

High Plains Cattle Supply
Peacock Farnam Investment Builders Brush, LLC
Special Use

Carolyn Wood
Special Use

AGPROfessionals / Tim Naylor & Hannah Dutrow
BOS Farms, LLC
Special Use

PLANNING COMMISSION HEARING
July 10, 2023
7:00 p.m.

**High Plains Cattle Supply LLC
Peacock Farnam Investment Builders
Special Use**

PLANNING COMMISSION HEARING

July 10, 2023

7:00 p.m.

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**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

May 30, 2023

High Plains Cattle Supply, LLC
Attn: Ashley Farnam
29576 U.S. Hwy 6
Brush, CO 80723
Sent via email: ashley@hpcattlesupply.com

Dear Applicant:

Your Application for a Use by Special Review has been received by our office and will go through a full review. The hearing for the Planning Commission will be held on **July 10th, 2023 at 7:00 P.M.**

As per Section 2-390(B), notification sign postings need to occur no later than June 30, 2023 and photographs accompanied by an affidavit to our office no later than July 5, 2023. One sign facing each public right-of-way adjacent to the property is required. The county will provide one sign for U.S. Highway 6. It is up to you or the landowner to post it. We will have this sign ready to be picked up in our office on June 26, 2023.

It is necessary that you and the landowners or their representatives be present at the hearing to answer any questions the Planning Commission 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 BUILDING DEPARTMENT**

**MORGAN COUNTY PLANNING COMMISSION
FILE SUMMARY**

July 3, 2023

Hearing date – July 10, 2023

APPLICANT: High Plains Cattle Supply, LLC

LANDOWNERS: Peacock Farnam Investment Builders Brush LLC

This application is for a Special Use Permit to allow the sale of retail liquor at their existing store. The current location is in Lot 1, correction Plat Blake Minor Subdivision in the SE¼ of Section 36, Township 4 North, Range 56 West of the 6th PM, Morgan County, Colorado aka 29576 Highway 6, Brush, Colorado 80723.

The Special Use Permit is needed to continue the liquor license process with the State. The property is zoned Agriculture/Agri-Business and is in the Brush Fire District. Liquor stores are not a designated use by right, conditional use, or special use under the Morgan County Zoning Regulations in the applicable district and therefore, require a special use permit pursuant to Sec. 2-375.

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 have been met. Those criteria are as follows:

Section 2-395 Special Use Permit Criteria:

- A. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan.
This is an existing retail store.
- 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 Section 2-420 of the Morgan County Zoning Regulations.
There will be no change to the existing site.
- D. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvement, site plan requirements or other mitigation measures.
There will be no change with on or off-site impacts.
- E. The special use proposed has been made compatible with the surrounding uses and is adequately buffered from any incompatible uses by distance and topography.

The building is already being used as a retail store.

- F. The special use poses no or minimal risk to the public health, safety and welfare.
The Special Use Permit will not increase risk to public health, safety or welfare.
- G. The special use proposed is not planned on a nonconforming parcel.
The property is a conforming parcel.
- H. The applicant has adequately documented a public need for the project. The Applicant has submitted all pertinent technical information, has demonstrated that it has adequate financial resources to implement the project, and has paid all County fees and review costs.
- 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.

Nicole Hay,
Morgan County Planning Administrator

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

PERMIT # SA2023 - 0015

Date Received 5/22/23 Received By JS
App Fee \$ 1650 CK/CC #: 4568 Paid 5/22/23
Minor Amend Fee: \$ _____ CK/CC #: _____ Paid / /
Recording Fee \$ _____ CK/CC #: _____ Paid / /
PC Date: / / BOCC Date: / /
100 Year Floodplain? Y(N) Taxes Current (Y)N

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 High Plains Cattle Supply, LLC
Address 29576 US HWY 6
Brush CO 80723
Phone (970) 892-9820
Email ashley@hpcattlesupply.com

LANDOWNER

Name Peacock Farnam Investment Builder
Address 29576 US HWY 6
Brush CO 80723
Phone (970) 981-5660
Email robert@hpcattlesupply.com

BRIEF DESCRIPTION OF APPLICATION

retail liquor license

PROPERTY LEGAL DESCRIPTION

Address (if available):

29576 US Highway 6, Brush CO 80723

S: 36 T: 4N R: 56W _____ $\frac{1}{2}$ _____ $\frac{1}{4}$ _____ $\frac{1}{4}$

Parcel #: 103 - 736 - 001 - 001

Subdivision: Blake Minor Subdivision

Property Size 5.4 (sq. ft. or acres)

Zone District: A/B

Lot #(s): 123 1

Is property located within 1320' (1/4 mile) of a livestock confinement facility? Y(N)

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:

☐ Air Quality

☐ Dust

☐ Existing Vegetation

☐ Land Forms

☐ Noise

☐ Odor

☐ Storm Water Runoff

☐ Water Resources

☐ Wetlands

☐ Wildlife

☐ Visual Amenities

☐ 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)** *ue*

☒ **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**
- ☐ ____# **Paper Application sets**
- ☐ ____**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 + Colorado Liquor Retail License Application

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.

	5/19/23
Applicant Signature	Date
	5/19/23
Applicant Signature	Date

	5/19/23
Landowner Signature	Date
	5/19/23
Landowner Signature	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 and the County Planning and Zoning Department, and 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.



Signature

5/19/23

Date

Ashley J Farnam

Printed Name

29576 US HWY 6 Bmsn CO 80723

Address

To Be Signed by Landowner

APPLICANT NARRATIVE

High Plains Cattle Supply, LLC is applying for a special use permit at 29576 US HWY 6, Brush CO 80723. This property is currently zoned A/B which does not allow for the issuance of a retail liquor license that High Plains Cattle Supply, LLC has previously applied for.

This proposal complies with the Morgan County Comprehensive Plan step 1. "Provide direction for future development of the county."

This project meets the criteria for a Special Use Permit and there are no applicable specific criteria requirements from the Morgan County Zoning Regulations Chapter 4.

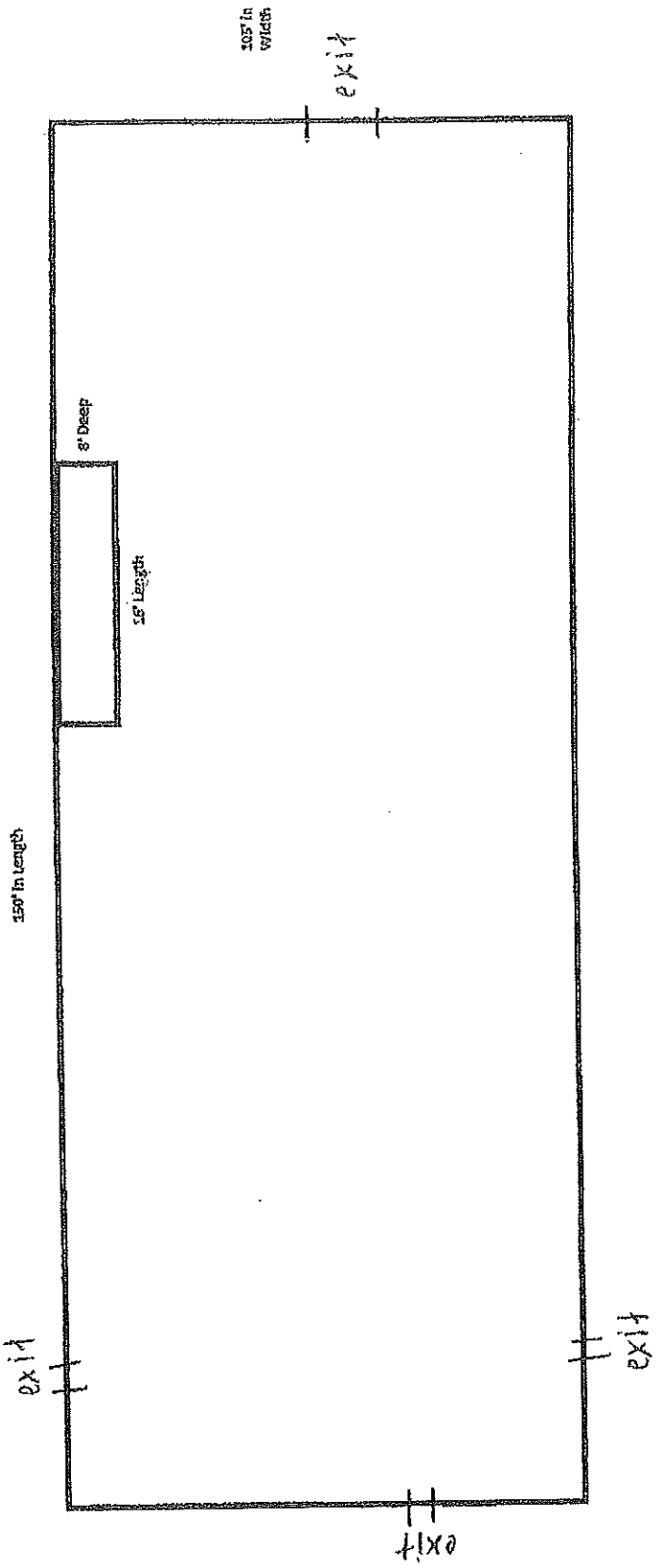
This project will not impact existing adjacent uses, has no off-site impacts or mitigation measures, there is no development planned, and the special use permit would stay in effect as long as High Plains Cattle Supply, LLC maintains a current retail liquor license at this location through Morgan County.

SITE PLAN / MAPS

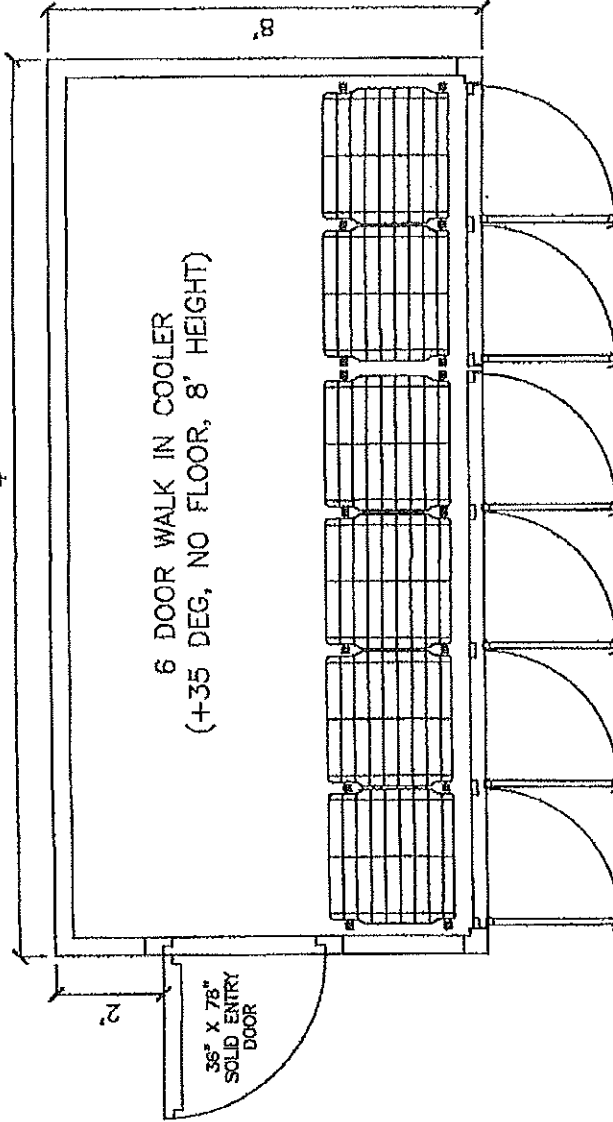
Property Location
Boundary - with Fence Line and Gate Entrance


- Legend**
- Gated Entrance
 - High Plains Cattle Supply & Amory
 - Property Boundary
 - Property Location





16' - 5 3/4"



 <p> RAVES COOLER DOORS 1704 E HIGHLAND RD HIGHLAND, MI 48356 RAVESCOOLERDOORS.COM +1 248 887 0648 </p>	BUSINESS: HIGH PLAINS CATTLE SUPPLY LLC	DESCRIPTION: 6 DOOR WALK IN COOLER	DATE: 2/21/23 SALESPERSON: STEVEN	APPROVED TO BUILD CUSTOMER NAME & SIGNATURE: _____ DATE: _____	SHEET 1 OF 1
	CLIENT: DARREN POST	NOTES: HEIGHT - 8' 4" COOLER PANELS	UNITS: INCHES DO NOT SCALE DRAWING	DATE: _____	SHEET 1 OF 1

CORRECTION PLAT
BLAKE MINOR SUBDIVISION
PART OF THE SE1/4 OF SECTION 36,
TOWNSHIP 4 NORTH, RANGE 66 WEST OF
THE 6TH P.M., MORGAN COUNTY, COLORADO.

[illegible]

A file search was not requested or conducted by NSA for this purpose. The NSA does not have access to the NSA's own personnel files or personnel files of other agencies. The NSA does not have access to the NSA's own personnel files or personnel files of other agencies. The NSA does not have access to the NSA's own personnel files or personnel files of other agencies.

PLANNING COMMISSION CERTIFICATE:
 Approved the _____ day of _____ 20____ County
 Planning Commission, Morgan County, Colorado.

[illegible]

Attest: _____
 Clerk of Board

Chairman

CLARK AND REDDICK'S CERTIFICATE

State of Colorado) ss.
)

I hereby certify that this instrument was filed in my office
 on 10-13-93 at 10:41 AM day of OCTOBER
1993 and is duly recorded in Plat File B9 Page 87
\$10.00 per page.

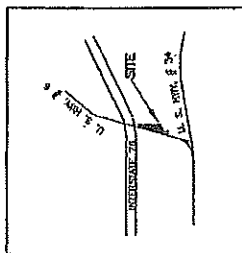
County Clerk
 Janet Thomas Deaton, Clerk



IT IS HEREBY CERTIFIED THAT THE ABOVE DESCRIBED PROPERTY IS NOT
LOCATED WITHIN A FLOOD HAZARD ZONING, EXCEPT AS NOTED
ACCORDING TO FEDERAL AGENCY'S MAP NUMBER (FEMA'S FLOOD
INSURANCE RATE MAP) (NATIONAL FLOOD INSURANCE PROGRAM)
EFFECTIVE DATE 08/01/2000. DEATHS 0140 EFFECTIVE DATE
08/01/2000.

BASIS OF BEARING THE EAST LINE OF THE SE1/4
OF SECTION 36, T4N, R56W WAS ASSIGNED AS BEARING
N02°25'17E

- SECTION CORNER FOUND AS NOTED
- PROPERTY CORNER FOUND 44' NEARBY WITH YELLOW ID TAG IS 613802, UNLESS OTHERWISE NOTED
- PROPERTY CORNER SET: 24" IS NEARBY WITH PLASTIC ID TAG IS 614796



VICINITY MAP

1/4 CORNER SECTION 36
TND. A.C.

FND. STATE R.O.W. E.C.
AT FENCE INTERSECTION

PROOF OF OWNERSHIP

Current Title Insurance Commitment

Any Deeds or additional ownership documentation

NORTHERN COLORADO TITLE SERVICES CO., INC.
130 W. KIOWA AVENUE
FORT MORGAN, CO 80701
TELEPHONE (970)867-0233 *** FAX (970)867-7750

DATE: May 22, 2023
ORDER NO.: NCT24627
PROPERTY ADDRESS: 29576 HIGHWAY 6, Brush, CO 80723

OWNER/PURCHASER: PEACOCK FARNAM INVESTMENT BUILDERS, BRUSH, L.L.C.
TO BE DETERMINED

PLEASE DELIVER TO THE FOLLOWING CUSTOMERS:

_____ To: HIGH PLAINS CATTLE SUPPLY, LLC
ashley@hpcattlesupply.com
970-222-4527

ATTN: ASHLEY FARNAM

Fax No.:

_____ To:

ATTN:

Fax No.:

ATTACHED PLEASE FIND THE FOLLOWING ITEM(S) IN CONNECTION WITH THE ABOVE CAPTIONED ORDER. SHOULD YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED DOCUMENTATION, PLEASE CONTACT LINDA, SHARON, LISA OR SHERYL. FOR CLOSING ASSISTANCE, PLEASE CONTACT LINDA OR LISA. WE APPRECIATE YOUR BUSINESS VERY MUCH AND LOOK FORWARD TO SERVING YOU IN THIS TRANSACTION.

E-MAIL ADDRESS FOR CLOSING DOCUMENTS: closing@ncts.com
HAVE A WONDERFUL DAY!!!

_____ COMMITMENT
AMT DUE IS ON SCHEDULE A (INVOICE)

_____ OWNERS TITLE POLICY

_____ PROPERTY REPORT
AMT DUE IS ON PROPERTY REPORT
(INVOICE)


_____ MORTGAGEES TITLE POLICY

_____ MORTGAGE/FORECLOSURE GUARANTY

_____ DOCUMENTS

_____ SURVEY / ILC

_____ OTHER / INVOICE

 First American Title™	ALTA Commitment for Title Insurance
Commitment	ISSUED BY First American Title Insurance 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, First American Title Insurance Company, a(n) Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. 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 counter-signature by the Company or its issuing agent that may be in electronic form.

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- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
 - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
 3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; [and]
 - (f) Schedule B, Part II—Exceptions; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].
 4. **COMPANY'S RIGHT TO AMEND**
The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.
 5. **LIMITATIONS OF LIABILITY**
 - (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
 - (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
 - (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
 - (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
 - (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
 - (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
 - (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.
 6. **LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT**
 - (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
 - (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
 - (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.
 - (d) The deletion or modification of any Schedule B, Part II - Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
 - (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. 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 counter-signature by the Company or its issuing agent that may be in electronic form.

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- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.
7. **IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT**
The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.
8. **PRO-FORMA POLICY**
The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by First American Title Insurance Company. 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 counter-signature by the Company or its issuing agent that may be in electronic form.

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 First American Title™	ALTA Commitment for Title Insurance
Schedule A	ISSUED BY First American Title Insurance Company

Transaction Identification Data for reference only:

Issuing Office: Northern Colorado Title Services Co., Inc.
 Issuing Office's ALTA® Registry ID: 0044474
 Commitment No.: NCT24627
 Property Address: 29576 HIGHWAY 6, Brush, CO 80723

1. Commitment Date: May 19, 2023 at 08:00 AM

2. Policy or Policies to be issued:

AMOUNT:

PREMIUM:

ALTA Owners Policy (06/17/06)

TBD

\$200.00

Proposed Insured: TO BE DETERMINED

Other Charges:

TOTAL DUE: \$200.00

NOTE: A Minimum Fee of \$115.00 will be charged if file is cancelled.

3. On the effective date hereof, the estate described herein to be insured is **Fee Simple**, and is vested in:

PEACOCK FARNAM INVESTMENT BUILDERS, BRUSH, L.L.C.

4. The Land referred to in the Commitment is described below or in Schedule C:

Lot 1, CORRECTION PLAT BLAKE MINOR SUBDIVISION, according to the recorded plat thereof, Morgan County, Colorado.

and commonly known as (for informational purposes only): **29576 HIGHWAY 6, BRUSH, CO 80723**

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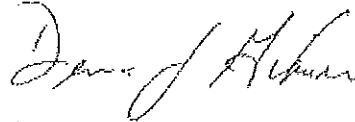
NCT24627

SCHEDULE A
(Continued)

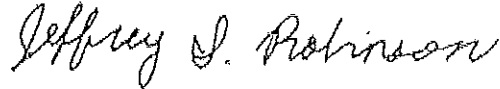
Northern Colorado Title Services Co., Inc.

Authorized Signatory

First American Title Insurance Company



Dennis J. Gilmore
President




Jeffrey S. Robinson
Secretary

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 First American Title™	ALTA Commitment for Title Insurance
Schedule BI	ISSUED BY First American Title Insurance Company

**SCHEDULE B, PART I
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.
 - a. Proper Deed from PEACOCK FARNAM INVESTMENT BUILDERS, BRUSH, L.L.C. to TO BE DETERMINED, conveying the land described herein.
 - b. Release of Deed of Trust from PEACOCK FARNAM INVESTMENT BUILDERS, BRUSH, LLC to the Public Trustee of Morgan County for the use of LEONARD D. WEISS and SONJA L. WEISS , to secure payment of \$650,000.00, dated 03/03/15, recorded 03/04/15 at Reception No. 892186.
 - c. The amount of Policy coverage must be provided to the Company.
 - d. The Company reserves the right to assert additional requirements or exceptions regarding the Grantee(s) when they are designated.

NOTE: Statement of Authority for PEACOCK FARNAM INVESTMENT BUILDERS, BRUSH, L.L.C., recorded MARCH 4, 2015, at Reception No. 892184, discloses the following person(s) have the authority to execute documents affecting title on behalf of the entity: WILLIAM H. PEACOCK, MBR/MGR


Valid as a Commitment for an ALTA Policy only if attached to a countersigned Commitment for Title Insurance, a Schedule A, a Schedule B - Section II and a Schedule C (if applicable) with matching Commitment Numbers.

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 First American Title™	ALTA Commitment for Title Insurance
Schedule BII	ISSUED BY First American Title Insurance Company

SCHEDULE B, PART II
Exceptions

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

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

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
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 theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Taxes or special assessments which are a lien or due and payable; or which are not shown as existing liens by the public records; and any tax, special assessments, or charges or liens imposed for water or sewer service, or any other special taxing district; and any unredeemed tax sales.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records or listed in Schedule B.

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SCHEDULE B - PART II
(Continued)

8. Reserving to the State of Colorado, all rights to any and all minerals, ores and metals of any kind and character and all coal, asphaltum, oil, gas or other like substance in or under said land, the right of ingress and egress for the purpose of mining, together with enough of the surface of the same as may be necessary for the proper and convenient working of such minerals and substances, as reserved by the State of Colorado in Patent recorded JANUARY 30, 1945 in Book 414 at page 284.
9. Easement and right of way for ROAD purposes as granted by STATE OF COLORADO to MORGAN COUNTY as contained in instrument recorded AUGUST 11, 1911, in Book 84 at Page 182, the location of said easement and right of way not being specifically defined.
10. Easement and right of way for HIGHWAY purposes as granted by CHARLES F. BRINKER to MORGAN COUNTY as contained in instrument recorded JULY 11, 1936 in Book 353 at Page 299, the location of said easement and right of way are more specifically defined in said document.
11. All interest in oil, gas and other mineral rights as reserved by T.H. REDISS in DEED to MILTON UHLENHOPP recorded in Book 665 at Page 413, and any and all assignments thereof or interests therein.
12. Easements for utility and access purposes as shown on the recorded plat of BLAKE MINOR SUBDIVISION, recorded in Book 8 at Page 60 and as shown on the Correction Plat of Blake Minor Subdivision recorded in Book 9 at Page 87.
13. Easement and right of way for UTILITY LINES AND FIXTURE purposes as granted by LEONARD D. WEISS and SONJA L. WEISS to PUBLIC SERVICE COMPANY OF COLORADO as contained in instrument recorded SEPTEMBER 7, 2006 at Reception No. 837829, the location of said easement and right of way are more specifically defined in said document.
14. Easements for utility and access purposes as shown on the ALTA Land Title Survey, by American West Land Surveying Co. recorded February 27, 2015 at Reception No. 1601705.
15. NOTE: The following notices pursuant to CRS 9-1.5 103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property: (A) MOUNTAIN BELL TELEPHONE COMPANY RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 502; (B) PUBLIC SERVICE COMPANY OF COLORADO RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 514; AND (C) MORGAN COUNTY RURAL ELECTRIC ASSOCIATION RECORDED JANUARY 22, 1982 IN BOOK 825 AT PAGE 656.

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SCHEDULE B - PART II

(Continued)

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Non-residential withholding).

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

Pursuant to C.R.S. 10-11-122, the company will not issue its policy or policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. 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: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- 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: Pursuant to Colorado Division of Insurance Regulations 8-1-1, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or material-men 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 un-paid mechanic's and material-men'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.

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SCHEDULE B - PART II
(Continued)

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

NOTE: Pursuant to C.R.S. 3845-125(2) no person or entity that provides dosing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right.

NOTE: C.R.S. 39-14.102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Pursuant to CRS 10.1-128(3)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of Insurance within the department of regulatory agencies.

NOTE: Pursuant to Colorado Insurance Regulation 8-1-3, this is notification of the availability of Title Closing Protection Letters written by Stewart Title Guaranty Company.

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.

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Privacy Notice

Notice Last Updated: December 1, 2022

This Privacy Policy ("Policy") describes how First American Financial Corporation and its subsidiaries and affiliates (collectively, "First American," "we," "us," or "our") collect, use, store, and share your information when: (1) when you access or use our websites, mobile applications, web-based applications, or other digital platforms where this Policy is posted ("Sites"); (2) when you use our products and services ("Services"); (3) when you communicate with us in any manner, including by e-mail, in-person, telephone, or other communication method ("Communications"); and (4) when we obtain your information from third parties, including service providers, business partners, and governmental departments and agencies ("Third Parties").

This Policy applies wherever it is posted. To the extent a First American subsidiary or affiliate has different privacy practices, such entity shall have their own privacy statement posted as applicable.

What Type Of Information Do We Collect About You? We collect a variety of categories of information about you. To learn more about the categories of information we collect, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Collect Your Information? We collect your information: (1) directly from you; (2) automatically when you interact with us; and (3) from third parties, including business parties and affiliates.

How Do We Use Your Information? We may use your information in a variety of ways, including but not limited to providing the services you have requested, fulfilling your transactions, comply with relevant laws and our policies, and handling a claim. To learn more about how we may use your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Share Your Information? We do not sell your personal information. We only share your information, including to subsidiaries, affiliates, and to unaffiliated third parties: (1) with your consent; (2) in a business transfer; (3) to service providers; and (4) for legal process and protection. To learn more about how we share your information, please visit <https://www.firstam.com/privacy-policy/>.

How Do We Store and Protect Your Information? The security of your information is important to us. That is why we take commercially reasonable steps to make sure your information is protected. We use our best efforts to maintain commercially reasonable technical, organizational, and physical safeguards, consistent with applicable law, to protect your information.

How Long Do We Keep Your Information? We keep your information for as long as necessary in accordance with the purpose for which it was collected, our business needs, and our legal and regulatory obligations.

Your Choices We provide you the ability to exercise certain controls and choices regarding our collection, use, storage, and sharing of your information. You can learn more about your choices by visiting <https://www.firstam.com/privacy-policy/>.

International Jurisdictions: Our Products are offered in the United States of America (US), and are subject to US federal, state, and local law. If you are accessing the Products from another country, please be advised that you may be transferring your information to us in the US, and you consent to that transfer and use of your information in accordance with this Privacy Notice. You also agree to abide by the applicable laws of applicable US federal, state, and local laws concerning your use of the Products, and your agreements with us.

We may change this Privacy Notice from time to time. Any and all changes to this Privacy Notice will be reflected on this page, and where appropriate provided in person or by another electronic method. **YOUR CONTINUED USE, ACCESS, OR INTERACTION WITH OUR PRODUCTS OR YOUR CONTINUED COMMUNICATIONS WITH US AFTER THIS NOTICE HAS BEEN PROVIDED TO YOU WILL REPRESENT THAT YOU HAVE READ AND UNDERSTOOD THIS PRIVACY NOTICE.**

Contact Us: dataprivacy@firstam.com or toll free at 1-866-718-0097.



For California Residents

If you are a California resident, you may have certain rights under California law, including but not limited to the California Consumer Privacy Act of 2018, as amended by the California Privacy Rights Act and its implementing regulations ("CCPA"). All phrases used in this section shall have the same meaning as those phrases are used under California law, including the CCPA.

Right to Know. You have a right to request that we disclose the following information to you: (1) the categories of personal information we have collected about or from you; (2) the categories of sources from which the personal information was collected; (3) the business or commercial purpose for such collection and/or disclosure; (4) the categories of third parties with whom we have shared your personal information; and (5) the specific pieces of your personal information we have collected. To submit a verified request for this information, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Right to Correct. You have a right to request that we correct your personal information. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for correction, go to our online privacy policy at www.firstam.com/privacy-policy or call toll-free at 1-866-718-0097.

Right of Deletion. You also have a right to request that we delete the personal information we have collected from and about you. This right is subject to certain exceptions available under the CCPA and other applicable law. To submit a verified request for deletion, go to our online privacy policy at www.firstam.com/privacy-policy to submit your request or call toll-free at 1-866-718-0097. You may also designate an authorized agent to submit a request on your behalf by going to our online privacy policy at www.firstam.com/privacy-policy to submit your request or by calling toll-free at 1-866-718-0097.

Verification Process. For a request to know, correct or delete, we will verify your identity before responding to your request. To verify your identity, we will generally match the identifying information provided in your request with the information we have on file about you. Depending on the sensitivity of the information requested, we may also utilize more stringent verification methods to verify your identity, including but not limited to requesting additional information from you and/or requiring you to sign a declaration under penalty of perjury.

Notice of Sale and Share. We have not sold or shared the personal information of California residents in the past 12 months. To the extent any First American affiliated entity has a different practice, it will be stated in the applicable privacy policy. We do not knowingly sell or share the personal information of any California resident under the age of 16.

Right of Non-Discrimination. You have a right to exercise your rights under California law, including under the CCPA, without suffering discrimination. Accordingly, First American will not discriminate against you in any way if you choose to exercise your rights under the CCPA.

Notice of Collection. To learn more about the categories of personal information we have collected about California residents over the last 12 months, how we have used that information, and how we share that information, please see "California Privacy Rights Act and Disclosures" in <https://www.firstam.com/privacy-policy>.

Notice of Disclosure. To learn more about the categories of personal information we may have disclosed about California residents in the past 12 months, please see "California Privacy Rights Act and Disclosures" in <https://www.firstam.com/privacy-policy>.

STATEMENT OF AUTHORITY

(C.R.S. § 38-30-172)

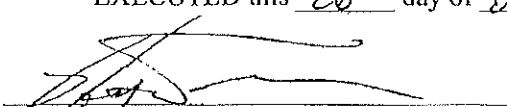
1. This Statement of Authority relates to an entity named HIGH PLAINS CATTLE SUPPLY, LLC.
2. The type of entity is a Limited Liability Company.
3. The entity was formed under the laws of the State of Colorado.
4. The mailing address of the entity is P.O. Box 869, Johnstown, CO 80534.
5. The name or position of each person authorized to execute instruments conveying, encumbering, or otherwise affecting title to real property on behalf of the entity is:

Robert G. Farnam, Manager
6491 County Road 50
Johnstown, CO 80534

Any Manager named herein is authorized to act on behalf of HIGH PLAINS CATTLE SUPPLY, LLC and may acquire, convey, encumber, lease, or otherwise deal with any interest in property in the name of HIGH PLAINS CATTLE SUPPLY, LLC.

6. The authority of the foregoing persons to bind the entity is limited as follows: No limitations.
7. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of C.R.S. '38-30-172.
8. This Statement of Authority amends and supersedes in all respects any prior Statement of Authority or Affidavit of Trust executed on behalf of the entity.

EXECUTED this 26th day of December, 2012


Robert G. Farnam, Manager

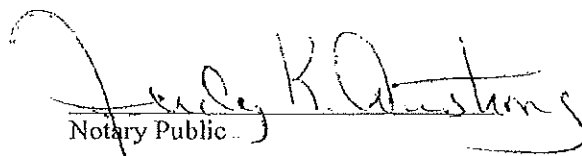
STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)

The foregoing Statement of Authority was acknowledged before me this 26th day of December, 2012 by Robert G. Farnam, Manager of HIGH PLAINS CATTLE SUPPLY, LLC.

Witness my hand and official seal.

My commission expires: 6/15/14




Notary Public

STATEMENT OF AUTHORITY

Pursuant to C.R.S. §38-30-172, the undersigned hereby executes this Statement of Authority on behalf of Peacock Farnam Investment Builders, Brnsh. LLC,
a, limited liability company, an entity other than an individual, capable of
holding title to real property (the "Entity"), and states as follows:

The name of the Entity is Peacock Farnam Investment Builders, Brnsh. LLC - a Colorado LLC
(state type of entity and state, country, or other governmental authority under whose laws such entity is formed)

The mailing address for the Entity is 3421 Golden Gate Way, Lafayette, CA 94549

The name or position of the person authorized to execute instruments conveying, encumbering, or other
affecting title to real property on behalf of the Entity is: Ashley Jordan Farnam.

The limitations upon the authority of the person named above or holding the position described above to
bind the Entity are as follows: none

(if no limitations, insert "None")

Other matters concerning the manner in which the Entity deals with any interest in real property are:
none

(if no other matters, leave this section blank)

EXECUTED this 24 day of May, 2023.

Signature: [Signature]

Name (typed or printed): Ashley Jordan Farnam

Title (if any): member

STATE OF Colorado)

COUNTY OF Brnsh Morgan) ss.

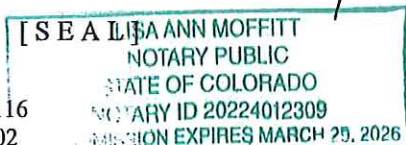
The foregoing instrument was acknowledged before me this 24 day of May,
2023 by _____, on behalf of _____,
a _____.

Witness my hand and official seal.

My commission expires: March 29, 2026

[Signature]
Notary Public

DPW 116
02/07/02



UTILITIES

Septic

Water

Electric

Open Records Request Form

Submit to:
NCHD Custodian of Records
700 Columbine St.
Sterling, CO 80751
Fax: 970 522-1412
Phone: 970 522-3741 x1257



REQUEST INFORMATION: Please print or type the following information as neatly as possible:

Name of Requesting Party: Ashley FARNAM Date of Request 5/22/23
Organization: High Plains Cattle Supply, LLC
Address: 29576 Hwy 6, Brush, CO 80713 Phone number: 970-222-4527
Request (please be as specific as possible): Septic permit for Special Use permit Application for Morgan County

Additional information is required for the items listed below:

WATER	OXYSEPTIC	Investment
Water supply address: _____	Current owners: <u>Peacock Farnam</u>	<u>Brush - Brush, LLC</u>
Approximate date sample(s) taken: _____	Previous owners: <u>Leonard Weiss</u>	Facility Name: _____
Person/Agency submitting sample: _____	Street address of system: <u>29576 Hwy 6, Brush, CO 80713</u>	Facility Address: _____
	Legal Description Range: <u>56W</u>	
	Township: <u>44N</u> Section: <u>36</u>	

DELIVERY PREFERENCE: Mark all that apply, e-mail is preferred to keep costs minimal.

Photocopy* ☐ CD/DVD* ☐ E-mail (address: _____)
U.S. Mail* ☐ Other: Pick up

Pursuant to NCHD's Open Records Request Policy, NCHD will notify you if your request is not specific enough, or if any additional releases are required for the information requested. Fees for records vary depending on the method of delivery and the time involved, all of which is outlined in NCHD's Open Records Request Policy, available online at www.nchd.org, or in any NCHD office. NCHD will provide a cost estimate for copy charges and data compilation fees upon request, and at the sole and exclusive discretion of NCHD, may require you to pay all or a portion of said charges and fees in advance, prior to compiling the information. NCHD will hold the delivery of any requested documents from a requesting party who has failed to pay fees and charges from a previous request, until such time said fees and charges have been paid.

*Fee applicable, see NCHD's Open Records Request Policy for details.

Health Department Use Only

Date Request Received 5/22/23 Date Request Forwarded 5/22/23 Date Request Delivered 5/22/23
☒ Records Found ☐ No Records Found
Comments: _____
Description of Fees (if any): _____
Signature: [Signature] TOTAL \$ N/A

0N0002198

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

www.nchd.org

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

Owner LEONARD D. & SONJA L. WEISS
Current Address 14089 HWY 71
City BRUSH State CO. County MORGAN Zip 80723
Phone (970) 842-5663
Address of Proposed System 29576 HWY 6 LOT 1
City BRUSH State CO. County MORGAN Zip 80723
Subdivision: Lot #1 Block _____ Filing _____
Legal Description of Property: Points _____ Section 36 Township 4N Range 56W
Size of Property in acres 5.44
Type of Building: Residence: _____ Number of bedrooms _____
Other: INDUST 6 Number of workers _____
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
QUALITY WATER
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 Leonard Weiss Date 1-17-06
Sonja Weiss 1-17-06

0N0002198

FOR OFFICE ONLY

Application Number MD6-108
New System X
Repair System _____

Fee 550
Received by On
Date 1-23-06

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

Permit No. 1100-022

NORTHEAST COLORADO HEALTH DEPARTMENT
PERMIT
TO INSTALL, ALTER, REPAIR OR MODIFY AN
INDIVIDUAL SEWAGE DISPOSAL SYSTEM

Owner Leonard & Sonja Weiss Date 6/20/06

Address of Property 29567 Hwy 6 Lot 1 Phone (970) 842-5663
(valid at this address) Bruce, CO 80751

From information submitted on the application and data from the site evaluation form, the following **minimum installation specifications are required.**

Septic Tank 500 gallons Type of Absorption leach # of infiltrators 5 # of trenches 1

In addition, this permit is subject to the following terms and condition, (1) maximum depth to the bottom of the excavated trench is 36 inches for leach system: keep system 36-48"

This permit is granted temporarily to allow construction to commence. This permit may be revoked or suspended by the Northeast Colorado Health Department for reasons set forth in the Northeast Colorado Health Department Individual Sewage Disposal System Regulations, including failure to meet any term or condition imposed thereon during temporary or final approval. The issuance of this permit does not constitute assumption by the Department or its employees of liability for the failure or inadequacy of the sewage disposal system.

Sylvia J. Brier
Northeast Colorado Health Department Representative

Date 6/20/06

This permit is not transferable and shall become void if system construction has not commenced within one year of its issuance. Before issuing final approval of this permit, the Northeast Colorado Health Department reserves the right to impose additional terms and conditions required to meet our regulations on a continuing basis. Final permit approval is contingent upon the final inspection of the completed system by the Northeast Colorado Health Department (NCHD).

