

DISTRICT COURT, SAGUACHE COUNTY, COLORADO Saguache Combined Court 501 Christy Avenue P.O. Box 197 Saguache, CO 81149	DATE FILED: December 18, 2017 1:30 PM CASE NUMBER: 2017CV30015
IN THE MATTER OF THE RIO GRANDE WATER CONSERVATION DISTRICT, SPECIAL IMPROVEMENT DISTRICT NO. 5 SAGUACHE COUNTY, Rio Grande Water Conservation District 10900 Highway 160 East Alamosa, Colorado 81101 Telephone: 719-589-6301 PETITIONER.	<p style="text-align: center;">▲ Court Use Only ▲</p> <p style="text-align: center;">Case Number: 2017CV30015</p>
ORDER ESTABLISHING SPECIAL IMPROVEMENT DISTRICT NO. 5 OF THE RIO GRANDE WATER CONSERVATION DISTRICT	

THIS MATTER came before the Court this 18th day of December, 2017, pursuant to a Petition for the Establishment of Special Improvement District No. 5 in accordance with section 37-48-123, C.R.S., from the Rio Grande Water Conservation District (“Petitioner”) requesting the establishment of Special Improvement District No. 5. Petitioner appeared by and through its attorney, Peter J. Ampe of Hill & Robbins, P.C. No objectors or protestants appeared.

The Court received evidence and took argument from counsel on December 18, 2017 and, based on such evidence and the record before it, the Court hereby **FINDS AND CONCLUDES:**

- A. No timely protest to the organization of Special Improvement District No. 5 was filed;

B. No timely objections to the organization of Special Improvement District No. 5 were filed;

C. The Conceptual Plan of Water Management circulated with the petitions ensured that the public, and in particular those who will be subject to taxation or fees by the district, understand the general ramifications of signing a petition for creating the Subdistrict. The testimony showed that the Conceptual Plan of Water Management fairly represented the potential actions the district will be empowered to take, and a range of financial costs to the included property. The Conceptual Plan of Water Management was prepared in good faith in open public meetings with representation by any party interested in participating in the process;

D. Special Improvement District No. 5 is an 'opt-in' Subdistrict which lands form a checkerboard of Subdistrict lands. Only those landowners who specifically requested inclusion of lands in the Subdistrict through the petition process are included in the Subdistrict. Staff for the Rio Grande Water Conservation District contacted or attempted to contact all owners of non-exempt wells as shown by the Colorado Division of Water Resources database of well permits or decreed wells, as well as through public advertisements in local newspapers and the District's internet website to allow interested parties to petition to include lands into the Subdistrict;

E. Based upon the testimony at hearing, the Court finds that there has been ample opportunity for interested persons to petition their lands into the Subdistrict. Based upon the testimony at hearing and review of the record, the Court finds that a majority of

landowners support organization of the Subdistrict and such landowners own a majority of the land in the Subdistrict; and,

F. The allegations contained in the Petition for Establishment of Special Improvement District No. 5 are supported by the evidence.

As a result, and in accordance with section 37-48-125(4), C.R.S., this Court decrees that the Subdistrict is hereby organized and will be named the Special Improvement District No. 5 of the Rio Grande Water Conservation District.

Said Subdistrict will include all lands classified as follows:

Saguache County Assessor Records Reception No. 380406, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., SAGUACHE COUNTY, STATE OF COLORADO, Section 4: Northwest Quarter (Lots 3 and 4 and the S $\frac{1}{2}$ SW $\frac{1}{4}$), Section 5: Northeast Quarter (Lots 1 and 2 and the S $\frac{1}{2}$ NE $\frac{1}{4}$). Saguache County Assessor Records Reception No. 380410, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., SAGUACHE COUNTY, STATE OF COLORADO, Section 5: Northwest Quarter (Lots 3 and 4 and the S $\frac{1}{2}$ NW $\frac{1}{4}$) and Section 5: Southwest Quarter (SW $\frac{1}{4}$). , Saguache County Assessor Records Reception No. 373310, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., Section 15: SW $\frac{1}{4}$, Section 21: N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22: N $\frac{1}{2}$ NW $\frac{1}{4}$, Section 28: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$. Saguache County Assessor Records Reception No. 376166, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., Section 17: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 20: S $\frac{1}{2}$ S $\frac{1}{2}$, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29: All, Section 30: SE $\frac{1}{4}$, Section 31: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 32: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$. Saguache County Assessor Records Reception No. 375739, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M.. Section 18: S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 19: N $\frac{1}{2}$ NE $\frac{1}{4}$. Saguache County Assessor Records Reception No. 376168, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., Section 19: S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$, Section 20: W $\frac{3}{4}$ of SW $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{3}{4}$ of NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30: NE $\frac{1}{4}$, In Saguache County, Colorado. Saguache County Assessor Records Reception No. 318709, The S $\frac{1}{2}$ OF NW $\frac{1}{4}$ AND THE N $\frac{1}{2}$ SW $\frac{1}{4}$ OF SECTION 19 IN TOWNSHIP 44 NORTH OF RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN. Saguache County Assessor Records Reception No. 363785, The N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 19, Township 44 North, Range 9 East, N.M.P.M. Saguache County Assessor

