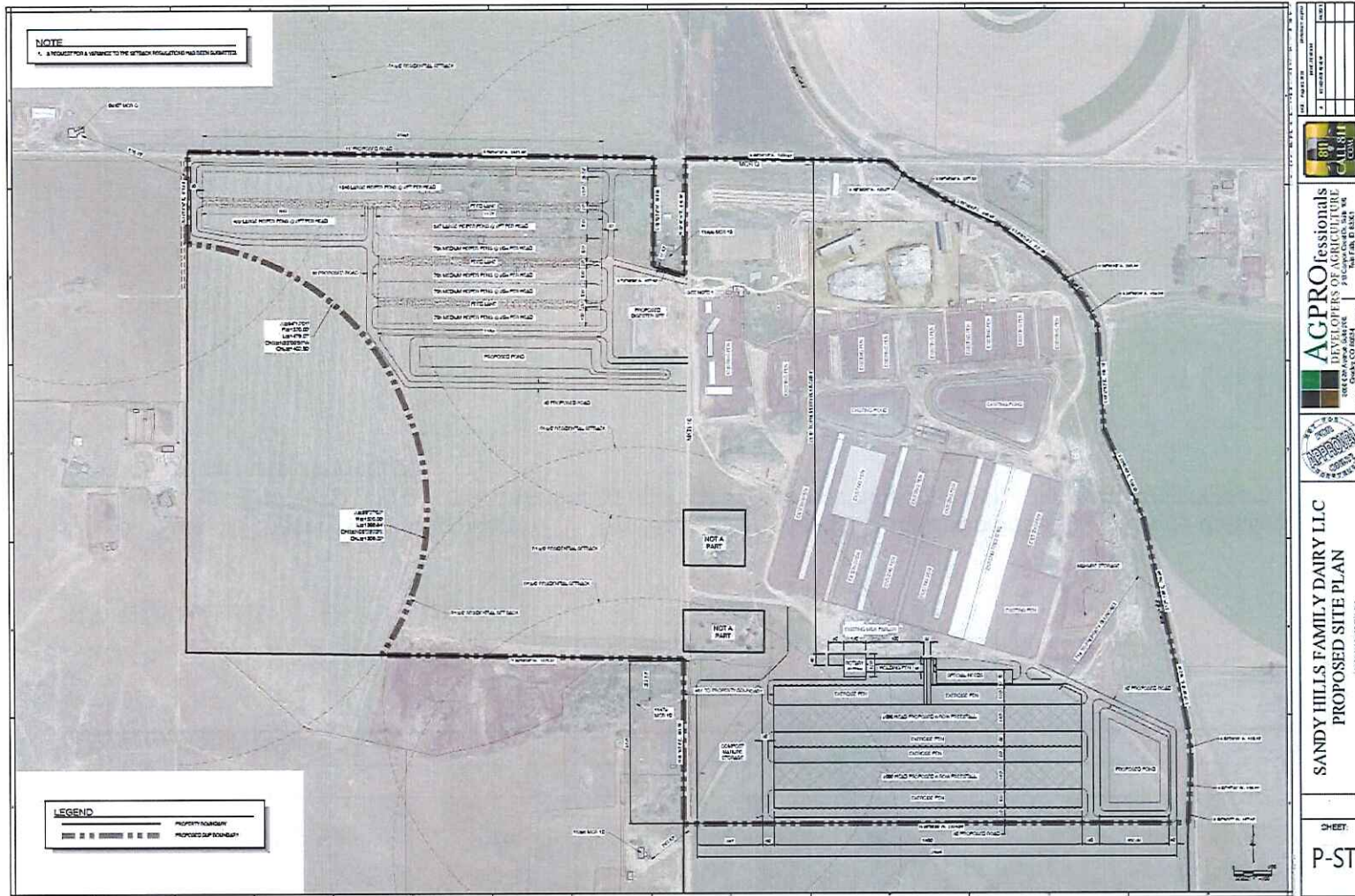
Expansion Silage: Expected to occur for an approximately 2-3 week period in mid-September. Silage Trucks: 200-250 daily trips



Figure 1: Vicinity Map



Figure 2: Site Plan



**Table 1: Trip Generation**

ITE Code	Land Use	Size	Average Daily Trips		AM Peak Hour Trips					PM Peak Hour Trips				
			Rate	Total	Rate	In	Rate	Out	Total	Rate	In	Rate	Out	Total
N/A	Sandy Hills Family Dairy	*	*	79	*	10	*	5	12	*	7	*	7	14

N/A = Not Available

\*

The Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition does not provide detailed data related to the proposed use. Therefore, trip generation is based upon information obtained from the client and project team. See Section 3.0 Trip Generation for more information

Figure 3: Trip Distribution

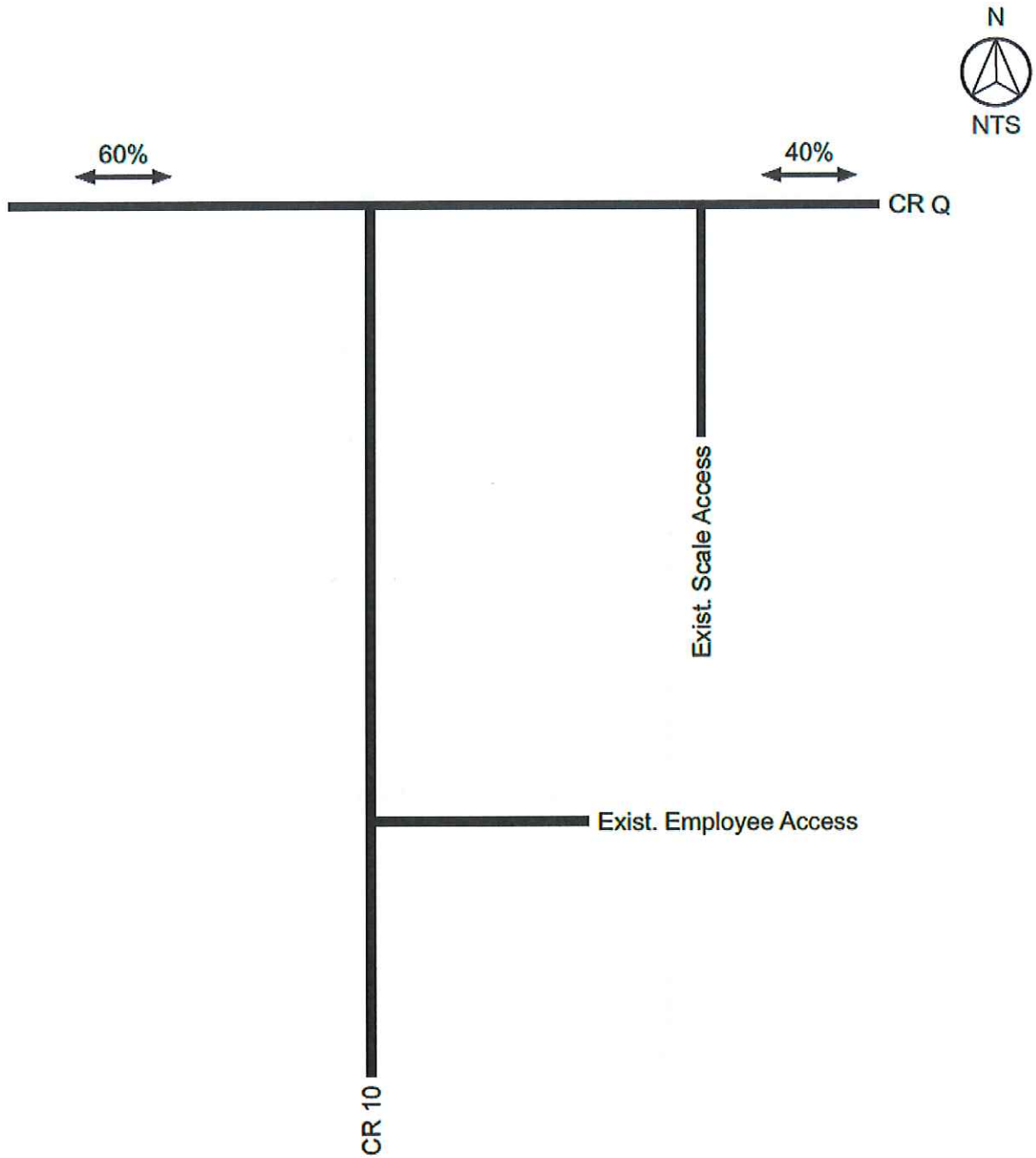


Figure 4: Site Generated Traffic (Existing Facility + Proposed Expansion)

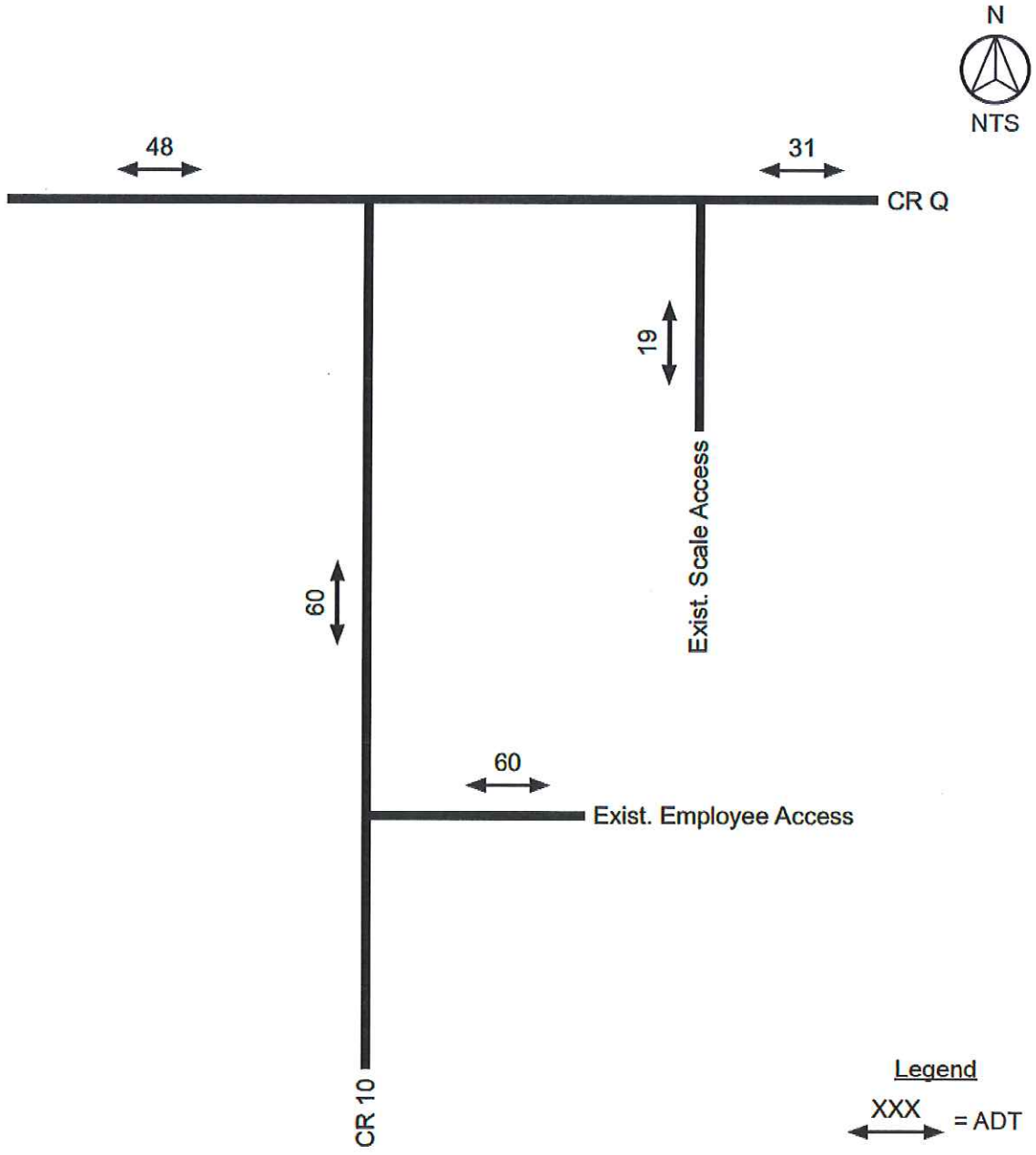


Figure 5: 2025 Background Traffic (Without Dairy)

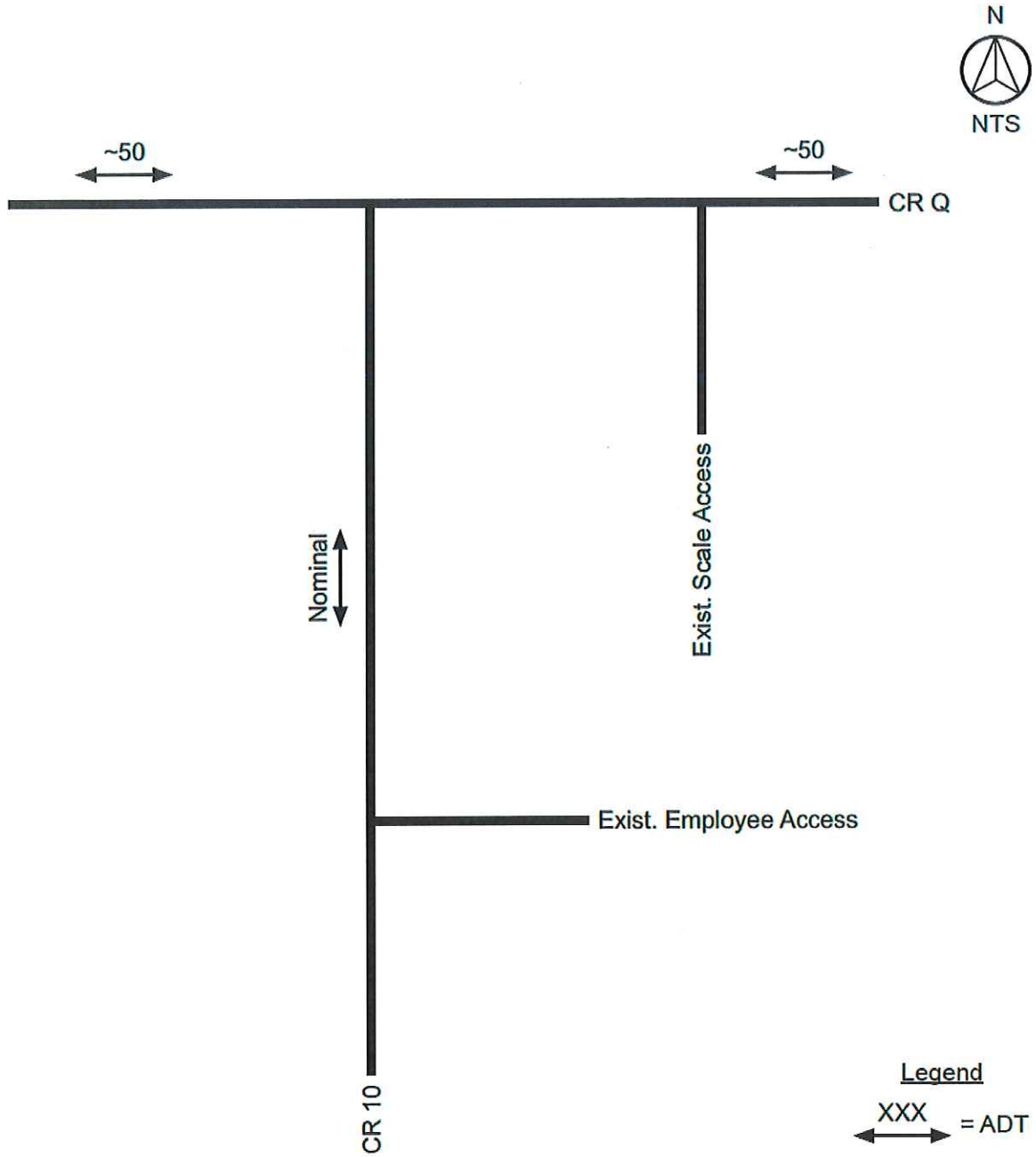


Figure 6: 2025 Project Build-Out Short Range Total Traffic (ADT)

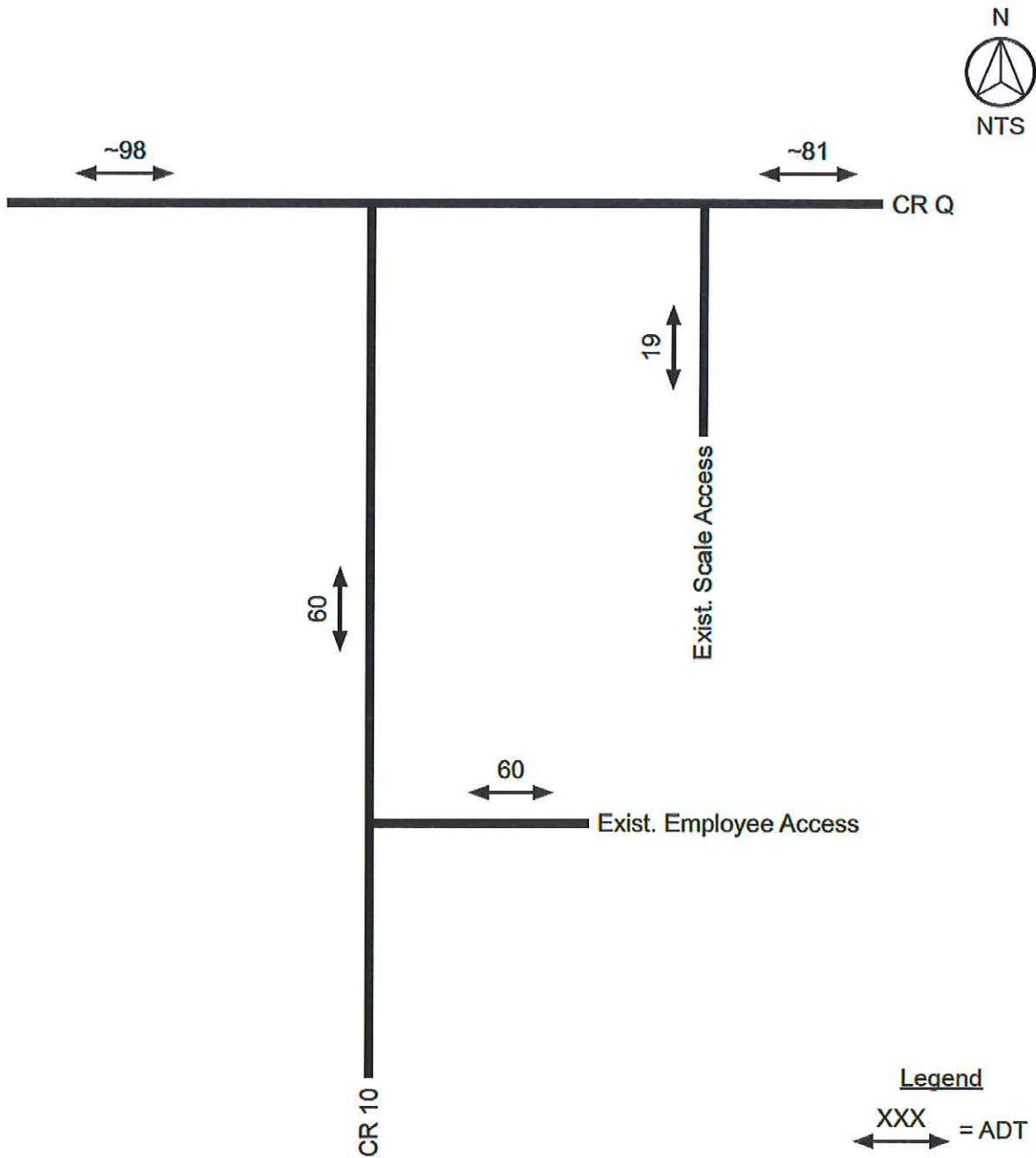






Figure 7: 2025 Project Build-Out Short Range Total AM Peak Hour Traffic

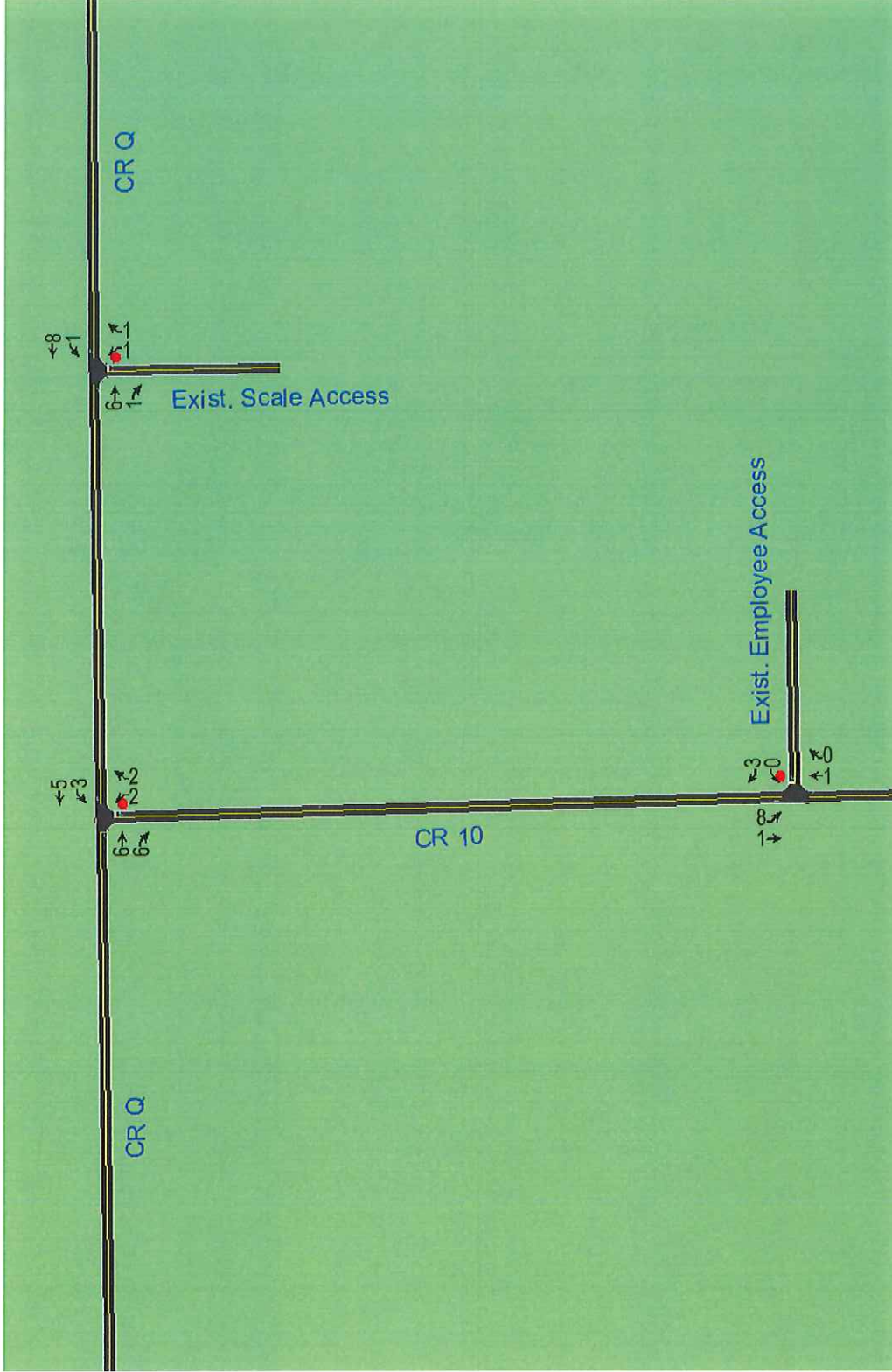
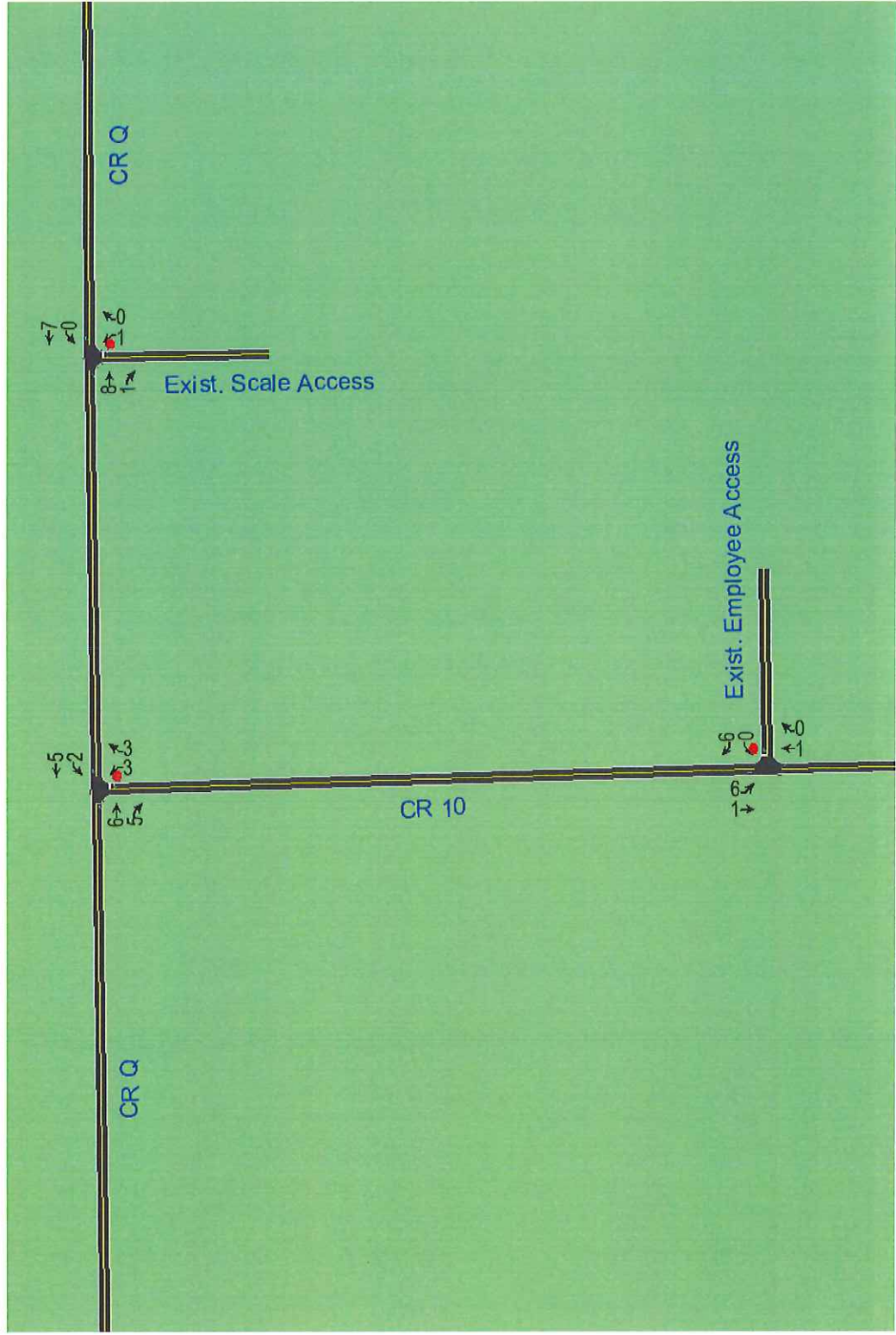




Figure 8: 2025 Project Build-Out Short Range PM Peak Hour Traffic



#### 4.0 Traffic Operation Analysis

KE's analysis of traffic operations in the site vicinity was conducted to determine the capacity at the identified intersections. The acknowledged source for determining overall capacity is the latest edition of the Highway Capacity Manual (HCM).

#### 4.1 Analysis Methodology

Capacity analysis results are listed in terms of level of service (LOS). LOS is a qualitative term describing operating conditions a driver will experience while traveling on a particular street or highway during a specific time interval. LOS ranges from an A (very little delay) to an F (long delays). A description of the level of service (LOS) for signalized and unsignalized intersections from the Highway Capacity Manual (HCM) are provided in Table 2.

#### 4.2 Intersection Operational Analysis

Operational analysis was performed for the short range 2025 horizon. The calculations for this analysis are provided in the Appendix. Using the short range total traffic volumes, the project's study intersections are projected to operate acceptably. See Table 2 for the 2025 Short Range Total Peak Hour Operation.

**Table 2: 2025 Short Range Total Peak Hour Operation**

Intersection	Movement	Level of Service (LOS)	
		AM	PM
		LOS	LOS
CR 10/CR Q	EB Thru/Right	A	A
	EB Approach	A	A
	WB Left/Thru	A	A
	WB Approach	A	A
	NB Left/Right	A	A
	NB Approach	A	A

Intersection	Movement	Level of Service (LOS)	
		AM	PM
		LOS	LOS
CR 10/Employee Access	WB Left/Right	A	A
	WB Approach	A	A
	NB Thru/Right	A	A
	NB Approach	A	A
	SB Left/Thru	A	A
	SB Approach	A	A

Intersection	Movement	Level of Service (LOS)	
		AM	PM
		LOS	LOS
Scale Access/CR Q	EB Thru/Right	A	A
	EB Approach	A	A
	WB Left/Thru	A	A
	WB Approach	A	A
	NB Left/Right	A	A
	NB Approach	A	A

### Level of Service Definitions

Level of Service (LOS)	Signalized Intersection Average Total Delay (sec/veh)	Unsignalized Intersection Average Total Delay (sec/veh)
A	$\leq 10$	$\leq 10$
B	$> 10$ and $\leq 20$	$> 10$ and $\leq 15$
C	$> 20$ and $\leq 35$	$> 15$ and $\leq 25$
D	$> 35$ and $\leq 55$	$> 25$ and $\leq 35$
E	$> 55$ and $\leq 80$	$> 35$ and $\leq 50$
F	$> 80$	$> 50$

## 5.0 Auxiliary Lane Analysis

The auxiliary lane analysis for the study intersections were conducted using CDOT State Highway Access Code (SHAC). Based upon the CDOT SHAC, a left-turn deceleration lane is required at an intersection with a projected peak hour ingress turning volume greater than 10 vph; and a right-turn deceleration lane is required at the intersection with a projected peak hour ingress turning volume greater than 25 vph. Based upon the projected traffic of the development, left-turn or right-turn deceleration lanes (turn lanes) are not required for the project.

## 6.0 Conclusions:

The findings of the Traffic Study are summarized below:

- With the proposed expansion, the Sandy Hills Family Dairy is estimated to generate a total of 79 average daily trips (existing facility + proposed expansion traffic). See Table 1: Trip Generation
- The surrounding road network is appropriate to accommodate the project's traffic.
- The existing intersection controls (two-way stop control) at CR Q and CR 10 should remain.
- Manual traffic control should be implemented to direct silage truck traffic during the 2-3 week period in mid-September. It is recommended that traffic control is provided by law enforcement or certified traffic control technicians (wearing proper PPE).
- The existing roadway condition of CR Q and CR 10 are appropriate to accommodate the Sandy Hills Family Dairy traffic with the proposed expansion.



