CBOE # 75

2015 REAL PROPERTY NOTICE OF DETERMINATION

Received County Administration 7/15/15

Kristy McFarland
Gunnison County Assessor
221 N Wisconsin St, Suite A
Gunnison, CO 81230

Date of Notice: June 30, 2015
Phone: (970) 641-1085
Fax: (970) 641-7920
Email: assessor@gunnisoncounty.org
Website: http://www.gunnisoncounty.org/assessor.html

ACCOUNT NUMBER	TAX YEAR	TAX AREA	PARCEL NUMBER
R042159	2015	602	3171-000-00-005

PROPERTY OWNER	LEGAL DESCRIPTION
DALCO INC 11603 TELLER ST STE A BROOMFIELD, CO 80020-2996 / 777 Ute Ln Gunnison, CO 81230	UND 1/5 INT IN: SPRINGFIELD, SPRINGFIELD NO 1 #9508, COMPROMISE NO 1, NO 2 #13235, GOLDFIELD, GOLDFIELD NO 1-4, #13235, CARBONATE PRINCE #4451 TINCUP M.D. SEC 10,15 13S83W B493 P649 B496 P117 B510 P344 B597 P983 B748 P738 B756 P56

PROPERTY CLASSIFICATION		PROPERTY OWNER'S ESTIMATE OF VALUE	ASSESSOR'S VALUATION	
			ACTUAL VALUE PRIOR TO REVIEW	ACTUAL VALUE AFTER REVIEW
Vacant			42,020	42,020
	TOTALS		$42,020	$42,020

The Assessor has carefully studied all the available information, giving particular attention to the specifics included on your protest. The Assessor's determination of value after review is based on the following:

The actual value of the property is determined by appropriate consideration of the approaches to appraisal set forth in § 39-1-103(5)(a), C.R.S.

If you disagree with the Assessor's decision, you have the right to appeal to the County Board of Equalization for further consideration, § 39-8-106(1)(a), C.R.S.

The deadline for filing real property appeals is July 15.
The deadline for filing personal property appeals is July 20.

The Assessor establishes property values. The local taxing authorities (county, school district, city, fire protection, and other special districts) set mill levies. The mill levy requested by each taxing authority is based on a projected budget and the property tax revenue required to adequately fund the services it provides to its taxpayers. The local taxing authorities hold budget hearings in the fall. If you are concerned about mill levies, we recommend that you attend these budget hearings. Please refer to last year's tax bill or ask your Assessor for a listing of the local taxing authorities.

Please refer to the reverse side of this notice for additional information.

APPEAL PROCEDURES

Received
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County Board of Equalization Hearings will be held from July 1 through August 5 at Gunnison County Courthouse or Blackstock Government Center.

To appeal the Assessor's decision, complete the Petition to the County Board of Equalization shown below, and mail or deliver a copy of both sides of this form to:

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Gunnison County Board of Equalization
200 E Virginia Ave
Gunnison, CO 81230
(970) 641-0248

To preserve your appeal rights, your Petition to the County Board of Equalization must be postmarked or delivered on or before **July 15 for real property** and on or before **July 20 for personal property** – after such date, your right to appeal is lost. You may be required to prove that you filed a timely appeal; therefore, we recommend that all correspondence be mailed with proof of mailing.

You will be notified of the date and time scheduled for your hearing. The County Board of Equalization must mail a written decision to you within five business days following the date of the decision. The County Board of Equalization must conclude hearings and render decisions by August 5, § 39-8-107(2), C.R.S. If you do not receive a decision from the County Board of Equalization and you wish to continue your appeal, you must file an appeal with the Board of Assessment Appeals by September 12, § 39-2-125(1)(e), C.R.S.

If you are dissatisfied with the County Board of Equalization's decision and you wish to continue your appeal, you must appeal within 30 days of the date of the County Board's written decision to ONE of the following:

Board of Assessment Appeals
1313 Sherman Street, Room 315
Denver, CO 80203
(303) 866-5880
www.dola.colorado.gov/baa

District Court
Contact the District Court in the county where the property is located. See your local phone book for the address and telephone number.