Records Reception No. 373310, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., Section 21: Tracts 33 through 40, 57 through 72, 89 through 106 and 119 through 129, according to the map of the "Oklahoma Land and Colonization Co.'s Tracts" filed for record July 13, 1910.

Saguache County Assessor Records Reception No. 373310, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M. All of Section 22, except the S1/2SE1/4. Saguache County Assessor Records Reception No. 373310, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M. Section 27: S1/2NE1/4, NW1/4 and N1/2SE1/4 [also known as Tracts 8 through 23, 33 through 72 and 89 through 96, according to the map of the "Oklahoma Land and Colonization Co.'s Tracts" filed for record July 13, 1910.

Saguache County Assessor Records Reception No. 373310, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., Section 28: Tracts 1 through 9; Tracts 25 through 40; Tracts 57 through 64; Tracts 69 through 76; Tracts 85 through 87; and Tracts 91 and 92, all according to the map of the "Oklahoma Land and Colonization Co.'s Tracts" filed for record July 13, 1910.

Saguache County Assessor Records Reception No. 330806, TOWNSHIP 44 NORTH, RANGE 9 EAST, N.M.P.M., Section 33: Tracts 5 through 28, Inclusive; Tracts 37 through 56, Inclusive; Tracts 73 through 77, Inclusive; Tracts 85 through 108, Inclusive; and Tracts 117 through 128, Inclusive; and the East Half (E1/2) of Tracts 33, 34, 63, 64, 65 and 66. Saguache County Assessor Records Reception No. 371092, Township 44 North, Range 8 East, N.M.P.M., Section 2: SE1/4, S1/2SW1/4, NW1/4SW1/4, Section 11: NE1/4, N1/2SE1/4. Saguache County Assessor Records Reception No. 350757, TOWNSHIP 44 NORTH, RANGE 8 EAST, N.M.P.M., Section 5: W1/2SE1/4, N1/2SW1/4, SW1/4SW1/4, and all that portion of the S1/2NW1/4 lying South of the Southerly right-of-way line of U.S. Highway 285; SAVING AND EXCEPTING THEREFROM all that part of the SE1/4 of said Section 5, described as follows: Beginning at the South Quarter (S1/4) corner of said Section 5; thence Easterly along the South line of said Section 5 a distance of 1,307.5 feet; thence Northerly and parallel to the North-South centerline of said Section 5 a distance of 327 feet; thence on an angle to the left of 63°00' along the centerline of a creek a distance of 445 feet; thence on an angle to the left of 09°30' along the centerline of said creek a distance of 163 feet; thence on an angle to the right of 16°15' along the centerline of said creek a distance of 110 feet; thence on an angle to the left of 40°00' a distance of 163 feet; thence on an angle to the right of 80°00' a distance of 151 feet; thence Westerly in a straight line a distance of 460.9 feet, more or less, to a point on the North-South centerline of said Section 5 which point is 735 feet Northerly of the South Quarter (S1/4) corner of said Section 5; thence Southerly along the North-South centerline of said Section 5 a distance of 735 feet to the point of beginning. Section 6: S1/2SE1/4 and all that portion of the N1/2SE1/4 lying South of the Southerly right-of-way line of U.S. Highway No. 285;