# APPENDIX

Aerial Image







## Sean Kellar, PE, PTOE

Principal Engineer

---

### Education

B.S., Civil Engineering, Arizona State University – Tempe, AZ

### Registration

Colorado, Professional Engineer (PE)  
Wyoming, Professional Engineer (PE)  
Idaho, Professional Engineer (PE)  
Arizona, Professional Engineer (PE)  
Kansas, Professional Engineer (PE)  
Missouri, Professional Engineer (PE)  
Professional Traffic Operations Engineer (PTOE)

### Professional Memberships

Institute of Transportation Engineers (ITE)

### Industry Tenure

24 Years

---



Sean's wide range of expertise includes: transportation planning, traffic modeling roadway design, bike and pedestrian facilities, traffic impact studies, traffic signal warrant analysis, parking studies, corridor planning and access management. Sean's experience in both the private and public sectors; passion for safety and excellence; and strong communication and collaboration skills can bring great value to any project. Prior to starting Kellar Engineering, Sean was employed at the Missouri Department of Transportation (MoDOT) as the District Traffic Engineer for the Kansas City District. Sean also worked for the City of Loveland, CO for over 10 years as a Senior Civil Engineer supervising a division of transportation/traffic engineers. While at the City of Loveland, Sean managed several capital improvement projects, presented several projects to the City Council and Planning Commission in public hearings, and managed the revisions to the City's Street Standards. Sean is also proficient in Highway Capacity Software, Synchro, PT Vissim, Rodel, GIS, and AutoCAD.

## WORK EXPERIENCE:

**Kellar Engineering**, Principal Engineer/President – January 2016 – Present

**Missouri Department of Transportation**, District Traffic Engineer, Kansas City District – June 2015 – January 2016

**City of Loveland, Colorado**, Senior Civil Engineer, Public Works Department – February 2005 – June 2015

**Kirkham Michael Consulting Engineers**, Project Manager - February 2004 – February 2005

**Dibble and Associates Consulting Engineers**, Project Engineer – August 1999 – February 2004

Intersection						
Int Delay, s/veh	2.4					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	6	6	3	5	2	2
Future Vol, veh/h	6	6	3	5	2	2
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	20	20	20	20	20	20
Mvmt Flow	7	7	3	5	2	2

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	14	0	22
Stage 1	-	-	-	-	11
Stage 2	-	-	-	-	11
Critical Hdwy	-	-	4.3	-	6.6
Critical Hdwy Stg 1	-	-	-	-	5.6
Critical Hdwy Stg 2	-	-	-	-	5.6
Follow-up Hdwy	-	-	2.38	-	3.68
Pot Cap-1 Maneuver	-	-	1494	-	950
Stage 1	-	-	-	-	967
Stage 2	-	-	-	-	967
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1494	-	948
Mov Cap-2 Maneuver	-	-	-	-	948
Stage 1	-	-	-	-	967
Stage 2	-	-	-	-	965

Approach	EB	WB	NB
HCM Control Delay, s	0	2.8	8.7
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	983	-	-	1494	-
HCM Lane V/C Ratio	0.004	-	-	0.002	-
HCM Control Delay (s)	8.7	-	-	7.4	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

2025 Short Range Total AM Peak Hour  
5: CR 10 & Exist. Employee Access

Kellar Engineering LLC  
12/21/2023

Intersection						
Int Delay, s/veh	6.3					
Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations	W	W	T	T	T	T
Traffic Vol, veh/h	0	3	1	0	8	1
Future Vol, veh/h	0	3	1	0	8	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	3	1	0	9	1

Major/Minor	Minor1	Major1	Major2	Major3	Major4
Conflicting Flow All	20	1	0	0	1
Stage 1	1	-	-	-	-
Stage 2	19	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12
Critical Hdwy Stg 1	5.42	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-
Follow-up Hdwy	3.518	3.318	-	-	2.218
Pot Cap-1 Maneuver	997	1084	-	-	1622
Stage 1	1022	-	-	-	-
Stage 2	1004	-	-	-	-
Platoon blocked, %			-	-	-
Mov Cap-1 Maneuver	991	1084	-	-	1622
Mov Cap-2 Maneuver	991	-	-	-	-
Stage 1	1022	-	-	-	-
Stage 2	998	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	8.3	0	6.4
HCM LOS	A		

Minor Lane/Major Mvmt	NBT	NBRWBLn1	SBL	SBT
Capacity (veh/h)	-	-	1084	1622
HCM Lane V/C Ratio	-	-	0.003	0.005
HCM Control Delay (s)	-	-	8.3	7.2
HCM Lane LOS	-	-	A	A
HCM 95th %tile Q(veh)	-	-	0	0

Intersection						
Int Delay, s/veh	1.3					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	6	1	1	8	1	1
Future Vol, veh/h	6	1	1	8	1	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	7	1	1	9	1	1

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	8	0	19
Stage 1	-	-	-	-	8
Stage 2	-	-	-	-	11
Critical Hdwy	-	-	4.12	-	6.42
Critical Hdwy Stg 1	-	-	-	-	5.42
Critical Hdwy Stg 2	-	-	-	-	5.42
Follow-up Hdwy	-	-	2.218	-	3.518
Pot Cap-1 Maneuver	-	-	1612	-	998
Stage 1	-	-	-	-	1015
Stage 2	-	-	-	-	1012
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1612	-	997
Mov Cap-2 Maneuver	-	-	-	-	997
Stage 1	-	-	-	-	1015
Stage 2	-	-	-	-	1011

Approach	EB	WB	NB
HCM Control Delay, s	0	0.8	8.5
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1034	-	-	1612	-
HCM Lane V/C Ratio	0.002	-	-	0.001	-
HCM Control Delay (s)	8.5	-	-	7.2	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

Intersection						
Int Delay, s/veh	2.8					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↶			↷	↶	↷
Traffic Vol, veh/h	6	5	2	5	3	3
Future Vol, veh/h	6	5	2	5	3	3
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	20	20	20	20	20	20
Mvmt Flow	7	5	2	5	3	3

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	12	0	19
Stage 1	-	-	-	-	10
Stage 2	-	-	-	-	9
Critical Hdwy	-	-	4.3	-	6.6
Critical Hdwy Stg 1	-	-	-	-	5.6
Critical Hdwy Stg 2	-	-	-	-	5.6
Follow-up Hdwy	-	-	2.38	-	3.68
Pot Cap-1 Maneuver	-	-	1497	-	954
Stage 1	-	-	-	-	968
Stage 2	-	-	-	-	969
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1497	-	953
Mov Cap-2 Maneuver	-	-	-	-	953
Stage 1	-	-	-	-	968
Stage 2	-	-	-	-	968

Approach	EB	WB	NB
HCM Control Delay, s	0	2.1	8.7
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	986	-	-	1497	-
HCM Lane V/C Ratio	0.007	-	-	0.001	-
HCM Control Delay (s)	8.7	-	-	7.4	0
HCM Lane LOS	A	-	-	A	A
HCM 95th %tile Q(veh)	0	-	-	0	-

2025 Short Range Total PM Peak Hour  
5: CR 10 & Exist. Employee Access

Kellar Engineering LLC  
12/21/2023

**Intersection**

Int Delay, s/veh	6.7					
<b>Movement</b>	<b>WBL</b>	<b>WBR</b>	<b>NBT</b>	<b>NBR</b>	<b>SBL</b>	<b>SBT</b>
Lane Configurations	W	R	T	R	L	T
Traffic Vol, veh/h	0	6	1	0	6	1
Future Vol, veh/h	0	6	1	0	6	1
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	7	1	0	7	1

**Major/Minor**

<b>Major/Minor</b>	<b>Minor1</b>	<b>Major1</b>	<b>Major2</b>			
Conflicting Flow All	16	1	0	0	1	0
Stage 1	1	-	-	-	-	-
Stage 2	15	-	-	-	-	-
Critical Hdwy	6.42	6.22	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3,518	3,318	-	-	2,218	-
Pot Cap-1 Maneuver	1002	1084	-	-	1622	-
Stage 1	1022	-	-	-	-	-
Stage 2	1008	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	998	1084	-	-	1622	-
Mov Cap-2 Maneuver	998	-	-	-	-	-
Stage 1	1022	-	-	-	-	-
Stage 2	1004	-	-	-	-	-

**Approach**

<b>Approach</b>	<b>WB</b>	<b>NB</b>	<b>SB</b>
HCM Control Delay, s	8.3	0	6.2
HCM LOS	A		

**Minor Lane/Major Mvmt**

<b>Minor Lane/Major Mvmt</b>	<b>NBT</b>	<b>NBRWBLn1</b>	<b>SBL</b>	<b>SBT</b>
Capacity (veh/h)	-	-	1084	1622
HCM Lane V/C Ratio	-	-	0.006	0.004
HCM Control Delay (s)	-	-	8.3	7.2
HCM Lane LOS	-	-	A	A
HCM 95th %tile Q(veh)	-	-	0	0

Intersection						
Int Delay, s/veh	0.5					
Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations	↔			↔	↔	
Traffic Vol, veh/h	8	1	0	7	1	0
Future Vol, veh/h	8	1	0	7	1	0
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	9	1	0	8	1	0

Major/Minor	Major1	Major2	Minor1	Minor2	Minor3
Conflicting Flow All	0	0	10	0	18
Stage 1	-	-	-	-	10
Stage 2	-	-	-	-	8
Critical Hdwy	-	-	4.12	-	6.42
Critical Hdwy Stg 1	-	-	-	-	5.42
Critical Hdwy Stg 2	-	-	-	-	5.42
Follow-up Hdwy	-	-	2.218	-	3.518
Pot Cap-1 Maneuver	-	-	1610	-	1000
Stage 1	-	-	-	-	1013
Stage 2	-	-	-	-	1015
Platoon blocked, %	-	-	-	-	-
Mov Cap-1 Maneuver	-	-	1610	-	1000
Mov Cap-2 Maneuver	-	-	-	-	1000
Stage 1	-	-	-	-	1013
Stage 2	-	-	-	-	1015

Approach	EB	WB	NB
HCM Control Delay, s	0	0	8.6
HCM LOS			A

Minor Lane/Major Mvmt	NBLn1	EBT	EBR	WBL	WBT
Capacity (veh/h)	1000	-	-	1610	-
HCM Lane V/C Ratio	0.001	-	-	-	-
HCM Control Delay (s)	8.6	-	-	0	-
HCM Lane LOS	A	-	-	A	-
HCM 95th %tile Q(veh)	0	-	-	0	-

# **Sandy Hills Family Dairy, LLC**

## **Morgan County, CO**

### **Preliminary Environmental System Design**

*Prepared by:*



**ENGINEERING, PLANNING, CONSULTING & REAL ESTATE**  
*HQ & Mailing:* 3050 67<sup>th</sup> Avenue, Suite 200, Greeley, CO 80634 | 970-535-9318 | office 970-535-9854 fax  
*Idaho:* 213 Canyon Crest Drive, Suite 100, Twin Falls, ID 83301 208-595-5301 [www.agpros.com](http://www.agpros.com)

June 8, 2023



## ***Summary***

This analysis covers the preliminary design recommendations for a waste management system for the amendment to the Sandy Hills Family Dairy, LLC existing SUP in Morgan County, Colorado. The facility is a Confined Animal Feeding Operation (CAFO) sized facility. Therefore, the facility is subject to the Colorado Department of Public Health and Environment (CDPHE) Regulations 61 and 81. This preliminary report is intended to show that the amendment should still be able to meet the requirements set forth in the regulations.

## ***Project Description***

The site is in eastern Morgan County, approximately six miles east of the Town of Wiggins, CO. The legal description of the overall site is located in parts of Sections 14, 15, and 23, Township 3 North, Range 59 West of the 6<sup>th</sup> PM. The dairy facility proposes an expansion to house 14,500 head of cattle (14,245 animal units). The new site will expand into 117 acres of currently cropped fields and an abandoned barnyard. The facility is proposing the design of two new containment areas, one to the west and another to the south of the existing site that will only receive runoff from the proposed pens. The existing containment areas will not be expanded or changed.

## ***Design Objectives***

The amendment to the existing waste management plan for the Sandy Hills Family Dairy, LLC facility will consist of constructing new heifer rearing pens with an associated wastewater impoundment, milk cow freestalls with exercise yards, a milk parlor, and wastewater impoundments, with an area reserved for a potential anaerobic digester. Pens will be constructed of typical pipe or pipe and cable fencing. Water will be applied to the cropped fields at agronomic rates as a fertilizer according to a Nutrient Management Plan (NMP) that will meet state requirements.

## ***Hydrology and Hydraulics***

This waste management system is designed to contain the 25-year 24-hour storm event as required by CDPHE. The required capacity was determined using the spreadsheet 313Pond.XLS "RECTANGULAR WASTE STORAGE POND DESIGN COMPUTATIONS" developed by Natural Resources Conservation Service (NRCS) State Conservation Engineer for Colorado, John Andrews. The spreadsheet uses a monthly balance approach accounting for precipitation inputs as well as evaporation and pumped drawdowns during the summer irrigation season for the outputs.

The contaminated water from the new facilities will be contained in the proposed storage ponds. The pens will be designed to flow to the proposed ponds. All precipitation that

does not fall directly on contaminated areas will be diverted away from the containment area.

The design storm is the 25-year, 24-hour event and corresponds to 3.4 inches of rainfall for Fort Morgan, CO. With a NRCS curve number of 90, the runoff yield is 2.35 inches. The total design storm volume for the new facilities will be 26 acre-feet. The precipitation on the top of the pond is accounted for and was added into the above total storage requirements along with the volume to account for runoff from the daily precipitation events. The system is designed to transfer the runoff to existing land application sites.

### **Storage Ponds**

The proposed storage ponds will be lined with either compacted clay liners or synthetic liners to meet CDPHE regulations. The proposed ponds will have a minimum of 60 acre-feet of capacity. A means to minimize erosion at the inlets will be installed on the banks of the ponds wherever a delivery pipe is located. The proposed site will be graded to ensure stormwater runoff from the new pens will flow to the proposed ponds. The ponds will hold the estimated design volume plus two feet of freeboard.

### **Dewatering**

The proposed ponds will be dewatered to ensure proper volume availability for the design storm event. In addition to the facility's land application sites, the ponds may be dewatered and given to adjacent property owners as needed.

### **Land Application**

State and local regulations require that an animal feeding operation land apply wastewater generated at the facility at agronomic rates (the rate which provides enough nutrients to meet crop demand without applying excessive amounts of nutrients).

The dairy will need to land apply approximately 20 acre-feet of wastewater yearly from the new facilities. This number was determined by considering average monthly precipitation values from local weather data, average monthly lake-evaporation data from local weather data, the dairy production area, runoff percentage from NRCS National Engineering Handbook, and trial-and-error pumping amounts to maintain capacity in excess of a 25-year, 24-hour storm event.

The table below shows the land necessary to utilize the nutrients from an average year's pumping.

Land Application Requirements for Average Years' Stormwater & Process Water - Sprinkler Applied				
Maximum pumping requirement ( 20.0 A.F.), gallons	6,516,576			
Total Nitrogen contained in liquid, lbs.	26,066	**Total-N =	4.0 lbs./1,000 gal	
Ammonium-Nitrogen contained in liquid, lbs.	13,033	**NH3-N =	2.0 lbs./1,000 gal	
Organic-Nitrogen contained in liquid, lbs.	13,033	Organic-N =	2.0 lbs./1,000 gal	
Ammonium-Nitrogen available after irrigation, lbs.	7,168		45.0% Sprinkler-Irrigation loss**	
Organic-Nitrogen available 3rd year, lbs.	6,126		47% Equilibrium mineralization rate for organic-N**	
Nitrogen available to plants (PAN) yr. after yr., lbs.	13,294			
Soil Organic Matter, %	1.0			
Irrigation Water NO <sub>3</sub> content, ppm	5.0			
Residual soil NO <sub>3</sub> (2 ft), ppm	14.0	Alfalfa	Corn Silage	
Expected Yield (grain, Bu/acre; silage, tons/acre)		6	26	Based on CSU Extension
N req. w/ listed O.M., soil N, & Irr. Water NO <sub>3</sub> , (lb./acre)		220	132	Bulletin #538 & #0.565
Acres req. if effluent applied via sprinkler irrigation		60	101	
*MWPS-18 Section 1				
**Taken from CSU's Bulletin No. 568A <i>Best Management Practices for Manure Utilization</i>				

The above table utilizes a three-year average value from the feedyard. The facility needs an additional 60 acres of alfalfa, or 101 acres of corn silage, to utilize nutrients in the wastewater produced each year for the expansion.

Below is a table showing the land necessary to utilize nutrients from the runoff generated during a 25-year, 24-hour storm event. To dewater the 26 acre-feet of wastewater generated in a 25-year, 24-hour storm event, and land apply at agronomic rates, an additional 79 acres of alfalfa or 138 acres of corn silage are required.

Land Application Requirements for Average Years' Stormwater & Process Water - Sprinkler Applied				
Maximum pumping requirement ( 20.0 A.F.), gallons	6,516,576			
Total Nitrogen contained in liquid, lbs.	26,066	**Total-N =	4.0 lbs./1,000 gal	
Ammonium-Nitrogen contained in liquid, lbs.	13,033	**NH3-N =	2.0 lbs./1,000 gal	
Organic-Nitrogen contained in liquid, lbs.	13,033	Organic-N =	2.0 lbs./1,000 gal	
Ammonium-Nitrogen available after irrigation, lbs.	7,168		45.0% Sprinkler-Irrigation loss**	
Organic-Nitrogen available 3rd year, lbs.	6,126		47% Equilibrium mineralization rate for organic-N**	
Nitrogen available to plants (PAN) yr. after yr., lbs.	13,294			
Soil Organic Matter, %	1.0			
Irrigation Water NO <sub>3</sub> content, ppm	5.0			
Residual soil NO <sub>3</sub> (2 ft), ppm	14.0	Alfalfa	Corn Silage	
Expected Yield (grain, Bu/acre; silage, tons/acre)		6	26	Based on CSU Extension
N req. w/ listed O.M., soil N, & Irr. Water NO <sub>3</sub> , (lb./acre)		220	132	Bulletin #538 & #0.565
Acres req. if effluent applied via sprinkler irrigation		60	101	
*MWPS-18 Section 1				
**Taken from CSU's Bulletin No. 568A <i>Best Management Practices for Manure Utilization</i>				

Land application calculations use organic nitrogen mineralization and residual accumulation values typical when wastewater application occurs on the same fields every year.

As indicated in the table below, the expanded facility will house an average of 14,500 head and will generate 67,400 tons of manure annually (as hauled). Solid manure will be given away to area farmers for beneficial use by their crops or sold and turned into a renewable resource.

Table 4: Solid Manure Produced and Associated Nutrients											
ASAE D384.1 - Dec 2001				Moisture	Manure	Manure	TS	VS	Nitrogen	Prosporus	Potassium
Animal Type	Number of Hd	Wt./hd. lbs.	Total Wt., lbs.	(%)	(lbs. / day / 1000#)	(ft <sup>3</sup> / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)
Milk Cows	6,000	1,400	8,400,000	86.0	86.0	1.40	12.0	10.0	0.45	0.024	0.29
Dry Cows	1,550	1,400	2,170,000	86.0	86.0	1.40	12.0	10.0	0.45	0.024	0.29
Springers		1,000	-	86.0	86.0	1.40	12.0	10.0	0.45	0.024	0.29
Heifers	4,650	800	3,720,000	86.0	86.0	1.40	12.0	10.0	0.45	0.024	0.29
Calves	2,300	250	575,000	86.0	86.0	1.40	12.0	10.0	0.45	0.024	0.29
Totals	14,500		14,865,000								
			Total Daily Production		1,278,390	20,811	178,360	148,650	6,689	1,397	4,311
			Total Annual Production		468,612,350	7,595,015	65,108,700	54,257,260	2,441,576	510,018	1,573,480
			Manure produced w/ moisture content of	82.7%	233,308	tons					
			Manure as hauled w/ moisture content of	48.0%	74,859	tons					
			Compost produced w/ moisture content of	40.0%	67,373	tons					

## Conclusions

The proposed waste management system design for the expansion of Sandy Hills Family Dairy, LLC has been designed in accordance with current CDPHE regulations, Morgan County requirements, and current industry standards. The system has been designed to adequately convey, store, and land apply the expected runoff from normal precipitation events as well as the 25-year, 24-hour design storm. The design is preliminary in nature and subject to change as a result of the planning, permitting, and final design process.

*Insert 313 here*

### ***Basic Data and Drawings***

- Aerial view
- Topographic map
- Soils map
- Soil survey engineering properties
- Proposed drawing

**RECTANGULAR WASTE STORAGE POND DESIGN COMPUTATIONS**

**Project Name:** Sandy Hills Dairy

**Computed By:** AGPro, RP

**Checked By:**

**Location:** East Side Ponds in Series with Pump, Proposed CAFO Ponds for SUP

**Date:** 6/8/2023

**Date:**

**Climate Station:** Fort Morgan, ave. year

BASIC DATA		POND DESIGN VOLUME		RECTANGULAR STORAGE POND DESIGN DIMENSIONS			
Solids & Slurry Inflow :	0 cu. ft. /day	Max Working Storage:	16.70 Acre-ft	<b>VOLUMES OVERRITTEN WITH ACTUAL FROM (INSERT DATE) AS-BUILT SURVEY</b>			
Other Liquid Waste Inflow:	14140 gal. /day	Design Storm Runoff:	13.32 Acre-ft				
Contributing Roof Area:	504,116 sq. ft.	Design Requirement:	30.03 Acre-ft	Freeboard:	0.0 ft.	Design Surface Area:	293,784 sq. ft.
Contributing Paved Lot Area:	0 sq. ft., CN = 97	Available Storage:	112% of design	Inside Slope:	4 H:1V	Available Storage Volume:	34 Acre-ft
Contributing Earth Lot Area:	41 Acres, CN = 90	Storage Safety Factor:	1.6	Evaporation Area:	278,000 sq.ft.	Freeboard Volume:	13 Acre-ft
25yr-24hr Precipitation Depth:	3.40 inches	(w/ freeboard)		Seepage Rate:	0.000 inches/day	Total Volume:	47 Acre-ft
10yr-10day Precipitation Depth:	3.86 inches			Seepage Area:	287804 sq.ft.		
Annual FWS Evaporation:	48 inches						

AVERAGE ANNUAL MASS BALANCE FOR ESTIMATING MAXIMUM WORKING STORAGE REQUIREMENTS																		
Month	MONTHLY POND INFLOW											MONTHLY POND OUTFLOW				WORKING STORAGE		
	Monthly Contribution to Working Storage from Precipitation											Surface Evaporation	Seepage Loss	Planned Drawdown	Total Outflow	Monthly In - Out	Accumulated Storage	
	Precip. (inches)	Earth Lot Runoff (inches) (Acre-ft)		Paved Lot Runoff (inches) (Acre-ft)		Roof Runoff (inches) (Acre-ft)		On Pond (Acre-ft)	Solids (Acre-ft)	Liquids (Acre-ft)	Total Inflow (Acre-ft)							
Jan.	0.23	0.05	0.18	0.01	0.0000	0.09	0.0878	0.1293	0.0000	1.3435	1.74	1.44	0.7658	0.0000	0.00	0.77	0.97	15.06
Feb.	0.17	0.07	0.25	0.00	0.0000	0.05	0.0483	0.0955	0.0000	1.3002	1.69	1.68	0.8935	0.0000	0.00	0.89	0.80	15.86
Mar.	0.71	0.00	0.01	0.23	0.0000	0.51	0.4945	0.3990	0.0000	1.3435	2.25	2.64	1.4040	0.0000	0.00	1.40	0.85	16.70
Apr.	1.20	0.10	0.35	0.59	0.0000	0.99	0.9506	0.6744	0.0000	1.3002	3.28	4.32	2.2975	0.0000	3.77	6.06	-2.79	13.92
May	2.63	0.83	2.85	1.88	0.0000	2.40	2.3146	1.4781	0.0000	1.3435	7.99	5.76	3.0634	0.0000	3.77	6.83	1.16	15.08
June	2.15	0.53	1.84	1.43	0.0000	1.92	1.8547	1.2084	0.0000	1.3002	6.20	6.96	3.7016	0.0000	3.77	7.47	-1.26	13.82
July	1.80	0.35	1.20	1.11	0.0000	1.58	1.5202	1.0117	0.0000	1.3435	5.07	7.20	3.8292	0.0000	3.77	7.59	-2.52	11.30
Aug.	1.49	0.21	0.71	0.84	0.0000	1.27	1.2251	0.8374	0.0000	1.3435	4.12	6.48	3.4463	0.0000	0.00	3.45	0.67	11.97
Sep.	1.13	0.08	0.28	0.54	0.0000	0.92	0.8847	0.6351	0.0000	1.3002	3.10	4.80	2.5528	0.0000	0.00	2.55	0.55	12.52
Oct.	0.66	0.00	0.00	0.20	0.0000	0.47	0.4491	0.3709	0.0000	1.3435	2.17	3.36	1.7870	0.0000	0.00	1.79	0.38	12.90
Nov.	0.38	0.02	0.06	0.05	0.0000	0.21	0.2042	0.2136	0.0000	1.3002	1.78	1.92	1.0211	0.0000	0.00	1.02	0.75	13.65
Dec.	0.27	0.04	0.14	0.01	0.0000	0.12	0.1169	0.1517	0.0000	1.3435	1.75	1.44	0.7658	0.0000	0.00	0.77	0.98	14.64
<b>Totals:</b>	<b>12.82</b>	<b>2.28</b>	<b>7.88</b>	<b>6.87</b>	<b>0.00</b>	<b>10.53</b>	<b>10.15</b>	<b>7.21</b>	<b>0.00</b>	<b>15.91</b>	<b>41.14</b>	<b>48.00</b>	<b>25.53</b>	<b>0.00</b>	<b>15.06</b>	<b>40.59</b>		

RAINFALL AND RUNOFF ESTIMATION FOR WASTE STORAGE POND DESIGN				
	Earth Areas	Paved Areas	Roofed Areas	Pond Surface
<b>25yr-24hr Storm Event</b>				
1 day Curve Numbers:	90	97	100	100 %
25yr-24hr Rainfall:	3.40 inches	3.40 inches	3.40 inches	3.40 inches
25yr-24hr Runoff:	2.35 inches	3.06 inches	3.40 inches	3.40 inches
Runoff Volume:	8.13 Acre-ft	0.00 Acre-ft	3.28 Acre-ft	1.91 Acre-ft
<b>Total 24hr-25yr Event Runoff Volume: 13.32 Acre-ft</b>				
<b>Chronic Storm (10 day event)</b>				
10 day Curve Numbers:	81	94	100	100 %
10yr-10day Rainfall:	3.9 inches	3.9 inches	3.9 inches	3.86 inches
10yr-10day Runoff:	1.98 inches	3.20 inches	3.86 inches	3.86 inches
Runoff Volume:	6.85 Acre-ft	0.00 Acre-ft	3.72 Acre-ft	2.17 Acre-ft
<b>Total 10yr-10day Event Runoff Volume: 12.74 Acre-ft</b>				
<b>Average Monthly Runoff Contribution to Working Storage</b>				
30 day Curve Numbers:	77	93	98	100 %
Monthly Runoff:	(see computations in monthly mass balance table above)			
Average Annual Rainfall:	12.8 inches	12.8 inches	12.8 inches	12.8 inches
Average Annual Runoff:	2.28 inches	6.87 inches	10.53 inches	12.82 inches
Runoff as % of Rainfall:	18%	54%	82%	100.0%

**RECTANGULAR WASTE STORAGE POND DESIGN COMPUTATIONS**

**Project Name:** Sandy Hills Dairy  
**Location:** West Side Pond Proposed CAFO Pond for SUP

**Computed By:** RP  
**Date:** 6/8/2023

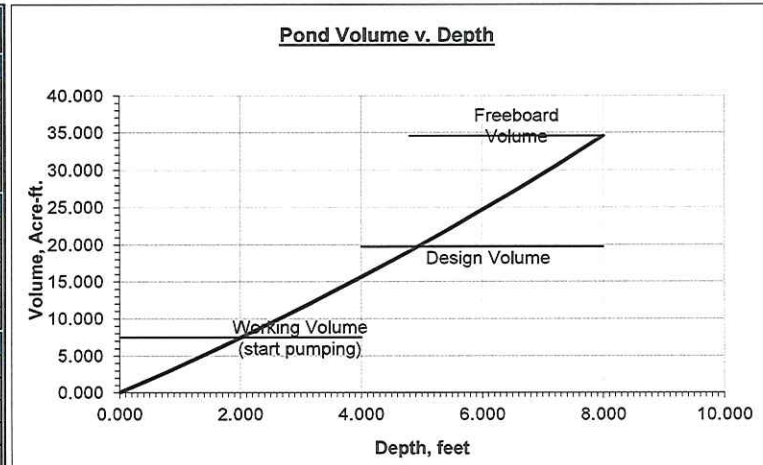
**Checked By:** Reviewer Initials  
**Date:**

**Climate Station:** Fort Morgan, ave. year

BASIC DATA		POND DESIGN VOLUME		RECTANGULAR STORAGE POND DESIGN DIMENSIONS			
Solids & Slurry Inflow :	0 cu. ft. /day	Max Working Storage:	7.50 Acre-ft	Bottom Width:	175 ft.	Inside Top Width:	239 ft.
Other Liquid Waste Inflow:	0 gal. /day	Design Storm Runoff:	12.22 Acre-ft	Bottom Length:	875 ft.	Inside Top Length:	939 ft.
Contributing Roof Area:	5,593 sq. ft.	Design Requirement:	19.73 Acre-ft	Design Depth:	6.0 ft.	Total Depth:	8 ft.
Contributing Paved Lot Area:	408,857 sq. ft., CN = 97	Available Storage:	125% of design	Freeboard:	2.0 ft.	Design Surface Area:	224,421 sq. ft.
Contributing Earth Lot Area:	43 Acres, CN = 90	Storage Safety Factor:	1.8	Inside Slope:	4 H:1V	Available Storage Volume:	24.67 Acre-ft
25yr-24hr Precipitation Depth:	3.40 inches	(w/ freeboard)		Evaporation Area:	153,125 sq.ft.	Freeboard Volume:	9.88 Acre-ft
10yr-10day Precipitation Depth:	3.86 inches			Seepage Rate:	0.000 inches/day	Total Volume:	34.54 Acre-ft
Annual FWS Evaporation:	48 inches			Seepage Area:	159473 sq.ft.		