System Specifications as installed

Septic Tank 1500 gallons Type of Absorption leach # of infiltrators 16 # of trenches 1

Final Inspection Approval Mark G. Butts Date 10-19-06
NCHD Representative

Certification of Installation by _____ License # _____ Date _____
Engineer

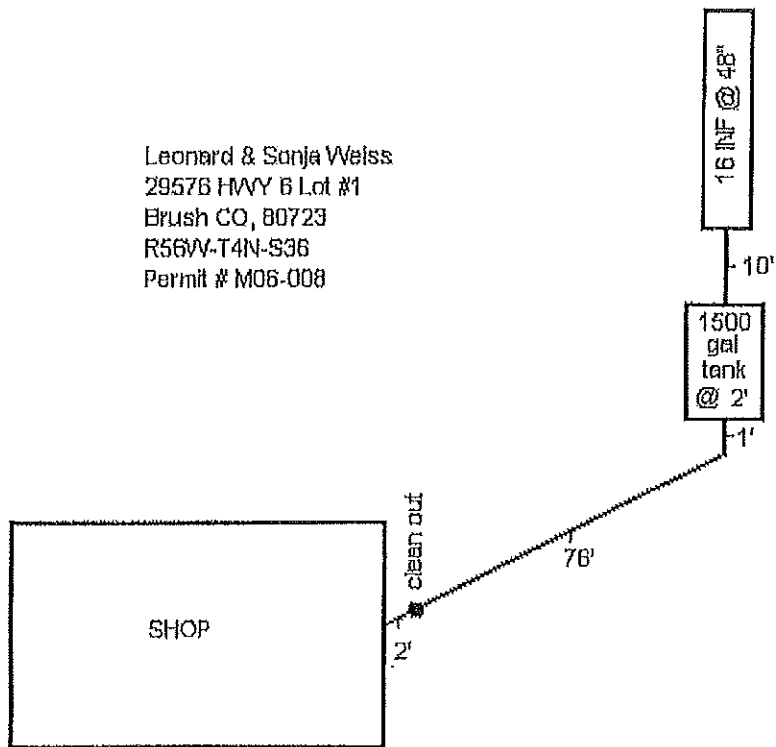
GPS Locations:

Center of Septic Tank	Center of Leach Field	Well
<u>40° 15.772N</u>	<u>40° 15.778N</u>	
<u>103° 35.431W</u>	<u>103° 35.419W</u>	

The issuance of this permit does not imply compliance with other state, country, or local regulatory or building requirements, nor shall it act to certify that the subject system will operate in compliance with applicable state, county, and local regulations adopted pursuant to Article 10, Title 25, CRS 1973, as amended, except for the purpose of establishing final approval of an installed system for issuance of a local occupancy permit pursuant to CRS 1973.25-10-111 (2).

N
4

Leonard & Sonja Weiss
29576 HWY 6 Lot #1
Brush CO, 80723
R56W-T4N-S36
Permit # M06-008





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

999 18TH STREET- SUITE 200
DENVER, CO 80202-2466
Phone 800-227-8917
<http://www.epa.gov/region08>

August 21, 2006

**Notification from
EPA Region 8 Underground Injection Control
Class V Shallow Injection Well Program**

TO: Melvin Bustos or Bill Helms
Environmental Health Representative
Morgan County
Northeast Colorado Health Department

Phone: 970-867-4918
FAX: 970-867-0878

RE: Septic system at the Weiss Master MFG, Inc.
14089 Hwy 71
Brush, CO 80723

From: Valois Shea
Mail Code: 8P-W-GW
EPA Region 8 Underground Injection Control Program
999 18TH Street, Suite 200
Denver, CO 80202

Phone: 303-312-6276
FAX: 303-312-7084

email: shea.valois@epa.gov

Mr. Leonard Weiss submitted a Shallow Waste Disposal System/Well Inventory Request Form which was received by the EPA Region 8 UIC Class V Program on June 30, 2006. The form provided information about the septic system at the welding shop located at 14089 Hwy 71 in Brush, CO. According to the information on the form, the septic system receives sanitary waste only, there are no floor drains in a shop area connected to the septic system, and the septic tank is less than 2000 gallons. Because the septic system is receiving sanitary waste only and has a tank smaller than 2000 gallons, it is not regulated by the EPA Region 8 Underground Injection Control Program.

IF THERE IS A PROBLEM WITH THIS FAX, PLEASE CONTACT VALOIS SHEA

85 Detectors ☐ Carbon Monoxide Alarms ☐ Security Systems ☐ Satellite Systems (including satellite
86 dishes).

87 Other Personal Property:

88 *Three (3) desks, two (2) credenzas, round table and four (4) chairs, two (2) office chairs, time*
89 *clocks and cards and other misc. office chairs, man basket, two (2) break room booths, two (2)*
90 *end tables, break room refrigerator, two (2) microwave ovens and a toaster oven, table and*
91 *chairs and two (2) end tables in upper break room.*

92 The Personal Property to be conveyed at Closing must be conveyed by Seller free and clear of all
93 taxes (except personal property taxes for the year of Closing), liens and encumbrances, except

94 None. Conveyance will be by bill of sale or other applicable legal instrument.

95 2.5.3. Trade Fixtures. With respect to trade fixtures, Seller and Buyer agree as follows:

96 n/a

97 The Trade Fixtures to be conveyed at Closing will be conveyed by Seller free and clear of all taxes
98 (except personal property taxes for the year of Closing), liens and encumbrances, except

99 n/a

100 Conveyance will be by bill of sale or other applicable legal instrument.

101 2.5.4. Parking and Storage Facilities. ☐ Use Only ☐ Ownership of the following parking
102 facilities: n/a; and ☐ Use Only ☐ Ownership of the following storage facilities:

103 n/a

104 2.6. Exclusions. The following items are excluded (Exclusions):

105 *All phones, computers and office equipment, file cabinets, electric heater, pop machine in break*
106 *room, trash dumpster, foot scraper, four (4) "Enter at your own risk" signs, big Weiss Master*
107 *sign on end of building.*

108 2.7. Water Rights, Well Rights, Water and Sewer Taps.

109 ☐ 2.7.1. Deeded Water Rights. The following legally described water rights:

110 None, other than Morgan County Quality Water District Tap No. 1806

111 Any deeded water rights will be conveyed by a good and sufficient n/a deed at Closing.

112 ☐ 2.7.2. Other Rights Relating to Water. The following rights relating to water not included in
113 §§ 2.7.1, 2.7.3, 2.7.4 and 2.7.5, will be transferred to Buyer at Closing:

114 n/a

115 ☐ 2.7.3. Well Rights. Seller agrees to supply required information to Buyer about the well.
116 Buyer understands that if the well to be transferred is a "Small Capacity Well" or a "Domestic Exempt Water Well"
117 used for ordinary household purposes, Buyer must, prior to or at Closing, complete a Change in Ownership form
118 for the well. If an existing well has not been registered with the Colorado Division of Water Resources in the
119 Department of Natural Resources (Division), Buyer must complete a registration of existing well form for the well
120 and pay the cost of registration. If no person will be providing a closing service in connection with the transaction,
121 Buyer must file the form with the Division within sixty days after Closing. The Well Permit # is

122 n/a

123 ☐ 2.7.4. Water Stock Certificates: The water stock certificates to be transferred at Closing are
124 as follows:

125 n/a

126 2.7.5. Water and Sewer Taps. Note: Buyer is advised to obtain, from the provider,
127 written confirmation of the amount remaining to be paid, if any, time and other restrictions for transfer
128 and use of the taps.

129 2.7.6. Conveyance. If Buyer is to receive any rights to water pursuant to § 2.7.2 (Other Rights
130 Relating to Water), § 2.7.3 (Well Rights), or § 2.7.4 (Water Stock Certificates), Seller agrees to convey such rights
131 to Buyer by executing the applicable legal instrument at Closing.

132 3. DATES AND DEADLINES.

Item No.	Reference	Event	Date or Deadline	
1	§ 4.3	Alternative Earnest Money Deadline	<u>n/a</u>	
		Title		
2	§ 8.1	Record Title Deadline	1/30/2015	Friday
3	§ 8.2	Record Title Objection Deadline	2/6/2015	Friday
4	§ 8.3	Off-Record Title Deadline	2/13/2015	Friday
5	§ 8.3	Off-Record Title Objection Deadline	2/20/2015	Friday

MORGAN COUNTY QUALITY WATER
P.O. BOX 1218
FORT MORGAN, CO 80701
(970)867-3054

www.mcqwd.org

PRESORTED
FIRST-CLASS MAIL
US POSTAGE PAID
Permit #19
Fort Morgan CO 80701

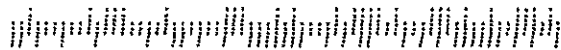
SRVC	PRESENT RDC	PREVIOUS RDC	USED	AMOUNT
PB WAT	347	344	3,000	33.73
<div style="text-align: center;"> PAID 5/2/23 <i>Cabelar</i> </div> <p>Happy Memorial Day. You can view or pay your bill at www.mcqwd.org.</p> <p>ELECTRONIC PAYMENT - DO NOT PAY</p>				

ACCOUNT #	ROUTE
2641.00	4
SERVICE FROM	SERVICE TO
03/27/2023	04/24/2023
DATE BILL MAILED	DAYS USED
04/28/2023	28
DUE DATE	NOW DUE
05/10/2023	33.73
RETURN SERVICE REQUESTED	REMIT AFTER DUE DATE
	33.73

PLEASE RETURN THIS STUB WITH PAYMENT

ACCOUNT #		
2641.00		
SRVC ADDR 29576 HWY 6		
NOW DUE	DUE DATE	REMIT AFTER DUE DATE
33.73	05/10/2023	33.73

High Plains Cattle Supply
PO BOX 768
Brush CO 80723





MAILING ADDRESS	ACCOUNT NUMBER	DUE DATE
HIGH PLAINS CATTLE SUPPLY LLC PO BOX 768 BRUSH CO 80723-0768	53-9941365-3	05/05/2023
	STATEMENT NUMBER	STATEMENT DATE
	824504294	04/17/2023
		\$1,022.49

QUESTIONS ABOUT YOUR BILL?

See our website: xcelenergy.com
 Email us at: Customerservice@xcelenergy.com
 Please Call: 1-800-481-4700
 Hearing Impaired: 1-800-895-4949
 Fax: 1-800-311-0050
 Or write us at: XCEL ENERGY
 PO BOX 8
 EAU CLAIRE WI 54702-0008

ACCOUNT BALANCE (Balance de su cuenta)

Previous Balance	As of 03/13	\$946.85
Payment Received	Auto Pay 04/05	-\$946.85 CR
Balance Forward		\$0.00
Current Charges		\$1,022.49
Amount Due (Cantidad a pagar)		\$1,022.49

PREMISES SUMMARY

PREMISES NUMBER	PREMISES IDENTIFIER	PREMISES DESCRIPTOR	CURRENT BILL
304059391	29576 US HIGHWAY 6		\$1,022.49
Total			\$1,022.49

INFORMATION ABOUT YOUR BILL

Thank you for your payment.

RETURN BOTTOM PORTION WITH YOUR PAYMENT • PLEASE DO NOT USE STAPLES, TAPE OR PAPER CLIPS



Please help our neighbors in need by donating to Energy Outreach Colorado. Please mark your donation amount on the back of this payment stub and CHECK THE RED BOX under your address below.

AV 01 024220 76482H 02 A**5DGT



HIGH PLAINS CATTLE SUPPLY LLC
 PO BOX 768
 BRUSH CO 80723-0768

ACCOUNT NUMBER	DUE DATE	AMOUNT DUE	AMOUNT ENCLOSED
53-9941365-3	05/05/2023	\$1,022.49	Automated Bank Payment

Your bill is paid through an automated bank payment plan.

MAY						
S	M	T	W	T	F	S
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



XCEL ENERGY
 P.O. BOX 9477
 MPLS MN 55484-9477

31 53050523 99413653 0000010224900000102249

TECHNICAL

Tax Account Statement

Application Fee Receipt

Morgan County Treasurer

Statement of Taxes Due

Account Number R018135

Assessed To

Parcel 103736001001

PEACOCK FARNAM INVESTMENT BUILDERS BRUSH LLC
P O BOX 1818
LAFAYETTE, CA 94549

Legal Description

Subd: BLAKE MINOR SUB CORRECTION, BR (36-4-56) Lot: 01 S: 36 T: 4 R: 56 PARC SE1/4

Situs Address

29576 HWY 6

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$19,319.28	\$0.00	\$0.00	(\$19,319.28)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 05/26/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 020 - 020 - RE 2J

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$4,072.73	WAREHOUSE/STORA	\$113,060	\$32,790
ROAD AND BRIDGE FUND	7.5000000	\$1,567.80	GE - LAND		
SOCIAL SERVICES FUND	2.0000000	\$418.08	WAREHOUSE/STORA	\$607,770	\$176,250
BRUSH RURAL FIRE DIST	3.5130000	\$734.36	GE-IMPS		
E MORGAN COUNTY HOSPITAL	4.5000000	\$940.68	Total	\$720,830	\$209,040
E MORGAN COUNTY LIBRARY	3.5000000	\$731.64			
LOWER S PLATTE WATER CD	1.0000000	\$209.04			
MORGAN CO QUALITY WATER	0.8240000	\$172.25			
NORTHERN COLO WATER CD	1.0000000	\$209.04			
RE 2-J BRUSH GENERAL FD	27.0400000	\$5,652.45			
RE 2-J BRUSH M/L OVRD	9.3120000	\$1,946.58			
RE 2-J BRUSH BOND RBD	12.7470000	\$2,664.63			
Taxes Billed 2022	92.4190000	\$19,319.28			

*****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

RECEIPT

Morgan County

231 Ensign, Fort Morgan, CO 80701

(970) 542-3526



SU2023-0015 | Special Use Permit

Receipt Number: 543926

May 23, 2023

Payment Amount: \$650.00

Transaction Method	Payer	Cashier	Reference Number
Check	High Plains Cattle Supply LLC	Jenafer Santos	4558

Comments

Assessed Fee Items

Fee items being paid by this payment

Date	Fee Item	Account Code	Assessed	Amount Paid	Balance Due
05/25/23	Special Use - Full Review		\$650.00	\$650.00	\$0.00
Totals:			\$650.00	\$650.00	
			Previous Payments		\$0.00
			Remaining Balance Due		\$0.00

Permit Info

Property Address	Property Owner	Property Owner Address	Valuation
29576 HWY 6 BRUSH, CO 80723	PEACOCK FARNAM INVESTMENT BUILDERS BRUSH LLC	P O BOX 1818 LAFAYETTE, CA 94549	

Description of Work

Special Use Permit to be able to sell alcohol in a current existing structure. No change to property size, no additional buildings needed.

REFERRALS & RESPONSES

Landowner Letter

Landowner Letter Responses

Referral Letter

Referral Responses

Notifications

Public Comments or Concerns

Sign Posting & Notarized Affidavit



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

June 14, 2023

Re: High Plains Cattle Supply, LLC

Dear Neighboring Landowners:

High Plains Cattle Supply, LLC as applicant and Peacock Farnam Investment Builders Brush, LLC as landowners have submitted an application to our office for a Use by Special Review Permit.

Legal Description: A part of the SE¼ of Section 36, Township 4 North, Range 56 West of the 6th PM, Morgan County, Colorado. Also known as 29576 US HWY 6, Brush, Colorado 80723.

Request: The landowner is requesting a Special Use Permit to allow for the sale of retail liquor at their establishment located in the A/B zone. The applicant has applied for a retail liquor license. See attached site map.

This application will be heard by the Planning Commission at a **public hearing on Monday, July 10, 2023 at 7:00 P.M.** and the Board of County Commissioners at a **public hearing on Tuesday, July 18, 2023 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. Landowners within ¼ mile of the property are notified of the application and hearing date.

Documents pertaining to the above identified matters are on file in the Morgan County Planning Department, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

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. 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 **June 28, 2023**.

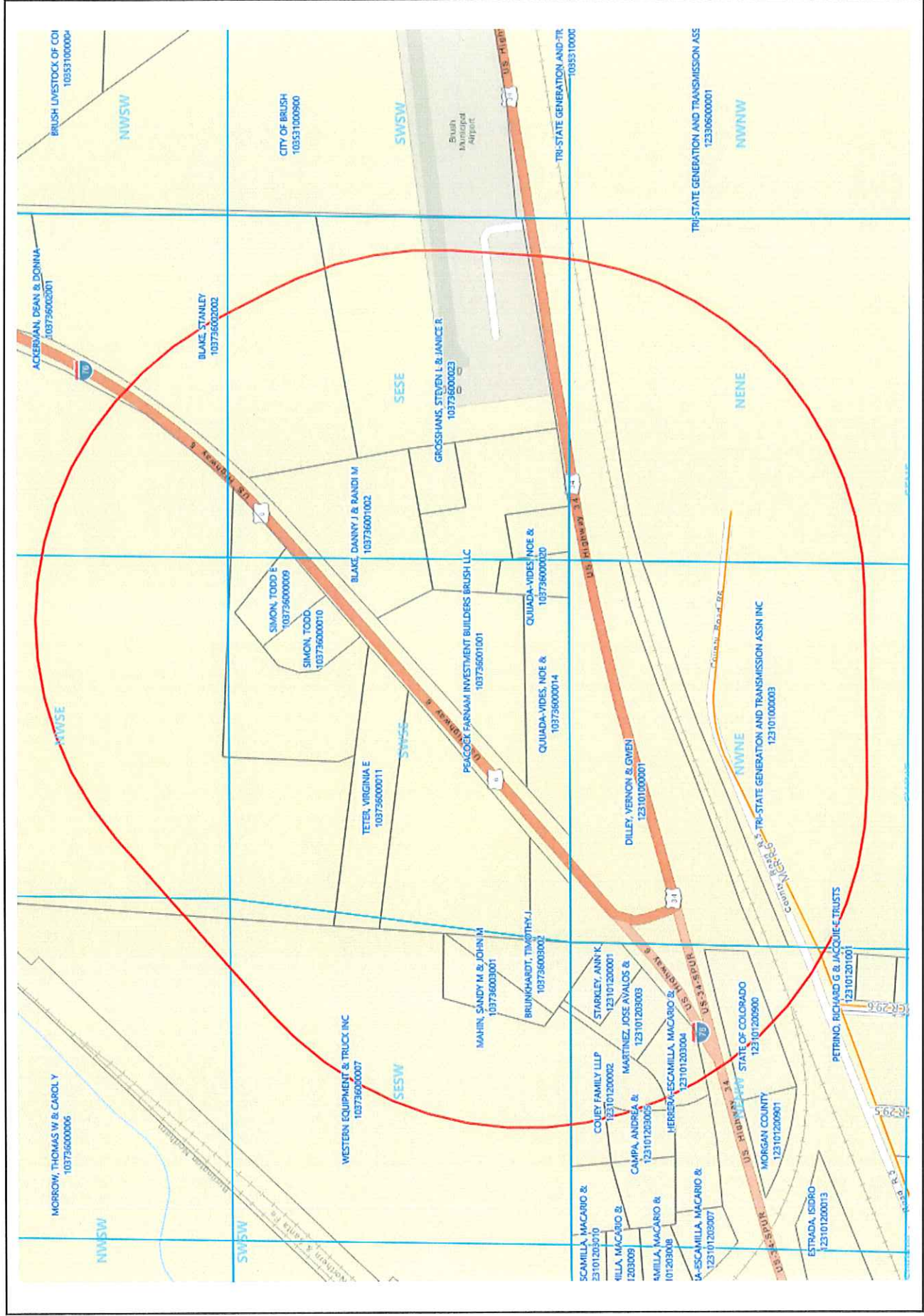
Sincerely,

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.





36-4-56_High Plains Cattle Supply LLC_SU2023-0015



Property Location

Boundary - With Fence Line and Gate Entrance

Legend

-  Gated Entrance
-  High Plains Cattle Supply & Amory
-  Property Boundary
-  Property Location



PEACOCK FARNAM INVESTMENT BUILDERS BRUSH LLC
P O BOX 1818
LAFAYETTE, CA 94549

COUEY FAMILY LLLP
6275 CO RD 315
SILT, CO 81652

WESTERN EQUIPMENT & TRUCK INC
2055 1ST AVE
GREELEY, CO 80631

DILLEY, VERNON & GWEN
P O BOX 125
BRUSH, CO 80723-2308

QUIJADA-VIDES, NOE &
GARCIA, CRISTINA GARCIA
29727 HWY 34
BRUSH, CO 80723

SIMON, TODD
P O BOX 523
BRUSH, CO 80723

STARKLEY, ANN K
19481 E SUNSET CIRCLE
CENTENNIAL, CO 80015

MEYER, LARRY & KATHRYN
1619 EATON ST
BRUSH, CO 80723

WINKLER, JEFFERY L
611 CURTIS ST
BRUSH, CO 80723

TRI-STATE GENERATION AND TRANSMISSION ASSN INC
1100 W 116TH AVE
WESTMINSTER, CO 80234

PETRINO, RICHARD G & JACQUIE E TRUSTS
5408 BARTOLOMEO ST
SARASOTA, FL 34238

WASHBURN, MELVIN R & BETTY L
29749 HWY 34
BRUSH, CO 80723

WASHBURN, JOSHUA
29747 HWY 34
BRUSH, CO 80723

SCHREINER, MICHAEL EDWARD & BONNIE D
29741 HWY 34
BRUSH, CO 80723

GROSSHANS, STEVEN L & JANICE R
703 DESSA ST
BRUSH, CO 80723

TETER, VIRGINIA E
P O BOX 887
BRUSH, CO 80723

TETER & SON OILFIELD SERVICE INC
P O BOX 37
BRUSH, CO 80723

BLAKE, DANNY J & RANDI M
29582 HWY 6
BRUSH, CO 80723

MAHIN, SANDY M & JOHN M
29391 HWY 34 LT01
BRUSH, CO 80723

BRUNKHARDT, TIMOTHY J
29391 HWY 34 LT02
BRUSH, CO 80723

MARTINEZ, JOSE AVALOS &
AVALOS, MICAELA
29391 HWY 34 LT03
BRUSH, CO 80723

HERRERA-ESCAMILLA, MACARIO &
ESCAMILLA-DEHERRERA, MARIA JOSEFINA
1201 E 8TH AVE SPC11
FORT MORGAN, CO 80701

CAMPA, ANDREA &
CAMPA-MIJARES, JOSE
1208 N COLORADO AVE
BRUSH, CO 80723

BLAKE, STANLEY
29850 HWY 6
BRUSH, CO 80723

STATE OF COLORADO
COLORADO DEPARTMENT OF TRANSPORTATION
29340 HWY 34
BRUSH, CO 80723

CITY OF BRUSH
P O BOX 363
BRUSH, CO 80723



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

Brush Fire Department
CDPHE
Century Link
Division of Wildlife
Kinder Morgan, Inc.
Morgan County Assessor
Morgan County Communications Center

Morgan County Emergency Mgmt.
Morgan County Quality Water
Morgan County Road & Bridge
Morgan County Rural Electric Assoc.
Morgan County Sheriff Dept.
Northeast Colorado Health Dept.
Xcel Energy

FROM: Cheryl Brindisi, Morgan County Planning & Zoning 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: June 14, 2023
RE: Use by Special Review Application – see attached site map

The following Application for a Use by Special Review has been submitted to Morgan County. The Application will be reviewed by the Planning Commission on **July 10, 2023 at 7:00 p.m.** and by the Board of County Commissioners **July 18, 2023 at 9:00 a.m.** in the assembly room, 231 Ensign St. Fort Morgan, Colorado.

Applicant: High Plains Cattle Supply, LLC
Landowner: Peacock Farnam Investment Builders Brush, LLC

Legal Description: A part of the SE¼ of Section 36, Township 4 North, Range 56 West of the 6th PM, Morgan County, Colorado. Also known as 29576 US HWY 6, Brush, Colorado 80723.

Request: The landowner is requesting a Special Use permit to allow for the sale of retail liquor at their establishment located in the A/B zone. The applicant has applied for a retail liquor license. See attached site map.

Please offer any comments or concerns you may have about this application by **June 28, 2023**. Documents pertaining to the above identified matters are on file in the Morgan County Planning Department, 231 Ensign St., Fort Morgan, Colorado. Do not hesitate to contact me at any time if you have questions.

Sincerely,
Cheryl Brindisi
Morgan County Planning & Zoning Administrative Assistant

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.

Morgan County Government • 231 Ensign • P.O. Box 596 • Fort Morgan, Co 80701 • (970) 542-3526
Fax (970) 542-3509 • Email: cbrindisi@co.morgan.co.us



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
Violeta.Ciocanu@xcelenergy.com

June 15, 2023

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

Attn: Nicole Hay and Cheryl Brindisi

Re: High Plains Cattle Supply, LLC – Special Use Application

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the plan for **High Plains Cattle Supply, LLC** and has **no apparent conflict**.

Violeta Ciocanu (Chokanu)
Right of Way and Permits
Public Service Company of Colorado dba Xcel Energy
Office: 303-285-6612 – Email: violeta.ciocanu@xcelenergy.com

**NOTICE OF PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
JULY 10, 2023 AT 7:00 P.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 Planning Commission will conduct public hearings on the following proposed **Land Use Applications**:

- 1.) **Applicant:** High Plains Cattle Supply, LLC
Landowner: Peacock Farnam Investment Builders Brush, LLC
Legal Description: A part of the SE¼ of Section 36, Township 4 North, Range 56 West of the 6th PM, Morgan County, Colorado. Also known as 29576 US HWY 6, Brush, Colorado 80723.
Request: Special Use Permit to allow for the sale of retail liquor at the existing establishment located in the A/B zone.
Date of Application: May 22, 2023.
- 2.) **Applicant and Landowner:** Carolyn Wood
Legal Description: Located in the NE¼ of Section 9, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado, 80701.
Request: To allow the placement of a second mobile home residence on 19.79 acres in the Naomi Wood Minor Subdivision.
Date of Application: June 2, 2023.
- 3.) **Applicants:** Tim Naylor and Hannah Dutrow/AGPROfessionals
Landowner: Bos Farms, LLC
Legal Description: A part of the SE¼ of Section 20, the SW¼SW¼ of Section 21, the NW¼ of Section 28 and the N½NE¼ of Section 29 all in Township 3 North, Range 58 West of the 6th PM, Morgan County, Colorado.
Request: Special Use Permit for a new livestock confinement operation that will house approximately 22,005 animal units. In addition, they will construct calf hutches and pens.
Date of Application: May 25, 2023

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/87684470001>

Or Telephone:

Dial:

+1 719 359 4580 US

Webinar ID: 876 8447 0001

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: June 24, 2023

NOTICE OF PUBLIC HEARING
MORGAN COUNTY PLANNING COMMISSION
JULY 10, 2023 AT 7:00 P.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 Planning Commission will conduct public hearings on the following proposed Land Use Applications:

1.) Applicant: High Plains Cattle Supply, LLC
Landowner: Peacock Farnam Investment Builders Brush, LLC
Legal Description: A part of the SE¼ of Section 36, Township 4 North, Range 56 West of the 6th PM, Morgan County, Colorado. Also known as 29576 US HWY 6, Brush, Colorado 80723.
Request: Special Use Permit to allow for the sale of retail liquor at the existing establishment located in the A/B zone.
Date of Application: May 22, 2023.

2.) Applicant and Landowner: Carolyn Wood
Legal Description: Located in the NE¼ of Section 9, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado, 80701.
Request: To allow the placement of a second mobile home residence on 19.79 acres in the Naomi Wood Minor Subdivision.
Date of Application: June 2, 2023.

3.) Applicants: Tim Naylor and Hannah Dutrow/
AGPROfessionals
Landowner: Bos Farms, LLC
Legal Description: A part of the SE¼ of Section 20, the SW¼SW¼ of Section 21, the NW¼ of Section 28 and the N¼NE¼ of Section 29 all in Township 3 North, Range 58 West of the 6th PM, Morgan County, Colorado.
Request: Special Use Permit for a new livestock confinement operation that will house approximately 22,005 animal units. In addition, they will construct calf hutches and pens.
Date of Application: May 25, 2023

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To participate remotely you may connect via Zoom at:
<https://us02web.zoom.us/j/87684470001>
Or Telephone:

Dial:
+1 719 359 4580 US
Webinar ID: 876 8447 0001

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
Morgan County Planning Administrator

Published: June 24, 2023

Published: Fort Morgan Times June 24, 2023-1985246

Prairie Mountain Media, LLC


PUBLISHER'S AFFIDAVIT

County of Morgan
State of Colorado

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):

Jun 24, 2023


Signature

Subscribed and sworn to me before me this

24th day of June, 2023


Notary Public


(SEAL)

SHAYLA NAJERA
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20174031965
MY COMMISSION EXPIRES July 31, 2025

Account: 1052763
Ad Number: 1985246
Fee: \$64.40

The above sign was posted on (date) 6/29/23, pursuant to the
Morgan County Zoning Resolution by (name of applicant) High Plains Cattle Supply, LLC

Project Name and Number Special Use permit SU2023-0015

Signature of Applicant/Representative 

STATE OF COLORADO)

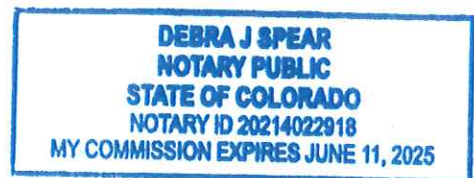
) SS.

COUNTY OF MORGAN)

Signed before me this date: 6-29-23

My Commission Expires: 6-11-25

NOTARIZED BY: Debra J Spear







NOTICE OF PUBLIC HEARING ON LAND USE

APPLICATION BEFORE THE PLANNING COMMISSION

Applicant: High Plains Cattle Supply, LLC & Ashley Farnam

Landowner: Peacock Farnam Investment Builders Brush, LLC

Reason: Use by Special Review to allow for the sale of
retail liquor at existing establishment located in A/B zone.

Location of Hearing: 231 Ensign Street, Fort Morgan,
CO 80701

Date of Hearing: Monday, July 10th, 2023 at 7:00 PM

ADDITIONAL INFORMATION

Colorado Liquor Retail License Application

<input checked="" type="checkbox"/> New License <input type="checkbox"/> New-Concurrent <input type="checkbox"/> Transfer of Ownership <input type="checkbox"/> State Property Only <input type="checkbox"/> Master file			
• All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor			
1. Applicant is applying as a/an <input type="checkbox"/> Individual <input checked="" type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership (includes Limited Liability and Husband and Wife Partnerships)			
2. Applicant if an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation High Plains Cattle Supply, LLC			FEIN Number 20-5779126
2a. Trade Name of Establishment (DBA) N/A		State Sales Tax Number 02670857-0001	Business Telephone 970-842-9820
3. Address of Premises (specify exact location of premises, include suite/unit numbers) 29576 US Highway 6			
City Brush	County Morgan	State CO	ZIP Code 80723
4. Mailing Address (Number and Street) PO Box 768		City or Town Brush	State CO
5. Email Address ashley@hpcattlesupply.com			
6. If the premises currently has a liquor or beer license, you must answer the following questions			
Present Trade Name of Establishment (DBA) N/A		Present State License Number N/A	Present Class of License N/A
Present Expiration Date N/A			
Section A Nonrefundable Application Fees*		Section B (Cont.) Liquor License Fees*	
<input checked="" type="checkbox"/> Application Fee for New License \$1,100.00 <input type="checkbox"/> Application Fee for New License w/Concurrent Review \$1,200.00 <input type="checkbox"/> Application Fee for Transfer \$1,100.00		<input type="checkbox"/> Liquor-Licensed Drugstore (County) \$312.50 <input type="checkbox"/> Lodging & Entertainment - L&E (City) \$500.00 <input type="checkbox"/> Lodging & Entertainment - L&E (County) \$500.00 <input type="checkbox"/> Manager Registration - H & R \$75.00 <input type="checkbox"/> Manager Registration - Tavern \$75.00 <input type="checkbox"/> Manager Registration - Lodging & Entertainment \$75.00 <input type="checkbox"/> Manager Registration - Campus Liquor Complex \$75.00 <input type="checkbox"/> Optional Premises License (City) \$500.00 <input type="checkbox"/> Optional Premises License (County) \$500.00 <input type="checkbox"/> Racetrack License (City) \$500.00 <input type="checkbox"/> Racetrack License (County) \$500.00 <input type="checkbox"/> Resort Complex License (City) \$500.00 <input type="checkbox"/> Resort Complex License (County) \$500.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (City) \$180.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (County) \$160.00 <input type="checkbox"/> Related Facility - Campus Liquor Complex (State) \$160.00 <input type="checkbox"/> Retail Gaming Tavern License (City) \$500.00 <input type="checkbox"/> Retail Gaming Tavern License (County) \$500.00 <input type="checkbox"/> Retail Liquor Store License-Additional (City) \$227.50 <input type="checkbox"/> Retail Liquor Store License-Additional (County) \$312.50 <input type="checkbox"/> Retail Liquor Store (City) \$227.50 <input checked="" type="checkbox"/> Retail Liquor Store (County) \$312.50 <input type="checkbox"/> Tavern License (City) \$500.00 <input type="checkbox"/> Tavern License (County) \$500.00 <input type="checkbox"/> Vintners Restaurant License (City) \$750.00 <input type="checkbox"/> Vintners Restaurant License (County) \$750.00	
Section B Liquor License Fees*			
<input type="checkbox"/> Add Optional Premises to H & R \$100.00 X Total _____ <input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X Total _____ <input type="checkbox"/> Add Sidewalk Service Area \$75.00 <input type="checkbox"/> Arts License (City) \$308.75 <input type="checkbox"/> Arts License (County) \$308.75 <input type="checkbox"/> Beer and Wine License (City) \$351.25 <input type="checkbox"/> Beer and Wine License (County) \$436.25 <input type="checkbox"/> Brew Pub License (City) \$750.00 <input type="checkbox"/> Brew Pub License (County) \$750.00 <input type="checkbox"/> Campus Liquor Complex (City) \$500.00 <input type="checkbox"/> Campus Liquor Complex (County) \$500.00 <input type="checkbox"/> Campus Liquor Complex (State) \$500.00 <input type="checkbox"/> Club License (City) \$308.75 <input type="checkbox"/> Club License (County) \$308.75 <input type="checkbox"/> Distillery Pub License (City) \$750.00 <input type="checkbox"/> Distillery Pub License (County) \$750.00 <input type="checkbox"/> Hotel and Restaurant License (City) \$500.00 <input type="checkbox"/> Hotel and Restaurant License (County) \$500.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) \$600.00 <input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County) \$600.00 <input type="checkbox"/> Liquor-Licensed Drugstore (City) \$227.50			
* Note that the Division will not accept cash			
Questions? Visit: SBG.Colorado.gov/Liquor for more information			
Do not write in this space - For Department of Revenue use only			
Liability Information			
License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$

Carolyn Wood
Special Use

PLANNING COMMISSION HEARING

July 10, 2023

7:00 p.m.

TABLE OF CONTENTS

- **Carolyn Wood**
 - File Summary
- **Original Submittal**
 - Application
 - Right to Farm
- **Applicant Narrative**
- **Site Plan / Maps**
- **Proof of Ownership**
 - Current Title Insurance Commitment
 - Any Deeds or additional ownership documentation
- **Utilities / Access**
 - Septic
 - Water
 - Electric
 - Driveway Permit
- **Technical**
 - Proof of Contact – Ditch Company
 - Tax Account Statement
 - Application Fee Receipt
- **Referrals & Responses**
 - Landowner Letter sent and Responses received
 - Referrals sent and Responses received
 - Notification and Responses received
 - Sign Posting Pictures and Affidavit
- **Additional Information**



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

June 9, 2023

Carolyn Wood
19534 Co. Rd. R.7
Fort Morgan, CO 80701
Sent via email: carolynmares1@gmail.com

Dear Applicant/Landowner:

Your Application for a Conditional Use Permit has been converted to a Special Use Permit by our office and will go to review and decision by the Planning Commission and the Board of County Commissioners. The hearing for the Planning Commission will be held on **July 10th, 2023 at 7:00 P.M.** The hearing for the Board of County Commissioners will be held on **July 18th, 2023 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 each hearing, for County Road X, it is up to you to post it.

Planning Commission sign notice dates: **Posted by June 30th, 2023**
Pictures and Affidavit by July 5th, 2023
Board of County Commissioners sign notice dates: **Posted by July 7th, 2023**
Pictures and Affidavit by July 12th, 2023

We will have both signs ready to be picked up in our office on June 26, 2023.

It is necessary that you be present at both hearings to answer any questions the Planning Commission of the Board of County Commissioners 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 BUILDING DEPARTMENT**

**MORGAN COUNTY PLANNING COMMISSION
FILE SUMMARY**

July 6, 2023

Hearing date – July 10, 2023

APPLICANT and LANDOWNER: Carolyn I. Wood

This application is for a Special Use Permit to allow a second mobile home to be used a residence on the property. The property is Lot 2, Naomi Wood Subdivision a Minor Subdivision in the NE¼ of Section 9, Township 4 North, Range 56 West of the 6th PM, Morgan County, Colorado aka 20760 Co. Rd. X, Fort Morgan, Colorado 80701. The property is zoned Agriculture Production and is in the Fort Morgan Fire District.

The first mobile home was placed on the property in 2022 and has gone through the appropriate building and mobile home placement permit. The Certificate of Occupancy is pending the State Plumbing Inspection.

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 have been met. Those criteria are as follows:

Section 2-395 Special Use Permit Criteria:

- A. The use and its location as proposed are in conformance with the Morgan County Comprehensive Plan.
The proposed use will provide affordable housing and protect exiting agricultural operations while not restricting private property rights.
- 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 Section 2-420 of the Morgan County Zoning Regulations.
- D. All on and off-site impacts have been satisfactorily mitigated either through agreement, public improvement, site plan requirements or other mitigation measures.
There is access to established public infrastructure.
- E. The special use proposed has been made compatible with the surrounding uses and is adequately buffered from any incompatible uses by distance and topography.

All adjacent property is zoned Agricultural and is either being farmed or used as pasture ground. To the east, there are 2 minor subdivision lots that have single family residences.

- F. The special use poses no or minimal risk to the public health, safety and welfare.
- G. The special use proposed is not planned on a nonconforming parcel.
The proposed amendment is located on a conforming parcel.
- H. The applicant has adequately documented a public need for the project. The Applicant has submitted all pertinent technical information, has demonstrated that it has adequate financial resources to implement the project, and has paid all County fees and review costs. *The public need for the project has not been provided.*
- 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.
Morgan County Quality Water will serve both residences on the property.

Nicole Hay,
Morgan County Planning Administrator

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

PERMIT # 542023-0017

Date Received	<u>6/2/23</u>	Received By	<u>JS</u>
App Fee	<u>\$0.00</u>	Ck/CC #:	<u>partially waived</u>
Minor Amend Fee:	\$	Ck/CC #:	Paid <u>/ /</u>
Recording Fee	\$	Ck/CC #:	Paid <u>/ /</u>
PC Date:	<u>/ /</u>	BOCC Date:	<u>/ /</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 Carolyn Wood
Address 19034 Coed R.7
Fort Morgan, CO 80701
Phone (970) 768-7109
Email Carolynmares1@gmail.com

LANDOWNER

Name Same
Address _____
Phone () _____
Email _____

BRIEF DESCRIPTION OF APPLICATION

Wanting to put a second mobile home on parcel to
be used as a second residence

PROPERTY LEGAL DESCRIPTION

Address (if available):

CR X Between CR 20 & CR 21 - Next door to 20760 CR X Fort Morgan

S: 9 T: 4 R: 57 1/2 NE 1/4

Property Size 19.79 (sq. ft. or acres)

Parcel #: 1039 - 090 - 01 - 002

Zone District: A

Subdivision: Naomi I wood Minor Sub

Lot #(s): 02

Is property located within 1320' (1/4 mile) of a livestock confinement facility? Y/N

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

waived difference from CU

**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**
- ☐ _____ **# Paper Application sets**
- ☐ _____ **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:**
-

Landowner MUST Sign Application

Landowner agrees to contract the project in accordance to the plans and specifications submitted herewith and in strict compliance with the provisions of the Morgan County Zoning Regulations and the Morgan County Building Code. Buildings MUST conform to the submitted and approved plans. Any changes of plans or layout must be approved prior to the changes being made.