SAVING AND EXCEPTING THEREFROM beginning at a point on the North fence line of Denver Avenue, Town of Saguache, 3649.0 feet East and 30 feet North of the Southwest corner of said Section 6; thence North 180 feet, more or less to a point 5 feet South of the ditch; thence Westerly along said ditch 300 feet; thence South 182 feet, more or less, to the North fence line of Denver Avenue; thence East along said fence line 300 feet, more or less, to the point of beginning; ALSO SAVING AND EXCEPTING THEREFROM beginning at the Southwest corner of the SE $\frac{1}{4}$ of said Section 6, a $\frac{1}{2}$ " Rebar with a yellow plastic cap marked "22583" set in the North-South centerline of said Section 6; thence North along the North-South centerline of said Section 6 a distance of 1320.78 feet to a $\frac{3}{4}$ " aluminum cap set and marked "S 1/16 86 22583"; thence South 89°59'16" West a distance of 207.91 feet to a $\frac{1}{2}$ " rebar with yellow plastic cap marked "22583" set in the Southeast right-of-way line of U.S. Highway 285, being the beginning of a curve to the right; thence with the Southeast right-of-way line of U.S. Highway 285 and with said curve to the right having a delta angle of 08°42'13", a radius of 1860.00 feet, a tangent of 141.55 feet and chord that bears North 56°27'48" East 282.28 feet, for a distance of 282.55 feet; thence North 60°48'55" East a distance of 1406.19 feet continuing with the Southeast right-of-way line of U.S. Highway 285; thence South 01°15'40" East a distance of 22.64 feet continuing with the Southeast right-of-way line of U.S. Highway 285; thence North 60°48'55" East a distance of 142.16 feet continuing with the Southeast right-of-way line of U.S. Highway 285; thence South 18°23'45" West a distance of 1467.07 feet; thence South a distance of 816.78 feet, more or less, to a point on the South line of said Section 6; thence West along the South line of said Section 6 a distance of 917.01 feet to the point of beginning. Saguache County Assessor Records Reception No. 375755, Lots 4, 5 and 6, in Block 4, in the Town of Saguache. Saguache County Assessor Records Reception No. 309954, TOWNSHIP 44 NORTH, 8 EAST, N.M.P.M., Section 3: SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4: W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 9: N $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10: NW $\frac{1}{4}$ NW $\frac{1}{4}$. Conejos County Assessor Records Reception No. 295410, PARCEL 2, Township 44 North, Range 8 East of NMPM, "Hunt Springs Place" Section 9 – S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 10 – S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$. Saguache County Assessor Records Reception No. 367196, Township 44 North, Range 8 East of the New Mexico Principal Meridian, Section 11: W $\frac{1}{2}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, Section 14: E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$. Saguache County Assessor Records Reception No. 380073, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE N.M.P.M., SECTION 13: S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SECTION 24: NW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$. Saguache County Assessor Records Reception No. 343401, S $\frac{1}{2}$ NE $\frac{1}{4}$,

N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14, Township 44 North, Range 8 East of the New Mexico Principal Meridian, Saguache County, Colorado. Saguache County Assessor Records Reception No. 380073, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE N.M.P.M., SECTION 14: A TRACT OF LAND DESCRIBED AS: BEGINNING AT THE NE CORNER OF THE SE $\frac{1}{4}$ SE $\frac{1}{4}$ OF SECTION 14, THENCE WEST 63 RODS TO THE SAGUACHE RIVER THENCE SOUTH ALONG SAID RIVER 4 RODS TO A DITCH KNOWN AS BROWN'S DITCH THENCE SOUTHEASTERLY ALONG SAID DITCH TO THE SECTION LINE; THENCE NORTH 38 RODS TO THE POINT OF BEGINNING, CONTAINING 7 ACRES, MORE OR LESS. Saguache County Assessor Records Reception No. 375929, The SW $\frac{1}{4}$ of Section 14, Township 44 North, Range 8 East, N.M.P.M. and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the S $\frac{1}{2}$ of Section 15, Township 44 North, Range 8 East, N.M.P.M. Saguache County Assessor Records Reception No. 364786, TOWNSHIP 44 NORTH, RANGE 8 EAST, N.M.P.M., Section 18: All of the West Half (W $\frac{1}{2}$) and all of that portion of the East Half (E $\frac{1}{2}$) lying West of the Westerly right-of-way of Saguache County Road 48X, also known as Cemetery Road. Saguache County Assessor Records Reception No. 356810, Township 44, Range 8 East, N.M.P.M., Section 19: S $\frac{1}{2}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20: All, Section 21: All, Section 28: All, Section 29: All, Section 30: All, Section 31: All; EXCEPT 12 acres Right-of-Way, Section 32: All, Section 33: All. Saguache County Assessor Records Reception No. 238897, The NW $\frac{1}{4}$ of Section 19, Township 44 North, Range 8 East, New Mexico Principal Meridian; EXCEPT a tract of land described as follows: Beginning at the North quarter corner of Section 19, Township 44 North, Range 8 East, NMPM; thence South 0°16'29" West along the North-South centerline of said Section 19, a distance of 872.9 feet; thence North 45°08'34" West a distance of 1205.01 feet to the North line of the NW $\frac{1}{4}$ of said Section 19; thence North 88°28'09" East, along the North line of said Section 19, a distance of 858.69 feet to the point of beginning containing 8.60 acres, more or less. Saguache County Assessor Records Reception No. 379038, The Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), the West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$), the East Half of the Northwest Quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$) and the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 23, Township 44 North, Range 8 East of the New Mexico Principal Meridian, Saguache County, Colorado; EXCEPT that portion described as follows: That portion of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 23, lying southwesterly of the following described line: Commencing at the Northeast corner of Section 22, thence South 01°36'50" West on the East line of said Northeast Quarter, 130.01 feet to the point of beginning on the line to be described hereby; thence southeasterly on an arc of a curve