AVERAGE ANNUAL MASS BALANCE FOR ESTIMATING MAXIMUM WORKING STORAGE REQUIREMENTS																			
Month	MONTHLY POND INFLOW											MONTHLY POND OUTFLOW					WORKING STORAGE		
	Monthly Contribution to Working Storage from Precipitation								Waste Inflow			Total Inflow	Surface Evaporation		Seepage Loss	Planned Drawdown	Total Outflow	Monthly In - Out	Accumulated Storage
	Precip. (inches)	Earth Lot Runoff (inches)	Paved Lot Runoff (Acre-ft)	Roof Runoff (inches)	On Pond (Acre-ft)	Solids (Acre-ft)	Liquids (Acre-ft)	(Acre-ft)	(inches)	(Acre-ft)	(Acre-ft)		(inches)	(Acre-ft)					
Jan.	0.23	0.05	0.18	0.01	0.0048	0.09	0.0010	0.0987	0.0000	0.0000	0.29	1.44	0.4218	0.0000	0.00	0.42	-0.14	6.00	
Feb.	0.17	0.07	0.25	0.00	0.0002	0.05	0.0005	0.0730	0.0000	0.0000	0.32	1.68	0.4921	0.0000	0.00	0.49	-0.17	5.83	
Mar.	0.71	0.00	0.02	0.23	0.1782	0.51	0.0055	0.3048	0.0000	0.0000	0.50	2.64	0.7734	0.0000	0.00	0.77	-0.27	5.56	
Apr.	1.20	0.10	0.36	0.59	0.4645	0.99	0.0105	0.5152	0.0000	0.0000	1.35	4.32	1.2655	0.0000	0.00	1.27	0.09	5.65	
May	2.63	0.83	2.92	1.88	1.4667	2.40	0.0257	1.1291	0.0000	0.0000	5.55	5.76	1.6873	0.0000	2.00	3.69	1.86	7.50	
June	2.15	0.53	1.89	1.43	1.1169	1.92	0.0206	0.9231	0.0000	0.0000	3.95	6.96	2.0389	0.0000	2.00	4.04	-0.09	7.41	
July	1.80	0.35	1.23	1.11	0.8683	1.58	0.0169	0.7728	0.0000	0.0000	2.89	7.20	2.1092	0.0000	1.00	3.11	-0.23	7.19	
Aug.	1.49	0.21	0.73	0.84	0.6550	1.27	0.0136	0.6397	0.0000	0.0000	2.04	6.48	1.8982	0.0000	0.00	1.90	0.14	7.33	
Sep.	1.13	0.08	0.29	0.54	0.4203	0.92	0.0098	0.4851	0.0000	0.0000	1.20	4.80	1.4061	0.0000	0.00	1.41	-0.20	7.13	
Oct.	0.66	0.00	0.00	0.20	0.1531	0.47	0.0050	0.2834	0.0000	0.0000	0.45	3.36	0.9843	0.0000	0.00	0.98	-0.54	6.59	
Nov.	0.38	0.02	0.06	0.05	0.0383	0.21	0.0023	0.1631	0.0000	0.0000	0.26	1.92	0.5624	0.0000	0.00	0.56	-0.30	6.29	
Dec.	0.27	0.04	0.14	0.01	0.0110	0.12	0.0013	0.1159	0.0000	0.0000	0.27	1.44	0.4218	0.0000	0.00	0.42	-0.15	6.14	
<b>Totals:</b>	<b>12.82</b>	<b>2.28</b>	<b>8.08</b>	<b>6.87</b>	<b>5.38</b>	<b>10.53</b>	<b>0.11</b>	<b>5.50</b>	<b>0.00</b>	<b>0.00</b>	<b>19.07</b>	<b>48.00</b>	<b>14.06</b>	<b>0.00</b>	<b>5.01</b>	<b>19.07</b>			

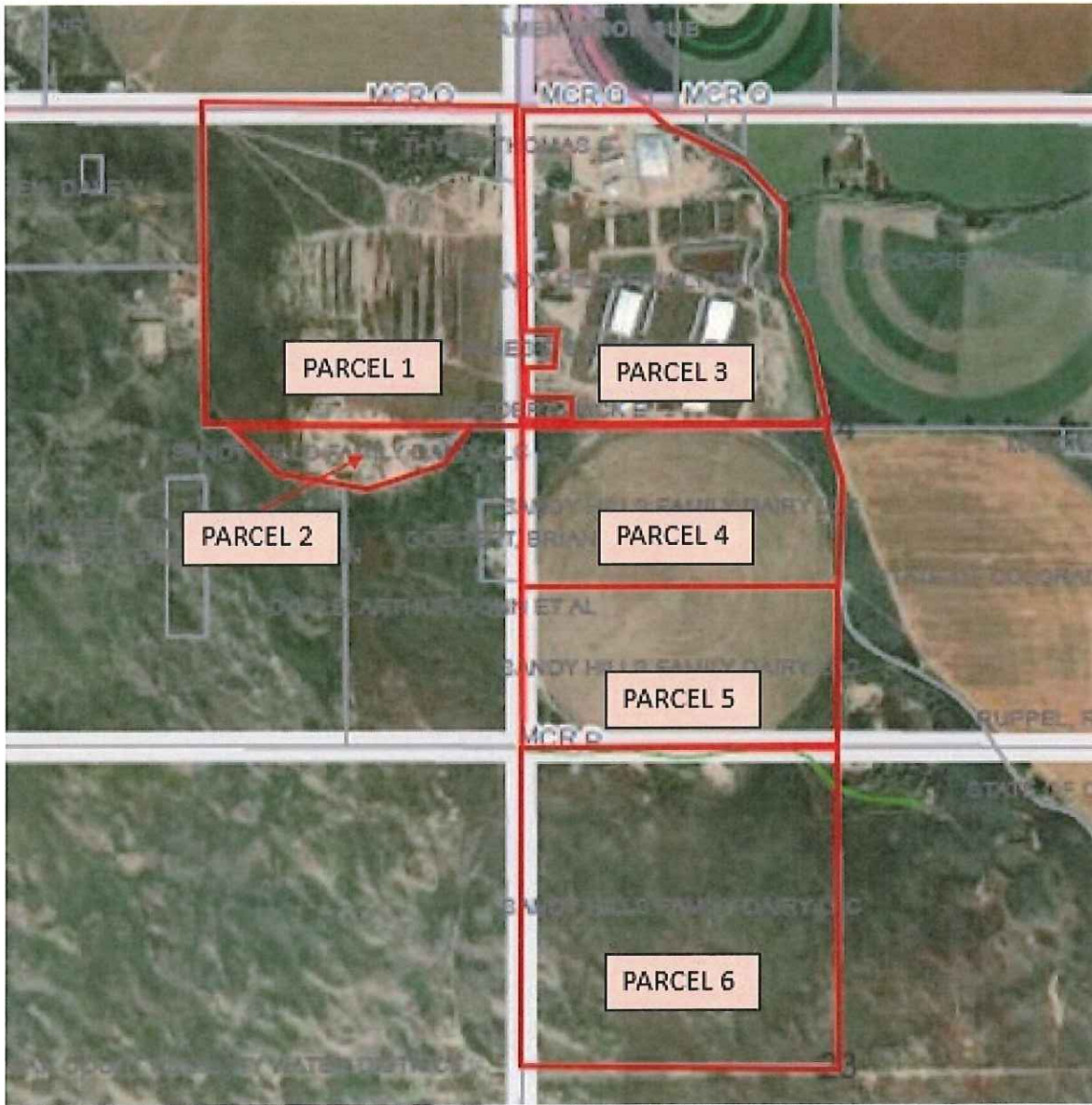
RAINFALL AND RUNOFF ESTIMATION FOR WASTE STORAGE POND DESIGN				
	Earth Areas	Paved Areas	Roofed Areas	Pond Surface
<b>25yr-24hr Storm Event</b>				
1 day Curve Numbers:	90	97	100	100 %
25yr-24hr Rainfall:	3.40 inches	3.40 inches	3.40 inches	3.40 inches
25yr-24hr Runoff:	2.35 inches	3.06 inches	3.40 inches	3.40 inches
Runoff Volume:	8.34 Acre-ft	2.39 Acre-ft	0.04 Acre-ft	1.46 Acre-ft
<b>Total 24hr-25yr Event Runoff Volume: 12.22 Acre-ft</b>				
<b>Chronic Storm (10 day event)</b>				
10 day Curve Numbers:	81	94	100	100 %
10yr-10day Rainfall:	3.9 inches	3.9 inches	3.9 inches	3.86 inches
10yr-10day Runoff:	1.98 inches	3.20 inches	3.86 inches	3.86 inches
Runoff Volume:	7.03 Acre-ft	2.50 Acre-ft	0.04 Acre-ft	1.66 Acre-ft
<b>Total 10yr-10day Event Runoff Volume: 11.22 Acre-ft</b>				
<b>Average Monthly Runoff Contribution to Working Storage</b>				
30 day Curve Numbers:	77	93	98	100 %
Monthly Runoff:	(see computations in monthly mass balance table above)			
Average Annual Rainfall:	12.8 inches	12.8 inches	12.8 inches	12.8 inches
Average Annual Runoff:	2.28 inches	6.87 inches	10.53 inches	12.82 inches
Runoff as % of Rainfall:	18%	54%	82%	100.0%





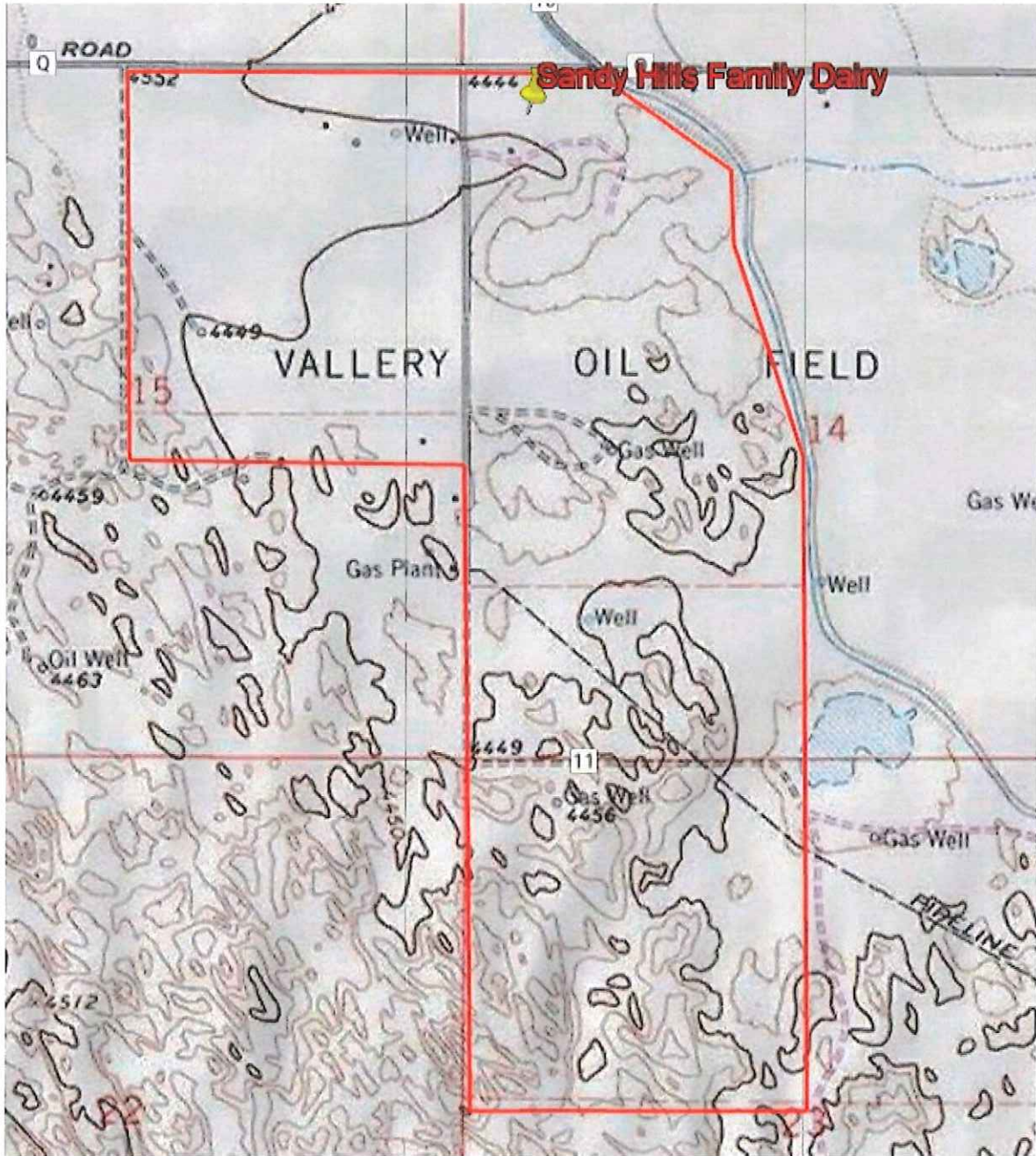
Sandy Hills Family Dairy, LLC

Aerial View



Sandy Hills Family Dairy, LLC

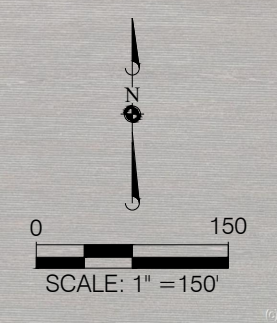
Topographic Map







LEGEND	
	PROPERTY BOUNDARY
	EXISTING SUP BOUNDARY



DATE: April 10, 2024	DRAWN BY: AGPRO
ISSUE / REVISION:	04/2023
A	ISSUED FOR REVIEW



**AGPRO** professionals  
 DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,  
 Greeley, CO 80634  
 (970) 535-9318 - fax: (970) 535-9654

218 Canyon Crest Dr, Suite 100,  
 Twin Falls, ID 83301  
 (208) 595-5301



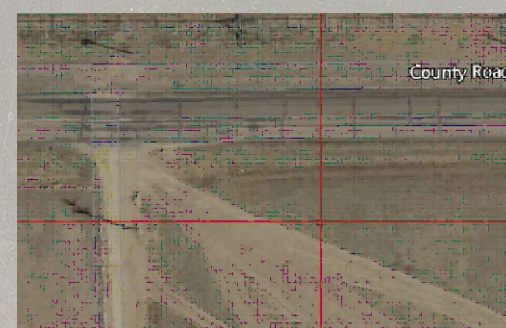
**SANDY HILLS FAMILY DAIRY LLC**  
**EXISTING CONDITIONS**

MORGAN COUNTY, CO

SHEET:  
**EC-1**

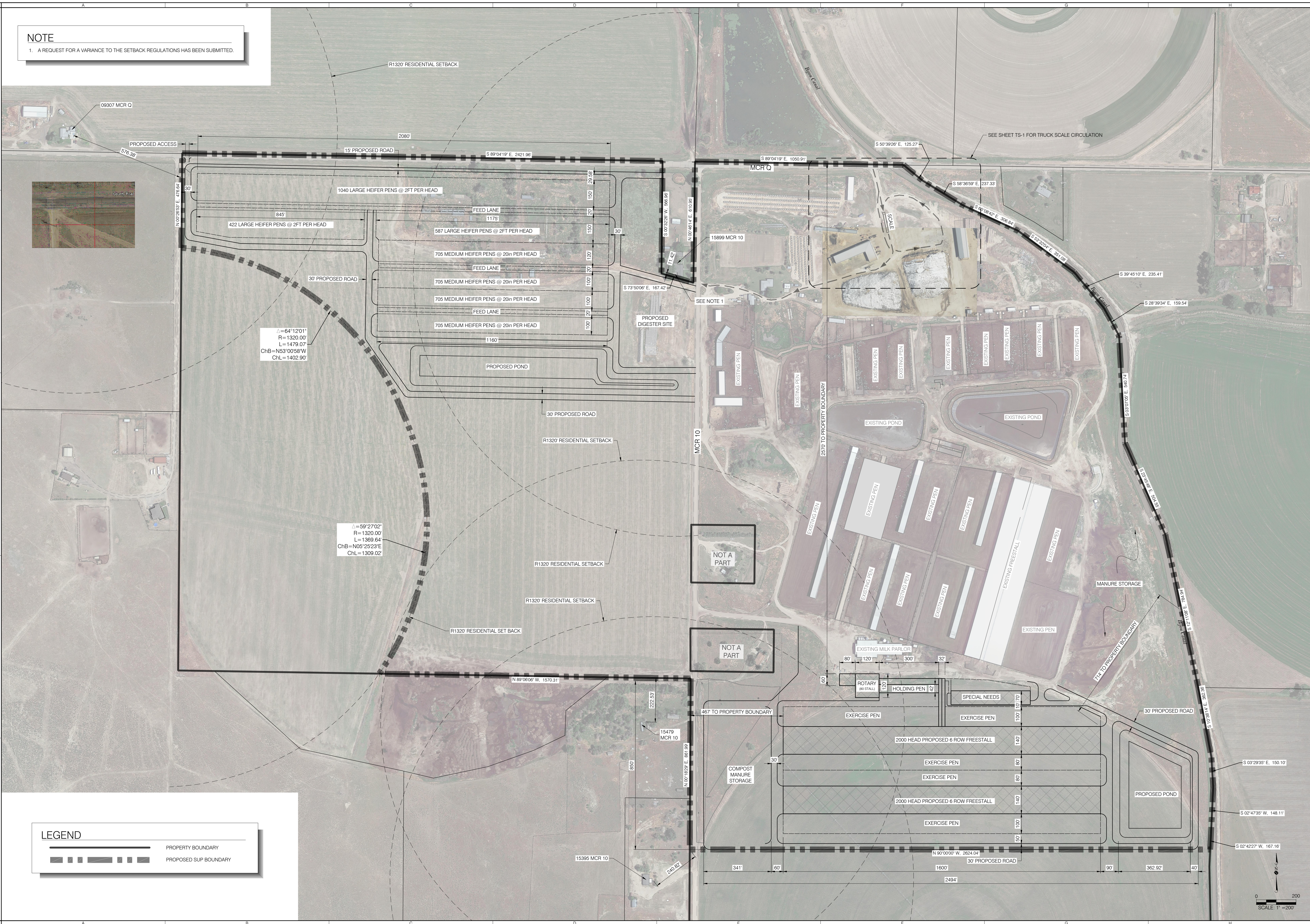
**NOTE**

1. A REQUEST FOR A VARIANCE TO THE SETBACK REGULATIONS HAS BEEN SUBMITTED.



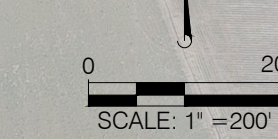
**LEGEND**

- PROPERTY BOUNDARY
- PROPOSED SUP BOUNDARY



$\Delta = 64^\circ 12' 01''$   
 $R = 1320.00'$   
 $L = 1479.07'$   
 $ChB = N53^\circ 00' 58'' W$   
 $ChL = 1402.90'$

$\Delta = 59^\circ 27' 02''$   
 $R = 1320.00'$   
 $L = 1369.64'$   
 $ChB = N05^\circ 25' 23'' E$   
 $ChL = 1309.02'$



DATE: April 10, 2024  
 DRAWN BY: AGPRO

ISSUE / REVISION	DATE
A	04/20/24
B	07/20/24



**AGPRO** Professionals  
 DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,  
 Greeley, CO 80634  
 Twin Falls, ID 83301  
 (970) 535-9318 • fax: (970) 535-9684



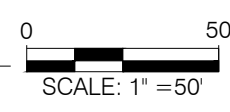
**SANDY HILLS FAMILY DAIRY LLC**  
**PROPOSED SITE PLAN**

MORGAN COUNTY, CO

SHEET:  
**P-ST**



TRUCK SCALE CIRCULATION



DATE:	April 10, 2024	DRAWN BY:	AGPRO
ISSUE / REVISION:		STAFF COMMENTS:	
A			



**AGPRO** Professionals  
 DEVELOPERS OF AGRICULTURE  
 3050 67th Avenue, Suite 200,  
 Greeley, CO 80634  
 (970) 535-9318 - fax: (970) 535-9854

218 Canyon Crest Dr, Suite 100,  
 Twin Falls, ID 83301  
 (208) 595-5301



**SANDY HILLS FAMILY DAIRY LLC**  
**TRUCK SCALE CIRCULATION**  
 MORGAN COUNTY, CO

SHEET:  
**TS-1**

# Nuisance Control Management Plan

For

## Sandy Hills Family Dairy, LLC

*Part of Section 14 and Part of Section 15, Township 3 North, Range 59 West,  
of the 6<sup>th</sup> P.M., Morgan County, Colorado*

*Developed in accordance with  
Generally Accepted Agricultural Best Management Practices*

Prepared By



AGPROfessionals

**HQ:** 3050 67<sup>th</sup> Avenue, Suite 200, Greeley, CO 80634

**Idaho:** 213 Canyon Crest Drive, Suite 100, Twin Falls, ID 83301  
(970) 535-9318

**April 2023**

## Introduction

This supplemental *Management Plan for Nuisance Control* has been developed and implemented to identify methods Sandy Hills Family Dairy will use to minimize the inherent conditions that exist in confinement feeding operations. This supplement outlines management practices generally acceptable and proven effective at minimizing nuisance conditions. Neither nuisance management, nor this supplemental plan, is required by Colorado State statute or specifically outlined in the Colorado Confined Animal Feeding Operations Control Regulations. This is a proactive measure to assist integration into local communities. Sandy Hills Family Dairy will use these management and control practices to their best and practical extent.

## Legal Owner, Contacts, and Authorized Persons

Correspondence and contact should be made to:

*Jim & Mary Goedert*  
*15884 County Road 10*  
*Fort Morgan, CO 80701*

The individuals at this facility who are responsible for developing the implementation, maintenance, and revision of this supplemental plan are listed below.

*Jim & Mary Goedert*  
(Name)

*Owner/Operators*  
(Title)

---

## Legal Description

The confined animal feeding facility described in this Nuisance Management Plan is located at: Part of Section 14 and Part of Section 15, Township 3 North, Range 59 West of the 6<sup>th</sup> P.M.

## Air Quality

Air quality at and around confined animal feeding operations are affected primarily from the relationship of soil/manure and available moisture. The two primary air quality concerns at dairies are dust and odor; however, the management practices for dust or odor control are not inherently compatible. Wet pens and manure produce an odor. Dry pens are dusty. The two paragraphs below outline the best management practices for the control of dust and odors that Sandy Hills Family Dairy will use. The manager shall closely observe pen conditions and attempt to achieve a balance between proper dust and odor control.

### *Dust*

Dust from pen surfaces is usually controlled by intensive management of the pen surface by routine cleaning and harrowing of the pen surface. The purpose of intensive surface management is twofold; to keep cattle clean and to reduce pest habitat. The best management systems for dust



control involve moisture management. Management methods Sandy Hills Family Dairy shall use to control dust are:

**1. Pen density**

Moisture can be managed by varying stocking rates and pen densities. The animals' wet manure and urine keep the surface moist and control dust emissions.

**2. Regular manure removal**

Sandy Hills Family Dairy will continue to conduct regular manure removal. Typically, pens are cleaned, conditioned, and maintained, as needed manure is removed at least once annually.

**3. Pen sprinkling**

Should nuisance dust conditions arise, pen sprinkling may be used for moisture control on pens and internal roadways to minimize nuisance dust conditions.

**Odor**

Odors result from the natural decomposition processes that start as soon as the manure is excreted and continue as long as any usable material remains as food for microorganisms. Odor strength depends on the kind of manure and the conditions under which it decomposes. Although occasionally unpleasant, the odors are not dangerous to health in the quantities customarily noticed around animal feeding operations and fields where manure is spread for fertilizer. Key practices Sandy Hills Family Dairy may use to control odor are:

**1. Establish good pen drainage**

Dry manure is less odorous than moist manure. Maintaining good pen drainage can be achieved by regular cleaning in pens and under fences. The dairy will conduct routine pen cleaning to reduce standing water and remove wet manure.

**2. Regular manure removal**

Reduce the overall quantity of odor producing sources. The dairy will conduct routine pen cleaning and conditioning as needed.

**3. Reduce standing water**

Standing water can increase microbial digestion and odor producing by-products. Proper pen maintenance and surface grading will be conducted by the dairy to reduce standing water.

The wastewater ponds will be dewatered regularly in accordance with the *Nutrient Management Plan* for Sandy Hills Family Dairy. No chemical additives or treatments of the stormwater ponds for odor control are planned. Research to date indicates these products have little, if any, effectiveness.

**4. Composting**

Proper composting turns manure into a nearly odorless pathogen-free product that is valuable for soil conditioning. Sandy Hills Family Dairy may practice manure composting if land area is available for this purpose.

**5. Land application timing**

Typically, air rises in the morning and sinks in the evening. Sandy Hills Family Dairy will consider weather conditions and prevailing wind direction to minimize odors from land application. Land applications will usually be timed for early mornings.

**Pest Control**

***Insects and Rodents***

Insects and rodents inhabit areas that have an adequate food supply and that foster habitat prime for breeding and living. Key practices Sandy Hills Family Dairy may use to manage insects and rodents are to first eliminate possible habitat, then reduce the available food supply.

The dairy will work to control flies by applying one or more of the following practices as needed:

**1. Regular manure removal**

Manure management removes both food sources and habitat.

**2. Reduce standing water**

Standing water is a primary breeding ground for insects.

**3. Minimize fly habitat**

Standing water, weeds, grass, manure stockpiles, etc., are all prime habitat for reproduction and protection. Reduce or eliminate these areas where practical.

**4. Manage weeds and grass**

Keep weeds and grassy areas to a minimum. These provide both protection and breeding areas.

**5. Minimize stockpiles or storage of manure**

Stockpiles of manure provide both breeding and protective habitat. Keep stockpile use to a minimum.

**6. Biological treatments**

Parasitic wasps are excellent biological fly control and are widely used. The wasps lay their eggs in fly larvae hindering fly reproduction.

**7. Baits and chemical treatments**

Due to environmental and worker safety concerns, chemical treatments are a last line of defense for insect control; however, they are very effective. Baits and treatments must be applied routinely.

**Mortalities**

Mortality is an unfortunate and unavoidable part of animal husbandry. Dead animals can produce offensive odors, attract scavengers, and create deleterious conditions. Proper and timely disposal of dead animals prevents nuisance conditions from occurring. Key practices Sandy Hills Family Dairy may use to handle and dispose of dead animals are:

**1. Expedient removal from pens**

Dead animals will be removed from pens daily and relocated to an area away from the pens.

**2. Commercial rendering company removal**

Dead animals will be removed by a commercial rendering company when possible and economically feasible.

**3. Burial guidelines**

- a) Burials must be done at the site and on the property owned by the dairy where the animal mortalities occur.
- b) Burials must be done at least two feet underground, with at least two feet of soil cover. This must be done within 24 hours of the discovery of a mortality. If severe weather conditions interfere, burials should occur as soon as reasonably possible.
- c) There shall be at least four feet of suitable soil separation (not gravel) from the bottom of the burial pit to the maximum seasonal groundwater table.
- d) Burial sites shall be located at least 150 feet away from any well.

These practices represent the latest and most modern management and scientific information to date for control of nuisance conditions for the livestock feeding industry.



**BIJOU IRRIGATION**

15551 US Highway 34  
P.O. Box 972  
Fort Morgan, CO 80701  
(970) 867-2222

April 24, 2023

Morgan County Planning, Zoning, and Building Department  
231 Ensign  
Fort Morgan, CO 80701

Morgan County Planning & Zoning Department:

The Bijou Irrigation Company has received a request to comment on the Amended Special Use Permit application for Sandy Hills Family Dairy. Bijou has reviewed the SUP and would like the following conditions to be met before the SUP is approved:

1. Any run-off should slope away from the ditch.
2. A 60-foot set back from the edge of the ditch for buildings and corals to allow for maintenance.
3. Proven ability to contain run off that might occur.

The Bijou Irrigation Company has no objection to the SUP if these three conditions have been met.

If you need additional information from our office, please contact Jill Brownell at (970)867-2222.

Sincerely,

Jill Brownell  
Administrations Manager  
Bijou Irrigation  
(970) 867-2222  
[office@bijouirrigation.com](mailto:office@bijouirrigation.com)



United States  
Department of  
Agriculture

**NRCS**

Natural  
Resources  
Conservation  
Service

A product of the National  
Cooperative Soil Survey,  
a joint effort of the United  
States Department of  
Agriculture and other  
Federal agencies, State  
agencies including the  
Agricultural Experiment  
Stations, and local  
participants

# Custom Soil Resource Report for Morgan County, Colorado

**Sandy Hills Family Dairy**



June 8, 2023

# Preface

---

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist ([http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2\\_053951](http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951)).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

# Contents

---

Preface.....	2
Soil Map.....	5
Soil Map.....	6
Legend.....	7
Map Unit Legend.....	8
Map Unit Descriptions.....	8
Morgan County, Colorado.....	11
BIA—Bijou loamy sand, 0 to 1 percent slopes.....	11
BIB—Bijou loamy sand, 1 to 3 percent slopes.....	12
BnA—Bijou sandy loam, 0 to 1 percent slopes.....	13
BnB—Bijou sandy loam, 1 to 3 percent slopes.....	14
BoB—Bijou sandy loam, moderately deep, 1 to 3 percent slopes.....	15
BuA—Bresser loamy sand, 0 to 3 percent slopes.....	16
BvA—Bresser sandy loam, 0 to 3 percent slopes.....	18
BxC—Bresser soils, terrace, 3 to 5 percent slopes.....	19
GP—Pits, Gravel.....	20
TuC—Truckton loamy sand, 3 to 5 percent slopes.....	21
Va—Valent sand, 0 to 3 percent slopes.....	22
VcD—Valent sand, 3 to 9 percent slopes.....	24
Ve—Valent-Dwyer sands, terrace, 0 to 3 percent slopes.....	25



# Soil Map

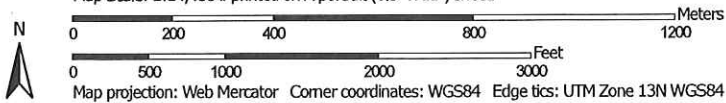
---

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

# Custom Soil Resource Report Soil Map




Map Scale: 1:14,400 if printed on A portrait (8.5" x 11") sheet.