Any change in the use or occupancy MUST be approved PRIOR to commencement of construction.

The applicant, his agents and employees of, shall comply with all the rules, regulations and requirements of the County Zoning Regulations and Building Codes governing all aspects of the above proposed work for which the permit is granted. The County or its agents are authorized to order the immediate cessation of construction, at any time, if a violation of the codes or regulations appears to have occurred. Issuance of a building or zoning permit does not guarantee your project is in compliance with covenants that may be in place on your property. Landowner is notified that any past, existing or future drainage associated with this property is the responsibility of the landowner and not that of Morgan County.

Construction not commenced within 180 days of permit issuance voids this permit. Cessation of work for periods of 180 continuous days shall also void this permit, unless an extension is requested. Morgan County and any of its contractors are not liable for workmanship. Permits are NOT transferable.

Signing this application gives the Building Inspector and/or his agent express permission to enter permitted property for the purpose of conducting inspections as required by Morgan County Zoning Regulations and Morgan County Building Code.

Additional fees may be charged if this inspection is not conducted prior to start of construction.

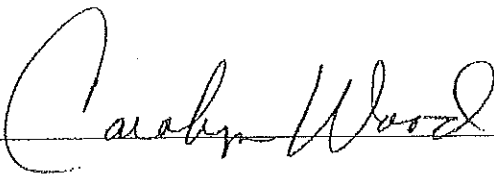
-See Morgan County Zoning Regulations 1-315

Failure to comply with inspection may result in additional fees and/or denial of a Morgan County Contractor's license.

Applications will not be accepted for properties which are not current in their property taxes.

Violation of any of the codes and applicable regulations may result in the revocation of this permit.

Landowner Signature: _____



Date: _____

16 March 2023

Contractor Signature: _____

Date: _____

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

Signature

Date

Printed Name

Address

Carolyn Wood
19534 City Rd. B.7
Fort Morgan, Co 80701

APPLICANT NARRATIVE

Project Narrative

This project is the proper movement of a 16x68 mobile home. The home will be placed on the property of the Naomi F. Wood minor subdivision. The home is a single family residence, and will have its own driveway. This will be the second home that will be placed on this subdivision.

All ground work and utilities should be in place and completed within 3-4 months.

7-5-23

I am putting ~~a~~ a second mobile
home on a piece of my property
for secondary housing.

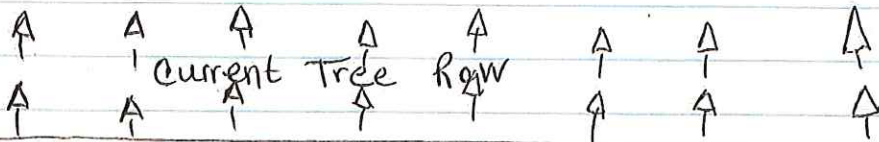
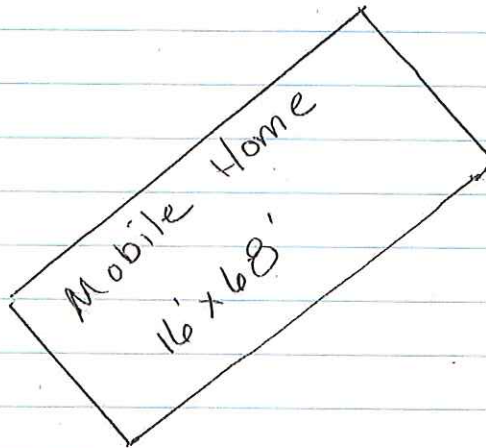
Cop Wood

SITE PLAN / MAPS

Site Plan

S

Other home
100+ feet to
the west



Driveway

County Rd. X

N

mead

PROOF OF OWNERSHIP

Current Title Insurance Commitment

Any Deeds or additional ownership documentation

NORTHERN COLORADO TITLE SERVICES CO., INC.

130 W. KIOWA AVENUE
FORT MORGAN, CO 80701
TELEPHONE (970)867-0233 *** FAX (970)867-7750

DATE: March 16, 2023
ORDER NO.: NCT24532
PROPERTY ADDRESS: 20760 COUNTY ROAD X, Fort Morgan, CO 80701

OWNER/PURCHASER: CAROLYN I. WOOD
TO BE DETERMINED


PLEASE DELIVER TO THE FOLLOWING CUSTOMERS:

_____ To:	CAROLYN I. WOOD 970-768-7109	ATTN:	CAROLYN I. WOOD
		Fax No.:	
_____ To:		ATTN:	
		Fax No.:	
_____ To:		ATTN:	
		Fax No.:	

ATTACHED PLEASE FIND THE FOLLOWING ITEM(S) IN CONNECTION WITH THE ABOVE CAPTIONED ORDER. SHOULD YOU HAVE ANY QUESTIONS REGARDING THE ATTACHED DOCUMENTATION, PLEASE CONTACT LINDA, SHARON, LISA OR SHERYL. FOR CLOSING ASSISTANCE, PLEASE CONTACT LINDA OR LISA. WE APPRECIATE YOUR BUSINESS VERY MUCH AND LOOK FORWARD TO SERVING YOU IN THIS TRANSACTION.

E-MAIL ADDRESS FOR CLOSING DOCUMENTS: closing@ncts.com
HAVE A WONDERFUL DAY!!!

_____ COMMITMENT	_____ OWNERS TITLE POLICY
_____ AMT DUE IS ON SCHEDULE A (INVOICE)	
_____ PROPERTY REPORT	_____ MORTGAGEES TITLE POLICY
_____ AMT DUE IS ON PROPERTY REPORT (INVOICE)	
_____ MORTGAGE/FORECLOSURE GUARANTY	_____ DOCUMENTS
_____ SURVEY / ILC	_____ OTHER / INVOICE

	ALTA Commitment for Title Insurance
Commitment	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 EXTRACTIONAL 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(n) Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

COMMITMENT CONDITIONS

1. DEFINITIONS

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records.
- (b) "Land": The land described in Schedule A and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Stewart Title Guaranty Company. 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 counter-signature by the Company or its issuing agent that may be in electronic form.

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- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
 - (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
 - (h) "Title": The estate or interest described in Schedule A.
2. If all of the Schedule B, Part I - Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
 3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I—Requirements; [and]
 - (f) Schedule B, Part II—Exceptions; [and]
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form].

4. COMPANY'S RIGHT TO AMEND

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

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I - Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(a)(i) through 5(a)(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I - Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

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

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

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- (e) Any amendment or endorsement to this Commitment must be in writing [and authenticated by a person authorized by the Company].
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

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

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

8. PRO-FORMA POLICY


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

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	ALTA Commitment for Title Insurance
	ISSUED BY Stewart Title Guaranty Company
Schedule A	

Transaction Identification Data for reference only:

Issuing Office: Northern Colorado Title Services Co., Inc.
 Issuing Office's ALTA® Registry ID: 0044474
 Commitment No.: NCT24532
 Property Address: 20760 COUNTY ROAD X, Fort Morgan, CO 80701

1. Commitment Date: March 16, 2023 at 08:00 AM

2. Policy or Policies to be issued:	AMOUNT:	PREMIUM:
	TBD	\$200.00

Proposed Insured: TO BE DETERMINED

Other Charges:

TOTAL DUE: \$200.00

NOTE: A Minimum Fee of \$115.00 will be charged if file is cancelled.

3. On the effective date hereof, the estate described herein to be insured is **Fee Simple**, and is vested in:

CAROLYN I. WOOD

4. The Land referred to in the Commitment is described below or in Schedule C:

Lot 2, NAOMI WOOD SUBDIVISION, according to the recorded plat thereof, Morgan County, Colorado.

and commonly known as (for informational purposes only): **20760 COUNTY ROAD X, FORT MORGAN, CO 80701**

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SCHEDULE A
(Continued)

stewart

title guaranty company



Northern Colorado Title Services Co., Inc.

Authorized Signatory

A handwritten signature in black ink, appearing to read "F. H. Eppinger", written over a horizontal line.

Frederick H. Eppinger
President and CEO

A handwritten signature in black ink, appearing to read "Denise Carraux", written over a horizontal line.

Denise Carraux
Secretary


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AMERICAN
LAND TITLE
ASSOCIATION



	ALTA Commitment for Title Insurance
	ISSUED BY Stewart Title Guaranty Company
Schedule BI	

**SCHEDULE B, PART I
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.
 - a. Proper Deed from CAROLYN I. WOOD to TO BE DETERMINED, conveying the land described herein.
 - b. Partial Release of Deed of Trust from CAROLYN I. WOOD to the Public Trustee of Morgan County for the use of THE FARMERS STATE BANK OF BRUSH, to secure payment of \$230,000.00, dated 11/03/22, recorded 11/07/22 at Reception No. 943612.
5. The amount of Policy coverage must be provided to the Company.
6. The Company reserves the right to assert additional requirements or exceptions regarding the Grantee(s) when they are designated.


Valid as a Commitment for an ALTA Policy only if attached to a countersigned Commitment for Title Insurance, a Schedule A, a Schedule B - Section II and a Schedule C (if applicable) with matching Commitment Numbers.

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	ALTA Commitment for Title Insurance
	ISSUED BY Stewart Title Guaranty Company
Schedule BII	

SCHEDULE B, PART II
Exceptions

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

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

1. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I - Requirements are met.
2. Any facts, rights, interests or claims which are not shown by the Public Records, but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
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 theretofore or hereafter furnished, imposed by law and not shown in the Public Records.
6. Taxes or special assessments which are a lien or due and payable; or which are not shown as existing liens by the public records; and any tax, special assessments, or charges or liens imposed for water or sewer service, or any other special taxing district, and any unredeemed tax sales.
7. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water; (d) Minerals of whatsoever kind, subsurface and surface substances, in, on, under and that may be produced from the Land, together with all rights, privileges, and immunities relating thereto, whether or not the matters excepted under (a), (b), (c) or (d) are shown by the Public Records or listed in Schedule B.

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SCHEDULE B - PART II

(Continued)

3. Reservation as contained in United States Patent recorded DECEMBER 28, 1912 in Book 82 at Page 262 AND JULY 18, 1919 IN BOOK 107 AT PAGE 517 as follows: Right of way for ditches or canals constructed by the authority of the United States.
9. Right of way for ROAD purposes as specified in ROAD PETITION recorded JULY 20, 1909 in Book 73 at Page 20, said road to be not less than 60 feet in width.
10. Right of way for ROAD purposes as specified in ROAD PETITION recorded FEBRUARY 2, 1920 in Book 73 at Page 143, said road to be not less than 60 feet in width.
11. Right of way for ROAD purposes as specified in ROAD PETITION recorded JUNE 18, 1917 in Book 73 at Page 94, said road to be not less than 60 feet in width.
12. PAWNEE PASS RESERVOIR AND CANAL SYSTEM and rights of way therefor, as evidenced by Map and Sworn Statement recorded JULY 1, 1896 in File No. 20.
13. RIVERSIDE IRRIGATION DISTRICT and rights of way therefor, as evidenced by Map and Sworn Statement recorded JULY 29, 1908 in Map Book 1 at Page 51.
14. An undivided 1/8 interest in all oil, gas and other mineral rights, as conveyed by BERTHA L. KEAGY AND CHARLES E. KEAGY in the Instrument to OWNERS ROYALTY POOL, INC. recorded APRIL 4, 1931 in Book 303 at Page 452, A CORRECTION TO SAID MINERAL DEED WAS RECORDED OCTOBER 3, 1931 IN BOOK 308 AT PAGE 342, and any and all assignments thereof or interests therein.
15. An undivided 3/8 interest in all oil, gas and other mineral rights, as reserved by BERTHA L. KEAGY in the Deed to NELLIE C. JONES recorded JUNE 25, 1946 in Book 432 at Page 71, SAID DEED WAS CORRECTED ON DECEMBER 20, 1948 IN BOOK 456 AT PAGE 378, and any and all assignments thereof or interests therein.
16. An undivided 1/4 interest in all oil, gas and other mineral rights, as reserved by MARJORIE J. GODO NKA MARJORIE J. JONES in the Deed to L. RAY GILLILAND AND LEONA M. GILLILAND recorded AUGUST 29, 1955 in Book 557 at Page 187, and any and all assignments thereof or interests therein.
17. All interest in oil, gas and other mineral rights as reserved by CHRISTINA ACOSTA AKA JESSIE ACOSTA ET AL in DEED to NAOMI I. WOOD recorded JANUARY 19, 1981 in Book 811 at Page 91, and any and all assignments thereof or interests therein.
18. Any loss of or adverse claim to that portion of the legal description in Schedule A hereof adjoining the RIVERSIDE CANAL based on an assertion that the channel and banks of said river, canal or ditch have been changed or altered other than by natural causes and in imperceptible degrees.
19. Burdens, obligations, terms, conditions, stipulations and restrictions of any and all unrecorded LEASES AND TENANCIES.

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SCHEDULE B - PART II
(Continued)

20. Right of way and rights incidental thereto for County Roads 30 feet on either side of Section and Township lines as established by the Board of County Commissioners of Morgan County, Colorado, in instrument recorded May 6, 1907 in Book 62 at page 109.
21. NOTE: The following notices pursuant to CRS 9-1.5 103 concerning underground facilities have been filed with the Clerk and Recorder. These statements are general and do not necessarily give notice of underground facilities within the subject property: (A) MOUNTAIN BELL TELEPHONE COMPANY RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 502; (B) PUBLIC SERVICE COMPANY OF COLORADO RECORDED OCTOBER 2, 1981 IN BOOK 821 AT PAGE 514; (C) MORGAN COUNTY RURAL ELECTRIC ASSOCIATION RECORDED JANUARY 22, 1982 IN BOOK 825 AT PAGE 656; AND (D) CITY OF FORT MORGAN, COLORADO RECORDED NOVEMBER 22, 1989 IN BOOK 917 AT PAGE 513.

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SCHEDULE B - PART II

(Continued)

Pursuant to C.R.S. 30-10-406(3)(a) all documents received for recording or filing in the Clerk and Recorder's office shall contain a top margin of at least one inch and a left, right and bottom margin of at least one-half of an inch. The Clerk and Recorder will refuse to record or file any document that does not conform to the requirements of this section.

NOTE: If this transaction includes a sale of the property and the price exceeds \$100,000.00, the seller must comply with the disclosure/withholding provisions of C.R.S. 39-22-604.5 (Non-residential withholding).

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

Pursuant to C.R.S. 10-11-122, the company will not issue its policy or policies of title insurance contemplated by this commitment until it has been provided a Certificate of Taxes due or other equivalent documentation from the County Treasurer or the County Treasurer's authorized agent; or until the Proposed Insured has notified or instructed the company in writing to the contrary.

The subject property may be located in a special taxing district. A Certificate of Taxes due listing each taxing jurisdiction shall be obtained from the County Treasurer or the County Treasurer's authorized agent. 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: Pursuant to CRS 10-11-123, notice is hereby given:

This notice applies to owner's policy commitments containing a mineral severance instrument exception, or exceptions, in Schedule B, Section 2.

- 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: Pursuant to Colorado Division of Insurance Regulations 8-1-1, Affirmative mechanic's lien protection for the Owner may be available (typically by deletion of Exception no. 4 of Schedule B, Section 2 of the Commitment from the Owner's Policy to be issued) upon compliance with the following conditions:

- A. The land described in Schedule A of this commitment must be a single family residence which includes a condominium or townhouse unit.
- B. No labor or materials have been furnished by mechanics or material-men 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 un-paid mechanic's and material-men'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.

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SCHEDULE B - PART II

(Continued)

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

NOTE: Pursuant to C.R.S. 3845-125(2) no person or entity that provides dosing and settlement services for a real estate transaction shall disburse funds as a part of such services until those funds have been received and are available for immediate withdrawal as a matter of right.

NOTE: C.R.S. 39-14.102 requires that a real property transfer declaration accompany any conveyance document presented for recordation in the State of Colorado. Said declaration shall be completed and signed by either the grantor or grantee.

NOTE: Pursuant to CRS 10.1-128(3)(a), It is unlawful to knowingly provide false, incomplete, or misleading facts or information to an insurance company for the purpose of defrauding or attempting to defraud the company. Penalties may include imprisonment, fines, denial of insurance and civil damages. Any insurance company or agent of an insurance company who knowingly provides false, incomplete, or misleading facts or information to a policyholder or claimant for the purpose of defrauding or attempting to defraud the policyholder or claimant with regard to a settlement or award payable from insurance proceeds shall be reported to the Colorado division of Insurance within the department of regulatory agencies.

NOTE: Pursuant to Colorado Insurance Regulation 8-1-3, this is notification of the availability of Title Closing Protection Letters written by Stewart Title Guaranty Company.

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.

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STEWART TITLE GUARANTY COMPANY PRIVACY NOTICE

This Stewart Title Guaranty Company Privacy Notice ("Notice") explains how Stewart Title Guaranty Company and its subsidiary title insurance companies (collectively, "Stewart") collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of your information. Pursuant to Title V of the Gramm-Leach Bliley Act ("GLBA") and other Federal and state laws and regulations applicable to financial institutions, consumers have the right to limit some, but not all sharing of their personal information. Please read this Notice carefully to understand how Stewart uses your personal information.

The types of personal information Stewart collects, and shares depends on the product or service you have requested.

Stewart may collect the following categories of personal and financial information from you throughout your transaction:

1. Identifiers: Real name, alias, online IP address if accessing company websites, email address, account name, unique online identifier, social security number, driver's license number, passport number, or other similar identifiers;
2. Demographic Information: Marital status, gender, date of birth.
3. Personal Information and Personal Financial Information: Name, signature, social security number, physical characteristics or description, address, telephone number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, credit reports, or any other information necessary to complete the transaction.

Stewart may collect personal information about you from:

1. Publicly available information from government records.
2. Information we receive directly from you or your agent(s), such as your lender or real estate broker;
3. Information about your transactions with Stewart, our affiliates, or others; and
4. Information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

Stewart may use your personal information for the following purposes:

1. To provide products and services to you or in connection with a transaction.
2. To improve our products and services.
3. To communicate with you about our, our affiliates', and others' products and services, jointly or independently.

Stewart may use or disclose the personal information we collect for one or more of the following purposes:

- a. To fulfill or meet the reason for which the information is provided.
- b. To provide, support, personalize, and develop our website, products, and services.
- c. To create, maintain, customize, and secure your account with Stewart.
- d. To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- e. To prevent and/or process claims.
- f. To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf pursuant to valid service provider agreements.
- g. As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- h. To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- i. To help maintain the safety, security, and integrity of our website, products and services, databases and other technology-based assets, and business.
- j. To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- k. Auditing for compliance with federal and state laws, rules and regulations.
- l. Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments.
- m. To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal information or use the personal information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent throughout the course of your transaction (for example, a realtor, broker, or a lender). Stewart may disclose your personal information to a non-affiliated third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter in a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- a. Non-affiliated service providers and vendors we contract with to render specific services (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- b. To enable Stewart to prevent criminal activity, fraud, material misrepresentation, or nondisclosure.
- c. Stewart's affiliated and subsidiary companies.
- d. Non-affiliated third-party service providers with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you.
- e. Parties involved in litigation and attorneys, as required by law.
- f. Financial rating organizations, rating bureaus and trade associations.
- g. Federal and State Regulators, law enforcement and other government entities to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order.

The law does not require your prior authorization or consent and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with non-affiliated third parties, except as required or permitted by law.

Right to Limit Use of Your Personal Information

You have the right to opt-out of sharing of your personal information among our affiliates to directly market to you. To opt-out of sharing to our affiliates for direct marketing, you may send an "opt out" request to Privacyrequest@stewart.com, or contact us through other available methods provided under "Contact Information" in this Notice. We do not share your Personal Information with nonaffiliates for their use to direct market to you without your consent.

How Stewart Protects Your Personal Information

Stewart maintains physical, technical and administrative safeguards and policies to protect your personal information.

Contact Information

If you have questions or comments about this Notice, the ways in which Stewart collects and uses your information described herein, your choices and rights regarding such use, or wish to exercise your rights under law, please do not hesitate to contact us at:

Phone: Toll Free at 1-866-571-9270

Email: Privacyrequest@stewart.com

Postal Address: Stewart Information Services Corporation
Attn: Mary Thomas, Chief Compliance and Regulatory Officer
1360 Post Oak Blvd., Ste. 100, MC #14-1
Houston, TX 77056

Privacy Notice at Collection for California Residents

Pursuant to the California Consumer Privacy Act of 2018 ("CCPA") and the California Privacy Rights Act of 2020, effective January 1, 2023 ("CPRA"), Stewart Information Services Corporation and its subsidiary companies (collectively, "Stewart") are providing this Privacy Notice at Collection for California Residents ("CCPA and CPRA Notice"). This CCPA and CPRA Notice supplements the information contained in Stewart's existing privacy notice and applies solely to all visitors, users, and consumers and others who reside in the State of California or are considered California Residents as defined in the CCPA and CPRA ("consumers" or "you"). All terms defined in the CCPA and CPRA have the same meaning when used in this Notice.

Personal and Sensitive Personal Information Stewart Collects

- Publicly available information from government records.
- Deidentified or aggregated consumer information.
- Certain personal information protected by other sector-specific federal or California laws, including but not limited to the Fair Credit Reporting Act (FCRA), Gramm Leach Bliley Act (GLBA) and California Financial Information Privacy Act (FIPA).

Specifically, Stewart has collected the following categories of personal and sensitive personal information from consumers within the last twelve (12) months:

Category	Examples	Collected
A. Identifiers	A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number, driver's license number, passport number, or other similar identifiers.	YES
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information. Some personal information included in this category may overlap with other categories.	YES
C. Protected classification characteristics under California or federal law.	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).	YES
D. Commercial information.	Records of personal property, products or services purchased, obtained, or considered, or other purchasing or consuming histories or tendencies.	YES
E. Biometric information.	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints, iris or retina scans, keystroke, gait, or other physical patterns, and sleep, health, or exercise data.	YES
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	YES
G. Geolocation data.	Physical location or movements.	YES
H. Sensory data.	Audio, electronic, visual, thermal, olfactory, or similar information.	YES
I. Professional or employment related information.	Current or past job history or performance evaluations.	YES
J. Non-public education information (per the Family Educational Rights and Privacy Act(20 U.S.C. Section 1232g, 34 C.F.R. Part 99)).	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	YES
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	YES

Stewart obtains the categories of personal and sensitive information listed above from the following categories of sources:

- Directly and indirectly from customers, their designees, or their agents (For example, realtors, lenders, attorneys, brokers, etc.)
- Directly and indirectly from activity on Stewart's website or other applications.
- From third-parties that interact with Stewart in connection with the services we provide.

Use of Personal and Sensitive Personal Information

Stewart may use or disclose the personal or sensitive information we collect for one or more of the following purposes:

- a. To fulfill or meet the reason for which the information is provided.
- b. To provide, support, personalize, and develop our website, products, and services.
- c. To create, maintain, customize, and secure your account with Stewart.
- d. To process your requests, purchases, transactions, and payments and prevent transactional fraud.
- e. To prevent and/or process claims.
- f. To assist third party vendors/service providers who complete transactions or perform services on Stewart's behalf pursuant to valid service provider agreements.
- g. As necessary or appropriate to protect the rights, property or safety of Stewart, our customers or others.
- h. To provide you with support and to respond to your inquiries, including to investigate and address your concerns and monitor and improve our responses.
- i. To personalize your website experience and to deliver content and product and service offerings relevant to your interests, including targeted offers and ads through our website, third-party sites, and via email or text message (with your consent, where required by law).
- j. To help maintain the safety, security, and integrity of our website, products and services, databases and other technology-based assets, and business.
- k. To respond to law enforcement or regulator requests as required by applicable law, court order, or governmental regulations.
- l. Auditing for compliance with federal and state laws, rules and regulations.
- m. Performing services including maintaining or servicing accounts, providing customer service, processing or fulfilling orders and transactions, verifying customer information, processing payments, providing advertising or marketing services or other similar services.
- n. To evaluate or conduct a merger, divestiture, restructuring, reorganization, dissolution, or other sale or transfer of some or all of our assets, whether as a going concern or as part of bankruptcy, liquidation, or similar proceeding, in which personal information held by us is among the assets transferred.

Stewart will not collect additional categories of personal or sensitive information or use the personal or sensitive information we collected for materially different, unrelated, or incompatible purposes without providing you notice.

Disclosure of Personal Information to Affiliated Companies and Nonaffiliated Third Parties

Stewart does not sell your personal information to nonaffiliated third parties. Stewart may share your information with those you have designated as your agent throughout the course of your transaction (for example, a realtor, broker, or a lender). Stewart may disclose your personal information to a third party for a business purpose. Typically, when we disclose personal information for a business purpose, we enter into a contract that describes the purpose and requires the recipient to both keep that personal information confidential and not use it for any purpose except performing the contract.

We share your personal information with the following categories of third parties:

- a. Service providers and vendors we contract with to render specific services (For example, search companies, mobile notaries, and companies providing credit/debit card processing, billing, shipping, repair, customer service, auditing, marketing, etc.)
- b. Affiliated Companies.
- c. Parties involved in litigation and attorneys, as required by law.
- d. Financial rating organizations, rating bureaus and trade associations.
- e. Federal and State Regulators, law enforcement and other government entities

In the preceding twelve (12) months, Stewart has disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers
- Category B: California Customer Records personal information categories
- Category C: Protected classification characteristics under California or federal law
- Category D: Commercial Information
- Category E: Biometric Information
- Category F: Internet or other similar network activity
- Category G: Geolocation data
- Category H: Sensory data
- Category I: Professional or employment-related information
- Category J: Non-public education information
- Category K: Inferences

Your Consumer Rights and Choices Under CCPA and CPRA

Your Rights Under CCPA

The CCPA provides consumers (California residents as defined in the CCPA) with specific rights regarding their personal information. This section describes your CCPA rights and explains how to exercise those rights.

Access to Specific Information and Data Portability Rights

You have the right to request that Stewart disclose certain information to you about our collection and use of your personal information over the past 12 months. Once we receive and confirm your verifiable consumer request, Stewart will disclose to you:

- The categories of personal information Stewart collected about you.
- The categories of sources for the personal information Stewart collected about you.
- Stewart's business or commercial purpose for collecting that personal information.
- The categories of third parties with whom Stewart shares that personal information.
- The specific pieces of personal information Stewart collected about you (also called a data portability request).
- If Stewart disclosed your personal data for a business purpose, a listing identifying the personal information categories that each category of recipient obtained.

Deletion Request Rights

You have the right to request that Stewart delete any of your personal information we collected from you and retained, subject to certain exceptions. Once we receive and confirm your verifiable consumer request, Stewart will delete (and direct our service providers to delete) your personal information from our records, unless an exception applies.

Stewart may deny your deletion request if retaining the information is necessary for us or our service providers to:

1. Complete the transaction for which we collected the personal information, provide a good or service that you requested, take actions reasonably anticipated within the context of our ongoing business relationship with you, or otherwise perform our contract with you.
2. Detect security incidents, protect against malicious, deceptive, fraudulent, or illegal activity, or prosecute those responsible for such activities.
3. Debug products to identify and repair errors that impair existing intended functionality.
4. Exercise free speech, ensure the right of another consumer to exercise their free speech rights, or exercise another right provided for by law.
5. Comply with the California Electronic Communications Privacy Act (Cal. Penal Code § 1546 seq.).
6. Engage in public or peer-reviewed scientific, historical, or statistical research in the public interest that adheres to all other applicable ethics and privacy laws, when the information's deletion may likely render impossible or seriously impair the research's achievement, if you previously provided informed consent.
7. Enable solely internal uses that are reasonably aligned with consumer expectations based on your relationship with us.
8. Comply with a legal obligation.
9. Make other internal and lawful uses of that information that are compatible with the context in which you provided it.

Your Rights Under CPRA

CPRA expands upon your consumer rights and protections offered by the CCPA. This section describes your CPRA rights and explains how to exercise those rights.

Opt-Out of Information Sharing and Selling

Stewart does not share or sell information to third parties, as the terms are defined under the CCPA and CPRA. Stewart only shares your personal information as commercially necessary and in accordance with this CCPA and CPRA Notice.

Correction of Inaccurate Information

You have the right to request that Stewart correct any inaccurate information maintained about.

Limit the Use of Sensitive Personal Information

You have the right to limit how your sensitive personal information, as defined in the CCPA and CPRA, is disclosed or shared with third parties.

Exercising Your Rights Under CCPA and CPRA

To exercise the access, data portability, deletion, opt-out, correction, or limitation rights described above, please submit a verifiable consumer request to us by the available means provided below:

1. Calling us Toll Free at 1-866-571-9270; or
2. Emailing us at Privacyrequest@stewart.com; or
3. Visiting <http://stewart.com/ccpa>.

Only you, or someone legally authorized to act on your behalf, may make a verifiable consumer request related to your personal information. You may also make a verifiable consumer request on behalf of your minor child, if applicable.

To designate an authorized agent, please contact Stewart through one of the methods mentioned above.

You may only make a verifiable consumer request for access or data portability twice within a 12-month period. The verifiable consumer request must:

- Provide sufficient information that allows us to reasonably verify you are the person about whom we collected personal information or an authorized representative.
- Describe your request with sufficient detail that allows us to properly understand, evaluate, and respond to it.

Stewart cannot respond to your request or provide you with personal information if we cannot verify your identity or authority to make the request and confirm the personal information relates to you.

Making a verifiable consumer request does not require you to create an account with Stewart.

Response Timing and Format

We endeavor to respond to a verifiable consumer request within forty-five (45) days of its receipt. If we require more time (up to an additional 45 days), we will inform you of the reason and extension period in writing.

A written response will be delivered by mail or electronically, at your option.

Any disclosures we provide will only cover the 12-month period preceding the verifiable consumer request's receipt. The response we provide will also explain the reasons we cannot comply with a request, if applicable. For data portability requests, we will select a format to provide your personal information that is readily useable and should allow you to transmit the information from one entity to another entity without hindrance.

Stewart does not charge a fee to process or respond to your verifiable consumer request unless it is excessive, repetitive, or manifestly unfounded. If we determine that the request warrants a fee, we will tell you why we made that decision and provide you with a cost estimate before completing your request.

Non-Discrimination

Stewart will not discriminate against you for exercising any of your CCPA and CPRA rights. Unless permitted by the CCPA or CPRA, we will not:

- Deny you goods or services.
- Charge you a different prices or rates for goods or services, including through granting discounts or other benefits, or imposing penalties.
- Provide you a different level or quality of goods or services.
- Suggest that you may receive a different price or rate for goods or services or a different level or quality of goods or services.

Record Retention

Your personal information will not be kept for longer than is necessary for the business purpose for which it is collected and processed. We will retain your personal information and records based on established record retention policies pursuant to California law and in compliance with all federal and state retention obligations. Additionally, we will retain your personal information to comply with applicable laws, regulations, and legal processes (such as responding to subpoenas or court orders), and to respond to legal claims, resolve disputes, and comply with legal or regulatory recordkeeping requirements

Changes to This CCPRA and CPRA Notice

Stewart reserves the right to amend this CCPA and CPRA Notice at our discretion and at any time. When we make changes to this CCPA and CPRA Notice, we will post the updated Notice on Stewart's website and update the Notice's effective date.

Link to Privacy Notice

Stewarts Privacy Notice can be found on our website at <https://www.stewart.com/en/privacy.html>.

Contact Information

If you have questions or comments about this notice, the ways in which Stewart collects and uses your information described herein, your choices and rights regarding such use, or wish to exercise your rights under California law, please do not hesitate to contact us at:

Phone: Toll Free at 1-866-571-9270

Website: <http://stewart.com/ccpa>

Email: Privacyrequest@stewart.com

Postal Address: Stewart Information Services Corporation
Attn: Mary Thomas, Chief Compliance and Regulatory Officer
1360 Post Oak Blvd., Ste. 100, MC #14-1
Houston, TX 77056

UTILITIES / ACCESS

Septic

Water

Electric

Driveway Permit



March 16, 2023

Carolyn Wood
19534 MCR R.7
Fort Morgan, CO 80701

Dear Carolyn:

This department has no objection to a proposed modular home to be built on said properties located in Section 17 -- Township 3N -- Range 59W of Morgan County, Colorado. Approximately 19.79 acres are involved.

Potable water will be supplied by the Morgan County Quality Water District.

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

If there are any questions please call me at 970/867-4918 ext. 2262

Sincerely,

Melvin Bustos
Environmental Health Manager
Northeast Colorado Health Department

**MORGAN COUNTY QUALITY WATER DISTRICT
CONTRACT FOR SERVICE**

Tap #3142
Eng. #2023-10
Account #5686.00

NAME OF CUSTOMER Carolyn Wood
BILL TO ADDRESS: 19534 County Road R.7, Fort Morgan, CO 80701
TELEPHONE #: 970-768-7109

Customer contract for Residential ☒ Multi-family Residential _____, or Commercial Potable _____ service with MORGAN COUNTY QUALITY WATER DISTRICT ("District") as follows:

A. Tap cost: Tap Equivalents X Total Tap Cost + Inclusion Fee + Line Reimbursement - Paid at Signing = Balance Due

Tap Equivalents	Plant Investment fee	Raw Water fee	Total Tap Cost	Inclusion Fee into MCQWD	Line Reimbursement	Paid at Signing	Balance Due
1	\$14,000	\$42,000	\$56,000	n/a	n/a	\$56,000	0
Line Installation deposit to be paid at signing= n/a							

B. Upon signing this contract, Customer shall pay the raw water fee or transfer to the District raw water approved by the District, and Customer shall also pay a deposit for the line installation from the mainline to the meter in excess of 100 feet ("line installation deposit"). The tap cost includes installation of water meter pit and meter, which shall be located on property owned by Customer ("Property") at the Property line. Customer must pay the Balance Due on or before 12 months of the date of this contract or tap activation (installation of meter and provision of water), whichever is earlier, plus any additional costs for the line installation not covered by the deposit. If not paid in full, the meter shall not be installed, this contract shall be deemed null and void, the Customer shall forfeit all rights to the tap and water service and to any refund, and the District shall retain payments by Customer. Any unused portion of the line installation deposit shall be credited to Customer. After six months, Customer shall pay the District's monthly base rate regardless of whether the tap is activated.

C. In the event Customer is unable to secure the approval of a governmental body necessary to construct the project that will be served by the tap on or before six months from the date of this contract, or in the event Customer is unable to secure the approval of a governmental body necessary for inclusion into the District on or before ten months from the date of this Contract, then in either event, Customer may cancel the contract within 30 days from the expiration of said time periods and the total amount paid toward the total tap fee less engineering costs shall be refunded.

D. The tap, including the right to receive water service, shall be assigned and appurtenant to Property described on the attached Engineering Study, Exhibit A located in Naomi Wood Minor Sub, Lot 2, Parcel in NE1/4 Section 9, Township 4, Range 57 West, 20760 Road X, Parcel 103909001002. The tap cannot be sold or conveyed separate from the Property or transferred to any other property or physical location or use, except Customer may transfer the tap and right to receive water service to a subsequent owner of the Property upon the District's approval of an application for a transfer/assignment.

E. Customer hereby grants to the District a right of ingress and egress over and across the Property for the purpose of installation, construction, maintenance, repair and replacement, of all appurtenances necessary for distribution and service of water to the land of Customer. Fences or other obstructions shall not be erected or installed in any manner that would hinder access to meters for the purpose of reading or maintenance. The meter pit lid shall be secured to the meter pit at all times. Should the meter pit lid become dislodged and Customer not be able to fasten the lid securely, Customer shall contact the District office to request assistance in securing the lid.

F. Customer does not have the right to use any return flows from Customer's use of the tap. Only the District may claim and take credit for or otherwise use the return flows.

G. Customer will comply with the Rules and Regulations as from time to time are promulgated by the Board of Directors of the District. Current Rules and Regulations are available from the District upon request. If someone other than Customer occupies the Property and uses the tap, Customer shall remain responsible for compliance with this contract.

H. In the event that the Customer elects to terminate service, upon 30-days advance written notice by Customer of such action, the District may terminate this contract for service and the tap shall be considered abandoned.

I. Customer agrees to pay the District such amount as may be established from time to time by the District as the water rate or charge for such water service. The minimum payment established from time to time by the Board shall be due and payable regardless of the quantity of water used.

J. In the event of delinquency of any monthly service charges or other violation of its Rules and Regulations, including but not limited to unmetered water use, illegal cross-connections, and failure of the Property to be included in the District, the District may suspend or discontinue water service. Until paid, all fees, rates, charges, or penalties shall constitute a perpetual lien on and against the Property that runs with the land, and any such lien may be foreclosed in the manner provided by the laws of the State of Colorado and any Rules adopted by the District.

K. Residential taps shall not be used to serve more than one single-family residence on the Property, plus restrooms in non-residential outbuildings on the Property, for each Tap Equivalent associated with the residential tap. The District may require purchase of additional Tap Equivalents if the demand exceeds 0.7 acre feet per calendar year per Tap Equivalent in more than two consecutive years.

L. The raw water fee for commercial potable and multi-family residential water service is based on a maximum water demand of 0.7 acre feet per calendar year per Tap Equivalent ("maximum annual demand"). If Customer's actual usage exceeds the maximum annual demand ("overage") in any two consecutive years, then the District shall notify the Customer of the overage. Within 60 days after notice is given, Customer and the District shall take sufficient measures approved by the District to prevent future overages. The District may require installation of a flow reduction valve at the expense of Customer to prevent future overages. The design of any flow reduction valve shall be approved by the District. Subject to availability and approval by the District, the District in its sole discretion may allow the Customer to purchase additional Tap Equivalents to increase the maximum annual demand at the cost per Tap Equivalent then charged by the District.

M. The tap is designed for a flow rate not to exceed 20 gpm, and customer agrees not to take delivery of water at a greater rate.

N. The District is responsible only to make available to the Property such water at such pressure and flow rate as may be available at the point of delivery as a result of the District's normal operation of its water distribution system. The District does not guarantee an uninterrupted supply of water. Water service may be limited or interrupted at any time for many reasons, such as emergencies, events beyond the District's control, and repairs, maintenance, and improvements or replacement of the main lines or other portions of the system. The pressure and flow rates within the system vary depending upon location and season and other factors. The District recommends Customer consult with the District before Customer installs any lawn irrigation or other systems that require a specified flow rate, minimum pressure, or pressure reducing valves or booster pumps.

O. Customer is the owner and is solely responsible for installation, maintenance, repair, and replacement of lines and facilities on Customer's property between the water meter and Customer's point of use. The District bears no responsibility whatsoever for Customer's lines and facilities.

P. Customer shall not cause or allow any foreign substances, chemicals, or other pollutants of any kind or nature to enter the District's water system through backflow or otherwise. Customer is responsible for the installation and testing of approved backflow prevention devices beyond the meter, which devices must meet or exceed standards required by applicable laws and the District's Rules and Regulations. Customer shall allow the District access to the Property to inspect and test such devices.