whose center bears South 26°08'55" West, whose radius is 1384.15 feet, through a central angle of 61°58'30", an arc distance of 1497.22 feet more or less to intersect the south line of the Northwest Quarter of said Northwest Quarter of Section 23, and the terminus of the line.

TOGETHER WITH that portion of Section 22, Township 44 North, Range 8 East, New Mexico Principal Meridian, Saguache County, Colorado described as follows: Beginning at the northeast corner of Section 22, thence South 01°36'50" West on the East line of said Northeast quarter 130.01 feet; thence North 88°22'00" West, parallel with the north line of said Northeast Quarter, 200.00 feet; thence North 01°36'50" East, parallel with said East line, 130.01 feet to the North line of said Northeast Quarter, thence on said North line, South 88°22'00" East, 200.00 feet to the point of beginning. Saguache County Assessor Records Reception No. 375739, TOWNSHIP 44 NORTH, RANGE 8 EAST, N.M.P.M. Section 22: N½N½, S½NE¼, SE¼NW¼, NE¼SW¼, N½SE¼, SAVING AND EXCEPTING THEREFROM beginning at the Northeast corner of said Section 22; thence South 01°36'50" West along the East line of the NE¼ of said Section 22 a distance of 130.1 feet; thence North 88°22'00" West, parallel with the North line of the NE¼ of said Section 22, a distance of 200.00 feet; thence North 01°36'50" East, parallel with the East line of the NE¼ of said Section 22, a distance of 130.1 feet; thence South 88°22'00" East a distance of 200.00 feet to the Point of Beginning. Section 23: NW¼NW¼, SW¼NW¼ and NW¼SW¼, SAVING AND EXCEPTING THEREFROM that portion of the NW¼NW¼ of said Section 23 lying Northeasterly of the following described line: Commencing at the Northeast corner of said Section 22, Township 44 North, Range 8 East, N.M.P.M.; thence South 01°36'50" West along the East line of the NE¼ of said Section 22 a distance of 130.1 feet to the True Point of Beginning; thence Southeasterly along an arc to the right a distance of 1497.22 feet (Chord=South 26°08'55" West, Radius=1384.18 feet, Central Angle=61°58'30"), more or less, to a point on the South line of the NW¼NW¼ of said Section 23 and the point of terminus. in Saguache County, Colorado. Saguache County Assessor Records Reception No. 381173, TOWNSHIP 44 NORTH, RANGE 8 EAST, N.M.P.M., Section 23: SE¼NE¼, Section 24: S½NW¼ and N½SW¼, SAVING AND EXCEPTING THEREFROM that portion of the SE¼NW¼ lying Northerly and Easterly of Saguache Creek. Saguache County Assessor Records Reception No. 367196, Township 44 North, Range 8 East of the New Mexico Principal Meridian, Section 36: All, Section 25: S½SE¼, NW¼SE¼, Section 22: S½S½, SW¼NW¼, NW¼SW¼, Section 23: S½SW¼, Section 27: N½N½, Section 26: All, Section 35: N½. Saguache County Assessor Records Reception No. 373362, TOWNSHIP 44 NORTH, RANGE 8 EAST, N.M.P.M., Section 27: S½N½, SW¼ and SE¼, Section 34: NW¼. Saguache County

Assessor Records Reception No. 378126, The Southwest Quarter (SW $\frac{1}{4}$) of Section 34, Township 44 North, Range 8 East, N.M.P.M. in Saguache County, Colorado. Saguache County Assessor Records Reception No. 373362, TOWNSHIP 44 NORTH, RANGE 8 EAST, N.M.P.M.