# Custom Soil Resource Report


## MAP LEGEND

### Area of Interest (AOI)

 Area of Interest (AOI)


### Soils


 Soil Map Unit Polygons


 Soil Map Unit Lines


 Soil Map Unit Points

### Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression


 Gravel Pit


 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry


 Miscellaneous Water


 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot


 Sinkhole


 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot


 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

### Water Features

 Streams and Canals

### Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Morgan County, Colorado  
Survey Area Data: Version 23, Sep 1, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 14, 2022—Jun 15, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
BIA	Bijou loamy sand, 0 to 1 percent slopes	35.3	5.6%
BIB	Bijou loamy sand, 1 to 3 percent slopes	6.4	1.0%
BnA	Bijou sandy loam, 0 to 1 percent slopes	61.1	9.7%
BnB	Bijou sandy loam, 1 to 3 percent slopes	17.2	2.7%
BoB	Bijou sandy loam, moderately deep, 1 to 3 percent slopes	13.9	2.2%
BuA	Bresser loamy sand, 0 to 3 percent slopes	8.9	1.4%
BvA	Bresser sandy loam, 0 to 3 percent slopes	58.0	9.2%
BxC	Bresser soils, terrace, 3 to 5 percent slopes	10.0	1.6%
GP	Pits, Gravel	3.0	0.5%
TuC	Truckton loamy sand, 3 to 5 percent slopes	10.8	1.7%
Va	Valent sand, 0 to 3 percent slopes	63.3	10.1%
VcD	Valent sand, 3 to 9 percent slopes	335.4	53.3%
Ve	Valent-Dwyer sands, terrace, 0 to 3 percent slopes	5.7	0.9%
<b>Totals for Area of Interest</b>		<b>628.9</b>	<b>100.0%</b>

## Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made

## Custom Soil Resource Report

up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

## Custom Soil Resource Report

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

## Morgan County, Colorado

### BIA—Bijou loamy sand, 0 to 1 percent slopes

#### Map Unit Setting

*National map unit symbol:* 3pvt  
*Elevation:* 4,400 to 6,000 feet  
*Mean annual precipitation:* 14 inches  
*Mean annual air temperature:* 46 to 52 degrees F  
*Frost-free period:* 140 to 180 days  
*Farmland classification:* Farmland of statewide importance

#### Map Unit Composition

*Bijou and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Bijou

##### Setting

*Landform:* Stream terraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Noncalcareous alluvium derived from arkose

##### Typical profile

*H1 - 0 to 15 inches:* loamy sand  
*H2 - 15 to 52 inches:* coarse sandy loam  
*H3 - 52 to 60 inches:* loamy coarse sand

##### Properties and qualities

*Slope:* 0 to 1 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* High (2.00 to 6.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 5 percent  
*Available water supply, 0 to 60 inches:* Low (about 5.6 inches)

##### Interpretive groups

*Land capability classification (irrigated):* 3e  
*Land capability classification (nonirrigated):* 4e  
*Hydrologic Soil Group:* A  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

#### Minor Components

##### Altvan

*Percent of map unit:* 6 percent  
*Hydric soil rating:* No

## Custom Soil Resource Report

### **Bankard**

*Percent of map unit: 4 percent*

*Hydric soil rating: No*

## **BIB—Bijou loamy sand, 1 to 3 percent slopes**

### **Map Unit Setting**

*National map unit symbol: 3pvv*

*Elevation: 4,400 to 6,000 feet*

*Mean annual precipitation: 14 inches*

*Mean annual air temperature: 46 to 52 degrees F*

*Frost-free period: 140 to 180 days*

*Farmland classification: Farmland of statewide importance*

### **Map Unit Composition**

*Bijou and similar soils: 90 percent*

*Minor components: 10 percent*

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

### **Description of Bijou**

#### **Setting**

*Landform: Stream terraces*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Noncalcareous alluvium derived from arkose*

#### **Typical profile**

*H1 - 0 to 14 inches: loamy sand*

*H2 - 14 to 52 inches: coarse sandy loam*

*H3 - 52 to 60 inches: loamy coarse sand*

#### **Properties and qualities**

*Slope: 1 to 3 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Well drained*

*Runoff class: Very low*

*Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Calcium carbonate, maximum content: 5 percent*

*Available water supply, 0 to 60 inches: Low (about 5.6 inches)*

#### **Interpretive groups**

*Land capability classification (irrigated): 3e*

*Land capability classification (nonirrigated): 4e*

*Hydrologic Soil Group: A*

*Ecological site: R067BY024CO - Sandy Plains*



## Custom Soil Resource Report

*Hydric soil rating:* No

### Minor Components

#### **Bresser**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### **Glenberg**

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

## **BnA—Bijou sandy loam, 0 to 1 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 3pvx

*Elevation:* 4,400 to 6,000 feet

*Mean annual precipitation:* 14 inches

*Mean annual air temperature:* 46 to 52 degrees F

*Frost-free period:* 140 to 180 days

*Farmland classification:* Farmland of statewide importance

### **Map Unit Composition**

*Bijou and similar soils:* 90 percent

*Minor components:* 10 percent

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

### **Description of Bijou**

#### **Setting**

*Landform:* Stream terraces

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Noncalcareous alluvium derived from arkose

#### **Typical profile**

*H1 - 0 to 12 inches:* sandy loam

*H2 - 12 to 36 inches:* sandy loam

*H3 - 36 to 60 inches:* loamy sand

#### **Properties and qualities**

*Slope:* 0 to 1 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Runoff class:* Very low

*Capacity of the most limiting layer to transmit water (Ksat):* High (2.00 to 6.00 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 5 percent

## Custom Soil Resource Report

*Available water supply, 0 to 60 inches: Low (about 5.3 inches)*

### **Interpretive groups**

*Land capability classification (irrigated): 2e*

*Land capability classification (nonirrigated): 4e*

*Hydrologic Soil Group: A*

*Ecological site: R067BY024CO - Sandy Plains*

*Hydric soil rating: No*

### **Minor Components**

#### **Glenberg**

*Percent of map unit: 7 percent*

*Hydric soil rating: No*

#### **Haverson**

*Percent of map unit: 3 percent*

*Hydric soil rating: No*

## **BnB—Bijou sandy loam, 1 to 3 percent slopes**

### **Map Unit Setting**

*National map unit symbol: 3pvy*

*Elevation: 4,400 to 6,000 feet*

*Mean annual precipitation: 14 inches*

*Mean annual air temperature: 46 to 52 degrees F*

*Frost-free period: 140 to 180 days*

*Farmland classification: Farmland of statewide importance*

### **Map Unit Composition**

*Bijou and similar soils: 85 percent*

*Minor components: 15 percent*

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

### **Description of Bijou**

#### **Setting**

*Landform: Stream terraces*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Noncalcareous alluvium derived from arkose*

#### **Typical profile**

*H1 - 0 to 12 inches: sandy loam*

*H2 - 12 to 37 inches: sandy loam*

*H3 - 37 to 60 inches: loamy sand*

#### **Properties and qualities**

*Slope: 1 to 3 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Well drained*

*Runoff class: Very low*

## Custom Soil Resource Report

*Capacity of the most limiting layer to transmit water (Ksat):* High (2.00 to 6.00 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 5 percent

*Available water supply, 0 to 60 inches:* Low (about 5.3 inches)

### Interpretive groups

*Land capability classification (irrigated):* 3e

*Land capability classification (nonirrigated):* 4e

*Hydrologic Soil Group:* A

*Ecological site:* R067BY024CO - Sandy Plains

*Hydric soil rating:* No

### Minor Components

#### Bresser

*Percent of map unit:* 6 percent

*Hydric soil rating:* No

#### Altvan

*Percent of map unit:* 5 percent

*Hydric soil rating:* No

#### Glenberg

*Percent of map unit:* 4 percent

*Hydric soil rating:* No

## BoB—Bijou sandy loam, moderately deep, 1 to 3 percent slopes

### Map Unit Setting

*National map unit symbol:* 3pw0

*Elevation:* 4,400 to 6,000 feet

*Mean annual precipitation:* 14 inches

*Mean annual air temperature:* 46 to 52 degrees F

*Frost-free period:* 140 to 180 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Bijou, moderately deep, and similar soils:* 90 percent

*Minor components:* 10 percent

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

### Description of Bijou, Moderately Deep

#### Setting

*Landform:* Stream terraces

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Parent material:* Noncalcareous alluvium derived from arkose

## Custom Soil Resource Report

### Typical profile

*H1 - 0 to 10 inches: sandy loam*  
*H2 - 10 to 21 inches: sandy loam*  
*H3 - 21 to 60 inches: loamy coarse sand*

### Properties and qualities

*Slope: 1 to 3 percent*  
*Depth to restrictive feature: More than 80 inches*  
*Drainage class: Well drained*  
*Runoff class: Very low*  
*Capacity of the most limiting layer to transmit water (Ksat): High (2.00 to 6.00 in/hr)*  
*Depth to water table: More than 80 inches*  
*Frequency of flooding: None*  
*Frequency of ponding: None*  
*Calcium carbonate, maximum content: 5 percent*  
*Available water supply, 0 to 60 inches: Low (about 4.5 inches)*

### Interpretive groups

*Land capability classification (irrigated): 3e*  
*Land capability classification (nonirrigated): 4e*  
*Hydrologic Soil Group: A*  
*Ecological site: R067BY024CO - Sandy Plains*  
*Hydric soil rating: No*

### Minor Components

#### Altvan

*Percent of map unit: 5 percent*  
*Hydric soil rating: No*

#### Cascajo

*Percent of map unit: 5 percent*  
*Hydric soil rating: No*

## BuA—Bresser loamy sand, 0 to 3 percent slopes

### Map Unit Setting

*National map unit symbol: 2sw12*  
*Elevation: 4,260 to 6,070 feet*  
*Mean annual precipitation: 12 to 18 inches*  
*Mean annual air temperature: 46 to 52 degrees F*  
*Frost-free period: 135 to 155 days*  
*Farmland classification: Farmland of statewide importance*

### Map Unit Composition

*Bresser and similar soils: 85 percent*  
*Minor components: 15 percent*  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

## Custom Soil Resource Report

### Description of Bresser

#### Setting

*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Coarse sandy alluvium derived from igneous, metamorphic and sedimentary rock

#### Typical profile

*Ap - 0 to 9 inches:* loamy sand  
*Bt - 9 to 25 inches:* sandy clay loam  
*BC - 25 to 30 inches:* sandy loam  
*C - 30 to 80 inches:* loamy sand

#### Properties and qualities

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.60 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 10 percent  
*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Available water supply, 0 to 60 inches:* Moderate (about 6.1 inches)

#### Interpretive groups

*Land capability classification (irrigated):* 4s  
*Land capability classification (nonirrigated):* 4c  
*Hydrologic Soil Group:* B  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

### Minor Components

#### Olnest

*Percent of map unit:* 10 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

#### Vona

*Percent of map unit:* 5 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

## **BvA—Bresser sandy loam, 0 to 3 percent slopes**

### **Map Unit Setting**

*National map unit symbol:* 2swl0  
*Elevation:* 4,050 to 6,800 feet  
*Mean annual precipitation:* 12 to 18 inches  
*Mean annual air temperature:* 45 to 55 degrees F  
*Frost-free period:* 135 to 190 days  
*Farmland classification:* Farmland of statewide importance

### **Map Unit Composition**

*Bresser and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### **Description of Bresser**

#### **Setting**

*Landform:* Drainageways  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Coarse sandy alluvium derived from igneous, metamorphic and sedimentary rock

#### **Typical profile**

*Ap - 0 to 9 inches:* sandy loam  
*Bt - 9 to 25 inches:* sandy clay loam  
*BC - 25 to 30 inches:* sandy loam  
*C - 30 to 79 inches:* loamy sand

#### **Properties and qualities**

*Slope:* 0 to 3 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Well drained  
*Runoff class:* Low  
*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.60 to 2.00 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 10 percent  
*Maximum salinity:* Nonsaline (0.0 to 0.1 mmhos/cm)  
*Available water supply, 0 to 60 inches:* Low (about 5.8 inches)

#### **Interpretive groups**

*Land capability classification (irrigated):* 4e  
*Land capability classification (nonirrigated):* 4c  
*Hydrologic Soil Group:* B  
*Ecological site:* R067BY024CO - Sandy Plains

## Custom Soil Resource Report

*Hydric soil rating:* No

### Minor Components

#### Truckton

*Percent of map unit:* 5 percent  
*Landform:* Drainageways  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

#### Vona

*Percent of map unit:* 5 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

## BxC—Bresser soils, terrace, 3 to 5 percent slopes

### Map Unit Setting

*National map unit symbol:* 3pwc  
*Elevation:* 5,300 to 6,800 feet  
*Mean annual precipitation:* 12 to 15 inches  
*Mean annual air temperature:* 46 to 52 degrees F  
*Frost-free period:* 135 to 155 days  
*Farmland classification:* Farmland of statewide importance

### Map Unit Composition

*Bresser and similar soils:* 90 percent  
*Minor components:* 10 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Bresser

#### Setting

*Landform:* Stream terraces  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Parent material:* Coarse sandy alluvium derived from arkose

#### Typical profile

*H1 - 0 to 7 inches:* loamy sand  
*H2 - 7 to 29 inches:* sandy clay loam  
*H3 - 29 to 60 inches:* sandy loam

## Custom Soil Resource Report

### Properties and qualities

*Slope:* 3 to 5 percent

*Depth to restrictive feature:* More than 80 inches

*Drainage class:* Well drained

*Runoff class:* Low

*Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high  
(0.57 to 2.00 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Available water supply, 0 to 60 inches:* Moderate (about 7.9 inches)

### Interpretive groups

*Land capability classification (irrigated):* 4e

*Land capability classification (nonirrigated):* 4e

*Hydrologic Soil Group:* B

*Ecological site:* R067BY024CO - Sandy Plains

*Hydric soil rating:* No

### Minor Components

#### Bijou

*Percent of map unit:* 7 percent

*Hydric soil rating:* No

#### Cascajo

*Percent of map unit:* 3 percent

*Hydric soil rating:* No

## GP—Pits, Gravel

### Map Unit Setting

*National map unit symbol:* vx3d

*Elevation:* 3,900 to 5,200 feet

*Mean annual precipitation:* 11 to 14 inches

*Mean annual air temperature:* 48 to 50 degrees F

*Frost-free period:* 148 to 152 days

*Farmland classification:* Not prime farmland

### Map Unit Composition

*Pits, gravel:* 100 percent

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

### Description of Pits, Gravel

#### Setting

*Landform:* Plains

*Down-slope shape:* Concave

*Across-slope shape:* Concave

*Parent material:* Alluvium



## Custom Soil Resource Report

### Typical profile

*A - 0 to 6 inches: extremely gravelly sand*  
*C - 6 to 60 inches: extremely gravelly sand*

### Interpretive groups

*Land capability classification (irrigated): None specified*  
*Land capability classification (nonirrigated): 8s*  
*Hydrologic Soil Group: A*  
*Hydric soil rating: No*

## TuC—Truckton loamy sand, 3 to 5 percent slopes

### Map Unit Setting

*National map unit symbol: 3pys*  
*Elevation: 4,500 to 6,500 feet*  
*Mean annual precipitation: 12 to 18 inches*  
*Mean annual air temperature: 46 to 52 degrees F*  
*Frost-free period: 125 to 180 days*  
*Farmland classification: Not prime farmland*

### Map Unit Composition

*Truckton and similar soils: 80 percent*  
*Minor components: 20 percent*  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Truckton

#### Setting

*Down-slope shape: Convex*  
*Across-slope shape: Convex*  
*Parent material: Sand loamy and/or loam sandy*

#### Typical profile

*H1 - 0 to 11 inches: loamy sand*  
*H2 - 11 to 25 inches: sandy loam*  
*H3 - 25 to 60 inches: loamy sand*

#### Properties and qualities

*Slope: 3 to 5 percent*  
*Depth to restrictive feature: More than 80 inches*  
*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*  
*Available water supply, 0 to 60 inches: Low (about 5.7 inches)*

#### Interpretive groups

*Land capability classification (irrigated): 4e*  
*Land capability classification (nonirrigated): 4e*

## Custom Soil Resource Report

*Hydrologic Soil Group: A*  
*Ecological site: R067BY024CO - Sandy Plains*  
*Hydric soil rating: No*

### Minor Components

#### Valent

*Percent of map unit: 8 percent*  
*Hydric soil rating: No*

#### Vona

*Percent of map unit: 8 percent*  
*Hydric soil rating: No*

#### Bijou

*Percent of map unit: 4 percent*

### Va—Valent sand, 0 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol: 2tczd*  
*Elevation: 3,000 to 5,210 feet*  
*Mean annual precipitation: 13 to 20 inches*  
*Mean annual air temperature: 48 to 52 degrees F*  
*Frost-free period: 130 to 166 days*  
*Farmland classification: Not prime farmland*

#### Map Unit Composition

*Valent and similar soils: 85 percent*  
*Minor components: 15 percent*  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

#### Description of Valent

##### Setting

*Landform: Interdunes*  
*Landform position (two-dimensional): Foothlope, toeslope*  
*Landform position (three-dimensional): Base slope*  
*Down-slope shape: Linear*  
*Across-slope shape: Linear*  
*Parent material: Noncalcareous eolian sands*

##### Typical profile

*A - 0 to 5 inches: sand*  
*AC - 5 to 12 inches: sand*  
*C1 - 12 to 30 inches: sand*  
*C2 - 30 to 80 inches: sand*

##### Properties and qualities

*Slope: 0 to 3 percent*  
*Depth to restrictive feature: More than 80 inches*  
*Drainage class: Excessively drained*

## Custom Soil Resource Report

*Runoff class:* Negligible

*Capacity of the most limiting layer to transmit water (Ksat):* High to very high (6.00 to 39.96 in/hr)

*Depth to water table:* More than 80 inches

*Frequency of flooding:* None

*Frequency of ponding:* None

*Calcium carbonate, maximum content:* 1 percent

*Maximum salinity:* Nonsaline (0.1 to 1.9 mmhos/cm)

*Available water supply, 0 to 60 inches:* Very low (about 2.4 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* 4e

*Land capability classification (nonirrigated):* 6e

*Hydrologic Soil Group:* A

*Ecological site:* R067BY015CO - Deep Sand, R072XA021KS - Sands (North) (PE 16-20)

*Hydric soil rating:* No

### **Minor Components**

#### **Dailey**

*Percent of map unit:* 5 percent

*Landform:* Interdunes

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Concave

*Ecological site:* R067BY015CO - Deep Sand, R072XA022KS - Sandy (North) Draft (April 2010) (PE 16-20)

*Hydric soil rating:* No

#### **Julesburg**

*Percent of map unit:* 5 percent

*Landform:* Interdunes

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Ecological site:* R067BY024CO - Sandy Plains, R072XA022KS - Sandy (North) Draft (April 2010) (PE 16-20)

*Hydric soil rating:* No

#### **Vona**

*Percent of map unit:* 5 percent

*Landform:* Interdunes

*Landform position (two-dimensional):* Toeslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Ecological site:* R067BY024CO - Sandy Plains, R072XA022KS - Sandy (North) Draft (April 2010) (PE 16-20)

*Hydric soil rating:* No

## VcD—Valent sand, 3 to 9 percent slopes

### Map Unit Setting

*National map unit symbol:* 2tczf  
*Elevation:* 3,050 to 5,150 feet  
*Mean annual precipitation:* 12 to 18 inches  
*Mean annual air temperature:* 48 to 55 degrees F  
*Frost-free period:* 130 to 180 days  
*Farmland classification:* Not prime farmland

### Map Unit Composition

*Valent and similar soils:* 80 percent  
*Minor components:* 20 percent  
*Estimates are based on observations, descriptions, and transects of the mapunit.*

### Description of Valent

#### Setting

*Landform:* Hills, dunes  
*Landform position (two-dimensional):* Backslope, shoulder, footslope, summit  
*Landform position (three-dimensional):* Side slope, head slope, nose slope, crest  
*Down-slope shape:* Convex, linear  
*Across-slope shape:* Convex, linear  
*Parent material:* Noncalcareous eolian sands

#### Typical profile

*A - 0 to 5 inches:* sand  
*AC - 5 to 12 inches:* sand  
*C1 - 12 to 30 inches:* sand  
*C2 - 30 to 80 inches:* sand

#### Properties and qualities

*Slope:* 3 to 9 percent  
*Depth to restrictive feature:* More than 80 inches  
*Drainage class:* Excessively drained  
*Runoff class:* Very low  
*Capacity of the most limiting layer to transmit water (Ksat):* High to very high (6.00 to 39.96 in/hr)  
*Depth to water table:* More than 80 inches  
*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 1 percent  
*Maximum salinity:* Nonsaline (0.0 to 1.9 mmhos/cm)  
*Available water supply, 0 to 60 inches:* Very low (about 2.4 inches)

#### Interpretive groups

*Land capability classification (irrigated):* 4e  
*Land capability classification (nonirrigated):* 6e  
*Hydrologic Soil Group:* A  
*Ecological site:* R067BY015CO - Deep Sand, R072XY109KS - Rolling Sands

## Custom Soil Resource Report

*Hydric soil rating:* No

### Minor Components

#### Dailey

*Percent of map unit:* 10 percent

*Landform:* Interdunes

*Landform position (two-dimensional):* Footslope, toeslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Concave

*Ecological site:* R067BY015CO - Deep Sand, R072XA021KS - Sands (North) (PE 16-20)

*Hydric soil rating:* No

#### Vona

*Percent of map unit:* 5 percent

*Landform:* Hills

*Landform position (two-dimensional):* Footslope, backslope, shoulder

*Landform position (three-dimensional):* Side slope, head slope, nose slope, base slope

*Down-slope shape:* Linear

*Across-slope shape:* Linear

*Ecological site:* R067BY024CO - Sandy Plains, R072XA022KS - Sandy (North) Draft (April 2010) (PE 16-20)

*Hydric soil rating:* No

#### Haxtun

*Percent of map unit:* 5 percent

*Landform:* Interdunes

*Landform position (two-dimensional):* Footslope, toeslope

*Landform position (three-dimensional):* Base slope

*Down-slope shape:* Linear

*Across-slope shape:* Concave

*Ecological site:* R067BY024CO - Sandy Plains, R072XY111KS - Sandy Plains

*Hydric soil rating:* No

### Ve—Valent-Dwyer sands, terrace, 0 to 3 percent slopes

#### Map Unit Setting

*National map unit symbol:* 2yvr7

*Elevation:* 4,100 to 4,800 feet

*Mean annual precipitation:* 12 to 17 inches

*Mean annual air temperature:* 46 to 52 degrees F

*Frost-free period:* 130 to 155 days

*Farmland classification:* Not prime farmland

#### Map Unit Composition

*Valent and similar soils:* 45 percent

*Dwyer and similar soils:* 44 percent

## Custom Soil Resource Report

*Minor components: 11 percent*

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

### Description of Valent

#### Setting

*Landform: Sand sheets on stream terraces*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Wind-reworked, noncalcareous sandy alluvium*

#### Typical profile

*Ap - 0 to 4 inches: sand*

*C - 4 to 80 inches: sand*

#### Properties and qualities

*Slope: 0 to 3 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Excessively drained*

*Runoff class: Negligible*

*Capacity of the most limiting layer to transmit water (Ksat): High to very high (6.00 to 39.96 in/hr)*

*Depth to water table: More than 80 inches*

*Frequency of flooding: None*

*Frequency of ponding: None*

*Calcium carbonate, maximum content: 1 percent*

*Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)*

*Available water supply, 0 to 60 inches: Very low (about 2.4 inches)*

#### Interpretive groups

*Land capability classification (irrigated): 4e*

*Land capability classification (nonirrigated): 7s*

*Hydrologic Soil Group: A*

*Ecological site: R067BY015CO - Deep Sand*

*Hydric soil rating: No*

### Description of Dwyer

#### Setting

*Landform: Sand sheets on stream terraces*

*Landform position (three-dimensional): Tread*

*Down-slope shape: Linear*

*Across-slope shape: Linear*

*Parent material: Wind-reworked, calcareous sandy alluvium*

#### Typical profile

*Ap - 0 to 4 inches: sand*

*C - 4 to 80 inches: sand*

#### Properties and qualities

*Slope: 0 to 3 percent*

*Depth to restrictive feature: More than 80 inches*

*Drainage class: Excessively drained*

*Runoff class: Negligible*

*Capacity of the most limiting layer to transmit water (Ksat): High to very high (6.00 to 39.96 in/hr)*

*Depth to water table: More than 80 inches*

## Custom Soil Resource Report

*Frequency of flooding:* None  
*Frequency of ponding:* None  
*Calcium carbonate, maximum content:* 10 percent  
*Maximum salinity:* Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)  
*Available water supply, 0 to 60 inches:* Very low (about 2.4 inches)

### **Interpretive groups**

*Land capability classification (irrigated):* 4e  
*Land capability classification (nonirrigated):* 7s  
*Hydrologic Soil Group:* A  
*Ecological site:* R067BY015CO - Deep Sand  
*Hydric soil rating:* No

### **Minor Components**

#### **Vona**

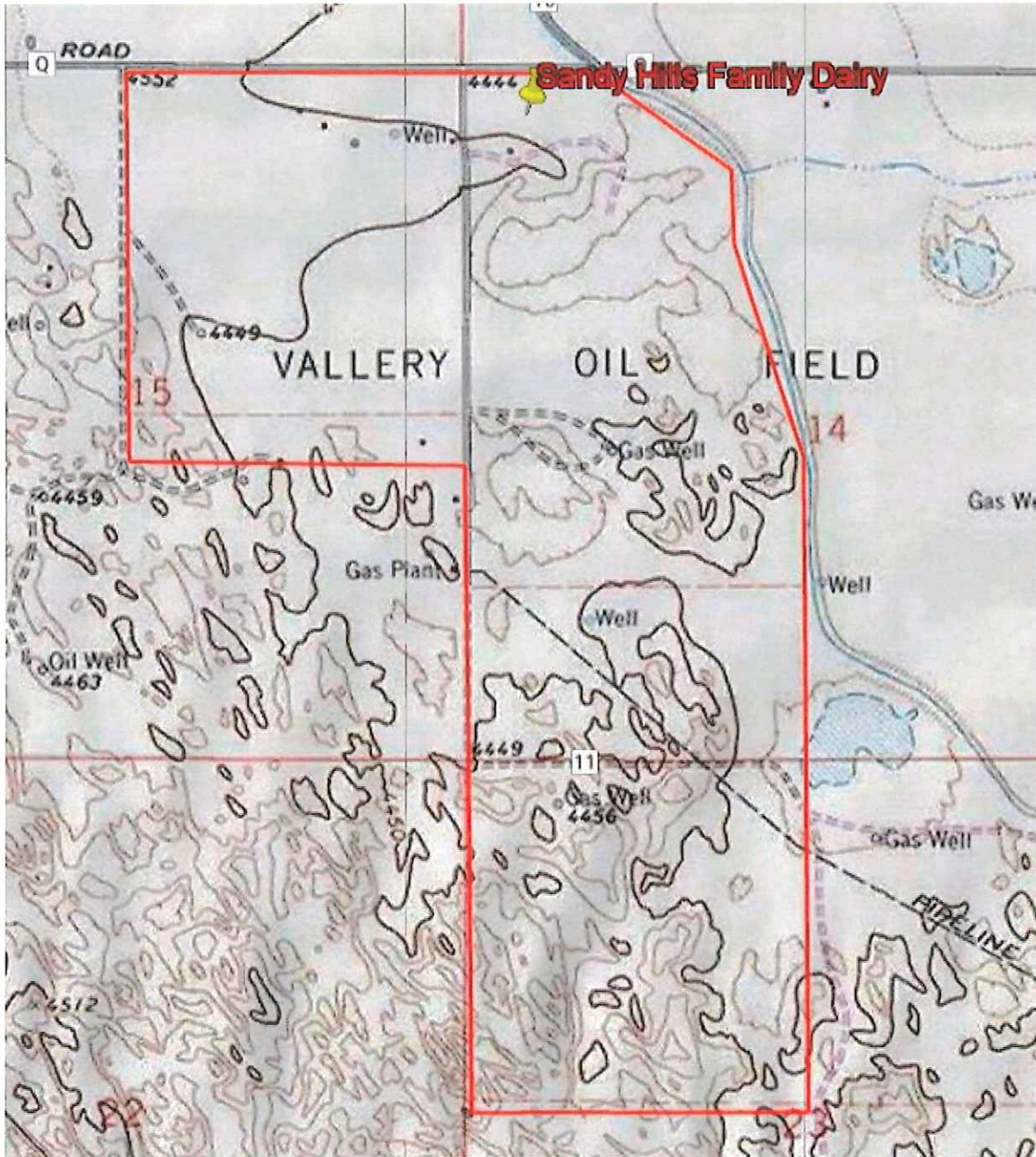
*Percent of map unit:* 6 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R067BY015CO - Deep Sand  
*Hydric soil rating:* No

#### **Olnest**

*Percent of map unit:* 5 percent  
*Landform:* Stream terraces  
*Landform position (three-dimensional):* Tread  
*Down-slope shape:* Linear  
*Across-slope shape:* Linear  
*Ecological site:* R067BY024CO - Sandy Plains  
*Hydric soil rating:* No

Sandy Hills Family Dairy, LLC

Topographic Map





## Engineering Properties

This table gives the engineering classifications and the range of engineering properties for the layers of each soil in the survey area.

*Hydrologic soil group* is a group of soils having similar runoff potential under similar storm and cover conditions. The criteria for determining Hydrologic soil group is found in the National Engineering Handbook, Chapter 7 issued May 2007 (<http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757.wba>). Listing HSGs by soil map unit component and not by soil series is a new concept for the engineers. Past engineering references contained lists of HSGs by soil series. Soil series are continually being defined and redefined, and the list of soil series names changes so frequently as to make the task of maintaining a single national list virtually impossible. Therefore, the criteria is now used to calculate the HSG using the component soil properties and no such national series lists will be maintained. All such references are obsolete and their use should be discontinued. Soil properties that influence runoff potential are those that influence the minimum rate of infiltration for a bare soil after prolonged wetting and when not frozen. These properties are depth to a seasonal high water table, saturated hydraulic conductivity after prolonged wetting, and depth to a layer with a very slow water transmission rate. Changes in soil properties caused by land management or climate changes also cause the hydrologic soil group to change. The influence of ground cover is treated independently. There are four hydrologic soil groups, A, B, C, and D, and three dual groups, A/D, B/D, and C/D. In the dual groups, the first letter is for drained areas and the second letter is for undrained areas.

The four hydrologic soil groups are described in the following paragraphs:

*Group A.* Soils having a high infiltration rate (low runoff potential) when thoroughly wet. These consist mainly of deep, well drained to excessively drained sands or gravelly sands. These soils have a high rate of water transmission.

*Group B.* Soils having a moderate infiltration rate when thoroughly wet. These consist chiefly of moderately deep or deep, moderately well drained or well drained soils that have moderately fine texture to moderately coarse texture. These soils have a moderate rate of water transmission.

*Group C.* Soils having a slow infiltration rate when thoroughly wet. These consist chiefly of soils having a layer that impedes the downward movement of water or soils of moderately fine texture or fine texture. These soils have a slow rate of water transmission.

*Group D.* Soils having a very slow infiltration rate (high runoff potential) when thoroughly wet. These consist chiefly of clays that have a high shrink-swell potential, soils that have a high water table, soils that have a claypan or clay layer at or near the surface, and soils that are shallow over nearly impervious material. These soils have a very slow rate of water transmission.

*Depth* to the upper and lower boundaries of each layer is indicated.

*Texture* is given in the standard terms used by the U.S. Department of Agriculture. These terms are defined according to percentages of sand, silt, and clay in the fraction of the soil that is less than 2 millimeters in diameter. "Loam," for example, is soil that is 7 to 27 percent clay, 28 to 50 percent silt, and less than 52 percent sand. If the content of particles coarser than sand is 15 percent or more, an appropriate modifier is added, for example, "gravelly."

*Classification* of the soils is determined according to the Unified soil classification system (ASTM, 2005) and the system adopted by the American Association of State Highway and Transportation Officials (AASHTO, 2004).