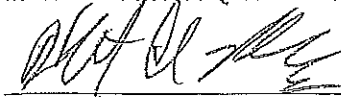
Q. Customer shall indemnify and hold the District harmless from any claims, demands, or judgments or other liability for loss, injury, or damage to any persons or property, including District personnel and property, which the District may incur as a result of or arising out of the acts or omissions of Customer or Customer's use of, or connection to, the District's system, except to the extent caused by the negligent acts or omissions of the District.

R. Failure of the District to enforce any provision of this contract or any of the District's rules or regulations shall not give rise to any claim or defense of laches, waiver, or estoppel.

S. This contract is a condition of water service and binding upon the heirs, successors and assigns of Customer.

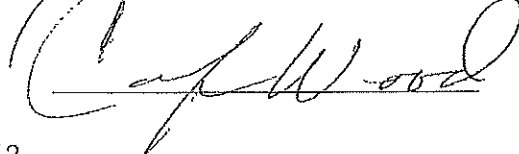
Dated: May 12, 2023

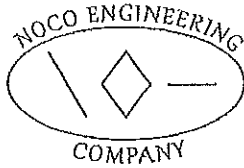
MORGAN COUNTY QUALITY WATER DISTRICT



General Manager

CUSTOMER





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

5/12/23
OK
fmm

File No: 23-006.05

☐ Commercial Request

May 12, 2023

☐ Secondary Plat Review Required

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

ATTN: Kent Pflager, Manager

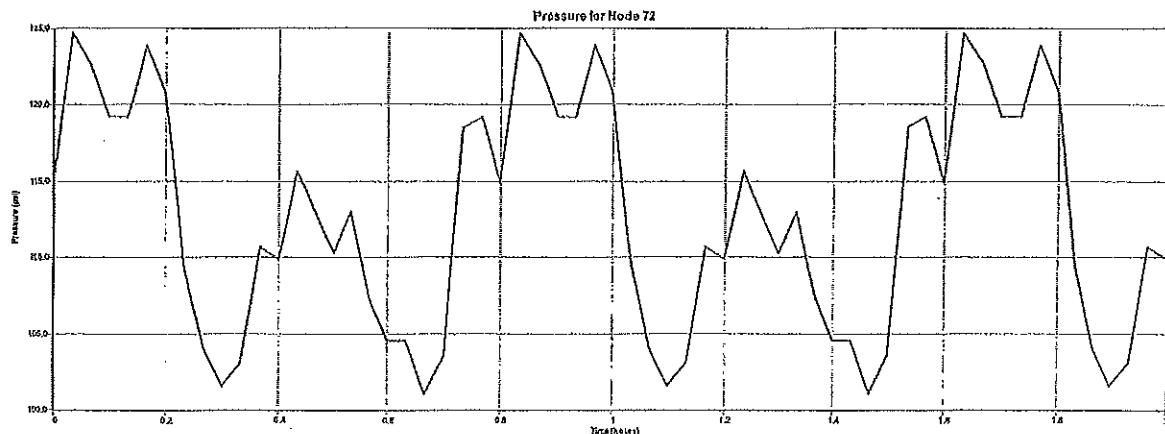
RE: Tap Request 2023-10 – Node 2080

Dear Kent:

The analysis for the following tap request has been completed:

Applicant	No. of Requested Taps	Location
Carolyn Wood	1 – 5/8"	MCR X and 21

The tap request is for one (1) 5/8" taps for a proposed residence. The existing pressures in this area are between 103 psi and 125 psi. With the proposed tap request the pressures will be between 102 and 125 psi as shown in the graph below. The proposed tap can be served from the existing three-inch (3") line on MCR X.



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

Location	Pressure Before Proposed Taps Added (psi)	Pressure After Proposed Taps Added (psi)
Wiggins Pump Station Inlet (#1140)	41	41
Road 23 (North End #2110)	74	74
North of Jackson Lake (#1921)	27	27
Northeast End of District (#2230)	87	87
Adams Co. (#1250)	33	33

* Spreadsheet was modified which changes the values 2/3/22

System Improvements required to serve this request:

A four-inch (4") line extension may be required.

Engineer's Recommendation:

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

Secondary Plat Review Requirement:

If the applicant is dividing the property into multiple lots and does not have the proposed subdivision platted and stamped by a licensed surveyor or engineer registered in the State of Colorado on the initial review, a secondary review will be required once the plat is complete. The plat shall show all lot lines, designated utility easements, and right-of-ways as required by the District to serve the proposed subdivision. The location of the meter shall be located on the parcel it is serving. The secondary tap review is required to be completed and approved within six months from application, otherwise a new application may be required.

Master Plan Improvements recommended:

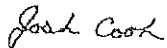
None.

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

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

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

Sincerely,

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

Josh Cook, P.E.
President
NOCO Engineering Company



MORGAN COUNTY QUALITY WATER DISTRICT

APPLICATION FOR WATER SERVICE

Applicant Name Carolyn Wood
Owner Name Same
Applicant Mailing Address 19534 Cty Rd. R.7 FM 80701
Email address Carolyn.mares1@gmail.com
Phone 970-768-7109 Who Will Pay for Tap _____

PROPOSED TAP LOCATION

Parcel # 1039-090-01-002 ^{lot 2 1/4} NE Section 9 Township 4 Range 57
Subdivision Name Naomi I. Wood Subdivision
Address (if known) _____

☒ Property is adjacent to District Main Line ☐ Property is _____ ft. from District Main
☒ Property is in MCQWD ☒ Property is in Northern or Kiowa Bijou (Circle one)
ATTACH: Tax Notice ☒ Plat with Tap location marked in red ☒

SINGLE FAMILY RESIDENTIAL SERVICE: Enter the number of taps requested

1 5/8" = 1 T.E. _____ 3/4" = 2 T.E.

COMMERCIAL, MULTI-FAMILY RESIDENTIAL, INDUSTRIAL OR OTHER (requires Board approval)

_____ Commercial _____ Industrial _____ Multi-Family Res. _____ Other

Projected Water Use (If known) _____ Peak rate _____ gpm Annual Use _____ acre feet
_____ Livestock Operation (Number of Animals)
_____ Dairy Cattle _____ Feeder Cattle _____ Horses
_____ Sheep _____ Hogs _____ Chickens

(T.E. calculated based on annual water use of 0.7 af/year)

Tap Application Fee: First Tap Equivalent costs \$400.00, each additional is \$50.00 (per board approval 4/7/15)

Total T.E.'s 1 Total Due 400 Total Paid 400

Applicant Signature Carolyn Wood Date 5-13-23

For Office Use: Processed by: Kay Barback Sent by Fax _____ Email ☒ Other _____

ACCOUNT # R017478
PARCEL # 103909001002
TAX DISTRICT: 247

REAL ESTATE PROPERTY TAX NOTICE
2022 TAXES DUE IN 2023

MORGAN COUNTY TREASURER
P.O. BOX 593, 231 ENSIGN STREET
FORT MORGAN, CO 80701

TAX AUTHORITY	TAX LEVY	TEMP TAX CREDIT	GENERAL TAX	VALUATION	ACTUAL	ASSESSED
COUNTY GENERAL FUND	19.48300	0.00000	\$22.41	LAND	2550	670
ROAD AND BRIDGE FUND	7.50000	0.00000	\$8.62	IMPROVEMENTS	5640	480
SOCIAL SERVICES FUND	2.00000	0.00000	\$2.30	TOTAL	8190	1150
FT MORGAN RURAL FIRE DIST	3.03300	0.00000	\$3.49			
MORGAN SOIL CONS DIST	0.00000	0.00000	\$0.00			
FT MORGAN PEST CONTROL	0.29900	0.00000	\$0.34	NET TOTAL	8190	1150
MORGAN CO QUALITY WATER	0.82400	0.00000	\$0.95			
NORTHERN COLO WATER CD	1.00000	0.00000	\$1.15			
RE 3 F M GENERAL FD	27.08400	0.00000	\$31.14			
RE 3 F M M/L OVRD	1.77300	0.00000	\$2.04			
RE 3 F M BOND RED	8.87400	0.00000	\$10.20			
TOTAL		NET LEVY-> 71.87000	\$82.64			
		GRAND TOTAL	\$82.64			
MESSAGES						
*On-line payments may be made at morganco-eagle.com/treasurer/web *To receive notices electronically, enter the key below in 'Verify My Email'						
VERIFICATION KEY: XQ3G7J5B						
PRIOR YEAR TAX CHARGE 145.36						
S B 25 - In absence of State Legislative Funding, your School General Fund mill levy would have been 102.367						
UNPAID PRIOR YEAR TAXES						
No						
Contact Treasurer's Office Immediately If a number appears above.						
LEGAL DESCRIPTION OF PROPERTY				PAYMENT	DUE DATE	AMOUNT
Subd: NAOMI WOOD MINOR SUB, FM (09-4-57) Lot: 02 S: 09 T: 4 R: 57 PARC NE1/4				FIRST HALF	FEB 28, 2023	\$41.32
				SECOND HALF	JUNE 15, 2023	\$4
				FULL PAYMENT	APRIL 30, 2023	\$82.64
ACRES: 19.800 PROPERTY LOCATION: 20760 CO RD X						

R017478

WOOD, CAROLYN I
19534 CO RD R.7
FORT MORGAN, CO 80701



Make Checks Payable To:
MORGAN COUNTY TREASURER

SEE IMPORTANT INFORMATION ON BACK.
THE TREASURER'S OFFICE IS REQUIRED BY LAW TO
SEND THE TAX NOTICE TO THE OWNER OF RECORD.
KEEP THIS NOTICE FOR YOUR RECORDS.

RETAIN TOP PORTION FOR YOUR RECORDS

- C. Solar System Yes ☐ No ☒
- D. Cooling (Chillers) Yes ☐ No ☒
 If yes, is the water chemically conditioned? Yes ☐ No ☐ Unknown ☐
- E. Heating (Boilers) Yes ☐ No ☒
 If yes, is the water chemically conditioned? Yes ☐ No ☐ Unknown ☐
- F. Fire Suppression System Yes ☐ No ☒
 If yes, type of fire system Dry ☐ Wet ☐ Unknown ☐
 Are there any antifreeze legs? Yes ☐ No ☐ Unknown ☐
 Is there a fire pump? Yes ☐ No ☐ Unknown ☐
- G. Food Preparation Yes ☐ No ☒
- H. Manufacturing Yes ☐ No ☒
- I. Processing Yes ☐ No ☒
- J. Industrial Uses Yes ☐ No ☒

If you answered YES on G, H, I or J, please describe the water use. _____

6. Are there other water sources available on this property? Yes ☐ No ☒
 If yes, what source? (well, etc.) _____
7. Do you have a water softener, Reverse Osmosis or other treatment system? Yes ☐ No ☒
8. Do you have livestock and use a water trough? Yes ☒ No ☐
9. Do you have a booster pump, well pump, or any other type water pump? Yes ☐ No ☒
10. Do you receive Irrigation water from a different source? Yes ☐ No ☒
11. Do you have any water-using equipment on not mentioned above? Yes ☐ No ☒

If yes, please describe: _____

12. Do you have a backflow protection device at your service connection?

Yes ☐ No ☐ Unknown ☐

If yes, please provide:

Manufacturer: _____ Model # _____ Serial # _____

Type of device: Reduced Pressure ☐ Atmospheric Vacuum Breaker ☐

Double Check ☐ Pressure Vacuum Breaker ☐

Date of last backflow prevention device test: _____

13. Do you have any backflow prevention devices on any equipment at your site?

Yes ☐ No ☐ Unknown ☐

If yes, please provide:

Manufacturer: _____ Model # _____ Serial # _____

Type of device: Reduced Pressure ☐ Atmospheric Vacuum Breaker ☐

Double Check ☐ Pressure Vacuum Breaker ☐

Date of last backflow prevention device test: _____

By signing this document I certify that to the best of my knowledge and belief the information provided is true, accurate and complete.

Signature

Date

Name

(Please Print)

Title

Phone

Email

Please notify this office if any of the above conditions change.



Morgan County Quality Water District

Cross-Connection/Backflow Prevention Questionnaire

Name on Account Carolyn Wood Date 3-13-23

Service Address Cty Rd. X

Owner Same Contact Person Same

Contact Email Carolyn.mares1@gmail.com Phone 970-768-7109

Type of facility: ☐ Commercial ☐ Industrial ☒ Residential

Business Activity _____
(Example: Multi-family, mobile home park, manufacturing, retail, office, restaurant, etc.)

Account Number _____ Tap Number _____

1. Occupancy: ☒ Own ☐ Rent

2. Meter serves: ☒ Homes How many? 1

☒ Buildings (garage, outbuildings, barns) How many? 1

3. Do you have (or intend to have) outside hose bibs &/or yard hydrants at your building(s)? ☒

How many? 1

4. Do you have (or intend to have)? (Please check all that apply):

Swimming Pool ☐ Hot Tub ☐ Jacuzzi ☐

Darkroom Equipment ☐ Portable Dialysis Machine ☐

Ghost pipes (unidentified) ☐ Onsite Water Storage ☐

Insecticide Sprayers ☐ Chemical Irrigation System ☐

Chemical Feed System ☐

5. Water is used for:

A. Domestic Consumption Yes ☒ No ☐

B. Lawn Irrigation Yes ☒ No ☐

Underground Sprinkler System ☐

Drip/Soaker/Irrigation System ☐

CRB 117-3

Morgan County Quality Water

PO Box 1218

Fort Morgan, CO 80701

970-867-3054

CASH RECEIPT

Date

3/13/23

003950

Received From

Carolyn Wood

Address

For

Engineering ITE

Dollars \$

400-

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT	400-	CASH	
AMT. PAID	400-	CHECK	1412
BALANCE DUE		MONEY ORDER	<input type="checkbox"/>
		CREDIT CARD	<input type="checkbox"/>

By

KZ

CM PROPERTY INVESTMENTS LLC

19534 COUNTY ROAD R.7
FORT MORGAN, CO 80701

1412

8Z-341/1010
01

13 March, 2024

Date

CHECK AMOUNT

Pay to the
Order of

M.C. Quality Water

\$ 400.00

Four hundred dollars & 00/100

Dollars



Photo
Safe
Deposit
Details on back

THE FARMERS STATE BANK

P.O. BOX 121
FORT MORGAN, COLORADO 80701
A MEMBER BANK



For

engineering fee

Carolyn Wood

⑆107003418⑆ 34 02002⑈ 01412

OUTBOARD CONTROL FEATURES



Morgan County Rural Electric Association

734 Barlow Road • P.O. Box 738 • Fort Morgan, Colorado 80701

(970) 867-5688 • FAX: (970) 867-3277 • e-mail: customerservice@mcrea.org



A Touchstone Energy Cooperative
The power of human connections

March 14, 2023

Morgan County Planning and Zoning
Attn: Cheryl Brindisi, Administrator
231 Ensign Street
P.O. Box 596
Fort Morgan, CO 80701-2307

RE: Certification of Electric Power
NE ¼ of Sec 9, T4N, R57W
Carolyn Wood

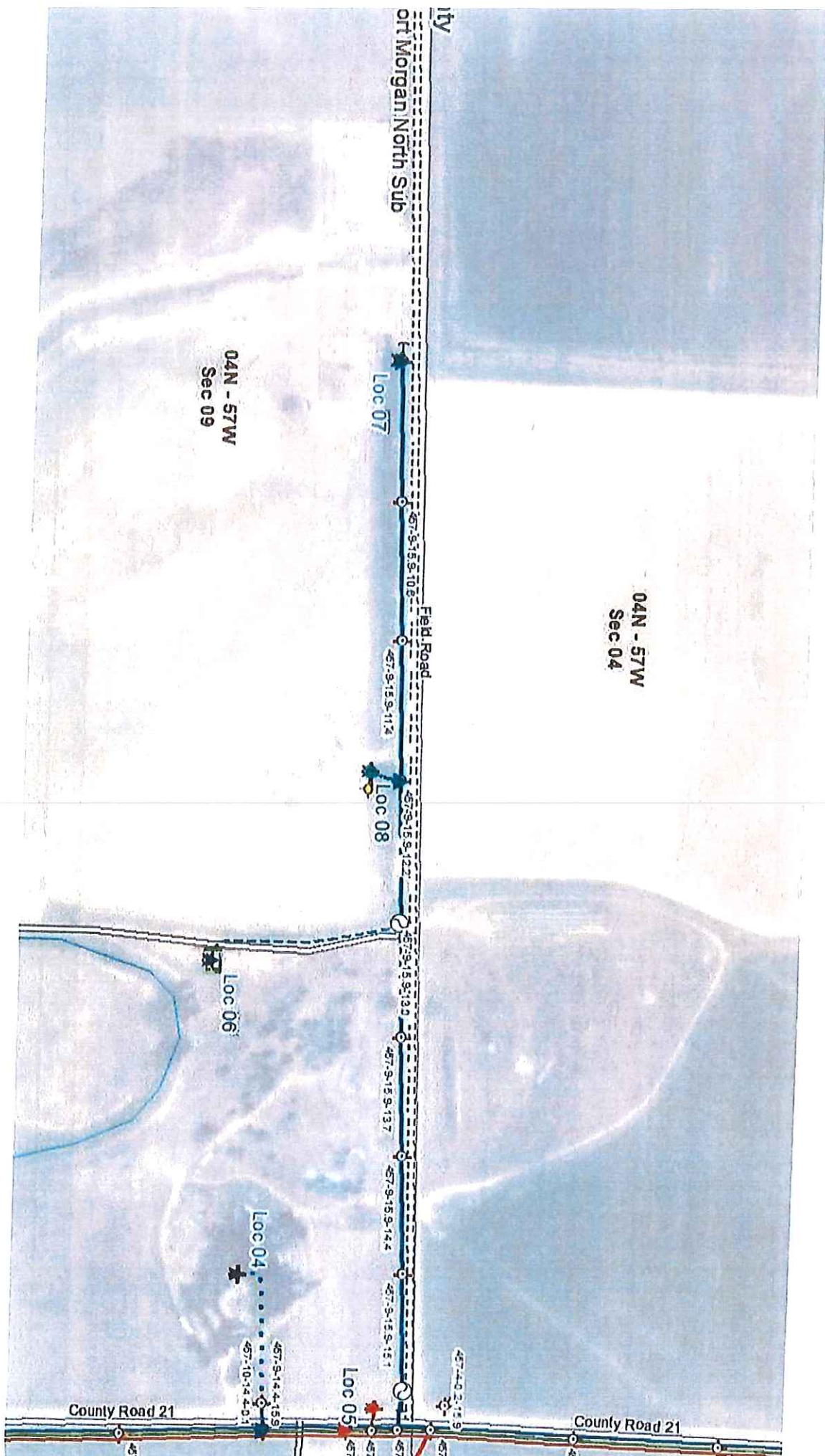
This letter is in regard to a request to provide certification to the Morgan County Planning and Zoning Commission, that we can provide sufficient electric power for Carolyn Wood in the Northeast Quarter of Section 9, Township 4 North, Range 57 West.

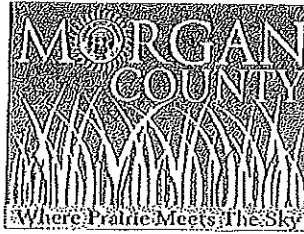
Morgan County REA presently has electric distribution lines near this property, and will be able to provide electric service to the proposed site.

We hope this letter will suffice. If we can be of any further assistance, please feel free to contact the office.

Sincerely,

Kevin Martens
Field Engineer, Morgan County REA
734 Barlow Road
PO Box 738
Fort Morgan, CO 80701
970-867-5688 (office)
970-867-3277 (fax)
970-768-6699 (cell)
kmartens@mcrea.org





Road & Bridge Department

3-15-2022

Carolyn Wood
23760 County Road X
Fort Morgan, CO. 80701

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

Property Legal Description

North West ¼ of the North East ¼ of Section 09, Township 4 North, Range 57 West of the 6th P.M.

GPS Coordinates taken using a Jamar RAC Geo II Counter

GPS Coordinates at the centerline of the driveway:

40.333705 Latitude
-103.760950 Longitude

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

Sincerely,

A handwritten signature in black ink, appearing to read "James Rehn". The signature is fluid and cursive, with a large initial "J" and "R".

James Rehn
Bridge Manager
Morgan County Government

TECHNICAL

Ditch Company Contact

Tax Account Statement

Application Fee Receipt



RIVERSIDE

221 E. Kiowa Ave. Fort Morgan, CO 80701 (970) 867-6586

IRRIGATION DISTRICT

March 17, 2023

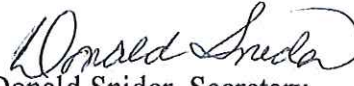
Morgan County Planning & Zoning
231 Ensign Street
Fort Morgan, CO 80701

Re: Carolyn Wood planned new home on CR W, Fort Morgan, CO

To Whom It May Concern:

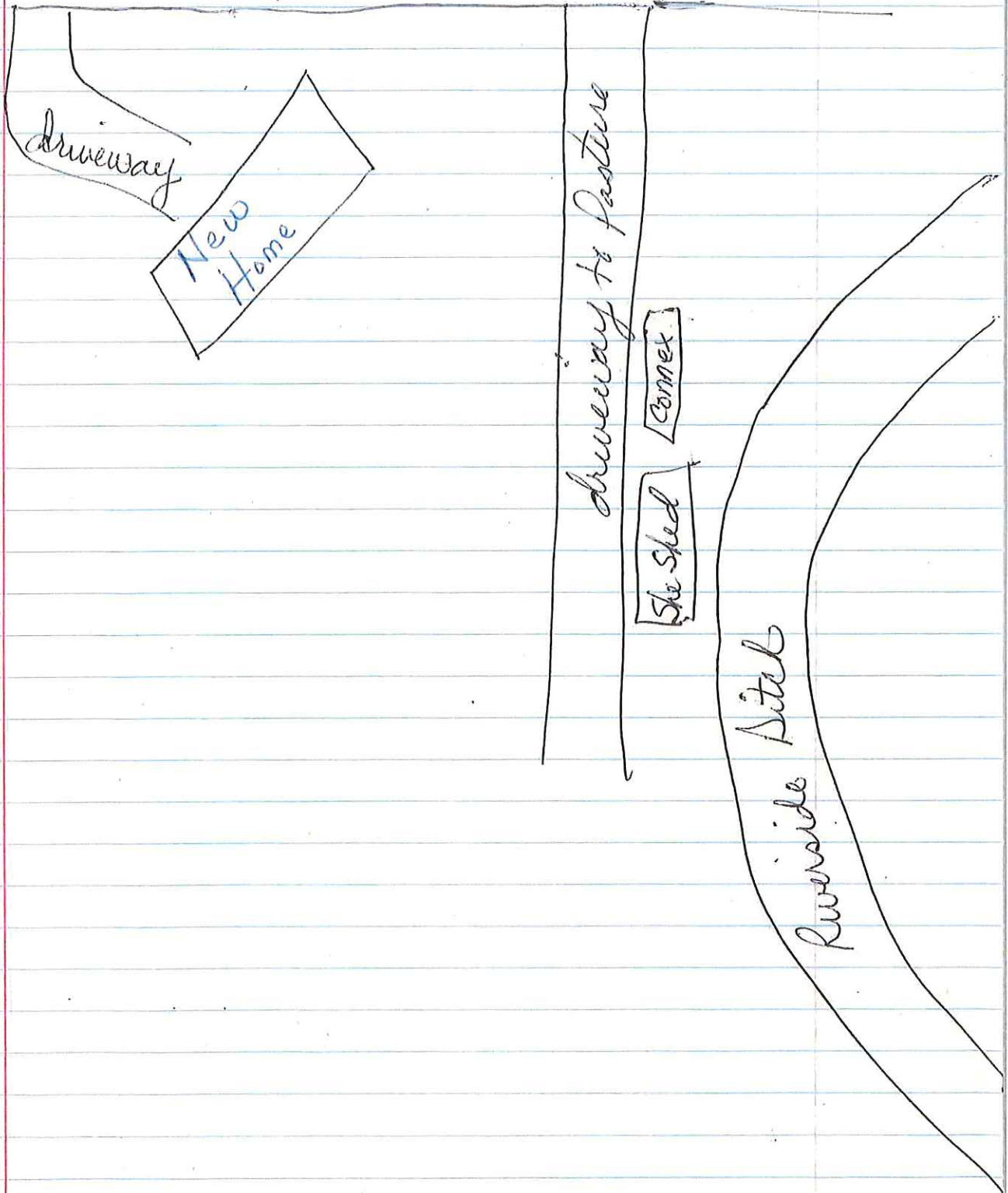
Ms. Wood sent Riverside this diagram of where she is planning to place her newest home. We do not foresee this placement as any concern for the operation of our canal through this area and would grant her permission to place the home at the location set forth in the diagram.

Sincerely,


Donald Snider, Secretary

Catalyn Wood

City Rd X



Morgan County Treasurer

Statement of Taxes Due

Account Number R017478
Assessed To

Parcel 103909001002
WOOD, CAROLYN I
19534 CO RD R.7
FORT MORGAN, CO 80701

Legal Description				Situs Address	
Subd: NAOMI WOOD MINOR SUB, FM (09-4-57) Lot: 02 S: 09 T: 4 R: 57 PARC NE1/4				20760 CO RD X	
Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$82.64	\$1.65	\$0.00	\$0.00	\$84.29
Total Tax Charge					\$84.29
Grand Total Due as of 06/09/2023					\$84.29

Tax Billed at 2022 Rates for Tax Area 247 - 247 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$22.41	DRY FARM LAND	\$2,550	\$670
ROAD AND BRIDGE FUND	7.5000000	\$8.62	FARM/RANCH	\$5,200	\$360
SOCIAL SERVICES FUND	2.0000000	\$2.30	RESIDENCE		
FT MORGAN RURAL FIRE DIST	3.0330000	\$3.49	FARM/RANCH	\$440	\$120
FT MORGAN PEST CONTROL	0.2990000	\$0.34	SUPPORT IMPS		
MORGAN CO QUALITY WATER	0.8240000	\$0.95	Total	\$8,190	\$1,150
NORTHERN COLO WATER CD	1.0000000	\$1.15			
RE 3 F M GENERAL FD	27.0840000	\$31.14			
RE 3 F M M/L OVRD	1.7730000	\$2.04			
RE 3 F M BOND RED	8.8740000	\$10.20			
Taxes Billed 2022	71.8700000	\$82.64			

*****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

RECEIPT

Morgan County

231 Ensign, Fort Morgan, CO 80701

(701) 542-3526



SU2023-0017 | Special Use Permit

Receipt Number: 543940

June 2, 2023

Payment Amount: \$200.00

Transaction Method

Check

Payer

Carolyn Wood

Cashier

Jenafer Santos

Reference Number

1396

Comments

Paid May 17, 2023

Assessed Fee Items

Fee items being paid by this payment

Date	Fee Item	Account Code	Assessed	Amount Paid	Balance Due
06/02/23	Special Use - Manual		\$200.00	\$200.00	\$0.00
06/02/23	Special Use - Manual (waived)		\$450.00	\$450.00	\$0.00
Totals:			\$650.00	\$650.00	
			Previous Payments		\$450.00
			Remaining Balance Due		\$0.00

Permit Info

Property Address

TBD
Fort Morgan, CO 80701

Property Owner

Carolyn Wood

Property Owner Address

19534 Co Rd R.7
Fort Morgan, CO 80701

Valuation

Description of Work

Special Use permit to place a mobile home on the property to be used as a second residence

REFERRALS & RESPONSES

Landowner Letter

Landowner Letter Responses

Referral Letter

Referral Responses

Notifications

Public Comments or Concerns

Sign Posting & Notarized Affidavit



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

June 14, 2023

Dear Neighboring Landowners:

Carolyn Wood as applicant and landowner has submitted an application to our office for a Special Use Permit to allow the placement of a second mobile home on 19.79 acres in the Naomi Wood Minor Subdivision, located in the NE¼ of Section 9, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado, 80701.

This application will be heard by the Planning Commission at a **public hearing on Monday, July 10, 2023 at 7:00 P.M.** and the Board of County Commissioners at a **public hearing on Tuesday, July 18, 2023 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. Landowners within ¼ mile of the property are notified of the application and hearing date.

Documents pertaining to the above identified matters are on file in the Morgan County Planning Department, 231 Ensign St., Fort Morgan, Colorado. Documents will also be available on the Morgan County Website <https://morgancounty.colorado.gov>

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. 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 **June 28, 2023**.

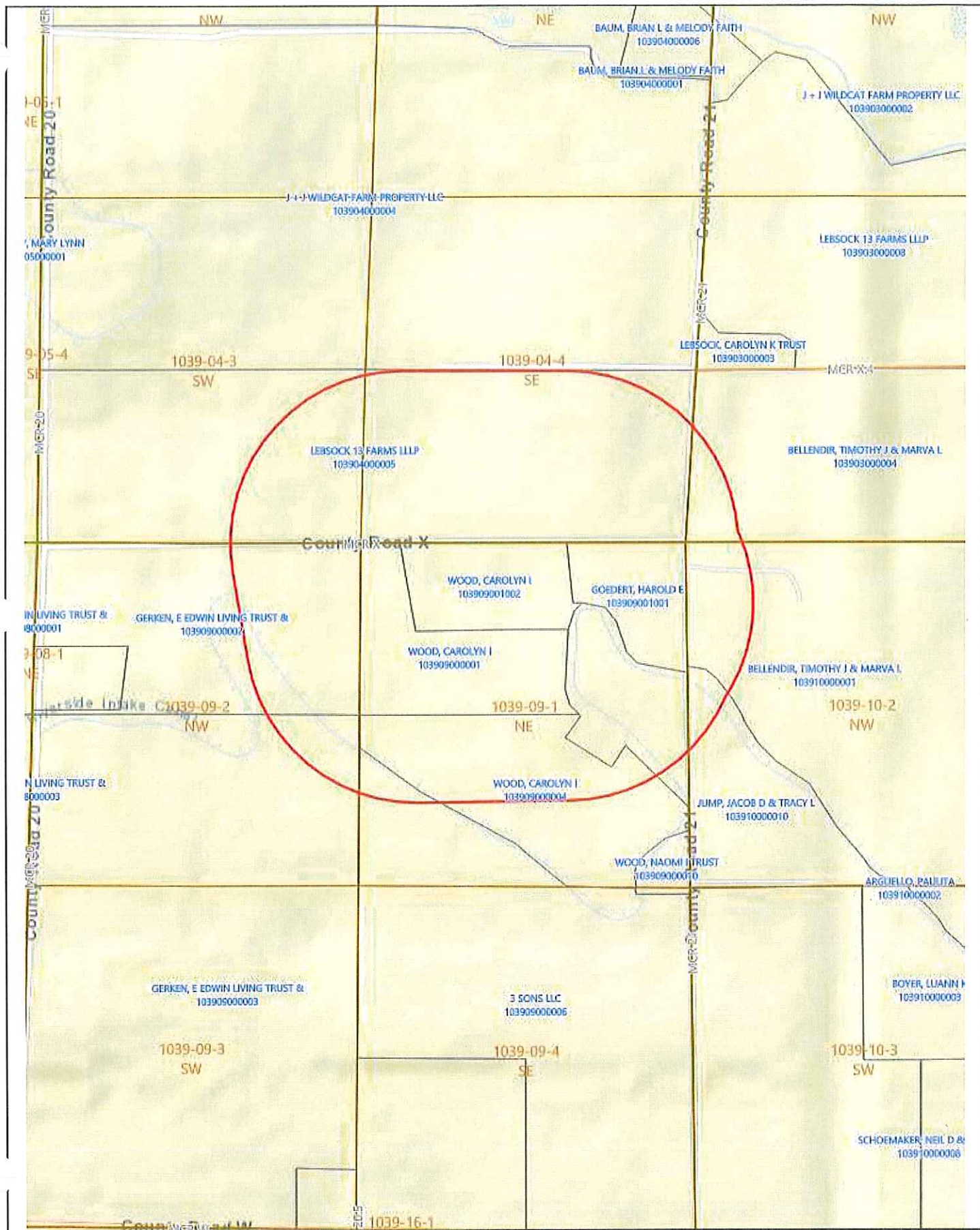
Sincerely,

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.

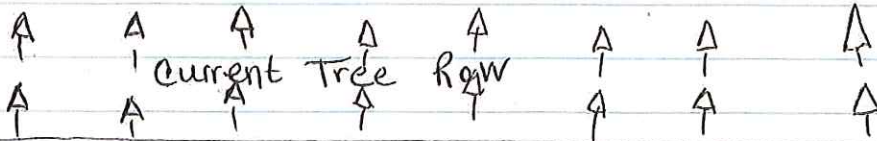
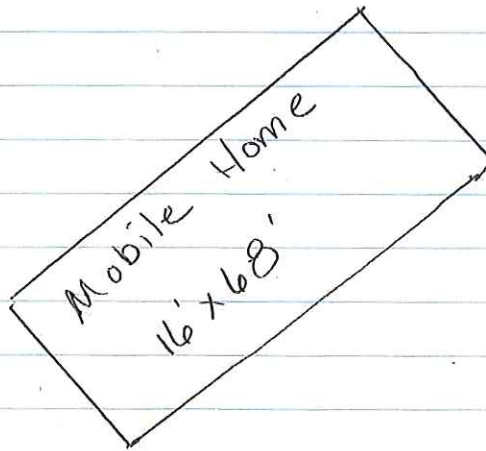
9-4-57 Wood SU2023-0017



Site Plan

S

Other home
100+ feet to
the west



Driveway

County Rd. X

N

mead

WOOD, CAROLYN I
19534 CO RD R.7
FORT MORGAN, CO 80701

D & S REVOCABLE LIVING TRUST
22801 CO RD 21
FORT MORGAN, CO 80701

BELLENDIR, TIMOTHY J & MARVA L
4 LAKEVIEW CIRCLE
FORT MORGAN, CO 80701

GERKEN, E EDWIN LIVING TRUST &
GERKEN, KAREN FAMILY TRUST
19934 CO RD W
FORT MORGAN, CO 80701

LEBSOCK 13 FARMS LLLP
23250 CO RD 21
FORT MORGAN, CO 80701

3 SONS LLC
20433 CO RD W
FORT MORGAN, CO 80701

GOEDERT, HAROLD E
22941 CO RD 21
FORT MORGAN, CO 80701

JUMP, JACOB D & TRACY L
22506 CO RD 21
FORT MORGAN, CO 80701



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

TO REFERRAL AGENCIES:

Colorado Parks and Wildlife
Century Link
Morgan County Fire District
Morgan County Assessor
Morgan County Communications Center
Morgan County Quality Water

Morgan County Road & Bridge
Morgan County Rural Electric Assoc.
Morgan County Sheriff
Northeast Colorado Health Department
Riverside Irrigation District

FROM: Cheryl Brindisi, Morgan County Planning & Zoning 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: June 14, 2023

RE: Special Use Permit – **see attached file**

The following Application for a Special Use Permit will be reviewed by the Planning Commission on **July 10, 2023 at 7:00 p.m.** and by the Board of County Commissioners **July 18, 2023 at 9:00 a.m.** in the assembly room, 231 Ensign St. Fort Morgan, Colorado.

Applicant & Landowner: Carolyn Wood

Legal Description: Naomi Wood Minor Subdivision, located in the NE¼ of Section 9, Township 4 North, Range 57 West of the 6th P.M., Morgan County, Colorado 80701.

Request: For a Special Use Permit to allow the placement of a second mobile home.

Please offer any comments or concerns you may have about this application by **June 28, 2023**.

Documents pertaining to the above identified matters are on file in the Morgan County Planning Department, 231 Ensign St., Fort Morgan, Colorado. Do not hesitate to contact me at any time if you have questions.

Sincerely,

Cheryl Brindisi,

Morgan County Planning & Zoning Administrative Assistant

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.

JENAFER SANTOS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID# 20194036716
MY COMMISSION EXPIRES 10/03/2023

**NOTICE OF PUBLIC HEARING ON LAND USE
APPLICATION BEFORE THE PLANNING COMMISSION**

Applicant and Landowner: Carolyn Wood

**Reason: Use by Special Review to allow for the
placement of a second mobile home.**

**Location of Hearing: 231 Ensign Street, Fort Morgan,
CO 80701**

Date of Hearing: Monday, July 10th, 2023 at 7:00 PM

WOOD RANCH

23760 CR. X

WOOD RANCH, 23760 CR. X, LOC. 10
WATERED BASED ON PLANNING 1/1/1970
Bought and sold for \$100,000.00
Bought and sold for \$100,000.00
Bought and sold for \$100,000.00
Bought and sold for \$100,000.00
Bought and sold for \$100,000.00
Bought and sold for \$100,000.00

ADDITIONAL INFORMATION

**AGPROfessionals / Tim Naylor & Hannah
Dutrow**

Bos Farms LLC

Special Use

PLANNING COMMISSION HEARING

July 10, 2023

7:00 p.m.

TABLE OF CONTENTS

- **Bos Farms LLC**
 - File Summary
 - Previous Resolutions & Documentation
- **Original Submittal**
 - Application
 - Right to Farm
- **Applicant Narrative**
- **Site Plan / Maps**
- **Proof of Ownership**
 - Current Title Insurance Commitment
 - Any Deeds or additional ownership documentation
- **Utilities**
 - Water
 - Septic
 - Electric
- **Access**
- **Technical**
 - Nuisance Plan
 - Drainage Plan
 - Traffic Narrative
 - Ditch Company
 - Mineral Owners
 - Tax Account Statement
 - Application Fee Receipt
- **Referrals & Responses**
 - Referrals sent & Responses received
 - Landowner Letter sent & Responses received
 - Notification & Responses received
 - Sign Posting Pictures & Affidavit
- **Additional Information**



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

May 26, 2023

AGPROfessionals
Attn: Hannah Dutrow
3050 67th Ave
Greeley, CO 80634
Sent via email: hdutrow@agpros.com

Dear Applicant:

Your Application for a Use by Special Review has been received by our office and will go through a full review. The hearing for the Planning Commission will be held on **July 10th, 2023 at 7:00 P.M.**

Mineral Right notifications need to be made by June 9, 2023 and proof of mailing provided to our office no later than June 25, 2023 (at least 15 days prior to the above mentioned hearing date).

As per Section 2-390(B), notification sign postings need to occur no later than June 30, 2023 and photographs accompanied by an affidavit to our office no later than July 5, 2023. One sign facing each public right-of-way adjacent to the property is required. The county will provide one sign for County Road P. It is up to you or the landowner to post it. We will have this sign ready to be picked up in our office on June 26, 2023.

It is necessary that you and the landowners or their representatives be present at the hearing to answer any questions the Planning Commission may have. Do not hesitate to contact us at any time if you have questions.