Section 34: SE $\frac{1}{4}$. Saguache County Assessor Records Reception No. 376335, TOWNSHIP 44 NORTH, RANGE 7 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAGUACHE, STATE OF COLORADO, SECTION 36: All, EXCEPTING HEREFROM portions described in instrument in Book 202 at Page 241, Book 202 at Page 321, Book 202 at Page 250, Book 202 at Page 251, Book 213 at Page 504 and Book 340 at Page 72. Saguache County Assessor Records Reception No. 376335, TOWNSHIP 43 NORTH, RANGE 7 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAGUACHE, STATE OF COLORADO, SECTION 1: Lots 1, 6 and 7, the N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying West of the canal of the Rio Grande Land and Canal Company, as described in Deed recorded in Book 178 at Page 160. Saguache County Assessor Records Reception No. 376333, TOWNSHIP 43 NORTH OF RANGE 7 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAGUACHE, STATE OF COLORADO: SECTION 1: All that portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, located East of the Rio Grande Canal; SECTION 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$ and all that portion of the NW $\frac{1}{4}$ NE $\frac{1}{4}$, lying Southeasterly of that part of the Old Rio Grande Canal which runs Northeasterly through the NE $\frac{1}{4}$ of said Section 12. Saguache County Assessor Records, Reception No. 313931, TOWNSHIP 43 NORTH OF RANGE 7 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, SECTION 12: SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, EXCEPTING HERE FROM A tract of land located in the S $\frac{1}{2}$ NE $\frac{1}{4}$, of said Section 12, more particularly described as follows: Beginning at a point on the West right of way line of U.S. Highway 285 from which the E $\frac{1}{4}$ Corner of Section 12 bears S. 04°41'50" E., 846.40 feet; thence N. 06°02'08" W., 178.03 feet; thence N. 03°07'13" N., 460.16 feet to a point on the North line of the S $\frac{1}{2}$ NE $\frac{1}{4}$ of said section; thence N. 89°38'56" E., along said sixteenth section line a distance of 235.85 feet to a point on the West right of way line of U.S. Highway 285; thence S 00°59'26" W., along said right of way a distance of 323.70 feet; thence S. 10°27'11" W., along said right of way a distance of 152.10 feet to the True Point of Beginning, as contained in Plat recorded November 6, 1992, in Book 479, Page 719-A. Saguache County Assessor Records Reception No. 370961, The SW $\frac{1}{4}$ of Section 12, Township 43 North, Range 7 East of the N.M.P.M., County of Saguache, State of Colorado. Saguache County Assessor Records Reception Nos. 322967 and 364552, TOWNSHIP 43 NORTH OF RANGE 7 EAST, NEW MEXICO PRINCIPAL MERIDIAN, SECTION 13: SE $\frac{1}{4}$, Saguache County, Colorado. Saguache County Assessor Records Book 440 Page 700,