The Unified system classifies soils according to properties that affect their use as construction material. Soils are classified according to particle-size distribution of the fraction less than 3 inches in diameter and according to plasticity index, liquid limit, and organic matter content. Sandy and gravelly soils are identified as GW, GP, GM, GC, SW, SP, SM, and SC; silty and clayey soils as ML, CL, OL, MH, CH, and OH; and highly organic soils as PT. Soils exhibiting engineering properties of two groups can have a dual classification, for example, CL-ML.

The AASHTO system classifies soils according to those properties that affect roadway construction and maintenance. In this system, the fraction of a mineral soil that is less than 3 inches in diameter is classified in one of seven groups from A-1 through A-7 on the basis of particle-size distribution, liquid limit, and plasticity index. Soils in group A-1 are coarse grained and low in content of fines (silt and clay). At the other extreme, soils in group A-7 are fine grained. Highly organic soils are classified in group A-8 on the basis of visual inspection.

If laboratory data are available, the A-1, A-2, and A-7 groups are further classified as A-1-a, A-1-b, A-2-4, A-2-5, A-2-6, A-2-7, A-7-5, or A-7-6. As an additional refinement, the suitability of a soil as subgrade material can be indicated by a group index number. Group index numbers range from 0 for the best subgrade material to 20 or higher for the poorest.

*Percentage of rock fragments* larger than 10 inches in diameter and 3 to 10 inches in diameter are indicated as a percentage of the total soil on a dry-weight basis. The percentages are estimates determined mainly by converting volume percentage in the field to weight percentage. Three values are provided to identify the expected Low (L), Representative Value (R), and High (H).

*Percentage (of soil particles) passing designated sieves* is the percentage of the soil fraction less than 3 inches in diameter based on an oven-dry weight. The sieves, numbers 4, 10, 40, and 200 (USA Standard Series), have openings of 4.76, 2.00, 0.420, and 0.074 millimeters, respectively. Estimates are based on laboratory tests of soils sampled in the survey area and in nearby areas and on estimates made in the field. Three values are provided to identify the expected Low (L), Representative Value (R), and High (H).

*Liquid limit and plasticity index* (Atterberg limits) indicate the plasticity characteristics of a soil. The estimates are based on test data from the survey area or from nearby areas and on field examination. Three values are provided to identify the expected Low (L), Representative Value (R), and High (H).

References:

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

## Report—Engineering Properties

Absence of an entry indicates that the data were not estimated. The asterisk '\*' denotes the representative texture; other possible textures follow the dash. The criteria for determining the hydrologic soil group for individual soil components is found in the National Engineering Handbook, Chapter 7 issued May 2007(<http://directives.sc.egov.usda.gov/OpenNonWebContent.aspx?content=17757.wba>). Three values are provided to identify the expected Low (L), Representative Value (R), and High (H).

Engineering Properties—Morgan County, Colorado														
Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Pct Fragments		Percentage passing sieve number—				Liquid limit	Plasticity index
					Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
			<i>In</i>				<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	
BIA—Bijou loamy sand, 0 to 1 percent slopes														
Bijou	90	A	0-15	Loamy sand	SC-SM, SM	A-1, A-2	0-0-0	0-0-0	85-93-100	80-90-100	40-58-75	15-23-30	20-23-25	NP-3-5
			15-52	Coarse sandy loam, sandy loam	SC, SC-SM, SM	A-2, A-4	0-0-0	0-0-0	90-95-100	90-95-100	35-58-80	25-33-40	15-20-25	NP-5-10
			52-60	Loamy coarse sand, loamy sand, sand	SM, SP-SM	A-1, A-2, A-3	0-0-0	0-0-0	90-95-100	90-95-100	30-50-70	5-18-30	—	NP
BIB—Bijou loamy sand, 1 to 3 percent slopes														
Bijou	90	A	0-14	Loamy sand	SC-SM, SM	A-1, A-2	0-0-0	0-0-0	85-93-100	80-90-100	40-58-75	15-23-30	20-23-25	NP-3-5
			14-52	Coarse sandy loam, sandy loam	SM, SC-SM, SC	A-2, A-4	0-0-0	0-0-0	90-95-100	90-95-100	35-58-80	25-33-40	15-20-25	NP-5-10
			52-60	Loamy coarse sand, loamy sand, sand	SM, SP-SM	A-1, A-2, A-3	0-0-0	0-0-0	90-95-100	90-95-100	30-50-70	5-18-30	—	NP

Engineering Properties—Morgan County, Colorado														
Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Pct Fragments		Percentage passing sieve number—				Liquid limit	Plasticity index
					Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
			<i>In</i>				<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>
BnA—Bijou sandy loam, 0 to 1 percent slopes														
Bijou	90	A	0-12	Sandy loam	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	85-93-100	80-90-100	35-60-85	25-33-40	15-18-20	NP-3-5
			12-36	Coarse sandy loam, sandy loam	SC, SC-SM, SM	A-2, A-4	0-0-0	0-0-0	90-95-100	90-95-100	35-58-80	25-33-40	15-20-25	NP-5-10
			36-60	Sand, loamy sand, loamy coarse sand	SM, SP-SM	A-1, A-2, A-3	0-0-0	0-0-0	90-95-100	90-95-100	30-50-70	5-18-30	—	NP
BnB—Bijou sandy loam, 1 to 3 percent slopes														
Bijou	85	A	0-12	Sandy loam	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	85-93-100	80-90-100	35-60-85	25-33-40	15-18-20	NP-3-5
			12-37	Coarse sandy loam, sandy loam	SC, SC-SM, SM	A-2, A-4	0-0-0	0-0-0	90-95-100	90-95-100	35-58-80	25-33-40	15-20-25	NP-5-10
			37-60	Loamy coarse sand, loamy sand, sand	SP-SM, SM	A-3, A-2, A-1	0-0-0	0-0-0	90-95-100	90-95-100	30-50-70	5-18-30	—	NP
BoB—Bijou sandy loam, moderately deep, 1 to 3 percent slopes														
Bijou, moderately deep	90	A	0-10	Sandy loam	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	85-93-100	80-90-100	35-60-85	25-33-40	15-18-20	NP-3-5
			10-21	Coarse sandy loam, sandy loam	SC, SC-SM, SM	A-2, A-4	0-0-0	0-0-0	90-95-100	90-95-100	35-58-80	25-33-40	15-20-25	NP-5-10
			21-60	Loamy coarse sand, loamy sand, sand	SM, SP-SM	A-1, A-2, A-3	0-0-0	0-0-0	90-95-100	90-95-100	30-50-70	5-18-30	—	NP

Engineering Properties—Morgan County, Colorado														
Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Pct Fragments		Percentage passing sieve number—				Liquid limit	Plasticity index
					Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
			<i>In</i>				<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	
BuA—Bresser loamy sand, 0 to 3 percent slopes														
Bresser	85	B	0-9	Loamy sand	SM	A-2-4	0-0-0	0-0-0	100-100-100	100-100-100	77-80-84	20-23-29	20-24-27	1-3-6
			9-25	Sandy clay loam, clay loam	SC	A-6	0-0-0	0-0-0	100-100-100	100-100-100	82-86-90	43-48-53	29-38-41	12-17-19
			25-30	Coarse sandy loam, sandy loam	SC-SM	A-2-4	0-0-0	0-0-0	100-100-100	100-100-100	70-74-79	25-30-36	19-22-28	3-6-9
			30-80	Loamy coarse sand, loamy sand, gravelly loamy sand, gravelly loamy coarse sand	SC-SM	A-2-4	0-0-0	0-0-0	100-100-100	85-97-100	67-79-86	17-23-28	19-22-27	4-6-10
BvA—Bresser sandy loam, 0 to 3 percent slopes														
Bresser	90	B	0-9	Sandy loam	SC	A-4	0-0-0	0-0-0	100-100-100	100-100-100	74-77-80	37-39-44	23-31-35	4-9-10
			9-25	Sandy clay loam	SC	A-6	0-0-0	0-0-0	100-100-100	95-100-100	83-86-89	44-48-51	29-38-41	12-17-19
			25-30	Coarse sandy loam, sandy loam	SC-SM	A-2-4	0-0-0	0-0-0	100-100-100	95-100-100	72-74-77	28-30-34	19-22-28	3-6-9
			30-79	Loamy sand, loamy coarse sand, coarse sandy loam	SC-SM	A-2-4	0-0-0	0-0-0	100-100-100	90-98-100	67-79-86	17-23-28	19-22-27	4-6-10

Engineering Properties—Morgan County, Colorado														
Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Pct Fragments		Percentage passing sieve number—				Liquid limit	Plasticity index
					Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
			<i>In</i>				<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>
BxC—Bresser soils, terrace, 3 to 5 percent slopes														
Bresser	90	B	0-7	Loamy sand	SM	A-1	0-0-0	0-0-0	95-98-100	75-88-100	35-43-50	15-20-25	—	NP
			7-29	Sandy clay loam, clay loam	SC	A-2, A-6, A-7	0-0-0	0-0-0	95-98-100	75-88-100	50-60-70	30-40-50	30-43-55	15-23-30
			29-60	Sandy loam, coarse sandy loam, gravelly sandy loam	SC, SC-SM	A-2	0-0-0	0-0-0	90-95-100	60-80-100	30-45-60	20-25-30	25-30-35	5-10-15
GP—Pits, Gravel														
Pits, gravel	100	A	0-6	Extremely gravelly sand	GP, GW	A-1	—	0-13-25	10-18-25	5-15-25	0-8-15	0-3-5	0-7-14	NP
			6-60	Extremely gravelly sand, extremely gravelly coarse sand, very gravelly coarse sand	GP, GW, SP, SW	A-1	—	0-13-25	10-33-55	5-28-50	0-8-15	0-3-5	0-7-14	NP
TuC—Truckton loamy sand, 3 to 5 percent slopes														
Truckton	80	A	0-11	Loamy sand	SM	A-2	0-0-0	0-0-0	95-98-100	95-98-100	45-58-70	10-20-30	20-23-25	NP-3-5
			11-25	Sandy loam	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	95-98-100	95-98-100	60-65-70	30-35-40	20-23-25	NP-3-5
			25-60	Sandy loam, loamy sand, loamy coarse sand	SM, SC-SM	A-2	0-0-0	0-0-0	95-98-100	95-98-100	45-58-70	15-25-35	20-23-25	NP-3-5

Engineering Properties—Morgan County, Colorado														
Map unit symbol and soil name	Pct. of map unit	Hydrologic group	Depth	USDA texture	Classification		Pct Fragments		Percentage passing sieve number—				Liquid limit	Plasticity index
					Unified	AASHTO	>10 inches	3-10 inches	4	10	40	200		
			<i>In</i>				<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	<i>L-R-H</i>	
Va—Valent sand, 0 to 3 percent slopes														
Valent	85	A	0-5	Sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	100-100-100	74-77-81	7-9-12	0-0-22	NP-0-3
			5-12	Sand, loamy sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	97-100-100	73-77-83	6-8-14	0-0-21	NP-0-4
			12-30	Sand, loamy sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	97-100-100	73-77-83	6-8-14	0-0-20	NP-0-4
			30-80	Loamy sand, sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	97-100-100	73-77-83	6-8-14	0-0-20	NP-0-4
VcD—Valent sand, 3 to 9 percent slopes														
Valent	80	A	0-5	Sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	100-100-100	74-77-81	7-9-12	0-0-19	NP-0-3
			5-12	Sand, loamy sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	97-100-100	72-77-83	6-8-14	0-0-21	NP-0-4
			12-30	Loamy sand, sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	97-100-100	72-77-83	6-8-14	0-0-20	NP-0-4
			30-80	Sand, loamy sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	97-100-100	72-77-83	6-8-14	0-0-20	NP-0-4
Ve—Valent-Dwyer sands, terrace, 0 to 3 percent slopes														
Valent	45	A	0-4	Sand	SP-SM	A-3, A-2-4	0-0-0	0-0-0	100-100-100	92-97-100	69-74-79	8-9-12	0-0-19	NP-0-3
			4-80	Sand, loamy sand	SP-SM, SC-SM	A-3, A-2-4	0-0-0	0-0-0	100-100-100	92-97-100	67-75-82	6-8-15	0-0-20	NP-0-4
Dwyer	44	A	0-4	Sand	SP-SM	A-3, A-2-4	0-0-0	0-0-0	100-100-100	92-97-100	69-74-78	7-8-11	0-0-19	NP-0-2
			4-80	Sand, loamy sand	SP-SM, SC-SM	A-3, A-2-4	0-0-0	0-0-0	100-100-100	92-97-100	66-74-81	6-8-15	0-0-21	NP-0-4



## Data Source Information

Soil Survey Area: Morgan County, Colorado  
Survey Area Data: Version 23, Sep 1, 2022



P.O. Box 336337  
Greeley, CO 80633-0606

Phone (970) 351-0733  
Fax (970) 351-0867

**LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION**  
(Sandy Hills Family Dairy, LLC Property)

**Subject Property:**

Township 3 North, Range 59 West, 6th P.M., Morgan County, CO  
Section 14: S $\frac{1}{2}$ SW $\frac{1}{4}$ ; AND NW $\frac{1}{4}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$  lying South and West of the Bijou Canal,  
EXCEPT that parcel conveyed to Department of Highways in Book 767 at page 876;  
AND EXCEPT a parcel conveyed in Book 849 at page 285;  
AND EXCEPT a parcel conveyed in Book 873 at page 334

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq. in the Subject Property based upon the records of the Morgan County Assessor and Clerk Recorder as of July 7, 2023 at 7:45 a.m.:

**Mineral Owners:**

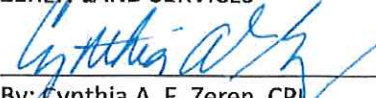
None (entitled to notice)

**Mineral Leasehold Owners:**

None (entitled to notice)

Dated this 10<sup>th</sup> day of July, 2023.

ZEREN LAND SERVICES

  
By: Cynthia A. E. Zeren, CPI  
Certified Professional Landman #4044

At the request of **AGProfessionals** ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq.

Zeren Land Services, searched (i) the records of the Morgan County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the Morgan County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through July 7, 2023 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, **the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services, for the listing.**

In order to induce Zeren Land Services, to provide such services, **Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing.** Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). **Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.**

Date: July 10, 2023

ZEREN LAND SERVICES

By: 

Cynthia A. E. Zeren, as President



P.O. Box 336337  
Greeley, CO 80633-0606

Phone (970) 351-0733  
Fax (970) 351-0867

**LIST OF MINERAL OWNERS AND MINERAL LESSEES for NOTIFICATION**  
(Sandy Hills Family Dairy, LLC Property)

**Subject Property:**

Township 3 North, Range 59 West, 6th P.M., Morgan County, CO

Section 15: NE¼;

EXCEPT a parcel conveyed in Book 845 at Page 814;

AND EXCEPT a parcel conveyed to Department of Highways in Book 767 at Page 878

Zeren Land Services, an oil and gas title research company, states that to the best of its knowledge the following is a true and accurate list of the names and addresses of the mineral owners and mineral leasehold owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq. in the Subject Property based upon the records of the Morgan County Assessor and Clerk Recorder as of July 7, 2023 at 7:45 a.m.:

**Mineral Owners:**


None (entitled to notice)

**Mineral Leasehold Owners:**

None (entitled to notice)

Dated this 10<sup>th</sup> day of July, 2023.

ZEREN LAND SERVICES

  
By: Cynthia A. E. Zeren, CPL  
Certified Professional Landman #4044

At the request of **AGPRO**Professionals ("Client"), Zeren Land Services, an independent land consulting firm, has prepared the foregoing list of mineral estate owners entitled to notice under the Surface Development Notification Act, Colorado Revised Statutes §24-65.5-101, et seq.

Zeren Land Services, searched (i) the records of the Morgan County Assessor relating to the Subject Property for persons identified therein as mineral estate owners, and (ii) the records of the Morgan County Clerk and Recorder relating to the Subject Property for recorded requests for notification in the form specified in the Surface Development Notification Act. The results of these searches are set forth above in this List of Mineral Owners Entitled to Notice. At the date of the search, the records of the Assessor and the Clerk and Recorder were posted through July 7, 2023 at 7:45 A.M.

Zeren Land Services, agreed to prepare this listing for the Client only if the Client agreed that the liability of Zeren Land Services, would be strictly limited to the amount paid by the Client for such services. Zeren Land Services, makes no warranty, express, implied or statutory, in connection with the accuracy, completeness or sufficiency of such listing of mineral estate owners. In the event the listing proves to be inaccurate, incomplete, insufficient or otherwise defective in any way whatsoever or for any reason whatsoever, **the liability of Zeren Land Services, shall never exceed the actual amount paid by Client to Zeren Land Services, for the listing.**

In order to induce Zeren Land Services, to provide such services, **Client further agreed to indemnify and hold Zeren Land Services, its managers, members and employees, harmless from and against all claims by all persons (including, but not limited to Client) of whatever kind or character arising out of the preparation and use of each such listing of mineral estate owners, to the extent that such claims exceed the actual amount paid to Client by Zeren Land Services, for such listing.** Client specifically intends that both the foregoing limitation on liability and foregoing indemnification shall be binding and effective without regard to the cause of the claim, inaccuracy or defect, including, but not limited to, breach of representation, warranty or duty, any theory of tort or of breach of contract, or the fault or negligence of any party (including Zeren Land Services) of any kind or character (regardless of whether the fault or negligence is sole, joint, concurrent, simple or gross). **Client's use of this listing evidences Client's acceptance of, and agreement with, this limitation on liability and the indemnification.**

Date: July 10, 2023

ZEREN LAND SERVICES

By:   
Cynthia A. E. Zeren, as President

# Morgan County Treasurer

## Statement of Taxes Due

Account Number R008630  
Assessed To

Parcel 122523000001  
SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

**Legal Description**  
S: 23 T: 3 R: 59 NW1/4

**Situs Address**

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2022	\$86.68	\$0.00	\$0.00	\$0.00	\$86.68
<b>Total Tax Charge</b>					<b>\$86.68</b>
<b>Grand Total Due as of 04/12/2023</b>					<b>\$86.68</b>

Tax Billed at 2022 Rates for Tax Area 231 - 231 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$24.94	GRAZING LAND	\$4,840	\$1,280
ROAD AND BRIDGE FUND	7.5000000	\$9.60	Total	\$4,840	\$1,280
SOCIAL SERVICES FUND	2.0000000	\$2.56			
NORTHERN COLO WATER CD	1.0000000	\$1.28			
RE 3 F M GENERAL FD	27.0840000	\$34.67			
RE 3 F M M/L OVRD	1.7730000	\$2.27			
RE 3 F M BOND RED	8.8740000	\$11.36			
<b>Taxes Billed 2022</b>	<b>67.7140000</b>	<b>\$86.68</b>			

\*\*\*\*\*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

# Morgan County Treasurer

## Statement of Taxes Due

Account Number R009053  
Assessed To

Parcel 122514000003  
SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

**Legal Description**

**Situs Address**

S: 14 T: 3 R: 59 S1/2SW1/4 B772 P447

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2022	\$609.08	\$0.00	\$0.00	\$0.00	\$609.08
<b>Total Tax Charge</b>					<b>\$609.08</b>
<b>Grand Total Due as of 04/12/2023</b>					<b>\$609.08</b>

Tax Billed at 2022 Rates for Tax Area 245 - 245 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$165.80	SPRINKLER	\$31,860	\$8,410
ROAD AND BRIDGE FUND	7.5000000	\$63.83	IRRIGATED LAND		
SOCIAL SERVICES FUND	2.0000000	\$17.02	GRAZING LAND	\$380	\$100
FT MORGAN RURAL FIRE DIST	3.0330000	\$25.81	Total	\$32,240	\$8,510
MORGAN CO QUALITY WATER	0.8240000	\$7.01			
NORTHERN COLO WATER CD	1.0000000	\$8.51			
RE 3 F M GENERAL FD	27.0840000	\$230.49			
RE 3 F M M/L OVRD	1.7730000	\$15.09			
RE 3 F M BOND RED	8.8740000	\$75.52			
<b>Taxes Billed 2022</b>	<b>71.5710000</b>	<b>\$609.08</b>			

\*\*\*\*\*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

# Morgan County Treasurer

## Statement of Taxes Due

Account Number R018576  
Assessed To

Parcel 122514000008  
SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

**Legal Description** **Situs Address**  
S: 14 T: 3 R: 59 N1/2SW1/4 LYING WEST OF BIJOU CANAL

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2022	\$643.44	\$0.00	\$0.00	\$0.00	\$643.44
<b>Total Tax Charge</b>					<b>\$643.44</b>
<b>Grand Total Due as of 04/12/2023</b>					<b>\$643.44</b>

Tax Billed at 2022 Rates for Tax Area 245 - 245 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$175.15	SPRINKLER	\$33,760	\$8,910
ROAD AND BRIDGE FUND	7.5000000	\$67.43	IRRIGATED LAND		
SOCIAL SERVICES FUND	2.0000000	\$17.98	GRAZING LAND	\$250	\$70
FT MORGAN RURAL FIRE DIST	3.0330000	\$27.27	FARM/RANCH	\$20	\$10
MORGAN CO QUALITY WATER	0.8240000	\$7.41	WASTE LAND		
NORTHERN COLO WATER CD	1.0000000	\$8.99	Total	\$34,030	\$8,990
RE 3 F M GENERAL FD	27.0840000	\$243.49			
RE 3 F M M/L OVRD	1.7730000	\$15.94			
RE 3 F M BOND RED	8.8740000	\$79.78			
<b>Taxes Billed 2022</b>	<b>71.5710000</b>	<b>\$643.44</b>			

\*\*\*\*\*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



# Morgan County Treasurer

## Statement of Taxes Due

Account Number R009040  
Assessed To

Parcel 122515000001  
SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

**Legal Description**

S: 15 T: 3 R: 59 NE1/4 EX B745 P403 & B767 P878

**Situs Address**

09682 CO RD Q

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2022	\$916.08	\$0.00	\$0.00	\$0.00	\$916.08
<b>Total Tax Charge</b>					<b>\$916.08</b>
<b>Grand Total Due as of 04/12/2023</b>					<b>\$916.08</b>

Tax Billed at 2022 Rates for Tax Area 268 - 268 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$239.44	DRY FARM LAND	\$27,700	\$7,310
ROAD AND BRIDGE FUND	7.5000000	\$92.18	GRAZING LAND	\$430	\$110
SOCIAL SERVICES FUND	2.0000000	\$24.58	FARM/RANCH	\$30	\$10
WIGGINS RURAL FIRE DIST	7.0000000	\$86.03	WASTE LAND		
MORGAN CO QUALITY WATER	0.8240000	\$10.13	FARM/RANCH	\$47,460	\$3,300
RE 3 F M GENERAL FD	27.0840000	\$332.87	RESIDENCE		
RE 3 F M M/L OVRD	1.7730000	\$21.79	FARM/RANCH	\$5,910	\$1,560
RE 3 F M BOND RED	8.8740000	\$109.06	SUPPORT IMPS		
			Total	\$81,530	\$12,290
Taxes Billed 2022	74.5380000	\$916.08			

\*\*\*\*\*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: [esafe@co.morgan.co.us](mailto:esafe@co.morgan.co.us)  
Website: [morgancounty.colorado.gov](http://morgancounty.colorado.gov)

# Morgan County Treasurer

## Statement of Taxes Due

Account Number R009054  
Assessed To

Parcel 122514000002  
SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

**Legal Description**

S: 14 T: 3 R: 59 PARC NW1/4 LYING S&W OF BIJOU CANAL B724 P392 EX PARC TO HWY  
B767 P876 & B873 P334

**Situs Address**

15884 CO RD 10

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2022	\$100,952.32	\$0.00	\$0.00	\$0.00	\$100,952.32
<b>Total Tax Charge</b>					<b>\$100,952.32</b>
<b>Grand Total Due as of 04/12/2023</b>					<b>\$100,952.32</b>

Tax Billed at 2022 Rates for Tax Area 045 - 045 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$27,481.16	GRAZING LAND	\$2,130	\$560
ROAD AND BRIDGE FUND	7.5000000	\$10,578.90	FARM/RANCH WASTE LAND	\$20	\$10
SOCIAL SERVICES FUND	2.0000000	\$2,821.04	ALL OTHER AG - LAND	\$127,620	\$37,010
FT MORGAN RURAL FIRE DIST	3.0330000	\$4,278.11	FARM/RANCH RESIDENCE	\$281,620	\$19,570
MORGAN CO QUALITY WATER	0.8240000	\$1,162.27	ALL OTHER AG - IMPS	\$4,666,800	\$1,353,370
NORTHERN COLO WATER CD	1.0000000	\$1,410.52			
RE 3 F M GENERAL FD	27.0840000	\$38,202.52			
RE 3 F M M/L OVRD	1.7730000	\$2,500.85			
RE 3 F M BOND RED	8.8740000	\$12,516.95	Total	\$5,078,190	\$1,410,520
<b>Taxes Billed 2022</b>	<b>71.5710000</b>	<b>\$100,952.32</b>			

\*\*\*\*\*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

# Morgan County Treasurer

## Statement of Taxes Due

Account Number R015263  
Assessed To

Parcel 122515000009  
SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

**Legal Description**

**Situs Address**

S: 15 T: 3 R: 59 PARC SE1/4 B847 P151-2

Year	Tax	Interest	Fees	Payments	Balance
<b>Tax Charge</b>					
2022	\$62.60	\$0.00	\$0.00	\$0.00	\$62.60
<b>Total Tax Charge</b>					<b>\$62.60</b>
<b>Grand Total Due as of 04/12/2023</b>					<b>\$62.60</b>

Tax Billed at 2022 Rates for Tax Area 268 - 268 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$16.36	DRY FARM LAND	\$3,180	\$840
ROAD AND BRIDGE FUND	7.5000000	\$6.30	Total	\$3,180	\$840
SOCIAL SERVICES FUND	2.0000000	\$1.68			
WIGGINS RURAL FIRE DIST	7.0000000	\$5.88			
MORGAN CO QUALITY WATER	0.8240000	\$0.69			
RE 3 F M GENERAL FD	27.0840000	\$22.75			
RE 3 F M M/L OVRD	1.7730000	\$1.49			
RE 3 F M BOND RED	8.8740000	\$7.45			
<b>Taxes Billed 2022</b>	<b>74.5380000</b>	<b>\$62.60</b>			

\*\*\*\*\*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](mailto:esale@co.morgan.co.us)  
Website: [morgancounty.colorado.gov](http://morgancounty.colorado.gov)

## LANDOWNER LETTERS, REFERRALS & RESPONSES

Landowner Letter Sent & Responses Received

Referral Sent & Responses Received

Notification

Sign Posting Pictures & Affidavit



## MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

March 21, 2024

Dear Neighboring Landowner:

AGPROfessionals, Tim Naylor and Hannah Dutrow, as applicants, and Sandy Hills Family Dairy, LLC, as landowner, have submitted an application to our office for an Amended Use by Special Review Permit to expand the permitted Sandy Hills Family Dairy confinement operations to 14,245 Animal Units. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.

The subject parcel of land is located in a part of the NE $\frac{1}{4}$  of Section 15, a part of the NW $\frac{1}{4}$  of Section 14 and a part of the N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 14, all in Township 3 North, Range 59 West, of the 6<sup>th</sup> P.M., Morgan County, Colorado. Also known as 15884 Co Rd 10, Fort Morgan, Colorado 80701.

This application was heard by the Planning Commission at a public hearing on Monday, September 11, 2023 at 7:00 P.M. and will be heard by the Board of County Commissioners at a **public hearing on Tuesday, April 16, 2024 at 9:00 A.M.** in the Assembly Room of the Morgan County Administration Building, 231 Ensign St., (Basement Level, elevator entrance) Fort Morgan, Colorado.

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office located at 231 Ensign St., Fort Morgan, Colorado. If you have any questions pertaining to this application or if you would like to review the file, please contact us at (970) 542-3526 or stop by our office. You may attend the public hearing and provide comments on the application, or alternatively, if you are not able to attend you may submit written comments to our office no later than **April 4, 2024**.