Sincerely,

Nicole Hay

Nicole Hay
Planning Administrator

FILE SUMMARY

RESOLUTIONS & DOCUMENTATION

Resolution 2023 BOA 01



**MORGAN COUNTY
PLANNING AND BUILDING DEPARTMENT**

**MORGAN COUNTY PLANNING COMMISSION
FILE SUMMARY**

July 5, 2023

Hearing date – July 10, 2023

OWNER: BOS Farms, LLC

APPLICANT: Tim Naylor - AGPROfessionals

This application is for a Special Use Permit to allow for a new livestock confinement operation (CAFO). The permitted area is located in a part of the SE $\frac{1}{4}$ of Section 20, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, the NW $\frac{1}{4}$ of Section 28 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 29, all in Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado.

This request is for a cattle ranch that will house 22,005 animal units and will include housing and raising calves, storing and processing feed, and storing and maintaining feed equipment. In addition, calf hutches and pens will be constructed. The property is zoned Agriculture Production and predominately in the Fort Morgan Fire District.

The applicant also submitted a variance application for a reduction of setback for the feeding operation from an occupied structure. The variance application was considered by the Board of Adjustment in a public hearing on June 20, 2023, that request was granted.

The property will be accessed from County Road P along Road 14 via a non-exclusive access easement.

Included in your packets are also referral responses from XCEL, CDOT, CDPHE, and Morgan Quality Water.

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 south central planning area as defined by the Morgan County Comprehensive Plan. The area south of County Road Q remains agriculture and there are livestock confinement facilities that must be protected and allowed to expand. In this area Comprehensive Plan goals include:

Preserve and protect existing agricultural uses south of County Road Q.

*The cattle ranch will provide replacement cattle to local feedlots and dairies.
This is a vital part of the cattle industry.*

- 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 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 improvement, site plan requirements or other mitigation measures.
The site is directly west of an existing feedlot operation and the operation impacts are expected to be minimal. Proposed use impacts upon existing uses are detailed in the included Nuisance Control Plan and in the Preliminary Environmental System Design. Access from County Road P south along a non-exclusive access easement will need to be properly maintained as to not affect other landowners using that same access.
- E. The special use proposed has been made compatible with the surrounding uses and is adequately buffered from any incompatible uses by distance and topography.
A variance was granted from an existing residence located within 1320 feet of the proposed site. Other adjacent uses include pasture land and dry farmland.
- F. The special use poses no or minimal risk to the public health, safety and welfare. *Subject to the implementation of the Nuisance Control Plan, the application satisfies this criteria*
- G. The special use proposed is not planned on a nonconforming parcel.
The proposed Special use is located on a conforming parcel.
- H. The applicant has adequately documented a public need for the project. The Applicant has submitted all pertinent technical information, has demonstrated that it has adequate financial resources to implement the project, and has paid all County fees and review costs.
The cattle ranch operation will supply new cattle stock to local feedlot and calf ranch facilities.
- 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.
Water will be provided to the proposed cattle ranch by the adjacent property owner, Q Ranch, LLC through their agreement with Bijou Agricultural Water Activity Enterprise (BAWAE). According to a letter from Q Ranch, LLC, they have the right to assign a portion of certain Agricultural Water to related parties (Bos Farms, LLC) subject to certain conditions, which have been met.

Nicole Hay,
Morgan County Planning Administrator



**MORGAN COUNTY, COLORADO
BOARD OF ADJUSTMENT**

RESOLUTION 2023 BOA 01

**A RESOLUTION APPROVING A VARIANCE REQUEST TO REDUCE THE
REQUIRED SETBACK FROM A CONFINED ANIMAL FEEDING OPERATION OF
1,320 FEET TO 770 FEET TO AN OCCUPIED STRUCTURE LOCATED IN THE E1/2
OF SECTION 20, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M.
MORGAN COUNTY, COLORADO WITH A STREET ADDRESS OF 14505 ROAD 14,
FORT MORGAN, COLORADO**

WHEREAS, Bos Farms, LLC ("Owner") owns property located in part of the SE1/4 of Section 20, the SW1/4SW1/4 of Section 21, the NW1/4 of Section 28 and the N1/2NE1/4 of Section 29, all in Township 3 North, Range 58 West, of the 6th P.M. Morgan County, Colorado ("Property");

WHEREAS, the Owner desires to use the Property as a confined animal feeding operation;

WHEREAS, the Owner has submitted an application for a variance from Section 4-200(A) and Section 3-650, Table 2 of Appendix B, Note (d), Zone District Bulk requirements in the Morgan County Zoning Regulations to reduce the required setback from 1,320 feet to 770 feet in the Agriculture Production zone district; and

WHEREAS, on June 20, 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 as follows:

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. Due to the sites existing topography and the natural flow paths, the site design has resulted in a few large pens being placed within the 1320 foot setback.
 - 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 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 3rd day of July, 2023.

**BOARD OF ADJUSTMENT
MORGAN COUNTY, COLORADO**



S. Allyn Wind
Allyn Wind, Chairman

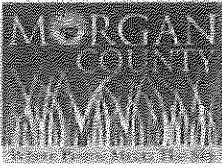
ATTEST:
(SEAL)

Kevin Strauch
Kevin Strauch, Clerk to the Board

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

E-MAIL: permits_licensing@co.morgan.us

PERMIT # SM2023 - 0014

Date Received 5/11/23 Received By [Signature]
App Fee \$500 CK/CC # 13010 Paid 5/12/23
Minor Amend Fee: \$200 CK/CC #: 1658 Paid / /
Recording Fee \$ CK/CC #: Paid / /
PC Date: 7/10/23 BOCC Date: / /
100 Year Floodplain? Y/N Taxes Current Y/N

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 AGPROfessionals

Address 3050 67th Ave, Greeley, CO 80634

Phone (970) 535-9318

Email hdutrow@agpros.com

LANDOWNER

Name Bos Farms LLC

Address 20397 Road 152, Tulare, CA 93274

Phone (559) 280-6637

Email rick.bosfarms@gmail.com
tonybos@gmail.com tony & bos@gmail.com

BRIEF DESCRIPTION OF INTENT

Present use of property Vacant rangeland

Proposed use of property Calf Ranch CATTLE RANCH AS 5/12/23

PROPERTY LEGAL DESCRIPTION & TECHNICAL INFORMATION

Job Site Address or General Location if not addressed:

Parcel nos. 122720000008, 122729000004, 122721000016, and 122728000005

*If more space is necessary, attach an extra page to application See attached property descriptions

S: T: R: 1/2 1/4 1/4 Property Size (sq. ft. or acres)

Parcel #: - - Zone District: A

Subdivision: Lot #(s):

Is property located within 1320' (1/4) of a livestock confinement facility? Y/N

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**

☐ ____# **Paper Application sets**

☐ ____**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:**

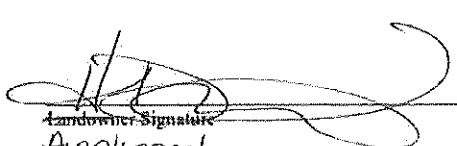
APPLICANT & LANDOWNERS **MUST** SIGN APPLICATION ON NEXT PAGE

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 Date
Landowner



Landowner Signature Date
Applicant

PROPERTY DESCRIPTION

Parcel 1:

Parcel No: 122720000008
Address: Not assigned
Current Owner: Bos Farms LLC
Deed: Recorded on June 09, 2022, at reception no. 941125
Legal Description: Part of the SE4 of S20, T3N, R58W.
Acres: 136.83 +/-

Parcel 2:

Parcel No: 122729000004
Address: Not assigned
Current Owner: Bos Farms LLC
Special Warranty Deed: Recorded on June 09, 2022, at reception no. 941125
Legal Description: Located in part of the N2NE4 of S29, T3N, R58W
Acres: 80.00 +/-

Parcel 3:

Parcel No: 122721000016
Address: 14240 Road 14
Current Owner: Bos Farms LLC
Special Warranty Deed: Recorded on June 09, 2022, at reception no. 941125
Legal Description: Located in part of the SW4SW4 of Sec 21, T3N, R58W
Acres: 40.00 +/-

Parcel 4:

Parcel No: 122728000005
Address: Not assigned
Current Owner: Bos Farms LLC
Special Warranty Deed: Recorded on June 09, 2022, at reception no. 941125
Legal Description: Located in part of the NW4 of Sec 28, T3N, R58W
Acres: 160.00 +/-



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.

Signature

Date

Printed Name

Address

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.

APPLICANT NARRATIVE

Project Narrative
Prepared for Bos Farms, LLC

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

Bos Farms, LLC is requesting a Special Use Permit (SUP) for a new livestock confinement operation. The request is for a cattle ranch that will house 22,005 Animal Units. In addition, they will construct calf hutches and pens.

Type	Number	Animal Unit Equivalent	Total Animal Units
Un-weaned/Hutch	17,893	0.25	4,473
Weaned to 600 lb.	29,220	0.6	17,532
Total:	47,113		Total: 22,005

Activities will include housing and raising calves; storing and processing feed; and storing and maintaining feed equipment. Supporting infrastructure includes calf hutches, cattle pens, and waste and storm water management control structures. 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 Morgan County Code.

The cattle ranch facility will be located on parcel nos. 122728000005, 122721000016, 122729000004, and 122720000008 and includes approximately 416 acres. The site is located 3.25 miles south of Interstate 76 and is located 0.6 miles west of the County Road O and County Road 15 intersection. The site is in the Agricultural (AG) Zone District according to the Morgan County Zoning Map. The property has been used as unirrigated range land.

Access to the property will be from County Road P and Road 14 (which is vacated) via a non-exclusive access easement. The road will be extended to provide an adequately sized access road for the associated truck traffic within the existing easement.

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 feedlot operations.

2. *Narrative of Compliance with the Comprehensive Plan & Zoning*

Morgan County Comprehensive Plan.

Chapter 2 Plan Summary Section II Policy Plan Summary

Section C. Land Use 3. Fort Morgan Area

GOAL: Encourage the preservation of agricultural production land to ensure continuation of this important industry.

The cattle ranch will provide replacement cattle to local feedlots and dairies. This is a vital part of the cattle industry and helps maintain a diverse and healthy cattle stock for ongoing production.

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 feedlot 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"

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 Fort Morgan South Central Planning Area. The comprehensive plan goal is to preserve agricultural production to allow the continuation of this vital industry. The site is located south of County Road Q where the primary economic base is agricultural related.

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 67th 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

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 feedlot operation is located in the Fort Morgan South Central Planning Area. The proposed cattle ranch will be located south of County Road Q in an area designated for agricultural uses. The cattle ranch will supply new cattle stock to local suppliers to meet market demands. In addition, the site is in a fairly remote area of the county creating a natural buffer from the more densely populated areas of the county.

(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 site is designed to meet the design standards for CAFO operations.

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

The site is directly west of an existing feedlot operation and in a remote area of the county. The impacts of the operation are expected to be minimal. Best management practices for the proposed 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 will work to mitigate impacts.

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

The site is located 3.25 miles south of Interstate 76 and is located 0.6 miles west of the County Road O and County Road 15 intersection. Other surrounding uses are principally dry farmland, CAFO operations, and pastureland.

(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 feedlot operations.

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

The parcel is not a non-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 cattle ranch operation will supply new cattle stock to local feedlot and calf ranch facilities to be made into other food products. All technical information related to this proposal has been submitted with this application. 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. Q Ranch, LLC has an agricultural water agreement with the Bijou Agricultural Water Activity Enterprise (BAWAE). In accordance with said agreement, Q Ranch may assign a portion of their available agricultural water to related parties adjacent to their site. As such, they intend to assign up to 125 acre feet of water to Bos Farms, LLC annually to supply water to the proposed cattle ranch.

4. Impact to Adjacent Property Uses and mitigation measures.

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

Due to the remote nature of the site, additional impacts are expected to be minimal. Impacts of the proposed use upon existing uses and the environment are detailed in the following exhibits:

- Preliminary Drainage Report
- 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. If this is a calf ranch, livestock confinement operation, kennel, etc., list the number and type of animals.

The request is for a livestock confinement operation for 22,005 animal units which will consist of approximately 47,113 head of cattle.

- c. Existing Lot Surface

The site is approximately 416 acres consisting of range land grass. New pens and calf hutches will be constructed on site along with drainage and stormwater facilities.

- 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 pens, calf hutches, and wastewater pond and drainage facilities. Construction will commence upon approval of the SUP. There are no proposed off-site improvements.

- g. Structures

There are several existing barn structures located on the northeast parcel. These structures are expected to remain and be utilized for the cattle raising facility. Construction of the pens, calf hutches, and accessory structures will begin once the SUP has been approved.

- h. Access

Access will be from dedicated right-of-way. Access to the property will be from County Road P and Road 14 (which is vacated) via a non-exclusive access easement. The road will be extended to provide an adequately sized access road for the associated truck traffic.

- 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.

Landforms - As depicted in the US 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 will be provided to the cattle ranch by Q Ranch, LLC through their agreement with BAWAE.

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 cattle ranch. Noise from vehicular and maintenance traffic primarily occurs during daylight hours.

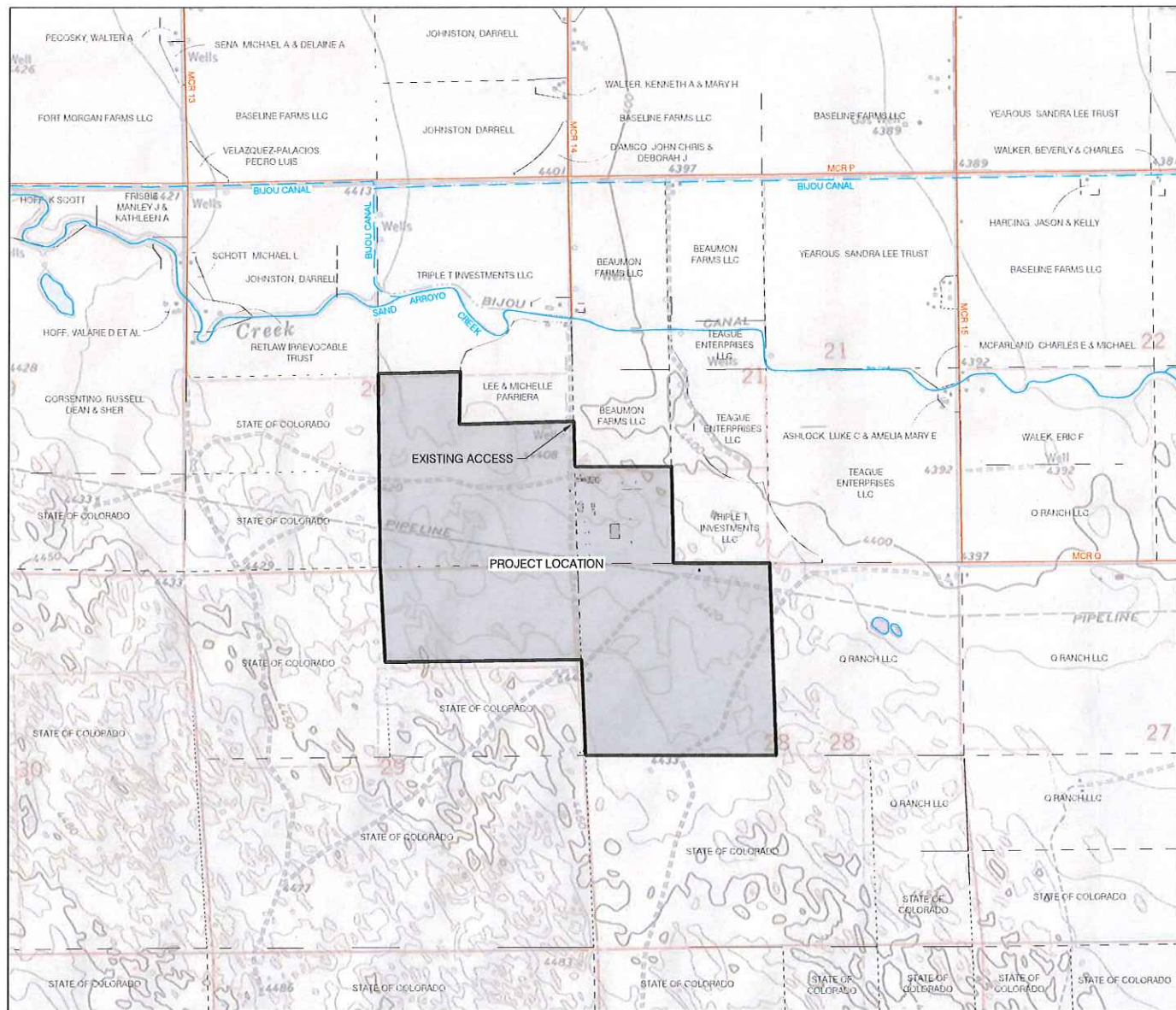
Storm Water Runoff - The attached Preliminary Drainage Report details the control and management methods for storm water runoff.

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

BOS FARMS LLC SPECIAL USE PERMIT (SUP) MAP

BEING A PART OF SECTIONS 20, 21, 28 AND 29, TOWNSHIP 3 NORTH, RANGE 58 WEST OF
THE 6TH P.M., MORGAN COUNTY, STATE OF COLORADO



VICINITY MAP

0 2000
SCALE 1" = 2000'

PROJECT INFORMATION

PROJECT LOCATION: PARCEL 1227-280-00005 MORGAN COUNTY, CO	PLANNER / ENGINEER / PREPARED BY: AGPROFESSIONALS TIM NAYLOR CHAD TOVELDE, PE 3050 67TH AVE GREELEY, CO 80634 PH. # 970-535-9318 Fax. # 970-535-9854	PROJECT NUMBER: AGPRO PROJECT # 2114-01
PROPERTY OWNER: ROCK BOS PH. # 559-280-6637		

CERTIFICATION & SIGNATURE BLOCKS

CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT RICK BOS FOR BOS FARMS LLC, BEING THE OWNER(S) OF CERTAIN LANDS IN MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

THAT PART OF THE E1/2 SE1/4 OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 55 WEST OF THE 6TH P.M., WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT ON THE EAST SIDE OF THE SAID SE1/4 OF SECTION 32, 1192.2 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE SOUTH 88°24' WEST 74.1 FEET; THENCE NORTH 24°47' WEST 792 FEET; THENCE NORTH 4°57' WEST 508.6 FEET; THENCE SOUTH 77°35' EAST 230.5 FEET; THENCE SOUTH 73°00' EAST 234.8 FEET TO A POINT ON THE EAST SIDE OF SAID SE1/4 SECTION 32; THENCE SOUTH ALONG THE EAST SIDE OF SAID SE1/4 OF SECTION 32, 1105.4 FEET TO THE POINT OF BEGINNING.

AND

THE W1/2 OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 55 WEST OF THE 6TH P.M., AND A TRACT OF LAND IN THE NW1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 212 FEET SOUTH OF THE NW CORNER OF SAID SECTION 4; THENCE NORTH ALONG THE WEST LINE OF SAME SECTION, 212 FEET TO THE SAME NW CORNER OF SECTION 4; THENCE EAST ALONG THE NORTH SECTION LINE OF SECTION 4, 2670 FEET TO A POINT ON THE 1/2 SECTION LINE OF SECTION 4; THENCE SOUTH 792 FEET ON SAID 1/2 SECTION LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HIGHWAY 34; THENCE NW ALONG HIGHWAY RIGHT OF WAY ON A BEARING 88°17'W 277.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPT A TRACT OR PARCEL OF LAND IN THE NW1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., FROM WHICH POINT THE NW CORNER OF SAID SECTION 4 BEARS N0°07'W A DISTANCE OF 210.4 FEET; THENCE ALONG THE WEST LINE OF SAID SECTION 4, 5907.6 A DISTANCE OF 127.7 FEET; THENCE 590 FEET SOUTHERLY OF AND PARALLEL TO THE CENTER LINE OF THE PROJECT, 578°17'E A DISTANCE OF 2746.5 FEET TO A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SECTION 4; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 4, N2°52'W A DISTANCE OF 129.2 FEET; THENCE 75 FEET NORTHERLY OF AND PARALLEL TO THE CENTER LINE OF THE PROJECT N78°17'W A DISTANCE OF 2740.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

THE E1/2 OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, AND THE N1/2 NE1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, EXCEPT THAT PART CONVEYED TO COLORADO DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 1068 AT PAGE 559 AND CORRECTED IN BOOK 1098 AT PAGE 719.

CONTAINING A CALCULATED AREA OF 787.25 ACRES

HAVE AS BY THESE PRESENTS LAID OUT, PLATTED AND SUBMITTED THE SAME, AS SHOWN ON THIS PLAT, UNDER THE NAME AND STYLE OF SPECIAL USE PERMIT MAP.

EXECUTED THIS _____ DAY OF _____, 20____.

OWNER(S):

RICK BOS FOR
BOS FARMS, LLC

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____

STATE OF COLORADO
COUNTY OF _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

COMMISSIONER'S CERTIFICATE

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

ATTEST: _____ CHAIRMAN

CLERK TO THE BOARD

CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO)
COUNTY OF MORGAN) ss.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK
_____ M., THIS _____ DAY OF _____,
20____, AND IS DULY RECORDED IN RECEPTION NO. _____.

CLERK AND RECORDER



AGPRO 811 professionals
DEVELOPERS OF AGRICULTURE
213 Canyon Crest Dr., Suite 100,
Twin Falls, ID 83301
(208) 595-5301



BOS FARMS LLC
SPECIAL USE PERMIT - COVER SHEET
MORGAN COUNTY, CO

SHEET:

SUP-1

SPECIAL USE PERMIT - COVER SHEET



LEGEND

- SUP BOUNDARY
- EXISTING WIRE FENCE
- EXISTING WATER LINE
- EXISTING GAS PIPELINE
- EXISTING UTILITY OVERHEAD
- EXISTING BUILDINGS/STRUCTURES
- EXISTING OUTSIDE LIGHT
- EXISTING STEEL POST
- EXISTING WOOD POST
- EXISTING POWER POLE
- EXISTING PIVOT IRRIGATION
- EXISTING WATER METER
- EXISTING CLEAN OUT
- EXISTING ELECTRIC METER
- EXISTING ELECTRIC SERVICE
- EXISTING TREES AND VEGETATION

AGPROfessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9518 • fax: (970) 535-9854

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



BOS FARMS LLC SPECIAL USE PERMIT - SITE PLAN

MORGAN COUNTY, CO

SHEET:
SUP-2

DATE	June 4, 2023	DRAWN BY	AGPRO
ISSUE / REVISION			
A	ISSUED FOR REVIEW		



PROOF OF OWNERSHIP

Current Title Insurance Commitment

Any Deeds or additional ownership documentation



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

Date: April 21, 2023
File Number: 1998089-IO
Property Address: 14240 Road 14, 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: Bos Farms, LLC

Please direct all Closing inquiries to:

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

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

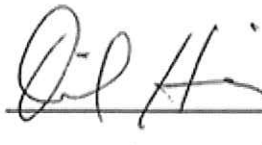
Subject to the Notice; Schedule B, Part I - Requirements; Schedule B, Part II - Exceptions; and the Commitment Conditions, STEWART TITLE GUARANTY COMPANY, a Texas corporation (the "Company"), commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective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

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File No.: 1998089-IO

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

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AMERICAN
LAND TITLE
ASSOCIATION



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.

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File No.: 1998089-IO

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

Page 2 of 4

AMERICAN
LAND TITLE
ASSOCIATION



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.

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File No.: 1998089-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.

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File No.: 1998089-IO

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

Page 4 of 4



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:	1998089-IO
Issuing Office File Number:	1998089-IO
Property Address:	14240 Road 14, 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 17, 2023 at 8:00AM

2. Policy to be issued: **Proposed Amount of Insurance**

(a) 2021 ALTA® Owner's Policy - Standard
Proposed Insured: Bos Farms, 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:

BOS Farms, LLC

5. The Land is described as follows:

See Exhibit "A" Attached Hereto

STEWART TITLE GUARANTY COMPANY


Authorized Countersignature

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File No.: 1998089-IO

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

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AMERICAN
LAND TITLE
ASSOCIATION



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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 1998089-IO

Parcel I:

The N1/2NE1/4 of Section 29, Township 3 North, Range 58 West of the 6th P.M., County of Morgan, State of Colorado.

Parcel II:

The NW1/4 of Section 28, Township 3 North, Range 58 West of the 6th P.M., County of Morgan, State of Colorado.

Parcel III:

The SW1/4SW1/4 of Section 21, Township 3 North, Range 58 West of the 6th P.M., County of Morgan, State of Colorado.

Parcel IV:

The SE1/4 of Section 20, Township 3 North, Range 58 West of the 6th P.M., County of Morgan, State of Colorado, LESS AND EXCEPT That portion of the SE1/4 described in the following tract:

Being a part of E1/2 of Section 20, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado, being more particularly described as follows: Basis of bearings: Assuming the East line of the NE1/4 of Section 20, Township 3 North, Range 58 West as bearing N00°08'55"E between the NE Section corner stamped PLS 38044 and the E1/4 corner with an illegible 2 1/2" aluminum cap, and with all other bearings contained herein relative thereto: Commencing at the NE Section corner of Section 20, Township 3 North, Range 58 West of the 6th P.M.; thence along the East line of the NE1/4 of said Section 20, S00°08'55"W for a distance of 1999.55 feet to the point of beginning; thence departing the East line of the NE1/4 of said Section 20, S84°53'30"W for a distance of 65.25 feet; thence N85°38'58"W for a distance of 298.79 feet; thence along a curve to the Left having a radius of 169.91 feet for a distance of 53.26 feet, which chord bears N68°07'54"W with a chord distance of 53.05 feet; thence continuing along a curve to the Left having a radius of 349.68 feet for a distance of 130.04 feet, which the chord bears N73°59'51"W with a chord distance of 129.29 feet; thence continuing along a curve to the Left having a radius of 439.79 feet for a distance of 141.25 feet, which the chord bears S87 degrees 39'04"W with a chord distance of 140.64 feet; thence continuing along a curve to the Left having a radius of 109.33 feet for a distance of 123.19 feet, which the chord bears S48°25'33"W with a chord distance of 116.78 feet; thence S26°47'41"W for a distance of 118.66 feet; thence along a curve to the Right having a radius of 166.44 feet for a distance of 197.68 feet, which the chord bears S62°36'09"W with a chord distance of 186.26 feet; thence S63°42'17"W for a distance of 452.28 feet; thence S15°47'12"W for a distance of 179.78 feet; thence S02°44'20"W for a distance of 818.58 feet; thence N88°59'33"E for a distance of 1480.29 feet to a point on the East line of the SE1/4 of said Section 20; thence along the East line of the SE1/4 of said Section 20, N00°25'57"W a distance of 683.13 feet to the E1/4 corner of said Section 20; thence along the East line of the NE1/4 of said Section 20, N00°08'55"E a distance of 684.50 feet to the point of beginning.

For Informational Purposes Only: 14240 Road 14, 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: 122721000016, R022500, 122720000008, R022497, 122729000004, R022184, 122728000005, R022299

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

Page 2 of 9



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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

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

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AMERICAN
LAND TITLE
ASSOCIATION



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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 1998089-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 9, 2022 as [Reception No. 941125](#).

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.

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

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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

File No.: 1998089-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 February 7, 1985 and filed in [Book 570 at Page 252.](#)
10. Reservations contained in United States Patent dated July 18, 1907 and filed in [Book 642 at Page 310.](#)
11. Reservations contained in United States Patent dated May 23 1906 and filed in [Book 1440 at Page 320.](#)
12. Reservations contained in United States Patent dated June 22, 1911 and filed as Patent No. [210762.](#)
13. Reservations contained in Warranty Deed from Illinois Bankers Life Assurance Company to Frank H. Dahm recorded September 12, 1944 as [Reception No. 311732.](#)

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

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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

14. Mineral Deed from Illinois Bankers Life Assurance Company to Central Standard Life Insurance Company recorded February 1, 1952 as [Reception No. 375384.](#)
15. Royalty Deed from Ewald F. Schmidt and Sophie M. Schmidt to Louis Schmidt recorded February 20, 1954 as [Reception No. 394987.](#)
16. Royalty Deed from Ewald F. Schmidt and Sophie M. Schmidt to Helen Tormohlen and Russell Tormohlen recorded February 20, 1954 as [Reception No. 394988.](#)
17. Mineral Deed from Central Standard Life Insurance Company to New Era Royalties Co. recorded May 25, 1955 as [Reception No. 411338.](#)
18. Mineral Deed from Frank H. Dahm to Quentin Mitchell recorded September 27, 1956 as [Reception No. 427503.](#)
19. Mineral Deed from Quentin Mitchell to Harry P. Carten, et al, recorded December 21, 1956 as [Reception No. 429729.](#)
20. Quit Claim Deed (Mineral interest) from J. Howard Culver to J. Joward Culver and Phyllis B. Culver recorded March 23, 1959 as [Reception No. 454831.](#)
21. Quit Claim Deed (Mineral interest) from Harry P. Carten to Harry P. Carten and Camille R. Carten recorded March 23, 1959 as [Reception No. 454832.](#)
22. Quit Claim Deed (Mineral interest) from G.W. Reed to Gerald W. Reed and Margaret B. Reed recorded March 23, 1959 as [Reception No. 454836.](#)
23. Last Will and Testament of Percy H. Halbritter, aka P.H. Halbritter, deceased, (Mineral owner) recorded September 1, 1959 as [Reception No. 460376.](#)
24. Conveyance of Oil, Gas and Other Interests from New ERA Royalties Co. to Livingston Oil Company recorded March 12, 1965 as [Reception No. 523437.](#)
25. Reservations contained in Deed from Ewald F. Schmidt and Sophie M. Schmidt to Cooper Land Company recorded April 1, 1966 as [Reception No. 534881.](#)
26. Deed and Assignment (Mineral interest) from the Estate of Quentin Mitchell, deceased, to Quentin Oil Associates, recorded April 6, 1971 as [Reception No. 564772.](#)
27. Deed and Assignment (Mineral interest) from the Estate of Quentin Mitchell, deceased, to Quentin Oil Associates re-recorded August 9, 1972 as [Reception No. 574353.](#)
28. Quit Claim Deed (Mineral interest) from Amanta M. Cunningham and Fenner N. Cunningham to Eva L. Ambrose and W.E. Ambrose recorded April 15, 1975 as [Reception No. 594209.](#)
29. Reservations contained in Warranty Deed from Emma C. Dahm, et al, to Daniel L. Neb and Kathleen R. Neb recorded May 9, 1975 as [Reception No. 594766.](#)

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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

30. Quit Claim Deed (Mineral interest) from Gerald W. Reed, aka G.W. Reed and Margaret B. Reed to Gordon K. Lepage and Theresa D. Lepage recorded October 6, 1976 as [Reception No. 607211](#).
31. Quit Claim Deed (Mineral interest) from Vernon Barrett, et al, to Kathleen Clark Doheny McCoy and Patrick Anson Doheny, Jr., recorded December 11, 1980 as [Reception No. 647005](#).
32. Personal Representative's Deed (Mineral Interest) from the estate of Emma C. Dahm, deceased, to Norman F. Dahm and Leroy A. Dahm, recorded February 10, 1981 as [Reception No. 648775](#).
33. Correction Personal Representative's Deed (Mineral Interest) from the estate of Emma C. Dahm, deceased, to Norman F. Dahm and Leroy A. Dahm, recorded February 18, 1981 as [Reception No. 648980](#).
34. Reservations contained in Warranty Deed from Cooper Land Company to J.N. Thompson Farms, Inc. recorded October 21, 1983 as [Reception No. 675779](#).
35. Personal Representative's Deed (Mineral interest) from the Estate of Harry P. Carten, deceased, to Lawrence S. Gray, Jr., as Trustee under the Will of Harry P. Carten, deceased, recorded November 29, 1985 as [Reception No. 693877](#).
36. Mineral Deed from J.Howard Culver and Phyllis B. Culver to Bits & Pieces, a partnership, recorded March 21, 1986 as [Reception No. 695793](#).
37. Mineral Deed from William LeBrun Beamer to Bits & Pieces, a partnership, recorded December 31, 1992 as [Reception No. 733947](#).
38. General Conveyance from AMAX Oil and Gas Inc. to Universal Resources Corporation recorded April 20, 1994 as [Reception No. 741778](#).
39. Name Change from Universal Resources Corporation to Questar Exploration and Production Company recorded May 11, 1999 as [Reception No. 777845](#) and Name Change from Questar Exploration and Production Company to QEP Energy Company recorded June 21, 2010 as [Reception No. 862061](#).
40. Assignment, Conveyance and Bill of Sale from New Era Royalties Co. to Davis Bros., LLC recorded May 20, 1994 as [Reception No. 742339](#).
41. Right of Way Agreement from Boggs Feedlot, Inc. to Western Operating Co. recorded May 29, 1996 as [Reception No. 755404](#).
42. Mineral Deed from Gordon K. LaPage and Theresa D. Golob formerly Theresa D. LaPage to Bits & Pieces recorded July 12, 1999 as [Reception No. 779190](#).
43. Mineral Deed from Camille Chappell Kalkavan Jorgensen (reserving a life estate) to the Patrick A. Doheny Living Trust recorded June 25, 2001 as [Reception No. 792858](#).
44. Mineral Deed from the Estate of Rose F. Hauerwaas, formerly Rose F. Halbriter, deceased, to Sally H. Peterson, et al, recorded January 21, 2002 as [Reception No. 797231](#).

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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

45. Oil, Gas and Mineral Deed from Ambrose Ranches, LLLP to Heritage Oil Company recorded July 9, 2007 as [Reception No. 843802](#).
46. Determination of Heirs or Devisees or Both, and of the Interests in the Property of Sophie M. Schmidt, deceased, recorded August 16, 2007 as [Reception No. 844579](#).
47. Oil and Gas Lease from Minda L. Witt, et al, to Mason Dixon Energy, LLC recorded August 8, 2011 as [Reception No. 870315](#).
48. Memorandum of Oil and Gas Lease from Teague Ranch Company to Mason Dixon Energy, LLC recorded October 14, 2011 as [Reception No. 871736](#).
49. Memorandum of Oil and Gas Lease from Heritage Oil Company to Mason Dixon Energy, LLC recorded October 14, 2011 as [Reception No. 871738](#).
50. Mineral Deed from Cooper Land Company to Anne J. Wyman recorded February 27, 2012 as [Reception No. 874221](#).
51. Memorandum of Oil and Gas Lease from Teague Ranch Company to Mason Dixon Energy, LLC recorded March 22, 2012 as [Reception No. 874707](#).
52. Memorandum of Oil and Gas Lease from Heritage Oil Company to Mason Dixon Energy, LLC recorded March 22, 2012 as [Reception No. 874710](#).
53. Memorandum of Oil and Gas Lease from Heritage Oil Company to Mason Dixon Energy, LLC recorded April, 2, 2012 as [Reception No. 874909](#).
54. Memorandum of Oil and Gas Lease from Teague Ranch Company LLC, to Mason Dixon Energy, LLC recorded April 2, 2012 as [Reception No. 874911](#).
55. Oil and Gas Lease from Helen M. Tormohlen, et al, to Mason Dixon Energy, LLC recorded May 15, 2012 as [Reception No. 875737](#).
56. Oil and Gas Lease from Allan R. Tormohlen and Terri L. Tormohlen to Mason Dixon Energy, LLC recorded May 15, 2012 as [Reception No. 875740](#).
57. Deed of Trust from Teague Ranch Company to the Public Trustee of Morgan County, in favor of Farm Credit of Southern Colorado, securing the sum of \$650,000.00 recorded July 19, 2012 as [Reception No. 876940](#).
58. Deed of Trust from Teague Ranch Company to the Public Trustee of Morgan County, in favor of Farm Credit of Southern Colorado, securing the sum of \$2,410,000.00 recorded October 24, 2014 as [Reception No. 890249](#).
59. Pipeline Easement and Right of Way Grant from Teague Ranch Company to Blue Grama Land Corporation recorded October 26, 2015 as [Reception No. 896364](#).
60. Pipeline Easement and Right of Way Grant from Teague Ranch Company LLC to Blue Grama Land Corporation recorded October 26, 2015 as [Reception No. 896365](#).

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

ISSUED BY
STEWART TITLE GUARANTY COMPANY

61. Quit Claim Mineral Deed from the Patrick A. Doheny Living Trust to PADCO, LLC recorded November 23, 2015 as [Reception No. 896871.](#)
62. Conveyance and Assignment from Davis Bros., LLC to Davis Mineral Group, LLC recorded November 27, 2017 as [Reception No. 909079.](#)
63. Mineral Deed and Assignment of Interest in Wells from QEP Energy Company to Blue Spruce Minerals, LLC recorded December 28, 2018 as [Reception No. 916063.](#)
64. Access Easement recorded June 9, 2022 as [Reception No. 941122.](#)
65. Reservations contained in Warranty Deed from Triple T. Investments, LLC to BOS Farms, LLC recorded June 9, 2022 as [Reception No. 941125.](#)
66. All matters shown on the ALTA/NSPS Land Title Survey recorded January 25, 2023 as [Reception No. 1602123.](#)

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DISCLOSURES

File No.: 1998089-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 unfilled Mechanic's and Materialmen's Liens.
- D. The Company must receive payment of the appropriate premium.
- E. If there has been construction, improvements or major repairs undertaken on the property to be purchased, within six months prior to the Date of the Commitment, the requirements to obtain coverage for unrecorded liens will include: disclosure of certain construction information; financial information as to the seller, the builder and/or the contractor; payment of the appropriate premium; fully executed Indemnity agreements satisfactory to the company; and, any additional requirements as may be necessary after an examination of the aforesaid information by the Company.

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

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

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

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

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

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



Deed

Morgan County SUP Application

Prepared for

Bos Farms, LLC

SPECIAL WARRANTY DEED

THIS DEED Made this 3 day of June, 2022, between TRIPLE T INVESTMENTS, LLC, grantor, and BOS FARMS, LLC, whose legal address is 20397 Road 152, TULARE CA 93274, grantees:

WITNESSETH: That the grantor, for and in consideration of the sum of Ten Dollars 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, successors 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:

PARCEL A:

The E1/2 of Section 20, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado, EXCEPT a parcel of land described as: Being a part of E1/2 of Section 20, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado, being more particularly described as follows: Basis of bearings: Assuming the East line of the NE1/4 of Section 20, Township 3 North, Range 58 West as bearing N00°08'55"E between the NE Section corner stamped PLS 38044 and the E1/4 corner with an illegible 2 1/2" aluminum cap, and with all other bearings contained herein relative thereto: Commencing at the NE Section corner of Section 20, Township 3 North, Range 58 West of the 6th P.M.,; thence along the East line of the NE1/4 of said Section 20, S00°08'55"W for a distance of 1999.55 feet to the point of beginning; thence departing the East line of the NE1/4 of said Section 20, S84°53'30"W for a distance of 65.25 feet; thence N85°38'58"W for a distance of 298.79 feet; thence along a curve to the Left having a radius of 169.91 feet for a distance of 53.26 feet, which chord bears N68°07'54"W with a chord distance of 53.05 feet; thence continuing along a curve to the Left having a radius of 349.68 feet for a distance of 130.04 feet, which the chord bears N73°59'51"W with a chord distance of 129.29 feet; thence continuing along a curve to the Left having a radius of 439.79 feet for a distance of 141.25 feet, which the chord bears S87°39'04"W with a chord distance of 140.64 feet; thence continuing along a curve to the Left having a radius of 109.33 feet for a distance of 123.19 feet, which the chord bears S48°25'33"W with a chord distance of 116.78 feet; thence S26°47'41"W for a distance of 118.66 feet; thence along a curve to the Right having a radius of 166.44 feet for a distance of 197.68 feet, which the chord bears S62°36'09"W with a chord distance of 186.26 feet; thence S63°42'17"W for a distance of 452.28 feet; thence S15°47'12"W for a distance of 179.78 feet; thence S02°44'20"W for a distance of 818.58 feet; thence N88°59'33"E for a distance of 1480.29 feet to a point on the East line of the SE1/4 of said Section 20; thence along the East line of the SE1/4 of said Section 20, N00°25'57"W a distance of 683.13 feet to the E1/4 corner of said Section 20; thence along the East line of the NE1/4 of said Section 20, N00°08'55"E a distance of 684.50 feet to the point of beginning, according to Survey Plat by Tyler S. Dreman dated May 4, 2022.