NE1/4 of the SW ¼ and the NW1/4 of the SE1/4 of Sec. 24, Twp. 43N, Range 7 East of the New Mexico Principal Meridian (“ENPM”). Saguache County Assessor Records Reception No. 378734 and 378732, NE1/4 of Sec. 25, Twp. 43N., Range 7 ENMPM. Saguache County Assessor Records Reception No. 378734 and 378732, NE1/4 and the NW1/4 of Sec. 25, Twp. 43N., Range 7 ENMPM and N1/2 of Sec. 26, TWP. 43N, Range 7 ENMPM. Saguache County Assessor Records Reception No. 297073, The Southwest Quarter and the West Half of the Southeast Quarter of Section Twenty-five, Township Forty-three North, Range Seven East, New Mexico Principal Meridian, Saguache County, Colorado. Saguache County Assessor Records Reception No. 349358 and 359887, N½NE¼ of Section 36, Township 43 North, Range 7 East, N.M.P.M. Saguache County Assessor Records Reception No. 332319, S1/2NE1/4 Section 36, Township 43 North of Range 7 East of the New Mexico Principal Meridian. Saguache County Assessor Records Reception No. 332319, S1/2NE1/4 Section 36, Township 43 North of Range 7 East of the New Mexico Principal Meridian. SAGUACHE COUNTY ASSESSOR RECORDS RECEPTION NO. 372713, TOWNSHIP 43 NORTH, RANGE 7 EAST, N.M.P.M., Section 36: Southwest Quarter (SW¼), except the East 30 feet of even width thereof. Saguache County Assessor Records Reception No. 372684, The Southeast Quarter (SE¼) together with the East 30 feet of the Southwest Quarter (SW¼) of Section 36, Township 43 North, Range 7 East, N.M.P.M., LESS AND EXCEPT THE East 70 feet of the Southeast Quarter (SE¼) for the right of way for the U.S. Highway No. 285. Saguache County Assessor Records Reception No. 308137 and 330553, Tracts 1, 2, 3, and 4, 15, 16, 17, 18, 25, 26, 27, 28, 35, 36, 37, 38, 45, 46, 47, 48, 51, 52, 53, 54, 55, 56, 57, 58, 91, 95, 96, 97, 101 and 102, Section 1, Township 43 North, Range 8 East, N.M.P.M., Map of Oklahoma Land and Colonization Co.’s tracts. Saguache County Assessor Records Reception No. 376335, TOWNSHIP 43 NORTH, RANGE 8 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, COUNTY OF SAGUACHE, STATE OF COLORADO, SECTION 1: Lots 3, 4 and 5, Saguache County Assessor Records Reception No. 380342, Parcel 1: SW¼SE¼, Section 2, Township 43 North, Range 8 East, N.M.P.M., County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 384202, Parcel 1: Lots 3, 4, 5 & 8, N½SW¼, N½SE¼, Section 2, Township 43 North, Range 8 East, N.M.P.M., County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 380342, Parcel 2: Lot 2, Section 3, Township 43 North, Range 8 East, N.M.P.M., County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 380342, Parcel 2: Lots 1 & 6, Section 3, Township 43 North, Range 8 East, N.M.P.M., County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 355466, TOWNSHIP 43 NORTH,

RANGE 8 EAST, N.M.P.M., Section 5: All of Lot 6 except the East Half of the East Half and all of Lot 7 excepting the East Half of the East Half, all of Lots 5 & 8, and the East Half of the East Half of the Southwest Quarter (E1/2E1/2SW1/4). Saguache County Assessor Records Reception No. 275274, The Southwest Quarter of Section 6, in Township 43 North, Range 8 East, N.M.P.M. Saguache County Assessor Records Reception No. 310179, LOTS 2 THROUGH 10, INCLUSIVE AND THE SOUTHEAST QUARTER OF SECTION 6, IN TOWNSHIP 43 NORTH, RANGE 8 EAST, NEW MEXICO PRINCIPAL MERIDIAN. Saguache County Assessor Records Reception No. 374832, Tract of land Cont. 6.99 Ac. in 20-43-8 in B. 403 P. 461 and B.416 P.856 and 857, in Saguache County, State of Colorado. Saguache County Assessor Records Reception No. 382740, The NW¹/₄, Section 8, Township 43 North, Range 8 East, N.M.P.M. County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 382740, The NW¹/₄, Section 8, Township 43 North, Range 8 East, N.M.P.M. County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 382740, The NW¹/₄, Section 8, Township 43 North, Range 8 East, N.M.P.M. County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 373362, TOWNSHIP 43 NORTH, RANGE 8 EAST, N.M.P.M., Section 9: NE¹/₄, E¹/₂NW¹/₄. Saguache County Assessor Records Reception No. 272990, S¹/₂ of the N¹/₂ of Sec. 10, Twp. 43N, Range 8 ENMPM. Saguache County Assessor Records Reception No. 378734 and 378732, S¹/₂ of Sec. 10, Twp. 43N., Range 8 ENMPM. Saguache County Assessor Records Reception No. 378733 and 378731, The Southwest Quarter (SW¹/₄) of Section 15 (15) in Township Forty-three (43) North, range Eight (8) East of the new Mexico Principal Meridian. Saguache County Assessor Records Reception No. 300152, Book 480 at Page 405, The Northeast Quarter (NE¹/₄) of Section Nineteen (19), Township Forty-three (43) North, Range Eight (8) East, N.M.P.M. Saguache County Assessor Records Reception No. 352808, TOWNSHIP 43 NORTH, RANGE 8 EAST, N.M.P.M., Section 19: Lot 2 and the South Half of Lot 5 (also known as the S¹/₂NW¹/₄). Saguache County Assessor Records Reception No. 272990, W¹/₂ of Sec. 19, Twp. 43N, Range 8 ENMPM. Saguache County Assessor Records Reception No. 356301, TOWNSHIP 43 NORTH, RANGE 8 EAST, N.M.P.M., Section 19: Lots 3, 4 and 6 (also known as the SW¹/₄). Saguache County Assessor Records Reception No. 316957, All of Lot 2 and that West 1033 feet of Lot 1, SAVE AND EXCEPT a strip of land, 40 feet wide, along the North side thereof: Also, that part of the SE¹/₄ NW¹/₄ described by metes and bounds as follows: Commencing at the Northwest corner of the said SE¹/₄ NW¹/₄; Thence South 88°55' East 90 feet; thence South 21°55' East 965 feet; thence North 78°35' East 880 feet; thence South 630 feet; thence North 88°55' West 1320 feet; thence North 1338 feet, to the place of beginning