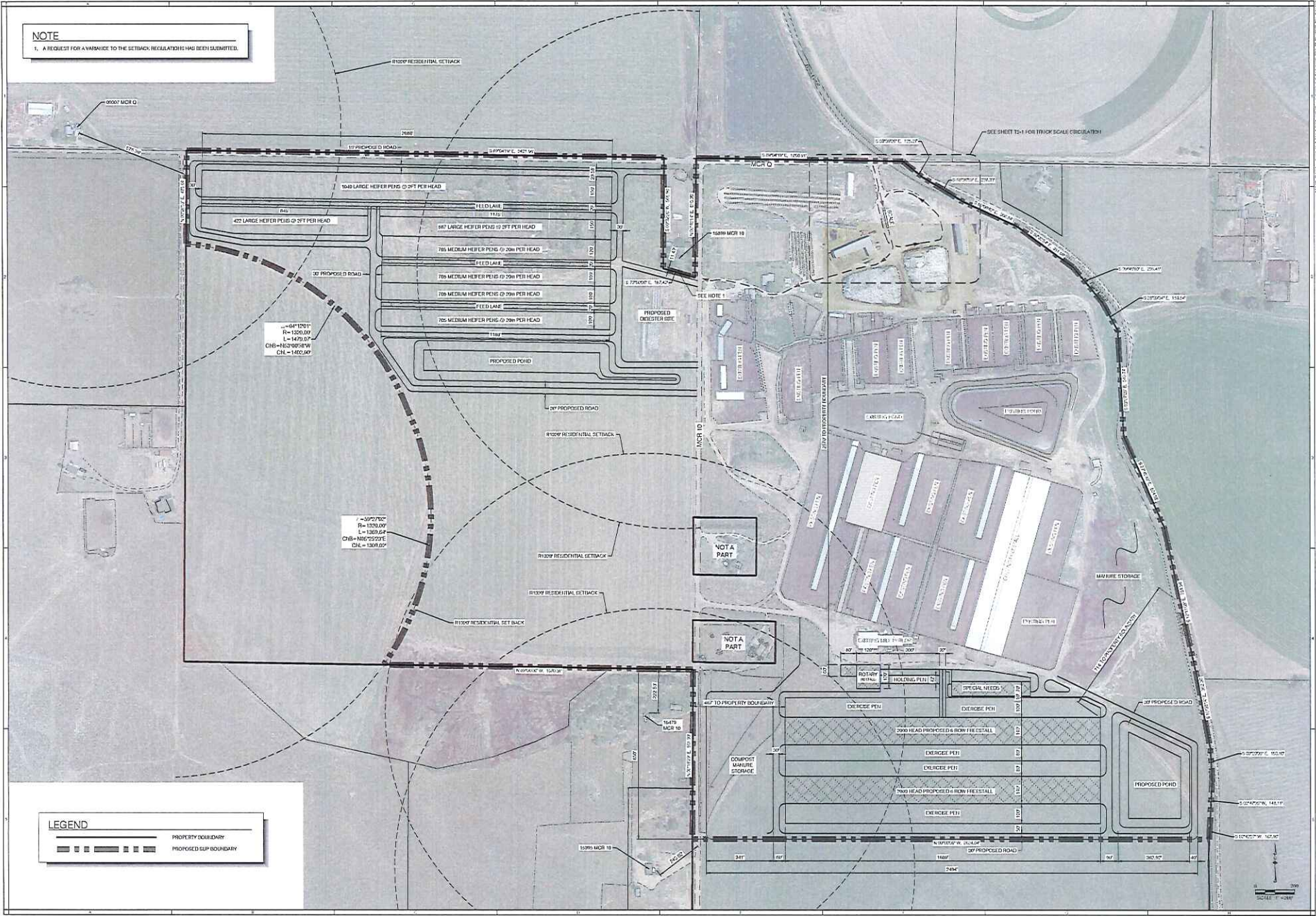
Sincerely,

*Nicole Hay*

Nicole Hay  
Planning Administrator

*For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.*

**NOTE**  
 1. A REQUEST FOR A VARIANCE TO THE SETBACK REGULATIONS HAS BEEN SUBMITTED.



**LEGEND**  
 ———— PROPERTY BOUNDARY  
 - - - - - PROPOSED SUP BOUNDARY

DATE	PROJECT NO.	DRAWN BY
REVISION	DESCRIPTION	DATE

**AGPRO** professionals  
 DEVELOPERS OF AGRICULTURE  
 3050 67th Avenue, Suite 300,  
 Greeley, CO 80631  
 (970) 355-9918 • fax: (970) 355-9654  
 (970) 355-5001



**SANDY HILL'S FAMILY DAIRY LLC**  
 PROPOSED SITE PLAN  
 MORGAN COUNTY, CO

SHEET:  
**P-ST**

SANDY HILLS FAMILY DAIRY LLC  
15682 CO RD 10  
FORT MORGAN, CO 80701

HANSEN, DALE V  
P O BOX 353  
WIGGINS, CO 80654

GOEDERT, BRIAN  
15395 CO RD 10  
FORT MORGAN, CO 80701

LONGACRE, WALTER A  
10348 CO RD Q  
FORT MORGAN, CO 80701

SKRABACK, MICHAEL L  
16214 CO RD 10  
FORT MORGAN, CO 80701

DOYLE, ARTHUR CONN ET AL  
P O BOX 1433  
GRAND JUNCTION, CO 81502

GOEDERT, JACK E  
15532 CO RD 10  
FORT MORGAN, CO 80701

RUPPEL, RICHARD G  
15020 CO RD 11  
FORT MORGAN, CO 80701

HANSEN, TERRY B & LEIGHANN  
P O BOX 156  
WIGGINS, CO 80654-0156

MORGAN COUNTY  
P O BOX 596  
FORT MORGAN, CO 80701

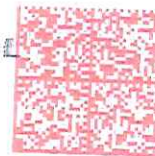
MORGAN COUNTY QUALITY WATER DISTRICT  
P O BOX 1218  
FORT MORGAN, CO 80701

STATE OF COLORADO  
BOARD OF LAND COMMISSIONERS  
1313 SHERMAN ST - RM 620  
DENVER, CO 80203



MORGAN COUNTY  
PLANNING & ZONING  
231 ENSIGN ST  
P O BOX 596  
FORT MORGAN, CO 80701

DENVER CO 802  
21 MAR 2024PM 6 L



US POSTAGE BY PITNEY BOWES  
  
ZIP 80701 \$ 000.64<sup>0</sup>  
02 1W  
0001403557 MAR 21 2024

**Received**

MAR 29 2024

DOYLE, ARTHUR CONN ET  
AL  
P O BOX 1433  
GRAND JUNCTION, CO 81502

Board of Morgan County  
Commissioners

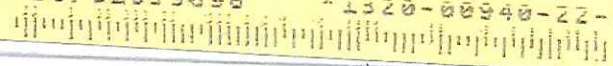
9327020042296217

81502-143300  
80701-0596

NIXIE 808 DE 1 0003/28/24

RETURN TO SENDER  
VACANT  
UNABLE TO FORWARD

BC: 807010596006 \*1520-00940-22-00





## MORGAN COUNTY PLANNING AND ZONING DEPARTMENT

### TO REFERRAL AGENCIES:

Bijou Ditch Company	Morgan County Fire District
CDOT	Morgan County Quality Water
CDPHE	Morgan County Road & Bridge
CenturyLink	Morgan County Rural Electric Assoc.
City of Brush	Morgan County Sheriff Dept.
City of Fort Morgan	Morgan Conservation District
Division of Wildlife	MC Weed & Pest Advisory Committee
Farm Service Agency- Morgan County	Northeast Colorado Health Dept.
Kinder Morgan, Inc.	Northern Colorado Water Conservancy
Morgan County Assessor	Town of Wiggins
Morgan County Communications Center	Xcel Energy
Morgan County Emergency Mgmt.	

FROM: Cheryl Brindisi, Morgan County Planning & Administrative Assistant  
231 Ensign St, PO Box 596, Fort Morgan, CO 80701  
970-542-3526 / 970-542-3509 fax / cbrindisi@co.morgan.co.us

DATE: March 21, 2024

RE: Land Use Application-Special Use Permit

The following Special Use Permit application was heard by the Planning Commission on Monday, September 18, 2023 at 7:00 P.M. and will be heard by the Board of County Commissioners on **Tuesday, April 16, 2024 at 9:00 A.M.** in the Assembly Room of the Morgan County Administrative Building, 231 Ensign Street, Fort Morgan, CO 80701 (Basement level; use elevator entrance in SW corner.) **You are encouraged to provide comments to this application by April 4, 2024.** Failure to comment will be viewed as a favorable review. Please contact the Planning and Zoning Department if you would like to attend the public meeting.

**Applicants:** Tim Naylor and Hannah Dutrow/AGPROfessionals

**Landowners:** Sandy Hills Family Farms, LLC

**Legal Description:** A part of the NE $\frac{1}{4}$  of Section 15, a part of the NW $\frac{1}{4}$  of Section 14 and a part of the N $\frac{1}{2}$ SW $\frac{1}{4}$  of Section 14, all in Township 3 North, Range 59 West of the 6<sup>th</sup> PM, Morgan County, Colorado. Also known as 15884 Co Rd 10, Fort Morgan, Colorado 80701.

**Request:** Amended Use by Special Review Permit to expand the permitted Sandy Hills Family Dairy confinement operations to 14,245 Animal Units. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.

Documents pertaining to the above identified matters are on file at the Morgan County Planning Department, located at 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

Sincerely,

*Cheryl Brindisi,*

Morgan County Planning and Zoning Administrative Assistant



## MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

Bijou Ditch Company  
CDOT  
CDPHE/Thaine Kramer  
CenturyLink  
City of Brush  
City of Fort Morgan  
Division of Wildlife  
Farm Service Agency- Morgan County  
Kinder Morgan, Inc.  
Morgan County Assessor  
Morgan County Communications Center

Morgan County Emergency Mgmt.  
Morgan County Fire District  
Morgan County Quality Water  
Morgan County Road & Bridge  
Morgan County Rural Electric Assoc.  
Morgan County Sheriff Dept.  
Morgan Soil Conservation District  
Northeast Colorado Health Dept.  
Northern Colorado Water Conservancy  
Town of Wiggins  
Xcel Energy

FROM: Cheryl Brindisi, Morgan County Planning & Administrative Assistant  
231 Ensign St, PO Box 596, Fort Morgan, CO 80701  
970-542-3526 / 970-542-3509 fax / cbrindisi@co.morgan.co.us

DATE: September 21, 2023

RE: Land Use Application-Special Use Permit

**BCC HEARING DATE UPDATE**

Dear Referral Agencies:

Referral letters of notice for an Amended Use by Special Review were sent out on August 23, 2023 for the proposed expansion of Sandy Hills Family Dairy, LLC. This application was scheduled to be heard by the Board of County Commissioners at a public hearing on **Tuesday, October 3, 2023 at 9:00 A.M. and has been continued.** The County will provide updated information after BOCC sets a new date for the hearing. **Referral letters will be sent again once the TBD date has been set.**

If you have any questions pertaining to this application or if you would like to review the file, either contact us at (970) 542-3526 or stop by our office prior to the hearing.

Sincerely,

*Cheryl Brindisi,*

Morgan County Planning and Zoning Administrative Assistant

REFERRAL AGENCIES	RESPONSES RECEIVED
Bijou Ditch Company	
CDOT	<p><u>Response received via email on August 24, 2023</u></p> <p>Cheryl,</p> <p>Thank you for sending that in. I appreciate getting the traffic information as well. No comments from us since it is offsite and it is not a significant traffic expansion. Thank you.</p> <p>Tim</p> <p><b>Tim Bilobran</b> Region 4 Permits Manager</p>
CDPHE/Thaine Kramer	<p><u>Response received via email August 24, 2023</u></p> <p>Cheryl, Thanks for the documents regarding Sandy Hills Family Dairy. I was aware of this possible expansion after last years inspection. For the Ag Program they will be required to submit updated documents (Registration, Liner Certs, etc.) after the project is completed. I do not have any further comments. Please let me know if you have any questions.</p> <p><b>Thaine Kramer</b> <b>Environmental Protection Specialist</b></p> <p>Environmental Agriculture Program 4300 Cherry Creek Drive South DEHS-A2 Denver, CO 80246-1530</p>
Century Link	
City of Brush	
Division of Wildlife	
Farm Service Agency	
Kinder Morgan, Inc.	
Morgan County Assessor	
Morgan County Communications Center	
Morgan County Emergency Mgmt.	
Morgan County Fire District	
Morgan County Fire District	
Morgan County Quality Water	
Morgan County Road & Bridge	
Morgan County Rural Electric Assoc.	
Morgan Soil Conservation District	
Northeast Colorado Health Dept.	
Northern Colorado Water Conservancy	

<p>Town of Wiggins</p>	<p><b><u>Response received via email August 14, 2023</u></b> Good Morning Cheryl,</p> <p>Do you know what haul route Sandy Hills currently uses and will there be an increase in hauling with the expansion?</p> <p>Best Regards,</p> <p><i>Hope Becker</i> <i>Planning &amp; Zoning Administrator</i></p> <p><i>Town of Wiggins</i> <i>304 Central Avenue</i> <i>Wiggins, CO 80654</i></p> <p>Response from Applicant to Town of Wiggins via email August 16, 2023 HI Cheryl</p> <p>Regarding the Sandy hills traffic. Currently, 90% of the traffic is east/west on Rd Q to Rd 12 to I-76 to the Laprino plant in Fort Morgan. 10% will be east/west on Hwy 39/52 to Road Q for milk routed to Greeley. We do not anticipate traffic to go through Wiggins other than at the Stubb's truck stop for access to Hwy 34 or I-76.</p> <p>There are currently 3 milk trucks per day and expansion would increase to 6 milk trucks per day.</p> <p>Thanks</p> <p>Tim Naylor</p> <p><b>AGPROfessionals</b> 3050 67th Avenue, Suite 200 Greeley, CO 80634</p>
<p>Xcel Energy</p>	<p><b><u>See included letter from 8/25/2023</u></b></p> <p><b><u>See included letter from 3/22/2024</u></b></p>



Right of Way & Permits

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: 303.285.6612

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

Attn: Cheryl Brindisi

**Re: Sandy Hills Family Farms, LLC  
15884 Co Rd 10, Fort Morgan, Colorado 80701**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the documents for the above-mentioned Land Use Application and has **no apparent conflict** as currently reviewed.

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.

Violeta Ciocanu (Chokanu)  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-285-6612 – Email:



Right of Way & Permits

1123 West 3<sup>rd</sup> Avenue  
Denver, Colorado 80223  
Telephone: 303.285.6612

August 25, 2023

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

Attn: Nicole Hay and Cheryl Brindisi

**Re: Sandy Hills Family Dairy**

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **Sandy Hills Family Dairy** and has **no apparent conflict**.

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.

Violeta Ciocanu [Chokanu]  
Right of Way and Permits  
Public Service Company of Colorado dba Xcel Energy  
Office: 303-285-6612 – Email:

**NOTICE OF PUBLIC HEARING**  
**MORGAN COUNTY BOARD OF COMMISSIONERS**  
**APRIL 16, 2024 AT 9:00 A.M.**  
**VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN COUNTY**  
**ADMINISTRATIVE BUILDING, 231 ENSIGN, FORT MORGAN, COLORADO**

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Board of Commissioners will conduct public hearings on the following proposed **Land Use Application and Amendments to the Morgan County Zoning and Subdivision Regulations:**

- 1.) **Applicant:** AGPROfessionals, Hannah Dutrow & Tim Naylor  
**Landowners:** Sandy Hills Family Dairy, LLC  
**Legal Description:** a part of the NE¼ of Section 15, a part of the NW¼ of Section 14 and a part of the N½SW¼ of Section 14, all in Township 3 North, Range 59 West, of the 6<sup>th</sup> PM, Morgan County, Colorado. Also known as 15884 Co Rd 10, Fort Morgan, Colorado 80701.  
**Request:** Amended Use by Special Review Permit to expand the permitted Sandy Hills Family Dairy confinement operations to 14,245 Animal Units. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.  
**Date of Application:** August 1, 2023.
- 2.) **Zoning Amendments:** Amendments relating to Manufactured Homes.
- 3.) **Subdivision Amendments:** Amendments relating to Manufactured Homes, shared wells and shared access.

**THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.**

To participate remotely you may connect via Zoom at:

<https://us02web.zoom.us/j/88057408507>

Or Telephone:

Dial:

+1 719 359 4580 US

Webinar ID: 880 5740 8507

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

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

---

Nicole Hay  
Morgan County Planning Administrator

Published: March 30, 2024

*For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.*



**NOTICE OF PUBLIC HEARING  
MORGAN COUNTY BOARD OF COMMISSIONERS  
APRIL 16, 2024 AT 9:00 A.M.  
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN  
COUNTY ADMINISTRATIVE BUILDING, 231 ENSIGN,  
FORT MORGAN, COLORADO**

**Prairie Mountain Media, LLC**

**PUBLISHER'S AFFIDAVIT**

**County of Morgan  
State of Colorado**

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Board of Commissioners will conduct public hearings on the following proposed Land Use Application and Amendments to the Morgan County Zoning and Subdivision Regulations:

1.) **Applicant:** AGPROfessionals, Hannah Dutrow & Tim Naylor  
**Landowners:** Sandy Hills Family Dairy, LLC  
**Legal Description:** a part of the NE¼ of Section 15, a part of the NW¼ of Section 14 and a part of the N½SW¼ of Section 14, all in Township 3 North, Range 59 West, of the 6th PM, Morgan County, Colorado. Also known as 15884 Co Rd 10, Fort Morgan, Colorado 80701.

**Request:** Amended Use by Special Review Permit to expand the permitted Sandy Hills Family Dairy confinement operations to 14,245 Animal Units. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.  
**Date of Application:** August 1, 2023.

2.) **Zoning Amendments:** Amendments relating to Manufactured Homes.

3.) **Subdivision Amendments:** Amendments relating to Manufactured Homes, shared wells and shared access.

**THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.**

**To participate remotely you may connect via Zoom at:  
<https://us02web.zoom.us/j/89057408507>**

**Or Telephone:  
Dial:  
+1 719 359 4580 US  
Webinar ID: 880 5740 8507**

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

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

/s/Nicole Hay  
Nicole Hay  
Morgan County Planning Administrator

Published: March 30, 2024

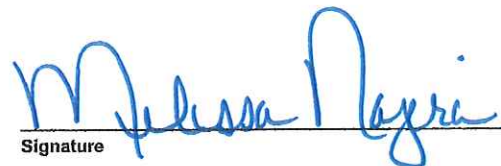
**For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.**

Published: Fort Morgan Times March 30, 2024-2043118


The undersigned, Agent, 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):

Mar 30, 2024

  
Signature

Subscribed and sworn to me before me this  
1st day of April, 2024.

  
Notary Public

(SEAL)

SHAYLA NAJERA  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20174031965  
MY COMMISSION EXPIRES July 31, 2025

Account: 1052763  
Ad Number: 2043118  
Fee: \$62.56







VESTING APPLICATION



**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: permits\_licensing@co.morgan.co.us**

Filing Deadline: \_\_\_\_\_

Meeting Date: 10.3.2023

**APPLICATION FOR VESTING OF RIGHTS**

**APPLICANT**

**LANDOWNER**

Name Hannah Dutrow, AGPROfessionals  
 Address 3050 67th Avenue  
Greeley, CO 80634  
 Phone \_\_\_\_\_  
 Email \_\_\_\_\_

Name Sandy Hills Family Dairy, LLC  
 Address 15682 CR 10  
Fort Morgan, CO 80701  
 Phone ( ) \_\_\_\_\_  
 Email \_\_\_\_\_

**TECHNICAL INFORMATION**

Address of property or general location 15884 15682 CR 10, Fort Morgan, CO 80701 Zone District A  
 Size of property (Sq.Ft. or Acres) \_\_\_\_\_ Present Use of Property Dairy Facility  
 Proposed Use of Property Expansion of the existing dairy facility  
 Complete Property Legal Description and Parcel #. If necessary, attach to application and label "Exhibit 2". See attached  
 Legal: Subdivision: N/A Lot: \_\_\_\_\_ S \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_ 1/2 \_\_\_\_\_ 1/4 \_\_\_\_\_ 1/8 \_\_\_\_\_  
 Parcel #: \_\_\_\_\_ See attached property descriptions  
 Is property located within 1320' (1/4 mile) of a livestock confinement facility? Yes

**APPLICANT'S STATEMENT**

I certify that the information and exhibits I have submitted are true and correct to the best of my knowledge. Application must be signed by Landowner as indicated on Title Commitment

Applicant Signature [Signature] Date 9/5/2023  
 Landowner Signature Jim Hoeden Date 9-5-23  
 Applicant Signature \_\_\_\_\_ Date \_\_\_\_\_  
 Landowner Signature Belprie Hoeden Date 9/5/2023

OFFICE USE ONLY: Date Received 9.6.2023 Received By [Signature] Check # 7157  
 Fee Payment \$200.00 Fee Paid By Jim Hoeden  
 Other Permits Required SN 2023-0018  
 Comments \_\_\_\_\_  
 VS permit # VS2023-0001



**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: permits\_licensing@co.morgan.co.us

**VESTING OF RIGHTS**  
**ATTACHMENT LIST**

- Exhibit A. Vesting of Rights requested for a period of 5 years in addition to the automatic 3 years for a total of 8 years.
- Exhibit B. Development guide describing the proposed uses and development in the area and the goals and objectives of the project.
- Exhibit C. Development schedule including time line and phases
- Exhibit D. Discussion of reason for request
- Exhibit E. Any other pertinent factors concerning the development
- Exhibit F. Right to Farm Policy signed by landowner.
- Exhibit G. Non-refundable processing fee made payable to Morgan County Planning.  
paid \$200.00 - Full review
- Exhibit H. Other staff requirements

---



---



---



**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: permits\_licensing@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*

*S. Marie Goedert* 9/5/2023  
 Signature Date  
 S. Marie Goedert  
 Printed Name  
 15682 Co. Rd 10  
 Address  
 Ft. Morgan, Co 80701

*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.*



**Vesting of Rights Request**  
Prepared for Sandy Hills Family Dairy, LLC

***Exhibit A. Vesting of Rights requested***

Sandy Hills Family Dairy is requesting a vesting of rights for a period of 5 years. This will be in addition to the allowed 3 years allowed by Morgan County and combined will allow a total of 8 years.

***Exhibit B. Development Guide***

Sandy Hills Family Dairy is requesting an amendment to an existing Special Use Permit (SUP) for the Sandy Hills Family Dairy confinement operations. The request is to increase the livestock to 14,245 animal units, respectively. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.

Type	Number	Animal Unit Equivalent	Total Animal Units
Milking Cows	6,000	1.4	8,400
Dry Cows	1,550	1.0	1,550
Heifers	4,650	0.8	3,720
Calves	2,300	0.25	575
<b>Total</b>	<b>14,500</b>		<b>14,245</b>

Activities will continue to include housing and raising dairy heifers; milking dairy cows; storing and processing feed; storing and maintaining feed equipment; and farming. Supporting infrastructure includes buildings and corrals for livestock husbandry, equipment storage, maintenance facilities, and waste and storm water management control structures. The existing buildings include existing agricultural structures (shops and utility sheds). Fencing will be typical of agricultural facilities and include three or four-strand barbed wire and pipe fencing for the feeding areas and property boundary. Lighting shall comply with the Morgan County Code.

Adjacent properties are primarily Agricultural, open range land, and rural residential. According to the Morgan County Comprehensive Plan, the areas located in the South-Central Planning Area are designated as having existing livestock confinement operations that must be allowed to operate and to expand.

***Exhibit C. Development Schedule***

When Sandy Hills begins construction of the expansion, it is expected to be completed in its entirety. No phasing is proposed.

***Exhibit D. Discussion of reason for request***

The request for the expansion of the dairy facility is to protect the property owners and plan for future growth of the facility. The need for dairy facilities is continuous and these existing operations must be allowed to expand. To protect the dairies assets and ability to grow, this request for expansion has been initiated. The added vesting will allow for growth to occur as the dairy is able to make and coordinate the improvements.

***Exhibit E. Other pertinent factors***

Not Applicable

***Exhibit F. Right to Farm Policy***

See attached signed Right to Farm policy.

***Exhibit G. Fee***

To be paid by property owner.

***Exhibit H. Other requirements***

Property Descriptions have been attached.

**PROPERTY DESCRIPTION**

**Parcel 1:**

Parcel No: 122515000001  
Current Owner: Sandy Hills Family Dairy, LLC  
Previous Owner: James D Goedert  
Legal Description: Part of the Northeast Quarter of Section 15, Township 3 North, Range 59 West  
Deed: Warranty Deed recorded on June 22, 2021 at Reception No. 933672  
Acres: 156.27 +/-

**Parcel 2:**

Parcel No: 122514000002  
Current Owner: Sandy Hills Family Dairy, LLC  
Previous Owner: James D Goedert  
Legal Description: Part of the Northwest Quarter of Section 14, Township 3 North, Range 59 West  
Deed: Warranty Deed recorded on June 22, 2021 at Reception No. 933672  
Acres: 132.9 +/-

**Parcel 3:**

Parcel No: 122514000008  
Current Owner: Sandy Hills Family Dairy, LLC  
Previous Owner: James D Goedert  
Legal Description: Part of the North Half of the Southwest Quarter of Section 14, Township 3 North, Range 59 West  
Deed: Warranty Deed recorded on June 22, 2021 at Reception No. 933672  
Acres: 80.0 +/-

# RECEIPT

## Morgan County

231 Ensign, Fort Morgan, CO 80701

(970) 542-3526



VES2023-0001 | Vesting Application

Receipt Number: 544294

Payment Amount: \$200.00

September 14, 2023

<i>Transaction Method</i>	<i>Payer</i>	<i>Cashier</i>	<i>Reference Number</i>
Check	Jim Goedert	Jenafer Santos	7157

### Comments

### Assessed Fee Items

Fee Items being paid by this payment

<i>Date</i>	<i>Fee Item</i>	<i>Account Code</i>	<i>Assessed</i>	<i>Amount Paid</i>	<i>Balance Due</i>
09/14/23	Vesting Application & Fee		\$200.00	\$200.00	\$0.00
<i>Totals:</i>			\$200.00	\$200.00	
				<b>Previous Payments</b>	\$0.00
				<b>Remaining Balance Due</b>	\$0.00

### Application Info

<b>Property Address</b>	<b>Property Owner</b>	<b>Property Owner Address</b>	<b>Valuation</b>
15884 CO RD 10 FORT MORGAN, CO 80701	SANDY HILLS FAMILY DAIRY LLC	15682 CO RD 10 FORT MORGAN, CO 80701	

### Description of Work

Sandy Hills Family Dairy is requesting a vesting of rights for a period of 5 years in addition to the 3 years allowed, totaling 8 years. Reasoning: protect the property owners and plan for future growth of the facility.

**| BOARD OF COUNTY COMMISSIONERS 9:00 A.M. | APRIL 16, 2024 |  
AMDENDMENTS TO THE MORGAN COUNTY ZONING & SUBDIVISION  
REGULATIONS**

**TABLE OF CONTENTS**

- **Zoning & Subdivision Amendments Summary**
- **Proposed Zoning Regulation Amendments**
  - Definitional Changes
  - Temporary Use Revisions
  - Manufactured Home Placement Permit
  - Manufactured Home Park Development Permit
  - Manufactured Home Zone & Manufactured Home Park Requirements
  - Revisions to Residential Uses by Zone
- **Subdivision Amendments Summary**
- **Proposed Subdivision Regulation Amendments**
  - Final Plat Drawing Amendments
  - Shared Access & Shared Wells
  - Amended Plat
- **Notification**

ZONING & SUBDIVISION AMENDMENTS SUMMARY



**MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS  
AMENDMENT SUMMARY**

**April 12, 2024**

**April 16, 2024 (meeting date)**

**AMENDMENTS  
MORGAN COUNTY ZONING AND SUBDIVISION REGULATIONS**

Included with this staff report are redlines of the proposed changes as outlined below.

Manufactured Homes – Zoning and Subdivision Amendments. The overall purpose of these amendments is to update the County’s regulations regarding mobile and manufactured homes. Mobile homes, as defined in the amendments under consideration, are not permitted in Morgan County pursuant to federal law and any existing structures would be considered nonconforming. Manufactured homes are permitted and these proposed amendments will clarify how these types of structures will be regulated.

1. Definitional changes in both the Zoning and Subdivision Regulations. The proposed definitional amendments to the Zoning Regulations will solidify the difference between mobile and manufactured homes. These changes will also confirm that mobile homes are not permitted to be placed in Morgan County. In addition, in both the Zoning and Subdivision Regulations, several terms are proposed for deletion because they are not used, either currently or based upon the other proposed amendments. There are proposed revisions to the definition of RVs and the timing of when an RV used as a dwelling unit or additional bedroom are required to comply with some of the manufactured home standards.
2. Temporary use revisions. Temporary Use changes in sections of the Zoning Regulations to allow for RVs to be used as temporary residences during construction so long as there is a valid building permit. The problem the County has encountered is that residential construction is taking much longer than six months, which is the current limit on temporary use permits. These changes would allow a temporary use permit to be issued for RVs for a period to match the length of the building permit.
3. Manufactured Home Placement Permit. This permit currently exists within the Zoning Regulations, but the permit regulations are lacking in process structure and standards. A portion of the proposed changes would move this permit process into the section of the Zoning Regulations which governs other types of permitting to be more user friendly. The proposed amendments would also clarify the placement of manufactured homes. As

outlined in the proposed amendments, manufactured homes can be placed using an anchoring and tie down system or permanently installed using a permanent foundation. Permanent foundations must meet the applicable standards in the County's adopted residential or building code. Anchoring and placement of manufactured homes must meet the installation instructions associated with the manufactured home or in the absence of such standards, the State adopted regulations.

4. Manufactured Home Park Development Permit. Like the manufactured home placement permit, this permit process also currently exists in the Zoning Regulations but through these amendments, it is proposed to be relocated to the permitting section of the Zoning Regulations. The process for this permit currently lacks the detail necessary to apply and process an application and as such, the detail of that application and process are proposed to be added.
5. Manufactured Home Zone and Manufactured Home Park Requirements. The amendments propose that manufactured home parks will be the only residential use in the Manufactured Home Zone. Further, manufactured home parks will be prohibited in all other zones if these amendments are approved. The goal of this change to allow the County to guide this type of development to areas where it is more properly supported by public infrastructure. In addition to updates to the Manufactured Home Zone, these proposed amendments update and revise the minimum standards for development of a manufactured home park, including applicable revisions to Appendix B of the Zoning Regulations.
6. Revisions to Residential Uses by Zone. In conjunction with the proper delineation between manufactured and mobile homes, the County needs to revise the type of residential uses in each zone and address how manufactured homes are treated and regulated in each zone.

The Planning Commission recommended approval with the following recommended changes made at a work session held on February 12, 2024 and a public hearing held on April 8, 2024:

1. Manufactured Home Definitions
  - a. Deletion of the permitted conversion of an RV to a manufactured home and to reduce the number of days of allowed occupancy of a RV from 180 to 90 days. See Sec. 1-750.
  - b. Removal of the maintenance provisions applicable to manufactured homes, which included removal of the home if not maintained, on the basis that the County does not regulate property maintenance for non-manufactured homes.
2. Manufactured Home Placement Permit
  - a. Addition of the following: "capable of withstanding hail and wind and approved by the County Building Department" to Section 2-350(C), Skirting. This recommendation was made to further clarify the type of material that should be used for skirting.



- b. Removal of the following language from Sec. 2-350(D), Foundation: If a site-specific soils report is not provided, an "open hole" inspection shall be conducted by an architect or engineer licensed by the State. Subsequent to that inspection, a written letter bearing the architect's or engineer's stamp shall be presented to and approved by the Building Department prior to backfilling around the foundation. Dirt shall be sloped away from the house at a minimum grade of two percent (2%). Finished grade against the home shall be a minimum of six (6) inches and a maximum of twelve (12) inches below the exterior siding. The crawlspace shall meet the requirements for ventilation and access openings as found in Section R408 of the IRC.

This language is not currently in the Zoning Regulations and added in the initial draft of the proposed amendments. PC's concern was that it was additionally burdensome and unnecessary.

- c. Removal of previous section 4-685, Cabanas and Awnings, because it was unnecessary.

### 3. Manufactured Home Zone and Manufactured Home Park Requirements

- a. Removal of the paving requirement for all manufactured home parks and revert back to the original language of requiring paving if more than 30 spaces are in the park. PC's position that it was too onerous to require paving for smaller manufactured home parks. See Sec. 4-640(C).
- b. Reducing the trigger for paved walkways from 40 to 30 spaces to match the recommendation for paved roads. See Sec. 4-645.
- c. Removal of the central storage provisions that currently exist in the Zoning Regulations. See Sec. 4-655.
- d. Removal of the minimum acreage for a site which is currently 10 acres. See Sec. 4-610. PC's position was that the density requirements in Sec. 4-620 were sufficient and the minimum acreage was not necessary.

### 4. Revisions to Residential Uses by Zone

- a. Rural Residential. Allow manufactured homes as a use by right, rather than the current categorization of a conditional use and to remove the requirement for a permanent foundation. PC's position was that there did not seem to be a policy basis to treat manufactured homes differently in the Rural Residential Zone than site built. This would also match the categorization of single-family dwelling units in Estate Residential, also recommended by PC. PC recommended the removal of manufactured homes as conditional use, allowing manufactured homes with or without a permanent foundation as a use by right in Estate Residential.
- b. Moderate Density Residential. Removal of site built requirement from the use by right.
- c. High Density Residential. Removal of the site built requirement from single family dwellings as a conditional use.

The Board of County Commissioners conducted a work session on the amendments and directed staff to provide language regarding the occupancy of RVs in Sec. 1-750(A) and the connection to water and sewer in Sec. 4-615.