Binding Arbitration
For a list of arbitrators, contact the County Commissioners at the address listed for the County Board of Equalization.

If the date for filing any report, schedule, claim, tax return, statement, remittance, or other document falls upon a Saturday, Sunday, or legal holiday, it shall be deemed to have been timely filed if filed on the next business day, § 39-1-120(3), C.R.S.

PETITION TO COUNTY BOARD OF EQUALIZATION

What is your estimate of the property's value as of June 30, 2014? (Your opinion of value in terms of a specific dollar amount is required for real property pursuant to § 39-8-106(1.5), C.R.S.)

$ 35,000

What is the basis for your estimate of value or your reason for requesting a review? (Please attach additional sheets as necessary and any supporting documentation, i.e., comparable sales, rent roll, original installed cost, appraisal, etc.)

Comparable properties, Ag lease
comparable Sales

ATTESTATION

I, the undersigned owner or agent* of the property identified above, affirm that the statements contained herein and on any attachments hereto are true and complete.

Signature	Telephone Number	Date
Anthony J [illegible]	9702754852	7/15/15

*Attach letter of authorization signed by property owner.

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Agriculture Grazing Lease Agreement

EXHIBIT A
Page 1 of 3

This grazing lease is made and entered into on this 1st day of January, 2012.

Between DALCO INC. Lessor(s)

And Dolyeville Cattlepool Lessee

The parties to the lease agree to the following provisions:

1. The lessor hereby leases to the Lessee for agriculture purposes of cattle grazing only, the following real estate located in the county of Gunnison, Co.

Land description: See attached

County Parcel #'s and acres: 3171-000-00-005

2. Lessee shall adhere to the arrangements with the U.S. Forest Service concerning their open range grazing agreement, dates of operation, pasture rotation and animal numbers.
3. Absolutely under no circumstances will the Lessee hold the Lessor , or any members of the Lessor, liable for any event, accident, injury or death to the Lessee, his(her) employees assigns, heirs, livestock or machinery while on the Lessors property under the terms of this agreement.
4. The grazing fee's for the premises shall be determined between the Lessor and the Lessee each year prior to the grazing season
5. This lease will automatically renew on the anniversary of this lease agreement and on each successive year on this anniversary unless either party has given notice to the other party of its termination. Said notice shall be writing to the other party at least 90(ninety) days prior to the grazing season, or after the grazing season of any year.
6. This lease will terminate on March 21, 2025.
7. Please no unauthorized movement of cattle by Lessor. Dolyeville Cattle pool

Lessor: DALCO Inc Lessee: [redacted] Cattle Association

VP- Anthony L Smith 1/1/12 [signature] 1/1/12

By Date [redacted] representative Date

This lease was negotiated by: [signature]

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EXHIBIT A
Page 2 of 3

* GreenHorn	14 & 15	805	7271	365	422
Ida May	11	1028	8311	365	415
* Anna's Treasure	10 & 11		1165	595	319

*Mineral Rights Only

The following described patented mining claims located in the Tincup Mining District, Gunnison County, Colorado:

Township 15 South, Range 81 West, 6th P.M.

Claim Name	Section	Mineral Survey No	Patent No.	Patent Book.	Recorded Page
Spotted Tail	29 & 30	8113	1077	45	78
Neptune	29	7189	22986		
Slide	29	7189	22986		
Free Coinage	29	7189	22986		
Free Coinage # 2	29	7189	22986		
Free Coinage # 3	29	7189	22986		
Powhattan	29	7189	22986		
Veteran	29	7189	22986		

The consideration for this deed, receipt of which is acknowledged, was Ten Dollars ($10.00).

DONE at Boulder, Colorado, on the 28th day of December, 1994.

Loren E. Smith

SEAL

STATE OF COLORADO}
SS
COUNTY OF BOULDER}

The foregoing quitclaim deed was acknowledged before me this 28th day of December, 1994 by Loren E. Smith.