being in Section 31, Township 43 North, Range 8 East of the New Mexico Principal Meridian. Also the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, and that part of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, described by metes and bounds as follows: Commencing at a point, from which the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ bears South 88°55' East 208 feet; thence South 52°50' West 1000 feet; thence South 78°35' West 320 feet; thence South 630 feet, to the Southwest corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence East 1320 feet; thence North 1320 feet to the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$; thence North 88°55' West 208 feet, to the place of beginning. Said land being in Township 43 North, Range 8 East of the New Mexico Principal Meridian, Saguache County, Colorado, containing 160 acres, more or less. Saguache County Assessor Records Reception No. 335352, TOWNSHIP 43 NORTH OF RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN, SECTION 1: LOTS 3, 4, 5, 8, 9, AND SW $\frac{1}{4}$; SECTION 2: LOT 1, E $\frac{1}{2}$ OF LOTS 6, 7 AND 10, E $\frac{1}{2}$ SE $\frac{1}{4}$ TOWNSHIP 43 NORTH OF RANGE 9 EAST OF THE NEW MEXICO PRINCIPAL MERIDIAN. Saguache County Assessor Records Reception No. 374816, TOWNSHIP 43 NORTH, RANGE 9 EAST, N.M.P.M., Section 4: Tracts 1 thru 15, inclusive; Tracts 17 thru 48 inclusive. Saguache County Assessor Records Reception No. 291861, TOWNSHIP 43 NORTH, RANGE 9 EAST, N.M.P.M., Section 4: Lots 8 and 9; SW $\frac{1}{4}$, Section 9: SE $\frac{1}{4}$ and N $\frac{1}{2}$, Section 10: All, Section 14: W $\frac{1}{2}$ W $\frac{1}{2}$, Section 15: SE $\frac{1}{4}$ and N $\frac{1}{2}$. Saguache County Records Reception No. 359027, Parcel No. 1: All of Section 7, Township 43 North, Range 9 East, N.M.P.M. SAVING AND EXCEPTING THEREFROM Tracts 59 and 60 in said Section 7, Township 43 North, Range 9 East, N.M.P.M. according the Plat of the Oklahoma Land & Colorization Company filed July 13, 1910. Saguache County Assessor Records Reception No. 380946, W $\frac{1}{2}$ E $\frac{1}{2}$, LESS all those portions lying West of Saguache Creek Section 10, Township 43 North, Range 9 East, N.M.P.M., and E $\frac{1}{2}$ E $\frac{1}{2}$ of Section 10, Township 43 North, Range 9 East, N.M.P.M., County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 375237, Township 43 North, Range 9 East, County of Saguache, State of Colorado: Section 11: All, Section 14: E $\frac{1}{2}$, E $\frac{1}{2}$ W $\frac{1}{2}$. Saguache County Assessor Records Reception No. 375237, Township 43 North, Range 9 East, County of Saguache, State of Colorado: Section 12: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Saguache County Assessor Records Reception No. 371646, TOWNSHIP 42 NORTH, RANGE 9 EAST, Section 7: All, Section 8: All. Saguache County Assessor Records Reception No. 370275, 377442 and 377451, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE N.M.P.M., Section 16: All, Section 21: All, Section 28: All, Section 27: All, Except the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 33: All, Section 34: S $\frac{1}{2}$, And The Northwest Quarter (NW $\frac{1}{4}$) of Section 34, Township 42 North, Range 9 East, N.M.P.M., in Saguache County, Colorado. Saguache County Assessor