The proposed language is as follows:

Sec. 1.-750(A): Any recreational vehicle, *not located in a permitted campground or recreational vehicle park*, which is used as a ~~residence~~ *dwelling unit*, on the same site, ~~for 180 days~~ or is regularly used as an additional bedroom for a residence ~~shall be considered to be a mobile home for 90 days or more~~, shall require a conditional use permit. *The requirement for a conditional use permit does not apply to RVs subject to a valid temporary use permit issued by the Planning Administrator pursuant to these Zoning Regulations.*

Sec. 4-615. Utilities.

~~All manufactured home parks must be connected to a public water and sewer system. Manufactured homes parks may utilize public sewer or private septic systems. The use of a private septic system requires the submission of documentation that the septic system will comply with applicable law and regulations and that the Health Department has preliminary approved the use of a septic system. The use of public sewer system requires the submission of documentation that the public sanitation utility can serve the park. Manufactured home parks may utilize a public or private water supply. The use of private water supply shall require the submission of documentation that the water supply is adequate for the proposed use in terms of quantity, quality, and reliability and that the proposed water system meets all requirements imposed by the state regulatory agencies in its design. The use of public water system requires the submission of documentation that the public water utility can serve the park. The property owner shall remain responsible for the operation and maintenance of any private septic system and/or private water system serving the park.~~

Nicole Hay  
Morgan County Planning Director

PROPOSED ZONING & SUBDIVISION REGULATION  
AMENDMENTS

Definitional Changes

Temporary Use Revisions

Manufactured Home Placement Permit

Manufactured Home Park Development Permit

Manufactured Home Zone & Manufactured Home Park Requirements

Revisions to Residential Uses by Zone

**ZONING AMENDMENTS - DEFINITIONS**

~~1-360 **Density (Mobile Home):** The number of mobile home lots or spaces per acre of gross area.~~

~~1-635 **Mobile Home Accessory Building or Structure:** A subordinate building or structure which is in addition to or supplements the facilities provided by a mobile home. Such buildings and structures include but are not limited to awnings, cabanas, decks, storage structures, carports, porches, and satellite dishes.~~

~~1-615 **Manufactured Homes:** A single-family dwelling building unit, or combination of pre constructed building units, manufactured and which is partially or entirely manufactured in a factory. It is installed on a permanent and engineered foundation and has brick, wood, or cosmetically equivalent exterior siding and a pitched roof. It is certified pursuant to the National Manufactured Housing Construction and Safety Standard Act of 1974, 42 U.S.C. Sec. 5401, *et seq.*, as amended, C.R.S. 30-28-115(3), and [C.R.S. 24-32-3301 and 8 C.C.R. 1302-14](#). The term “manufactured home” does not include “recreational vehicle.”, except as provided by these Regulations.~~

~~1-61750 **Mobile Manufactured Home Park:** A parcel of land under single or unified ownership or control within which spaces are rented for occupancy by mobile-manufactured homes or manufactured homes are rented for occupancy. Automobile or mobile-manufactured home sales lots on which unoccupied mobile-manufactured homes are parked for inspection or sale shall not be considered mobile manufactured home parks.~~

~~1-630 **Mobile Home:** A factory-assembled structure equipped with the necessary service connections and made so as to be readily movable as a unit on its own running gear and designed to be used as a dwelling unit without a permanent foundation. Mobile homes were built prior to June 15, 1976. A detached, transportable structure used for storage, office or residential use built prior to June 13, 1976. If used for residential use, a one-family dwelling unit, intended for year-round occupancy that is at least eight feet (8') in width and thirty-two feet (32') in length. At a minimum it must contain sleeping accommodations, flush toilet, a tub or shower bath, kitchen facilities with plumbing and electrical connections intended for attachment to outside systems. A mobile home differs from a factory built home or manufactured home and recreational vehicle (RV) unit by definition. However, a recreational vehicle may be treated as a mobile home pursuant to Section 1-750 of these Regulations. [Any mobile homes are prohibited within the County and any existing mobile homes](#) are considered nonconforming uses existing after this date shall be considered noneonforming.~~

~~1-640 **Mobile Home Lot or Space:** A plot of ground within a mobile home park or subdivision designed for the accommodation of one (1) mobile home and its permitted accessory structures and uses.~~

~~1-645 **Mobile Home Pad:** The concrete base, footing, or blocking which is set on or in level soil to provide support for the placement of a mobile home.~~

~~1-655 **Mobile Home Subdivision:** An area of land subdivided for occupancy by mobile homes exclusively and containing lots in divided or separate ownership designed as permanent sites for mobile homes.~~

~~1-710 **Permanent Foundation:** A foundation designed by a licensed Colorado engineer in accordance with the applicable building code adopted by the County. A foundation which meets the requirements of either the specifications of the U.S. Department of Housing and Urban Development (HUD) publication HUD~~

ZONING AND SUBDIVISION REGULATIONS - DEFINITIONS  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

~~7584 dated September, 1996 or other standards adopted and recognized by Morgan County by action of the Board of County Commissioners.~~

**1-750 Recreational Vehicle (RV):** A vehicle which is designed primarily for recreational use, camping, or other seasonal use or as temporary living quarters, office, or storage and is designed to be self-propelled, towable, or capable of being carried by a pickup truck. Recreational vehicles shall include motor homes, camper trailers, 5th wheel trailers, pickup truck campers, and any similar vehicles.

(A) Any recreational vehicle, not located in a permitted campground or recreational vehicle park, which is used as a residence or dwelling unit, on the same site, for 180 days or is regularly used as an additional bedroom for a residence, shall be considered to be a mobile home for 90 days. After 90 days, the occupation of the recreational vehicle shall cease. This provision shall not apply to RVs for which there has been a temporary use permit issued.

~~**1-805 Skirting:** Aluminum or other nonflammable material or any other material (excluding untreated wood products) as approved by the planning administrator, installed around the perimeter of a mobile home.~~

~~**1-870 Tie-down:** Any device designed for the purpose of anchoring a mobile home to the ground.~~

**SUBDIVISION AMENDMENTS - DEFINITIONS**

**Manufactured Home**

~~A single family dwelling unit which is partially or entirely manufactured in a factory. It is installed on a permanent and engineered foundation and has brick, wood, or cosmetically equivalent exterior siding and a pitched roof. It is certified pursuant to the National Manufactured Housing Construction and Safety Standard Act of 1974, 42 U.S.C. Sec. 5401, et seq., as amended C.R.S. 30-28-115(3). The term "manufactured home" does not include "recreation vehicle."~~

**Mobile Home**

~~A detached, transportable, one-family dwelling unit, intended for year-round occupancy that is at least eight (8) feet in width and thirty-two (32) feet in length. At a minimum it must contain sleeping accommodations, flush toilet, a tub or shower bath, kitchen facilities with plumbing and electrical connections intended for attachment to outside systems. A mobile home differs from a manufactured home and a recreational vehicle (RV) unit by definition.~~

**Mobile Home Lot or Space**

~~A plot of ground within a mobile home subdivision or park designed for the accommodation of one mobile home and its permitted accessory buildings and uses.~~

**Mobile Home Park**

~~A parcel of land under single or unified ownership or control within which spaces are rented for occupancy by mobile homes.~~

**Mobile Home Subdivision**

~~An area of land subdivided for occupancy by mobile homes exclusively, and containing lots in divided or separate ownership.~~

**MISCELLANEOUS PROVISIONS**

**~~4-695 Placement of More than One Mobile Home on a Single Parcel~~**

~~All placement permits for mobile homes as accessory uses are temporary. Such permits shall automatically expire and the mobile home shall be removed upon the cessation of the use of the mobile home as an accessory use. No conversion to fee simple sale of the mobile home unit shall be permitted. Mobile homes as principal dwelling units must meet all bulk and design standard requirements as specified in Section 3-650 (Table 1, Appendix B) of these Regulations.~~

~~NOTE: Future conversion of accessory use mobile homes to fee simple units on subdivided lots with prior approved utilities on a combined system may not meet zoning requirements.~~

**~~4-700 Age and Condition of Mobile Homes~~**

~~(A) All mobile homes located in Morgan County shall be maintained in good condition. Any damage caused by fire, wind, flood, rain, decay, lack of maintenance, vandalism, animals, or any other reason shall be promptly, not to exceed three (3) months, repaired.~~

~~(B) No mobile homes older than twenty (20) years from the date of application for a Mobile Home Placement Permit shall be placed in Morgan County unless, after inspection, it is determined that the mobile home is in adequate condition for its intended use. If intended for human habitation it must, at a minimum, meet the 1994 manufacturing standards of the U.S. Department of Housing and Urban Development (HUD) or the 2003 edition of the International Building or Residential Codes. All inspection costs shall be borne by the applicant for a Mobile Home Placement Permit.~~

**3-145 Temporary Uses**

The intent of this section is to provide for the regulation of temporary uses. For the purposes of this section the term “temporary” shall mean a period of up to six (6) months, except as expressly provided in Sec. 3-150; however, the Planning Administrator may limit the amount of time a temporary use is permitted.

**3-150 General Requirements and Procedures**

Prior to the establishment of a temporary use, the applicant shall be required to provide the following:

(C) The permit granted by the Planning Administrator shall expire six (6) months from the date of issuance, except for permits for temporary residences in Sec. 3-155(A) which may be issued and renewed so long as there is a valid building permit, but no certificate of occupancy, for the property where the temporary residence is located. All temporary uses shall be removed at the expiration date within thirty (30) days of the expiration of the permit.

**Zoning Amendments – Manufactured Home Placement and Manufactured Home Park Permits**

**2-160 Processing Fees**

- (A) Minimum processing fees for zoning amendments, map changes, conditional and special use permits, variances, sign permits, site permits, planned development reviews, building permits, zoning permits, ~~mobile-manufactured~~ home placement permits and other permits required by these Regulations will be established and be subject to change from time to time upon approval of the Board of County Commissioners.

**2-290 Applicability**

A building permit shall be required for the placement and/or use of any structure that are roofed and one hundred and twenty (120) square feet or larger, except as follows:

- (C) ~~Manufactured mobile~~ homes subject to the ~~Mobile-Manufactured~~ Home Placement Permit, ~~in Sec. 4-600 and other applicable sections.~~

**ZONING PERMITS**

**2-320 Purpose**

All structures and buildings over 200 square feet, which are uses-by-right, and not subject to the County’s building or ~~mobile home~~manufactured home placement permit requirements, require a zoning permit prior to the commencement of construction or use.

**MANUFACTURED HOME PLACEMENT PERMIT**

**2-320 Purpose**

A placement permit shall be required for the installation of ~~mobile-manufactured~~ homes on individual lots and ~~mobile-manufactured~~ homes in a ~~manufactured mobile~~ home park ~~or subdivision in all zone districts where they are allowed in Morgan County, which are not on a permanent foundation. for the tying down of previously installed mobile homes, and for the construction of any accessory structures on individual mobile home lots or spaces.~~

**2-325 Submittal Requirements**

- (A) Completed application provided by the County, signed by all owner(s) of, or persons having an interest in the property subject to the application. If owner(s) will not be signing the application, written authorization for the agent to sign the application must be supplied with the completed application. An incomplete submittal will not be processed.
- (B) Application fee.

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

- (C) A site plan pursuant to Sec. 2-410.
- (D) A signed copy of the Morgan County Right to Farm Policy
- (E) An adequate drainage plan. For any manufactured home which will result in five thousand (5,000) square feet or more of impermeable surface, the drainage plan must be signed and sealed by a licensed civil engineer.
- (F) ~~Said placement permit shall be obtained from the Morgan County Planning Administrator~~The Morgan County Building Department may require, who shall issue a permit to place the mobile home upon compliance by the applicant with these Regulations and with any other information as may be requested by the Planning Administrator to enable him/herthe Building Official or Inspector to determine that the proposed mobile-manufactured home will comply with all applicable requirements.

**2-330 Review Procedure**

- (A) Review of Submission. Staff shall review the submittal materials within fifteen (15) working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. An incomplete submittal will not be processed.
- (B) Decision. The Building Official or Inspector may approve, approve with conditions or deny the application. The decision of the Building Official shall be provided to the applicant no later than two (2) business days from the date of the decision.

**2-335 Review Criteria**

- (A) All manufactured homes must be adequately served by public or private utilities and have clear access to a developed public right-of-way.
- (B) The plans for the proposed erection, construction, reconstruction, movement, alteration or use fully conform to all applicable provisions of these Regulations.

**2-340 Expiration of Manufactured Home Placement Permit**

Manufactured homes subject to a permit must be installed and receive a certificate of occupancy within twenty-four (24) months of the issuance of a manufactured home placement permit.

**2-345 Post-Installation Procedures**

After placement-installation is complete, the County Building Official or Inspector will inspect the mobile-manufactured home for compliance with these Regulations all applicable regulations. If the manufactured home complies with all applicable regulations, the Building Official or Inspector may issue prior to issuing a cCertificate of oOccupancy (C.O.) for the mobile-manufactured home.



ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

Placement permit holders may not occupy a mobile home until the C.O. is issued. No manufactured home without a certificate of occupancy may be occupied.

**2-350 Installation Standards**

(A) Authority

Any manufactured home located in or relocated within the County shall bear a Housing and Urban Development (HUD) label, or verification of HUD compliance, and meet the following installation standards. The Building Official or Inspector may authorize the use of different materials or methods which will accomplish substantially the same result. The Building Department shall be authorized to act as the exclusive inspection agency for the County pursuant to the Colorado Division of Housing Manufactured Housing Installation Program.

(B) Installation

Any installation of a manufactured home in the County shall be performed in strict accordance with the applicable manufacturer's installation instructions and these Zoning Regulations. Where the manufacturer's instructions are not applicable, installation shall be in accordance with the rules promulgated by the Colorado Division of Housing for the installation of manufactured homes. A copy of the manufacturer's instructions or the standards promulgated by the Colorado Division of Housing shall be available at the time of installation and inspection.

(C) Skirting

All mobile-manufactured homes, which are not required to have a permanent foundation, units in all zones shall be skirted with aluminum or other material (excluding untreated wood products) which is nonflammable, capable of withstanding hail and wind and approved by the County Building Department. All skirting shall be installed around the perimeter of a manufactured home to the ground level, as defined in Section 1-805. Such skirting must shall be in place completely installed within thirty (30) days after the mobile home is set on the mobile home space or lot prior to the issuance of a certificate of occupancy. All skirting shall have one (1) or more openings constructed and located to allow convenient access to all points of utilities connections.

(D) Foundations.

- (1) Basement or crawlspace foundations and foundations for any manufactured structure that requires a plain Floodplain Development Permit shall be designed by an architect or engineer licensed by the State.
- (2) An architect or engineer licensed by the State may perform all foundation, perimeter drain, dampproof and concrete encased electrode inspections. If this option is used, setback and offset distances must first be approved by the Building Department, and a stamped letter from the architect or engineer must

be received and approved by the Building Department prior to any other inspections on the home. This letter must state that the architect or engineer did perform the inspections and that the work is consistent with the design drawings for the foundation.

- (3) A permanent foundation is required where unstable or expansive soil conditions are encountered, for manufactured homes located in the floodplain or otherwise required by these Zoning Regulations.

### **2-355 Utilities and Minimum Interior Fixtures**

- (A) All manufactured homes shall be connected to either an approved public or private sewage disposal system.
- (B) A licensed plumber, or owner if permissible, shall install all-natural gas, sewer, and water service lines; a licensed electrician, or owner if permissible, must install all electrical service connections. Electrical and plumbing installations must be approved by the State. The owner is responsible for obtaining those inspections and approval prior to the issuance of a certificate of occupancy by the Building Department. If owner intends to perform such electrical or plumbing work, the owner shall contact the State to ensure such work is permissible for owner to perform before undertaking such work.
- (C) Every manufactured home used as a dwelling unit shall be provided with a kitchen sink and a bathroom equipped with facilities consisting of a water closet, lavatory and either a bathtub or shower. Each sink, lavatory and either a bathtub or shower shall be equipped with hot and cold running water necessary for its normal operation.

**Current sections 2-320 through 2-340 will be renumbered as 2-360 to 2-380, all cross references to be updated.**

### **Mobile-MANUFACTURED HOME PARK DEVELOPMENT PERMIT**

#### **2-385 Purpose**

The development of a new manufactured home park or expansion of a current manufactured home park shall require a manufactured home park development permit. This permit shall only be required for zones in which a manufactured home park is a use by right. For all other zones, development or expansion of a manufactured home park shall require the applicable permit if such use is allowed. No manufactured home placement permits shall be issued for installation of manufactured homes in a manufactured home park until the manufactured home park development permit has been approved.

#### **2-390 Submittal Requirements**

The submittal requirements in this Section may be waived or altered by the Planning Administrator at the Planning Administrator's sole discretion.

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

- (A) Completed application provided by the County, signed by all owner(s) of, or persons having an interest in the property subject to the application. If owner(s) will not be signing the application, written authorization for the agent to sign the application must be supplied with the completed application.
- (B) Application fee.
- (C) A general description of the special use request and the reasons for it, including a narrative description of how the request meets the criteria for a manufactured home park. The general description shall include plans for the operation and maintenance of the park.
- (D) Title commitment for the property issued within the six (6) months previous to the submission of the application. If the application is incomplete, the County may require that the title commitment be updated.
- (E) Proof of an adequate supply of water in terms quantity, quality, and reliability.
- (F) A listing of type and availability of utilities and services; including sewer, water, electrical, and fire protection to the manufactured home park including letters of commitment from providers of utilities and services serving the site or proof of ownership.
- (G) Discussion of any public improvements required to complete the project.
- (H) A special use plan map in accordance with the provisions of Sec. 2-420.
- (I) Any additional information required by the Planning Administrator.

**2-395 Review Procedures**

- (A) Pre-Application Conference. Prior to submission of a manufactured park development application, each applicant shall attend a pre-application conference with the Planning Department. After the pre-application conference, the Planning Department may furnish the applicant with written comments regarding the proposed use to inform and assist the applicant prior to the preparation of the application.
- (B) Review of Submission. Staff shall review the submittal materials within fifteen (15) working days and provide the applicant with initial written comments, specifically noting any inadequacies in the submittal items. Staff may request that the applicant make changes or clarifications to the submittal information. An incomplete submittal will not be processed.
- (C) Decision. The Planning Administrator may approve, approve with conditions, or deny the application. The decision of the Planning Administrator shall be provided to the applicant no later than two (2) business days from the date of the decision.

**2-400 Review Criteria**

- (A) All manufactured home parks must be adequately served by public or private utilities and have clear access to a developed public right-of-way.
- (B) All manufactured home parks must comply with all applicable provisions of these Zoning Regulations.

**Current Sections 2-345 through 2-475 will be renumbered 2-405 through 2-520, all cross references to be fixed.**

**3-615 Special Design Standards and Conditions for the Jackson Lake Village Zone**

- (A) Holding vaults of concrete construction with a minimum 1000 gallon capacity shall be permitted for individual sewage disposal as long as the system is installed and operated and the collected sewage is disposed of, in accordance with local and state health department standards, or, if such standards are unavailable, any appropriate applicable standards. These systems are considered temporary pursuant to the requirements of the local health department. No building, zoning or ~~mobile manufactured~~ home placement permits will be issued unless the local health department has approved the proposed method of sewage disposal for the lot or unit. Recreation vehicles and single-wide mobile homes may use chemical or other toilets approved by the local health department as long as the central sewage disposal facility, approved by the state health department in 1976 or before, remains in operation under a current state health department operation and discharge permit and a Morgan County Certificate of Designation.

**~~4-585 Mobile Home Park Development Permit~~**

~~An applicant for a mobile home park permit shall obtain a Mobile Home Park Development Permit in accordance with these Regulations. Before issuance of placement permits, the applicant shall submit all necessary plans and supplemental information for the proposed mobile home park in accordance with the site plan review process under Chapter 2 of these Regulations. When necessary, a request for rezoning to Mobile Home (MH) Zone must also comply with the submittal requirements of this section. The application for a Mobile Home Park Development Permit shall be accompanied by any necessary fees as specified by Morgan County and by plans for operation and maintenance of the Mobile Home Park, including tenant rules and regulations.~~

~~Any permit for construction, alteration, or extension of any individual mobile home park or a mobile home in a mobile home park or subdivision shall not be issued until the use has been approved as required by the zoning regulation and compliance with all conditions of approval has been guaranteed, either by actions of the applicant prior to issuance of the permit or by written agreement signed by the applicant and approved by the County.~~

**~~4-600 Mobile Home Placement Permit—All Zones Where Allowed~~**

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

~~An applicant for a mobile home park permit shall obtain a Mobile Home Park Development Permit in accordance with these Regulations. Before issuance of placement permits, the applicant shall submit all necessary plans and supplemental information for the proposed mobile home park in accordance with the site plan review process under Chapter 2 of these Regulations. When necessary, a request for rezoning to Mobile Home (MH) Zone must also comply with the submittal requirements of this section. The application for a Mobile Home Park Development Permit shall be accompanied by any necessary fees as specified by Morgan County and by plans for operation and maintenance of the Mobile Home Park, including tenant rules and regulations.~~

~~Any permit for construction, alteration, or extension of any individual mobile home park or a mobile home in a mobile home park or subdivision shall not be issued until the use has been approved as required by the zoning regulation and compliance with all conditions of approval has been guaranteed, either by actions of the applicant prior to issuance of the permit or by written agreement signed by the applicant and approved by the County.~~

#### ~~4-665 Blocking and Tie Downs~~

- ~~(A) — Every owner or occupant of a mobile home within the County or subject to County regulation shall secure the mobile home against wind and flood (when required) damage in accordance with the regulations of this Section.~~
- ~~(B) — In the case of mobile home parks constructed prior to the effective date of these Regulations, the Morgan County building official shall have the authority to reduce the number of required tie-down sets upon presentation of adequate evidence that certain spaces are not subject to the wind forces upon which these requirements are based.~~

#### ~~4-670 Tie Downs~~

- ~~(A) Each mobile home shall be provided with tie-downs to the main framing member of the mobile home as shown in Table 5, Appendix B.~~
- ~~(B) — All ties shall be fastened to an anchorage as described below and shall be drawn tight with one-half inch (1/2") or larger galvanized, drop-forged turnbuckles or other equivalent tightening device as approved by the building official. Turnbuckles shall be ended with jaws or forged or welded eyes. Turnbuckles with hood ends are prohibited.~~
- ~~(C) — All cable ends shall be secured with at least two (2) U-bolt type cable clamps or other fastening device as approved by the building official.~~
- ~~(D) — Cable used for ties shall be either galvanized steel or stainless steel. It shall be either 3/8 inch diameter (7 x 7-7 wires each) steel cable, or 3/8 inch diameter or larger (7 x 19-7 strands of 19 wires each) "aircraft" cable.~~
- ~~(E) — When flat steel strapping is used, it shall be in accordance with Federal Specification QQ-S-781; i.e., 1 1/4 inch x .035 inch, Type 1, Class B, Grade 1. Zinc coating shall be a~~

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

~~minimum of 0.30 ounces per square foot of surface. Breaking strength shall be a minimum of 4,750 pounds. (See paragraphs 1.2.1.1, 1.2.1.2, 3.10.2, 6.1.7, and Table H of QQ S781). Any other material shall be at least equal to the above specifications in tensile strength and weather resistance(F) — Steel bands used for ties shall terminate with a D-ring, bolt or other device that will not cause distortion of the band with a tensioning device attached.~~

~~(G) — Sharp edges of the mobile home that would tend to cut the cable when the home is buffeted by the wind shall be protected by a thimble or other device that will prevent such cutting.~~

~~(H) — Connection to the I beam may be by a 5/8 inch drop forged closed eye, bolted through a hole drilled through the beam. A washer, or equivalent, shall be used so that the beam is sufficiently fish-plated through the hole.~~

~~(I) — Other connectors, or means of securing the cable to the beam, of equivalent holding power and permanence are acceptable if approved by the building official~~ **4-675 Anchorage**

~~(A) — Ground anchors shall be aligned with piers required below. The anchors shall be situated immediately below the outer wall if they are to accommodate over the home ties if this placement allows for sufficient angle for the anchor to frame connection.~~

~~(B) — Steel rods shall be of 5/8 inch minimum diameter with a forged or welded eye at the top. For dead man anchors the bottom of the rod shall be hooked into the concrete.~~

~~(C) — Augers shall be of minimum diameter of six inches (6") (arrowheads eight inches [8"]) and be sunk to a depth of at least five feet (5').~~

~~(D) — Dead man anchors shall be sunk to a depth of five feet (5'), with a minimum vertical dimension of two feet (2') and a diameter of six inches (6"). Celled concrete blocks are prohibited.~~

~~(E) — In lieu of the above, anchors to reinforced concrete slabs shall be of strength comparable to the above as may be approved by the building official. If this method is used, the weight of the mobile home must rest on the slab~~

#### **4-680 Piers and Footin**

~~(A) — All piers shall be placed on footers of concrete with minimum dimensions of sixteen inches by sixteen inches by four inches (16" x 16" x 4"), or equivalent thereof as approved by the building official.~~

~~(B) — Piers shall be constructed of standard eight inches by eight inches by sixteen inches (8" x 8" x 16") celled concrete blocks placed over the foundation with the long dimension crossways to the main frame members and centered under them, with cells vertical. Pier heights shall be such that the mobile home will be located as close to the ground as possible.~~

ZONING REGULATIONS – MANUFACTURED HOME PLACEMENT AND MANUFACTURED HOME PARK DEVELOPMENT PERMIT  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

~~(C) — Piers shall be topped with a concrete cap eight inches by sixteen inches by four inches (8" x 16" x 4").~~

~~(D) — Hardwood shims shall be driven tight between the cap and the main frame to provide uniform bearing. They shall be four inches (4") or less in thickness and be wide enough to provide bearing over the top cap.~~

~~(E) — Other types of piers and foundations of equivalent permanence and weight bearing ability may be approved by the building official. The use of a heavy metal adjustment column, anchored to both frame and foundation, is recommended.~~

~~(F) — Required piers shall be centered under each main frame (or chassis) member within five feet (5') of anchorage. The end piers shall be no farther than five feet (5') from the ends of the mobile home.~~

#### ~~4-685 Cabanas and Awnings~~

~~Cabanas and awnings, and similar accessory structures, shall be secured by a row of support bars with a maximum spacing of twelve feet (12') at the outer edge. The posts shall be adequately secured to the roof and to the concrete patio or equivalent footing. Other adjacent structures such as storage bins, antennas, refuse containers, etc., shall also be secured and approved by the building official.~~

#### ~~4-690 Alternative Tie-Down and Blocking Methods Permitted~~

~~In the event that a mobile home owner or mobile home park developer wishes to use different tie-down, blocking and anchorage systems than those specified above he/she shall comply with the following:~~

~~(A) The method and materials for tie-down pads and for securing the mobile homes to the tie-down pads must be designed by a professional engineer licensed by the State of Colorado and must be approved by the Morgan County Planning Administrator both for typical tie-downs and for each individual space as it is shown on the proposed final site plan. The entire mobile home tie-down design must meet or exceed the standards set out in these regulations.~~

~~(B) — This approval by the building official must occur prior to the approval of any final mobile home park site plan by the Morgan County Planning Commission.~~

**Appendix B, Table 5** is deleted in its entirety.

**MOBILE HOME/MANUFACTURED HOME ZONE (MH)**

**3-375 Purpose of Mobile Home/Manufactured Home Zone**

The Mobile Home/Manufactured Home Zone provides a residential zone for mobile homemanufactured home parks and mobile home subdivisions within unincorporated areas of Morgan County. Regulations governing individual mobile homes as principal dwelling units or as accessory, conditional, or temporary uses in other zones can be found elsewhere in other Regulations.

**3-380 Manufactured obile Home Zone Uses-By-Right**

- ~~(A) Mobile homes (one per parcel or lot).~~
- (A) Manufactured home parks
- (B) Manufactured homes located in manufactured home park
- ~~(CB)~~ Accessory uses, buildings, and structures.
- ~~(DE)~~ Home occupation.
- ~~(D)~~ Mobile home subdivisions.
- (E) Open space, parks, and playgrounds.
- ~~(F)~~ Public parks and playgrounds.
- ~~(FG)~~ Public utility distribution mains and lines which are underground facilities.
- ~~(GH)~~ Satellite dish antennas without towers.
- ~~(I)~~ A major facility of a public utility for which a development permit has been issued.
- (HJ) Pipelines, and accessory structures, that transport water and wastewater for domestic, agricultural, commercial and/or industrial use, except for pipelines transporting wastewater produced as a result from oil and gas operations to a commercial disposal well facility or wastewater designated as hazardous waste.
- (IK) Solar collector facilities as an accessory use only.
- (JL) Building-mounted wind energy facilities (WEFs) as an accessory use only.

**3-385 Mobile/Manufactured Home Zone Conditional Uses**

- ~~(A) Mobile home parks.~~
- ~~(B) Manufactured home on permanent and engineered foundations (one per parcel or lot).~~
- ~~(C) Churches and church schools.~~
- ~~(D) Fire or police stations.~~
- ~~(E) Golf courses.~~
- ~~(F) Group homes, foster family care homes.~~
- ~~(G) Hospitals, nursing homes, and extended care facilities.~~
- ~~(H) Pre-schools, nursery schools, and day care facilities.~~
- ~~(I) Public and private schools.~~
- (AJ) Communication facilities not exceeding height limits.
- ~~(K) Storage of mobile homes in excess of 14 days from notice to the planning administrator.~~

**3-390 Mobile/Manufactured Home Zone Special Review Uses**

- (A) Central collection sewage treatment facilities.
- (B) Water tanks and, water treatment facilities, regulator stations, and water reservoirs.



~~3-395 Mobile Home Zone Additional Requirements~~

~~See Sections 4-100 and 4-575 through 4-700.~~

**MOBILE/MANUFACTURED HOME PARK REQUIREMENTS**

**4-57580 Application**

The provisions and regulations of this Section shall apply to ~~the construction, alteration~~the location and extension, extension, location, installation, use, and maintenance of all ~~mobile homes in the unincorporated area of Morgan County~~manufactured home parks. It shall be unlawful for any person to ~~locate, place, construct, alter, extend, install, use or maintain a mobile home on a separate lot or in a manufactured mobile home park or subdivision~~ within the unincorporated area of Morgan County except in compliance ~~with this Section~~these applicable standards. Manufactured home parks are prohibited in all zone districts with the exception of the Manufactured Home Park Zone District. ~~All of the regulations in this Section and following apply to mobile home parks and selective regulations apply to mobile home subdivisions.~~

**4-58075 Authority Minimum Standards**

~~Sections 4-580 to 4-650~~These Regulations establish minimum standards governing necessary utilities and facilities and other physical improvements and conditions required to make ~~mobile-manufactured home parks and subdivisions~~mobile-manufactured home parks safe, sanitary, and fit for human habitation; articulate the responsibilities and duties of owners and operators of ~~mobile-manufactured home parks~~mobile-manufactured home parks ~~and~~; authorize the inspection of ~~mobile-manufactured home parks~~; ~~and fix penalties for violations, adopted pursuant to authority conferred with Article 28 of Title 30 of the C.R.S.~~

**4-590 Dedication of Easements and Public Lands**

The developer ~~shall convey or dedicate any necessary easements as a condition of approval of the manufactured home park development permit.~~ must submit warranty deeds or file a site plan of the mobile home park covering the dedication of all easements and public lands prior to or at the time of final approval of the mobile home park.