PARCEL B:

The N1/2NE1/4 of Section 29, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado.

PARCEL C:

The NW1/4 of Section 28, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado.

PARCEL D:

The SW1/4SW1/4 of Section 21, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado.

PARCEL E:

Being a part of the E1/2 of Section 20 and the West 1/2 of Section 21, Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado, being more particularly described as follows: Basis of bearings: Assuming the East line of the NE1/4 of Section 20, Township 3 North, Range 58 West as bearing S00°08'55"W between the NE Section corner stamped PLS 38044 and the E1/4 corner with an illegible cap, and with all other bearings contained herein relative thereto: Commencing at the NE Section corner of Section 20, Township 3 North, Range 58 West of the 6th P.M. and following the centerline of a 30 foot easement being 15 feet of each side of the centerline of the existing road as follows: thence along the East line of the NE1/4 of said

NCI

24034

Return to: Bos Farms LLC 20397 Rd 152 Tulare CA 93274

Section 20, S00°08'55"W a distance of 30.00 feet to a point on the Southerly right of way of County Road P; thence along the Southerly right of way of County Road P, N90°00'00"W a distance of 1.88 feet to a point on the Centerline of an existing roadway and also being the Point of Beginning; thence S00°06'18"E for a distance of 1779.42 feet; thence S00°26'56"W a distance of 555.40 feet; thence S00°04'17"E a distance of 593.26 feet; thence S00°49'43"E a distance of 432.73 feet; thence S00°19'33"E a distance of 556.44 feet; thence S02°00'05"E a distance of 69.31 feet; thence along a curve to the Left having a radius of 64.04 feet for a distance of 33.56 feet, which the chord bears S19°59'22"E with a chord distance of 33.18 feet to the point of terminus and also to a point on the North line of the SW1/4SW1/4 of Section 21, according to Survey Plat by Tyler S. Dreman dated May 4, 2022.

Together with all water and water rights appurtenant thereto, including but not limited to: 92.82 District Acres within and served by the Bijou Irrigation District; Sixteen (16) shares of capital shares in the Bijou Irrigation Company; Two (2) Bijou augmented wells, permit # 8209 and #8210; One (1) Morgan County Quality Water tap; and One (1) domestic well, permit #15401-A

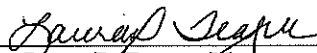
Excepting and reserving unto the Grantor, 50% of all owned oil, gas and other minerals therein, thereon or thereunder.

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

TO HAVE AND TO HOLD the said premises above bargained and described, with the appurtenances, unto the grantees, their heirs and assigns forever. And the grantor, for itself, its successors and assigns, does covenant and agree that it shall and will WARRANT AND FOREVER DEFEND the above-bargained premises in the quiet and peaceable possession of the grantees, their heirs and assigns, against all and every person or persons claiming the whole or any part thereof, against all persons claiming through or under the grantor; subject to general taxes for the current year and subsequent years, and except easements, covenants, conditions, restrictions, reservations, and rights of way of record, if any, and Subject to: (1) Real estate taxes for the calendar year in which the conveyance occurs and subsequent years that are not yet due or payable; (2) All matters that are disclosed or that would have been disclosed by an improvement location survey plat of the property or that could have been ascertained by an inspection of the property, which matters were not created or otherwise known by the Grantor; and (3) All matters recorded in the real estate records of the county clerk and recorder for the county in which the property is located.

IN WITNESS WHEREOF, The said grantor has executed on the day and year first above written.

TRIPLE T INVESTMENTS, LLC

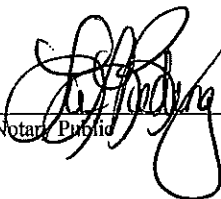

by Laura D. Teague, Mgr

State of Colorado)
) ss.
County of Morgan)

The foregoing instrument was acknowledged before me this 3 of June, 2022 by LAURA D. TEAGUE, MGR OF TRIPLE T INVESTMENTS, LLC

Witness my hand and seal.

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





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

1. This Statement of Authority relates to an entity named
BOS FARMS, LLC, a California limited liability company
2. The type of entity is a

<input type="checkbox"/> corporation	<input type="checkbox"/> registered limited liability limited partnership
<input type="checkbox"/> nonprofit corporation	<input type="checkbox"/> limited partnership association
<input checked="" type="checkbox"/> limited liability company	<input type="checkbox"/> unincorporated nonprofit association
<input type="checkbox"/> general partnership	<input type="checkbox"/> government or governmental subdivision or agency
<input type="checkbox"/> limited partnership	<input type="checkbox"/> business trust
<input type="checkbox"/> trust	<input type="checkbox"/> registered limited liability partnership
<input type="checkbox"/>	
3. The entity is formed under the laws of **CALIFORNIA**
4. The mailing address of the entity is:
**20397 Rd 152
TULARE, CA 93274**
5. 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:
**THE GARY BOS AND LESLIE BOS FAMILY TRUST dated December 7, 1994, Member
RICK A. BOS, MBR/MGR**
6. The authority of the foregoing person(s) to bind the entity is limited as follows:
NONE
7. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.
8. This Statement of Authority amends and supersedes in all respects any prior Statement of Authority executed on behalf of the entity.

Executed this 3rd day of June, 20 22.

Name: _____

RICK A. BOS, MBR/MGR

Name: _____

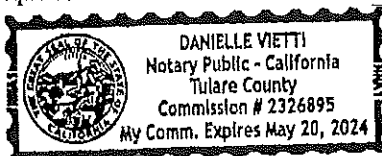
STATE OF California)

COUNTY OF Tulare) ss.

The foregoing instrument was acknowledged before me this 3rd day of June, 20 22
by **RICK A. BOS, MBR/MGR OF BOS FARMS, LLC, a California limited liability company**

Witness my hand and official seal.

My commission expires:



Notary Public

Danielle Vietti
Retired to: BOS Farms
20397 Rd 152
Tulare, CA 93274

5/20/24

Rec 15

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

1. This Statement of Authority relates to an entity named
Q RANCH, LLC
2. The type of entity is a

<input type="checkbox"/> corporation	<input type="checkbox"/> registered limited liability limited partnership
<input type="checkbox"/> nonprofit corporation	<input type="checkbox"/> limited partnership association
<input checked="" type="checkbox"/> limited liability company	<input type="checkbox"/> unincorporated nonprofit association
<input type="checkbox"/> general partnership	<input type="checkbox"/> government or governmental subdivision or agency
<input type="checkbox"/> limited partnership	<input type="checkbox"/> business trust
<input type="checkbox"/> trust	<input type="checkbox"/> registered limited liability partnership
<input type="checkbox"/>	
3. The entity is formed under the laws of **COLORADO**
4. The mailing address of the entity is:
**9451 N. State Road 10
DEMOTTE, INDIANA 46310**
5. 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:
BOS DAIRY, LLC, member
HERREMA DAIRY, LLC, member
HIDDEN VIEW DAIRY, LLC, member
WINDY RIDGE DAIRY, LLC, member
6. The authority of the foregoing person(s) to bind the entity is limited as follows:
TONY T. BOS, Manager/Member - B/H Bos Dairy, LLC
7. This Statement of Authority is executed on behalf of the entity pursuant to the provisions of §38-30-172, C.R.S.
8. This Statement of Authority amends and supersedes in all respects any prior Statement of Authority executed on behalf of the entity.

Executed this 11th day of August, 20 21.

Name: 

TONY T. BOS, Mgr/Mbr

Name: _____

STATE OF Indiana

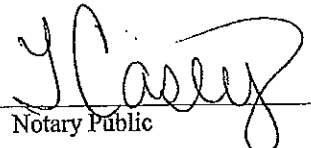
COUNTY OF Jasper

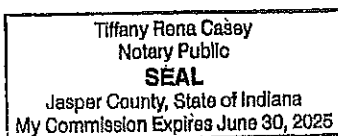
) ss.

The foregoing instrument was acknowledged before me this 11th day of August, 20 21
by **Tony T. Bos, Mgr/Mbr of Q RANCH, LLC**

Witness my hand and official seal.

My commission expires: 6-30-25


Notary Public



Retains:
Q Ranch
9451 N. State Rd 10
Demotte Indiana
46310

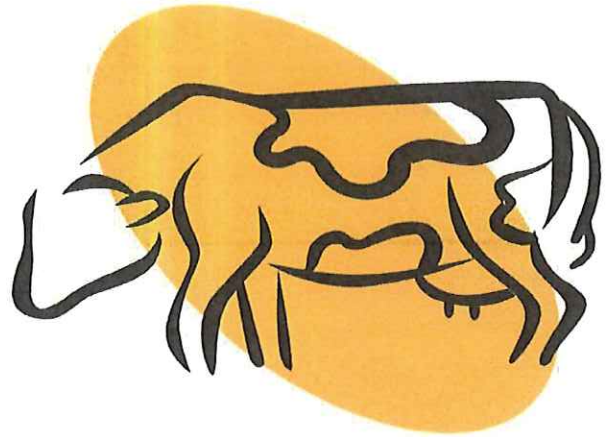
UTILITY STATEMENT

Water

Septic

Electric

Q RANCH, LLC
7999 MCR Q Wiggins, CO 80654



To Whom it may concern

April 19, 2023

Re: Bos Farms LLC application for Special Use Permit (Morgan County)

In support of the permit we would like to Confirm the following:

- Q Ranch, LLC has certain Agricultural Water Agreements/Contracts/Rights in place with the BIJOU AGRICULTURAL WATER ACTIVITY ENTERPRISE that are more than adequate to cover its expected needs now & for any future expansion of its operations.
- Q Ranch, LLC has the right to assign a portion of certain of its Agricultural Water to related parties subject to certain conditions.
 - The Bos Farm LLC Special Permit meets the criteria to do so.
 - Specifically they are both a related party & their proposed Special Use Permit relates to a directly adjacent property.
- Q Ranch, LLC has agreed assign up to a maximum of 125 Acre feet to Bos Farms LLC and an annual basis subject to Morgan County's approval of Bos Farms LLC Special Use Permit.

Should you have any additional questions please feel free to Contact

Sincerely,

A handwritten signature in black ink, appearing to read "Tony T. Bos".

Tony T. Bos
Member – Manager

%T & M Limited Partnership
9451 N. State Road 10
DeMotte, IN 46310-8830
Tel 219-987-7808
Fax 219-987-8282



UNITED WATER AND SANITATION DISTRICT
Operations Office: 8301 E. Prentice Ave., Suite #120, Greenwood Village, CO 80111
Telephone (303) 659-5000

June 29, 2023

Mr. Lee Parriera
Bos Farms, LLC

Re: Service Availability – Bos Farms, LLC Property

Dear Mr. Parriera:

This letter confirms that United Water and Sanitation District acting by and through the Bijou Agricultural Water Activity Enterprise will provide water service to the above-described project, located in Section 27, the N1/2 and the SE1/4 of Section 28, and the N1/2 NE1/4 of Section 29, all in Township 3 North, Range 58 West, 6th P.M. The provision of service will be subject to the Water Augmentation Agreement dated August 19, 2021, and the rules and regulations of the District including payment of all applicable fees.

If you have any questions regarding the terms and conditions of this letter, please contact me.

Sincerely,

Robert A. Lembke, President

Open Records Request Form

Submit to:
NCHD Custodian of Records
700 Columbine St.
Sterling, CO 80751
Fax: 970 522-1412
Phone: 970 522-3741 x1257



REQUEST INFORMATION: Please print or type the following information as neatly as possible:

Name of Requesting Party: Hannah Dutrow Date of Request: 02/06/2023

Organization: AGPROfessionals

Address: 3050 67th Avenue Suite 200, Greeley, CO 80634 Phone number: 970-535-9318

Request (please be as specific as possible): Requesting copies of septic permits for Bod Farms, LLC

Parcel no. 122720000008, 122729000004, 122721000016, and 122728000005

Additional information is required for the items listed below:

<u>WATER</u>	<u>OWS/SEPTIC</u>	<u>Food Service</u>
Water supply address: _____	Current owners: <u>Bos Farms LLC</u>	Facility Name: _____
Approximate date sample(s) taken: _____	Previous owners: <u>Triple T Investments LLC</u>	Facility Address: _____
Person/Agency submitting sample: _____	Street address of system: <u>14240 Road 14</u>	
	<u>Fort Morgan, CO 80701</u>	
	Legal Description Range: <u>58 W</u>	
	Township: <u>3 N</u> Section: <u>20, 21, 28, 29</u>	*SEE ATTACHED PROPERTY DESCRIPTIONS

DELIVERY PREFERENCE: Mark all that apply, e-mail is preferred to keep costs minimal.

☐ Photocopy* ☐ CD/DVD* ☒ E-mail (address hdutrow@agpros.com)
☐ U.S. Mail* ☐ Other: _____

Pursuant to NCHD's Open Records Request Policy, NCHD will notify you if your request is not specific enough, or if any additional releases are required for the information requested. Fees for records vary depending on the method of delivery and the time involved, all of which is outlined in NCHD's Open Records Request Policy, available online at www.nchd.org, or in any NCHD office. NCHD will provide a cost estimate for copy charges and data compilation fees upon request, and at the sole and exclusive discretion of NCHD, may require you to pay all or a portion of said charges and fees in advance, prior to compiling the information. NCHD will hold the delivery of any requested documents from a requesting party who has failed to pay fees and charges from a previous request, until such time said fees and charges have been paid.

*Fee applicable, see NCHD's Open Records Request Policy for details.

Health Department Use Only

Date Request Received 2/6/23 Date Request Forwarded _____ Date Request Delivered 2/6/23

☐ Records Found ☒ No Records Found

Comments: _____

Description of Fees (if any): _____

Signature: JG TOTAL \$ N/A



MORGAN COUNTY REA PO Box 738
Fort Morgan, CO 80701

INVOICE: 45986

Invoice Date: 07/13/2022
Terms: OA NET
Due Date: 08/12/2022
Amount Due: \$ 19,300.00

*Pd 7/13/22
#20370*

BOS FARMS LLC
20397 ROAD 152
TULARE CA 93274-9568

Account: 6269					
Description: WO# 2022-264 - BOS FARMS, LLC - NEW SERVICE TO SHOP - MORGAN COUNTY - LOCATION 358-21-58		Page 1 of 2			
DESCRIPTION	QUANTITY	UOM	UNIT PRICE	AMOUNT	TAX
CATALOG ITEM: CIAC TAKE-OFF POLE	1.000	EA	3,400.0000	3,400.00	
CATALOG ITEM: CIAC INLINE POLE	1.000	EA	3,100.0000	3,100.00	
CATALOG ITEM: CIAC DEAD END POLE	1.000	EA	3,400.0000	3,400.00	
CATALOG ITEM: CIAC METER POLE	1.000	EA	800.0000	800.00	
CATALOG ITEM: CIAC 25 KVA TRANSFORMERS	3.000	EA	2,000.0000	6,000.00	
CATALOG ITEM: CIAC METER LOOP	1.000	EA	1,400.0000	1,400.00	
CATALOG ITEM: CIAC TRANSFORMER FRAMING	1.000	EA	1,200.0000	1,200.00	

Morgan County Rural Electric Association

Fort Morgan, Colorado 80701

**Right of Way Easement
WO # 2022-264**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned GRANTOR does hereby grant and convey unto MORGAN COUNTY RURAL ELECTRIC ASSOCIATION, a corporation, 734 Barlow Road, Fort Morgan, Colorado, 80701, and its successors or assigns, the right to enter upon the following described lands situated in the County of MORGAN, State of Colorado and more particularly described as follows:

THE S/W ¼ of the S/W ¼ of Section 21, Township 3 N., Range 58 W., County of MORGAN, CO

INSTALL NEW THREE-PHASE OVERHEAD SERVICE TO NEW SHOP COUNTY ROAD 14

and to place, construct, use, operate, repair, rebuild, enlarge, maintain, and replace therein and thereon its electric overhead and/or underground distribution lines and to cut and trim, and control by chemical means, trees and shrubbery to the extent necessary to keep them clear of said electric and communications lines or systems and to cut down from time to time all dead, weak, leaning or dangerous trees that are tall enough to strike the wires in falling.

The undersigned agrees that all poles, wires and other facilities, including any main service entrance equipment, installed on the above described lands shall remain the property of the Cooperative, removable at the option of the Cooperative.

This easement shall be a covenant running with the above described land and shall be binding on the heirs, legal representatives and assigns of the respective parties. Should the above property be transferred, it shall be binding upon the new owner, or owners, shall assume the burden and responsibility of this easement.

The undersigned covenants that the above described lands are owned by the Grantor and that said lands are free and clear of encumbrances and liens of whatsoever character except those held by the following persons, firms or corporations:

and the undersigned Grantor has the lawful authority to grant this easement, and agrees to defend against, indemnify and hold harmless Morgan County Rural Electric Association in any claim for foreclosure, damages or injunction or otherwise by anyone claiming by through or under Grantor and resulting from an entry by Morgan County Rural Electric Association upon and use of the above described lands in connection with and pursuant to the authority granted by this Easement.

IN WITNESS WHEREOF the undersigned Grantor has executed this Easement as of the 13th day of

July, 20 22.

[Signature]
Signature

PRINT NAME

(Imprint corporate seal here)

STATE OF COLORADO)
COUNTY OF _____) ss.

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.

By: _____

Witness my hand and official seal.

My Commission expires:

See Attached

Notary Public

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Tulare

On July 13, 2022

Date

before me, Debbie Montoya, Notary Public

Here Insert Name and Title of the Officer

personally appeared Rick A. Bos

Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature

Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

AUTHORIZATION

1. The undersigned member ("Member") of Morgan County Rural Electric Association ("MCREA") has requested that MCREA perform certain activities related to electrical service upon Member's property for the benefit of the Member.
2. The Member hereby authorizes MCREA or its agents to perform the activities necessary in order to complete the contemplated work.
3. The Member expressly acknowledges and agrees that Member is in the best position to determine whether any seen or unseen conditions exist on the property that may be damaged, interfered with, or affected as the result of the contemplated work. Therefore, the Member has notified MCREA of any conditions on the property, both seen ("patent") and unseen ("latent"), which may be damaged, interfered with, or be affected by the contemplated work. The Member has specifically advised MCREA of the following conditions which MCREA shall take reasonable care to avoid causing damage to:
Example's below
Know water lines locations
Know sewer system location
Know consumer electric location
Irrigation water lines and electric location
4. MCREA agrees to take reasonable steps to ensure that no damages result to the above-disclosed conditions as the direct result of MCREA's activities upon the Member's property.
5. Member agrees that MCREA shall not be responsible for damages caused by MCREA to any latent conditions upon member's property which are not specifically and expressly identified herein, which damages are not the result of gross negligence or intentional misconduct on the part of MCREA. Member warrants that Member has disclosed all unseen conditions which may be affected by the contemplated activities upon the Member's property.

Member:

MCREA:

Signature

DATE _____

Location Description The S/W ¼ of the S/W ¼ of
SECTION 21, TOWNSHIP 3N, RANGE 58W
Location install New three-phase overhead
power line for new service to shop
WORK ORDER 2022-264

WORK ORDER 2022-264



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

May 25, 2023

AGPROfessionals
Attn: Hannah Dutrow
3050 67th Avenue, Suite 200
Greeley, CO 80634

Dear Hannah:

Northeast Colorado Health Department (NCHD) has no objection to the BOS Farms LLC Special Use Permit.

Parcel one will be approximately 136.83 +/- acres and vacant Located in section 20 Township 3N Range 58W.

Parcel two will be approximately 80.00 +/- acres and vacant. Located in section 29 Township 3N Range 58W.

Parcel three will be approximately 40.00 +/- acres said property has a building and an address of 14420 MCR 14. Located in section 21 Township 3N Range 58W.

Parcel four will be approximately 160.00 +/- acres and vacant. Located in section 28 Township 3N Range 58W.

Potable water on said properties maybe supplied by the Morgan County Quality Water District or a private well.

Prior to building on said properties, or if there is an OWTS on parcel three and it should fail, the owner(s) shall obtain from this office, an application to install an OWTS and remit the appropriate fee. Construction of a septic system shall conform to all REGULATION NO. 43 - ON-SITE WASTEWATER TREATMENT SYSTEM REGULATION 5 CCR 1002-43; including, but not limited to, setback distances from wells, creeks, irrigation ditches, property lines, buildings, high water and other septic systems.

Please Note: If the system has more than 20 employees, has floor drains to the OWTS and if the systems used for commercial businesses or facilities. It may have further requirements such as but not limited to the following:

1. A professional engineer will be required to design the OWTS.
2. Approval from the Colorado Department of Public Health and Environment, Water Quality Division may be needed.
3. Approval from the EPA, Class V Underground Injection Control Program may be needed.

If there are any questions please call me at (970) 867-4918 ext. 2262

Sincerely,

A handwritten signature in black ink that reads "Melvin Bustos".

Melvin Bustos
Environmental Health Manager
Northeast Colorado Health Department

ACCESS



EXHIBIT "A"

30' ACCESS EASEMENT:

BEING A PART OF THE EAST 1/2 OF SECTION 20 AND THE WEST 1/2 OF SECTION 21 OF TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M., COUNTY OF MORGAN, STATE OF COLORADO, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BASIS OF BEARING: ASSUMING THE EAST LINE OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 3 NORTH, RANGE 58 WEST AS BEARING SOUTH 00°08'55" WEST BETWEEN THE NORTHEAST SECTION CORNER STAMPED PLS 38044 AND THE EAST QUARTER CORNER WITH AN ILLEGIBLE CAP, AND WITH ALL OTHER BEARINGS CONTAINED HEREIN RELATIVE THERETO.

COMMENCING AT THE NORTHEAST SECTION CORNER OF SECTION 20, TOWNSHIP 3 NORTH, RANGE 58 WEST OF THE 6TH P.M. AND FOLLOWING THE CENTERLINE OF A 30' EASEMENT BEING 15' ON EACH SIDE OF THE CENTERLINE OF THE EXISTING ROAD AS FOLLOWS;

THENCE ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF SAID SECTION 20, SOUTH 00°08'55" WEST A DISTANCE OF 30.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD P;

THENCE ALONG THE SOUTHERLY RIGHT-OF-WAY OF COUNTY ROAD P, NORTH 90°00'00" WEST A DISTANCE OF 1.88 FEET TO A POINT ON THE CENTERLINE OF AN EXISTING ROADWAY AND ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 00°06'18" EAST FOR A DISTANCE OF 1779.42 FEET;

THENCE SOUTH 00°26'56" WEST A DISTANCE OF 555.40 FEET;

THENCE SOUTH 00°04'17" EAST A DISTANCE OF 593.26 FEET;

THENCE SOUTH 00°49'43" EAST A DISTANCE OF 432.73 FEET;

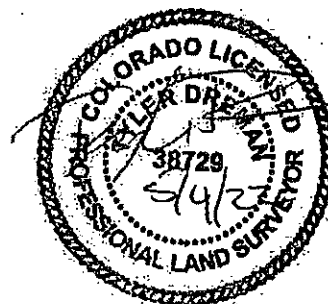
THENCE SOUTH 00°19'33" EAST A DISTANCE OF 556.44 FEET;

THENCE SOUTH 02°00'05" EAST A DISTANCE OF 69.31 FEET;

THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 64.04 FEET FOR A DISTANCE OF 33.56 FEET, WHICH THE CHORD BEARS SOUTH 19°59'22" EAST WITH A CHORD DISTANCE OF 33.18 FEET TO THE POINT OF TERMINUS AND ALSO TO A POINT ON THE NORTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 21.

TYLER S. DREMAN
FOR AND ON THE BEHALF OF
AGPROFESSIONALS
3050 67TH AVE. SUITE 200
GREELEY, CO 80634

5/4/22
DATE



Retwnts: ACT

941122 Pages: 2 of 2

EXHIBIT B

30' ACCESS EASEMENT

NORTHEAST SECTION CORNER
SECTION 20, TOWNSHIP 3 NORTH,
RANGE 58 WEST OF THE 6TH P.M.
FOUND A #6 REBAR OF UNKNOWN
LENGTH WITH A MOSTLY LEGIBLE 2 1/2"
ALUMINUM CAP STAMPED PLS 38044.

SOUTHERLY LINE OF COUNTY
ROAD P RIGHT-OF-WAY

P.O.B.

(BASIS OF BEARING)
S 00°08'55" W, 2684.05'
S 00°06'18" E, 1779.42'

LINE TABLE		
LINE #	BEARING	DISTANCE
L1	S00°08'55"W	30.00
L2	N90°00'00"W	1.88

S 00°26'56" W, 555.40'

EAST QUARTER CORNER SECTION 20,
TOWNSHIP 3 NORTH, RANGE 58 WEST
OF THE 6TH P.M. FOUND A #6 REBAR
OF UNKNOWN LENGTH WITH A MOSTLY
ILLEGIBLE 2 1/2" ALUMINUM CAP.

S 00°04'17" E, 593.26'

S

S 00°49'43" E, 432.73'

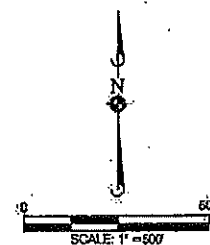
S 00°19'33" E, 556.44'

$\Delta=30^{\circ}01'23''$
R=64.04'
L=33.56'
ChB=S19°59'22"E
ChL=33.18'

S 02°00'05" E, 69.31'

P.O.T.

SW4 OF THE SW4 OF SECTION 21



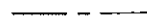
LEGEND



FOUND SECTION
CORNER AS NOTED



FOUND ONE-QUARTER
CORNER AS NOTED



SECTION LINE



EASEMENT LINE



RIGHT-OF-WAY LINE



EDGE OF ROAD



AGPROfessionals
DEVELOPERS OF AGRICULTURE

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

ACCESS EASEMENT

SECTIONS 20 & 21, TOWNSHIP 3 NORTH, RANGE 58 WEST
OF THE 6TH P.M., MORGAN COUNTY, CO

DATE:

05-04-2022

JOB NO.:

2801-05

TECHNICAL

Nuisance Plan

Drainage Plan

Traffic Narrative

Ditch Company

Mineral Owners

Tax Account Statement

Application Fee Receipt



Nuisance Plan

Morgan County SUP Application

Prepared for

Bos Farms, LLC

Nuisance Control Management Plan

For

Bos Farms, LLC

*Part of Section 20, Part of Section 21, Part of Section 28, and Part of Section 29, Township 3
North, Range 58 West, of the 6th P.M., Morgan County, Colorado*

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

Prepared By



AGPROfessionals

HQ: 3050 67th 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 Bos Farms 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. Bos Farms 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:

Rick Bos
20397 Road 152
Tulare, CA 93274
559-280-6637

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

<i>Rick Bos</i>	<i>Owner/Operator</i>
(Name)	(Title)

Legal Description

The confined animal feeding facility described in this Nuisance Management Plan is located at: Part of Section 20, Part of Section 21, Part of Section 28, and Part of Section 29, Township 3 North, Range 58 West of the 6th 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 Bos Farms 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 Bos Farms 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*

Bos Farms 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 Bos Farms 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 facility 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 facility 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 facility to reduce standing water.

The wastewater ponds will be dewatered regularly in accordance with the *Nutrient Management Plan* for Bos Farms. 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. Bos Farms 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. Bos Farms 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 Bos Farms may use to manage insects and rodents are to first eliminate possible habitat, then reduce the available food supply.

Bos Farms 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 Bos Farms 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 facility 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.



Drainage Plan

Morgan County SUP Application

Prepared for

Bos Farms, LLC

Bos Farms, LLC

Morgan County, CO

Preliminary Environmental System Design

Prepared by:



ENGINEERING, PLANNING, CONSULTING & REAL ESTATE

HQ & Mailing: 3050 67th Avenue, Suite 200, Greeley, CO 80634 | 970-535-9318 | office
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May 8, 2023

Summary

This analysis covers the preliminary design recommendations for a waste management system for the Bos Farms, LLC Special Use Permit (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 facility will meet the requirements set forth in the regulations.

Project Description

The site is in eastern Morgan County, approximately 5.5 miles southwest of the Town of Fort Morgan, CO. The facility, located in parts of sections 20, 21, 28 and 29, Township 3 North, Range 58 West of the 6th P.M., will house 47,113 head of unweaned and weaned calves (22,005 animal units). The 416 acre property is currently rangeland and dryland pasture. Once constructed, the facility will consist of 265 acres of calf hutches, open lot corrals with standard pipe and cable fencing, wastewater ponds, and accessory structures. Several existing barns will be utilized for calf raising.

Design Objectives

The facility will be designed according to CAFO standards of Colorado Control Regulation 81. Stormwater run-on from off site will be diverted from the facility, and all stormwater and wastewater captured or produced on the facility will drain to lined wastewater impoundments. The captured water will be applied to 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 (attached). 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 pens will be contained in the proposed storage pond. The pens will be designed to flow to the proposed pond. 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 in. The

total design storm volume generated at the facility is 57.2 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 Pond

The proposed storage pond will be lined with either a compacted clay liner or a synthetic liner to meet CDPHE regulations. The pond will have approximately 76.6 acre-feet of capacity. A means to minimize erosion at inlets will be installed on the bank of the pond wherever a delivery pipe is located. The proposed site will be graded to ensure stormwater runoff from the pens will flow to the proposed pond. The pond will hold the estimated volume plus two feet of freeboard.

Dewatering

The proposed pond will be dewatered to the facility's land application sites to ensure proper volume availability for the design storm event. In addition to the land application sites, the pond 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).

Bos Farms will apply to land application sites according to the facility's NMP.

The facility will need to land apply approximately 48.5 acre-feet of wastewater annually. This number was determined by considering average monthly precipitation values from local weather data, average monthly lake-evaporation data from local weather data, the feedyard 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 (48.5 A.F.), gallons	15,802,697			
Total Nitrogen contained in liquid, lbs.	26,391	**Total-N =	1.7 lbs./1,000 gal	
Ammonium-Nitrogen contained in liquid, lbs.	23,704	**NH3-N =	1.5 lbs./1,000 gal	
Organic-Nitrogen contained in liquid, lbs.	2,686	Organic-N =	0.2 lbs./1,000 gal	
Ammonium-Nitrogen available after irrigation, lbs.	13,037	45.0% Sprinkler-Irrigation loss**		
Organic-Nitrogen available 3rd year, lbs.	1,263	47% Equilibrium mineralization rate for organic-N**		
Nitrogen available to plants (PAN) yr. after yr., lbs.	14,300			
Soil Organic Matter, %	1.0			
Irrigation Water NO ₃ content, ppm	5.0			
Residual soil NO ₃ (2 ft), ppm	15.0			
		Alfalfa	Corn Silage	
Expected Yield (grain, Bu/acre; silage, tons/acre)	6	25		Based on CSU Extension
N req. w/ listed O.M., soil N, & Irr. Water NO ₃ , (lb./acre)	216	121		Bulletin #538 & #0.565
Acres req. if effluent applied via sprinkler irrigation	66	118		
*MWPS-18 Section 1				
**Taken from CSU's Bulletin No. 568A <u>Best Management Practices for Manure Utilization</u>				

The above table utilizes a three-year average value. The facility needs 66 acres of alfalfa, or 118 acres of corn silage, to utilize nutrients in the wastewater produced each year.

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 57.2 acre-feet of wastewater generated in a 25-year, 24-hour storm event, and land apply at agronomic rates, an additional 78 acres of alfalfa or 139 acres of corn silage is required.

Land Application Requirements for 25-year, 24-hour Storm Event				
25-year, 24-hour storm volume(57.2 A.F.), gallons	18,637,407			
Total Nitrogen contained in liquid, lbs.	31,124	**Total-N =	1.7 lbs./1,000 gal	
Ammonium-Nitrogen contained in liquid, lbs.	27,956	**NH3-N =	1.5 lbs./1,000 gal	
Organic-Nitrogen contained in liquid, lbs.	3,168	Organic-N =	0.2 lbs./1,000 gal	
Ammonium-Nitrogen available after irrigation, lbs.	15,376	45.0% Sprinkler-Irrigation loss**		
Organic-Nitrogen available 3rd year, lbs.	1,489	47% Equilibrium mineralization rate for organic-N**		
Nitrogen available to plants (PAN) yr. after yr., lbs.	16,865			
Soil Organic Matter, %	1.0			
Irrigation Water NO ₃ content, ppm	5.0			
Residual soil NO ₃ (2 ft), ppm	15.0			
		Alfalfa	Corn Silage	
Expected Yield (grain, Bu/acre; silage, tons/acre)	6	25		Based on CSU Extension
N req. w/ listed O.M., soil N, & Irr. Water NO ₃ , (lb./acre)	216	121		Bulletin #538 & #0.565
Acres req. if effluent applied via sprinkler irrigation	78	139		
*MWPS-18 Section 1				
**Taken from CSU's Bulletin No. 568A <u>Best Management Practices for Manure Utilization</u>				

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 proposed facility will house an average of 47,000 head and will generate 54,272 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											
<i>MWPS-18, Section 1, 2nd ed.</i>				Moisture	Manure	Manure	TS	VS	Nitrogen	Phosphorus	Potassium
Animal Type	Number of Hd	Wt./hd, lbs.	Total Wt., lbs.	(%)	(lbs. / day / 1000#)	(ft ³ / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)	(lbs. / day / 1000#)
Milk Cows	-	1,500	-	88.0		1.40	12.0	10.0	0.45	0.094	0.29
Dry Cows	-	1,200	-	88.0		1.40	12.0	10.0	0.45	0.094	0.29
unweaned	17,893	200	3,578,600	88.0	80.0	1.24	9.6	8.0	0.44	0.080	0.36
Heifers	29,220	600	17,532,000	88.0	60.0	0.93	8.9	7.6	0.30	0.100	0.31
Totals	47,113		21,110,600								
Total Daily Production					1,336,208	20,742	190,369	161,872	6,834	2,039	6,723
Total Annual Production					488,445,920	7,570,912	69,492,116	59,083,280	2,494,477	744,413	2,453,974
Manure produced w/ moisture content of				88.0%	244,223	tons					
Manure as hauled w/ moisture content of				48.0%	54,272	tons					
Compost produced w/ moisture content of				40.0%	48,845	tons					

Conclusions

The proposed waste management system design for the development of Bos Farms, 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

RECTANGULAR WASTE STORAGE POND DESIGN COMPUTATIONS

Project Name: Bos Farms LLC
Location: Proposed CAFO Pond for SUP

Computed By: RP
Date: 5/10/2023

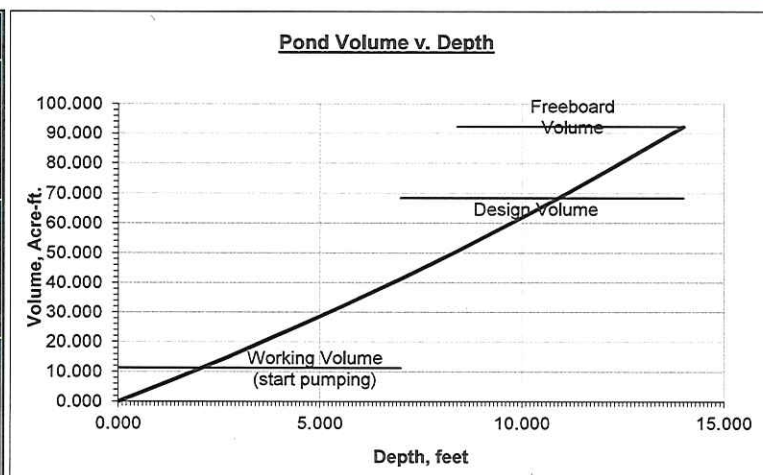
Checked By: Reviewer Initials
Date:

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:	11.30	Acre-ft	Bottom Width:	380	ft.
Other Liquid Waste Inflow:	0	gal. /day		Design Storm Runoff:	57.15	Acre-ft	Bottom Length:	600	ft.
Contributing Roof Area:	57,017	sq. ft.		Design Requirement:	68.45	Acre-ft	Design Depth:	12.0	ft.
Contributing Paved Lot Area:	441,365	sq. ft., CN =	97				Freeboard:	2.0	ft.
Contributing Earth Lot Area:	265	Acres, CN =	90				Inside Slope:	4	H:1V
25yr-24hr Precipitation Depth:	3.40	inches		Available Storage:	112%	of design	Evaporation Area:	228,000	sq.ft.
10yr-10day Precipitation Depth:	3.86	inches		Storage Safety Factor:	1.3		Seepage Rate:	0.000	inches/day
Annual FWS Evaporation:	48	inches		(w/ freeboard)			Seepage Area:	239856	sq.ft.
							Design Surface Area:	350,304	sq. ft.
							Available Storage Volume:	76.61	Acre-ft
							Freeboard Volume:	15.65	Acre-ft
							Total Volume:	92.26	Acre-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 (Acre-ft)	Surface Evaporation		Seepage Loss (Acre-ft)	Planned Drawdown (Acre-ft)	Total Outflow (Acre-ft)	Monthly In - Out (Acre-ft)	Accumulated Storage (Acre-ft)
	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)		(inches)	(Acre-ft)					
Jan.	0.23	0.05	1.13	0.01	0.0052	0.09	0.0099	0.1541	0.0000	0.0000	1.30	1.44	0.6281	0.0000	0.00	0.63	0.67	2.00
Feb.	0.17	0.07	1.56	0.00	0.0002	0.05	0.0055	0.1139	0.0000	0.0000	1.68	1.68	0.7328	0.0000	0.00	0.73	0.95	2.95
Mar.	0.71	0.00	0.09	0.23	0.1923	0.51	0.0559	0.4758	0.0000	0.0000	0.82	2.64	1.1515	0.0000	0.00	1.15	-0.33	2.62
Apr.	1.20	0.10	2.25	0.59	0.5014	0.99	0.1075	0.8042	0.0000	0.0000	3.66	4.32	1.8843	0.0000	8.00	9.88	-6.22	0.00
May	2.63	0.83	18.21	1.88	1.5833	2.40	0.2618	1.7625	0.0000	0.0000	21.82	5.76	2.5124	0.0000	8.00	10.51	11.30	11.30
June	2.15	0.53	11.76	1.43	1.2057	1.92	0.2098	1.4408	0.0000	0.0000	14.61	6.96	3.0358	0.0000	12.00	15.04	-0.42	10.88
July	1.80	0.35	7.65	1.11	0.9374	1.58	0.1719	1.2063	0.0000	0.0000	9.96	7.20	3.1405	0.0000	8.00	11.14	-1.18	9.71
Aug.	1.49	0.21	4.56	0.84	0.7071	1.27	0.1386	0.9985	0.0000	0.0000	6.40	6.48	2.8264	0.0000	8.00	10.83	-4.43	5.28
Sep.	1.13	0.08	1.79	0.54	0.4537	0.92	0.1001	0.7573	0.0000	0.0000	3.10	4.80	2.0937	0.0000	4.50	6.59	-3.49	1.79
Oct.	0.66	0.00	0.03	0.20	0.1652	0.47	0.0508	0.4423	0.0000	0.0000	0.69	3.36	1.4656	0.0000	0.00	1.47	-0.78	1.01
Nov.	0.38	0.02	0.37	0.05	0.0414	0.21	0.0231	0.2547	0.0000	0.0000	0.69	1.92	0.8375	0.0000	0.00	0.84	-0.15	0.87
Dec.	0.27	0.04	0.88	0.01	0.0119	0.12	0.0132	0.1809	0.0000	0.0000	1.09	1.44	0.6281	0.0000	0.00	0.63	0.46	1.32
Totals:	12.82	2.28	50.28	6.87	5.80	10.53	1.15	8.59	0.00	0.00	65.83	48.00	20.94	0.00	48.50	69.44		

RAINFALL AND RUNOFF ESTIMATION FOR WASTE STORAGE POND DESIGN				
	Earth Areas	Paved Areas	Roofed Areas	Pond Surface
25yr-24hr Storm Event				
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:	51.92 Acre-ft	2.58 Acre-ft	0.37 Acre-ft	2.28 Acre-ft
Total 24hr-25yr Event Runoff Volume: 57.15 Acre-ft				
Chronic Storm (10 day event)				
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:	43.74 Acre-ft	2.70 Acre-ft	0.42 Acre-ft	2.59 Acre-ft
Total 10yr-10day Event Runoff Volume: 49.44 Acre-ft				
Average Monthly Runoff Contribution to Working Storage				
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%



Basic Data and Drawings

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

The image is an aerial photograph of a large land area, likely in a rural or undeveloped region. A red line outlines a specific area of interest, which is labeled 'SITE' in a white box with a red border. The map is divided into several sections, each labeled with a code: MCR-12, MCR-13, MCR-14, and MCR-15. Various land parcels are visible, with owner names such as 'BEAUMON FARMS LLC', 'TEAGUE ENTERPRISES LLC', 'STATE OF COLORADO', and 'HOFFMAN SUB' printed on them. A red arrow points from the 'SITE' label to a specific point within the outlined area. The map also shows some infrastructure, including roads and what appears to be a river or stream.