Tammy T. Linton
NOTARY PUBLIC
STATE OF COLORADO

Notary Public

My Commission Expires 11-13-1997

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EXHIBIT A
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I Deb Rudibaugh Sec. of Doyelville cattle pool to hereby Affirm & attest that the Doyelville cattle pool has used Taco LLC & Dalco Inc. parcels and properties as part of our grazing for the past 15 years.

Deb Rudibaugh

1-1-15

Gunnison County
COLORADO

Assessor's Office
221 N. Wisconsin St., Suite A
Gunnison, CO 81230
(970) 641-1085

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6/9/2015

Dalco Inc.

RE: Account #: R033184 **Parcel #:** 3427-000-00-010 **Legal Description:** 7 MINING CLAIMS R IN TINCUP MD SEC 29 15S81W B757 P965

EXHIBIT B
Page 1 of 4

Account #: R042159 **Parcel #:** 3171-000-00-005 **Legal Description:** UND 1/5 INT IN: SPRINGFIELD, SPRINGFIELD NO 1 #9508, COMPROMISE NO 1, NO 2 #13235, GOLDFIELD, GOLDFIELD NO 1-4, #13235, CARBONATE PRINCE #4451 TINCUP M.D. SEC 10,15 13S83W B493 P649 B496 P117 B510 P344 B597 P983 B748 P738 B756 P56

Dear Anthony Smith,

Enclosed you will find an agriculture questionnaire pertaining to property you own. In order to keep agricultural status on the property noted above, we must have documentation that the property is being used in an agricultural endeavor. **To ensure that your property is accurately classified, please return the requested documentation together with the enclosed questionnaire by 6/19/2015.** See the reverse side of this letter for definitions and examples of documentation.

Agricultural land in Colorado is valued by the income appraisal approach, based on the earning capability of the land. In recent years, the Division of Property Taxation (DPT) and the Colorado Agricultural Statistics Service (CASS) have supplied county offices statewide with agricultural statistics for valuing agricultural properties. Because this data has come under fire from some farmers and ranchers as being inaccurate for certain counties (due to variations such as length of growing seasons and weather), upon advice from the DPT and CASS, counties are building their own income and expense data. Gunnison County Assessor's office compiles data from the local agricultural community to assist in accurately representing a fair market value. Locally obtained information will result in less statewide influence on our values.

Additionally, new legislation (House Bill 11-1146) went into effect in 2012. This bill states that any residences on agricultural property must be integral to an agricultural operation for the purpose of determining whether two acres or less associated with the residence satisfies the definition of agricultural land for property tax purposes. In short, if the occupants of a house are not integrally involved in the agriculture operation, up to two acres of land surrounding the residence may be given a market value. The remainder of the land will still be valued agriculturally.

All personal financial and business information you provide to the Gunnison County Assessor's office is confidential and is not shared with other county departments or the public.

Sincerely,

Mary Mast

Mary Mast
Appraiser, Gunnison County
mmast@gunnisoncounty.org

DOCUMENTS WHICH DEMONSTRATE AGRICULTURAL USE INCLUDE:

- **Grazing lease agreement**
- **1040 F or equivalent IRS form**
- **Sales invoices of agricultural products or livestock**
- **Financial statements**
- **Brand Inspection Certificates**

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EXHIBIT B
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DEFINITIONS:

"Agricultural land" means a parcel of land, whether located in an incorporated or unincorporated area and regardless of the uses for which such land is zoned, that was used the previous two years and presently is used as a farm or ranch, as defined in subsection (3.5) and (13.5) of this section or that is in the process of being restored through conservation practices. Such land must have been classified or eligible for classification as "agricultural land", consistent with this subsection (1.6), during the ten years preceding the year of assessment. Such land must continue to have actual agricultural use. "Agricultural land" under this subparagraph (I) shall not include two acres or less of land on which a residential improvement is located unless the improvement is integral to an agricultural operation conducted on such land. "Agricultural land" also includes the land underlying other improvements if such improvements are an integral part of the farm or ranch and if such other improvements and the land area dedicated to such other improvements are typically used as an ancillary part of the operation. The use of a portion of such land for hunting, fishing, or other wildlife purposes, for monetary profit or otherwise, shall not affect the classification of agricultural land. § 39-1-102(1.6)(a)(I)(A), C.R.S.