**4-595 Building Permits**

~~All buildings and utilities to be constructed, altered, or repaired in a mobile home park shall comply with all applicable codes of Morgan County and the State of Colorado.~~

**4-605 ~~Standards and Improvements~~ Additional Requirements Dimensional Standards**

~~In addition to all applicable general bulk requirements and exceptions contained in Section 3-620 and following, the following additional standards and requirements shall apply to mobile home parks within a MH Zone. The design standards of the Morgan County Subdivision Regulations also apply to the development of mobile home park site plans and are to be used in addition to the standards of this Section unless otherwise specified herein.~~

The standards in these Manufactured Home Park Requirements establish the dimensional standards for a manufactured home park and shall control over any other dimensional standards or bulk requirements

in these Zoning Regulations. If dimensional standards are not addressed in these Manufactured Home Park Requirements, applicable standards in Zoning Regulations shall be applied to the extent that application does not create a conflict.

#### **4-610 Site Plan Review**

~~Site plans for proposed mobile home parks shall be required and be submitted for site specific development plan review. All classes of uses in the MH district must be reviewed per this requirement. Landscape plans shall also be required.~~

#### **4-615 Nonresidential Uses**

~~(A) — A mobile home or unit may be used for office or other nonresidential purposes, on a temporary basis during construction or remodeling activities connected with a use permitted on the lot, provided that a placement permit is obtained and a use time limit is determined and that the use and location of the mobile home complies with all applicable zoning and building regulations of Morgan County. In addition, such mobile home shall be removed from the site within thirty (30) days when the construction or remodeling has been completed. Such mobile home shall be adequately secured against damage and over-turning by winds as per these Regulations.~~

~~(B) — Where a mobile home is proposed to be used for nonresidential purposes not connected with construction or remodeling activities, or not listed as a use in the Zone it is to be placed, a variance permitting such use shall be required to be granted by the Board of Adjustment in accordance with the procedure provided in Chapter 5.~~

~~(C) — Nothing contained herein shall be deemed as prohibiting the sale of a mobile home located in a mobile home park and connected to the required utilities.~~

#### **4-61020 Site Area and Single Ownership**

~~The site for a mobile-manufactured home subdivision or park shall contain a minimum of ten (10) acres of land shall be a single parcel of land under single ownership. No minimum acreage is required, provided the density standards are satisfied. The owner of the manufactured home park need not own the manufactured homes located within each manufactured home space. .~~

#### **4-615 Utilities**

~~All manufactured home parks must be connected to a public water and sewer system.~~

#### **4-62025 Density**

~~The total density of a mobile-manufactured home park or subdivision shall not exceed six (6) units per gross acre, and the density on any particular acre shall not exceed eight (8) units per acre.~~

#### **4-625 Space Requirements**

- (A) Manufactured home spaces must be a minimum of four thousand (4,000) square feet. The dimensions of the space shall be such that the width is at least one-third (1/3) the depth, provided the width is no less than 50 (fifty) feet. Space requirements exclude parking.
- (B) Each manufactured home space shall have two (2) parking spaces located within that space.
- (C) Each manufactured home space shall have a number posted on the front portion of the space and visible from the adjacent roadway for addressing purposes.

#### 4-630 Perimeter Setbacks

Each ~~mobile-manufactured~~ home park ~~or subdivision~~ shall provide the following setbacks along the perimeter, which shall be landscaped and maintained, except for those portions used for ingress and egress. The setbacks in this Section shall be measured in accordance with Section 3-630 of these Regulations.

- (A) Abutting a ~~s~~State or ~~f~~Federally designated highway or County ~~designated road designated~~ major arterial – fifty feet (50')
- (B) Abutting any public right-of-way other than (A) above – twenty-five ~~feet~~(25<sup>2</sup>) feet.
- (C) Abutting any exterior boundary other than (A) or (B) above – fifteen ~~feet~~(15<sup>2</sup>) feet.

#### 4-635 Internal Setbacks

- (A) A manufactured home shall meet the following setbacks:

(1) ~~There shall be a minimum twenty-foot~~Twenty (20<sup>2</sup>) feet setback from any ~~service utility easement or, if no easement is recorded, a minimum setback of thirty (30) feet from the location of utility structure.~~

(2) ~~Ten (10) feet from any accessory structure.~~  
~~or mobile home park or subdivision permanent building.~~

- (B) ~~Enclosed additions or porches shall be considered a part of the mobile home in measuring required setback distances.~~Encroachments into the internal setback shall be governed by Section 3-630 of these Regulations. The required area for each ~~mobile-manufactured~~ home space shall not include that additional area required for access roads, service buildings, recreation areas, office, and similar ~~mobile-manufactured~~ home park ~~or subdivision~~ needs.
- (C) Distances from other structures, not addressed herein, shall be as specified in R302 of the IRC, adopted by the County.

#### 4-640 Access and Interior ~~Roadways~~ Roads

- (A) The ~~mobile-manufactured~~ home park site shall have at least two (2) direct accesses to a public road ~~pursuant to Colorado law or highway by a roadway~~, each of which shall be at least forty

feet (40') wide. Access points to these roads shall be subject to review and approval by the County and the Colorado Department of Transportation where necessary.

- (B) Access to every ~~mobile-manufactured~~ home space shall be from internal ~~streets and~~ roads. The ~~mobile-manufactured~~ home park shall be designed so that all ~~mobile-manufactured~~ home spaces and community buildings face onto an interior roadway.
- (C) Paved ~~streets roads~~ shall be required in ~~mobile-manufactured~~ home parks ~~or subdivisions~~ when the number of ~~units-manufactured home spaces~~ exceeds thirty (30). Paving shall be asphalt or concrete or equivalent material upon a stabilized base, according to current specifications of the County. All roads, required to be paved, must be paved and approved by the County prior to the issuance of any certificate of occupancy. Unless expressly accepted by the County, no interior roads shall become county roads.
- (D) The minimum travel lane width of all interior roads shall be twenty-four feet (24') with on-road parking. If on-road parking is required on one side of the road only, the minimum width of the road shall be thirty feet (30') measured from flow line to flow line. If on-road parking is required on both sides of the road, the minimum width of the road shall be forty feet (40') measured from flow line to flow line. Minimum interior street widths in mobile home parks shall be as follows, measured from flow line to flow line:
  - (A) — No on street parking: 24 feet (24').
  - (B) — Parking on one side only: 30 feet (30').
  - (C) — Parking on both sides: 40 feet (40').

#### **4-~~64550~~ Walkways**

Paved walkways at least three feet (3') wide shall be provided from all ~~mobile-manufactured~~ home spaces to service buildings and other community areas, and along all access roads, when the number of ~~units-manufactured home spaces~~ in the ~~mobile-manufactured~~ home park ~~or subdivision is equal to or exceeds~~ ~~forty-thirty~~ (340). Walkways shall be hard surfaced with concrete or asphalt. Off-street parking or fences shall not obstruct walkways. Gravel may be used in ~~mobile-manufactured~~ home parks ~~and subdivisions~~ of less than forty (40) units.

#### **4-650 Accessory Buildings**

Accessory buildings and structures to manufactured homes in a manufactured home park are limited to garages, storage structures, and carports. All accessory buildings and structures shall conform to the building code. Accessory buildings or structures not adequately covered by either the building code shall be subject to the provisions of the National Fire Protection Association's Standard for Manufactured Housing, "Manufactured Homes Accessory Buildings and Structures," NFPA No. 501A. Arrangement of manufactured homes and accessory buildings or structures on the site shall not restrict reasonable access to the site by emergency personnel.

#### **4-655 Storage**

ZONING REGULATIONS – MANUFACTURED HOME ZONE  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

~~Storage facilities shall be provided on or conveniently near each mobile home space for the use of the mobile home occupants.~~

~~(A) — There shall be a minimum of one hundred forty-four (144) cubic feet provided for occupant storage for each mobile home space.~~

~~(B) — Storage facilities shall be no closer to streets or drives than the mobile home itself, and shall be designed in a manner that will enhance the appearance of the park or subdivision and shall be constructed of suitable weather resistant materials.~~

~~(C) — Storage underneath a mobile-manufactured home is not permitted.~~

~~(D) — A separate centralized storage area(s) for campers, trailers, RVs, boats, motor homes, etc. is required in the mobile home park or subdivision at an amount equal to one hundred (100) square feet per each mobile home space. Such area(s) shall be hard surfaced and be screened with a six foot (6') high solid fence or suitable opaque landscaping.~~

# APPENDIX B –ZONE DISTRICT BULK REQUIREMENTS AND SPECIAL DESIGN STANDARDS CHART

**TABLE 1**

The chart on this page lists the relevant bulk and design standards applicable to each of the zoning districts for Morgan County.

Zone District Code Letter:	C c	L I c	HI c	MH c	PD c	JLV UBR c	JLV C&SRU c
<b>Design Standards</b>							
1. Minimum Lot Size	4,000 sq ft a b	4,000 sq ft a b	10,000 sq ft a b	<del>5,000 sq ft</del> a See Regulations	** a b	1 Lot	1 Lot
2. Minimum Lot Area Per Unit (MF Only)	2,400 sq ft a b	N/A	N/A	N/A See Regulations	**	N/A	N/A
3. Minimum Setbacks (feet)				For each space from space boundary			
Front	30	30	30	15	**	15	25
Side	10	10	10	10	**	5	7.5
Rear <sup>f</sup>	15	15	15	10	**	10	10
4. Minimum Lot Frontage Width (feet)	30	50	100	See Regulations	**	N/A	N/A
5. Maximum Building Height (feet)							
SFU	N/A	N/A	N/A	30	**	30	35
Others	50	100	100	30	**	20	35
6. Fence Height Max. (feet)	N/A	N/A	N/A	6	**	6	6
Lot Frontage Limit	N/A	N/A	N/A e	3		4	4
See Sec. 3-640	e	e					
7 Maximum Lot Coverage by Structures %	N/A	n/a	N/A	<del>35</del> N/A	**	35	35
8. Open Space Requirement %	N/A	N/A	N/A	N/A	**	N/A	N/A

**Notes:**

- a. Minimum of 2.5 acres for exemptions from subdivision and minor subdivisions in all zones for parcels utilizing septic systems and containing a water well. Minimum of 1 acre for exemptions from subdivision and minor subdivisions in all zones (except ER) for parcels utilizing septic systems and public water service.
  - b. Lot size minimums assume public sewer and public water service when expressed in square feet (sq .ft.).
  - c. 1,320' (1,320 foot) setbacks are required from confined animal feeding operation facilities, slaughter houses, rendering plants and packing plants for residences without a SRU.
  - d. If uses are permitted on smaller lot sizes in these Zoning Regulations, those provisions shall control over this Table. Setbacks may be modified by Sec. 3-630.
  - e. Fences located on the frontage of corner lots, which abut two or more public rights of way must be set back from the lot lines to preserve the vision of automobile traffic on the rights of way (sight triangle), unless such fences are made of material with at least 80% transparency.
  - f. In all zones, rear setbacks for accessory structures and uses shall be 10 feet.
- \*\* All PD district bulk requirements specified as per approved development plans.

Key:  
 N/A = Not Applicable.  
 MF = Multi Family  
 SFU = Single Family Unit

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

ZONE DISTRICT	CURRENT ZONING – RESIDENTIAL USES	PROPOSED CHANGES
<b>AG –LARGER THAN 20 ACRES</b>		
<b>Use by Right</b>	One (1) single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel.	One (1) single-family <del>residence-dwelling (site built or manufactured home on a permanent and engineered foundation, but not a mobile home)</del> per <del>parcel</del> <u>lot</u> . <sup>1</sup>
	(Accessory) One (1) additional single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel used only for employees of the property owner (farm hands) or family members of the property owner in addition to the primary residence allowed by paragraph (B) of this section.	One (1) additional single-family <del>residence-dwelling (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel used only for employees of the property owner (farm hands) or family members of the property owner in addition to the primary residence allowed by paragraph (B) of this section.</del>
<b>Conditional Use</b>	Additional living units on permanent and engineered foundations not allowed as uses-by-right. Not to exceed four (4) per parcel.	<del>Additional</del> Up to two (2) additional <del>living-dwelling</del> units on permanent and engineered foundations not allowed as <del>uses-by-right</del> . Not to exceed four (4) per parcel.
	Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel).	<del>Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel).</del>
<b>AG - 20 ACRES AND SMALLER</b>		
<b>Use by Right</b>	One (1) single family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel.	One (1) single family <del>residence-dwelling (site built or manufactured home on a permanent and engineered foundation, but not a mobile home)</del> per <del>parcel</del> <u>lot</u> .

<sup>1</sup> Lot is defined as follows: A parcel of real property, as shown with a separate and distinct number or letter on a plat recorded in the Morgan County Courthouse, or when not so platted in a recorded subdivision, a parcel of real property abutting upon or having clear legal access to at least one public street and held under separate ownership.

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

ZONE DISTRICT	CURRENT ZONING – RESIDENTIAL USES	PROPOSED CHANGES
<p><b>Conditional Use</b></p>	<p>Additional living units on permanent and engineered foundations not to exceed one (1) per parcel.</p>	<p><del>Additional</del> <u>One additional dwelling unit living units on permanent and engineered foundations not to exceed one (1) per parcel</u></p>
	<p>Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel).</p>	<p><del>Mobile homes used for any purpose including primary or accessory residences (one mobile home per parcel).</del></p>
<p><b>AG – REGARDLESS OF ACREAGE</b></p>		
<p><b>Special Use</b></p>	<p>Two-family dwelling, as the only residential structure, site built or manufactured on a permanent and engineered foundation (one per parcel). Each unit must be served by its own septic and water supply unless under common ownership.</p>	<p>Two-family dwelling, as the only residential structure, site built or manufactured <u>home</u> on a permanent <del>and engineered</del> foundation <del>(one per parcel)</del>. Each unit must be served by its own septic and water supply unless under common ownership.</p>
<p><b>AG-BUSINESS</b></p>		
<p><b>Use by Right</b></p>	<p>(Accessory Use)  Living quarters for farm hands, employed on the farm, one single-family unit, (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) one per parcel.</p>	<p><del>Living quarters for farm hands, employed on the farm, one single family unit, (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) one per parcel.</del></p>
	<p>(Accessory Use)  One single family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel.</p>	<p><del>One Two</del> single family <u>residence dwellings</u> (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per <u>lot</u> parcel.</p>
<p><b>Conditional Use</b></p>	<p>Mobile homes as a residence (one unit per parcel).</p>	<p><del>Mobile homes as a residence (one unit per parcel).</del></p>
<p><b>ESTATE RESIDENTIAL</b></p>		
<p><b>Use by Right</b></p>	<p>Single-family house (one per parcel, site built).</p>	<p>Single family <u>house dwelling</u>, <del>(one per lot) parcel, site built</del>.</p>
<p><b>Conditional Use</b></p>	<p>Manufactured home on permanent and engineered foundation.</p>	<p><del>Manufactured home on permanent and engineered foundation.</del></p>



ZONING REGULATIONS – COMPARISON RESIDENTIAL USES  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

ZONE DISTRICT	CURRENT ZONING – RESIDENTIAL USES	PROPOSED CHANGES
<b>Special Use</b>	Mobile homes for any purpose.	<del>Mobile homes for any purpose.</del>
<b>RURAL RESIDENTIAL</b>		
<b>Use by Right</b>	Single family house (one per parcel, site built).	Single family <del>house dwelling</del> (one per <del>lot</del> parcel, <del>site built</del> ).
<b>Conditional Use</b>	Manufactured home on permanent and engineered foundation.	<del>Manufactured home on permanent and engineered foundation.</del>
<b>Special Use</b>	Mobile homes as residences.	<del>Mobile homes for any purpose.</del>
<b>RURAL COMMUNITY RESIDENTIAL</b>		
<b>Use by Right</b>	One (1) single-family residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home) per parcel.	One (1) single-family <del>residence (site built or manufactured home on a permanent and engineered foundation, but not a mobile home dwelling)</del> per <del>parcel</del> lot.
<b>Conditional Use</b>	Multiple family dwellings – duplex and triplex only.	Multi- <del>ple</del> family dwellings – <del>duplex and triplex only</del> . <u>up to three dwelling units</u>
	Mobile homes.	<del>Mobile homes.</del>
<b>Special Use</b>	Multiple family building in excess of three (3) units, apartment buildings, condominiums and town homes.	Multi- <del>ple</del> family <del>building dwellings with more than three dwelling units in excess of three (3) units, including but not limited to</del> apartment buildings, condominiums and town homes.
<b>MODERATE DENSITY RESIDENTIAL</b>		
<b>Use by Right</b>	Two-family dwellings that are site built (one per parcel).	Two-family dwellings, <del>that are site built</del> (one per <del>parcel</del> lot).
	Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations.	<del>Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations.</del>
	Multi-family dwellings.	

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES  
MOBILE/MANUFACTURED HOME AMENDMENTS  
BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

ZONE DISTRICT	CURRENT ZONING – RESIDENTIAL USES	PROPOSED CHANGES
	Single-family dwellings and manufactured homes on permanent and engineered foundations (one per parcel).	Single-family dwellings and manufactured homes on permanent <del>and engineered</del> foundations (one per <del>parcel</del> lot).
<b>HIGH DENSITY RESIDENTIAL</b>		
<b>Use by Right</b>	Multi-family dwellings.	
	Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations.	<del>Multiple family subdivisions (lots or condominiums) platted according to requirements and procedures set forth in the Morgan County Subdivision Regulations.</del>
<b>Conditional Use</b>	Single family dwelling (site built, one per parcel)	Single family dwellings <del>(site built, one per parcel)</del> lot)
<b>Special Use</b>	Manufactured home on permanent and engineered foundation (but not a mobile home).	<del>Manufactured home on permanent and engineered foundation (but not a mobile home).</del>
<b>COMMERCIAL</b>		
<b>Use by Right</b>	Mixed-use structures, where the residential portion of the use is located at the rear of the structure or on an upper floor. The residential portion must be less than 5,000 square feet and may only be a single-family dwelling.	
<b>Conditional Use</b>	Single-family dwellings (site built or manufactured home on a permanent and engineered foundation, but not a mobile home), one per parcel	Single-family dwellings (site built or manufactured home on a permanent and engineered foundation, <del>but not a mobile home</del> ), one per <del>parcel</del> lot.
	Mixed-use structures, where the residential portion of the use is located at the rear of the structure or on an upper floor and is 5,000 square feet or more. The residential portion may be used for single-family or multi-family dwellings.	
<b>Ag (regardless of size), Estate Residential, Rural Residential, Rural Community</b>	Storage of mobile homes in excess of 14 days from notice to the planning administrator.	<del>Storage of mobile homes in excess of 14 days from notice to the planning administrator.</del>

ZONING REGULATIONS – COMPARISON RESIDENTIAL USES  
 MOBILE/MANUFACTURED HOME AMENDMENTS  
 BOARD OF COUNTY COMMISSIONERS DRAFT FOR PUBLIC HEARING – 4.10.24

ZONE DISTRICT	CURRENT ZONING – RESIDENTIAL USES	PROPOSED CHANGES
<p style="text-align: center;"><b>Conditional use</b></p>		
<p><b>Commercial, Light Industrial</b>  <b>Conditional Use</b></p>	<p>Storage of mobile homes in excess of 14 days from notice to the planning administrator, except for mobile home manufacturing and related businesses.</p>	<p><del>Storage of mobile homes in excess of 14 days from notice to the planning administrator, except for mobile home manufacturing and related businesses.</del></p>

SUBDIVISION AMENDMENTS SUMMARY



**MORGAN COUNTY BOARD OF COUNTY COMMISSIONERS  
AMENDMENT SUMMARY  
April 12, 2024  
April 16, 2024 (meeting date)**

**AMENDMENTS  
MORGAN COUNTY SUBDIVISION REGULATIONS**

Included with this staff report are redlines of the proposed changes as outlined below.

Subdivision Amendments – Plat Requirements, Shared Access and Shared Wells

1. Final Plat Drawing Amendments.

- a. The purpose of this proposed amendment is to eliminate the lien holder certificate from a plat, except in cases where property is being dedicated to the County for maintenance. The only time, and it is rare, that the County accepts property as part of a subdivision is for roads. The County is not necessarily concerned as to whether an owner is in conformity with the applicable deed of trust when a subdivision is approved. That burden is on the owner to ensure compliance. Further, while getting sign off from a local bank is relatively easy, with national banks, the process is nearly impossible and causes significant delays in recording.
- b. The second amendment is to ensure certain notes are placed on the plat regarding water and drainage.

2. Shared Access and Shared Wells. The proposed amendments revise the requirements related to shared access and shared wells for different types of subdivisions. The proposed shared access acknowledgement is also in your packet. The County has encountered issues with both shared access and shared wells. The advantages to allowing shared access is that it results in less connections to a County road. However, the owners of property which is subject to shared access need to ensure that their responsibilities are clearly defined. The County does not want to be involved in that private arrangement but wants adequate notice to be provided to future purchases that there is shared access. As such, the proposed amendments required the execution of a shared access acknowledgment that will be recorded with the plat. However, with shared wells, the proposed amendments require that the owner submitted a shared well agreement so the County can ensure that parties have established responsibilities in a way that ensures access to the well for all future owners in the subdivision. That agreement will also be recorded with plat.

3. Amended Plat – Minor Revision. The proposed amendments make a minor revision to the approval of an amendment plat. Instead of having the approving resolution designate the renamed or renumbered lots, that information will be on the plat.

The Planning Commission recommended approval at a public hearing held on April 8, 2024 on a vote of 6 in favor and 0 opposed.

Nicole Hay  
Morgan County Planning Director

# PROPOSED SUBDIVISION REGULATION AMENDMENTS

Final Plat Drawing Amendments

Shared Access & Shared Wells

Amended Plat

**SUBDIVISION REGULATIONS**

**1. Final Plat Drawing**

**6-170(J)(4)(b) – Amend as Follows**

**Lien Holder – Only Required if Property is Dedicated to the County for Maintenance**

The undersigned lien holder holds a valid (mortgage or deed of trust) upon the property located within the (subdivision name) which was dated the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, filed for record on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and recorded at Reception No. \_\_\_\_\_ or in Book \_\_\_\_\_, Page \_\_\_\_\_, records of the Morgan County Clerk and Recorder.

The undersigned joins in and consents to the dedication herein of the above subdivision. Further, the undersigned lien holder releases its lien upon such dedicated property and in the event of default in satisfaction of the lien, waives any foreclosure rights to the dedicated property.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Lien holder  
State of \_\_\_\_\_ )  
County of \_\_\_\_\_ ) ss.

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_.

Witness my hand and official seal.  
My commission expires \_\_\_\_\_

\_\_\_\_\_  
Notary Public

**6-170(J) – Amend with new subsection**

**(8) The following notes shall be on all plats:**

- (a) Morgan County is not responsible for the quantity or quality of water supplied to this subdivision.
- (b) Any past, present or future drainage issues on this property are the responsibility of the landowner and their successors and not that of Morgan County.



## 2. Minor Subdivisions

### 8-140(B) - Lots - *Amend as follows:*

(B) Each new lot shall have access for ingress and egress to a public ~~street~~-right-of-way. Shared access is permitted provided it will not negatively impact the public health, safety and welfare and the owner(s) have executed a shared access acknowledgment. Only under very special circumstances will the County consider minor subdivisions having access through easements or private roads.

### 8-170 Procedure - *New Subsections (C), (D), and (E)*

#### (C) Proof of access in one of the following forms:

(1) Preliminary approval of new access to a County road from the County Road & Bridge Department.

(2) Documented previous approval of a current access to a County road from the County Road & Bridge Department.

(3) Approval of current or new access to a highway, if access is directly onto the highway, from Colorado Department of Transportation.

~~Documented proof of legal access if the subject property does not have direct contiguous access to a public road or street.~~

(D) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.

(E) If a single well is proposed as the water supply to two or more lots and if permitted by the Department of Water Resources, a draft copy of a shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well. All easements related to the shared well must be shown on the plat. The applicant must also submit proof from the Department of Water Resources that the well may be used for the number of lots proposed.

~~(F)~~ Any other special reports required by Staff or the Planning Commission.

~~(G)~~ Any proposed Subdivision Improvements Agreement.

## 3. Subdivision Exemptions

### 9-150 Application

(C) Proposal Summary – *New subsections 6 and 7*

(6) Proof of access in one of the following forms:

Proposed Amendments – Subdivision Regulations  
Shared Wells and Access, Minor Cleanup  
PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.24.24

- (a) Preliminary approval of new access to a County road from the County Road & Bridge Department.
  - (b) Documented previous approval of a current access to a County road from the County Road & Bridge Department.
  - (c) Approval of current or new access to a highway, if access is directly onto the highway, from Colorado Department of Transportation.
- (7) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.
- (E) Additional Application Materials – *Amend as follows*

Upon the determination of the Staff, the applicant may be required to submit the following additional materials with the application.

- (1) Proposed methods for joint use of common facilities and continued maintenance of ~~roads, driveways,~~ water sources, waste disposal facilities, and their associated easements, deeds and maintenance agreements as necessary. Any application proposing a well, as the water supply to the exempted parcel, which is shared by another parcel, the applicant shall submit a shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well. All easements related to the shared well must be shown on the plat. The applicant must also submit proof from the Department of Water Resources that the well may be used for the number of lots proposed.

**9-175 Post Exemption Action – *Amend as follows***

- (B) The Staff shall verify that proper signatures have been secured on the exemption documents. The Staff shall compare owners' names with those on the title report supplied in accordance with Section 9-150 (3). If there is a difference identified by the Staff, then the Staff shall not proceed with recordation of the exemption until a new title commitment is received and ownership is confirmed by the Staff. ~~-and associated documents until the Staff determines that the lien holders or mortgage holders or owners of surface or subsurface rights have been duly noticed as to the proposed exemption and shall have an opportunity to comment. Objections by these newly identified owners may result in the Staff requiring a review before the Board of County Commissioners.~~

**4. Amended Plats**

**10-200(D)– Submission Requirements - *New subsection 6***

- (6) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.

**10-200 (G)(1)(f) – Review Criteria - *Amend as follows***

Proposed Amendments – Subdivision Regulations

Shared Wells and Access, Minor Cleanup

PLANNING COMMISSION PUBLIC HEARING DRAFT – 3.24.24

(f) The ~~approving resolution~~ plat adequately renames or renumbers the lots in accordance with this Chapter.

5. Replats

**10-400(D) – Submission Requirements – *New subsections 7 and 8***

(7) If shared access is proposed, all owner(s) must submit a shared access acknowledgment.

(8) If a single well is proposed as the water supply to two or more lots and if permitted by the Department of Water Resources, a draft copy of a shared well agreement detailing the specifics for the responsibilities of the owners of the lots related to the shared well and any easements to access the well. All easements related to the shared well must be shown on the plat. The applicant must also submit proof from the Department of Water Resources that the well may be used for the number of lots proposed.

## MORGAN COUNTY SHARED ACCESS ACKNOWLEDGMENT

The owner, identified below, has received approval for a subdivision named \_\_\_\_\_ pursuant to the Morgan County Subdivision Regulations, located in the \_\_\_\_\_ and recorded at reception number \_\_\_\_\_ in the records of the Morgan County Clerk and Recorder. The lots within the subdivision will access a public road through a shared access driveway or road. The subdivision was approved on the condition that the shared access remains viable for access to the public road. The owner expressly acknowledges and understands that the lot owners in the subdivision shall be solely responsible for the construction, repair, maintenance, and any other responsibilities to ensure that the shared access remains available for the lots that use it to access the public road. The owner may record a covenant against the property in the subdivision to address these responsibilities.

The owner further acknowledges that Morgan County shall not have any responsibility for maintaining or ensuring the shared access remains in a condition to ensure access for the lot owners to the public road. Failure of the owner, heirs, and successors to repair, maintain, or undertake any other actions to ensure that the shared access remains available for access to the public road shall be the sole responsibility of owner or owner's successors.

This acknowledgment shall be recorded in the records of the Morgan County Clerk and Recorder and shall run with the land.

I hereby certify that I have read and understood this acknowledgment and agree to its terms and conditions.

---

Signature

Date

---

Printed Name

NOTIFICATION

**NOTICE OF PUBLIC HEARING  
MORGAN COUNTY BOARD OF COMMISSIONERS  
APRIL 16, 2024 AT 9:00 A.M.  
VIRTUAL AND IN PERSON IN THE ASSEMBLY ROOM, MORGAN COUNTY  
ADMINISTRATIVE BUILDING, 231 ENSIGN, FORT MORGAN, COLORADO**

Notice is hereby given that on the date and time above (or as soon as possible following the scheduled time) and at the location above, or at such time and place as this hearing may be adjourned, the Morgan County Board of Commissioners will conduct public hearings on the following proposed **Land Use Application and Amendments to the Morgan County Zoning and Subdivision Regulations:**

- 1.) **Applicant:** AGPROfessionals, Hannah Dutrow & Tim Naylor  
**Landowners:** Sandy Hills Family Dairy, LLC  
**Legal Description:** a part of the NE¼ of Section 15, a part of the NW¼ of Section 14 and a part of the N½SW¼ of Section 14, all in Township 3 North, Range 59 West, of the 6<sup>th</sup> PM, Morgan County, Colorado. Also known as 15884 Co Rd 10, Fort Morgan, Colorado 80701.  
**Request:** Amended Use by Special Review Permit to expand the permitted Sandy Hills Family Dairy confinement operations to 14,245 Animal Units. In addition, they intend to install a heifer operation, composting, and an anaerobic digester facility on the parcel west of the existing operations. They will also install an additional dairy barn, two free stalls, and exercise lots south of the existing dairy operations.  
**Date of Application:** August 1, 2023.
- 2.) **Zoning Amendments:** Amendments relating to Manufactured Homes.
- 3.) **Subdivision Amendments:** Amendments relating to Manufactured Homes, shared wells and shared access.

**THE COUNTY WILL CONTINUE TO OFFER THE OPTION TO ATTEND MEETINGS REMOTELY. IF YOU HAVE ANY QUESTIONS REGARDING ATTENDING THE MEETING, PLEASE CONTACT THE PLANNING OFFICES AT 970-542-3526.**

To participate remotely you may connect via Zoom at:

<https://us02web.zoom.us/j/88057408507>

Or Telephone:

Dial:

+1 719 359 4580 US

Webinar ID: 880 5740 8507

Documents pertaining to the above identified matters are on file in the Planning Administrator's Office, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

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

*Nicole Hay*

\_\_\_\_\_  
Nicole Hay

Morgan County Planning Administrator

Published: March 30, 2024

*For special assistance for the mentioned hearing, please notify us at least 48 hours before the scheduled agenda item. Please call (970) 542-3526 to request any ADA accommodations.*