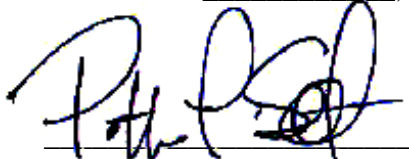
Records Reception No. 370275, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE N.M.P.M., Section 17: All, Section 18: All, Section 19: All, Section 20: All, Section 30: All, Saguache County Assessor Records Reception No. 370275, TOWNSHIP 42 NORTH, RANGE 9 EAST OF THE N.M.P.M., Section 29: All, Section 31: All, Section 32: All, Section 30: All, Saguache County Assessor Records Reception No. 364552, TOWNSHIP 42 NORTH OF RANGE 8 EAST, NEW MEXICO PRINCIPAL MERIDIAN, SECTION 1: All, SECTION 2: Lot 3, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, NE $\frac{1}{4}$. Saguache County Assessor Records Reception No. 336325, TOWNSHIP 42 NORTH, RANGE 8 EAST, N.M.P.M., Section 4: All, Section 5: South Half (S $\frac{1}{2}$), Section 6: South Half (S $\frac{1}{2}$), Section 7: North Half (N $\frac{1}{2}$), the West Half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$), the Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section 9: North Half (N $\frac{1}{2}$), the Southeast Quarter (SE $\frac{1}{4}$), the Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$), the West Half of the Northeast Quarter of the Southwest Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$), the Southeast Quarter of the Northeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$) and the North Half of the Southeast Quarter of the Southwest Quarter (N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 10: Southwest Quarter (SW $\frac{1}{4}$). Saguache County Assessor Records Reception No. 338936 and 254632, All of Section 8; the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, Township 42 North, Range 8 East, N.M.P.M. Saguache County Assessor Records Reception No. 370275, TOWNSHIP 42 NORTH, RANGE 8 EAST OF THE N.M.P.M., Section 13: NE $\frac{1}{4}$ and S $\frac{1}{2}$, Section 24: All, Section 25: All, Section 36: All. Saguache County Assessor Records Reception No. 306495, TOWNSHIP 42 NORTH, RANGE 8 EAST, NMPM, Saguache County, Colorado: SECTION 14: S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 15: NE $\frac{1}{4}$, NW $\frac{1}{4}$. Saguache County Assessor Records Reception No. 373552, TOWNSHIP 42 NORTH, RANGE 8 EAST, N.M.P.M., Section 19: South Half (S $\frac{1}{2}$) and Northeast Quarter (NE $\frac{1}{4}$), Section 30: That part of the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) lying north of the Lateral Ditch No. 10 of the Rio Grande Canal. Saguache County Assessor Records Reception No. 313210, TOWNSHIP 42 NORTH, RANGE 8 EAST, N.M.P.M., Section 17: SE $\frac{1}{4}$, Section 20: All, Section 21: S $\frac{1}{2}$ and NE $\frac{1}{4}$, Section 28: N $\frac{1}{2}$ and SW $\frac{1}{4}$, Section 29: All, Section 32: N $\frac{1}{2}$. Saguache County Assessor Records Reception No. 338936 and 254632, N $\frac{1}{2}$ of Section 17 and all of Section 18, Township 42 North, Range 8 East, N.M.P.M. Saguache County Assessor Records Reception No. 348223, Township 42 North, Range 8 East, N.M.P.M., Saguache County,

Order Establishing Special
Improvement District No. 5
Case No. 17CV30015
Saguache District Court

Colorado, Section 21: NW¹/₄. Saguache County Assessor Records Reception No. 305136, TOWNSHIP 42 NORTH, RANGE 8 EAST, N.M.P.M., Section 22: All, Section 23: All, Section 26: All, Section 27: All. Saguache County Assessor Records Reception No. 305136, Township 42 North, Range 8 East, N.M.P.M. Section 27: All. Saguache County Records Reception No. 322109, The N¹/₂ of Section 34, Township 42 North, Range 8 East of the New Mexico Principal Meridian. Saguache County Assessor Records Reception No. 372330, All of Section 13, Township 42 North, Range 7 East of the N.M.P.M. And The N¹/₂ of Section 24, Township 42 North, Range 7 East of the N.M.P.M. County of Saguache, State of Colorado. Saguache County Assessor Records Reception No. 306496 Township 42 North, Range 7 East, NMPM, Saguache County, Colorado, Section 35 NE¹/₄, NW¹/₄.

Furthermore, this Court will retain original and exclusive jurisdiction over matters involving Special Improvement District No. 5 pursuant to section 37-48-124, C.R.S.

Issue Date: December 18, 2017



PATTIE PRATT SWIFT
District Court Judge