"Integral to an agricultural operation" means for purposes of subparagraph (A) of this subparagraph (I) if an individual occupying the residential improvement either regularly conducts, supervises, or administers material aspects of the agricultural operation or is the spouse, or a parent, grandparent, sibling, or child of the individual. § 39-1-102(1.6)(a)(I)(B), C.R.S.

"Farm" means a parcel of land which is used to produce agricultural products that originate from the land's productivity for the primary purpose of obtaining a monetary profit. § 39-1-102(3.5), C.R.S.

"Ranch" means a parcel of land which is used for grazing livestock for the primary purpose of obtaining a monetary profit. For the purpose of this subsection (13.5), "livestock" means domestic animals which are used for food for human or animal consumption, breeding, draft, or profit. § 39-1-102(13.5), C.R.S.

"Actual value determined - when" Once any property is classified for property tax purposes, it shall remain so classified until such time as its actual use changes or the assessor discovers that the classification is erroneous. The property owner shall endeavor to comply with the reasonable requests of the assessor to supply information which cannot be ascertained independently but which is necessary to determine actual use and properly classify the property when the assessor has evidence that there has been a change in the use of the property. Failure to supply such information shall not be the sole reason for reclassifying the property. Any such request for such information shall be accompanied by a notice that states that failure on the part of the property owner to supply such information will not be used as the sole reason for reclassifying the property in question. § 39-1-103(5)(c), C.R.S.

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GUNNISON COUNTY AGRICULTURAL USE QUESTIONNAIRE

Owner: Dalco Inc.

Account #: R042159	Parcel #: 3171-000-00-005
Legal Description: UND 1/5 INT IN: SPRINGFIELD, SPRINGFIELD NO 1 #9508, COMPROMISE NO 1, NO 2 #13235, GOLDFIELD, GOLDFIELD NO 1-4, #13235, CARBONATE PRINCE #4451 TINCUP M.D. SEC 10,15 13S83W B493 P649 B496 P117 B510 P344 B597 P983 B748 P738 B756 P56	

The answers to the following questionnaire are completely confidential, and gives the agricultural community direct involvement with establishing fair and accurate local data with which to value your agricultural properties. Please take the time to fill out the questionnaire as completely as possible and return it by 6/19/2015. ***Thank you -***

For the year 2015:

10. What percent of the property was used as a:
    Ranch _____ Other 100%
    (please explain) grazing
11. If your property was being used as a ranch:
    a. What type of livestock is grazed on your property: Cattle
    b. How many head: _____
    c. Use of livestock: grazing
    d. Do you own the livestock? *Yes or* (No)
    e. If not, who does? Tayler Park Cattle Pod
    f. How much of the total acreage of this property is used for grazing livestock: 100%
    g. Which months of the year do you use your property for grazing? May - Dec
12. What crops were cultivated?

Alfalfa:	Acres planted_____	Acres harvested_____	Ton per acre_____
Grass Hay:	Acres planted_____	Acres harvested_____	Ton per acre_____
Meadow Hay:	Acres planted_____	Acres harvested_____	Ton per acre_____
Pasture Grass:	Acres planted_____	Acres harvested_____	

13. Do you fertilize? *Yes or* (No)
    a. What is the approximate cost per acre for fertilizer_____?
14. Do you apply herbicides or pesticides? *Yes or* (No)
    a. What is the approximate cost per acre for herbicides/ pesticides _____?
15. Does this property have irrigation water rights? *Yes or* (No)
    a. Decreed water right? *Yes or No* # of feet _____
    b. Decreed shares? *Yes or No* # of shares _____
    c. Source of irrigation water _____
    d. Source of stock water _____
    e. What is the approximate cost per acre for water/irrigation maintenance? _____
16. Is the property fenced? *Fully or Partially or* (None)
    a. What type of fencing? _____
    b. Approximate annual cost to maintain:_____
17. If your property is being used by another party in an agricultural endeavor, by what arrangements or conditions is the land being used? No
    _____
18. Do you sell your hay? *Yes or No*
    a. What price per ton do you sell your alfalfa hay_____?
    b. What price per ton do you sell your grass hay_____?