1:36,112

Other

County Section

Maxar

0.9 mi

1.5 km

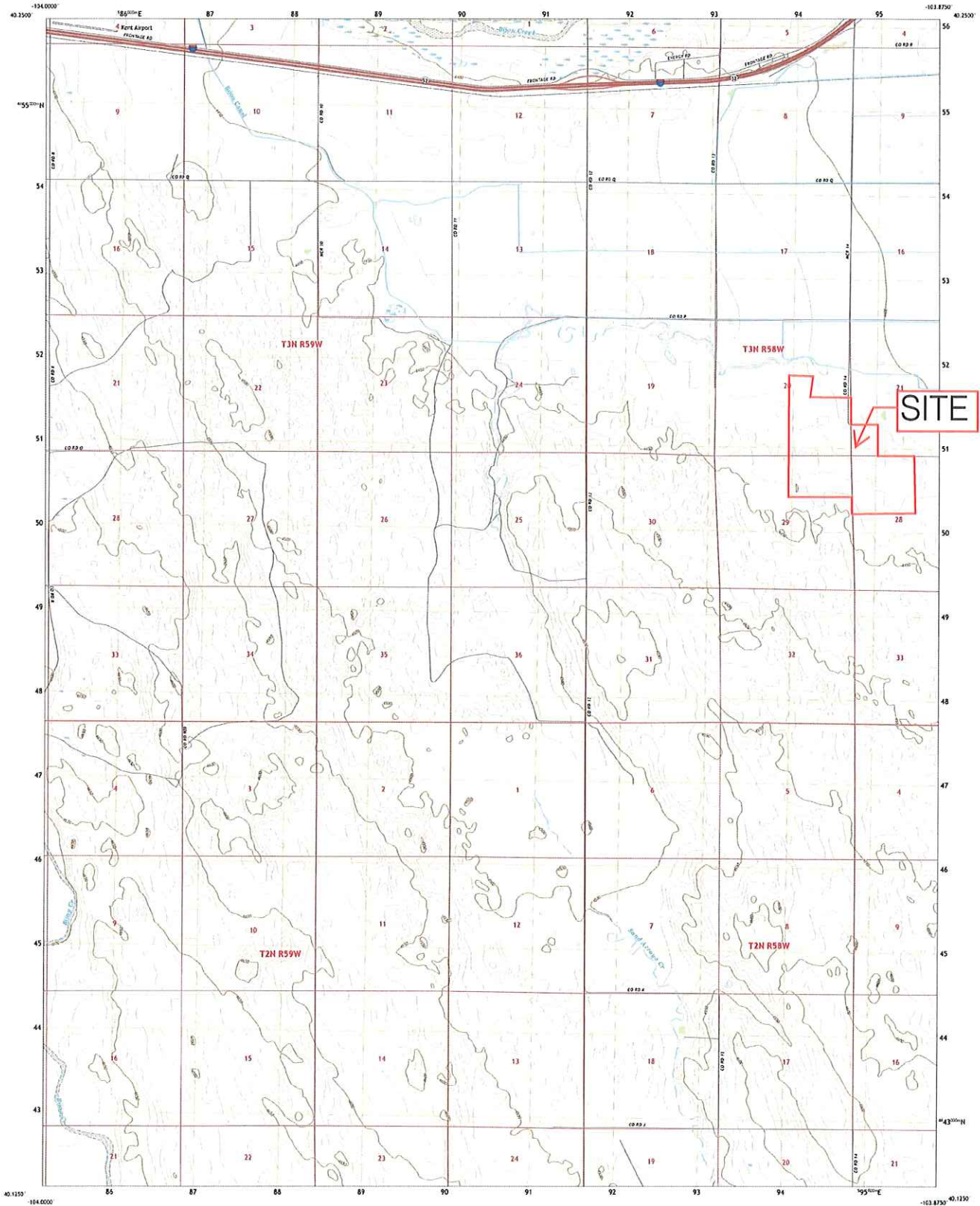
Maxar



U.S. DEPARTMENT OF THE INTERIOR
U.S. GEOLOGICAL SURVEY

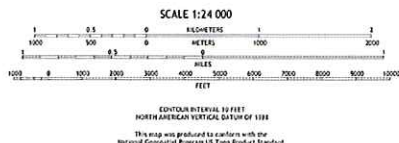


VALLEY QUADRANGLE
COLORADO - MORGAN COUNTY
7.5-MINUTE SERIES



Produced by the United States Geological Survey
North American Datum of 1983 (NAD83)
World Geodetic System of 1984 (WGS84) Projection and
1:24,000 scale of the National Topographic Series, June 1987.
This map is not a legal document. Boundaries may be
generalized for display purposes. Private lands within government
reservations may not be shown. Obtain permission before
entering private lands.

Imagery: U.S. MAP, August 2017 - October 2017
Base: U.S. Census Bureau, 2014
Roads: National Hydrography Dataset, 2002
Contours: National Elevation Dataset, 2007
Boundaries: Multiple Sources, see metadata file 2014
Public Land Survey System: BLM, 2021
Waterbodies: FWS National Wetlands Inventory, 1975 - 1979



ROAD CLASSIFICATION

Expressway: Local Connector
Interstate Hwy: Local Road
Ramp: Rte
State Route

1	2	3	10	Orchard
4	5	6	11	2
7	8	9	12	3
13	14	15	16	4
17	18	19	20	5
21	22	23	24	6
25	26	27	28	7
29	30	31	32	8
33	34	35	36	9

Address: Valley St

VALLEY, CO
1022



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**

Boss Farms, LLC, CR 14



May 10, 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).

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.

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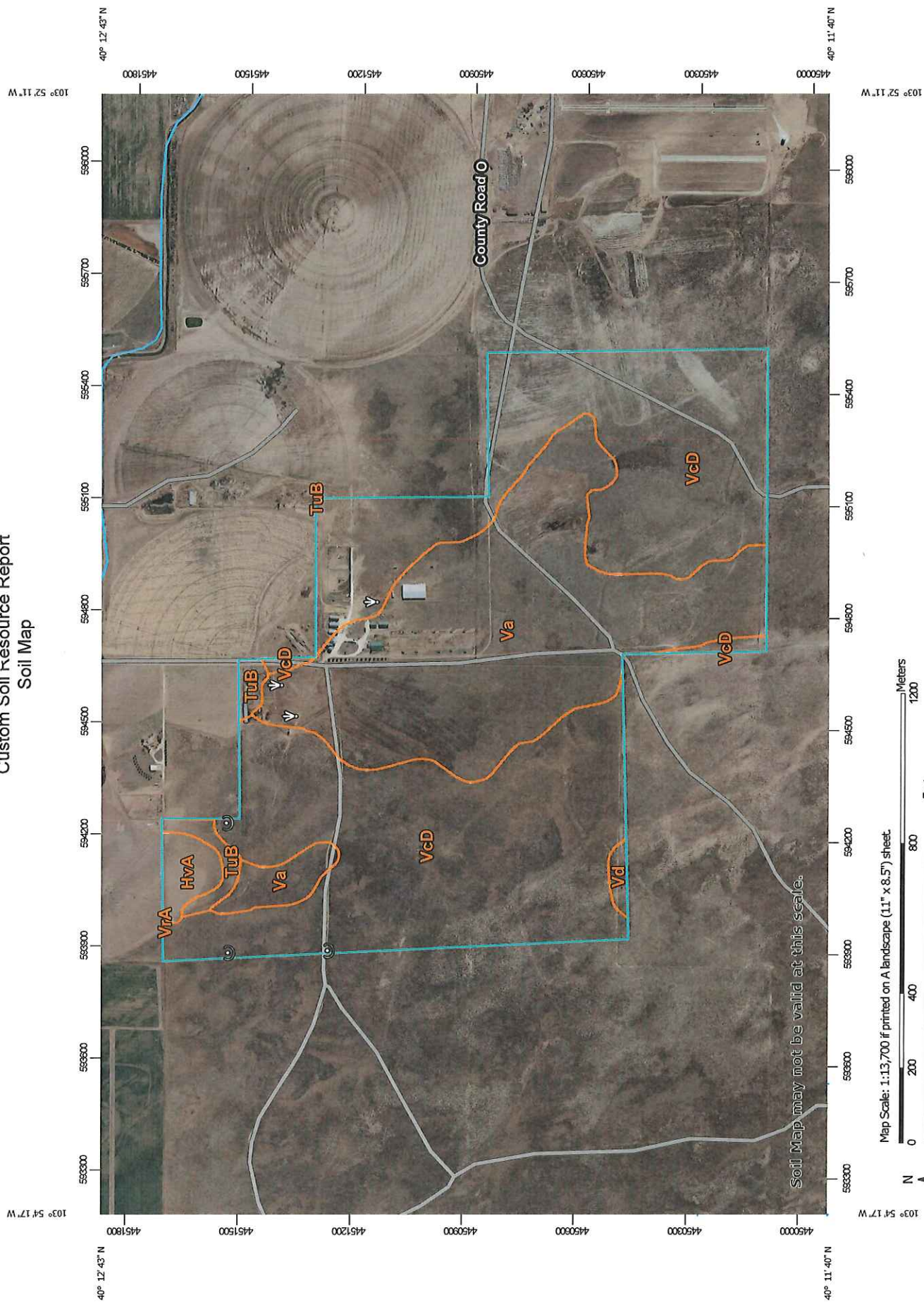
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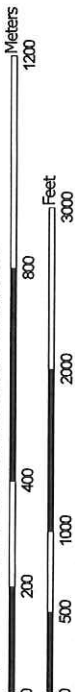
Soil Map

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: 1:13,700 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 13N WGS84

MAP LEGEND

 Area of Interest (AOI)	 Spoil Area
 Soils	 Stony Spot
 Soil Map Unit Polygons	 Very Stony Spot
 Soil Map Unit Lines	 Wet Spot
 Soil Map Unit Points	 Other
 Special Point Features	 Special Line Features
 Blowout	 Water Features
 Borrow Pit	 Streams and Canals
 Clay Spot	 Transportation
 Closed Depression	 Rails
 Gravel Pit	 Interstate Highways
 Gravelly Spot	 US Routes
 Landfill	 Major Roads
 Lava Flow	 Local Roads
 Marsh or swamp	 Background
 Mine or Quarry	 Aerial Photography
 Miscellaneous Water	
 Perennial Water	
 Rock Outcrop	
 Saline Spot	
 Sandy Spot	
 Severely Eroded Spot	
 Sinkhole	
 Slide or Slip	
 Sodic Spot	

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

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
HvA	Heldt sandy loam, 0 to 1 percent slopes	7.0	1.7%
TuB	Truckton loamy sand, 0 to 3 percent slopes	6.8	1.6%
Va	Valent sand, 0 to 3 percent slopes	149.4	35.7%
VcD	Valent sand, 3 to 9 percent slopes	253.4	60.5%
Vd	Valent-Duneland complex, rolling, 9 to 24 percent slopes	1.9	0.5%
VrA	Vona sandy loam, terrace, 0 to 1 percent slopes	0.1	0.0%
Totals for Area of Interest		418.6	100.0%

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 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

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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.

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

HvA—Heldt sandy loam, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3pxn
Elevation: 4,000 to 6,200 feet
Mean annual precipitation: 11 to 15 inches
Mean annual air temperature: 46 to 59 degrees F
Frost-free period: 110 to 150 days
Farmland classification: Not prime farmland

Map Unit Composition

Heldt and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Heldt

Setting

Landform: Stream terraces
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Clayey alluvium

Typical profile

H1 - 0 to 12 inches: sandy loam
H2 - 12 to 22 inches: clay
H3 - 22 to 35 inches: clay
H4 - 35 to 60 inches: clay

Properties and qualities

Slope: 0 to 1 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 low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Gypsum, maximum content: 1 percent
Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)
Sodium adsorption ratio, maximum: 10.0
Available water supply, 0 to 60 inches: Moderate (about 8.6 inches)

Interpretive groups

Land capability classification (irrigated): 3e
Land capability classification (nonirrigated): 4e
Hydrologic Soil Group: C
Ecological site: R067BY024CO - Sandy Plains
Hydric soil rating: No

Custom Soil Resource Report

Minor Components

Nunn

Percent of map unit: 8 percent

Hydric soil rating: No

Limon

Percent of map unit: 7 percent

Hydric soil rating: No

TuB—Truckton loamy sand, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2yvrl

Elevation: 4,200 to 5,600 feet

Mean annual precipitation: 12 to 17 inches

Mean annual air temperature: 46 to 52 degrees F

Frost-free period: 125 to 155 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

Landform: Interfluves, terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Wind re-worked alluvium derived from arkose

Typical profile

A - 0 to 6 inches: loamy sand

Bt1 - 6 to 10 inches: sandy loam

Bt2 - 10 to 16 inches: sandy loam

C - 16 to 80 inches: loamy coarse sand

Properties and qualities

Slope: 0 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

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Calcium carbonate, maximum content: 1 percent

Maximum salinity: Nonsaline to very slightly saline (0.1 to 2.0 mmhos/cm)

Available water supply, 0 to 60 inches: Low (about 4.4 inches)

Interpretive groups

Land capability classification (irrigated): 3e

Land capability classification (nonirrigated): 6e

Hydrologic Soil Group: A

Ecological site: R067BY024CO - Sandy Plains

Hydric soil rating: No

Minor Components

Blakeland

Percent of map unit: 8 percent

Landform: Hills, interfluves

Landform position (two-dimensional): Shoulder, backslope, summit

Landform position (three-dimensional): Side slope, crest

Down-slope shape: Convex, linear

Across-slope shape: Convex, linear

Ecological site: R067BY015CO - Deep Sand

Hydric soil rating: No

Vona

Percent of map unit: 5 percent

Landform: Hills, dunes

Landform position (two-dimensional): Backslope

Landform position (three-dimensional): Side slope

Down-slope shape: Convex, linear

Across-slope shape: Convex, linear

Ecological site: R067BY024CO - Sandy Plains

Hydric soil rating: No

Bresser

Percent of map unit: 5 percent

Landform: Interfluves, terraces

Landform position (three-dimensional): Tread

Down-slope shape: Linear

Across-slope shape: Linear

Ecological site: R067BY024CO - Sandy Plains

Hydric soil rating: No

Urban land

Percent of map unit: 2 percent

Hydric soil rating: No

Va—Valent sand, 0 to 3 percent slopes

Map Unit Setting

National map unit symbol: 2tczd

Elevation: 3,000 to 5,210 feet

Custom Soil Resource Report

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): Footslope, 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
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

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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

Custom Soil Resource Report

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
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

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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

Vd—Valent-Duneland complex, rolling, 9 to 24 percent slopes

Map Unit Setting

National map unit symbol: 2x0jb
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, rolling, and similar soils: 65 percent
Duneland: 25 percent
Minor components: 10 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Valent, Rolling

Setting

Landform: Dunes
Landform position (two-dimensional): Backslope, summit
Landform position (three-dimensional): Side slope, crest
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Noncalcareous eolian sands

Typical profile

A - 0 to 4 inches: sand
C - 4 to 80 inches: sand

Properties and qualities

Slope: 9 to 24 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 (0.1 to 1.9 mmhos/cm)
Available water supply, 0 to 60 inches: Very low (about 2.4 inches)

Custom Soil Resource Report

Interpretive groups

Land capability classification (irrigated): 6e
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: A
Ecological site: R067BY015CO - Deep Sand
Hydric soil rating: No

Description of Duneland

Setting

Landform: Dunes
Landform position (two-dimensional): Summit, backslope
Landform position (three-dimensional): Crest, nose slope, side slope
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Noncalcareous eolian sands

Typical profile

A - 0 to 3 inches: sand
C - 3 to 80 inches: sand

Interpretive groups

Land capability classification (irrigated): 8
Land capability classification (nonirrigated): 8
Hydrologic Soil Group: A
Ecological site: R067BY022CO - Choppy Sands
Hydric soil rating: No

Minor Components

Valent, eroded

Percent of map unit: 10 percent
Landform: Blowouts
Landform position (two-dimensional): Summit, backslope, shoulder
Landform position (three-dimensional): Crest, side slope, nose slope, head slope
Down-slope shape: Concave
Across-slope shape: Concave
Ecological site: R067BY022CO - Choppy Sands
Hydric soil rating: No

VrA—Vona sandy loam, terrace, 0 to 1 percent slopes

Map Unit Setting

National map unit symbol: 3pz7
Elevation: 4,000 to 5,500 feet
Mean annual precipitation: 13 to 15 inches
Mean annual air temperature: 48 to 55 degrees F
Frost-free period: 130 to 160 days
Farmland classification: Farmland of statewide importance

Custom Soil Resource Report

Map Unit Composition

Vona and similar soils: 85 percent

Minor components: 15 percent

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

Description of Vona

Setting

Landform: Stream terraces

Down-slope shape: Linear

Across-slope shape: Linear

Parent material: Limy, loam sandy and/or sand loamy

Typical profile

H1 - 0 to 9 inches: sandy loam

H2 - 9 to 21 inches: sandy loam

H3 - 21 to 60 inches: loamy fine 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 (1.98 to 6.00 in/hr)

Depth to water table: More than 80 inches

Frequency of flooding: None

Frequency of ponding: None

Calcium carbonate, maximum content: 15 percent

Maximum salinity: Nonsaline to slightly saline (0.0 to 4.0 mmhos/cm)

Available water supply, 0 to 60 inches: Moderate (about 6.5 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

Fort collins

Percent of map unit: 10 percent

Hydric soil rating: No

Gilcrest

Percent of map unit: 5 percent

Hydric soil rating: No

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.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelpdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf

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>	<i>L-R-H</i>
HvA—Heldt sandy loam, 0 to 1 percent slopes														
Heldt	85	C	0-12	Sandy loam	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	100-100-100	100-100-100	60-65-70	30-35-40	20-23-25	NP-3-5
			12-22	Clay	CL, CH	A-7	0-0-0	0-0-0	100-100-100	100-100-100	90-95-100	75-85-95	40-48-55	15-23-30
			22-35	Clay, silty clay	CH, CL	A-7	0-0-0	0-0-0	100-100-100	100-100-100	90-95-100	75-85-95	40-48-55	15-23-30
			35-60	Clay	CL	A-7	0-0-0	0-0-0	100-100-100	100-100-100	90-95-100	75-85-95	40-45-50	15-20-25

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>
TuB—Truckton loamy sand, 0 to 3 percent slopes														
Truckton	80	A	0-6	Loamy sand	SM, SC-SM	A-2-4	0-0-0	0-0-0	100-100-100	100-100-100	76-79-82	25-30-33	0-19-23	NP-3-4
			6-10	Sandy loam	SC-SM, SC, SM	A-2-4, A-4	0-0-0	0-0-0	100-100-100	92-100-100	66-77-81	31-39-44	19-25-30	3-7-11
			10-16	Sandy loam	SM, SC	A-4, A-2-4	0-0-0	0-0-0	100-100-100	92-100-100	66-77-81	31-39-44	19-25-29	3-8-11
			16-80	Coarse sandy loam, coarse sand, loamy sand, sand, sandy loam, loamy coarse sand	SC-SM, SM, SC	A-1-b, A-2-4	0-0-0	0-0-0	100-100-100	85-97-100	43-53-68	14-21-30	0-18-26	NP-7-10
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

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>
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
Vd—Valent-Duneland complex, rolling, 9 to 24 percent slopes														
Valent, rolling	65	A	0-4	Sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	100-100-100	75-77-79	8-9-11	0-0-19	NP-0-3
			4-80	Fine sand, loamy sand, sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	100-100-100	66-77-98	5-8-33	0-0-20	NP-0-4
Duneland	25	A	0-3	Sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	100-100-100	75-76-79	6-6-10	0-0-17	NP-0-3
			3-80	Sand, fine sand	SP-SM	A-3	0-0-0	0-0-0	100-100-100	100-100-100	67-76-96	6-6-30	0-0-17	NP-0-3
VrA—Vona sandy loam, terrace, 0 to 1 percent slopes														
Vona	85	A	0-9	Sandy loam	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	100-100-100	100-100-100	60-65-70	30-35-40	20-23-25	NP-3-5
			9-21	Fine sandy loam, sandy loam	SC, SC-SM, SM	A-2, A-4	0-0-0	0-0-0	100-100-100	90-95-100	60-75-90	30-38-45	20-25-30	NP-5-10
			21-60	Sandy loam, loamy sand, loamy fine sand	SC-SM, SM	A-2, A-4	0-0-0	0-0-0	100-100-100	90-95-100	50-68-85	15-28-40	20-23-25	NP-3-5

Data Source Information

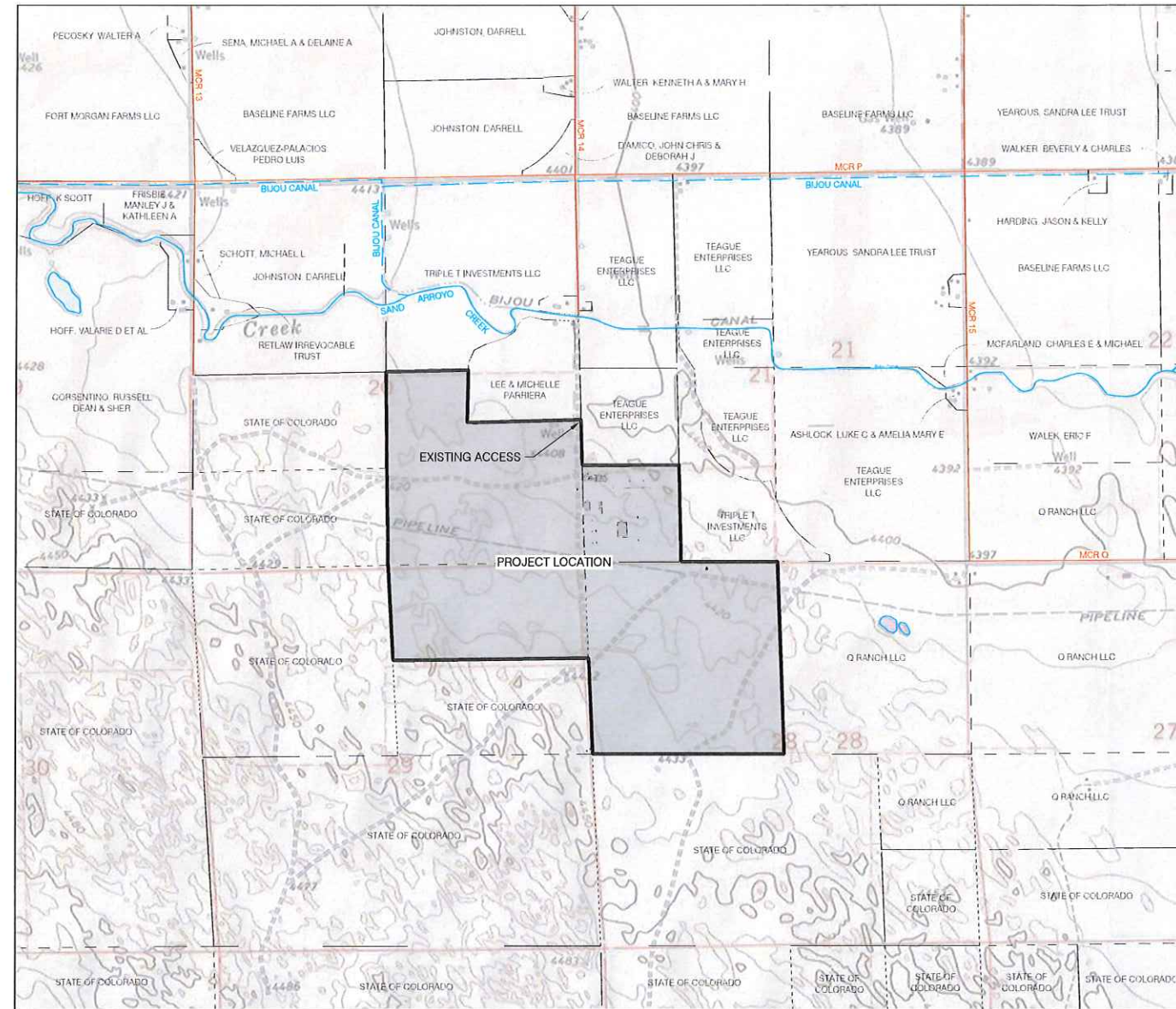
Soil Survey Area: Morgan County, Colorado

Survey Area Data: Version 23, Sep 1, 2022



BOS FARMS LLC SPECIAL USE PERMIT (SUP) MAP

BEING A PART OF SECTIONS 20, 21, 28 AND 29, TOWNSHIP 3 NORTH, RANGE 58 WEST OF
THE 6TH P.M., MORGAN COUNTY, STATE OF COLORADO



VICINITY MAP

PROJECT INFORMATION

PROJECT LOCATION:
PARCEL 1227-280-00005
MORGAN COUNTY, CO

PLANNER / ENGINEER / PREPARED BY:
AGPROFESSIONALS
TIM NAYLOR
CHAD TAVELDE, PE
3050 67TH AVE
GREELEY, CO 80634
PH. # 970-535-9318
Fax. # 970-535-9854

PROPERTY OWNER:
ROCK BOS
PH. # 559-280-6637

PROJECT NUMBER:
AGPRO PROJECT # 2114-01

CERTIFICATION & SIGNATURE BLOCKS

CERTIFICATE OF OWNERSHIP

KNOW ALL MEN BY THESE PRESENTS THAT RICK BOS FOR BOS FARMS LLC, BEING THE OWNER(S) OF CERTAIN LANDS IN MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS:

THAT PART OF THE E1/2 SE1/4 OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 55 WEST OF THE 6TH P.M., WHICH IS MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT ON THE EAST SIDE OF THE SAID SE1/4 OF SECTION 32, 1192.2 FEET NORTH OF THE SOUTHEAST CORNER OF SAID SECTION 32; THENCE SOUTH 89°24' WEST 74.1 FEET; THENCE NORTH 24°47' WEST 792 FEET; THENCE NORTH 4°57' WEST 508.6 FEET; THENCE SOUTH 77°35' EAST 230.5 FEET; THENCE SOUTH 73°00' EAST 234.8 FEET TO A POINT ON THE EAST SIDE OF SAID SE1/4 SECTION 32; THENCE SOUTH ALONG THE EAST SIDE OF SAID SE1/4 OF SECTION 32, 1105.4 FEET TO THE POINT OF BEGINNING.

AND

THE W1/2 OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 55 WEST OF THE 6TH P.M., AND A TRACT OF LAND IN THE NW1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, DESCRIBED AS FOLLOWS: BEGINNING AT A POINT 212 FEET SOUTH OF THE NW CORNER OF SAID SECTION 4; THENCE NORTH ALONG THE WEST LINE OF SAME SECTION, 212 FEET TO THE SAME NW CORNER OF SECTION 4; THENCE EAST ALONG THE NORTH SECTION LINE OF SECTION 4, 2670 FEET TO A POINT ON THE 1/2 SECTION LINE OF SECTION 4; THENCE SOUTH 792 FEET ON SAID 1/2 SECTION LINE TO A POINT ON THE NORTH RIGHT OF WAY LINE OF HIGHWAY 34; THENCE NW ALONG HIGHWAY RIGHT OF WAY ON A BEARING N78°17'W 2774 FEET, MORE OR LESS, TO THE POINT OF BEGINNING, EXCEPT A TRACT OR PARCEL OF LAND IN THE NW1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, SAID TRACT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE WEST LINE OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST, FROM WHICH POINT THE NW CORNER OF SAID SECTION 4 BEARS N0°07'W A DISTANCE OF 210.4 FEET; THENCE ALONG THE WEST LINE OF SAID SECTION 4, S0°07'W A DISTANCE OF 127.7 FEET; THENCE S0°0 FEET SOUTHERLY OF AND PARALLEL TO THE CENTER LINE OF THE PROJECT, 578°17'E A DISTANCE OF 2746.5 FEET TO A POINT ON THE NORTH AND SOUTH 1/4 LINE OF SECTION 4; THENCE ALONG THE NORTH AND SOUTH 1/4 LINE OF SAID SECTION 4, N2°52'W A DISTANCE OF 129.2 FEET; THENCE 75 FEET NORTHERLY OF AND PARALLEL TO THE CENTER LINE OF THE PROJECT N78°17'W A DISTANCE OF 2740.2 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

AND

THE E1/2 OF SECTION 33, TOWNSHIP 4 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, AND THE N1/2 NE1/4 OF SECTION 4, TOWNSHIP 3 NORTH, RANGE 55 WEST OF THE 6TH P.M., MORGAN COUNTY, COLORADO, EXCEPT THAT PART CONVEYED TO COLORADO DEPARTMENT OF TRANSPORTATION RECORDED IN BOOK 1068 AT PAGE 559 AND CORRECTED IN BOOK 1098 AT PAGE 719.

CONTAINING A CALCULATED AREA OF 787.25 ACRES

HAVE/HAS BY THESE PRESENTS LAID OUT, PLATTED AND SUBDIVIDED THE SAME, AS SHOWN ON THIS PLAT UNDER THE NAME AND STYLE OF SPECIAL USE PERMIT MAP.

EXECUTED THIS _____ DAY OF _____, 20____.

OWNER(S):

RICK BOS FOR
BOS FARMS, LLC

THE FOREGOING CERTIFICATION WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 20____, BY _____

STATE OF COLORADO
COUNTY OF _____

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

COMMISSIONER'S CERTIFICATE

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

ATTEST: _____ CHAIRMAN

CLERK TO THE BOARD _____

CLERK AND RECORDERS CERTIFICATE

STATE OF COLORADO)
COUNTY OF MORGAN) ss.

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED IN MY OFFICE AT _____ O'CLOCK
_____ M. THIS _____ DAY OF _____
20____, AND IS DULY RECORDED IN RECEPTION NO. _____

CLERK AND RECORDER _____

SPECIAL USE PERMIT - COVER SHEET

AGPROprofessionals
DEVELOPERS OF AGRICULTURE

3050 67th Avenue, Suite 200,
Greeley, CO 80634
(970) 535-9318 - fax: (970) 535-9854

213 Canyon Crest Dr, Suite 100,
Twin Falls, ID 83301
(208) 995-5901



BOS FARMS LLC
SPECIAL USE PERMIT - COVER SHEET

MORGAN COUNTY, CO

SHEET:
SUP-1



DATE: May 9, 2023

ISSUED FOR REVIEW

6/1/2023

811

CALL 811

COM

ACPROfessionals

DEVELOPERS OF AGRICULTURE

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

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

FOR APPROVAL ONLY

CONSTRUCTION

BOS FARMS LLC

SPECIAL USE PERMIT - SITE PLAN

MORGAN COUNTY, CO

SHEET:

SUP-2



Traffic

Morgan County SUP Application

Prepared for

Bos Farms, LLC

Traffic Narrative

Prepared for Bos Farms, LLC
Morgan County Special Use Permit

Introduction

This Traffic Narrative is prepared for the Bos Farms, LLC Special Use Permit (SUP) request. Bos Farms is requesting a SUP for a Confined Animal Feeding Operation (CAFO) operation on 122728000005, 122721000016, 122729000004, and 122720000008, which is more particularly described as being a part of the Southeast Quarter of Section 20, part of the North Half of the Northeast Quarter of Section 29, part of the Southwest Quarter of the Southwest Quarter of Section 21, and part of the Northwest Quarter of Section 28, all in Township 3 North, Range 58 West of the P.M., Morgan County, Colorado, consisting of 416.83 acres.

The subject property is currently used as rangeland. A number of livestock and agricultural buildings are existing on the property that are expected to be used for the proposed cattle ranch facility. Additional calf hutches, cattle pens, feed buildings, gravel roads to pens, runoff ponds, and a road extension is proposed.

The proposed cattle ranch is expected to primarily supply replacement cattle to the to the Q Ranch II facility located directly east of the site at 15366 MCR O, Fort Morgan, CO, 80701, or to the Q Ranch facility located at 7999 MCR Q, Wiggins, CO, 80654. They may also provide replacement cattle to other feedlots as supply allows.

Existing Conditions and Roadway Network

The subject property is accessed from Morgan County Road (MCR) P located north of the site via a non-exclusive access easement along Road 14. No new accesses are proposed to serve the property.

MCR P is an east-west local two-lane gravel road. MCR 14 is a north-south local two-lane gravel road that ends at MCR P. Traffic is expected to enter and exit the site on MCR 14 and the non-exclusive access easement of Road 14.

Traffic will exclusively travel north and south on MCR 14 to and from MCR Q. It is expected that 75% of traffic will travel east and west on MCR Q to MCR 12 and to Interstate 76 (I-76). 15% of traffic will travel north on MCR 14 to the I-76 Frontage Road to disperse east and west to I-76. 10% of traffic is expected to travel east and west on MCR Q towards MCR 15.

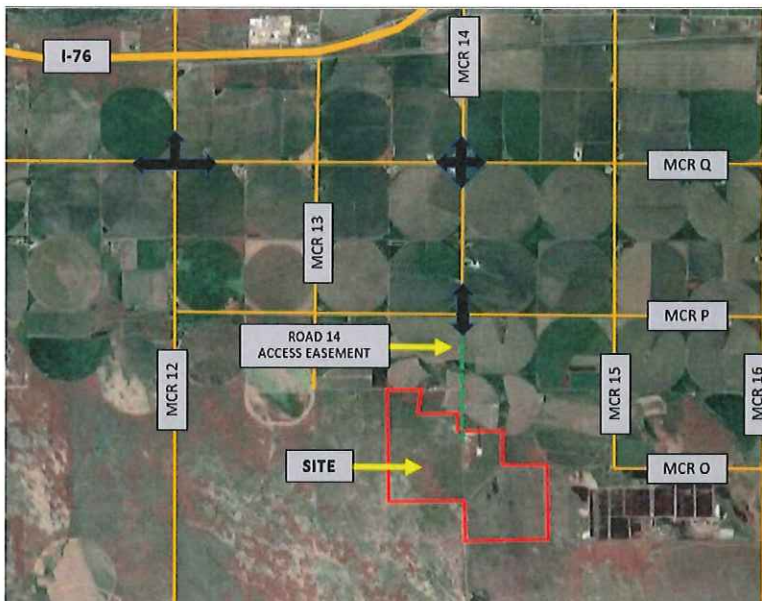


Figure 1. Traffic Movement

County roads near the site are flat and straight. The nearest highway is Interstate 76 (I-76), approximately 3.5 miles to the north. The majority of traffic is expected to go to and from I-76 as it provides access to Highway (HWY) 34 and HWY 52 to the west, and to HWY 6, CO-144, and HWY 34 to the east.



Figure 2. Vicinity Map

Access will be from dedicated right-of-way. Access to the property will be from County Road P and Road 14 (which is vacated) via a non-exclusive access easement. The road will be extended to provide an adequately sized access road for the associated truck traffic.

Cattle trucks are expected to include four roundtrips per day; staggered throughout the day. Feed trucks are expected to have 4-6 roundtrips per day. Vet visits and salespeople are expected to generate no more than 3-4 additional trips a week, adding very small traffic impact to the site.

Trip Generation

The expected hours for outgoing and incoming semi-trucks and other vehicles and equipment will be Monday through Sunday 5:00 A.M. to 5:00 P.M. The highest traffic volumes will be generated during the morning hours of 5:00 A.M. to 7:00 A.M. and in the evening between 3:00 P.M. to 5:00 P.M. when employees enter and exit the property. During peak traffic hours, no more than 15 vehicles are expected to be going in and out. Occasional operations outside of the expected hours may be required due to CAFO industry needs.

The site will include a shipping and receiving area for cattle and commodities. Parking for employees will be gravel spaces located near the entrance.

The following traffic volumes are anticipated for this proposed site:

Owner/Employee Vehicles	28 roundtrips per day
Cattle Trucks	4 roundtrips per day
Feed Trucks	4-6 roundtrips per day

The arrival and departure of vehicles is expected to be staggered throughout the day. Employee traffic, which accounts for the majority of the traffic, will arrive in the morning and then depart in the evening.

Conclusion

As the increased traffic volumes are below the TIS thresholds, the peak hour left turning volume is less than 10 vehicles, and the peak hour right turning volume is less than 25 vehicles, no roadway improvements are anticipated for the proposed uses. As a part of the SUP conditions, Road 14 south of MCR P is proposed to be extended for the associated truck traffic.



Bijou Ditch Company

Morgan County SUP Application

Prepared for

Bos Farms, LLC



AGPROessionals
DEVELOPERS OF AGRICULTURE

May 19, 2023

Bijou Irrigation Canal Company
15551 US 34
Fort Morgan, CO 80701

RE: Bos Farms, LLC – Special Use Permit and Variance to Zoning Regulations
AGPRO Project # 1278-01

To Whom It May Concern:

Bos Farms, LLC is proposing a new cattle ranch facility for replacement cattle that will supply local feedlot operations. The site is located south of Morgan County Road (MCR) P at the intersection of MCR P and Road 14. The facility will be located on parcel nos. 122728000005, 122721000016, 122729000004, and 122720000008 and includes approximately 416 acres. The site is located 3.25 miles south of Interstate 76 and is located 0.6 miles west of the County Road O and County Road 15 intersection. Bijou Canal is in proximity to the proposed site, but not within the boundaries or directly adjacent to the properties associated with the project. Morgan County has requested that we contact you for a referral response regarding the impact of the project to the canal.

Bos Farms is proposing to house 22,005 animal units for the cattle ranch. Activities will include housing and raising calves; storing and processing feed; and storing and maintaining feed equipment. Supporting infrastructure includes calf hutches, cattle pens, and waste and storm water management control structures.

In addition to the SUP request, Bos Farms, LLC is submitting a request for a variance from zoning regulations. The variance is for the 1,320-foot setback of the facility pens from a residence not owned by Bos Farms, LLC. The property owner of the residence is aware of the proposed cattle ranch, as well as the variance request, and is not in opposition to the facility.

We kindly request your review and formal response to the proposed SUP and variance request to meet the Morgan County land use requirements. Please reach out if you require additional information to complete this review.

Please contact me at (970) 535-9318 or hdutrow@agpros.com if you have any questions.

Sincerely,

Hannah Dutrow
Land Planner III

Page 2 of 2

cc. office@bijourrigation.com

Encl.
Site Plan



Mineral Owners

Morgan County SUP Application

Prepared for

Bos Farms, LLC



LAND SERVICES
OIL AND GAS TITLE

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
(BOS FARMS LLC Property)

Subject Property:

Township 3 North, Range 58 West, 6th P.M., Morgan County, CO

Section 20: SE¼, excepting therefrom that certain parcel set forth under Reception No. 1602105

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 June 5, 2023 at 7:45 a.m.:

Mineral Owners:

None (entitled to notice)

Mineral Leasehold Owners:

None (entitled to notice)

Dated this 6th day of June, 2023.

ZEREN LAND SERVICES

A handwritten signature in blue ink, appearing to read "Cynthia A. E. Zeren", written over a horizontal line.

By: Cynthia A. E. Zeren, CPL
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 June 5, 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.**

ZEREN LAND SERVICES

Date: June 6, 2023

By: 

Cynthia A. E. Zeren, as President



LAND SERVICES
OIL AND GAS TITLE

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
(BOS FARMS LLC Property)

Subject Property:

Township 3 North, Range 58 West, 6th P.M., Morgan County, CO
Section 21: SW¼SW¼

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 June 5, 2023 at 7:45 a.m.:

Mineral Owners:

None (entitled to notice)

Mineral Leasehold Owners:

None (entitled to notice)

Dated this 6th day of June, 2023.

ZEREN LAND SERVICES


By: Cynthia A. E. Zeren, CPL

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 June 5, 2023 at 7:45 A.M.

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ZEREN LAND SERVICES

Date: June 6, 2023

By: 
Cynthia A. E. Zeren, as President



LAND SERVICES
OIL AND GAS TITLE

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
(BOS FARMS LLC Property)

Subject Property:

Township 3 North, Range 58 West, 6th P.M., Morgan County, CO
Section 28: NW¼

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 June 5, 2023 at 7:45 a.m.:

Mineral Owners:

None (entitled to notice)

Mineral Leasehold Owners:

None (entitled to notice)

Dated this 6th day of June, 2023.

ZEREN LAND SERVICES


By: Cynthia A. E. Zeren, CPL

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 June 5, 2023 at 7:45 A.M.

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Date: June 6, 2023

ZEREN LAND SERVICES

By: 
Cynthia A. E. Zeren, as President



LAND SERVICES
OIL AND GAS TITLE

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
(BOS FARMS LLC Property)

Subject Property:

Township 3 North, Range 58 West, 6th P.M., Morgan County, CO
Section 29: N $\frac{1}{2}$ NE $\frac{1}{4}$

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 June 5, 2023 at 7:45 a.m.:

Mineral Owners:

None (entitled to notice)

Mineral Leasehold Owners:

None (entitled to notice)

Dated this 6th day of June, 2023.

ZEREN LAND SERVICES


By: Cynthia A. E. Zeren, CPL

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.

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Date: June 6, 2023

ZEREN LAND SERVICES

By: 

Cynthia A. E. Zeren, as President



Taxes

Morgan County SUP Application

Prepared for

Bos Farms, LLC

Morgan County Treasurer

Statement of Taxes Due

Account Number R022500
Assessed To

Parcel 122721000016
BOS FARMS LLC
20397 RD 152
TULARE, CA 93274

Legal Description				Situs Address	
S: 20 T: 3 R: 58 SW1/4SW1/4 & PARC W1/2 S: 21 T: 3 R: 58 PARC E1/2 (897583)				14240 RD 14	
Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$10,032.00	\$0.00	\$0.00	(\$10,032.00)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 06/06/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 248 - 248 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$2,682.23	SPRINKLER	\$3,890	\$1,030
ROAD AND BRIDGE FUND	7.5000000	\$1,032.52	IRRIGATED LAND		
SOCIAL SERVICES FUND	2.0000000	\$275.34	GRAZING LAND	\$1,210	\$320
FT MORGAN RURAL FIRE DIST	3.0330000	\$417.55	FARM/RANCH	\$516,380	\$136,320
FT MORGAN PEST CONTROL	0.2990000	\$41.16	SUPPORT IMPS		
LOWER S PLATTE WATER CD	1.0000000	\$137.67	Total	\$521,480	\$137,670
MORGAN CO QUALITY WATER	0.8240000	\$113.44			
NORTHERN COLO WATER CD	1.0000000	\$137.67			
RE 3 F M GENERAL FD	27.0840000	\$3,728.65			
RE 3 F M M/L OVRD	1.7730000	\$244.09			
RE 3 F M BOND RED	8.8740000	\$1,221.68			
Taxes Billed 2022	72.8700000	\$10,032.00			

*****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 R022184
Assessed To

Parcel 122729000004
BOS FARMS LLC
20397 RD 152
TULARE, CA 93274

Legal Description

S: 29 T: 3 R: 58 N1/2NE1/4

Situs Address

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$50.04	\$0.00	\$0.00	(\$50.04)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 06/06/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 227 - 227 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$14.61	GRAZING LAND	\$2,850	\$750
ROAD AND BRIDGE FUND	7.5000000	\$5.63	Total	\$2,850	\$750
SOCIAL SERVICES FUND	2.0000000	\$1.50			
RE 3 F M GENERAL FD	27.0840000	\$20.31			
RE 3 F M M/L OVRD	1.7730000	\$1.33			
RE 3 F M BOND RED	8.8740000	\$6.66			
Taxes Billed 2022	66.7140000	\$50.04			

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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 R022299
Assessed To

Parcel 122728000005
BOS FARMS LLC
20397 RD 152
TULARE, CA 93274

Legal Description

Situs Address

S: 28 T: 3 R: 58 NW1/4

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$107.36	\$0.00	\$0.00	(\$107.36)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 06/06/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 045 - 045 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$29.22	GRAZING LAND	\$5,690	\$1,500
ROAD AND BRIDGE FUND	7.5000000	\$11.25	Total	\$5,690	\$1,500
SOCIAL SERVICES FUND	2.0000000	\$3.00			
FT MORGAN RURAL FIRE DIST	3.0330000	\$4.55			
MORGAN CO QUALITY WATER	0.8240000	\$1.24			
NORTHERN COLO WATER CD	1.0000000	\$1.50			
RE 3 F M GENERAL FD	27.0840000	\$40.63			
RE 3 F M M/L OVRD	1.7730000	\$2.66			
RE 3 F M BOND RED	8.8740000	\$13.31			
Taxes Billed 2022	71.5710000	\$107.36			

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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 R022497

Parcel 122720000008

Assessed To

BOS FARMS LLC
20397 RD 152
TULARE, CA 93274

Legal Description

Situs Address

S: 20 T: 3 R: 58 SE1/4 EX 1602105

Year	Tax	Interest	Fees	Payments	Balance
Tax Charge					
2022	\$91.60	\$0.00	\$0.00	(\$91.60)	\$0.00
Total Tax Charge					\$0.00
Grand Total Due as of 06/06/2023					\$0.00

Tax Billed at 2022 Rates for Tax Area 245 - 245 - RE 3

Authority	Mill Levy	Amount	Values	Actual	Assessed
COUNTY GENERAL FUND	19.4830000	\$24.94	GRAZING LAND	\$4,820	\$1,270
ROAD AND BRIDGE FUND	7.5000000	\$9.60	FARM/RANCH	\$10	\$10
SOCIAL SERVICES FUND	2.0000000	\$2.56	WASTE LAND		
FT MORGAN RURAL FIRE DIST	3.0330000	\$3.88	Total	\$4,830	\$1,280
MORGAN CO QUALITY WATER	0.8240000	\$1.05			
NORTHERN COLO WATER CD	1.0000000	\$1.28			
RE 3 F M GENERAL FD	27.0840000	\$34.66			
RE 3 F M M/L OVRD	1.7730000	\$2.27			
RE 3 F M BOND RED	8.8740000	\$11.36			
Taxes Billed 2022	71.5710000	\$91.60			

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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

RECEIPT

Morgan County

31 Ensign, Fort Morgan, CO 80701

(970) 542-3526



SU2023-0014 | Special Use Permit

Receipt Number: 543958

Payment Amount: \$650.00

June 9, 2023

Transaction Method	Payer	Cashier	Reference Number
Credit Card	Hannah Dutrow	Jenafer Santos	1306

Comments

Paid 5/23/2023

Assessed Fee Items

Fee items being paid by this payment

Date	Fee Item	Account Code	Assessed	Amount Paid	Balance Due
06/09/23	Special Use - Full Review		\$650.00	\$650.00	\$0.00
Totals:			\$650.00	\$650.00	
			Previous Payments		\$0.00
			Remaining Balance Due		\$0.00

Permit Info

Property Address	Property Owner	Property Owner Address	Valuation
Multiple Parcels Fort Morgan, CO 80701	Bos Farms LLC	20397 Road 152 Tulare, CO 93274	

Description of Work

Bos Farms LLC is requesting a Special Use Permit for a new livestock confinement operation. The request is for cattle ranch that will house 22,005 Animal Units (47,113 head). In addition, they will construct calf hutches and pens. It will be approximately 416 acres and will be located on parcel #'s 122728000005, 122721000016, 122729000004, and 122720000008 in sections 28-3-58, 20-3-58, 21-3-58, 29-3-58.

REFERRALS & RESPONSES

Landowner Letter

Landowner Letter Responses

Referral Letter

Referral Responses

Notifications

Public Comments or Concerns

Sign Posting & Notarized Affidavit



MORGAN COUNTY PLANNING AND BUILDING DEPARTMENT

June 21, 2023

Dear Neighboring Landowner:

AGPROfessionals, Tim Naylor and Hannah Dutrow, as applicant, and Bos Farms, LLC, as landowner, have submitted an application to our office for a new CAFO livestock facility. This request is for a cattle ranch that will house 22,005 animal units. In addition, they will construct calf hutches and pens.

The subject parcel of land is located in a part of the SE $\frac{1}{4}$ of Section 20, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 21, the NW $\frac{1}{4}$ of Section 28 and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 29, all in Township 3 North, Range 58 West of the 6th P.M., Morgan County, Colorado.

This application will be heard by the Planning Commission at a **public hearing on Monday, July 10, 2023 at 7:00 P.M.** and the Board of County Commissioners at a **public hearing on Tuesday, August 15, 2023 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. Landowners within $\frac{1}{4}$ mile of the subject property are notified of the application and hearing date.

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. 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 **July 5th, 2023.**

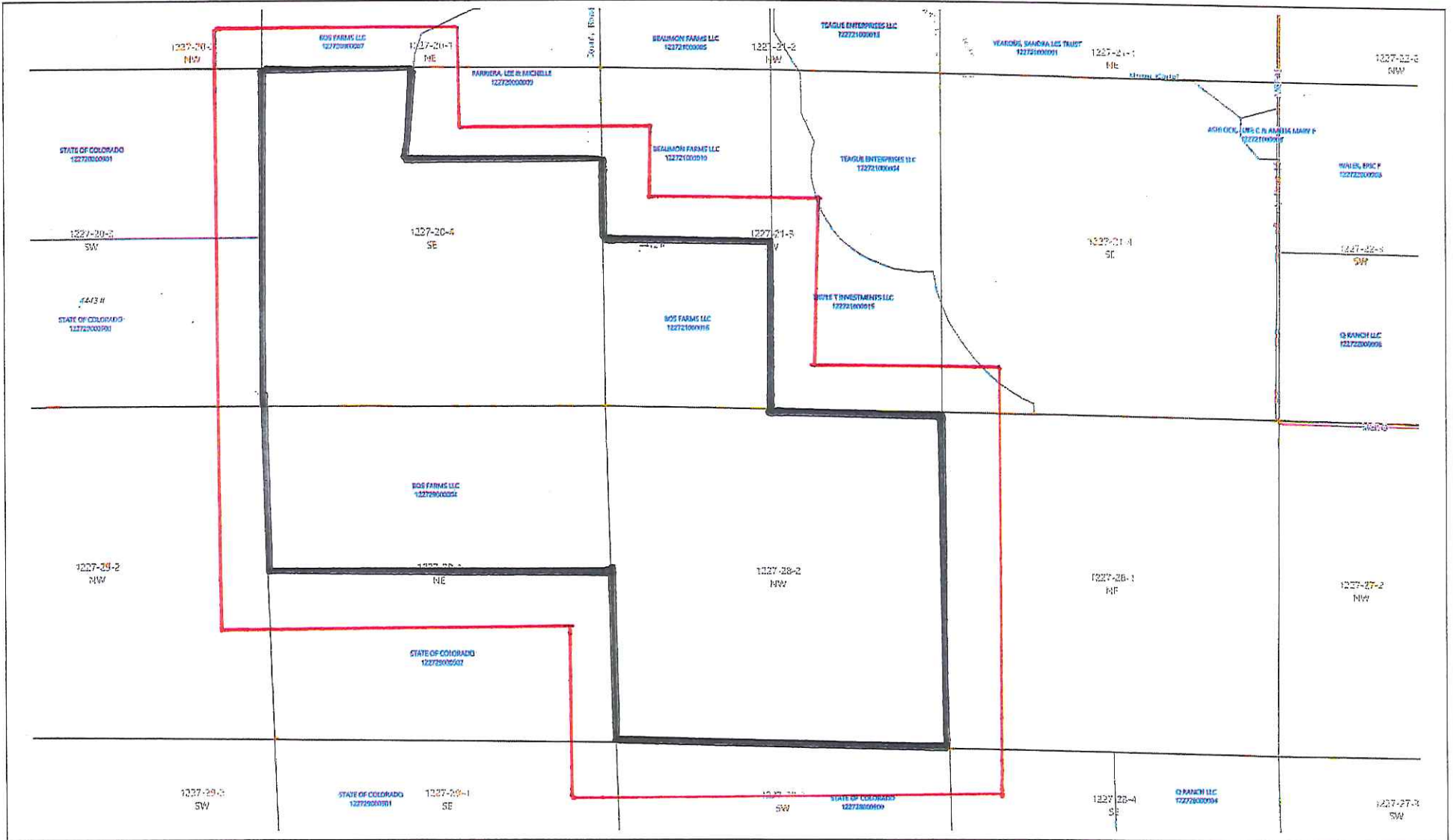
Sincerely,

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.

Bos Farms_SU2023-0014



BOS FARMS LLC
20397 RD 152
TULARE, CA 93274

Q RANCH LLC
9451 N STATE RD 10
DEMOTTE, IN 46310

TEAGUE ENTERPRISES LLC
15366 CO RD 0
FORT MORGAN, CO 80701

BEAUMON FARMS LLC
4387 WINONA CT
DENVER, CO 80212

PARRIERA, LEE & MICHELLE
14505 RD 14
FORT MORGAN, CO 80701

TRIPLE T INVESTMENTS LLC
14505 CO RD 14
FORT MORGAN, CO 80701

STATE OF COLORADO
STATE BOARD OF LAND COMMISSIONERS
1127 SHERMAN ST - STE 300
DENVER, CO 80203

RETLAW IRREVOCABLE TRUST
P O BOX 954
GRANT, NE 69140

STATE OF COLORADO
BOARD OF LAND COMMISSIONERS
1313 SHERMAN ST - RM 620
DENVER, CO 80203



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: June 21, 2023

RE: Land Use Application-Special Use Permit

The following Special Use Permit application will be heard by the Planning Commission on **Monday, July 10, 2023 at 7:00 p.m.** and also the Board of County Commissioners on **Tuesday, August, 15, 2023 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 welcome to attend and comment at this public meeting.

Applicants: Tim Naylor and Hannah Dutrow/AGPROfessionals

Landowners: Bos Farms, LLC

Legal Description: A part of the SE¼ of Section 20, the SW¼SW¼ of Section 21, the NW¼ of Section 28 and the N½NE¼ of Section 29 all in Township 3 North, Range 58 West of the 6th PM, Morgan County, Colorado.

Request: Proposal of a new CAFO livestock facility. This request is for a cattle ranch that will house 22,005 animal units. In addition, they will construct calf hutches and pens.

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>

You are encouraged to provide comments to this application by July 5, 2023 or attend the Planning Commission meeting on Monday, July 10, 2023. (See Map Attached)

Sincerely,

Cheryl Brindisi,

Morgan County Planning and Zoning Administrative Assistant



Right of Way & Permits

1123 West 3rd Avenue
Denver, Colorado 80223
Telephone: 303.285.6612
violeta.ciocanu@xcelenergy.com

June 22, 2023

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

Attn: Nicole Hay and Cheryl Brindisi

Re: Special Use Application – Bos Farms, LLC – CAFO Facility

Public Service Company of Colorado's (PSCo) Right of Way & Permits Referral Desk has reviewed the above-mentioned plan 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: violeta.ciocanu@xcelenergy.com



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

CDOT- Referral Response

2 messages

Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Mon, Jun 26, 2023 at 1:36 PM

To: Tim Naylor <tnaylor@agpros.com>, Hannah Dutrow <hdutrow@agpros.com>

Cc: Nicole Hay <nhay@co.morgan.co.us>, Jenafer Santos <jsantos@co.morgan.co.us>

Hello and Good Day!

Please see the attached CDOT response from the referral letter that I sent out earlier last week.

Rocksol Consulting had some concerns about traffic.

Thank you**Cheryl Brindisi, Planning and Zoning Administrative Assistant****Morgan County Planning and Zoning****231 Ensign St.****PO Box 596****Fort Morgan, CO 80701****970-542-3526**CBrindisi@co.morgan.co.us**CDOT-Comments.pdf**

95K

Tim Naylor <tnaylor@agpros.com>

Mon, Jun 26, 2023 at 3:06 PM

To: "Gloria Hice-Idler Ms. (Gloria.Hice-Idler@dot.state.co.us)" <Gloria.Hice-Idler@dot.state.co.us>

Cc: Nicole Hay <nhay@co.morgan.co.us>, Jenafer Santos <jsantos@co.morgan.co.us>, Cheryl Brindisi <cbrindisi@co.morgan.co.us>, Hannah Dutrow <hdutrow@agpros.com>

Gloria

As discussed, attached is the traffic narrative for the Bos Farms referral from Morgan County. We believe the traffic is minimal and will have very little impact on the local highways.

Thanks

Tim Naylor

AGPROfessionals

3050 67th Avenue, Suite 200

Greeley, CO 80634

970-535-9318 office


970-535-9854 fax

(303) 870-0013 mobile

www.agpros.com



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 13 - Traffic.pdf
446K



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Bos Farms/Morgan County/US 34 off

1 message

Hice-Idler - CDOT Contractor, Gloria <gloria.hice-idler@state.co.us>

Mon, Jun 26, 2023 at 1:10 PM

To: cbrindisi@co.morgan.co.us

Cc: Timothy Bilobran - CDOT <timothy.bilobran@state.co.us>, Allyson Young - CDOT <allyson.young@state.co.us>, "Robert (Mike) Shepherd - CDOT" <mike.shepherd@state.co.us>

The submittal did not address traffic volumes generated by the site and their impact to US 34. The site is located some distance from US 34 and there are multiple county roads in the area that could be used. The applicant should be required to address the impacts traffic might have on those county roads that intersect with US 34.

Gloria Hice-Idler
Rocksol Consulting

(970) 381-8629

cid:image001.png@01D05B52.DA3F45D0

10601 W. 10th Street, Greeley, CO 80634
gloria.hice-idler@state.co.us | www.codot.gov | www.cotrip.org



COLORADO
Department of Transportation
Peggy

image001.png
17K



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Special Use Application-Bos Farms, LLC

Localreferral - CDPHE, CDPHE <cdphe_localreferral@state.co.us>

Wed, Jul 5, 2023 at 9:57 AM

To: cbrindisi@co.morgan.co.us

Cc: "Kurz - CDPHE, David" <david.kurz@state.co.us>

Hello,

Please find CDPHE's referral comments below:

This proposal is for a new CAFO facility for a cattle ranch that will house 22,005 animal units in Morgan County. Details are unclear regarding number of employees.

If the facility meets the threshold number of people served to be considered a public water system, they will need to gain registration and design approval as a public water system. If the domestic wastewater system capacity is greater than 2,000 gallons per day, they will need to gain design approval and discharge permitting as a domestic wastewater treatment works. A septic system with wastewater capacity of 2,000 gpd or less can be permitted at the county level.

Thank you

-David Kurz
Wastewater Engineer
CDPHE

----- Forwarded message -----

From: **Kurz - CDPHE, David** <david.kurz@state.co.us>

Date: Fri, Jun 23, 2023 at 5:30 PM

Subject: Re: Special Use Application-Bos Farms, LLC

To: Localreferral - CDPHE, CDPHE <cdphe_localreferral@state.co.us>

Cc: Tyson Ingels - CDPHE <tyson.ingels@state.co.us>

This proposal is for a new CAFO facility for a cattle ranch that will house 22,005 animal units in Morgan County. Details are unclear regarding number of employees.

If the facility meets the threshold number of people served to be considered a public water system, they will need to gain registration and design approval as a public water system. If the domestic wastewater system capacity is greater than 2,000 gallons per day, they will need to gain design approval and discharge permitting as a domestic wastewater treatment works. A septic system with wastewater capacity of 2,000 gpd or less can be permitted at the county level.

David Kurz, P.E.
Lead Wastewater Engineer
Engineering Section

**COLORADO****Water Quality Control Division**

Department of Public Health & Environment

P 303.692.3552 | F 303.758.1398

4300 Cherry Creek Drive South, Denver, CO 80246

david.kurz@state.co.us | <https://cdphe.colorado.gov/water-quality>

24-hr Environmental Release/Incident Report Line: 1.877.518.5608

On Wed, Jun 21, 2023 at 12:48 PM Localreferral - CDPHE, CDPHE <cdphe_localreferral@state.co.us> wrote:
Hello,

Please let me know if you have additional comments.

Thanks!

----- Forwarded message -----

From: **Cheryl Brindisi** <cbrindisi@co.morgan.co.us>

Date: Wed, Jun 21, 2023 at 8:49 AM

Subject: Special Use Application-Bos Farms, LLC

To: Jill Brownell <jill.brownell@bijouirrigation.com>, Bilobran - CDOT, Timothy <timothy.bilobran@state.co.us>, Century Link - Brian Vance <Brian.Vance@centurylink.com>, CDPHE <cdphe_localreferral@state.co.us>, Todd Cozad <todd.cozad@state.co.us>, Ciocanu, Violeta <Violeta.Ciocanu@xcelenergy.com>, Kinder Morgan - Jeff Voltattorni <Jeff.Voltattorni@elpaso.com>, Tim Amen <asrmorganc@co.morgan.co.us>, Danette Martin <djmartin@co.morgan.co.us>, Soil Conservation Dist - Danielle French <morganconservationdistrict@gmail.com>, Bruce Bass <bbass@co.morgan.co.us>, Brent Kliesen <bkliesen@mcrea.org>, <brenda.guggenmos@cityoffortmorgan.com>, David Martin <dmartin@co.morgan.co.us>, <brent.nation@cityoffortmorgan.com>, Hope Becker <hbecker@wigginsco.com>, John Goodman <jgoodman@co.morgan.co.us>, James Rehn <jrehn@co.morgan.co.us>, MCQW - Kent Pflager <kpflager@mcqwd.org>, MCQW - Kay Zarbock <kzarbock@mcqwd.org>, J Struble <jstruble@northernwater.org>, Mikaela Noe <Mickaela.Noe@usda.gov>, Mel Bustos <melb@nchd.org>, <trae.boehm@cityoffortmorgan.com>, <office@bijouirrigation.com>, Roger Doll <rdoll@co.morgan.co.us>, Wiggins <townmanager@wigginsco.com>, Wiggins Rural Fire <wigginsruralfire@gmail.com>, MCREA - Kevin Martens <kmartens@mcrea.org>, Monty Torres <mtorres@brushcolo.com>, Williamson, Robert A (Bob) <Bob_Williamson@kindermorgan.com>, Tyler Purvis <tpurvis@brushcolo.com>, Wiggins Fire Department <wfdsecretary@rtebb.net>
Cc: Nicole Hay <nhay@co.morgan.co.us>, Jenafer Santos <jsantos@co.morgan.co.us>, Liliana Lopez <llopez@co.morgan.co.us>

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COLORADO
Department of Public
Health & Environment

cdphe_localreferral@state.co.us | colorado.gov/cdphe

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COLORADO
Department of Public
Health & Environment

cdphe_localreferral@state.co.us | colorado.gov/cdphe



Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Special Use Application-Bos Farms, LLC

Kent Pflager <kpflager@mcqwd.org>

Wed, Jun 21, 2023 at 10:52 AM

To: Cheryl Brindisi <cbrindisi@co.morgan.co.us>, Nicole Hay <nhay@co.morgan.co.us>, Tim Naylor <tnaylor@agpros.com>, Kyle Marick <kmarick@mcqwd.org>

A couple of comments on this application.

1. Morgan County Quality Water has had no Discussions with the applicant regarding water service to the property and do not intend to service the water at this time.

2. The site plans indicate a water line along O turning North on 14 That is a MCQWD 4 inch main line and we will require a 20 easement as centered on the line to allow us to maintain, repair and replace the water line and associate apparatuses. The basic restrictions are as follows:

shall not cause or allow within the Easements (A) utility lines paralleling the Pipeline less than 18 inches measured horizontally from the edge of the Pipeline; (B) any buildings, other improvements, and trees and shrubs which would prevent access to the Pipeline; or (C) the earth cover over the Pipeline to be less than three feet or more than ten feet, measured vertically from the top of the Pipeline.

MCQWD will require a survey of the easement and will prepare the easement documents from the survey.

We will be glad to locate the line for the survey when you are ready.

Thanks

Kent A Pflager

General Manager

Morgan County Quality Water District

P.O. Box 1218 17586 MCR 20

Fort Morgan, CO 80701

Phone: 970-867-3054


Fax: 970-867-3055

Cell: 970-768-7759

Email: kpflager@mcqwd.org

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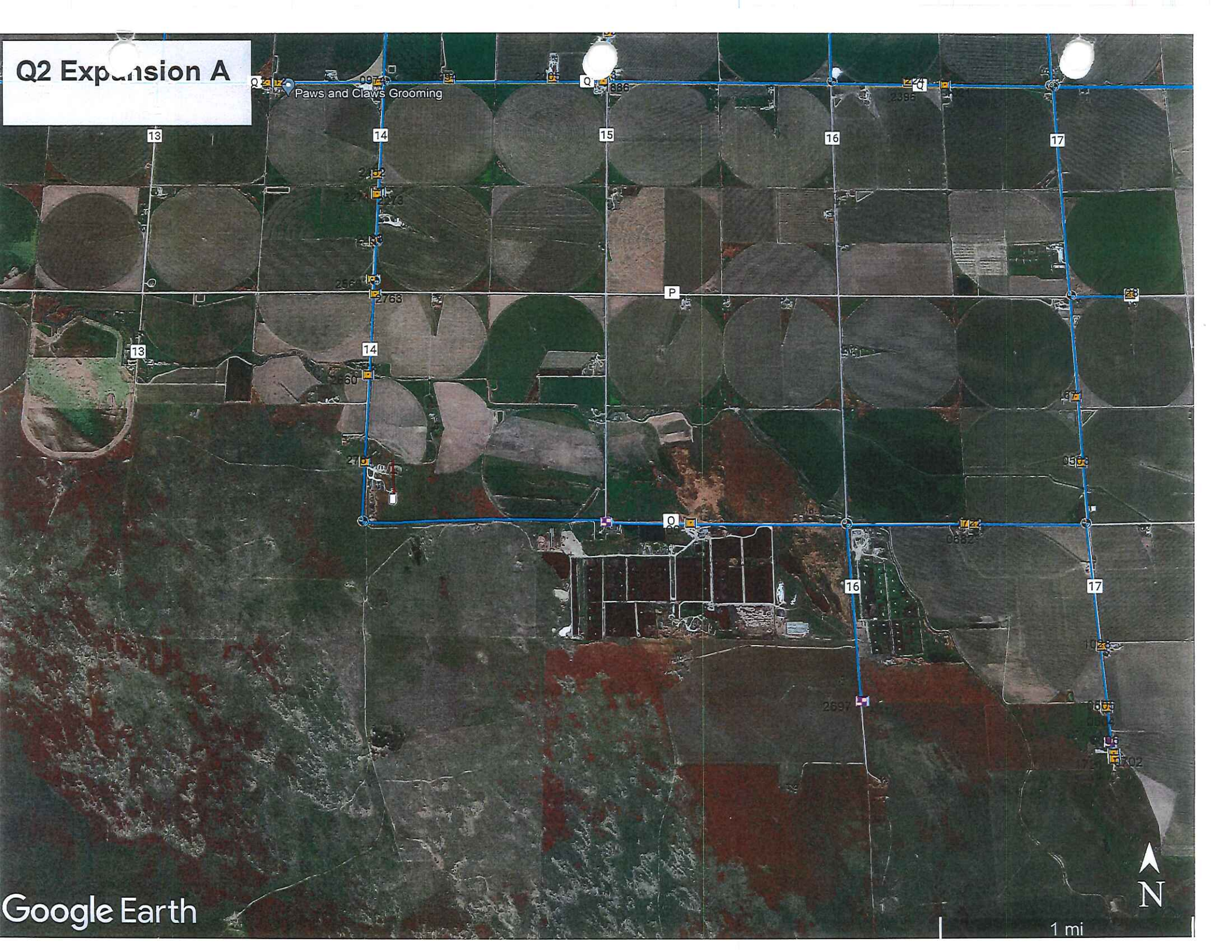
3 attachments

 **Referral Letter - Bos Farms PC.pdf**
90K

 **MapPrint_LandscapeTabloid.pdf**
128K

 **Site Plans.pdf**
1937K

Q2 Expansion A



The above sign was posted on (date) 6/30/23, pursuant to the
Morgan County Zoning Resolution by (name of applicant) Bos Farms LLC

Project name and number: SU2023-0014 Bos Farms Sup

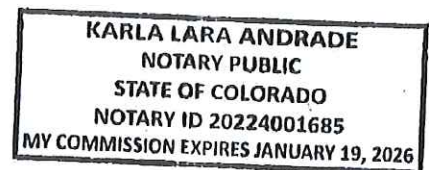
Signature of Applicant/Representative: [Signature]

STATE OF COLORADO)
) ss.
COUNTY OF MORGAN)

Signed before me this date: 6-30-2023

My Commission expires: January 19, 2026

NOTARIZED BY: [Signature]



**NOTICE OF PUBLIC HEARING ON LAND USE
APPLICATION BEFORE THE PLANNING COMMISSION**

Applicants: AGPROfessionals, Tim Naylor and Hannah Dutrow

Landowner: Bos Farms, LLC

Reason: Use by Special Review for a new CAFO livestock facility that will house 22,005 animal units. In addition they will construct calf hutches and pens.

Location of Hearing: 231 Ensign St, Ft. Morgan, CO 80701

Date of Hearing: Monday, July, 10th, 2023 at 7:00 PM



NOTICE OF PUBLIC HEARING ON LAND USE
APPLICATION BEFORE THE PLANNING COMMISSION
Applicants: AGP Professionals, Tim Haylor and Hannah Ottewill
Landowner: Bee Farm, LLC
Reason: Use by Special Review for a new CAFO livestock
facility that will house 22,000 animal units. In addition
they will construct calf hutches and pens.
Location of Hearing: 231 E. 9th St., Ft. Morgan, CO 80701
Date of Hearing: Monday, July 10th, 2023 at 6:00 PM

ADDITIONAL INFORMATION



Jenafer Santos <jsantos@co.morgan.co.us>

Bos Farms SUP Response to Staff Comments

1 message

Hannah Dutrow <hdutrow@agpros.com>

Thu, Jul 6, 2023 at 4:13 PM

To: Nicole Hay <nhay@co.morgan.co.us>, Cheryl Brindisi <cbrindisi@co.morgan.co.us>

Cc: Tim Naylor <tnaylor@agpros.com>, Kelsey Bruxvoort <Kbruxvoort@agpros.com>, Jenafer Santos <jsantos@co.morgan.co.us>

Good afternoon, everyone –

Here is your requested information for the Bos Farms SUP. If there is anything else you need, please let us know.

Summary of Ownership Relationships

Bos Farms is part owner of Front Range Farms, Q Ranch, and T&M Limited Partnership which are all local operations. Included here is a summary (Family Tree-Colorado_Redacted) detailing the ownership and associated facilities. Certain details have been redacted as they are not pertinent to this matter.

Water Summary

We completed a cursory review of the water needs based on the average herd size. It can be assumed that 2.5 gallons per animal will be consumed daily. This would equate to approximately 125-130 acre-feet of water based on the herd size. We also completed a breakdown of the herd by size and assumed water needs of 1 gallon per 100lbs. which is included here and indicated 150 acre-feet of water. However, this assessment is limited in that the cattle will have varying weights and water needs.

The Bos family has been in the cattle operation since 1999 and while certain equations may indicate assumed water needs, the owners feel comfortable proceeding with the determined 125 acre-feet of water. Should the need arise that the water indicated is insufficient they will either procure additional water via the augmentation plan and United Water and Sanitation District or animals will be taken off the cattle ranch for use in any of their other facilities.

We believe this addresses your outstanding comments. If there is anything else you need, please let me know.

Thank-you,

Hannah Dutrow

Land Planner III



3050 67th Avenue, Suite 200

Greeley, CO 80634

970-535-9318 office

Weight Range	Assumed Head Count	Avg. gallons per head/daily	Avg. gallons per total head/daily
0 - 100	8,946	0.5	4473
101 - 200	8,946	1.5	13419
201 - 300	7,305	2.5	18262.5
301 - 400	7,305	3.5	25567.5
401 - 500	7,305	4.5	32872.5
501 - 600	7,305	5.5	40177.5
TOTAL	47,112		134772 X 365 = 49,191,780 / 325,851 = 150.96 acre-feet

1 acre-foot water equals 325,851 gallons

325,851 X 125 = 40731375 gallons/acre-foot

Bos Family Company Summary							Ownership																	
Company	Address			Organized			Bos		Bos	Herrema		Bos	Bos Family Farms, Inc		Bos Farms, (Gary Bos)	Bos Dairy, LLC	Hidden View Dairy LLC	Herrema Dairy LLC	Windy Ridge Dairy LLC	Schakel		Bos Family Farms, Inc	Total	
	Mailing	City & State	Zip	Date	State	Type	Tony	Mary Beth	Tony T.	Derek	Lara	Steve	Q Ranch LLC								Fred	Lynn		
Front Range Farms, LLC	9451 N. State Road 10	DeMotte IN	46310	9/27/07	Colorado	Ltd Liability Co.	33.33%									33.33%	16.67%		16.67%				99.99%	
F2F Transport LLC	15366 CR Q	Ft Morgan CO	80701	4/5/22	Colorado	Ltd Liability Co.							100.00%										100.00%	
Bos Dairy, LLC	10777 West 700 North	Fair Oaks IN	47943	5/14/03	Indiana	Ltd Liability Co.			100.00%														100.00%	
Bos Family Farms Inc.	9451 N. State Road 10	DeMotte IN	46310	4/9/99	Indiana	C Corp	24.80%	24.80%	12.60%		12.60%	12.60%									12.60%		100.00%	
																							100.00%	
																							100.00%	
																							100.00%	
Q Ranch, LLC	9451 N. State Road 10	DeMotte IN	46310	1/30/08	Colorado	Ltd Liability Co.										25.00%							100.00%	
T & M Limited Partnership	9451 N. State Road 10	DeMotte IN	46310	4/9/99	Indiana	Ltd Partnership	16.64%	16.64%	16.18%		16.18%	16.18%		1.00%							16.18%	1.00%		
Tony Bos		DeMotte	46310	Father		<<< Tony is Gary Bos's Brother																		
Mary Beth Bos				Mother																				
Tony T. Bos		DeMotte	46310	Son																				
Lindsey S. Bos				Daughter-In-Law																				
Steven A. Bos		DeMotte	46310	Son																				
Jeanell C. Bos				Daughter-In-Law																				
Fred H. Schakel		Wheatfield	46392	Son-in-Law																				
Lynn M. Schakel				Daughter																				
Derek J. Herrema		Rensselaer	47978	Son-in-Law																				
Lara B. Herrema				Daughter																				

Gary & Rick Bos									Ownership								
Company	Address			Organized			Principal Bus	Fed Tax ID	Bos Farms LLC	Bos Farms LP	Gary & Leslie Bos Trust	Rick & Jillian Bos Trust	Bos		Bos		Totals
	Mailing	City & State	Zip	Date	State	Type							Gary	Leslie	Rick	Jillian	
Bos Farms, LLC	20397 Road 152	Tulare, CA	93274														100 00%
Bos Farms, LP	20397 Road 152	Tulare, CA	93274														100 00%
The Gary & Leslie Bos Family Trust Dated 12/7/94	1528 N Roeben Drive	Visalia, CA	93291														100 00%
2011 Rick & Jillian Bos Family Trust	20397 Road 152	Tulare, CA	93274														100 00%
Gary Bos		Visalia, CA	93291				Father		<<< Gary Bos is Tony Bos's Brother								
Leslie Bos		Visalia, CA	93291				Mother										
Rick A. Bos		Tulare, CA	93274				Son										
Jillian E. Bos		Tulare, CA	93274				Son-In-Law										