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c. Do you use your hay and crops for your own operations? *Yes or No*

d. If you do not sell your hay, what value per ton would you put on it_____?

Additional comments:_____

_____

_____

Contact Name: Anthony L Smith Phone Number: 970 275 4852

Questions? Don't hesitate to call us: (970) 641-1085

Please return <u>Questionnaire</u> & <u>Documentation</u> (Leases, IRS Forms, Invoices, Statements, Certificates, etc) **to**:
Gunnison County Assessor – 221 N. Wisconsin St., Suite A – Gunnison, CO 81230

Gunnison County
COLORADO

Gunnison County Administration
Phone: (970) 641–0248 • Fax: (970) 641–3061
www.GunnisonCounty.org

July 20, 2015

CBOE #75
Dalco Inc.
Tony Smith
777 Ute Ln
Gunnison, CO 81230
rdforesst@hotmail.com

Schedule Number:	R042159
Parcel Number:	3171-000-00-005
Property Description:	UND 1/5 INT IN: SPRINGFIELD, SPRINGFIELD NO 1 #9508, COMPROMISE NO 1, NO 2 #13235, GOLDFIELD, GOLDFIELD NO 1-4, #13235, CARBONATE PRINCE #4451 TINCUP M.D. SEC 10,15 13S83W B493 P649 B496 P117 B510 P344 B597 P983 B748 P738 B756 P56

Dear Property Owner,

The Gunnison County Board of Equalization will hear your petition of protest on the valuation for assessment of your property on Tuesday July 28, 2015 at 10:30 am. The hearing will be held in the Board of County Commissioners meeting room, located in the Courthouse at 200 E. Virginia Ave. Gunnison, CO 81230. Please read the following information carefully.

You may appear before the Board in person, via telephone conference call, appear with your representative, or have your representative appear on your behalf. **If you plan to be represented by someone other than yourself at your hearing, please submit a letter of agency signed by you** to Bre Shelton by email at bshelton@gunnisoncounty.org, or by fax at 970-641-3061. **Please contact Bre prior to the hearing date to make a special request for a phone conference, if needed.**

1. You may submit your case in written form and waive a personal appearance before the Board. If your information is submitted in this manner, the Board will make a determination after reviewing the petition, any written evidence that has been provided, and after allowing the Assessor to give testimony and submit exhibits.

2. Upon your written request to the Assessor's Office at 221 N Wisconsin Street, Gunnison Colorado 81230, phone number 970-641-1085, the Assessor is required to make available to you, three (3) working days after receiving the request, all data supporting the valuation. Your request must be accompanied by your information supporting your valuation. This disclosure does not prohibit the introduction of additional data at the hearing discovered as a result of the exchange of the information.

3. Please provide one copy of the documentation that you plan to submit at the hearing, AND any documentation that has been provided to the Assessor's Office, by 8:00 am, two (2) business days prior to the hearing date of Tuesday July 28, 2015 to permit the exhibits to be presented to the Board. Please bring, or have delivered, such documentation to the County Administration Office located at 200 E. Virginia Avenue, Gunnison, Colorado. This documentation may also be faxed to 970-641-3061, or email to bshelton@gunnisoncounty.org. **If you must bring additional documentation to the hearing, please bring five (5) copies of each document.**

4. Because of the volume of cases before the Board of Equalization, all hearings scheduled are final and cannot be rescheduled. Hearings will go before the board in your absence. The Board will carefully consider all data submitted. If you cannot attend the hearing scheduled for you above, please contact Bre Shelton at 970-641-7600.

Sincerely,

Bre Shelton
Clerk to the Board of Equalization

75-78

Gunnison County
COLORADO

200 East Virginia Avenue
Gunnison, CO 81230

U.S. POSTAGE PITNEY BOWES
ZIP 81230 $ 000.48[5]
02 1W
0001368390 JUL 21 2015

Dalco Inc
ATTN: Tony Smith
777 Ute Ln
Gunnison, CO 81230